

**THE STATE OF NEW HAMPSHIRE**  
**JUDICIAL BRANCH**  
**NH CIRCUIT COURT**

MERRIMACK COUNTY

6<sup>TH</sup> CIRCUIT - PROBATE DIVISION - CONCORD

In Re. Guardianship of  
 Case No. 317-2010-GI-00337

Special Needs Trust of \_\_\_\_\_ IS  
 Case No. 317-2010-TU-00853

**ORDER ON MOTION FOR RECONSIDERATION**

Before the Court is a Motion for Reconsideration filed by Jeannette Marino, M.S. She seeks reconsideration of the Court's Order of August 11, 2014 removing her as Trustee of the Special Needs Trust of \_\_\_\_\_

The Court notes that the Ward sought removal of her Trustee in her letter dated May 12, 2014. Specifically, the Ward (who was *pro se* when she filed the letter) wrote: "My current guardianship order is for Guardian over the Person. In addition, I have a trustee who manages a complicated trust for me. Because I am not satisfied with how the trustee manages my trust, I wish for the Court to appoint (sic) a Guardian over the Person and Estate." The Notice of Hearing provided that one of the many issues to be considered was the Ward's request for successor guardian. Indeed, the Court notes that Ms. Marino did not object to the issue being addressed during the hearing. In consideration of the Ward's letter in conjunction with the Notice of Hearing, the Court determines that the Trustee/Guardian over the Estate was provided reasonable and sufficient notice that the Ward was dissatisfied with Ms. Marino (who was acting in the dual capacity as Trustee and Guardian over the Estate), and that Court would be considering the issue of her removal in both capacities would be at issue at the hearing.

With respect to the factual basis for removal, the Court finds that it did not overlook or misapprehend any points of law or facts in determining that appointing a successor Trustee was appropriate.

The Motion for Reconsideration is **DENIED**.

So Ordered.

September 19, 2014  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Hon. Elizabeth M. Leonard