



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Petitioner Jennifer Young (Court Investigator)
 Conservator Gayle Libby

Petition for Transfer

		<p>GAYLE LIBBY, mother, was appointed Conservator of the Person on 7/29/2008.</p> <p>Court Investigator Jennifer Young filed a <i>Petition for Transfer</i> on 11/2/2015.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Notes:</p> <ul style="list-style-type: none"> Pursuant to Probate Code § 2217(a), when an order has been made transferring venue to another county, the court transferring the matter shall set a hearing within 2 months to confirm receipt of the notification described in 2217(b). If <i>Petition</i> is granted, Court will set a Status Hearing on Wednesday, March 30, 2016, at 9:00 a.m. in Dept. 303 for confirmation of receipt of transfer. 																																																																				
<p>Cont. from</p> <table border="1"> <tr> <td></td> <td>Aff.Sub.Wit.</td> <td></td> </tr> <tr> <td>✓</td> <td>Verified</td> <td></td> </tr> <tr> <td></td> <td>Inventory</td> <td></td> </tr> <tr> <td></td> <td>PTC</td> <td></td> </tr> <tr> <td></td> <td>Not.Cred.</td> <td></td> </tr> <tr> <td>✓</td> <td>Notice of Hrg</td> <td></td> </tr> <tr> <td>✓</td> <td>Aff.Mail</td> <td>W/</td> </tr> <tr> <td></td> <td>Aff.Pub.</td> <td></td> </tr> <tr> <td></td> <td>Sp.Ntc.</td> <td></td> </tr> <tr> <td></td> <td>Pers.Serv.</td> <td></td> </tr> <tr> <td></td> <td>Conf. Screen</td> <td></td> </tr> <tr> <td></td> <td>Letters</td> <td></td> </tr> <tr> <td></td> <td>Duties/Supp</td> <td></td> </tr> <tr> <td></td> <td>Objections</td> <td></td> </tr> <tr> <td></td> <td>Video Receipt</td> <td></td> </tr> <tr> <td></td> <td>CI Report</td> <td></td> </tr> <tr> <td></td> <td>9202</td> <td></td> </tr> <tr> <td>✓</td> <td>Order</td> <td></td> </tr> <tr> <td></td> <td>Aff. Posting</td> <td></td> </tr> <tr> <td></td> <td>Status Rpt</td> <td></td> </tr> <tr> <td></td> <td>UCCJEA</td> <td></td> </tr> <tr> <td></td> <td>Citation</td> <td></td> </tr> <tr> <td></td> <td>FTB Notice</td> <td></td> </tr> </table>					Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.		✓	Notice of Hrg		✓	Aff.Mail	W/		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
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**Status Hearing Re: Account/Report of Executor on Waiver of Account
and Petition for Distribution**

DOD: 01/17/11	<p>DEBORAH KAMINE, daughter, was appointed Executor with full IAEA authority and without bond on 05/12/11. Letter Testamentary were issued on 05/12/11.</p> <p>Inventory & Appraisal, final, filed 10/11/13 - \$198,712.13</p> <p>(Former hearing) Status Report filed 09/04/2015 states Executor is still waiting on the State of California Unclaimed Property Division to distribute the proceeds from the Dow Chemical stock which was held in Merrill Lynch accounts of the decedent but turned over to the state.</p> <p>In the last status conference statement, the Executor reported that on approximately May 15, 2015, she received a letter from the State Controller advising that the claim for Dow Chemical stock, or cash equivalent, was approved. The letter further stated that the Claims Unit needed to research the history of the security in order to determine its value. The letter went on to state the process of researching the claim value can take up to 90 days, potentially up to 9 months for stock requiring more extensive research.</p> <p>In May of this year, the Claims Unit requested further information from the Executor regarding the processing of the claim. Mr. Franco provided that information, and had several communications with that Department to work out those issues. In July, the Claims Unit sent the Executor two checks, one for \$3.66 and the other for \$431.34, supposedly representing the value of the Dow stock. This was obviously wrong, for which Mr. Franco contacted the Claims Unit. On approximately 07/23/2015, Mr. Franco was finally able to straighten out the misunderstanding. The principal balance, approximately \$13,923 (\$51/share @ 273 shares) is still being researched by the Claims Unit, and the Executor continues to wait for that amount.</p>	NEEDS/PROBLEMS/COMMENTS:
<p>Cont. from 012414, 041814, 052314, 072214, 081914, 102814, 012715, 040715, 060915, 090815, 111015</p>		<p>Minute Order of 11/10/2015: Counsel will file a petition to close the estate as directed by the Court; no appearance is necessary on 01/05/2016 if the petition is filed a least two court days prior.</p> <p>1. Need First Account or Petition for Final Distribution or 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.</p>
<input type="checkbox"/> Aff.Sub.Wit.		
<input type="checkbox"/> Verified		
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<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
Please see additional page		
		Reviewed by: LV
		Reviewed on: 12/22/2015
		Updates:
		Recommendation:
		File 2 – Blankenship

In the meantime, in the attempt to bring a closure to the Estate now without waiting further, the Executor made offers to the other beneficiaries of the Estate to buy out their interest in the Estate. The offer was based upon the approximate beneficial value after payment of attorney's fees and costs and reimbursements to the Executor. Unfortunately, not all beneficiaries accepted the offer. As a result, Executor has now listed the real property in the Estate for sale with real estate broker Boyd Realty. It had previously been expected the real property would be able to be distributed in kind, making the need for sale unnecessary. However that position has changed since the offers to the beneficiaries have been rejected and the keeping of the house no longer desired. So the Estate will now be completely liquidated.

Petitioner would appreciate a further continuance of 60-90 days to allow time to receive the proceeds from the Dow Chemical Stock from the State of California, and to sell the real property. Once these two issues are resolved, the Estate will be in a position to close.

