

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR
LEE COUNTY, FLORIDA** **JUVENILE ACTION**

IN RE: THE MATTER OF:

Z.M., A MINOR CHILD

CASE NO.: 07-3366-CJ

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**EMERGENCY MOTION FOR TEMPORARY UNSUPERVISED VISITATION OR IN
THE ALTERNATIVE, MOTION FOR TEMPORARY TRANSFER OF
GUARDIANSHIP OF THE MINOR CHILD**

COMES NOW, the natural mother of the minor child, Mindy McCready, by and through the undersigned counsel, pursuant to Florida Rules of Juvenile and Civil Procedures, and hereby sets forth this Emergency Motion for Temporary Unsupervised Visitation or in the Alternative, Motion for Temporary Transfer of Guardianship of the Minor Child, and would state further as follows:

1. The minor child at issue in this matter is currently under a court ordered guardianship wherein Gayle Inge has been named guardian of the Minor child.
2. Mindy McCready, the natural mother to the Minor child currently has supervised visitation with the minor child, provided a qualified person is available to supervise her visits at all times.
3. Typically, this visitation is governed either by Gayle Inge or Mike Inge, the maternal grandparents of the Minor child who also hold court ordered guardianship of the minor child.
4. The natural mother has learned today that her paternal grandmother was killed in a car accident yesterday and funeral arrangements are currently being planned (a true and correct copy of an article indicating the death is attached hereto as Exhibit "A")

5. The family is anticipating holding a funeral for the grandmother on or about Sunday, August 22 or Monday, August 23, 2010 in St. Petersburg, Florida.
6. The natural mother would like the ability to have her son attend the grandmother's funeral, however to do so, would require either unsupervised visitation and/or a change in the custodial arrangement for a limited duration of at most five (5) days.
7. The natural mother will be staying at her father's (Tim McCready) home in Ft. Myers, Florida while she is present to attend the funeral. Further, she will be traveling to the funeral with her father and step mother.
8. In addition, it is anticipated that several relatives will also be in town for the funeral to pay last respects.
9. The natural mother would like her son present for the funeral and to stay with her at her father's/step mother's home during her time in Florida.
10. To facilitate this temporary change in guardianship, Tim McCready and Teri McCready have agreed to act as temporary guardians and to further supervise the visitation of the minor child if he is allowed to stay for this limited duration.
11. Without this temporary transfer and/or unsupervised visitation, the natural mother fears that there may be miscommunication between all involved parties, such that visitation may be seriously restricted and/or denied during the funeral time rendering the minor child unable to pay his last respects to his great-grandmother.
12. Given the close relationship between the paternal grandfather and the minor child, such limited transfer of guardianship and/or unsupervised visitation would not cause undue stress on the minor child such that it would result in permanent or lasting concerns.

13. In the alternative, the natural mother would request that if this Court is disinclined to allow for a temporary change in guardianship, that this Court allow for an extended overnight supervised or unsupervised visitation of not more than five (5) days for the minor child to reside at the paternal grandfather's home.

WHEREFORE, the natural mother of the minor child at issue in this cause respectfully requests this Court enter an Order allowing for a temporary change in guardianship for the limited duration as set forth above, further, to allow for unsupervised visitation, or, in the alternative, to enter an Order to allow for an extended overnight supervised visit at the Paternal Grandfather's home not to exceed five (5) days.

RESPECTFULLY SUBMITTED:

JAMES E. MOON, ESQUIRE

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above has been sent via Regular U.S. Mail to James Jessell, Esquire, Department of Children & Family Services, P.O. Box 837, Fort Myers, Florida 33902-0837 and to Jay Brizel, Esquire, Attorney for Natural Father, 1300 Westlinks Terrace, Suite 13, Fort Myers, Florida 33913-8620 this 19th day of August, 2010 and further was served via email to opposing counsel [email addresses have been purposely omitted from this public record].

JAMES E. MOON, ESQUIRE

Florida Bar No.: 0184713