

Probate Status Hearing Re: First Account be filed on or before January 3, 2014

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| Age: | | NEEDS/PROBLEMS/COMMENTS: <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>First Account filed 12-23-13 is set for hearing on 2-10-14.</p> |
| DOD: | | |
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| <input type="checkbox"/> | Aff.Sub.Wit. | |
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| <input type="checkbox"/> | Notice of Hrg | |
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| <input type="checkbox"/> | Sp.Ntc. | |
| <input type="checkbox"/> | Pers.Serv. | |
| <input type="checkbox"/> | Conf. Screen | |
| <input type="checkbox"/> | Letters | |
| <input type="checkbox"/> | Duties/Supp | |
| <input type="checkbox"/> | Objections | |
| <input type="checkbox"/> | Video Receipt | |
| <input type="checkbox"/> | CI Report | |
| <input type="checkbox"/> | 9202 | |
| <input type="checkbox"/> | Order | |
| <input type="checkbox"/> | Aff. Posting | |
| <input type="checkbox"/> | Status Rpt | |
| <input type="checkbox"/> | UCCJEA | |
| <input type="checkbox"/> | Citation | |
| <input type="checkbox"/> | FTB Notice | |
| | | Reviewed by: skc |
| | | Reviewed on: 1-2-14 |
| | | Updates: |
| | | Recommendation: |
| | | File 1 – Allen |

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| DOD: 3-31-12 | <p>GREGORY TAYLOR, Son was appointed Executor with Full IAEA without bond and Letters issued on 11-9-12.</p> <p>Executor is a resident of West River, Maryland.</p> <p>Inventory and Appraisal filed 11-2-12 indicated \$204,522.95 in cash (various accounts) and real property valued at \$300,000.00.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Petition for Final Distribution or verified written status report pursuant to Local Rules.</p> <p><u>Note:</u> The I&A was filed prior to Mr. Taylor's appointment as Executor. The Court may require clarification as to whether any additional assets were discovered after appointment.</p> <p><u>Note:</u> The decedent's will devises the estate to a trust; however, the statutory requirements of probate must be met prior to distribution. See applicable law.</p> |
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| Citation | | |
| FTB Notice | | |
| | <p>Reviewed by: skc</p> <p>Reviewed on: 1-2-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2 – Mason</p> | |

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| Age: 86 years | PUBLIC GUARDIAN was appointed as conservator of the person and estate on 7/25/2013. | NEEDS/PROBLEMS/COMMENTS: |
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| | Inventory & Appraisal, partial no. 1 filed 09/11/13 - \$135,000.00 | 1. Need Final Inventory & Appraisal. |
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| <input type="checkbox"/> Citation | | |
| <input type="checkbox"/> FTB Notice | | |
| | | Reviewed by: JF |
| | | Reviewed on: 01/02/14 |
| | | Updates: |
| | | Recommendation: |
| | | File 3 – Valencia |

Probate Status Hearing for Failure to File the Inventory and Appraisal and for Failure to File a First Account or Petition for Final Distribution

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| DOD: 01/12/01 | <p>SUSAN HOSE, wife, was appointed Administrator without bond on 07/03/01. Letters of Administration were issued on 07/03/01.</p> <p>Notice of Status Hearing filed 07/31/13 set this matter for status on 09/20/13.</p> <p>Declaration of Randolph Krbechek Regarding the Status of the Action and Request for Dismissal filed 08/29/13 states: Mr. Krbechek and the decedent worked together and were good friends. After his untimely death, Mr. Krbechek assisted Susan Hose, the decedent's wife, with probate matters. He does not recall why a probate proceeding was started, assumably because an insurance company or similar entity demanded that Letters of Administration were obtained. Susan moved to Florida some time ago and while he had been in contact with her for some time after the decedent's death, he has not had contact with her for the past 3 years and does not have a current address. Mr. Krbechek states that he is certain that any matters requiring attention in connection with the decedent's death have long since been completed and there is no reason to keep this matter open. Mr. Krbechek requests that this probate administration be concluded.</p> <p>Declaration of Randolph Krbechek Regarding Status of Action filed 12/24/13 states: He has made contact with Susan Hose, who now resides in Arizona. A Petition to terminate the probate proceeding will be prepared and filed. A continuance to 02/01/14 is requested.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 11/01/13</p> <p>Note: Nothing was filed in this matter after the Letters of Administration were issued, including an Inventory & Appraisal, therefore it is unclear if there ever were assets subject to administration.</p> <p>1. Need Inventory & Appraisal and Account/Report of Administrator on waive of Account and Petition for Final Distribution <u>or</u> Verified Petition to terminate the probate administration (see Probate Code § 12251).</p> |
| Cont. from 092013, 110113 | | |
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| Citation | | |
| FTB Notice | | |
| | <p>Reviewed by: JF</p> <p>Reviewed on: 01/02/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 – Hose</p> | |

