



## 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.

Atty Donovan, Katherine E, sole practitioner (for Louis Jean Bailey, Guardian)

Petition for Termination of Guardianship

Age: 17 years	<p><b>LOUIS JEAN BAILEY</b>, Guardian, is Petitioner.  <b>LOUIS JEAN BAILEY</b> and <b>JESSE ROGER BAILEY</b>, paternal grandparents, were appointed Co-Guardians on 6/2/2003.</p> <p>Father: <b>PAUL OLIVER BAILEY</b>; <i>Consents and waives notice.</i>                  Mother: <b>CHERYL CANOVA</b>; <i>Consents and waives notice.</i></p> <p><i>Minor consents and waives notice.</i></p> <p>Maternal grandfather: Robin Workmon; <i>sent notice by mail 12/4/2013.</i>                  Maternal grandmother: Pamela Crossley; <i>sent notice by mail 12/4/2013.</i></p> <p><b>Petitioner states</b> the minor [is 17 years old] and has requested that he be allowed to move to Arkansas to be with his mother. Petitioner states subsequent to the guardianship being granted, her husband and Co-Guardian passed away [DOD 6/15/2013] and Petitioner has suffered from health-related issues. Petitioner states she believes that termination at this time is in the minor's best interest.</p> <p><b>Supplemental Declaration of Petitioner filed 12/17/2013</b> states in sum that she loves the minor but she is simply unable to physically and emotionally provide for him the care that he needs due to his being at an age and a path where he is uncontrollable.</p> <p><b>Court Investigator Charlotte Bien's Report was filed on 12/11/2013.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
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<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LEG
		Reviewed on: 1/6/13
		Updates:
		Recommendation:
		File 1 – Bailey

(1) Report and Final Account of Administrator, Petition for Reimbursement to Administrator for Costs Advanced and (2) Attorneys Compensation and (3) for Final Distribution

		<b>FELIPE LEAL</b> , Administrator with Will Annexed, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>Department of Health Services was sent notice of the proceedings on 9/16/2013. Petition states the Department of Health Services was not going to file a claim. However, on 12/11/13 a Creditor's Claim from the Department of Health Services was filed in the amount of \$32,818.85. The Creditor's Claim must be addressed before any distribution can be made.</li> <li>Need proof of service of the Notice of Hearing on the Department of Health Services pursuant to their Request for Special Notice filed on 12/11/13.</li> <li>The initial petition and the Petition for Final Distribution were both filed using a fee waiver. Filing fees are considered costs of administration and must be paid prior to distribution of any assts. <b>Therefore filing fees totaling \$755.00 are now due</b> (\$320.00 for the initial petition and \$435.00 for the Petition for Final Distribution).</li> </ol>
		Account period: 9/19/06 – 8/31/13	
<b>Cont. from 110613</b>		Accounting - <b>\$145,000.00</b>	
	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$145,000.00</b>	
✓	<b>Verified</b>	Ending POH - <b>\$145,000.00</b>	
✓	<b>Inventory</b>	Administrator - <b>waives</b>	
✓	<b>PTC</b>	Administrator Costs - <b>\$11,730.38</b>	
✓	<b>Not.Cred.</b>	(homeowners insurance, recorder, publication, probate referee, bills of the decedent.)	
✓	<b>Notice of Hrg</b>	Attorney - <b>waives</b>	
✓	<b>Aff.Mail</b>	W/	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>	X	
	<b>Pers.Serv.</b>		
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✓	<b>Letters</b>	9/26/06	
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
✓	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
✓	<b>FTB Notice</b>		
<p><b>Distribution, pursuant to intestate succession [sole heir to the will predeceased decedent without issue] is to:</b></p> <p><b>Helen Littlefield (daughter)</b> - 50% interest in real property.</p> <p><b>Christina Avila (daughter)</b> - 50% interest in real property.</p>			
<p><b>Reviewed by: KT</b></p>			
<p><b>Reviewed on: 1/6/14</b></p>			
<p><b>Updates:</b></p>			
<p><b>Recommendation:</b></p>			
<p><b>File 2 – Cano</b></p>			

**(1) Report and Final Account of Administrator, (2) Petition for Reimbursement to Administrator for Costs Advanced and (3) Attorney's Compensation and (4) for Final Distribution**

