



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.

(1) Fourteenth and Final Account and Report of Conservator; (2) Petition for Fees, for Termination of Conservatorship Distribution of Assets of Estate and (3) Discharge of Conservator (Prob. C. 1860 & 2620)

DOD: 11-10-10	CALIFORNIA DEPT. OF DEVELOPMENTAL SERVICES , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		<u>Note: This is the 10th hearing on this final account.</u>
	Account period: 3-1-09 through 11-10-10	<u>On 10-17-12, a separate Petition for Instructions was filed. See Page 1B.</u>
Cont. from 111711, 020212, 040512, 051712, 062812, 080212, 100412, 110112, 112912	Accounting: \$34,377.72 Beginning POH: \$14,465.02 Ending POH: \$16,100.50	<u>Minute Order 11-29-12: No appearances. The Court sets the matter for an Order to Show Cause regarding Sanctions in the amount of \$800.00. The Court orders Bruce Beland to be personally present on 1-10-13. [See Page 1C.]</u>
Aff.Sub.Wit.	Account period: 11-11-10 through 6-30-11	<u>The following issues remain:</u>
✓ Verified	Accounting: \$18,405.01 Beginning POH: \$16,100.50 Ending POH: \$12,537.04	1. Probate Code §§ 2631 and 13100 allow liquidation and distribution of <u>personal property only</u> in the manner requested. Real property, including undivided interests, is subject to Probate Code §13151, which requires the mandatory judicial council Petition to Determine Succession to Real Property Form DE-310, inventory and appraisal as of the date of death, and noticed hearing.
Inventory	(POH consists of cash in the amount of \$554.93 plus an undivided 1/3 interest of a 3/4 interest in real property, a stove, and an air conditioner)	2. Petitioner also requests to distribute this asset when there is a Medi-Cal lien on the estate. Need authority.
PTC	Conservator: \$125.00	3. The proposed order does not correspond to the prayer. Need clarification.
Not.Cred.	Attorney: \$40.00	4. The proposed order does not comply with Local Rule 7.6.1.A. Monetary distributions must be stated in dollars. Need clarification as to the amount to be distributed on the Medi-Cal claim. (Examiner calculates \$389.93. Need verification.)
✓ Notice of Hrg	Petitioner states there is a Medi-Cal claim in the amount of \$108,627.87 and requests that the court authorize payment of the remaining balance of the conservatorship estate on this claim.	5. Petitioner originally stated that the Conservatorship Estate owned an "UNDIVIDED 1/3 RD INTEREST OF 3/4 TH INTEREST IN REAL PROPERTY." However, Petitioner now states the interest is a "1/2 (ONE-HALF)" interest.
✓ Aff.Mail W		Reviewed by: skc
Aff.Pub.		Reviewed on: 1-3-13
Sp.Ntc.		Updates:
Pers.Serv.		Recommendation:
Conf. Screen		File 1A - Tortorella
Letters		
Duties/Supp		
Objections		
Video Receipt		
✓ CI Report	Petitioner prays for an Order:	
9202	1. Approving, allowing and settling the final account;	
✓ Order	2. Terminating the proceedings herein;	
	3. Authorizing payment of the conservator's and attorney's fees;	
	4. Authorizing payment of the remaining balance to the Dept. of Health Services as payment in full on the Medi-Cal claim;	
	5. Authorizing transfer of the house, stove and air conditioner to the Conservatee's sister; and	
Aff. Posting	6. Discharge of Conservator.	
Status Rpt X		
UCCJEA		
Citation		
FTB Notice		

<p>DOD: 11-10-10</p>	<p>CALIFORNIA DEPT. OF DEVELOPMENTAL SERVICES, Conservator, is Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS: <u>Continued from 11-1-12, 11-29-12.</u> Minute Order 11-29-12: No appearances. The Court sets the matter for an Order to Show Cause regarding Sanctions in the amount of \$800.00. The Court orders Bruce Beland to be personally present on 1-10-13. [See Page 1C.]</p> <p>1. Authority does not appear to be proper. Probate Code §2591(c)(1) allows a conservator the power "<u>to sell at public or private sale</u>" real property without Court confirmation of sale. Probate Code §2590(a) states the Court may make an order granting this power if it is to the "<u>advantage, benefit, and best interest of the estate to do so.</u>" Here, Petitioner is requesting to <u>distribute</u> real property from the conservatorship estate after the Conservatee's death without reference to the Medi-Cal lien on the conservatorship estate in the amount of \$108,627.87 that was noted by Petitioner in the 14th Account filed 10-13-11 (Page 1A). Examiner notes that DHS was served with a copy of this Petition and the P&A by mail on 10-16-12; however, the Court may require clarification as to authority to <u>distribute</u> real property from a conservatorship estate, <u>with reference to the lien, or further time for response or agreement</u> by DHS. <u>As previously stated, a Petition to Determine Succession is an appropriate method to distribute property. Examiner notes that this is a summary proceeding that requires the heir to petition.</u></p> <p>2. The Conservatorship Estate owned an "UNDIVIDED 1/3RD INTEREST OF 3/4TH INTEREST IN REAL PROPERTY" (See Schedule G – POH at end of account period). Petitioner now states the interest is a "1/2 (ONE-HALF)" interest, with the other half held by the brother (Pages 2A and 2B). Need clarification.</p> <p>3. Need order.</p> <p>Reviewed by: skc Reviewed on: 1-3-13 Updates: Recommendation: File 1B - Tortorella</p>
<p>Cont. from 110112, 112912</p>	<p>Petitioner states the Conservatee's only known surviving relative is his sister, Cina Rand, who resides in Clovis, CA. The conservatorship estate herein includes a one-half interest in real property in Fresno. The remaining one-half interest in the real property is held by this conservatee's brother, Dominic Tortella, DOD 11-6-09.</p>	
<p>Aff.Sub.Wit.</p>	<p>Petitioner states that pursuant to Probate Code §§ 2590 and 2591, the Court may authorize a Conservator to sell or dispose of real property with or without confirmation.</p>	
<p>✓ Verified</p>	<p>Pursuant to Probate Code §2591(c)(1), the Conservator hereby requests authority to transfer the Conservatee's interest in the real property to Ms. Rand, the Conservatee's only known surviving relative.</p>	
<p>Inventory</p>	<p>Petitioner prays that this Court authorize the Director of the Dept. of Developmental Services of the State of California to exercise its authority under Probate Code §2591 to transfer the Conservatee's interest in the real property and to issue such other relief as appropriate.</p>	
<p>PTC</p>	<p>Memorandum of Points and Authorities cites Probate Code §§ 2590 and 2591. Petitioner states that the Court may authorize the transfer of the real property, as the property is not the Conservatee's (or his brother's) residence, as they are both deceased. Petitioner states Cina Rand is the only known surviving relative of the Conservatee and the Conservator has no lien or other interest in the property. Further administration of the conservatorship estate will only use up conservatorship assets and will not serve any purpose for which the conservatorship was created. It appears to be prudent and in the best interest of all parties that the Court exercise its authority under this section to transfer the real property to Ms. Rand.</p>	
<p>Not.Cred.</p>		
<p>✓ Notice of Hrg</p>		
<p>✓ Aff.Mail W</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</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>		
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>		

