



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.

**Fourth Account and Report By Bruce D. Bickel, Trustee, Petition for Settlement;
Approval and Allowance of Trustee's and Attorney's Fees**

		BRUCE D. BICKEL , Trustee, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> A status hearing will be set as follows:</p> <ul style="list-style-type: none"> Thursday, December 1, 2016 at 9:00am in Dept. 303 for filing of the Fifth Account <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>
		Account period: 10/01/12 – 09/30/14	
		Accounting: \$248,620.67	
		Beginning POH: \$215,114.33	
		Ending POH: \$88,316.21	
		(\$28,939.24 is cash)	
Cont. from 111215		Trustee: \$7,181.28 (per itemization and Declaration for 73.44 hours @ a combined effective rate of \$122.22/hr.; fees discounted by 20%)	
<input type="checkbox"/>	Aff.Sub.Wit.	Attorney: \$1,787.50 (per itemization and Declaration for 5.5 hours @ \$325/hr.)	
<input checked="" type="checkbox"/>	Verified	Costs: \$200.00 (filing fees)	
<input type="checkbox"/>	Inventory	Bond: \$393,454.61 (sufficient)	
<input type="checkbox"/>	PTC	Petitioner prays for an Order:	
<input type="checkbox"/>	Not.Cred.	1. Approving, allowing, and settling the Fourth Account and Report;	
<input checked="" type="checkbox"/>	Notice of Hrg	2. Approving all acts and transactions of the Trustee shown by this Fourth Account and Report;	
<input checked="" type="checkbox"/>	Aff.Mail w/	3. Authorizing payment to the Trustee of \$7,181.28;	
<input type="checkbox"/>	Aff.Pub.	4. Authorizing payment to the Attorney of \$1,787.50 plus \$435.00 in costs; and	
<input type="checkbox"/>	Sp.Ntc.	5. For such further orders as are proper.	
<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 checked="" type="checkbox"/>	2620(c)		
<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		
		Reviewed by: JF	
		Reviewed on: 12/29/15	
		Updates:	
		Recommendation:	
		File 1 – Castillo	

Petition for Termination of Guardianship

Age: 7	ANDREW HILL, father, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 12/10/15</u> Minute order from 12/10/15 states: Mr. Hill represents that he over knighted paperwork on Sunday addressing the defects, however, said documents are not yet entered. The court indicates that it is prepared to grant the petition upon receipt of the proper proof of service. As of 12/30/15, nothing further has been filed. 1. Need proof of service by mail at least 15 days before the hearing of <u>Notice of Hearing</u> or <u>Consent & Waiver of Notice</u> or <u>Declaration of Due Diligence</u> for: a. Francis Gilbo (paternal grandfather)
	DONAVAN MORRISON and PRISCILLA MORRISON , maternal grandparents, were appointed as Co-Guardians on 07/12/11. – <i>Consent of both guardians filed 05/21/15.</i>	
Cont. from 072115, 090115, 100815, 110515, 121015	Mother: STEPHANIE MORRISON – <i>personally served on 09/22/15</i>	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory	Paternal grandfather: FRANCIS GILBO	
<input type="checkbox"/> PTC	Paternal grandmother: HALLIDIE HILL – <i>personally served on 09/17/15</i>	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner states [see file].	
<input type="checkbox"/> Aff.Mail	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Aff.Pub.	Court Investigator Jennifer Young filed a report on 07/14/15.	
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv.	<input checked="" type="checkbox"/> w/	
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input 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 type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 12/30/15
		Updates:
		Recommendation:
		File 4 – Morrison

6 Francesco Di Donna (Estate) Case No. 14CEPR00080

Attorney Fanucchi, Edward L. (for Pat DeSantis – Administrator)