<b>DOD: 4/5/2000</b>		<b>DANIEL DIAZ</b> , Administrator, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 11/19/2013. As of 1/6/14 the following issue remains:</b></p> <ol style="list-style-type: none"> <li>Petition request distribution of 1/5 interest in the estate to the decedent's grandson, Joseph Diaz, son of James Diaz. At the time the estate was opened in 2006 James Diaz, son, was alive and therefore his share of the estate must be distributed to him or his estate and not to his son, Joseph Diaz.</li> </ol>
		Account period: 10/24/06 – 8/31/13	
		Accounting - <b>\$23,000.00</b>	
		Beginning POH - <b>\$23,000.00</b>	
		Ending POH - <b>\$23,000.00</b>	
<b>Cont. from 102213, 111913</b>		Administrator - <b>waives</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Attorney - <b>\$920.00</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	(statutory)	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Costs - <b>\$1,065.00</b>	
<input checked="" type="checkbox"/>	<b>PTC</b>	(filing fees, publication, probate referee, certified copies)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	<b>Distribution, pursuant to intestate succession, is to:</b>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Virginia Macias, Daniel Diaz, Rachael Garcia, Patricia Contreras and Joseph Diaz, 1/5/ interest each in real property.	
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<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 1/6/14</b>
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 3 – Diaz</b>

Atty Boyajian, Thomas M., sole practitioner (for Petitioner Carl John Peterson, former spouse)  
 Atty Shahbazian, Steven L., sole practitioner (for Objector Kimbra Pannett, daughter)

**Second Amended Petition for Probate of Lost Will and for Letters Testamentary;  
 Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

DOD: 2/21/2013	<b>CARL JOHN PETERSON</b> , former spouse and first named Executor without bond, is Petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 10/29/2013.</b> Minute Order states counsel requests that the matter be set for court trial with a 2-day estimate.</p> <p><b>Note:</b> Minute Order dated 12/12/2013 [Judge Hamilton] from the hearing on the <i>Ex Parte Petition for Letters of Special Administration with Limited Authority</i> states: Based on the agreement of the parties, the Court grants the petition.</p> <p><b>Note for background:</b> Minute Order dated 8/20/2013 states the Court indicates to the parties that it will expect a declaration and/or live testimony at the next hearing addressing the issues regarding the subscribing witnesses and the presumption relating to the destruction of a will.</p> <p><b>Note:</b> If <i>Petition</i> is granted, Court will set status hearings as follows:</p> <ul style="list-style-type: none"> <li>• <b>Friday, February 7, 2014 at 9:00 a.m. in Dept. 303</b> for filing of proof of bond, if Court requires posting of bond.</li> <li>• <b>Friday, June 13, 2014 at 9:00 a.m. in Dept. 303</b> for filing of inventory and appraisal; and</li> <li>• <b>Friday, January 2, 2015 at 9:00 a.m. in Dept. 303</b> for filing of first account and/or petition for final distribution.</li> </ul> <p>Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.</p> <p align="center"><b>~Please see additional page~</b></p>					
Cont. from 070213, 082013, 100813, 102913	<b>CARL JOHN PETERSON</b> was appointed Special Administrator with limited authority and no bond on 12/12/2013, per <i>Order for Probate</i> filed 12/18/2013. Letters have not issued (Per Order, Letters expire 1/7/2014.) Powers granted include in part: payment of bills such as house insurance, utilities, alarm, taxes, yard care on real property; payment of car insurance.						
✓ Aff.Sub.Wit.							
✓ Verified							
Inventory							
PTC							
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FTB Notice							
	<p><b>Note:</b> Declaration of Waiver of Bond was filed 12/12/2013 for the <b>special administration</b> by the following:</p> <ul style="list-style-type: none"> <li>• Cynthia Wallert;</li> <li>• Matthew Peterson;</li> <li>• Tandra Peterson;</li> <li>• John Torres;</li> <li>• Florinda Torres;</li> <li>• Kimbra Pannett.</li> </ul> <p>Full IAEA – o.k.</p> <p><b>Lost Will dated:</b> 06/19/2012</p> <p>Residence: Clovis                  Publication: The Business Journal</p> <p><b>Estimated value of the Estate:</b></p> <table> <tr> <td>Personal property -</td> <td>\$434,000.00</td> </tr> <tr> <td>Real property -</td> <td>\$325,000.00</td> </tr> <tr> <td><b>Total:</b></td> <td><b>\$759,000.00</b></td> </tr> </table> <p>Probate Referee: Steven Diebert</p>	Personal property -	\$434,000.00	Real property -	\$325,000.00	<b>Total:</b>	<b>\$759,000.00</b>
Personal property -	\$434,000.00						
Real property -	\$325,000.00						
<b>Total:</b>	<b>\$759,000.00</b>						
	<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 1/3/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 9 - Gomes</b></p>						