Order to Show Cause Re: Sanctions in the Amount of \$800.00

DOD: 11-10-10	CALIFORNIA DEPT. OF DEVELOPMENTAL SERVICES , Conservator, filed its 14 th and Final Account after the death of the Conservatee on 10-13-11 (Page 1A).	NEEDS/PROBLEMS/COMMENTS:
		<u>Note:</u> Please see Pages 1A and 1B for the history of the matter.
Aff.Sub.Wit.	According to the petition, Property On Hand as of 6-30-11 included \$554.93 plus an undivided 1/3 interest of a 3/4 interest in real property, a stove, and an air conditioner (total assets valued at \$12,537.04).	
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	The petition requested to distribute the property to the conservatee's sister.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.	Examiner Notes indicated issues with the petition. Page 1A contains the issues as listed since the original hearing on 11-17-11.	
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp	After numerous continuances, on 10-17-12, the Conservator filed a Petition for Instructions. See Page 1B. However, the attorney did not appear at the hearing on 11-1-12, or at the continued hearing on 11-29-12.	
Objections		
Video Receipt		
CI Report		
9202	Minute Order 11-29-12: No appearances. The Court sets the matter for an Order to Show Cause regarding Sanctions in the amount of \$800.00. The Court orders Bruce Beland to be personally present on 1-10-13. [See Page 1C.]	Reviewed by: skc
Order		Reviewed on: 1-3-13
Aff. Posting		Updates:
Status Rpt		Recommendation:
UCCJEA		File - 1C - Tortorella
Citation		
FTB Notice		

(1) Fourteenth and Final Account and Report of Conservator; (2) Petition for Fees, (3) for Termination of Conservatorship, (4) Distribution of Assets of Estate and (5) Discharge of Conservator [Prob. C. 1860 & 2620]

DOD: 11-6-09		CALIFORNIA DEPT. OF DEVELOPMENTAL SERVICES , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 3-1-09 through 11-6-09	<u>Continued from 11-1-12, 11-29-12.</u>
		Accounting: \$23,821.68	<u>Minute Order 11-29-12: No appearances.</u>
		Beginning POH: \$14,193.12	The Court sets the matter for an Order to Show Cause on 1/10/13 regarding sanctions in the amount of \$800.00. The Court orders Bruce Beland to be personally present on 1/10/13. Continued to 1-10-13 at 9am in Dept 303. Set on 1-10-13 at 9am in Dept 303 for: Order to Show Cause Re: Sanctions in the Amount of \$800.00.
		Ending POH: \$16,068.68	
Cont. from 110112, 112912		Account period: 11-7-09 through 5-31-12	<u>Page 2B is a separate Petition for Instructions.</u>
<input type="checkbox"/>	Aff.Sub.Wit.	Accounting: \$16,170.48	<ol style="list-style-type: none"> As stated previously in the prior Examiner Notes for the related matter, Probate Code §§ 2631 and 13100 allow liquidation and distribution of <u>personal property only</u> in the manner requested. Real property, including undivided interests, is subject to Probate Code §13151, which requires the mandatory judicial council Petition to Determine Succession to Real Property Form DE-310, inventory and appraisal as of the date of death, and noticed hearing. Petitioner also requests to distribute this asset when there is a Medi-Cal lien on the estate. Need authority. Need Notice of Hearing and proof of service at least 15 days prior to the hearing on Cina Rand (sister) and DHS. (Proof of Service filed 10-17-12 relates to the Petition for Instructions at Page 2B only.) Order does not match Petition. Petition states ending balance is \$11,235.03, of which \$235.03 is cash. Order states ending balance is \$16,100.50, of which \$443.12 is cash. Need clarification. Order does not comply with Local Rule 7.6.1.A. Monetary distributions must be stated in dollars. Need clarification as to the amount to be distributed on the Medi-Cal claim. Examiner is unable to calculate due to discrepancy noted in #4 above.
<input checked="" type="checkbox"/>	Verified	Beginning POH: \$16,068.68	
<input type="checkbox"/>	Inventory	Ending POH: \$11,235.03	
<input type="checkbox"/>	PTC	(POH consists of cash in the amount of \$235.03 plus an undivided 1/3 interest of a 3/4 interest in real property)	
<input type="checkbox"/>	Not.Cred.	Conservator: \$50.00 outstanding, Balance waived	
<input type="checkbox"/>	Notice of Hrg	Attorney: \$25.00 outstanding, Balance waived	
<input type="checkbox"/>	Aff.Mail	Court Investigation Fees (Superior Court): \$50.00, Balance waived.	
<input type="checkbox"/>	Aff.Pub.	Petitioner states there is a Medi-Cal claim in the amount of \$56,556.10 and requests that the court authorize payment of the remaining balance of the conservatorship estate on this claim.	
<input type="checkbox"/>	Sp.Ntc.	Petitioner prays for an Order:	
<input type="checkbox"/>	Pers.Serv.	7. Approving, allowing and settling the final account;	
<input type="checkbox"/>	Conf. Screen	8. Terminating the proceedings herein;	
<input type="checkbox"/>	Letters	9. Waiving the conservator's and attorney's fees;	
<input type="checkbox"/>	Duties/Supp	10. Authorizing payment of \$50.00 to the herein Conservator of the estate for outstanding deferred fees as payment in full and waiving the remaining amount due;	
<input type="checkbox"/>	Objections	11. Authorizing payment of \$25.00 to the State Dept. of Developmental Services' Office of Legal Affairs for outstanding deferred fees as payment in full and waive remaining balance due;	
<input type="checkbox"/>	Video Receipt	12. Authorizing payment of \$50.00 to Fresno Superior Court for outstanding deferred fees previously approved by the Court as payment in full and waive the remaining balance due;	
<input type="checkbox"/>	CI Report	13. Authorizing payment of the remaining balance to the Dept. of Health Services as payment in full on the Medi-Cal claim;	
<input type="checkbox"/>	9202	14. Authorizing transfer of the house to the Conservatee's sister; and	
<input type="checkbox"/>	Order	15. Discharge of Conservator.	
<input type="checkbox"/>	Aff. Posting		Reviewed by: skc
<input type="checkbox"/>	Status Rpt		Reviewed on: 1-3-13
<input type="checkbox"/>	UCCJEA		Updates:
<input type="checkbox"/>	Citation		Recommendation:
<input type="checkbox"/>	FTB Notice		File 2A - Tortorella