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

DOD: 07/24/11	PAT DESANTIS , friend, was appointed Administrator with Limited IAEA and without bond on 06/06/14. Letters of Administration were issued on 06/20/14.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 050115, 061115, 092415	Inventory & Appraisal, Amended final, filed 11/06/14- \$350,000.00	CONTINUED FROM 09/24/15
<input type="checkbox"/> Aff.Sub.Wit.		Minute Order from 09/24/15 states: Counsel represents that the property was listed in early July; requests 90 days. If the petition is filed at least two court days prior, then no appearance is necessary on 01/07/16. If the petition is not filed then a status report, verified by the client, is due no later than two court days prior to 01/07/16.
<input checked="" type="checkbox"/> Verified	Status Report filed 12/14/15 states: The estate tax return was filed 08/31/15 without payment so that penalties for late filing of the return would cease.	
<input checked="" type="checkbox"/> Inventory	The amount needed to pay the taxes, along with penalties, \$81,812.00, was received via wire transfer by the law office of Quinlan, Kershaw and Fanucchi on 12/07/15 and the money was deposited with the IRS on that date. The accounting firm of Slater Moffat Associates, LLP who prepared the return states that the IRS will place a 6 week hold on the funds while the IRS considers the possibility of an abatement of the late penalties accrued. Petitioner has not been released from personal liability for the federal estate tax under IRC § 2204. The return has not been audited and a closing letter has not been issued by the IRS. The two heirs at law are the surviving daughters of the decedent who are non-resident, non-citizen beneficiaries. The executor is currently talking with the CPA to discuss the manner of distribution to the heirs and what tax consequences will be imposed under different methods of distribution, and has begun the process of applying for social security numbers for the beneficiaries. A 90 day continuance is requested to allow for tax issues to be resolved, for petitioner to be released by the IRS, and for the application of the heirs for social security numbers.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input 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 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		
		1. Need First Account and/or Petition for Final Distribution.
		Reviewed by: JF
		Reviewed on: 12/30/15
		Updates:
		Recommendation:
		File 6 – Di Donna

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

DOD: 12/20/13	JOANN DIREDO was appointed Executor with Full IAEA without bond on 7/10/14.	NEEDS/PROBLEMS/COMMENTS: 1. Need first account or petition for final distribution.
	At the hearing on 7/10/14, the Court set this status hearing re the filing of the first account or petition for final distribution.	
	<u>Note:</u> Final I&A filed 5/29/15 reflects a total estate value of \$2,550,000 consisting of various real property interests.	
Cont'd from 091015	Status report filed 9/9/15 states in response to a rejected creditor's claim, David Allen DiRedo filed a Complaint for Breach of Contract Money Had and Received Declaratory Relief on 3/30/15 against the estate. The case is currently in litigation. <i>(Note: See claim filed 8/19/14 for \$106,846.46)</i> In addition, escrow has just been opened on the real property located on West Shaw. Therefore, the estate is not in a condition to be closed. Attorney Fanucchi requests continuation for at least four months to complete the sale and continue with the litigation pending against the estate.	
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	Status Report filed 12/8/15 states the complaint filed by David Allen DiRedo in 15CECG01036 is currently in the process of litigation. Regarding the property: Escrow was scheduled to close on 11/30/15; however, due to unforeseen circumstances, escrow was put on hold and the sale is now in jeopardy. The property was taken off the market back in September when the offer was originally accepted and therefore, due to failure of the escrow to close, a new listing and re-marketing has begun.	
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice	Currently the estate is not in a condition to be closed due to the pending lawsuit and the pending sale of the real property. Therefore, it is requested that this status hearing be continued for no less than 4 months to complete the sale and continue the litigation.	
		Reviewed by: skc
		Reviewed on: 12/29/15
		Updates:
		Recommendation:
		File 7- DiRedo

DOD: 12/12/74	<p>DOLRES MEDINA, Daughter, was appointed Administrator with Limited IAEA without bond on 10/30/14 and Letters issued 10/31/14.</p> <p>At the hearing on 10/30/14, the Court set this status hearing for the filing of the first account or petition for final distribution.</p> <p>Status Report filed 10/27/15 states the sole asset of the estate is real property located at 35 E. San Joaquin St., in Fresno that was in very poor condition. After notification of administrative citations from the City of Fresno, the structure on the property was removed.</p> <p>An I&A of the property filed 11/17/14 reflects a value at the date of death (in 1974) of \$12,000.00. The Reappraisal for Sale filed 1/20/15 reflects the property value of \$50,000.00.</p> <p>The property was listed for sale at \$50,000.00 on 6/6/15. The value has since been reduced once to \$42,500.00 and again to \$34,500.00.</p> <p>The estate is required to sell the property to pay a creditor's claim to the Fresno County Tax Collector and administrative costs. A continuance of 60 days is requested.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account or petition for final distribution per Probate Code §12200 or current written status report per Local Rule 7.5.</p>
Cont'd from 102915		
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: skc
		Reviewed on: 12/29/15
		Updates:
		Recommendation:
		File 9 – Medina