Status report filed 11/9/15 states the decedent's home has not sold. The property has been listed with Boyd Realty since just prior to the last status hearing. There have been no offers. The listing expiration date is approaching, and if the house has not sold, the executor will evaluate whether to relist with the current broker or change brokers. Petitioner would appreciate a further continuance of 60-90 days to allow time to continue trying to sell the house.

3 Vera Silberstein Primary Trust for Personal Care Case No. 11CEPR00298

Attorney Jeffrey A. Jaech (for Petitioners Betty Ann Bianchi and Robert W. Bianchi, Co-Trustees)

Sixth Account and Report of Co-Trustees upon Conservatee's Death, and Petition for Its Settlement, Excusing Further Court Accountings, for Discharge of Bond, and for Allowance of Attorneys' Fees

DOD: 9/19/2015	BETTY ANN BIANCHI and ROBERT W. BIANCHI , Co-Trustees, are Petitioners.		NEEDS/PROBLEMS/COMMENTS: Page 4 is the related Vera Silberstein Conservators' Trust.
Cont. from	<u>Account period: 1/1/2015 – 9/30/2015</u> Accounting - \$113,758.16 Beginning POH - \$ 99,976.02 Ending POH - \$ 70,237.16 (all cash)		
Aff.Sub.Wit.	Co-Trustees - waive		
✓ Verified	Attorney - \$960.00 <i>(per itemization and declaration; 6.40 paralegal hours @150/hr.; to be paid from the Conservators' Trust;)</i>		
Inventory	Costs - \$435.00 <i>(filing fee)</i>		
PTC	<u>Receivables</u> - \$1,500.00 <i>(reimbursement from Conservators' Trust estate due to payment by Primary Trust estate of Court-authorized attorney fees;)</i>		
Not.Cred.	Current bond - \$145,000.00 <i>(should be discharged)</i>		
✓ Notice of Hrg	Petitioners state that on the death of Vera Silberstein, the Trust terms state that the remaining Trust estate shall be distributed to the Trustees; Petitioners have distributed the residue of the Trust estate to themselves as Co-Trustees of the Conservators' Trust; therefore, no bond is needed and the bond should be discharged.		
✓ Aff.Mail W/	Petitioners pray for an Order that:		
Aff.Pub.	1. The Sixth Account of the Co-Trustees be approved, allowed and settled as filed;		
Sp.Ntc.	2. Petitioners be authorized and directed to pay the attorney \$960.00 in fees, and costs of \$435.00 , <i>[to be paid from the Vera Silberstein Conservators' Trust];</i>		
Pers.Serv.	3. That Petitioners need not file any further Court accountings; and		
Conf. Screen	4. The bond be discharged as no longer required.		
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
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✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: LEG
			Reviewed on: 12/21/15
			Updates:
			Recommendation: File 3 - Silberstein

Attorney Jeffrey A. Jaech (for Petitioners Betty Ann Bianchi and Robert W. Bianchi, Co-Trustees)

Sixth Account and Report of Co-Trustees upon Conservatee's Death, and Petition for Its Settlement, Excusing Further Court Accountings, for Discharge of Bond, and for Allowance of Attorneys' Fees

DOD: 9/19/2015	BETTY ANN BIANCHI and ROBERT W. BIANCHI Co-Trustees, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
Cont. from	Account period: 1/1/2015 – 9/30/2015	
<input type="checkbox"/> Aff.Sub.Wit.	Accounting - \$2,623,417.27	
<input checked="" type="checkbox"/> Verified	Beginning POH - \$2,623,417.27	
<input type="checkbox"/> Inventory	Ending POH - \$2,623,243.33 (\$5,387.40 cash)	
<input type="checkbox"/> PTC	Co-Trustees - waive	
<input type="checkbox"/> Not.Cred.	Attorney - \$4,734.00	
<input checked="" type="checkbox"/> Notice of Hrg	(per itemization and declaration, for services from 3/11/15 to 9/19/15; for 7.2 attorney hours @ \$395.00/hr and 12.60 paralegal hours @150/hr;)	
<input checked="" type="checkbox"/> Aff.Mail W/	Costs - \$435.00 (filing fee)	
<input type="checkbox"/> Aff.Pub.	Current bond - \$85,000.00	
<input checked="" type="checkbox"/> Sp.Ntc.	(Petitioner requests the further requirement of bond be waived; Waiver of Accounting by Co-Trustees and Waiver of Bond Requirement filed 11/2/2015 by beneficiaries;)	
<input type="checkbox"/> Pers.Serv.	Petitioners state the Conservators' Trust estate has very little cash to pay its bills and obligations because of the costs of improvements made to the Tahoe property (please refer to Third Account); as a result, the Conservatee's family has loaned additional funds to the Trust estate during past accounting periods; recently, Petitioners' family members have built a new cabin on the Tahoe property at their own expense.	
<input type="checkbox"/> Conf. Screen	Petitioners pray for an Order that:	
<input type="checkbox"/> Letters	5. The Sixth account of the Co-Trustees be approved, allowed and settled as filed;	
<input type="checkbox"/> Duties/Supp	6. Petitioners be authorized and directed to pay the attorney \$4,734.00 for services and costs advanced of \$435.00 , plus \$1,395.00 for fees and costs relating to the Silberstein Trust for Personal Care (totaling \$6,564.00), [to be paid from the Vera Silberstein Conservators' Trust];	
<input type="checkbox"/> Objections	7. That Petitioners need not file any further Court accountings; and	
<input type="checkbox"/> Video Receipt	8. The bond be discharged as no longer required.	
<input type="checkbox"/> CI Report		
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<input checked="" type="checkbox"/> Order		
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<input type="checkbox"/> FTB Notice		
		Reviewed by: LEG
		Reviewed on: 12/21/15
		Updates:
		Recommendation:
		File 4 - Silberstein