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| DOD: 11/14/2003 | CLAYTON JEFFREY MASSEY and RAYMOND DEAN MASSEY were appointed as Co-Executors with full IAEA authority and without bond on 5/11/2004. | NEEDS/PROBLEMS/COMMENTS: <u>Continued from 11/01/2013.</u> Minute Order from 09/0613 states Counsel advises that Court that the estate has been abandoned. The Court directs counsel to submit information regarding when the property was transferred. Counsel is informed that the estate will need to be closed. As of 01/02/14, nothing further has been filed. 1. Need current written status report or inventory and appraisal and first account and/or petition for final distribution |
| | Letters issued on 5/11/2004. | |
| Cont. from 090613, 110113 | Inventory and appraisal was due on 10/11/2004. | |
| Aff.Sub.Wit. | First account and/or petition for final distribution was due on 5/11/2005. | |
| Verified | Notice of Setting Status Hearing was sent to Attorney Richard Hemb on 7/17/2013. | |
| Inventory | Status Report of Attorney Richard Hemb filed on 9/4/2013 states an inventory and appraisal was prepared by Steven Diebert with a total value of \$193,489.92 and sent to the clients for review and signature. Mr. Hemb states he also prepared a declaration whereby the property would be distributed to an inter vivos trust and a First and Final Account and Report of Executors and Petition for Settlement, Allowance of Commissions and Fees and Final Distribution. The documents were never executed by his clients. | |
| PTC | | |
| Not.Cred. | Mr. Hemb states his last telephone call with either client was on 5/8/2007. Written communication to close the matter did not produce a response. | |
| Notice of Hrg | Mr. Hemb states he recalls toward the end of his dealings with this case Raymond Massey moved out of state. Efforts to locate either personal representative via telephone or internet search have been unsuccessful. The personal residence of Clayton Massey during the period described above is now the site of a Tractor Supply Company. | |
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| | | Reviewed by: KT/JF |
| | | Reviewed on: 01/02/14 |
| | | Updates: |
| | | Recommendation: |
| | | File 5 – Massey |

Probate Status Hearing Re: Failure to File First Account or Petition for Final Distribution

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| DOD: 8/12/1999 | <p>DORIS LEE ROGERS was appointed as Administrator with no IAEA authority and with bond set at \$112,000.00 on 2/22/2005.</p> <p>Bond of \$112,000.00 was filed on 3/22/2005.</p> <p>Letters issued on 3/22/2005.</p> <p>Inventory and appraisal was filed on 5/2/2005 showing the estate valued at \$50,000.00</p> <p>Reappraisal for sale was filed on 6/10/2005 showing the real property reappraised at \$102,000.00.</p> <p>First account and/or petition for final distribution was due on 3/22/2006.</p> <p>Department of Health Service filed a Creditor's Claim on 6/20/2005 in the amount of \$32,384.13.</p> <p>Department of Health Services filed an additional Creditor's Claim on 6/20/2005 in the amount of \$7,213.69.</p> <p>Notice of Setting Status Hearing was sent to Attorney Richard Hemb on 7/17/2013.</p> <p style="text-align: center;">Please see additional page</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 11/01/13. Minute Order from 11/01/13 states: The Court is advised that this is a no asset estate.</p> <p>As of 01/02/14, nothing further has been filed.</p> <p>1. Need current status report or first account and/or petition for final distribution, or a petition to terminate proceedings.</p> <p>Note: Department of Health Services has filed a Request for Special Notice in this matter.</p> |
| Cont. from 090613, 110113 | | |
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| Reviewed by: KT/JF | | |
| Reviewed on: 01/02/14 | | |
| Updates: | | |
| Recommendation: | | |
| File 6 – Ali | | |

Status Report filed on 9/4/13 states the only asset of the estate was a single parcel of real property. A buyer for the real property was obtained and the Administrator was undergoing a court confirmation of sale proceeding. A problem with the title surfaced. Unbeknownst to the Administrator and to all but one of her siblings, it was determined that the decedent conveyed title to herself and one of her daughters as Joint Tenants. As a result the probate estate owned no assets.