DOD: 11-6-09		<p>CALIFORNIA DEPT. OF DEVELOPMENTAL SERVICES, Conservator, is Petitioner.</p> <p>Petitioner states the Conservatee's only known surviving relative is his sister, Cina Rand, who resides in Clovis, CA. The conservatorship estate herein includes a one-half interest in real property in Fresno. The remaining one-half interest in the real property is held by this conservatee's brother, Nicholas Tortella, DOD 11-10-10.</p> <p>Petitioner states that pursuant to Probate Code §§ 2590 and 2591, the Court may authorize a Conservator to sell or dispose of real property with or without confirmation.</p> <p>Pursuant to Probate Code §2591(c)(1), the Conservator hereby requests authority to transfer the Conservatee's interest in the real property to Ms. Rand, the Conservatee's only known surviving relative.</p> <p>Petitioner prays that this Court authorize the Director of the Dept. of Developmental Services of the State of California to exercise its authority under Probate Code §2591 to transfer the Conservatee's interest in the real property and to issue such other relief as appropriate.</p> <p>Memorandum of Points and Authorities cites Probate Code §§ 2590 and 2591. Petitioner states that the Court may authorize the transfer of the real property, as the property is not the Conservatee's (or his brother's) residence, as they are both deceased. Petitioner states Cina Rand is the only known surviving relative of the Conservatee and the Conservator has no lien or other interest in the property. Further administration of the conservatorship estate will only use up conservatorship assets and will not serve any purpose for which the conservatorship was created. It appears to be prudent and in the best interest of all parties that the Court exercise its authority under this section to transfer the real property to Ms. Rand.</p>	<p>NEEDS/PROBLEMS/COMMENTS: <u>Continued from 11-1-12, 11-29-12.</u> <u>Minute Order 11-29-12: No appearances. The Court sets the matter for an Order to Show Cause on 1/10/13 regarding sanctions in the amount of \$800.00. The Court orders Bruce Beland to be personally present on 1/10/13. Continued to 1-10-13 at 9am in Dept 303. Set on 1-10-13 at 9am in Dept 303 for: Order to Show Cause Re: Sanctions in the Amount of \$800.00.</u></p> <p>4. Authority does not appear to be proper.</p> <p>Probate Code §2591(c)(1) allows a conservator the power <u>"to sell at public or private sale"</u> real property without Court confirmation of sale.</p> <p>Probate Code §2590(a) states the Court may make an order granting this power if it is to the <u>"advantage, benefit, and best interest of the estate to do so."</u></p> <p>Here, Petitioner is requesting to <u>distribute</u> real property from the conservatorship estate after the Conservatee's death without reference to the Medi-Cal lien on the conservatorship estate in the amount of \$108,627.87 that was noted by Petitioner in the 14th Account filed 10-13-11 (Page 1A).</p> <p>Examiner notes that DHS was served with a copy of this Petition and the P&A by mail on 10-16-12; however, the Court may require clarification as to authority to <u>distribute</u> real property from a conservatorship estate, <u>with reference to the lien</u>, or further time for response <u>or</u> agreement by DHS.</p> <p><u>As previously stated, a Petition to Determine Succession is an appropriate method to distribute property. Examiner notes that this is a summary proceeding that requires the heir to petition.</u></p> <p>5. The Conservatorship Estate owned an "UNDIVIDED 1/3RD INTEREST OF 3/4TH INTEREST IN REAL PROPERTY" (See Schedule G – POH at end of account period). Petitioner now states the interest is a "1/2 (ONE-HALF)" interest, with the other half held by the brother (Pages 2A and 2B). Need clarification.</p> <p>6. Need order.</p> <p>Reviewed by: skc</p> <p>Reviewed on: 1-3-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2B - Tortorella</p>
Cont. from 110112, 112912			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	X		
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			