Attorney Gary G. Bagdasarian (for Petitioner Christina Castillo, Guardian)

Second Account and Report of Guardian; Petition for Compensation of Guardian of the Person and for Attorney's Fees and Cost Reimbursement to the Attorney

		<p>CHRISTINA CASTILLO, maternal aunt and Guardian of the Person and Estate appointed on 8/20/2012, is Petitioner.</p> <p align="center">~Please see Petition for details~</p> <p>Declaration of [Petitioner] Christina Castillo in Support of Request for Compensation as Guardian of the Person and Estate filed 12/14/2015.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page 6 is the related Guardianship Estate of sibling, Joseph D. Galvan, 12CEPR00684.</p> <p>Note: Court will set a status hearing as follows:</p> <ul style="list-style-type: none"> Wednesday, December 13, 2017, at 9:00 a.m. in Dept. 303 for the filing of the third account. <p>Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the dates listed, the hearing will be taken off calendar and no appearance will be required.</p>																																																																			
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Attorney Gary G. Bagdasarian (for Petitioner Christina Castillo, Guardian)

Second Account and Report of Guardian; Petition for Compensation of Guardian of the Person and for Attorney's Fees and Cost Reimbursement to the Attorney

		<p>CHRISTINA CASTILLO, maternal aunt and Guardian of the Person and Estate appointed on 8/20/2012, is Petitioner.</p> <p align="center">~Please see Petition for details~</p> <p>Declaration of [Petitioner] Christina Castillo in Support of Request for Compensation as Guardian of the Person and Estate filed 12/14/2015.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page 5 is the related Guardianship Estate of sibling, Daniel J. Galvan III, 12CEPR00683.</p> <p>Note: Court will set a status hearing as follows:</p> <ul style="list-style-type: none"> Wednesday, December 13, 2017, at 9:00 a.m. in Dept. 303 for the filing of the third account. <p>Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the dates listed, the hearing will be taken off calendar and no appearance will be required.</p>																																																																			
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**Second Amended Account Current and Report of Conservator; Petition of Conservator
Petition for its Settlement, for Allowance of Attorneys Compensation and for its Termination**

		<p>DEBRA PASLEY, Mother and Conservator of the Person and Estate with bond of \$15,000.00, is Petitioner. <i>(Not verified.)</i></p> <p>Account period: 3/28/13 – 10/17/14 Accounting: <u>Not provided</u> Beginning POH: \$13,438.31 Ending POH: \$70,195.61 (\$1,715.61 plus a 1/5 interest in real property in Virginia valued at \$68,480.00)</p> <p>Petitioner states: Inventory and Appraisal was filed 6/5/13 showing the value of the estate to be \$13,438.31. Summary of account and supporting schedules are provided at Exhibit B. (See #1.)</p> <p>As reflected in prior pleadings, the Conservator and Conservatee moved out of state. The Conservator was appointed Guardian of the Conservatee in Oklahoma by Court order and Letters issued on 8/13/14.</p> <p>Petitioner does not request compensation for her services.</p> <p>Petitioner requests attorney's compensation as set forth in Exhibit "C." (See #3.)</p> <p>Petitioner prays:</p> <ol style="list-style-type: none"> 1. That this account and report be approved and settled; 2. That the acts of the Conservator shown in the account and report be approved; 3. That, upon settlement of this account, the Conservator be directed to pay her attorneys, McCormick Barstow, LLP, compensation for services rendered and, as yet, unpaid; 4. That the Conservatorship in California be terminated; and 5. That the Court grant such other and further relief as it deems just and proper. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 12/1/15: Counsel represents that his client just provided all of the documents necessary for the accounting; needs 30 days for completion. No appearance is necessary on 1/5/16 if the petition is filed at least 2 court days prior.</p> <p>Note: A Substitution of Attorney has not been filed; therefore, Mara M. Erlach remains attorney of record.</p> <p><u>SEE ADDITIONAL PAGES</u></p>
<p>Conf. from 042315, 060215, 081815, 091515, 102015, 120115</p>			
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	Notice of Hrg		x
	Aff.Mail		x
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	FTB Notice		
			<p>Reviewed by: skc</p> <p>Reviewed on: 12/22/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 – Pasley</p>

Page 2 – NEEDS/PROBLEMS/COMMENTS:

1. This petition does not provide any accounting in the form required by Probate Code §§ 2620, 1060, or any mandatory schedules on the required Judicial Council forms.

Need amended petition with accounting, schedules, including required mandatory form for summary. Although Petitioner has been appointed Guardian in Oklahoma, this Court retains jurisdiction for settling accounts pursuant to Probate Code §2630.

The only schedule provided at Exhibit B is a statement of property on hand, labeled as “receipts,” but which does not show any account summary, receipts, disbursements, etc., and further indicates that the conservatorship estate cash has been reduced by \$11,722.70 without explanation.

Note: The Conservatee’s interest in the Virginia real property is not an asset of this conservatorship estate, but should be referenced in its own schedule pursuant to §1063(h).