Attached is a copy of a Petition for Termination of Further Proceedings and Discharge of Personal Representative. Considering the loss of money paid by the personal representative and her attorney, and the apparent lack of interest in expelling any additional time and effort, the petition was never acted upon.

Mr. Hemb states he sent a copy of the Court's Notice to the last known address of the personal representative.

Accordingly, this estate has no assets and has never officially been closed.

Probate Status Hearing Re: Failure to File Inventory and Appraisal and Failure to File First Account or Petition for Final Distribution

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| DOD: 10/21/05 | PATRICIA HERSCHFELT , was appointed Administrator with full IAEA and without bond on 10/10/06. Letters of Administration were issued on 10/10/06. | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u> Petition for Discharge Without Administration filed 12/31/13 and set for hearing on 02/13/14</p> <p><u>Continued from 11/01/13</u> Minute Order from 11/01/13 states: Counsel advises the Court that she will be filing a petition to close the estate based on no assets. The Court sets the matter for an Order to Show Cause on 01/03/14 regarding Patricia Herschfelt's failure to appear. The Court Orders Patricia Herschfelt to be personally present on 01/03/14.</p> <p>1. Need Accounting/Petition for Final Distribution <u>or</u> written status update report.</p> |
| | Inventory & Appraisal, Final filed 10/10/06 - \$70,779.68 | |
| Cont. from 090613, 110113 | Notice of Status Hearing filed 07/17/13 set this matter for status on 09/06/13. | |
| <input type="checkbox"/> Aff.Sub.Wit. | <p>Status Report filed 09/05/13 states:</p> <ol style="list-style-type: none"> Petitioner was appointed on 10/10/06 and Letters were issued on the same day. An order on an 850 Petition was granted on 05/01/08. An Unlawful Detainer was filed on 07/07/08 against Martin Arvizu. After no response from Mr. Arvizu a default judgment was entered on 12/03/08. Mr. Arvizu was in physical possession of real property located at 2614 E. Floral in Fresno at the time the default judgment was entered. When the lock-out was served by the Sheriff, Mr. Arvizu presented documents to the Sheriff and because there were several trailers on the property with several different addresses on them, the Sheriff only allowed possession of the trailer with the address of 2614 E. Floral. Mr. Arvizu, represented by Attorney Layne Hayden, filed a complaint for Quiet Title on 10/06/09 against the Administrator. Neither party appeared at a Mandatory Settlement Conference set for 03/30/11, though both attorneys attended. Neither attorney had communication with their client. The complaint was dismissed on 03/30/11. Attorney LeVan provided services regarding the Unlawful Detainer and defending the complaint filed by Mr. Arvizu without receiving payment for these services. The amount of fees for both actions is over \$3,000.00. Numerous attempts by attorney LeVan have been unsuccessful and payment for these services have not been paid. Attorney LeVan has not had communication with the Administrator since April 2010. There has been no property recovered for the estate. It does appear that Mr. Arvizu did pay the decedent for the purchase of the property. The property is vested in Mr. Arvizu and there does not appear to be any monies owing the estate. | |
| <input type="checkbox"/> Verified | | |
| <input checked="" type="checkbox"/> Inventory | | |
| <input type="checkbox"/> PTC | | |
| <input type="checkbox"/> Not.Cred. | | |
| <input type="checkbox"/> Notice of Hrg | | |
| <input type="checkbox"/> Aff.Mail | | |
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| <input type="checkbox"/> Pers.Serv. | | |
| <input type="checkbox"/> Conf. Screen | | |
| <input type="checkbox"/> Letters | | |
| <input type="checkbox"/> Duties/Supp | | |
| <input type="checkbox"/> Objections | | |
| <input type="checkbox"/> Video Receipt | | |
| <input type="checkbox"/> CI Report | | |
| <input type="checkbox"/> 9202 | | |
| <input type="checkbox"/> Order | | |
| <input type="checkbox"/> Aff. Posting | | |
| <input type="checkbox"/> Status Rpt | | |
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| <input type="checkbox"/> Citation | | |
| <input type="checkbox"/> FTB Notice | | |