Probate Status Hearing RE: Filing of First Account or Petition for Final Distribution

DOD: 9/22/14	<p>JENNIFER A. WILLIAMSON, Sister, was appointed Executor with Full IEAE without bond on 11/3/14 and Letters issued on 11/10/14.</p> <p>Notice of Setting Status Hearing filed 1/22/15 set this status hearing re the filing of the first account or petition for final distribution.</p> <p>Status Report filed 12/9/15 states the estate includes an undivided one-half interest in the decedent's residence in Fresno which must be sold to pay estate expenses. The property has been listed with a broker for sale since approx. January 2015. The price has been reduced several times, but it remains unsold. The Executor requests the status hearing be continued for six months to allow the decedent's interest in the residence to be sold.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account or petition for final distribution pursuant to Probate Code §12200.</p>
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: skc
		Reviewed on: 12/29/15
		Updates:
		Recommendation:
		File 10- Williamson

Probate Status Hearing RE: Filing of First Account

	<p>ERMELINDE BECKER, Sister, was appointed Conservator of the Person and Estate on 11/6/14 with bond of \$68,697.20.</p> <p>Bond was filed 11/17/14 and Letters issued on 12/2/14.</p> <p>On 1/22/15, the Court sent Notice of Setting Status Hearing that set this status hearing re: filing the first account.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account per Probate Code §2620 or written status report per Local Rule 7.5.</p>
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: skc
		Reviewed on: 12/30/15
		Updates:
		Recommendation:
		File 11- Stanton

Attorney Duggan, Mark (Pro Per Petitioner)
 Attorney Pimentel, Paul J. (for Respondent Daniel J. Duggan)

Petition for Findings and Orders to Compel an Accounting or Provide Information on the Trust: Confirm the Creation and Funding of Trust B; and Instructions on Validity of Trust Amendment

<p>Virginia L. Duggan DOD: 4/17/12</p>	<p>MARK DUGGAN, Remainder Beneficiary of Trust B, the irrevocable trust created under the Daniel J. Duggan and Virginia L. Duggan Revocable Living Trust dated 5/31/11, is Petitioner.</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p>
	<p>Petitioner seeks findings and orders to compel an accounting and provide information on the Trust B, confirm the creation and funding of Trust B, and that a trust amendment dated 6/29/12 (after the death of Settlor Virginia L. Duggan) applies only to Trust A.</p>	<p>Minute Order 8/11/15: Counsel agree that the only outstanding matter is the accounting and request 30 days for further resolution. The Court set a separate status hearing re resolution. See Page B.</p>
<p>Cont. from 050515, 070715, 081115, 092915, 111015</p>	<p>Petitioner states Daniel and Virginia, husband and wife, executed the Daniel J. Duggan and Virginia L. Duggan Revocable Living Trust on 5/31/11. Virginia is Petitioner's mother. Daniel is Petitioner's adopted father. The trust provides that if either co-trustee should resign, become incapacitated, or die then the surviving trustee would become the sole trustee. Further, the trust provides that upon the death of one of the trustors, the trust was to be split into revocable Trust A and irrevocable Trust B, which was designated to hold the portion of the trust estate not allocated to revocable Trust A, portions from revocable trust A added upon the death of the surviving trustor, and other additions.</p>	<p>Note: On 11/10/15, the matter was continued to 1/7/16 to meet up with Mr. McClain's Motion to be Relieved as Counsel for Mark Duggan; however, pursuant to Substitution filed 11/23/15, that motion has been taken off calendar. See Page C.</p>
<p>Aff.Sub.Wit.</p>	<p>Virginia passed away 4/17/12. Over a year has passed since Virginia's death and Mark still has not received any information on his beneficial share of Trust B. Mark sent Daniel emails and letters requesting information and accounting, which went unanswered for some time. On 8/8/14, by and through his attorneys, Mark sent a letter to Daniel's attorney requesting, among other things, copies of the trust, amendments, and a full, complete, and accurate accounting that complies with Probate Code §§ 16063 and 1060 from 4/17/12 to the present date. The letter also stated that Mark agreed to Daniel's proposed allocation of real properties to Trust B.</p>	<p>The following issues remain noted for reference:</p>
<p>✓ Verified</p>	<p>SEE ADDITIONAL PAGES</p>	<ol style="list-style-type: none"> 1. The Court may require notice to Therese Tiab, the second named successor trustee, pursuant to Probate Code §17203. 2. Need proposed order pursuant to Local Rule 7.1.1.F.
<p>Inventory</p>		<p>Reviewed by: skc</p>
<p>PTC</p>		<p>Reviewed on: 12/29/15</p>
<p>Not.Cred.</p>		<p>Updates:</p>
<p>✓ Notice of Hrg</p>		<p>Recommendation:</p>
<p>✓ Aff.Mail w</p>		<p>File 13A - Duggan</p>
<p>Aff.Pub.</p>		
<p>Sp.Ntc.</p>		
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p>Letters</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p>Order x</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>		
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>		