Order to Show Cause Re: Sanctions in the Amount of \$800.00

11-6-09	CALIFORNIA DEPT. OF DEVELOPMENTAL SERVICES is	NEEDS/PROBLEMS/COMMENTS:
	Conservator.	
	On 6-10-09, the Court approved the Conservator's 13 th	<p>Note: Please see Pages 1A and 1B for the history of this matter.</p>
	Account, which period ended on 2-28-09. The	
	Conservatee died on 11-6-09.	
Aff.Sub.Wit.		
Verified		
Inventory	On 8-29-11, the Court set status hearing for the filing of	
PTC	the final account and mailed notice to the	
Not.Cred.	Conservator and counsel. Attorney Cynthia Bosco	
Notice of Hrg	appeared on 10-12-11 and the matter was continued	
Aff.Mail	to 11-16-11 for the filing of the final account.	
Aff.Pub.	On 11-16-11, there were no appearances. The matter	
Sp.Ntc.	was continued to 2-8-12 and Ms. Bosco was ordered	
Pers.Serv.	to be present. On 2-8-12, attorney Beland appeared	
Conf. Screen	via conference call and the matter was continued to	
Letters	6-28-12. On 6-28-12, there were again no	
Duties/Supp	appearances. An OSC re sanctions was set for 8-2-12.	
Objections	On 8-2-12, the Court continued the matters to 10-4-12.	
Video Receipt		
CI Report	On 6-19-12, a 14 th and Final Account was filed and set	
9202	for 11-1-12. According to the Petition, Property On	
Order	Hand as of 5-31-12 included \$235.03 plus an undivided	
Aff. Posting	1/3 interest of a 3/4 interest in real property.	
Status Rpt	The petition requested to distribute the property to the	
UCCJEA	conservatee's sister.	
Citation	Examiner Notes indicated issues with the petition. See	
FTB Notice	Page 1A.	
	On 10-17-12, the Conservator filed a Petition for	
	Instructions. See Page 1B. However, the attorney did	
	not appear at the hearing on 11-1-12, or at the	
	continued hearing on 11-29-12.	
	Minute Order 11-29-12: No appearances. The Court	
	sets the matter for an Order to Show Cause regarding	
	Sanctions in the amount of \$800.00. The Court orders	
	Bruce Beland to be personally present on 1-10-13.	
	[See Page 1C.]	
		Reviewed by: skc
		Reviewed on: 1-3-13
		Updates:
		Recommendation:
		File - 2C

Petition for Settlement of First Account Current and Report of Trustee, Approval of Attorney's Fees and Costs, Approving Reduction of Bond and Waiving Future Accountings [Prob. C. 2628(a), 3600, et seq., Cal. Rules of Ct. Rule 7.903(c)]

Age: 14 years	STEVEN WILLEY , father/Trustee, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The order approving the establishment of this special needs trust allowed reimbursement to the attorney of a filing fee in the amount of \$395.00 upon review, it has been discovered that the filing fee charged was \$200.00 and not \$395.00. It appears that the attorney should reimburse the trust \$195.00 for the difference in the amount approved for reimbursement and the amount actually paid.</p> <p>2. Petition states that the Petitioner has not hired any person who has a family or affiliate relationship with the Petitioner however the invoices for remodel work done on the home is by K Steven Willey. The court may require clarification.</p> <p style="text-align: center;">Please see additional page</p>
	Account period: 6/27/11 – 5/31/12	
	Accounting - \$53,942.25	
	Beginning POH - \$53,317.25	
	Ending POH - \$ 6,565.67	
Cont. from 102512, 112912	Current bond : \$60,317.25	
<input type="checkbox"/> Aff.Sub.Wit.	Trustee - Not addressed	
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Attorney - \$4,176.00	
<input type="checkbox"/> Not.Cred.	(5.40 hours attorney time @ \$195 - \$335 per hour and 17.0 hours paralegal time at \$125 - \$130 per hour and 2 hours of attorney time @ \$335/hr in anticipated time.)	
<input checked="" type="checkbox"/> Notice of Hrg	Costs - \$200.00	
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input type="checkbox"/> Aff.Pub.	Petitioner requests bond be reduced to \$7,222.24/	
<input type="checkbox"/> Sp.Ntc.	Petitioner requests that pursuant to Probate Code §2628(a) future accountings be waived.	
<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	Petitioner prays for an Order that:	
<input type="checkbox"/> CI Report	1. The first account of trustee be settled, allowed and approved as filed, and all the acts and transactions of Petitioner be ratified approved and confirmed;	
<input checked="" type="checkbox"/> 2620	2. Petitioner be authorized to pay attorney fees totaling \$4,176.00 and \$200.00 in costs;	
<input checked="" type="checkbox"/> Order	3. Bond for Steven Willey be reduced to \$7,222.24;	
<input type="checkbox"/> Aff. Posting	4. Petitioner need not present future accountings as long as the estate continues to meet the requirements of Probate Code §2628.	
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

Reviewed by: KT

Reviewed on: 11/27/12

Updates:

Recommendation:

File 3 - Willey

Note: Petition states Petitioner made personal loans to himself of Trust funds in the total amount of \$11,538.61 with interest at 2% per annum. Petition states the Petitioner did not consult with his attorney before taking the loans. Petitioner has made three payments on the loan and offset portions of the loans for additional expenses incurred to renovate the house and to install the swing equipment for Michael in the back yard. The final payment on the loans was made by the Petitioner on 6/21/12, after the account period. Based on the payment on 6/21/12 the loans have been paid in full.