2. This petition is not verified by the Conservator as required by Probate Code §§ 1021, 1023. (Note: §1023 provides that an attorney may sign or verify on a client’s behalf if he or she is absent from the county unless the person is a fiduciary appointing in the proceeding.)
3. Petitioner requests attorney’s compensation pursuant to Exhibit C, but no Exhibit C is attached.
4. Need Notice of Hearing.
5. Need proof of service of Notice of Hearing at least 15 days prior to the hearing pursuant to Probate Code §1460(b)(6) on:
 - Morgan Elizabeth Pasley (Conservatee)
 - Debra Pasley (Conservator/Fiduciary, since the petition is not verified by her)
 - David Hal Jones (Father)
6. *The Court may also require notice to the surety of any continued or future hearings.*

Probate Status Hearing

DOD: 3/29/13	<p>MARK REIFF, Executor with Full IAEA and bond of \$2,100,000.00, filed a Petition for Instructions on 12/22/14 with regard to the sale of the estate's interest in real property.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: The Order Settling Executor's First Account entered 12/8/14 authorized continuation of the administration for up to one year. A status hearing is set for 1/11/16 re the filing of the Second/Final Account.</p>
	<p>SCOTT RAVEN, an interested person (buyer), filed an Objection on 2/23/15.</p>	<p>1. Need status re Executor's Petition for Instructions.</p>
Aff.Sub.Wit.		
Verified	<p>Status Report of Attorney Caroline Hinshaw filed on 10/6/15 states a formal written agreement has been fully executed. The parties have cooperated to sign documents to close escrow for the sale of the Estate's interest in real property. Anticipated close of escrow is before October 13, 2015. Ms. Hinshaw anticipates the prompt filing of a petition for preliminary distribution of a substantial portion of the estate.</p>	<p>2. In the interest of efficiency, the following is also noted in advance of the 1/11/16 status hearing: Need Second/Final Account or written status report pursuant to Local Rule 7.5.</p>
Inventory		
PTC	<p>Status Report of J. Stanley Teixeira filed on 10/8/15 states he is happy to report that the purchase of the real property by his client has been completed. Escrow closed on 10/6/15.</p>	<p>Reviewed by: skc</p>
Not.Cred.		
Notice of Hrg	<p>Therefore, at the continued hearing on 10/13/15, the Court set this status hearing.</p>	<p>Reviewed on: 12/22/15</p>
Aff.Mail		
Aff.Pub.	<p>Video Receipt</p>	<p>Updates:</p>
Sp.Ntc.		
Pers.Serv.	<p>CI Report</p>	<p>Recommendation:</p>
Conf. Screen		
Letters	<p>9202</p>	<p>File 8- Carlson</p>
Duties/Supp		
Objections	<p>Order</p>	
Video Receipt		
CI Report	<p>Aff. Posting</p>	
9202		
Order	<p>Status Rpt</p>	
Aff. Posting		
Status Rpt	<p>UCCJEA</p>	
UCCJEA		
Citation	<p>FTB Notice</p>	
FTB Notice		

Petition to Fix Residence Outside the State of California

		<p>PAEK LEE, Mother and Conservator, is Petitioner.</p> <p>Petitioner was appointed Conservator of the Person on 9/25/13.</p> <p>Petitioner requests the Court authorize that the residence of the Conservatee be fixed outside the State of California to Dover, Delaware (address provided in petition).</p> <p>Petitioner states they are originally from Delaware and she has friends and family who can help her with her son. There are better daycare programs for him, along with physicians that can treat him. He will also be enrolled in a better school. He will be eligible for a private nurse to assist on a daily basis.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Probate Code §2352 requires that the Conservator commence a conservatorship or equivalent proceeding in the new state.</p> <p>Therefore, if granted, the Court will set a status hearing for the establishment of a conservatorship or equivalent in Delaware as follows:</p> <ul style="list-style-type: none"> Monday, April 5, 2016 at 9:00 am in Dept. 303 <p>If proof is filed that a conservatorship or equivalent in Delaware has been established, the matter may be taken off calendar. Alternatively, a written status report is required pursuant to Local Rule 7.5, and appearance will be necessary (either personally or by CourtCall).</p>
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w	
	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		
			<p>Reviewed by: skc</p> <p>Reviewed on: 12/22/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10- Smith</p>

Attorney Nancy J. LeVan (for Petitioner Gary Morris, Jr., Beneficiary)
 Attorney Jennifer Walters (for Walter A. Morris, Successor Trustee)

Petition to Compel Accounting by Trustee of the Gary F. Morris, Sr. 2013 Trust and Petition for Distribution of Trust Assets to Doug Standing, Trustee of the Gary Morris, Jr. Trust and Petition for Fees and Costs

DOD: 10/19/2013	GARY MORRIS, JR. , Beneficiary, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Petitioner states:	Page 11B is a Fee Waiver Review.
	<ul style="list-style-type: none"> WALTER A. MORRIS was appointed as Successor Trustee of the GARY F. MORRIS, SR., 2013 TRUST on 4/1/2014 [copy of Trust attached as Exhibit A to Declaration of Clerical Error and Omissions filed 10/2/2015]; The GARY F. MORRIS, SR., 2013 TRUST terms provide that the balance of the Trust estate, including all assets poured into the Trust as a result of Trustor's death, is to be distributed to BARBARA TURNER, Trustee of the GARY F. MORRIS, JR., TRUST; BARBARA TURNER resigned as Trustee of both Trusts, and WALTER A. MORRIS was appointed as Successor Trustee; Petitioner requests the Court compel WALTER A. MORRIS, as Trustee of the GARY F. MORRIS, SR., 2013 TRUST, to distribute the remaining assets in the GARY F. MORRIS, SR., 2013 TRUST to DOUG STANDING, Trustee of the GARY F. MORRIS, JR., TRUST within 30 days of the order approving this petition; GARY F. MORRIS, SR., 2013 TRUST terms provide that the Trustee shall periodically, but not less than once each year, render an account of its administration of the Trust(s) under the Trust instrument to all current income beneficiaries; GARY F. MORRIS, SR's., date of death is 10/9/2013 [sic]; WALTER A. MORRIS was appointed as Successor Trustee on 4/1/2014; to date, no accounting has been received from WALTER A. MORRIS. 	Continued from 10/6/2015. Minute Order states Ms. Walters represents that she is nearing completion of the account; requests additional time.
Cont. from 100615, 111715		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	W /	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/S		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" 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		
	~Please see additional page~	Reviewed by: LEG
		Reviewed on: 12/21/15
		Updates:
		Recommendation:
		File 11A – Morris

Petitioner prays the Court Order:

1. An accounting from **WALTER A. MORRIS** from the period when he was Successor Trustee of the **GARY F. MORRIS, SR., 2013 TRUST** from 4/1/2014 until 8/31/2015;
2. **WALTER A. MORRIS**, Successor Trustee of the **GARY F. MORRIS, SR., 2013 TRUST**, [shall] distribute all of the remaining assets in the **GARY F. MORRIS, SR., 2013 TRUST** to **DOUG STANDING**, Trustee of the **GARY F. MORRIS, JR., TRUST** within 30 days of the signed of the order approving this *Petition*; and
3. Allowing attorney fees and costs to Petitioner to be paid by Walter Morris for failure to file accounting and distribute assets pursuant to **GARY F. MORRIS, SR., 2013 TRUST** terms.

