

**Amended Petition to Authorize Proposed Action (Substituted Judgment) [Prob. C. 2580(b)(5)]**

Age: 66 years DOB: 11/7/1944		<p><b>CHRISTINE ADAMS</b>, conservator, is petitioner.</p> <p><b>CHRISTINE ADAMS</b> was appointed as conservator of the person and estate on 7/20/2004. Bond was not required. Accountings were waived and the court ordered that the conservatee’s mobile home could not be sold without court order.</p> <p><b>Petitioner states</b> after consultation with counsel, she believes that establishment of a trust would result in substantial savings to the heirs of the Conservatee and avoid the probate of the Conservatee’s estate.</p> <p>Petitioner has directed her attorney to draft a new inter vivos trust to accomplish the objectives set forth above.</p> <p><b>Petitioner prays for an order:</b></p> <ol style="list-style-type: none"> <li>1. Authorizing her to execute, on behalf of the conservatee, the inter vivos trust declaration, a copy of which is attached to the petition;</li> <li>2. Authorizing her to execute, on behalf of the conservatee, a deed conveying title to the real property in the Conservatorship estate over to the inter vivos trust;</li> <li>3. That the Court will have continuing jurisdiction over the inter vivos trust;</li> <li>4. Terminating the conservatorship of the estate and ordering issuance of new letters of conservatorship of the person only.</li> </ol>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. <i>Need Notice of Hearing.</i></li> <li>2. <i>Need proof of service of the Notice of Hearing on:</i> <ol style="list-style-type: none"> <li>a. Laura Johnson (sister)</li> <li>b. David Dunagan (brother)</li> <li>c. Paul Dunagan (brother)</li> <li>d. Samantha Fulbright (granddaughter)</li> <li>e. Any other person that may be entitled to notice under Probate Code §2581</li> </ol> </li> <li>3. <b>Petition does include the amount of bond required. Probate Code 15602 requires a trustee to post bond except under compelling circumstances.</b></li> <li>4. <b>Need Order</b></li> </ol>
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Video Receipt			
CI Report			
9202			
Order	X		
Aff. Posting			
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FTB Notice			
		<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 1/3/12</b></p> <p><b>Updates: 1/5/12</b></p> <p><b>Recommendation:</b></p> <p><b>File 1 - Fulbright</b></p>	

Atty Keeler, William J./Katy McCully (of DAK, for Norma G. Little – Petitioner)  
 Atty Milnes, Michael A (for Christopher Brian Little – Executor/Respondent)

Petition to Remove Executor, for an Accounting, for Appointment of Successor Personal Representative, for Surcharge, and to Enforce Settlement AGREEMENT  
 (Prob. C. 8500, 8501, 8502, 8520 et seq., 8540 et seq., 10952, 12200, 12204, 12205, and CCP 664.6)