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| DOD: 10/21/05 | <p>PATRICIA HERSCHFELT, was appointed Administrator with full IAEA and without bond on 10/10/06. Letters of Administration were issued on 10/10/06.</p> <p>Inventory & Appraisal, Final filed 10/10/06 - \$70,779.68</p> <p>A Status Hearing was set for 09/06/13 and continued to 11/01/13 regarding Failure to File Inventory and Appraisal and Failure to File First Account or Petition for Final Distribution. Minute Order from 11/01/13 set this matter for an Order to Show regarding Patricia Herschfelt's failure to appear.</p> <p>Clerk's Certificate of Mailing filed 11/12/13 states that the Order to Show Cause filed 11/12/13 was mailed to Nancy LeVan and Patricia Herschfelt on 11/12/13.</p> | NEEDS/PROBLEMS/COMMENTS: | | |
| Cont. from | | | | |
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| | | | Updates: | |
| | | Recommendation: | | |
| | | File 7B – Beauchamp | | |

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| DOD:10/05/11 | JOSEPH COMMINS , son, was appointed as Administrator without bond on 09/27/12. Letters of Administration were issued on 10/01/12. | NEEDS/PROBLEMS/COMMENTS: |
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| | Inventory & Appraisal filed 11/26/12 - \$150,000.00 | 1. Need Accounting/Report of Administrator on Waiver of Account and Petition for Final Distribution <u>or</u> current written status report. |
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| <input type="checkbox"/> FTB Notice | | |
| | | Reviewed by: JF |
| | | Reviewed on: 01/02/14 |
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| | | Recommendation: |
| | | File 8 – Commins |

Notice of Status Hearing Re: Failure to File Inventory and Appraisal and Failure to File a First Account or Petition for Final Distribution

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| DOD: 03/23/07 | <p>KEVIN LINDELL MAXWELL, son, was appointed Administrator with limited IAEA authority and without bond on 07/03/07. Letters of Administration were issued on 07/03/07.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>Petition for Termination of Proceedings filed 1-2-14 is set for hearing on 2-10-14.</p> <ol style="list-style-type: none"> 1. Need Inventory & Appraisal. 2. Need Accounting/Report of Administrator on Waiver of Accounting and Petition for Final Distribution. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Cont. from</p> <table border="1" style="width: 100%;"> <tr><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td>Verified</td><td></td></tr> <tr><td>Inventory</td><td></td></tr> <tr><td>PTC</td><td></td></tr> <tr><td>Not.Cred.</td><td></td></tr> <tr><td>Notice of Hrg</td><td></td></tr> <tr><td>Aff.Mail</td><td></td></tr> <tr><td>Aff.Pub.</td><td></td></tr> <tr><td>Sp.Ntc.</td><td></td></tr> <tr><td>Pers.Serv.</td><td></td></tr> <tr><td>Conf. Screen</td><td></td></tr> <tr><td>Letters</td><td></td></tr> <tr><td>Duties/Supp</td><td></td></tr> <tr><td>Objections</td><td></td></tr> <tr><td>Video Receipt</td><td></td></tr> <tr><td>CI Report</td><td></td></tr> <tr><td>9202</td><td></td></tr> <tr><td>Order</td><td></td></tr> <tr><td>Aff. Posting</td><td></td></tr> <tr><td>Status Rpt</td><td></td></tr> <tr><td>UCCJEA</td><td></td></tr> <tr><td>Citation</td><td></td></tr> <tr><td>FTB Notice</td><td></td></tr> </table> | | | Aff.Sub.Wit. | | Verified | | Inventory | | PTC | | Not.Cred. | | Notice of Hrg | | Aff.Mail | | Aff.Pub. | | Sp.Ntc. | | Pers.Serv. | | Conf. Screen | | Letters | | Duties/Supp | | Objections | | Video Receipt | | CI Report | | 9202 | | Order | | Aff. Posting | | Status Rpt | | UCCJEA | | Citation | |
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| Aff. Posting | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Status Rpt | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| UCCJEA | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Citation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| FTB Notice | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Notice of Status Hearing filed 10/31/13 set this matter for status regarding failure to file an Inventory & Appraisal and failure to file a First Account of Petition for Final Distribution.</p> | | <table border="1" style="width: 100%;"> <tr><td>Reviewed by: JF</td></tr> <tr><td>Reviewed on: 01/02/14</td></tr> <tr><td>Updates:</td></tr> <tr><td>Recommendation:</td></tr> <tr><td>File 10 – Wills</td></tr> </table> | Reviewed by: JF | Reviewed on: 01/02/14 | Updates: | Recommendation: | File 10 – Wills | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Reviewed by: JF | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Reviewed on: 01/02/14 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Updates: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Recommendation: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| File 10 – Wills | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Notice of Status Hearing Re: Failure to File a First Account or Petition for Final Distribution

