

IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA

IN THE MATTER OF THE
GUARDIANSHIP FOR:
LINDA LEFEBVRE DONAHUE

PR 22 1652

Ward/Protected Person

FILED
COUNTY COURT
PROBATE DIVISION

MAY 01 2025

Clerk of Court
DOUGLAS COUNTY COURT
OMAHA, NEBRASKA

JUDGE JOHN E. HUBER

MOTION TO PERMIT WARD
TO SIGN COMPLAINT
AND SEEK COUNSEL

COMES NOW, Steven John Donahue, pro se, spouse of the ward, Linda Lefebvre Donahue, and moves this Court to permit Linda to sign a civil complaint as a plaintiff in Cass County District Court and seek counsel for Nebraska and federal courts, alleging as follows:

1. Linda Lefebvre Donahue is a ward under the guardianship of her sister, Carol Lefebvre Toto, a Florida resident, appointed by this Court (Case No. PR 22-1652).
2. Steven John Donahue, Linda's husband, has visited her nearly daily for 28 months at Prestige Care Center, Plattsmouth, Nebraska, logging 383 visits as of April 30, 2025, confirming her intent to pursue legal action. Though not the de jure guardian, he is the de facto guardian.
3. This Court denied Steven's application for intervention against Prestige Care Center, citing lack of jurisdiction, but suggested he is free to file a separate legal challenge. Steven and Linda intend to file such a complaint in Cass County District Court by May 7, 2025, alleging violations of Linda's resident rights, including a 70-day visitation ban, denial of religious participation, and non-consensual procedures.
4. Linda has expressed her desire to join the complaint as a plaintiff, as the lawsuit addresses her rights under **42 CFR § 483.10** and **Neb. Rev. Stat. § 71-6018.01** et seq.
5. Pursuant to **Neb. Rev. Stat. § 30-2628**, a ward retains rights not restricted by the guardianship



order. Linda's guardianship does not prohibit litigation, and her capacity to consent is evidenced by her witnessed medical Power of Attorney designating Steven as her healthcare agent.

6. Carol Lefebvre Toto has not visited Linda in about seven years and provided an illegally obtained, tampered recording to Prestige to slander Steven, showing bias and neglect.

7. Linda's signature is essential to attract a contingency attorney in Plattsmouth or Omaha for Nebraska (Cass County District Court) and federal courts (e.g., U.S. District Court for Nebraska), as her negligence and resident rights claims, seeking \$150,000–\$250,000 of a \$375,000–\$650,000 total, require her as a plaintiff to ensure constitutional due process and equal protection under **42 U.S.C. § 1983**, with potential claims under **18 U.S.C. § 2511**.

8. Steven is contacting attorneys the week of May 5, 2025, and launching *Nursing Home Rhymes*, echoing the adage that the history of nursing home abuse may not repeat, but it sure does rhyme, with ads in *The Daily Record* and *The Nebraska Examiner* starting May 12, 2025, to rally attorneys in a historic fight for justice. Prestige and the guardian have imposed more sanctions on him than a Russian oligarch, with no justification.

9. To avoid potential disqualification by the Cass County District Court and secure Linda's rights, Steven requests an order affirming her right to sign the complaint and seek counsel for Nebraska courts and federal court under the diversity of states provision (**28 U.S.C. § 1332**), given Toto's Florida residency, for claims including violations of **18 U.S.C. § 2511**.

WHEREFORE, Steven John Donahue requests:

1. Permitting Linda Lefebvre Donahue to sign the Cass County complaint as a plaintiff and seek contingency counsel for Nebraska and federal courts, including under diversity jurisdiction, to protect her constitutional rights.
2. Permitting Steven John Donahue to sign on Linda's behalf for the Cass County complaint and related legal actions, as her spouse, de facto guardian, and medical Power of Attorney holder, to ensure her interests are protected.

3. Such other relief as the Court deems just.

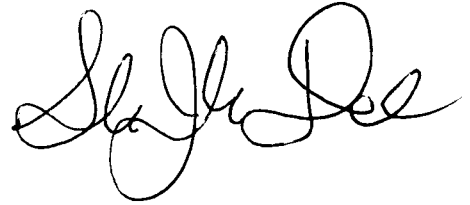
Respectfully submitted,

Steven John Donahue, Pro Se

1511 Farnam Street, Apt. 110, Omaha, NE 68102

(402) 889-9047, donahue.steven@gmail.com

Date: May 1, 2025



References Cited

The following statutes, regulations, and documents are referenced in this motion, the attached affidavit, or the Cass County complaint draft (Exhibit A), with brief explanations:

- **Neb. Rev. Stat. § 24-302:** Grants district courts jurisdiction over civil cases with damages exceeding \$57,000, relevant to the Cass County complaint's \$375,000–\$650,000 claim.
- **Neb. Rev. Stat. § 25-403.01:** Establishes venue in the county where the defendant's business is located or the cause of action arose, justifying Cass County filing.
- **Neb. Rev. Stat. § 25-839:** Defines slander for false statements causing reputational harm, applicable to Toto's tampered recording used by Prestige.
- **Neb. Rev. Stat. § 30-2628:** Allows a ward to retain rights not restricted by the guardianship order, supporting Linda's capacity to consent to litigation.
- **Neb. Rev. Stat. § 71-6018.01 et seq.:** Nebraska Nursing Home Act, guaranteeing residents' rights to dignity, privacy, and religious participation, violated by Prestige's actions.
- **18 U.S.C. § 2511:** Federal Wiretap Act, prohibiting unauthorized interception and disclosure of communications, violated by Toto's tampered recording.
- **28 U.S.C. § 1332:** Provides federal court jurisdiction for diversity of citizenship cases, applicable to claims against Toto (Florida) in Nebraska federal court.