DOD: 7/4/08	NORMA G. LITTLE, surviving spouse, is Petitioner.	NEEDS/PROBLEMS/COMMENTS
	<b>Petition states:</b>	
	<ul style="list-style-type: none"> <li>Petitioner Norma Little (“Petitioner”) is the surviving spouse of Decedent; they were married on 5/22/04 and were married at the time of Decedent’s death;</li> </ul>	
	<ul style="list-style-type: none"> <li>On 7/18/08, Respondent Christopher Little (“Respondent”), who is Decedent’s brother, was appointed personal representative of Decedent’s estate by the Pinal County Superior Court, state of Arizona (“Arizona court”);</li> </ul>	<p><u>Continued from 10/26/11.</u>  <b>Minute Order states:</b> Mr. Clark and Ms. Berger-Hoang are appearing via conference call. Mr. Clark advises the Court it is his understanding the settlement has been approved in Arizona. The Court continues the matter to 1/11/12.</p>
Cont. from: 091310, 100410, 102710, 120810, 021611, 033011,051811, 080311, 091411, 102611	<ul style="list-style-type: none"> <li>On 11/12/08, the Fresno County Superior Court (“Fresno court”) appointed Respondent as the California Executor with bond of \$400,000.00;</li> </ul>	
<input type="checkbox"/> Aff.Sub.Wit	<ul style="list-style-type: none"> <li>Thomas McCarville (“T. McCarville”) and David McCarville (“D. McCarville”) are Arizona attorneys who represent Respondent in the Arizona proceedings;</li> </ul>	
<input checked="" type="checkbox"/> Verified	<ul style="list-style-type: none"> <li>Petitioner previously filed 3 petitions in this matter: 1) <i>Petition to Determine Distribution Rights</i>; 2) <i>Petition for an Order Setting Apart Probate Homestead</i>; and 3) <i>Petition for Payment of Family Allowance</i>, and the matters were set for trial;</li> </ul>	
<input type="checkbox"/> Inventory	<ul style="list-style-type: none"> <li>Prior to trial, the parties agreed to settle all of Petitioner’s claims subject to approval from the Fresno and Arizona courts (Settlement AGREEMENT and Mutual General Release (“AGREEMENT”) attached to Petition as Exhibit A);</li> </ul>	
<input type="checkbox"/> PTC	<ul style="list-style-type: none"> <li>The AGREEMENT states in part:               <ul style="list-style-type: none"> <li>Respondent is to file petitions for approval of the AGREEMENT in each court no later than 8/21/09; upon approval by both courts, Respondent is to distribute property to Petitioner pursuant to said AGREEMENT;</li> <li>Settling parties are to execute or deliver any instrument, furnish any information, or <b>perform any other act necessary</b> to carry out the AGREEMENT’s provisions without undue delay or expense, including appearing at court hearings concerning the status of disputes (<i>emphasis added in Petition</i>);</li> <li>Prevailing party in an action to enforce terms of AGREEMENT is entitled to costs and reasonable attorneys’ fees;</li> <li>AGREEMENT is enforceable pursuant to CCP section 664.6.</li> </ul> </li> </ul>	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		<p><b>NOTE: Status Report filed 9/13/11 by Attorney Milnes (see last page of these examiner notes) requested a continuance of 60-90 days as settlement negotiations were still ongoing in the AZ case. Per that Status Report, a 10/3/11 hearing was scheduled on the AZ personal representative’s accounting and petition for fees. Nothing has been filed since the last hearing on 9/14/11.</b></p>
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		<p><b><u>Nothing has been filed since the last hearing date (10/26/11)</u></b></p>
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<input type="checkbox"/> FTB Notice		
		Updates:
		Reviewed: 1/5/12
		Recommendation:
		Reviewed by: NRN
		File: 2 - Little
	<p style="text-align: center;"><u>SEE ATTACHED PAGE-</u></p>	

- On 9/22/09, Respondent petitioned the Fresno court to approve the AGREEMENT; on 9/29/09 he similarly petitioned the Arizona court for approval; on 12/14/09, the Fresno court approved the AGREEMENT;
- On 5/17/10, the Arizona court ordered Respondent's attorney, D. McCarville, to provide all parties with an updated accounting no later than 7/16/10; in disregard of said order, D. McCarville provided the parties with a "First Supplemental Inventory and Appraisalment," instead of the court-ordered updated accounting (*note: per Declaration of Petitioner, filed 9/9/10, this Inventory filed by Respondent shows values for Decedent's property that are significantly less than the date of death values*); nearly a year has passed since the AGREEMENT was executed, and 7 months have passed since the Fresno court approved it;
- Respondent has failed to obtain the Arizona court's approval of the AGREEMENT, has failed to respond to objections filed in Arizona, and has failed to timely administer Decedent's estate, all in violation of the AGREEMENT and his fiduciary duties;
- Respondent's failure to secure Arizona court approval is due in part to D. McCarville's conflicts of interest and Respondent's failure to retain counsel without such conflicts;
  - Specifically, on 11/13/09, Respondent's attorney D. McCarville petitioned the Arizona court for instructions relating to several conflicts of interests, including:
    - D. McCarville's brother and in-laws have an ownership interest in estate assets;
    - Prior to Decedent's death, D. McCarville's brother took out a loan to improve the assets he apparently owns with the estate and is apparently owed money by the estate for this loan;
    - D. McCarville's father, T. McCarville, was previously a partner with the attorney who prepared Decedent's ante nuptial AGREEMENT and who now faces potential malpractice claims by the estate relating to the ante nuptial AGREEMENT; and
    - D. McCarville represents (in other matters) the fiduciary company, East Valley Fiduciary Services/James C. Clark, that has been appointed as guardian and conservator of Jeremy R. Little, who is Decedent's grandson and the only party objecting to the AGREEMENT with claims adverse to Executor and Petitioner.
    - The Arizona court never issued instructions on these conflicts of interests.
- D. McCarville is delaying Respondent from timely administering Decedent's estate, in part because of conflicts of interest;
- Due to the failures of Respondent and D. McCarville, Petitioner has received none of the property to which she is entitled;
- Petitioner has sought approval from the Arizona court through her counsel, but has been unsuccessful.