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|---------------|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Age: | | NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Petition for Termination of Proceedings Due to Lack of Assets and Discharge of the Personal Representative |
| DOD: | | |
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| | | |
| Cont. from | | |
| Aff.Sub.Wit. | | |
| Verified | | |
| Inventory | | |
| PTC | | |
| Not.Cred. | | |
| Notice of Hrg | | |
| Aff.Mail | | |
| Aff.Pub. | | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | | |
| Letters | | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| FTB Notice | | |
| | | Reviewed by: JF |
| | | Reviewed on: 01/02/14 |
| | | Updates: |
| | | Recommendation: |
| | | File 11 – Vinson |

Notice of Status Hearing Re: Failure to File a First Account or Petition for Final Distribution

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| DOD: 11/25/07 | <p>MARGIE GFELLER, Spouse, was appointed as Executor without IAEA authority and without bond on 03/18/08. Letters were issued on 05/13/08.</p> <p>Petition for Authority to Administer Estate without Court Supervision filed 06/02/08. Order Granting Authority To Administer Estate Without Court Supervision was filed 07/10/08. Letters Testamentary with Full IAEA Authority were issued on 07/14/08.</p> <p>Inventory & Appraisal, partial no. 1 - \$210,000.00</p> <p>Inventory & Appraisal, partial no. 2 - \$835,000.00</p> <p>Notice of Status Hearing filed 10/31/13 set this matter for status regarding failure to file a First Account and/or Petition for Final Distribution. Clerk’s Certificate of Mailing states that the Notice of Status Hearing was mailed to Joanne Sanoian on 10/31/13.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Final Inventory & Appraisal. 2. Need Accounting/Report of Administrator and Petition for Final Distribution. | | |
| Cont. from | | | | |
| Aff.Sub.Wit. | | | | |
| Verified | | | | |
| Inventory | | | | |
| PTC | | | | |
| Not.Cred. | | | | |
| Notice of Hrg | | | | |
| Aff.Mail | | | | |
| Aff.Pub. | | | | |
| Sp.Ntc. | | | | |
| Pers.Serv. | | | | |
| Conf. Screen | | | | |
| Letters | | | | |
| Duties/Supp | | | | |
| Objections | | | | |
| Video Receipt | | | | |
| CI Report | | | | |
| 9202 | | | | |
| Order | | | | |
| Aff. Posting | | | | |
| Status Rpt | | | | |
| UCCJEA | | | | |
| Citation | | | | |
| FTB Notice | | | | |
| | | | Reviewed by: JF | |
| | | | Reviewed on: 01/02/14 | |
| | | | Updates: | |
| | | Recommendation: | | |
| | | File 12 – Gfeller | | |