**NEEDS/PROBLEMS/COMMENTS, continued:**

The following issues from the last hearing remain:

1. *Second Amendment to Petition for Probate of Lost Will* filed 10/21/2013 seeks to probate the Decedent's Will dated 6/19/2012 as a lost Will. Petitioner states in the *Explanatory Declaration* filed 7/31/2013 that "the original statutory Will of the Decedent is not in the possession of the Petitioner at the moment and is not available." Probate Code § 6124 provides if the testator's Will was last in the testator's possession, the testator was competent until death, and neither the Will nor a duplicate original of the Will can be found after the testator's death, it is presumed that the testator destroyed the Will with intent to revoke it. This presumption is a presumption affecting the burden of producing evidence. If the proponents of the Will introduce no contrary evidence, the Court should find that the Will was revoked. *Second Amendment to Petition* filed 10/21/2013 does not include any statements by the Petitioner as proponent of the lost Will to support a finding that Decedent's Will was merely lost and was not likely destroyed and/or revoked by the Decedent.
2. Petitioner is a resident of South Dakota. The Court may require bond if the proposed personal representative resides outside California or for other good cause, even if the will waives bond, pursuant to California Rule of Court 7.201 (b) and Probate Code § 8571. **WAIVERS OF BOND**
3. If Court grants the petition for probate of Decedent's Will as a "lost" Will, pursuant to Probate Code § 8223 need revised proposed order containing the provisions of the lost Will (i.e., a copy of the Will attached to the order with a signature line included on the last page of the Will for the Court's approval.)
4. Proposed letters submitted by Petitioner have been altered with whiteout at Item 2, and do not indicate that Petitioner will be appointed as executor of Decedent's "lost" Will. Need revised proposed letters.

**Objection and Memorandum of Kimbra Pannett to Decedent's Purported Will filed 10/3/2013 states:**

- She is an interested person as defined in Probate Code § 48(a) as a daughter of the Decedent;
- From review of the pleadings on file, including the "Explanatory Declaration" filed on behalf of Petitioner Carl John Peterson on 7/31/2013, and the subscribing witness declarations attached as Attachment A, it appears that the primary issue to be addressed and which the Court has raised is the "presumption of revocation" under Probate Code § 6124 of the Decedent's Will submitted to probate;
- A review of the declarations filed on behalf of the admission of said Will (contained in the "Explanatory Declaration") confirms the statutory factors that are consistent with "revocation" of the purported Will dated 6/19/2012, submitted to probate, [as follows]:
  - (a) No person other than the testator Natalie Gomes is alleged to have "possession" of the Will until her death;
  - (b) Testator was competent throughout, to the "observations" of the subscribing witnesses;
  - (c) The purported Will presented for probate is, in fact, a copy, i.e., a photocopy, of the purported original Will; by their declarations submitted in support of the Will for admission to probate, the subscribing witnesses have supported the Will's presumptive revocation;

~Please see additional page~

**Objection and Memorandum of Kimbra Pannett filed 10/2/2013, continued:**

- In reference to the first two grounds noted above (the Will was last in testator's possession, or at least, not in anyone else's possession while the testator was "competent"), there have been no contrary statements or evidence presented to contradict the application of Probate Code § 6124;
- The assertion in both declaration that the document being submitted is a "copy/duplicate of the Statutory Will" [*cites to declarations omitted*] confirms the statutory revocation of the Will;
- In the case of *Lauermann v. Superior Court (2005)* [*citations omitted*], the Appellate Court held that the meaning of the term "duplicate original" as used in Probate Code § 6124 does not [*emphasis in original*] include a photocopy not personally executed by the testator and witnesses;
- Therefore, the actual "Will" attached to the petition for probate is not a "duplicate original" but just a disqualified "copy;"
- Based upon the pleadings on file in this matter, and the clear application of California law set forth herein, it is requested that the Court find that the purported Will presented for probate on the Petition for Probate filed 5/20/2013 is not the Will of the testator and that said purported Will has been destroyed pursuant to Probate Code § 6124.