Notes:

- *Petition* was filed using a fee waiver, which is currently pending. The **\$435.00** filing fee is appropriately payable from Trust assets. *Declaration of Clerical Error and Omissions* filed 10/2/2015 states Petitioner agrees that a filing fee should be paid by Walter Morris, Trustee of the **GARY F. MORRIS, SR., 2013 TRUST**; however, Walter Morris is not communicating with the beneficiary, Gary Morris, Jr., his attorney, nor the Successor Trustee of the **GARY F. MORRIS, JR., TRUST**; the beneficiary has no access to funds of the Trust.
- *Order Setting Bond Amount* filed 4/25/2015 set bond at **\$286,000.00**, proof of which was filed on 5/9/2014. *Order Reducing Bond Amount* filed 5/13/2015 finds that the bond amount for **WALTER A. MORRIS**, as Trustee of the **GARY F. MORRIS, SR., 2013 TRUST** is reduced to **\$152,137.88**, which is the amount of net proceeds [distributed to the seller of the Trust real property] plus 10%.
- *Declaration of Clerical Error and Omissions* filed 10/2/2015 attaches as *Exhibit B* a copy of the bond renewal that was mailed to Walter Morris, and states it is unknown what Walter Morris did with it.

Attorney Nancy J. LeVan (for Petitioner Gary Morris, Jr.)

Fee Waiver Review - Confidential

DOD: 10/19/2013			NEEDS/PROBLEMS/COMMENTS:
Cont. from 100615, 111715			
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: LEG	
		Reviewed on: 12/21/15	
		Updates:	
		Recommendation:	
		File 11B – Morris	

Final Account and Report of Administrator and Petition for Its Settlement, and Petition for Final Distribution, and for Allowance of Compensation to Administrator and Attorneys for Ordinary Services

DOD: 4/3/14	BRITNEY MARIE LANE , Administrator With Full IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>SEE ADDITIONAL PAGES</u>
Cont'd from 110315	Account period: 4/3/14 – 9/11/15	
	Accounting: \$294,164.09	
	Beginning POH: \$284,806.04	
	Ending POH: \$ 64,856.52 (\$9,913.54 cash, a \$1,718.00 expected 2013 IRS Tax Refund, a Promissory Note valued at \$43,224.98, and a vehicle valued at \$10,000.00.)	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory		
<input checked="" type="checkbox"/> PTC		
<input checked="" type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	w	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		
	Administrator (Statutory): \$8,883.28. Petitioner and her brother have agreed that Petitioner will receive the vehicle valued at \$10,000.00 as a distribution. Petitioner requests that this distribution be applied as payment of Petitioner's compensation, which will result in an overpayment of \$1,116.72, which Petitioner will reimburse to the estate. Attorney (Statutory): \$8,883.28 Attorney Costs: \$1,695.00 (filing fees, certified copies, publication, appraisal, copies of creditor's claims, and delivery fee) Administrator costs: Not stated Due to a lack of cash in the estate, Petitioner has paid expenses and costs of administration out of her own pocket. Her brother, the other beneficiary, has reimbursed her for one-half of the funds advanced. Petitioner states she makes no claim for reimbursement from the estate. Petitioner states the real property was sold pursuant to Notice of Proposed Action to William V. Jensen for \$270,000.00, which sale included satisfaction of the Creditor's Claim filed by Mr. Jensen for \$112,606.35. The estate received a promissory note from Mr. Jensen in the amount of \$43,224.87 at 3.875% payable in 60 equal monthly installments.	
		Reviewed by: skc Reviewed on: 12/22/15 Updates: Recommendation: File 12 - Lane

Petitioner requests this Court to order:

1. That administration of this estate be brought to a close;
2. The first and final account of Petitioner as Administrator be settled, allowed, and approved as filed;
3. That all acts and proceedings of Petitioner as Administrator be confirmed and approved;
4. That Petitioner be ordered to contribute cash to the estate of \$1,116.72 (for distribution of vehicle as in-kind statutory compensation);
5. That Petitioner be ordered to pay the sum of \$9,913.54 to Gilmore Magness Leifer, a Professional Corporation (\$8,883.28 as compensation for ordinary legal services to Petitioner and to the estate and \$1,695.00 to reimburse for costs advanced on behalf of Petitioner and the Estate);
6. That BRANDON MICHAEL KENNETH LANE and BRITTNEY MARIE LANE be ordered to each pay one-half of the fees for the preparation of the final fiduciary tax returns and income taxes, if any, owed;
7. That Petitioner be ordered to distribute the assets of the estate as follows:

Brittney Marie Lane: \$225.99 cash plus the vehicle, a one-half interest in the promissory note, and a one-half interest in the 2013 tax refund

Brandon Michael Kenneth Lane: \$225.99 cash plus a one-half interest in the in the promissory note, and a one-half interest in the 2013 tax refund

8. That final distribution of the decedent's estate in Petitioner's hands and any other property of the decedent or the estate not now known or discovered be distributed as set forth in the Petition;
9. That should any property of the decedent or the estate not now known or discovered become known or discovered, such property be distributed one-half to BRITTNEY MARIE LANE and one-half to BRANDON MICHAEL KENNETH LANE; and
10. That any further orders be made as the Court considers proper.