Petitioner states (Cont'd): Mark requested that Daniel record the deeds of the assets allocated to reflect that the assets were a part of Trust B and execute a promissory note for \$125,000.00 with Trust B as the holder and Trust A as the maker of the note. Properties include:

1. 6022 North Marty Ave., APN 106-362-06S
2. 1697 East Los Altos, APN 408-253-13
3. 6750 North Millbrook, APN 408-281-07
4. 2020 South Mary, APNs 468-341-03 and 04
5. 2003-2009 South Sarah, APNs 468-341-14 and 18

On 8/12/14, counsel for Daniel sent a letter that stated he would forward the request to Daniel and provide information as requested. On 8/15/14, Counsel for Daniel mailed the Notification by Trustee pursuant to Probate Code §16061.7 and a copy of the Trust to Mark. The Notification indicated that the trust was amended on 6/29/12, after Virginia's death. Mark did not receive the amendment or the accounting requested.

Again, on 8/26/14, Mark's counsel wrote a letter requesting the trust documents that Daniel had failed to provide and again requested accounting. Daniel's counsel sent a letter that the accounting should be completed within about two weeks. Mark received a trust accounting for the period of 10/1/13 through 6/30/14, but the accounting did not conform to Probate Code §16063.

To date, Daniel has not furnished accounting that complies with the probate code, or the trust amendments. Further, he has not provided a copy of the appraisal report for the values of the real property that were to be allocated to Trust B. Daniel has provided copies of the recorded deeds showing that the appropriate properties were allocated to Trust B except for 2020 South Mary and 2003-2009 South Sarah. Daniel has also not provided an executed promissory note for \$125,000.00 naming Trust B as the holder and Trust A as the maker of the note.

Petitioner provides authority and prays for relief as follows:

1. Finding that Trust B became irrevocable on 4/17/12;
2. Finding that the 6/29/12 amendment is not applicable to Trust B;
3. Finding that any amendment made after 4/17/12 is not applicable to Trust B;
4. Compelling the trustee to provide an accounting from 4/17/12 to present that complies with Probate Code §16063;
5. Compelling the trustee to provide all amendments to the trust;
6. Confirming the transfer of the following properties to the trust:
 - 6022 North Marty Ave., APN 106-362-06S
 - 1697 East Los Altos, APN 408-253-13
 - 6750 North Millbrook, APN 408-281-07
7. Instructing the trustee to transfer the following properties to Trust B:
 - 2020 South Mary, APNs 468-341-03 and 04
 - 2003-2009 South Sarah, APNs 468-341-14 and 18
8. Instructing the trustee to execute a promissory note for \$125,000.00 with Trust B as the holder and Trust A as the maker of the note;
9. Approving the division of the trust into Trust A and Trust B;
10. For attorneys' fees and costs as permitted by law; and
11. For such other relief the court deems just and proper.

Attorney Duggan, Mark (Pro Per Petitioner)
 Attorney Pimentel, Paul J. (for Respondent Daniel J. Duggan)