**Memorandum of Law of Objector Kimbra Pannett to Memorandum of Points and Authorities, Declarations, and Exhibits in Support of Probate of Purported Will** filed by Attorney Steven Shahbazian on 10/28/13 states:

- This matter has been continued multiple times for hearing on the initial application by Petitioner to probate the purported Will dated 6/19/2012 of the Decedent; Petitioner has not filed pleadings or declarations per the Court's direction to the parties to file declarations regarding the issues;
- Kimbra Pannett's challenge against the will is a challenge under Probate Code § 6124 and is not a Will Contest as asserted by the proponent of the will.
- There has been no competent evidence presented to rebut the revocation of the Purported Will. The latest filings by the proponent of the will do not alter the factual circumstances of this matter nor present any new compelling legal authority. The specific purpose of § 6124 would be frustrated if the position of the proponent were upheld.

<b>DOD: 11/29/2012</b>	<b>SPECIAL ADMINISTRATION EXPIRES 1-24-13</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>DOUGLAS CLEVINGER</b> , son, is petitioner and requests appointment as special administrator with bond set at \$85,000.00.	<b>Continued from 12-3-13</b>
	Decedent died intestate.	<b>Minute Order 9-24-13: This matter must be published. The Court grants petitioner special administrator [without bond] for the purposes of listing the house for sale. Mr. Matlak to prepare order. Mr Matlak is to file a report of sale petition. This petition is continued to the same date. Continued to: [Pending] at 09:00a.m. in Dept 303. Set on: 1/24/14 at 09:00a.m. in Dept 303 for: Status Hearing</b>
<b>Cont. from 092413, 120313</b>	Residence: Fresno	<b>Note: Order Confirming Sale of Real Property was signed on 12/3/13. Funds from the sale were deposited into a blocked account. Receipt for blocked account filed on 12/17/2013.</b>
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Inventory and Appraisal Value: \$85,000.00 (real property located at 4660 E. Brown in Fresno only)	<b><u>SEE ADDITIONAL PAGES</u></b>
<input checked="" type="checkbox"/> <b>Verified</b>	<b>Petitioner states</b> he is the son of the decedent and had no contact with his father for more than 40 years. The decedent had been married several times. He was divorced from his most recent wife prior to his death. The only other known child of the decedent is Cynthia Fore. After extensive search, Petitioner states he has been unable to locate his half-sister. Two months prior to his death, decedent purchased real property located in Fresno. The decedent's other known assets are \$14,000 in a Citi Bank account, a Schwab account with approximately \$1,400.00 and a pick-up truck of nominal value. Therefore the total value of the estate is approximately \$100,400. Given the size of the estate the petitioner is able collect his 1/2 of the bank accounts and vehicle using an Affidavit under Probate Code §13100. Accordingly Petitioner is not asking for relief with respect to collecting the money or vehicle.	<b>Reviewed by: KT / skc /KT</b>
<input type="checkbox"/> <b>Inventory</b>		<b>Reviewed on: 1/6/14</b>
<input type="checkbox"/> <b>PTC</b>		<b>Updates:</b>
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<input type="checkbox"/> <b>Notice of Hrg</b>		<b>File 11 – Fore</b>
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	Petitioner requests appointment as special administrator with the authority to sell the decedent's real property and deposit the proceeds into the decedent's bank account.	
	Following the sale the Petitioner will then be able to present an Affidavit under Probate Code §13100 to collect his 1/2 interest in the estate.	
	<b>Minute Order 9-24-13:</b> This matter must be published. The Court grants petitioner special administrator for the purposes of listing the house for sale. Mr. Matlak to prepare order. Mr Matlak is to file a report of sale petition. This petition is continued to the same date. Continued to: [Pending] at 09:00a.m. in Dept 303. Set on: 1/24/14 at 09:00a.m. in Dept 303 for: Status Hearing.	
	<b><u>SEE ADDITIONAL PAGES</u></b>	