NEEDS/PROBLEMS/COMMENTS (continued):

3. Petition states that at the hearing approving the Special Needs Trust, the notes of Steven Matlak, Counsel for Petitioner, reflect that he discussed Petitioner's plan to modify his home for the benefit of Michael Willey. Mr. Matlak's notes further reflect Judge Robert H. Oliver stated at the hearing that no further court approval was needed for modifications to the house that fit within the meaning of "special needs." Not all the work done on the home appears to be for the "special needs" of the beneficiary, such as the new roof, skylights, attic fan, bath fan and rain gutters. Those items appear to be for the benefit of the family and not the "special needs" of the beneficiary. – **Declaration filed on 11/28/12 states** there was an error in the charges and Steven Willey agrees to personally reimburse the trust for the erroneous charges totaling \$398.67. **Examiner notes** that there are additional charges that should be included such as Mike's portion of the new roof in the amount of \$1,785.71, Mike's portion of the insulation in the amount of \$171.43 and Mike's portion of the cover shell for trustee's truck in the amount of \$2,451.00.
4. There are several disbursements for renovations of the home. Several of the disbursements show a total amount and another amount for "Mike's Portion". It is unclear how Mike's portion is determined sometimes it is 1/7 and other times it is much more. The court may require clarification.
5. On 7/22/11 there is a disbursement to Lumber Liquidators for removal of existing carpet in bedroom, hallway and entry to replace with wood flooring allowing easier wheelchair access. Then on 10/31/11 there is another disbursement for tile work in entry, hallway, bathroom and den. Why are there charges for both wood flooring and tile in the hallway and entry?
6. On 7/22/11 there is a disbursement to Lumber Liquidators for removal of existing carpet in bedroom, hallway and entry to replace with wood flooring allowing easier wheelchair access. Then on 10/31/11 there is another disbursement for tile work in entry, hallway, bathroom and den. There is also an invoice from K. Steven Willey dated 9/20/11 that is for labor to remove old wood flooring in entry area and hallway. Labor to install wood flooring in Mike's bedroom, Labor to demo hallway, entry and living area. Labor to prepare hallway, entry area and living room for new tile and the purchase of 2 nail guns to install subflooring and wood floors. There are charges for both wood flooring and tile flooring for the same areas from several different vendors. Court may require clarification. Who installed the wood flooring? Who installed the tile flooring? What area was tile and what area was wood flooring?

First Amended Petition to Determine Succession to Real Property

DOD: 5/11/02		<p>MICHAEL M. KARASTATHIS, Successor Trustee of The Karastathis Family Trust dated 11/24/01, is Petitioner.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>I & A - \$60,000.00</p> <p>Will dated 11/24/01 devises estate to the Trustee of The Karastathis Family Trust.</p> <p>Petitioner requests Court determination that decedent's 100% interest in real property located at 5188 E. Ashlan #132, Fresno, CA pass to him pursuant to decedent's Will.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" 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/O		
<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 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		
		<p>Reviewed by: KT</p> <p>Reviewed on: 1/4/13</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 4 - Karastathis</p>	

Spousal Property Petition (Prob. C. 13650)

DOD: 6-25-11	MARIA GONZALEZ , Surviving Spouse, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 10-4-12, 11-8-12, 12-6-12.</p> <p><u>Minute Order 12-6-12: Mr. Roberts informs the Court that they have objected to the Petition and believe the will is invalid. Matter continued to 1-10-13.</u></p> <p><u>As of 1-3-13, nothing further has been filed.</u></p>
	No other proceedings.	
Cont. from 100412, 110812, 120612	Will dated 4-1-11 devises decedent's real property in Selma to Petitioner.	
<input type="checkbox"/> Aff.Sub.Wit.	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/> Verified	Petitioner requests Court confirmation that decedent's real property in Selma passes to her.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	ANNETTE COSTA, Daughter, filed an Objection on 10-3-12.	
<input checked="" type="checkbox"/> Aff.Mail	<input type="checkbox"/> W	
<input type="checkbox"/> Aff.Pub.	Objector states the property that is the subject of the petition was the separate property of Decedent. Objector objects to the will and claims that the will is not valid in that Objector does not believe Decedent executed the will or that if Decedent did execute the will that he did not have capacity to do so, or did so under undue influence.	
<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 checked="" type="checkbox"/> Objections	Objector states Decedent was married to the petitioner only a short time prior to his death. The property is the separate property of Decedent and should be distributed to Petitioner and Decedent's children. Decedent was sick and heavily medicated at the time the alleged will was executed. Decedent would not have disinherited his children. Decedent did not have testamentary capacity at the time the alleged will was executed.	
<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	Objector prays that the petition be dismissed without prejudice.	
		Reviewed on: 1-3-13
		Updates:
		Recommendation:
		File 5 – Gonzalez

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

DOD: 07/09/2012		<p>MICHELLE CODDE, daughter/named executor without bond is petitioner.</p> <p>Full IAEA – o.k.</p> <p>Will dated: 07/01/2012</p> <p>Residence: Fresno Publication: The Business Journal</p> <p>Estimated value of the Estate: Personal property - \$97,981.00 Real property - \$94,594.00 Total: - \$192,575.00</p> <p>Probate Referee: Steven Diebert</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 06/07/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Friday, 03/07/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <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>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit. s/p		
<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 checked="" 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 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		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: LV	
		Reviewed on: 12/19/2012	
		Updates: 01/03/2013	
		Recommendation: Submitted	
		File 6 - Osha	