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| DOD: 4-3-99 | <p>ANTHONY M. MARTINEZ, Son, was appointed Administrator with Full IAEA without bond on 11-2-10. Letters issued on 2-15-11.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> |
| | <p>I&A filed 2-15-11 indicated a final estate value of \$19,000.00 consisting of a one-third interest in real property.</p> | <p>1. Need first account or petition for final distribution.</p> |
| Aff.Sub.Wit. | <p>Corrected I&A filed 9-22-11 indicated a corrected value of \$57,000.00 for the one-third interest in real property.</p> | <p>Note: Attorney Howk indicates that the Administrator has passed away. Pursuant to Probate Code §10953, an accounting for the deceased personal representative's administration of this estate is required, and the attorney may be compelled to file an account.</p> |
| Verified | <p>A Request for Special Notice was filed on 8-18-11 by Attorney James Mele, attorney for beneficiary Nick M. Martinez.</p> | <p>At this time, there is a vacancy. It appears from Attorney Howk's status report that another beneficiary may be assisting in closing this estate. Does this heir plan to file a petition for appointment as successor administrator?</p> |
| Inventory | <p>Another Request for Special Notice was filed 10-31-13 by beneficiary Nick M. Martinez, in pro per, as well as an Objection to any proposed action taken by Administrator Anthony M. Martinez.</p> | <p>Reviewed by: skc</p> |
| PTC | <p>On 10-31-13, upon review of the file, the Court set this status hearing for failure to file a first account or petition for final distribution. Notice was mailed to Attorney Robert Howk on 10-31-13.</p> | <p>Reviewed on: 1-2-14</p> |
| Not.Cred. | <p>Status Report of Counsel filed 12-16-13 states there are three heirs: Executor Anthony Martinez, Nick M. Martinez, and Joseph M. Martinez. The original I&A indicated a one-third ownership interest in the real property indicating the value of each of the three heirs' shares; however, the Corrected I&A shows the value of the entire property. On 6-1-11, the Administrator sent a request for waiver of accounting to the other two heirs; however, Nick refused to sign, believing that the estate is worth more than \$57,000.00, and requested a full accounting. The Administrator was in the process of compiling documents for the accounting, but was in a motorcycle accident and passed away on 6-30-12. Prior to his death, he had a difficult time gathering documents for 13 years since the death, since the family mainly paid everything with cash and did not keep receipts.</p> | <p>Updates:</p> |
| Notice of Hrg | <p>After his death, Joseph was able to obtain copies of the tax records for the property, but it is not clear who was paying the taxes. They were told Anthony was paying out of pocket, but there were no receipts. Anthony's wife and Joseph confirmed that Anthony did pay the taxes on the home from 2006-2011.</p> | <p>Recommendation:</p> |
| Aff.Mail | <p>Per the Court's website, it appears that Attorney Mele does not represent Beneficiary Nick Martinez anymore; however, Attorney Howk was not served with his Request for Special Notice filed in pro per.</p> | <p>File 14 – Martinez</p> |
| Aff.Pub. | | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | | |
| Letters | | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| FTB Notice | | |

Atty Boyajian, Thomas M., sole practitioner (for Conservator Irene V. Santos)

Status Hearing Re: Filing of the First Account

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| Age: 88 years | <p>IRENE V. SANTOS, daughter, was appointed Conservator of the Person and Estate on <u>11/8/2012</u> with bond set at \$123,895.00. <i>Order Appointing Probate Conservator</i> was filed <u>12/4/2012</u>.</p> <p>Minute Order dated <u>11/8/2012</u> from the hearing on the appointment of Conservator set this Status Hearing on 12/13/2013 for filing of the first account.</p> <p>Final Inventory and Appraisal filed <u>3/7/2013</u> shows an estate value of \$164,620.32 consisting of cash (\$66,660.32) and real property.</p> <p>Proof of Bond was filed <u>5/6/2013</u>, and <i>Letters</i> issued on <u>5/23/2013</u>.</p> <p>Pursuant to Probate Code § 2620(a), first account was due on <u>12/4/2013</u>.</p> <p>Minute Order dated <u>12/13/2013</u> [Judge Hamilton] from the last status hearing states: No appearances. Matter continued to 1/3/2014. The Court orders Thomas Boyajian to be personally present on <u>1/3/2014</u>. The Court directs that a copy of the minute order be sent to Thomas Boyajian.</p> <p>Clerk's Certificate of Mailing filed <u>12/13/2013</u> shows the Minute Order dated 12/13/2013 was mailed to Thomas Boyajian on 12/13/2013.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account of the conservatorship estate, or verified status report and proof of service of notice of the status hearing pursuant to Local Rule 7.5(B).</p> <p>Note: Court records show Attorney Joel Murillo represented the Conservator, until <i>Substitution of Attorney</i> was filed on 11/21/2013, indicating Attorney Thomas Boyajian represents the Conservator. Court records show that following the <i>Order Appointing Probate Conservator</i> filed 12/4/2012, no documents were filed in this matter, including proof of bond and Letters of conservatorship, until the status hearing for filing of the Inventory and Appraisal was held on 2/8/2013, at which time the Court was informed by Attorney Murillo that \$62,874.00 in cash was being used to continue the estate forward and the real estate was in the process of being rented, as stated in <i>Minute Order</i> dated 2/8/2013.</p> <p>Reviewed by: LEG</p> <p>Reviewed on: 12/20/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15 – Murillo</p> | |
| Cont. from 121313 | | | |
| Aff.Sub.Wit. | | | |
| Verified | | | |
| Inventory | | | |
| PTC | | | |
| Not.Cred. | | | |
| Notice of Hrg | | | |
| Aff.Mail | | | |
| Aff.Pub. | | | |
| Sp.Ntc. | | | |
| Pers.Serv. | | | |
| Conf. Screen | | | |
| Letters | | | |
| Duties/Supp | | | |
| Objections | | | |
| Video Receipt | | | |
| CI Report | | | |
| 9202 | | | |
| Order | | | |
| Aff. Posting | | | |
| Status Rpt | | | X |
| UCCJEA | | | |
| Citation | | | |
| FTB Notice | | | |