**Petitioner Requests an order:**

1. Removing Respondent as personal representative (Executor) and revoking Letters;
2. That Respondent file an accounting within 60 days of his removal as personal representative;
3. Denying appointment of Thomas McCarville as nominated Successor Executor;
4. Appointing Petitioner Norma Little as successor personal representative, or in the alternative, appointing a neutral third party as successor personal representative;
5. Surcharging Respondent's compensation as Executor pursuant to PrC 12205;
6. Enforcing the AGREEMENT by requiring Respondent or successor personal representative to vigorously prosecute the enforcement of the AGREEMENT in the Arizona court and defend objections thereto at the expense of Decedent's estate, requiring Respondent or successor personal representative to obtain counsel who does not represent a conflict of interest with regard to the estate, and by requiring that Respondent or successor personal representative to do all acts necessary to perform the obligations of the AGREEMENT without undue delay;
7. For attorneys' fees and costs and for such other orders as the Court deems proper.

**Response to Petition, filed by Respondent Christopher Little on 9/27/10, states:**

- The sole heirs under Decedent's Will are Decedent's son James D. Little and his grandson Jeremy Little;
- Petitioner Norma G. Little ("Petitioner) and Decedent entered into a written agreement prior to their marriage; included in this agreement was a waiver by Petitioner of any right to inherit property from Decedent's estate;
- Currently, the Arizona court has not approved the parties' 8/4/09 AGREEMENT; as such, there is no enforceable settlement of the matters and issues between Petitioner and Respondent in this Court, as the terms of the AGREEMENT are expressly conditioned upon the approval of the AGREEMENT's terms by both the Fresno Court and the Arizona Court and without both court's approval, the AGREEMENT has no force and effect.

**SEE ATTACHED PAGE**

**2**

- On 10/5/09, the Arizona court held a status review hearing regarding the AGREEMENT; at that hearing, Petitioner, Jim Little, and the guardian of Jeremy Little stated their objections to the AGREEMENT; a further status review was scheduled for 11/16/09;
  - a. Between 11/16/09 and 4/19/10, the court held several status hearings on matters relating to the administration of the estate and petition to approve the AGREEMENT;
  - b. On 5/17/10, the Arizona court ordered Respondent to provide an updated accounting by 7/16/10, with objections to the AGREEMENT to be filed by 8/20/10, and responses to the objections filed by 9/17/10;
  - c. Respondent filed a 1<sup>st</sup> Supplemental Inventory with the Arizona court on 7/16/10; and thereafter filed a Petition for Approval of 1<sup>st</sup> Interim Accounting on 7/30/10;
  - d. On 8/9/10, counsel for Jim Little's conservator filed an objection to Respondent's petition to approve the AGREEMENT; objections were also filed by counsel for Jeremy Little's guardian on 8/19/10, to which Jim Little filed a joinder;
  - e. Jim and Jeremy Little's primary objections to the AGREEMENT focus on Petitioner's status as an omitted spouse and the reduced value of assets of Decedent's estate;
  - f. The Arizona court set a settlement conference for 10/19/10;
  - g. Petitioner also filed an MSJ in the Arizona court to compel the court to approve the AGREEMENT and the matter is currently before that court;
  - h. The Arizona court has also set a status review hearing on 11/1/10.
  - i. Petitioner has attended all proceedings before the Arizona court.
- Petitioner has a significant conflict of interest disqualifying her from serving as personal representative because she has pending creditor's claims and Petitions now pending before this court; though a settlement has been reached through the AGREEMENT, the AGREEMENT has not been approved by the Arizona court and the matter is currently pending;
- Petitioner has not filed a petition in the Arizona court for removal of Respondent as personal representative; as such, appointment of Petitioner in the Fresno court would provide an unworkable and inconsistent administration of the Decedent's estate, and only further delay the ultimate resolution of this case;
- Finally, the hearing on David McCarville's Petition for instructions on the conflicts of interest has been continued by the Arizona court each time, and Petitioner's attorney has not objected to any such continuance;
- **Respondent requests:** An evidentiary hearing; that Petitioner Norma Little's Petition be dismissed with prejudice, and that Petitioner be required to pay Respondent's reasonable attorneys' fees and the costs of this proceeding.