Status RE: Resolution

		<p>MARK DUGGAN, Remainder Beneficiary of Trust B, the irrevocable trust created under the Daniel J. Duggan and Virginia L. Duggan Revocable Living Trust dated 5/31/11, filed Petition for Findings and Orders to Compel an Accounting or Provide Information on the Trust: Confirm the Creation and Funding of Trust B; and Instructions on Validity of Trust Amendment.</p> <p>On 7/17/15, the parties filed a Stipulation as to various facts. The Court's order thereon was entered on 8/7/15.</p> <p>At the hearing on 8/11/15, the Court set this status hearing re resolution.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 9/29/15: Mr. McLain represents that he will be subbing out of this matter and Mr. Duggan will act in pro per, at which time he can begin communicating with Mr. Pimentel directly.</p> <p>Note: On 11/10/15, the matter was continued to 1/7/16 to meet up with Mr. McClain's Motion to be Relieved as Counsel for Mark Duggan; however, pursuant to Substitution filed 11/23/15, that motion has been taken off calendar. See Page C.</p>
Cont. from 092915, 111015			
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: skc	
		Reviewed on: 12/29/15	
		Updates:	
		Recommendation:	
		File 13B - Duggan	

Probate Status Hearing RE: Filing of the Inventory and Appraisal

DOD: 11/6/81	ROSIE FLORES YBARRA and LUPE FLORES YBARRA , Daughters, were appointed Administrators with Full IAEA with bond of \$200,000.00 on 6/11/15. Letters issued 6/22/15.	NEEDS/PROBLEMS/COMMENTS:
Cont'd from 11215		
Aff.Sub.Wit.	At the hearing on 6/11/15, the Court set this status hearing for the filing of the Inventory and Appraisal.	<u>OFF CALENDAR</u>
Verified		
Inventory		Final I&A filed 11/12/15
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		Reviewed by: skc
Status Rpt		Reviewed on: 12/29/15
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 14 - Ybarra

Probate Status Hearing RE: Filing of the Inventory and Appraisal

DOD: 4/18/15	<p>JOHN F. LUTZ, Brother, was appointed Executor with Full IAEA without bond and Letters issued on 8/13/15.</p> <p>At the hearing on 8/13/15, the Court set this status hearing re the filing of the Inventory and Appraisal.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Inventory and Appraisal pursuant to Probate Code §8800 or written status report pursuant to Local Rule 7.5.</p>
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: skc
		Reviewed on: 12/30/15
		Updates:
		Recommendation:
		File 15- Lutz

Petition for Letters of Administration

DOD: 2/24/15		<p>JIM CARTER of AJC Realty Solutions LLC in San Pablo, CA, and DEBRA BURGESS, of Quality Wholesale Homes LLC in Sacramento, CA, are Petitioners and request ??? (Petition is blank at #2b.)</p> <p>Petition does not request IAEA.</p> <p>Decedent died intestate</p> <p>Residence: Fresno Publication: Reedley Exponent (?)</p> <p>Estimated value of estate: Personal property: \$5,000.00 Real property: \$174,000.00 Total: \$179,000.00</p> <p>Probate Referee: Rick Smith</p> <p>Petitioners state known heirs have declined all rights to be named executor.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 10/29/15: Examiner notes provided in open court. The Court admonishes that publication in Reedley is not allowable.</p> <p>As of 12/29/15, nothing further has been filed. The following issues remain:</p> <p>Amended petition may be required for reasons including but not limited to the reasons listed on the following pages.</p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p> <p>Note: If granted, status hearings will be set for the filing of the Inventory and Appraisal and First Account or Petition for Final Distribution. At this time, dates are not provided, as it does not appear the petition is in a condition to go forward.</p>	
Cont. from 092815, 102915				
<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			x
<input checked="" type="checkbox"/>	Aff.Pub.			x
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters	x		
<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 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: 12/29/15		
		Updates:		
		Recommendation:		
		File 16 – Manson		

1. The petition is blank at #2b; therefore, it is unclear who Petitioners are requesting to be appointed as administrator. (Note: Proposed order indicates Petitioners are appointed.)
2. Petitioners state “Known heirs have declined all rights to be named executor of Estate;” at #3f(1)(d); however, Petitioners do not state their relationship to the decedent or why they are entitled to Letters at #3f(2), and no declinations have been filed.

Two names are listed at #8: Gwendolyn Manson, sister, and Vera Jackson, no relationship stated. However, only Vera Jackson was served with Notice of Petition to Administer Estate, along with notice to Chase Bank.