Page 2

**Order for Probate filed 9-27-13 appoints Petitioner as Special Administrator with an expiration date of 1-24-13 (a status hearing is set for that date) with special powers to enter into an exclusive listing agreement and enter into a contract to sell the property, subject to court approval of the terms and conditions of the sale; notice of hearing to be served per Probate Code §1220 and published per Probate Code §8121.**

**Update:** Agreement and Assignment of Cindy Nicholls filed 9-30-13 by Brandenburger & Davis (heir finder) indicates that in consideration of their having located her and brought her estate interest to her attention, Ms. Nicholls, nee Fore, assigns one-third of her interest in the estate to Brandenburger & Davis. Brandenburger & Davis also filed a Request for Special Notice to attorney Tracy Potts of Sacramento.

The Report of Sale and Petition for Order Confirming Sale of Real Property and to Determine the Disposition of the Sale Proceeds was filed 10-24-13 and set for hearing on 12-3-13 (Page 10B of this calendar), and as such, this original petition matter was continued to 12-3-13 pursuant to the 9-24-13 minute order.

Consent of Cindy Nicholls to Report of Sale and Petition for Order Confirming Sale of Real Property and to determine the Disposition of the Sale Proceeds was filed 11-6-13.

**Note that as of 1/6/14, nothing further has been filed with respect to the probate estate, including publishing pursuant to Probate Code §8121. (Notice of Sale was published pursuant to Probate Code §10300; however, that notice does not meet the requirements of publishing for opening estate administration pursuant to Probate Code §8121, as required.)**

**NEEDS/PROBLEMS/COMMENTS:**

1. **Examiner Notes previously stated:** It appears that the petitioner wants to probate and distribute the estate without any court oversight or notice to creditors, including the Franchise Tax Board, Department of Health Services, etc. This does not appear to be the proper use of a special administration.

Probate Code §8546(c) states the Special Administrator must account in the same manner as a general personal representative. Therefore it appears that a general personal representative would be more appropriate.

There could be other heirs that are unknown to Petitioner.

**At this time, the following additional issues are noted:**

2. Petitioner states that given the size of the estate, Petitioner is permitted to collect his one-half interest using affidavit under Probate Code §13100 and is therefore not including those assets or requesting any relief herein with respect to the bank accounts and vehicle with a total approx. value of \$15,400.00.

This may not be appropriate considering that the Petitioner is not the only heir to the estate, has opened this special administration, and is now requesting court confirmation of sale and distribution of proceeds pursuant to intestate succession.

The Court may require authority for handling the additional assets via summary proceeding separate from the existing probate estate. See Probate Code §8000 et seq. (Opening Estate Administration, etc.).

**SEE ADDITIONAL PAGES**

3. Court records indicate that there were ongoing proceedings in Mr. Fore's dissolution matter (Fresno Superior Court Case No. 08CEFL03393) at the time of his death. Although the Judgment of Dissolution was entered on 11-1-11, it appears there were ongoing proceedings with regard to beneficiary designation on certain accounts/assets. Therefore, Qiao-Zhen Chen Fore, the decedent's former spouse, may be an heir entitled to notice of a petition to administer the estate.
4. The original petition indicated that Petitioner had had no contact with the decedent for over 40 years, but he was aware of one sister, Ms. Nicholls, and was aware of the decedent's most recent spouse. The petition describes his efforts to locate the sister, but does not describe whether inquiry was made as to whether there may have been additional heirs.
5. I&A filed 9-3-13 states at #3 that the I&A contains all of the assets of the estate. However, the I&A lists only the house valued at \$85,000.00. The Court is aware, pursuant to statements in the original petition, as noted above, of at least \$15,400.00 of additional assets. The Court may require amended I&A once a probate estate established.
6. Based on the above concerns, the Court may require a Petition for Letters of Administration to be filed and properly noticed pursuant to Probate Code §8000, et seq.