SEE ADDITIONAL PAGES

Page 3 – NEEDS/PROBLEMS/COMMENTS:

1. Need clarification regarding the sale transaction of the real property. Petitioner states the real property was sold for the appraised value, \$270,000.00 by including satisfaction of the creditor's claim of \$112,606.35 previously filed by the buyer, and apparently by the estate carrying a note of \$43,224.98 at 3.875% for 60 months for the buyer.
 - First, need clarification with reference to Probate Code §9920, which requires Court authorization for exchange of property for other property (in this case, exchanging the estate's real property for a promissory note).
 - Second, need clarification as to how the sale price is calculated at \$270,000.00, when the total of the creditor's claim of \$112,606.35 plus the note of \$43,224.98 equals \$155,831.33. This appears to actually be \$114,168.67 loss to the estate. Note: This affects statutory compensation calculation.
2. Calculation of the statutory compensation also includes receipts such as escrow refunds and a payment on the above-referenced promissory note. The Court may require clarification and/or authority for use of these items as receipts for purposes of statutory compensation calculation.
3. Attorney Costs appear to include items considered by the Court to be costs of doing business and not reimbursable, including copies (\$38.00) and delivery fee (\$45.00). Need clarification per Local Rule 7.17. The Court may reduce the costs by \$83.00 to \$1,612.00.
4. Petitioner states unspecified expenses of administration were paid out of pocket, and half was reimbursed to her by the other heir. However, Petitioner does not state what the expenses were or what the total was. Need clarification with reference to Local Rule 7.17.
5. Petitioner requests that the Court order heir Brandon Lane to pay one-half of the fees for preparation of the final fiduciary tax returns and income taxes, if any, after distribution. Need authority for this order, or consent from Mr. Lane for this receipt of this liability.
6. Need written consent of Brandon Lane for receipt of the promissory note and expected tax refund in undivided interests pursuant to Local Rule 7.12.3.

First and Final Account of Administrator and Petition for Its Settlement, for Allowance of Compensation for Ordinary and Extraordinary Services for Administrator and Attorney and for Final Distribution

DOD: 4/6/07		ELISA T. SIMPSON , Administrator with Full IAEA without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> The petition does not state the account period pursuant to Probate Code §1061. Need clarification. The house was valued at \$140,000.00 at the decedent's death in 2007, and the Reappraisal for Sale filed 9/14/15, indicates a more recent value of \$75,000.00. Petitioner states due to the poor condition of the property, the house was sold for \$40,000.00. Given the substantial loss to the estate, the Court may require further information regarding the house. Was it occupied between 2007 and 2015? What was the reason for the \$35,000.00 difference between the Reappraisal value and the sale value? One of the escrow items paid when the house was sold was a bail bond lien in the amount of \$6,116.50. Given that the decedent died in 2007 and administration was not opened until 2014, the Court may require clarification regarding the origin of this lien. Need Notice of Hearing. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on all heirs pursuant to Probate Code §11000. Need order. Local Rule 7.1.1.F. <p>Reviewed by: skc Reviewed on: 12/22/15 Updates: Recommendation: File 13- Escobar</p>
Cont. from		Account period: Not stated	
	Aff.Sub.Wit.	Accounting: \$140,000.00	
	<input checked="" type="checkbox"/> Verified	Beginning POH: \$140,000.00	
	<input checked="" type="checkbox"/> Inventory	Ending POH: \$ 30,554.14 (cash)	
	<input checked="" type="checkbox"/> PTC	Administrator (Statutory): Waived	
	<input checked="" type="checkbox"/> Not.Cred.	Attorney (Statutory): \$1,600.00	
	Notice of Hrg	Attorney (Extraordinary): \$1,375.00	
	Aff.Mail	(for 5 attorney hours @ \$275/hr in connection with the sale of the real property, as described in Attorney Ramirez' Declaration attached to this petition)	
	Aff.Pub.	Closing: \$800.00	
	Sp.Ntc.	Distribution pursuant to intestate succession:	
	Pers.Serv.	Aurelio Tristan: \$3,397.39	
	Conf. Screen	Manuel Tristan: \$3,397.39	
	<input checked="" type="checkbox"/> Letters	Antonio Tristan, Jr.: \$3,397.39	
	Duties/Supp	Rebecca T. Sanchez: \$3,397.39	
	Objections	Maria T. Ramirez: \$3,397.39	
	Video Receipt	Josie Moreno: \$3,397.39	
	CI Report	Raul Tristan: \$3,397.39	
	<input checked="" type="checkbox"/> 9202	Elisa T. Simpson: \$3,397.39	
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	<input checked="" type="checkbox"/> FTB Notice		

Report of Sale and Petition for Order Confirming Sale of Real Property

DOD: 12/4/14	JOHN PARKER is Executor/petitioner.		NEEDS/PROBLEMS/COMMENTS:
	Sale price	- \$260,000.00	<p>Continued from 11/17/15. As of 12/18/15 the following issues remain:</p> <ol style="list-style-type: none"> #3a of the petition indicates the property was appraised at \$280,000.00 however the inventory and appraisal filed on 6/4/15 lists the value of the property at \$350,000.00. Need reappraisal for sale. Probate Code § 10309(a)(3) requires the sales price to be within 90% of the appraised value of the property. Need proof of service of the Notice of Hearing on the purchasers Steven and Julia McShea pursuant to Probate Code § 10308(c). Need proof of service of the Notice of Hearing along with a copy of the petition on John F. Garland pursuant to the Request for Special Notice filed on 6/26/15.
	Overbid	- 273,500.00	
	Appraisal	- \$350,000.00	
Cont. from 111715	Property	- 21258	
<input type="checkbox"/> Aff.Sub.Wit.	Auberry Rd. Clovis		
<input checked="" type="checkbox"/> Verified	Publication	- N/A. Will authorized sale of real proerpty.	
<input checked="" type="checkbox"/> Inventory	Buyers	- Steven and Julia McShea TTEE of the SJM Family Trust.	
<input type="checkbox"/> PTC	Broker	- \$15,600.00 (6% - payable to Kevin Christiansen)	
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail			
<input type="checkbox"/> Aff.Pub.	<input checked="" type="checkbox"/>		
<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 checked="" type="checkbox"/> Order			
<input checked="" type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: KT
			Reviewed on: 12/18/15
			Updates:
			Recommendation:
			File 14 – Stocchetti