Therefore:

- Need clarification as to Petitioners’ relationship to the decedent;
 - Need clarification as to Vera Jackson’s relationship to the decedent;
 - Need notice to Gwendolyn Manson, sister;
 - Need declinations from Gwendolyn Manson and Vera Jackson to serve as Administrator pursuant to priority provided in Probate Code §8461.
3. It appears Petitioners are requesting to waive bond. Need waivers from the above relatives or bond of \$179,000.00.
 4. The decedent resided in the City of Fresno; however, Petitioners published in the Reedley Exponent. Need republication pursuant to Probate Code §8121(b) and Local Rule 7.9.
 5. The petition does not include a request for powers under the IAEA, but the publication did include IAEA language and the proposed order includes IAEA. Need clarification.
 6. Petitioners filed a document titled “Decedent Name Change Correction” on 10/20/15 requesting correction from “Jerald A. Manson” to “Jerald E. Manson.”

However, Petitioners did not properly petition the Court to change the name of the case or add this alias, and the publication only reflected “Jerald A. Manson.”

Therefore, formal request with Court order or amendment of this petition may be required, and republication may also be required.

7. The petition is blank at #5a(2)(a) and (b). Was the decedent’s spouse deceased or was decedent divorced or never married? If deceased, need date of death pursuant to Local Rule 7.1.1.D.
8. The petition is blank at #5a(3) and (4). Was the decedent survived by a registered domestic partner?
9. The petition is blank at #5a(7) and (8). Was the decedent survived by issue of a predeceased child?
10. The petition indicates a page is attached, but no page is attached.
11. Need Letters.

Petition to Determine Succession to Real Property (Prob. Code §13150)

DOD: 5/8/14	KELLI FRYE , Sister, and MARGARET PARSONS , Mother, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
	40 days since DOD	<u>Need amended petition. Issues include, but may not be limited to, the following:</u>
Cont. from 100615, 110515	No other proceedings	
<input type="checkbox"/> Aff.Sub.Wit.		1. Pursuant to Probate Code §6402(b), if there is no surviving issue, the estate passes to the decedent's parent or parents equally. Siblings do not take unless both parents are deceased.
<input checked="" type="checkbox"/> Verified	I&A: <i>Incomplete</i>	
<input type="checkbox"/> Inventory	<input checked="" type="checkbox"/>	Petitioner does not state whether the decedent's father is living or deceased. If deceased, need date of death per Local Rule 7.1.1.D.
<input type="checkbox"/> PTC	Decedent died intestate	
<input type="checkbox"/> Not.Cred.		2. Need completed I&A. The I&A attached to the petition has not been completed by the Probate Referee for valuation of the real and personal property pursuant to Probate Code §13151.
<input type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Aff.Mail	<input checked="" type="checkbox"/>	Note: Petitioners include valuations of the personal property at Attachment 1; however, these items must be appraised by the Probate Referee. See Probate Code §§ 13152(b), 8900 et seq.
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		3. Attachment 11 does not state the decedent's interest in the real and personal property.
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		4. The same PO Box is listed as the address for all relatives at #14. For the amended petition, need clarification and notice to each person directly. CRC 7.51.
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		Reviewed by: skc
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		Reviewed on: 12/29/15
<input type="checkbox"/> CI Report		Updates:
<input type="checkbox"/> 9202		Recommendation:
<input checked="" type="checkbox"/> Order		File 17 – Carter
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

Petitioner Herminia Orozco Serna (Pro Per)

Petition for Appointment of Guardian of the Person

	TEMPORARY GRANTED ON COURT'S OWN MOTION EXPIRES 1/7/2016		NEEDS/PROBLEMS/COMMENTS:
	HERMINIA O. SERNA , paternal grandmother, is Petitioner.		
	~Please see Petition for details~		<p>Continued from 11/12/2015. Minute Order states examiner notes provided in open court. The Court gives permission for mail service with the new hearing date and a copy of the petition as to Jose Serna, father. Petitioner represents that the paternal grandfather's name is Alfredo Zepeda and that he resides in Mexico; she is to inquire of the mother as to the maternal grandfather's name. The matter is continued for service of the stated individuals; temporary orders are granted and Letters are to issue forthwith.</p> <p>1. Need proof of service by mail of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian</i>, or <i>Consent to Appointment of Guardian and Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i>, for:</p> <ul style="list-style-type: none"> • Alfredo Zepeda, paternal grandfather; • maternal grandparents.
	Court Investigator's Report was filed on 10/26/2015.		
	Cont. from 11215		
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 12/30/15
			Updates:
			Recommendation:
			File 18- Serna