**STATUS REPORT, FILED 10/25/10 BY ATTORNEY MILNES, STATES:** A mediation was conducted on 10/19/10 and a complete settlement agreement was reached between all parties, and Atty Keeler has undertaken to reduce the settlement agreement to writing as recited on the record.

**Status Report, filed 3/25/11 by Counsel for Norma Little, states:**

- *The 10/19/10 mediation (as referenced above) resulted in a complete settlement of all matters existing between the parties; and was confirmed by the Pinal County, Arizona Superior Court ("the settlement agreement");*
- *A draft of the settlement agreement was originally prepared in 11/10 and since then the parties have been negotiating the agreement amongst themselves;*
- *At the last status conference on 2/16/11, the agreement was still being negotiated and the Court continued the matter to 3/10/11;*
- *To date, the parties have not been able to agree upon the agreement's provisions relating to primary jurisdiction of this matter; Norma Little contends that as Decedent died in Fresno County, jurisdiction is proper in Fresno County; respondents contend jurisdiction should be set in either Pinal County, AZ or a neighboring AZ county;*
- ***THEREFORE, NORMA LITTLE REQUESTS A FURTHER CONTINUANCE TO ALLOW PARTIES ADD'L TIME TO AGREE ON A SETTLEMENT AGREEMENT AND/OR PETITION THE PINAL CTY SUPERIOR COURT FOR ENFORCEMENT OF THE 11/10 SETTLEMENT AGREEMENT.***

**SEE ATTACHED PAGE**

**2**

**Status Report, filed 9/13/11 by Attorney Michael Milnes (for Executor/Respondent Christopher Little) states:**

- Disputes regarding the AZ Settlement are still ongoing;
- Attorney Milnes has not been involved in the AZ settlement discussions, as what is ultimately resolved in AZ will have to return to this Court for approval (AZ court minute orders attached to Status Report and shows the case's activity for the past 3 months);
- The personal representative has also recently filed an accounting of his activities in AZ and petitions for fees, to be heard in AZ on 10/3/11, and parties to this AZ probate case have until 9/23/11 to file their objections to the accounting and/or petitions for fees;
- As such, future AZ proceedings are dependent upon what occurs as a result of these filings;
- The AZ parties have agreed that Christopher Little shall remain as Executor in both the AZ and CA probate matters;
- **Attorney Milnes suggests this matter be set for a further status hearing in 60-90 days.**

<p>DOD: 5-4-09</p>	<p><b>CHRISTOPHER LEE FULLBRIGHT</b>, brother, was appointed Administrator with Will Annexed with full IAEA without bond on 7-28-09.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Note:</u> Page 1A is a Petition for substituted judgment in the conservatorship case.</p>
<p>Cont. from 063011, 102711, 110911</p>	<p>On 5-5-11, the first account was settled and the court set this hearing for further status of the estate.</p>	<p><b>Updates:</b></p>
<p>Aff.Sub.Wit.</p>	<p><b>Status Report filed 6-16-11</b> states the estate is not in a condition to be closed. Decedent’s sole beneficiary is her mother, Mickey Fulbright, who is subject to conservatorship and receives Medi-Cal assistance. An attorney has been retained to assist with her Medi-Cal planning and obtaining approval of an irrevocable trust in her conservatorship proceedings. Additional time for administration of the estate is needed to obtain ruling in the conservatorship proceedings. It has been requested that no assets be distributed to Mickey Fulbright until these matters have been resolved.</p>	<p><b>Contacts:</b> Reviewed 12-29-11</p>
<p>✓ Verified</p>	<p><b>Minute Order 6-30-11 states:</b> Counsel advises the Court that they are very close in the Conservatorship of Mickey.</p>	<p><b>Recommendation:</b></p>
<p>Inventory</p>	<p><b>Minute Order 10-27-11 states:</b> No appearances. Matter continued to 11-9-11.</p>	<p><b>Reviewed by:</b> skc</p>
<p>PTC</p>	<p><b>Minute Order 11-9-11 states:</b> No appearances. Matter is continued to 1-11-12.</p>	<p><b>File 3 - Scharton</b></p>
<p>Not.Cred.</p>	<p><u>Note:</u> Page 1A is a petition for substituted judgment in the conservatorship case.</p>	
<p>Notice of Hrg</p>		
<p>Aff.Mail</p>		
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<p>Status Rpt</p>		
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>		