First Amended Waiver of Account and Report of Status of Administration of Estate, and Petition for Settlement Thereof; for Allowance of Statutory Executor's Commissions and Attorney's Fees and Extraordinary Attorney's Fees; and for Final Distribution

DOD: 11/17/12	<p>JANIS G. HOWARD, Executor with Full IAEA without bond, is Petitioner.</p> <p>Accounting is waived</p> <p>I&A: \$85,300.00 POH: \$30,950.86 cash plus residential real property located on Clay Ave., in Fresno and misc. personal property</p> <p>Executor (Statutory): \$3,652.00</p> <p>Attorney (Statutory): \$3,652.00</p> <p>Attorney (Extraordinary): \$2,255.00 (for 8.2 hours @ \$275/hr for legal services in connection with the sale of the real property and the negotiation of the mortgage payoff of the real property on hand)</p> <p>Costs: \$1,412.30 (filing, publication, recording, appraisal)</p> <p>Closing Reserve: \$1,079.56</p> <p>Petitioner states the personal property will be distributed pursuant to agreement without concern to the court.</p> <p>Distribution pursuant to the terms of the decedent's will and assignments and agreements filed:</p> <p>Janis G. Howard: \$7,087.50 plus an undivided 37.5% interest in the real property</p> <p>Verita Vernice Smith: \$7,087.50 plus an undivided 37.5% interest in the real property</p> <p>Tammy Juarez, in trust for the benefit of Jennifer Lynn Vest: \$4,725.00 plus an undivided 25% interest in the real property</p>	NEEDS/PROBLEMS/COMMENTS:
		<p>1. Need acceptance of trust by Tammy Juarez pursuant to Probate Code §§ 10954(a)(4), 15600.</p> <p>2. Need revised order with the following modifications:</p> <p>a. The decedent's will directs that a testamentary trust be established for the benefit of Ms. Vest; therefore, the Order should establish and set forth the terms of the testamentary trust for Ms. Vest's share.</p> <p>b. The order should comply with Local Rule 7.6.1.F. Some portion of the contents of the order must appear on the page upon which the judge's signature is affixed.</p>
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory		
<input checked="" type="checkbox"/> PTC		
<input checked="" type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 12/22/15
		Updates:
		Recommendation:
		File 15- Ingram

DOD: 05/13/2015	TERENCE MILLER and JAMIE M. FLYNN, were appointed Co-Executors with full IAEA without bond on 08/04/2015.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Inventory and Appraisal or 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.</p>
	Letters issued on 08/04/2015.	
Cont. from	Minute Order of 08/04/2015 set this Status Hearing for the filing of the Inventory and Appraisal.	
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: LV
		Reviewed on: 12/22/2015
		Updates:
		Recommendation:
		File 17- Schulte

Age: 9	TEMPORARY EXPIRES 01/05/16	NEEDS/PROBLEMS/COMMENTS:
	PHYLLIS CAMPBELL, maternal cousin, is Petitioner.	CONTINUED FROM 11/10/15
	Father: SCOTT HOBSON – served by mail on 09/30/15; Declaration of Due Diligence filed 11/06/15	Minute Order from 11/10/15 states: The Court gives permission for additional service attempts of Scott Hobson, father, by mail. The Court's previous order that Thomas Carra not be allowed in the home or around the children remains in full force and effect.
Cont. from 090115, 101315, 111015	Mother: JOANNA ROWE – personally served on 07/20/15	As of 12/18/15, nothing further has been filed.
<input type="checkbox"/> Aff.Sub.Wit.	Paternal grandfather: DECEASED Paternal grandmother: ANGEL HOBSON – served by mail on 09/30/15	1. The UCCJEA is incomplete. Need minor's residence history for the past 5 years.
<input checked="" type="checkbox"/> Verified	Maternal grandfather: DECEASED Maternal grandmother: STACY THOMAS – served by mail on 09/30/15	2. Need proof of service of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person or Consent & Waiver of Notice or Declaration of Due Diligence for:
<input type="checkbox"/> Inventory	Sibling: ALEXIS LOPEZ – Consent & Waiver of Notice filed 07/02/15	a. Scott Hobson (father) – personal service required; Declaration of Due Diligence filed 11/06/15 states that Mr. Hobson was outside of his apartment on 11/06/15, but left the area before he could be served, no return phone calls have been received
<input type="checkbox"/> PTC	Petitioner states [see file for details].	
<input type="checkbox"/> Not.Cred.	Court Investigator Samantha Henson filed a report on 08/26/15.	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv. w/		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 12/18/15
		Updates:
		Recommendation:
		File 18 – Hobson

19
 Petitioner
 Attorney

Janice Marie Amey (CONS/P)
 Dean, Yolanda (Pro Per – Daughter – Petitioner)
 LeVan, Nancy (Court appointed for Proposed Conservatee)