19 Beverly Christiansen (CONS/PE) Case No. 15CEPR00976
 Attorney LeVan, Nancy J. (for Ronald Christiansen – Spouse – Petitioner)
 Attorney Horton, Lisa (Court appointed for Proposed Conservatee)
 Objector Washburn, Kimberly M. (Pro Per – Daughter – Objector)
 Objector Macedo, Robbyn L. (Pro Per – Daughter – Objector)
 Objector Smith, Robert M. (Pro Per – Son – Objector)

Petition for Appointment of Probate Conservator of the Person and Estate

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: Court Investigator advised rights on 10/15/15 and 10/27/15. Voting rights affected – need minute order Minute Order 11/12/15: Ms. LeVan reports that she has not yet seen the filed objections. The Court orders that the Public Guardian is appointed as temporary Conservator of the Person and Estate; Letters are to issue from the minute order. All assets and paperwork are to be turned over to the Public Guardian immediately. No family member is entitled to assets at this time. The Public Guardian is to take control of Beverly's pension as well. Ms. LeVan's Response is due by 12/10/15. As of 12/29/15, no response has been filed.	
Cont'd from 11215				
	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: 12/29/15 Updates: Recommendation: File 24 - Christiansen	

Petition for Appointment of Guardian of the Person

See petition for details.			<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The Notices of Hearing filed 11/5/15 indicate personal service on both parents on 11/4/15, but do not indicate that a copy of the petition was served with the notice, and also indicate two separate addresses for service, so it is unclear where the parents were personally served. The Court may require further service on the parents per Probate Code §1511. (An address was provided in open court on 12/7/15.)</p> <p>2. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on the following relatives:</p> <ul style="list-style-type: none"> - Paternal Grandfather - Paternal Grandmother - Maternal Grandfather - Sarah Salas (Maternal Grandmother) - Joseph Aguilar (Sibling) - Desire Alvarez (Sibling) - Kaylen Madrigal (Sibling)
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail	x	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	w/o	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 12/30/15
			Updates:
			Recommendation:
			File 21- Menchaca

Petition for Appointment of Guardian of the Person

See petition for details.			<p>NEEDS/PROBLEMS/ COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Child Information Attachment Form GC-210(CA), which contains mandatory information regarding the child, her family, and Petitioner, including ICWA inquiry information. See Probate Code §1510(c). 2. If diligence is not found, need notice to father, paternal grandparents, and maternal grandfather pursuant to Probate Code §1511.
	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		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 12/30/15
			Updates:
			Recommendation:
			File 23- Cairns

Petition for Appointment of Guardian of the Estate

	See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align:center;"><u>SEE ADDITIONAL PAGES</u></p> <p>Note: If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> • Thursday April 7, 2016 for the filing of the Inventory and Appraisal pursuant to Probate Code §2610 • Thursday March 9, 2017 for the filing of the first account pursuant to Probate Code §2620. <p>If the proper items are on file prior to the status dates per Local Rule 7.5, the status dates may come off calendar.</p>
<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 type="checkbox"/>	Notice of Hrg	x
<input type="checkbox"/>	Aff.Mail	x
<input type="checkbox"/>	Aff.Pub.	
<input type="checkbox"/>	Sp.Ntc.	
<input type="checkbox"/>	Pers.Serv.	x
<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 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	x
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: skc
		Reviewed on: 12/30/15
		Updates:
		Recommendation:
		File 24- Lanuza

Page 2

NEEDS/PROBLEMS/COMMENTS:

1. Need UCCJEA (Form GC-120). Probate Code §1510.
2. Need Notice of Hearing.
3. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 on:
 - Paternal Grandmother Ana Maria Lopez Barrera
 - Maternal Grandfather Raul Nieto
 - Maternal Grandmother Maria Carmen Lanuza
 - Sibling Betsabe Lanuza
4. Pursuant to Local Rule 7.15.2, is the policy of the Court to grant only those independent powers necessary in each case to administer the estate. A request for all powers under §2591 will not be granted by the court. Each independent power requested must be justified by, and narrowly tailored to the specific circumstances of the case. Therefore, need clarification as to exactly what powers are requested and the reasons why.
5. Petitioner requests to waive bond, but also requests §2590 powers, which would allow the guardian to make transactions regarding the minor's interest in the real property without Court oversight. Because Petitioner is requesting powers under Probate Code §2590, the Court may require bond of at least \$23,833.34 pursuant to Probate Code §2320, which includes cost of recovery.