Probate Status Hearing for Failure to File a First Account or Petition for Final Distribution

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|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|----------|--------------|--------------|------------|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DOD: 9/23/2001 | <p>WAYNE C. BARRETT, brother, was appointed as Administrator with no IAEA authority and without bond on 6/10/2003.</p> <p>Letters issued on 7/10/2003.</p> <p>Inventory and appraisal was due on 10/10/2003.</p> <p>Creditor's Claims filed:</p> <table border="0"> <tr> <td>Franchise Tax Board -</td> <td>\$844.02</td> </tr> <tr> <td>Mary Frost -</td> <td>\$198,892.00</td> </tr> <tr> <td>(rejected)</td> <td></td> </tr> </table> | Franchise Tax Board - | \$844.02 | Mary Frost - | \$198,892.00 | (rejected) | | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 12/20/13.</u> Minute Order from 12/20/13 states: Counsel advises the Court that the Petition for Final Distribution has been completed and given to the personal representative. Counsel further advises that the petition should be filed within a week.</p> <p>As of 01/02/14, nothing further has been filed and the following issues remain:</p> <ol style="list-style-type: none"> 1. Need inventory and appraisal, first account, petition for final distribution or current verified written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties or inventory and appraisal. |
| Franchise Tax Board - | | \$844.02 | | | | | | |
| Mary Frost - | | \$198,892.00 | | | | | | |
| (rejected) | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| Cont. from 092013, 122013 | | | | | | | | |
| Aff.Sub.Wit. | | | | | | | | |
| Verified | | | | | | | | |
| Inventory | | | | | | | | |
| PTC | | | | | | | | |
| Not.Cred. | | | | | | | | |
| Notice of Hrg | | | | | | | | |
| Aff.Mail | | | | | | | | |
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| Sp.Ntc. | | | | | | | | |
| Pers.Serv. | | | | | | | | |
| Conf. Screen | | | | | | | | |
| Letters | | | | | | | | |
| Duties/Supp | | | | | | | | |
| Objections | | | | | | | | |
| Video Receipt | | | | | | | | |
| CI Report | | | | | | | | |
| 9202 | | | | | | | | |
| Order | | | | | | | | |
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| Status Rpt | | | | | | | | |
| UCCJEA | | | | | | | | |
| Citation | | | | | | | | |
| FTB Notice | | | | | | | | |
| | <p>Reviewed by: KT/JF</p> <p>Reviewed on: 01/02/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16 – Barrett</p> | | | | | | | |

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

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| DOD: 04/15/10 | ANN R. JOSEPH, surviving spouse, was appointed Executor without bond on 10/23/12. Letters Testamentary were issued on 10/23/12. | NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 12/20/13</u> Minute Order from 12/20/13 states: No appearances. Matter continued to 01/03/14. The Court orders Melvin Rube to be personally present present on 01/03/14. As of 01/02/14, nothing further has been filed and the following notes remain: 1. Need Accounting and/or Petition for Final Distribution <u>or</u> current written status report pursuant to Local Rule 7.5, which states: In all matters set for status hearing, verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties. | |
| Cont. from 122013 | Minute Order from hearing on 10/23/12 set this matter for status regarding filing of the Accounting/Petition for Final Distribution. | | |
| Aff.Sub.Wit. | | | |
| Verified | | | |
| Inventory | | | |
| PTC | | | |
| Not.Cred. | Inventory & Appraisal, final filed 02/14/13 – \$17,231.26 | | |
| Notice of Hrg | | | |
| Aff.Mail | | | |
| Aff.Pub. | | | |
| Sp.Ntc. | | | |
| Pers.Serv. | | | |
| Conf. Screen | | | |
| Letters | | | |
| Duties/Supp | | | |
| Objections | | | |
| Video Receipt | | | |
| CI Report | | | |
| 9202 | | | |
| Order | | | |
| Aff. Posting | | | |
| Status Rpt | | | |
| UCCJEA | | | |
| Citation | | | |
| FTB Notice | | | |
| | | | Reviewed by: JF |
| | | | Reviewed on: 01/02/14 |
| | | | Updates: |
| | | Recommendation: | |
| | | File 17 – Joseph | |