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

Age: 11 years DOB: 6/24/00		<p align="center"><u><b>TEMPORARY EXPIRES 1/11/12</b></u></p> <p><b>JOEL ALVARADO</b> and <b>ELIZABETH ALVARADO</b>, maternal grandfather and maternal step-grandmother, are petitioners.</p> <p>Father: <b>JOSE FRANCISCO</b></p> <p>Mother: <b>CRYSTAL AGUILAR</b> – <i>consents and waives notice.</i></p> <p>Paternal grandfather: Elias Francisco Paternal grandmother: Irma Francisco Maternal grandmother: Griselda Cavazos – <i>consents and waives notice.</i></p> <p><b>Petitioners state</b> the mother has requested that Joel and Elizabeth Alvarado have guardianship of Carmen. She needs access to a good education and educational assistance in which Elizabeth can provide as a teacher. She needs to be provided for and allowed to be a happy healthy child.</p> <p><b>Court Investigator Julie Negrete's report filed on 9/22/11</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>Continued from 11/3/11. Minute Order states the court amends the visitation order to reflect that visits will begin on Friday at 5:00 p.m. and end on Saturday at 4:00 p.m. The Court orders that Jose Francisco not be left alone with the minor at any time.</p> <ol style="list-style-type: none"> <li>Need proof of personal service, 15 days prior to the hearing of the <i>Notice of Hearing</i> along with a copy of the <i>Petition</i> or consent and waiver of notice or declaration of due diligence on:             <ol style="list-style-type: none"> <li><b>Jose Francisco (father)</b> (Note: Proof of service indicates Robert Cross attorney for Jose Francisco was mailed notice on 9/29/11. Probate Code §1511 requires the father to be personally served.)</li> </ol> </li> </ol>	
Cont. from 092811, 110311				
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Reviewed by: KT
Reviewed on: 10/28/11
Updates: 1/3/12
Recommendation:
File 4A - Francisco

**Declaration of Irma Francisco Regarding Visitation with the Minor filed on 9/28/11.** Ms. Francisco states before she filed for guardianship the minor practically lived with her. She states she had many concerns regarding the mother but was unable to prove them during the court proceedings. It wasn't long after the court proceedings that the minor was at her home a significant amount of time again. Through the summer of 2011 the minor was spending weeks at a time at her home. At the temporary hearing on August 16, 2011, the guardians and Ms. Francisco were able to come to an agreement regarding visitation until the general hearing on 9/28/11. Ms. Francisco states the minor visits in her home every other weekend from Friday at 4:00 p.m. until Saturday at 8:00 p.m.

Ms. Francisco states it has been brought to her attention that the Petitioners indicate they have concerns regarding the minor while in her care. Ms. Francisco states she believes that the guardians are trying to hinder the relationship the minor has with her paternal relatives.

Ms. Francisco states she is bringing this to the court attention as she believes that it would be highly detrimental to the minor's well-being if the Petitioners hinder the relationship the minor has with Ms. Francisco.