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

<b>DOD: 10/30/2013</b>		<p><b>MICHAEL JOSEPH PEREZ</b>, son is petitioner and requests appointment as Administrator without bond.</p> <p>Sole heir waives bond.</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate.</p> <p>Residence: Fresno          Publication: The Business Journal</p> <p><b>Estimated Value of the Estate:</b>          Personal property - \$100,000.00          Real property - \$125,000.00  <b>Total: - \$225,000.00</b></p> <p><b>Probate Referee: Rick Smith</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: If the petition is granted status hearings will be set as follows:</b></p> <ul style="list-style-type: none"> <li>• <b>Friday, 05/09/2014 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u></li> <li>• <b>Friday, 03/13/2015 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
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		<p><b>Reviewed by:</b> LV</p> <p><b>Reviewed on:</b> 01/06/2014</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b> Submitted</p> <p><b>File 14 – Owens</b></p>	

Atty LeFors, Teri (pro per Petitioner/guardian/paternal grandmother)  
 Atty LeFors, Michael E. (pro per guardian/paternal step-grandfather)  
 Atty Basquez, Patricia Viola (pro per mother)  
 Atty Adams, Bryce S (pro per father)

**Request for Modification of Visitation**

<b>Brooklyn age: 6</b>	<p><b>TERI LEFORS</b>, Guardian/paternal grandmother, is petitioner.</p> <p><b>Petitioner alleges:</b> There has been a change in circumstances. During the 2012 through 2013 school year, both Brooklyn and Nevaeh have experienced extensive absences and almost all occurred while at their bi-weekly visits with their parents. Brooklyn has had 15 absences and 8 tardies in what amounts to only one half of the school year.</p> <p>This continued pattern of absences cause them to be summoned to attend a School Attendance Review Board pre-hearing. Both guardians and parents were in attendance. At that time all parties entered into an agreement to have the attendance problems resolved.</p> <p>Neither parent has taken any interest in attending parent attending parent/teacher conferences, special parent activities or participation in the education of Brooklyn and Nevaeh to the degree that is necessary to nurture and support their education.</p> <p>At the last parent/teacher conferences for both girls, Petitioner states she was advised that their homework is not consistent and turned in during the weeks the girls are with their parents.</p> <p style="text-align: center;"><b>Please see additional page</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 12/17/13.</b></p>					
<b>Nevaeh age: 5</b>							
<b>Cont. from 081313, 100813, 111213, 121713</b>							
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		<table border="1" style="width: 100%;"> <tr> <td><b>Reviewed by:</b> KT</td> </tr> <tr> <td><b>Reviewed on:</b> 1/6/14</td> </tr> <tr> <td><b>Updates:</b></td> </tr> <tr> <td><b>Recommendation:</b></td> </tr> <tr> <td><b>File 15 – Adams</b></td> </tr> </table>	<b>Reviewed by:</b> KT	<b>Reviewed on:</b> 1/6/14	<b>Updates:</b>	<b>Recommendation:</b>	<b>File 15 – Adams</b>
<b>Reviewed by:</b> KT							
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<b>File 15 – Adams</b>							

Petitioner states on Wednesday, June 12, 2013, while on their weekly visit with their parents, Brooklyn jumped off the top bunk bed at a friend's house and hit her nose on the bed frame below. Brooklyn was not taken for any medical treatment by her parents, nor was Petitioner contacted and given the option to seek evaluation of the injury. It was not until Petitioner picked up Brooklyn and Nevaeh on Sunday, June 16 that she saw that Brooklyn had, what amounted to, two black eyes. On Monday, Petitioner states she made an appointment with Brooklyn's physician, for her to be seen on June 18. The Doctor examined Brooklyn, took her for an x-ray and diagnosed her with a fractured nose. Brooklyn has been referred to a specialist at Children's Hospital for further evaluation.

As a result of Brooklyn's nose injury a referral was made to Child Protective Services. Petitioner states they were interviewed by a CPS worker on June 26<sup>th</sup> and advised that she would make a visit to Bryce and Patricia and that this would be listed as a "substantiated" referral for medical neglect.

Petitioner states that she also learned there have been other CPS referrals in regards to Bryce and Patricia and all three of their children, Brooklyn, Neveah and Owen (DOB: 10/21/11) that Petitioner, as guardian, did not know about. Petitioner states she has requested copies of all CPS referrals that she is entitled to receive as Legal Guardian and will present them at the hearing.