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

DOD: 10-12-12	MELISSA K. WATTERS , Daughter, is Petitioner and requests appointment as Administrator with Full IAEA without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Page 7B is a competing petition filed by Jonathan Vaughn Watters.</p> <p>1. Need bond of \$339,000.00. (Waiver of bond previously filed has been withdrawn.)</p> <p><u>Note:</u> If granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday 3-15-13 for filing of bond • Friday 6-7-13 for filing of Inventory and Appraisal • Friday 6-6-14 for filing of account/petition for final distribution
	Full IAEA – ok	
	Decedent died intestate	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory	Residence: Fresno	
<input type="checkbox"/> PTC	Publication: Fresno Business Journal	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Estimated value of estate:	
<input checked="" type="checkbox"/> Aff.Mail	Personal property: \$ 150,000.00	
<input checked="" type="checkbox"/> Aff.Pub.	Annual income: \$ 14,000.00	
<input type="checkbox"/> Sp.Ntc.	Real property: \$ 175,000.00	
<input type="checkbox"/> Pers.Serv.	Total: \$ 339,000.00	
<input type="checkbox"/> Conf. Screen	Probate Referee: Rick Smith	
<input checked="" type="checkbox"/> Letters	Objection filed 12-14-12 by Jonathan Vaughn Watters	
<input checked="" type="checkbox"/> Duties/Supp	states he withdraws the waiver of bond that he previously signed in connection with Melissa Watters' petition, and objects to her appointment as Administrator. He has filed a competing petition (Page 7B). Mr. Watters states he does not believe his sister will be fair or honest if she is appointed. At one point shortly after their mother's death she asked him to prepare and sign a document that gave her his share of the estate. He obviously knew that was not in his best interest and refused. Since that time, she has been hostile and has refused requests for information. Mr. Watters states he now resides in Fresno and will be better equipped to handle estate matters than his sister. With the help of his attorneys, he is confident that he can handle the administration of the estate promptly and without incident. Objector requests the Court deny Ms. Watters' Petition.	
<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: 1-3-13
		Updates:
		Recommendation:
		File 7A – Watters-Weiser

Atty Amador, Catherine A., of Pascuzzi, Moore & Stoker (for Petitioner Valerie McMaster)

Petition to Determine Assets of Decedent as Property of an Existing Trust [Prob. C. 17200]

DOD: 4/13/2009		<p>VALERIE IRENE McMASTER, Successor Trustee, is Petitioner.</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> On 7/3/2007, PATRICK DELBERT O'BRIEN executed an inter vivos Declaration of Trust dated 7/3/2007, naming himself as Trustee (<i>copy attached as Exhibit A</i>); Under the terms of the Trust, Patrick Delbert O'Brien, as Settlor, declared that he assigned, transferred and delivered to the Trustee the property described in <i>Schedule A</i> attached to the Trust, and as Trustee he agreed to accept, hold and administer such property in accordance with the terms of the Trust; After the Settlor's death, Petitioner became Trustee of the Trust; Prior to the Settlor's death, the Settlor failed to execute deeds to change the vesting of the real property and failed to transfer his interest in the assets described in <i>Schedule A</i> to the Trust to himself as Trustee of the Trust; On the date of the Settlor's death, he owned a 100% interest in the assets described in <i>Schedule A</i>; The intent to hold in trust the assets described in <i>Schedule A</i> is evidenced by the fact that the assets were described in <i>Schedule A</i> to the Trust document; Under the Trust terms, the assets are to be distributed to VALERIE IRENE McMASTER (né O'Brien) and MEGAN KELLIE O'BRIEN upon the death of the Trustor. <p style="text-align: center;">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. <i>Petition</i> does not state the names of all beneficiaries who would be entitled to notice of hearing pursuant to Probate Code §§ 17201 and 17203(a)(2). Paragraph 7 of the <i>Petition</i> purports to list the names and addresses of all persons who may be interested in the trust, though no names or addresses are listed. Need names and addresses of all persons interested in the Trust and entitled to notice, including all Trust beneficiaries. (<i>Note: Trust names MEGAN KELLIE O'BRIEN as a Trust Beneficiary; Petition does not specifically indicate this information, though it is included in the Memorandum of Points and Authorities filed 11/15/2012.</i>)</p> <p style="text-align: center;">~Please see additional page~</p> <p>Reviewed by: LEG</p> <p>Reviewed on: 1/4/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8 – O'Brien</p>	
Cont. from				
<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/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			

Memorandum of Points and Authorities in Support of Petition to Determine Assets of Decedent as Property of an Existing Trust was filed 11/15/2012.

Petitioner prays for an order:

1. Adjudging that the Trustor created a revocable inter vivos living trust under Declaration of Trust dated 7/3/2007; and
2. That despite the current vesting of the assets described in *Schedule A* to the Trust, the Trustor intended that these assets be assets of the Trust and the assets are included as part of the Trust estate.

NEEDS/PROBLEMS/COMMENTS, continued:

2. Proposed order includes eleven legal descriptions of real property parcels which Petitioner seeks to have the Court determine to be Trust assets. However, the *Petition* itself does not but should include these legal descriptions so that the *Petition* and the order may be read and understood independently from one another, as provided for in Local Rule 7.6.1 (D). Need verified declaration to be filed with the Court setting forth accurate addresses and legal descriptions, including the correct APNs, of all parcels of real property sought to be determined as Trust assets. The following discrepancies to the property information listed on the proposed order versus *Schedule A* of the Trust should be verified and corrected for inclusion in the declaration to be filed with the Court regarding the real properties:
 - *Schedule A* contains no house number for the property on Hillsdale Drive, Oakhurst, while the proposed order includes house number **51457**; the verified declaration to be filed with the Court should confirm and be verified by the Petitioner that she represents that the house number **51457** is indeed the house number for the Hillsdale property listed on *Schedule A*.
 - *Schedule A* lists the house number for the property on Laurel as **4753**, while the proposed order lists it as **4752**.
 - *Schedule A* lists the house number for the property on Richert as **544**, while the proposed order lists it as **4541**.
 - *Schedule A* lists the house number for the property on **Platte** as **5637**, while the proposed order lists it as **5037** and the street as **Platt**.
 - *Schedule A* lists the house number for the property on **Bull** as **4240**, while the proposed order lists it as **4340** and the street as **Ball**.
 - *Schedule A* lists the house number for the property on Acacia as **146** (indicated by handwritten and initialed interlineation), while the proposed order lists it as **147**.
 - *Schedule A* lists the following five additional properties that are **not** included on the proposed order as assets sought to be determined as Trust assets; the verified declaration to be filed with the Court should confirm that the Petitioner is in fact **not** seeking these five properties to be included in the Court's determination along with the eleven properties Petitioner includes on the proposed order:
 - Property on N. Emerson;
 - Property on E. Verrue;
 - Property on E. Church;
 - Property on 2002 W. Kenmore Drive;
 - Property on N. Sunnyside.
3. Need revised proposed order setting forth the accurate addresses, APNs and legal descriptions of all parcels of real property Petitioner seeks to be determined as Trust assets.