- **42 U.S.C. § 1983:** Remedies violations of federal constitutional or statutory rights by state actors, relevant to Prestige's resident rights violations.
- **42 U.S.C. § 1396r:** Nursing Home Reform Act, mandates resident rights to dignified treatment in federally funded facilities, breached by Prestige.
- **42 U.S.C. § 2000cc:** Religious Land Use and Institutionalized Persons Act, protects religious exercise, violated by Prestige's denial of Linda's access to Mass.
- **42 CFR § 483.10:** Federal regulation outlining nursing home resident rights (e.g., dignity, privacy, religious freedom), violated by Prestige's actions.
- **Fla. Stat. § 934.03:** Requires two-party consent for recording communications, violated by Toto's unauthorized recording.
- **CMS State Operations Manual, F-Tags 558, 573, 578:** CMS guidelines for nursing home compliance, cited in the Cass County complaint for Prestige's violations (e.g., visitation restrictions, lack of informed consent).
- **Nebraska DHHS, CHOW2019.pdf (March 29, 2019):** Documents Prestige's ownership by Ephram Lahasky and Yisroel Kaplan, referenced in the Cass County complaint to establish liability.

IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA

IN THE MATTER OF
Linda Lefebvre Donahue
Ward/Minor Ward/Protected Person.

Case No. PR 22-1652

CERTIFICATE OF MAILING

I swear or affirm, under the penalties of perjury, that on May 1, 2025,
I mailed copies of :

MOTION TO PERMIT WARD

TO SIGN COMPLAINT

AND SEEK COUNSEL ;

Notice of Right to Object form (if required).

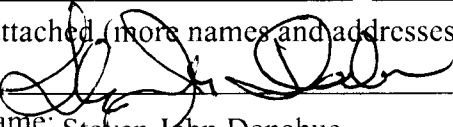
to all interested persons and bonding company, if any, at the addresses set forth below:

NAME(S) OF ADDRESS(ES)

INTERESTED PERSON(S)

(See attached List)

☒ See attached (more names and addresses than above)

Signature: 

Date: May 1, 2025

Printed Name: Steven John Donahue

(of guardian and/or conservator or their attorney)

Street Address/P.O. Box: 1511 Farnam Street Apt. 110

City/State/ZIP Code: Omaha, NE 68102

Telephone Number: (402)889-9047

Email address: donahue.steven@gmail.com

If completed by an attorney:

Bar Number: _____

Is there more than one guardian and/or conservator? ☐ yes ☒ no

12. The following persons are required by law to be notified and be given notice and time and place of the hearing on this Petition:

SSA

604 109th Ct.

Omaha, NE 68154

Linda Lefebvre Donahue

Prestige Care Center

602 S. 18th Street

Plattsmouth, NE 68048

Richard Lefebvre

3 Oceans Blvd. Unit 5C3

Daytona Beach, FL 32118

Carol Lefebvre Toto

2100 S. Ocean Lane No. 1503

Fort Lauderdale, FL 33316

Kathleen Pallesen, esq.

11819 Miracle Hills Drive

Suite 104 Omaha, Nebraska 68145

Kelly Henry Turner, esq.

Goosman Law Firm

17838 Burke St. Omaha, NE 68118

Jeffrey P. Heineman, esq.

Office of Public Guardian

1540 South 70th Street, Suite 202

Lincoln, NE 68506

Prestige Care Center, LLC.

602 S. 18th Street

Plattsmouth, NE 68048

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OMAHA, NEBRASKA



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402.292.8000 | 800.228.0392
www.cobaltcu.com

NOTARY ACKNOWLEDGMENT

State/Commonwealth of Nebraska
County of Douglas } ss.

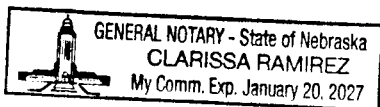
On this the 1st day of MAY, 2025, before me,

Clarissa Ramirez, the undersigned Notary Public, personally appeared
Name of Notary Public

Steven J. Donahue
Name(s) of Signer(s)

- ☐ Personally known to me – OR –
☒ Proved to me on the basis of satisfactory evidence
to be the person(s) whose name(s) is/are subscribed
to the within instrument, and acknowledged to me
that he/she/they executed the same for the purposes
therein stated.

WITNESS my hand and official seal.



Place Notary Seal/Stamp Above

Clarissa Ramirez
Signature of Notary Public
Clarissa Ramirez January 20, 2027
Any Other Required Information (Printed
Name of Notary, Expiration Date, etc.)

Optional: This section is required for notarizations performed in Arizona but is optional in other states. Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document:

Title or Type of Document: motion to permit ward
Document Date: 3/1/25 Number of Pages: 6
Signer(s) Other Than Named Above: _____