Case No. 15CEPR00813

Petition for Appointment of Probate Conservator of the Person

		<p>See petition for details.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator advised rights on 09/16/15</p> <p>The following issue remains noted.</p> <p>1. The Capacity Declarations do not support dementia medication powers as requested.</p>	
Cont. from 100515, 111715				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
✓	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
✓	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 12/22/15	
			Updates:	
			Recommendation:	
			File 19 – Amey	

Petitioner: Sarah Melcher (pro per)

Petition for Appointment of Guardian of the Person

		Temporary Expires 1/5/16.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Paternal grandmother, Lupe Bazan, was served with a Notice of Hearing with the hearing date of January 4 and not January 2, 2016. In addition she was not served with a copy of the petition as required.</p>
		SARAH MELCHER , maternal grandmother, is petitioner.	
		Please see petition for details.	
Cont. from 110315		Court Investigator Report filed on 10/27/15	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.	W/	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 12/18/15
			Updates:
			Recommendation:
			File 20 – Luna

Petition to Determine Succession to Real Property

DOD: 01/19/02	DANIEL G. BARAJAS, son, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	40 days since DOD.	<p align="center"><u>OFF CALENDAR</u> Amended Petition filed 12/18/15 and set for hearing on 02/10/16</p>
Cont. from 110315	No other proceedings.	
Aff.Sub.Wit.		<ol style="list-style-type: none"> The Inventory & Appraisal filed 09/23/15 indicates that inventoried property represents a portion of the decedent's property at the time of death. Pursuant to Probate Code § 13152(a)(2) – to use this summary proceeding, the gross value of the decedent's real and personal property in this state cannot exceed \$150,000.00. Need more information regarding the other assets of decedent's estate to determine that the total value of the estate is \$150,000.00 or less. The petition is not marked at item 9(a)(7 or 8) regarding issue of a predeceased child. Need Notice of Hearing and proof of service by mail at least 15 days before the hearing of the Notice of Hearing on all interested parties. Need Order.
✓ Verified	I & A - \$75,000.00	
✓ Inventory		
PTC	Decedent died intestate.	
Not.Cred.		
Notice of Hrg	x Petitioner requests Court determination that decedent's 100% interest in real property located at 1214 S. Hubert Avenue in Fresno pass to him pursuant to intestate succession.	
Aff.Mail	x	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order	x	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 12/21/15
		Updates:
		Recommendation:
		File 22 – Barajas

Page 2

Petitioner requests that the provisions of the trust be modified to provide for long term trusts for the beneficiaries consistent with the intent of establishing the trust for the benefit of the children of Richard Timothy Bakman as follows:

- That the trustee shall distribute to or apply for the benefit of the beneficiary all of the net income of the beneficiary's trust at least annually.
- That until age 30, the trustee shall only distribute to or apply for the benefit of the beneficiary as much of the net income of the beneficiary's trust that the trustee, in his sole discretion, determines necessary or advisable.
- The trustee, other than the beneficiary if serving as trustee, may distribute as much of the principal of his trust as determined advisable for any purpose. If the beneficiary is the sole trustee, then the trustee shall distribute to or apply for the benefit of the beneficiary as much of the principal of the trust as the trustee determines is necessary.
- The beneficiary shall have unlimited and unrestricted testamentary general power to appoint all or any portion of the principal and undistributed income remaining in the beneficiary's trust at the beneficiary's death among our descendants and their spouses and the creditors of the beneficiary's estate; provided that any share for a spouse shall be in trust and shall only allow for income distributions to the spouse.
- See language re restrictions on appointment to creditors, tax matters.
- Insofar as any part of the beneficiary's trust shall not be effectively appointed, the trustee shall distribute the remaining unappointed balance in trust for the per capita at each generation in trusts to the descendants of the beneficiary. If no descendants, the trustee shall distribute to the descendants of **Richard Timothy Bakman and Penelope Marie Bakman**, to be administered under the same provisions as the beneficiary's trust.

Probate Code § 15403 provides that unless continuance of the trust is necessary to carry out a material purpose of the trust, if all beneficiaries consent, they may compel modification upon petition to the court. All current beneficiaries of the separate trusts have concurrently herewith filed consents. Also concurrently filed herewith is an ex parte application to appoint **Penelope M. Bakman** as Guardian Ad Litem on behalf of the unborn and unascertained issue of Richard Timothy Bakman who might be entitled to distribution as contingent beneficiaries. Penelope M. Bakman, if so appointed, has also filed her consent to this petition to modify the trust.

Petitioner Richard Timothy Bakman states he and Penelope M. Bakman, as settlors, have established three separate irrevocable trusts for each of their children. The instant trust, if modified, would have the same dispositive provisions as the separate irrevocable trusts. To ease the administrative burden of having multiple similar trusts for the same beneficiaries, Petitioner requests that the separate share for each child under the living trust be merged into the respective separate irrevocable trust.

Probate Code § 15411 states if the terms of two or more trusts are substantially similar, the court may combine the trusts if administration as a single trust will not defeat or substantially impair the accomplishment of the trust purposes or interests of the beneficiaries.

Petitioner states notice is required to be given to the children and unascertained issue of Petitioner Richard Timothy Bakman. (*Examiner's Note: No list is provided per § 17201.*) Petitioner states although notice is not required, notice is also being given to the trustees of the separate irrevocable trusts.

Wherefore, Petitioner prays for an order:

1. **Modifying the living trust as set forth above;**
2. **Merging the Living Trust into the Irrevocable Trusts as set forth above; and**
3. **For such other orders as the Court may deem proper.**

Ex Parte Petition for Appointment of Guardian Ad Litem

		<p>RICHARD TIMOTHY BAKMAN, Second Successor Trustee and currently acting trustee, is Petitioner.</p> <p>See petition for details.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 12/1/15: Counsel requests 30 days to obtain separate representation for this petition.</p>	
Cont'd 120115				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	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: skc	
			Reviewed on: 12/22/15	
			Updates:	
			Recommendation:	
			File 24B - Bakman	