Petitioner states Patricia does not have a driver's license due to two DUI convictions in Fresno within the last two years. During most of the last school year, Bryce Adams drove Brooklyn and Neveah to school in their visitation weeks. Bryce recently became employed full time and will not be available to drive Brooklyn and Neveah to and from school this next school year. Petitioner states she believes that Patricia will drive the girls to school, unlicensed, as she has admitted to driving unlicensed with baby Owen in the car.

Petitioner states they have recently learned that Patricia is pregnant and due after the first of the year. Petitioner states she is further advised that parentage is at issue. Since Bryce will no longer be home to assist with the children, Petitioner states she does not believe that Patricia will be able to effectively deal with the demands of pregnancy, caring for an 18 month old, maintaining the schedule for homework and legally get the girls to and from school each day.

**Petitioner respectfully requests** that the current visitation schedule be modified to allow Brooklyn and Neveah to have visitation with Bryce Adams and Patricia Basquez every other weekend from Friday at 6:00 p.m. to Sunday at 4:00 p.m. to begin the week of the Court hearing.

**Visitation order (per Minute Order dated 3/27/12):** Visitation for the father Bryce Adams and the mother Patricia Basquez shall be on alternating weekends from Sunday at 6:00 p.m. until Sunday at 6:00 p.m. Pick-up and delivery of the children to be arranged by mother and father. The children are not to be driven in any vehicle unless licensed and insured, and the children are to be in appropriate safety restraints. No party shall have any amount of alcohol in their body while transporting the children.

**Please see additional page**

**Court Investigator Julie Negrete's Report filed 10/3/13.**

**Declaration of Edward Basquez filed on 11/6/13.** Mr. Basquez states he is the grandfather (mother, Patricia's father) of Brooklyn and Nevaeh. He states he would like the children to remain with the LeFors during the school year. The LeFors need to start preparing for the girls to return to their parents. He feels it would be better if he were the party to pick up and drop off the girls for their visits with their parents. He would like to court to address Teri LeFors behavior. She knows how to push Patricia and Bryce's buttons. Mike LeFors gave Patricia and Bryce permission to see the girls on 10/16/13. Teri did not like the idea of the parents seeing the girls without her permission on that day. Teri purposely started an argument which lead to the restraining order. Teri is very angry due to Patricia's recent pregnancy. Mr. Basquez feels there is conflict with Teri working at the Superior Court. She uses different people at the courthouse to her advantage.

**Declaration of Heather Martinez, sister of mother, Patricia Basquez filed on 11/12/13** in support of returning the children to their parents.

**Declaration of Danny Martinez, brother-in-law of mother, Patricia Basquez filed on 11/12/13** in support of returning the children to their parents.

**Court Investigator Julie Negrete's Report filed on 12/16/13.**

Petition for Letters of Administration (Prob. C. 8002, 10450)

<b>DOD: 05/23/2013</b>		<p><b>EDWARD MOLLOY, III</b>, son is petitioner and requests appointment as administrator with bond.</p> <p>All heirs waive bond</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate</p> <p>Residence: Clovis          Publication: The Business Journal</p> <p><b>Estimated value of the Estate:</b>          Real property \$140,000.00          Less Encumbrances \$82,000.00  <b>Total: \$58,000.00</b></p> <p>Probate Referee: Steven Diebert</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Minute Order of 12/17/2013: Examiner notes provided to the Petitioner.</b></p> <p><b>The following issues remain:</b></p> <ol style="list-style-type: none"> <li>1. Need name and date of death of decedent's spouse pursuant to Local Rule 7.1.1D.</li> <li>2. Need Notice of Hearing.</li> <li>3. Need proof of service of Notice of Petition to Administer Estate on:             <ul style="list-style-type: none"> <li>• Daniel D. Molloy</li> </ul> </li> <li>4. #5a(3) or #5a(4) was not answered regarding registered domestic partner.</li> <li>5. #5a(7) or #5a(8) was not answered regarding predeceased child.</li> </ol> <p><b>Note: If the petition is granted status hearings will be set as follows:</b></p> <ul style="list-style-type: none"> <li>• <b>Friday, 05/16/2014 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <b>and</b></li> <li>• <b>Friday, 02/20/2015 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
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<b>File 19 – Molloy</b>			