DOD: 04/14/2012	SANTOS PEREZ , non-relative is petitioner and requests appointment as Administrator with bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Letters 2. Need Order <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 06/07/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 03/07/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <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>								
Cont. from	Full IAEA – o.k.									
<input type="checkbox"/> Aff.Sub.Wit.										
<input checked="" type="checkbox"/> Verified	Decedent died intestate									
<input type="checkbox"/> Inventory										
<input type="checkbox"/> PTC										
<input type="checkbox"/> Not.Cred.										
<input checked="" type="checkbox"/> Notice of Hrg	Residence: Selma Publication: Selma Enterprise									
<input checked="" type="checkbox"/> Aff.Mail	w/									
<input 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 checked="" type="checkbox"/> Duties/Supp	Probate Referee: Steven Diebert									
<input type="checkbox"/> Objections										
<input type="checkbox"/> Video Receipt										
<input type="checkbox"/> CI Report										
<input type="checkbox"/> 9202										
<input type="checkbox"/> Order	x									
<input type="checkbox"/> Aff. Posting										
<input type="checkbox"/> Status Rpt										
<input type="checkbox"/> UCCJEA										
<input type="checkbox"/> Citation										
<input type="checkbox"/> FTB Notice										
<p>Estimated value of the Estate:</p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$2,683.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$75,000.00</td> </tr> <tr> <td>Total:</td> <td>-</td> <td>\$77,683.00</td> </tr> </table>		Personal property	-	\$2,683.00	Real property	-	\$75,000.00	Total:	-	\$77,683.00
Personal property	-	\$2,683.00								
Real property	-	\$75,000.00								
Total:	-	\$77,683.00								
<p>Reviewed by: LV</p>										
<p>Reviewed on: 12/19/2012</p>										
<p>Updates: 01/03/2013</p>										
<p>Recommendation:</p>										
<p>File 9 - Gonzalez</p>										

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 3	<p>JORGE L. LOPEZ, Father, is Petitioner.</p> <p>MARIA DE JESUS ZARAGOZA GOMEZ, Maternal Aunt, was appointed Guardian of this minor and his three siblings on 4-16-12. - Objection filed 12-21-12</p> <p>Mother: Juana Zaragoza Gomez - Deceased</p> <p>Paternal Grandfather: Silvestre Lopez Carbajal Paternal Grandmother: Teodoza Vasquez Gerardo Maternal Grandfather: Ricardo Zaragoza Maternal Grandmother: Maria Gomez Siblings: Ashley Lopez, Anthony Lopez, Cesar Zaragoza Gomez, Dassy Madrigal, Ashley Zaragoza</p> <p>Petitioner states the mother was murdered 1-17-12. On 4-16-12, Maria Zaragoza Gomez, sister of the deceased mother, was appointed guardian. Petitioner was granted visitation, which continues. Petitioner is married and has two children of said marriage. Petitioner seeks guardianship of his son so that he can raise him in a family setting, continue to have a relationship with him, provide support, education, medical services for his son.</p> <p>Guardian Maria De Jesus Zaragoza Gomez filed an Objection on 12-21-12. The Guardian states the children have lived in her home for about five years. The mother and children lived with her before she passed away. Petitioner always helped with the children's day to day needs. Petitioner has not been in the child's life until recently. Prior to the mother's death, he refused to recognize Jorge has his child or have any contact with him. On several occasions, she tried to show him pictures of his son, but he refused to look at them. The guardian believes it is in Jorge's best interest to stay with her, as he has since his birth.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> This petition pertains to the minor Jorge Eduardo Zaragoza only.</p> <p>1. A petition for guardianship by the father is not appropriate under the Probate Code. As such, a Court Investigation has not been conducted.</p> <p>Guardianship of this minor and three siblings was granted to maternal aunt Maria De Jesus Zaragoza Gomez on 4-16-12, and at that time, visitation to the father was granted.</p> <p>If Petitioner wishes to terminate the guardianship, appropriate petition and notice is necessary.</p>
Cont. from		
<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		
<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 checked="" 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 checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
SEE PAGE 2		
		<p>Reviewed by: skc</p> <p>Reviewed on: 1-3-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 – Gomez, Madrigal & Zaragoza</p>

Page 2

Ms. Zaragoza states Jorge does not want to live with his father and his new family. He is not familiar with them and up to now is not happy going to visit them. Jorge has told her that he does not see them as his family, and she believes it is going to take time for him to see them as such, since he has only had one family since he was born.

Ms. Zaragoza states her mother has also lived in the home with her since Jorge's birth and provides care for Jorge. Jorge and his siblings recently lost their mother and are terrified with the idea of losing each other. The older children have expressed fear that they will lose Jorge since they were sent notice of this proceeding. Dassy J. Madrigal, Jorge's 14-year-old sister, has indicated that she would like to speak to the judge to plead not to separate her from her brother. She wants to explain to the judge that her father gave up custody of her so that she could be with her siblings.

Ms. Zaragoza states the minor Jorge does not need a new family setting as he already has one and is very happy with them. He is a member of a stable family which includes his blood relatives and his siblings.

Ms. Zaragoza is concerned that this will make things worse instead of better. She states she tried to explain this to Petitioner, but he insisted that Jorge needs to be with him. Mr. Lopez does not appear to be concerned about what the minor wants and how he would feel if he were taken from his family and the only home he has known since birth, or the effect of the loss of his mother and how it could be worse if he suffers another dramatic change.

Ms. Zaragoza is concerned also that Petitioner wants to change Jorge's name. The name Jorge Eduardo Zaragoza has had the same name since birth and is aware that this is part of his identity. Dramatically changing his home environment and his identity is a concern that she has and the effect it will have on him.

The Guardian states the Court should reduce the visitation since the minor does not appear to be adjusting to the existing schedule. She has observed that when the child returns from visits with his father he is aggressive and uses course words. It usually takes about two days to get back to normal.

The minor shows signs that he is not adjusting to the current visitation schedule, and the Guardian fears further change will have a greater negative effect on him. She would agree to revisit the schedule as he shows signs of becoming accustomed to change and his new family.

Ms. Zaragoza states she has invited Mr. Lopez to spend time with Jorge in their home to make the transition less painful for the child, but he has yet to accept this offer.

Examiner's Note: Current visitation pursuant to Minute Order 4-16-12 and Minute Order 7-30-12 is Sunday 12pm to Wednesday 12pm.

Second Account Current, Report of Co-Conservators and Petition for Its Settlement [Prob. C. 1060-1064, 2620]

Age: 92 years		<p>ALBERT FRANCO and PATRICIA LEONARD, Co-Conservators, are petitioners.</p> <p>Account period: 6/1/11 – 5/31/12</p> <p>Accounting - \$158,133.77 Beginning POH - \$139,445.63 Ending POH - \$ 92,518.86 (\$2,518.86 is cash)</p> <p>Current bond is \$181,280.00 and is sufficient.</p> <p>Conservators - waive</p> <p>Petitioner prays for an Order:</p> <p>1. Approving, allowing and settling the second account.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Notice of Hearing.</p> <p>2. Need proof of service of the Notice of Hearing on: a. Beatrice Kozera (conservatee)</p> <p>3. Need proof of service of the Notice of Hearing along with a copy of the Petition on: a. Leigh Burnside – pursuant to the Request for Special Notice filed on 8/28/11.</p>
Cont. from			
<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 <input checked="" type="checkbox"/>		
<input type="checkbox"/>	Aff.Mail <input checked="" type="checkbox"/>		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc. <input checked="" type="checkbox"/>		
<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: KT	
		Reviewed on: 1/4/13	
		Updates:	
		Recommendation:	
		File 11 - Kozera	

Pro Per Abney, Lavena (Pro Per Petitioner, maternal grandmother)
 Pro Per Russell, Dennis S. (Pro Per Objector, father)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Micah Age: 15 yrs	TEMPORARY EXPIRES 1/10/2013		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need <i>Notice of Hearing</i> and proof of personal service 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</i> and <i>Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i>, for:</p> <ul style="list-style-type: none"> • Dennis S. Russell, Sr., father of Dennis; • Allen (last name unstated), father of Micah; • Mike Campos, father of Trinity; • Micah Abney, proposed ward (age 15); • Dennis Russell, II, proposed ward (age 12). <p>2. 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</i> and <i>Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i>, for:</p> <ul style="list-style-type: none"> • paternal grandparents (<i>not listed</i>); • Neal Pultz, maternal grandfather.
Dennis Age: 12 yrs	<p>LAVENA ABNEY, maternal grandmother, is Petitioner.</p>		
Trinity Age: 9 yrs	<p>Father of Micah: ALLEN, <i>last name not listed</i>. Father of Dennis II: DENNIS S. RUSSELL, Sr. Father of Trinity: MIKE CAMPOS</p>		
Cont. from	<p>Mother: DENISE PULTZ; <i>Court dispensed with further notice on 11/14/2012.</i></p>		
Aff.Sub.Wit.	<p>Paternal grandfather of Dennis II: <i>Not listed</i> Paternal grandmother of Dennis II: <i>Not listed</i> Paternal grandfather of Micah: <i>Not listed</i> Paternal grandfather of Trinity: <i>Not listed</i></p>		
✓ Verified	<p>Maternal grandfather: Neal Pultz</p>		
Inventory	<p>Petitioner states the mother is never around, does not have stable housing, and the Petitioner has been taking care of the children, providing them with food, clothes and anything they need. Petitioner states the mother is an alcoholic and smokes marijuana, and picks the wrong men to be in her life.</p>		
PTC	<p>Objection to Guardianship filed 11/28/2012 by Dennis S. Russell, Sr., father, states he believes both of the children (Dennis II and Trinity) should be with him, because he is capable of taking care of them, he has a stable environment, and he can meet all of their personal needs.</p>		
Not.Cred.	<p>Court Investigator Dina Calvillo's Report was filed on 1/3/2013 and recommends the petition be GRANTED.</p>		
Notice of Hrg	<p>Reviewed by: LEG</p>		
Aff.Mail	<p>Reviewed on: 1/4/13</p>		
Aff.Pub.	<p>Updates:</p>		
Sp.Ntc.	<p>Recommendation:</p>		
Pers.Serv.	<p>File 16 – Abney & Russell</p>		
✓ Conf. Screen			
Aff. Posting			
✓ Duties/Supp			
✓ Objections			
Video Receipt			
✓ CI Report			
✓ Clearances			
✓ Order			
✓ Letters			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			

Pro Per Bailey, Deanna (Pro Per Petitioner, daughter)

Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C. 1820, 1821, 2680-2682)

DOD: 7/29/2012	<p>DEANNA BAILEY, daughter, is Petitioner.</p> <p>Proposed Conservatee died on 7/29/2012.</p> <p>Court Investigator Julie Negrete's Report was filed on 11/14/2012.</p>	NEEDS/PROBLEMS/COMMENTS:
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	Reviewed by: LEG	
	Reviewed on: 1/4/13	
	Updates:	
	Recommendation:	
	File 18 – Johnson	