**Atty Wall, Peter J (for Maternal grandfather and step grandmother Joel Alvarado and Elizabeth Alvarado)**

**Atty Walters, Jennifer (for Petitioner/Paternal grandmother Irma Francisco)**

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

Age: 11 years DOB: 6/24/00	<p><b>IRMA FRANCISCO</b>, paternal grandmother, is petitioner.</p> <p>Father: <b>JOSE FRANCISCO</b>— <i>consents and waives notice.</i></p> <p>Mother: <b>CRYSTAL AGUILAR</b></p> <p>Paternal grandfather: Elias Francisco Paternal grandmother: Irma Francisco Maternal grandfather: Joel Alvarado Maternal grandmother: Griselda Cavazos</p> <p><b>Petitioner states</b> she has been an integral part of the minor’s life since birth. She states she initially filed for guardianship in 2009, but the petition was denied. However, Petitioner was granted visitation with the child. Petitioner states not only has she been exercising her visitation but the minor has been in her home for weeks at a time. She has continued to be involved in the child’s schooling, financial and physical needs and emotional wellbeing. Petitioner feels she would make the most appropriate guardian for the child as she has the most solidified relationship with the minor.</p> <p style="text-align: center;"><i>Please see additional page</i></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>Need proof of personal service of the <i>Notice of Hearing</i> along with a copy of the <i>Petition</i> or consent and waiver of notice or declaration of due diligence on:             <ol style="list-style-type: none"> <li>Crystal Aguilar (mother)</li> </ol> </li> <li>Need proof of service of the <i>Notice of Hearing</i> along with a copy of the <i>Petition</i> or consent and waiver of notice or declaration of due diligence on:             <ol style="list-style-type: none"> <li>Elias Francisco (paternal grandfather)</li> <li>Joel Alvarado (maternal grandfather)</li> <li>Griselda Cavazos (maternal grandmother)</li> </ol> </li> <li>Need order</li> <li>Need letters</li> </ol> <p><b>Court Investigator Julie Negrete to provide:</b></p> <ol style="list-style-type: none"> <li>Court Investigator’s Report</li> <li>Clearances</li> </ol>	
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		Reviewed by: KT	
		Reviewed on: 1/3/12	
		Updates: 1/5/12	
		Recommendation:	
		File 4B - Francisco	

**Objections to Guardianship filed by Joel Alvarado and Elizabeth Alvarado on 12/23/11.** Objector's state the minor came to live with them on August 2, 2011. Prior to living with them she had terrible grades in school, earning mostly D's and F's or their equivalent. This year since living with the Alvarados, her grades have improved markedly. She now has a 2.8 grade point average. Moreover, since living with the Alvarados, the minor has enjoyed many opportunities that were previously unavailable to her. She has played volleyball, made the soccer team, joined the band and is trying out to be a cheerleader. She is also on track to join the "Doctors Academy" in high school, which is a special Advanced Placement program. Objector's further object to Ms. Francisco's petition because she has demonstrated her unwillingness to take seriously the risks posed by the minor's father, Jose (who is also Ms. Francisco's son). On 9/20/10, Jose was convicted, after a plea of no contest, of being a felon in possession of a firearm, with a gang enhancement. He was sentence to 16 months in the Wasco Prison. He was also ordered to register with law enforcement as a gang member. Objectors allege that the father, Jose is living in Ms. Francisco's home. Objectors are concerned that Ms. Francisco does not recognize the seriousness of allowing Jose to live in her home. Jose presents a high risk of not only providing a bad influence for the minor's personal development, but of exposing her to gang activity, including violence. For those reasons the Objectors request Ms. Francisco's petition be denied and that the Avarados' petition be granted.

**(1) First and Final Account and Report of Conservator; (2) Petition for Allowance of Compensation to Conservator and her Attorney (Prob. C. 1860; 2620; 2623; 2630; 2942)**

<b>DOD: 7-3-10</b>	<b>PUBLIC GUARDIAN</b> , Conservator of the Person and Estate, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Account period: 12-22-09 through 7-3-10	
	Accounting: \$ 31,820.20	
	Beginning POH: \$ 3,853.46	
	Ending POH: \$ 3,925.33	
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<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
	<p>Account period: 7-4-10 through 10-5-11</p> <p>Accounting: \$ 5,446.03</p> <p>Beginning POH: \$ 3,925.33</p> <p>Ending POH: \$ 1,847.95 (cash)</p> <p>Conservator: \$2,473.04          (17.29 Deputy hours @ \$96.00/hr and          10.70 Staff hours @ \$76.00/hr)</p> <p>Attorney: \$2,000.00 (per Local Rule 7.16)</p> <p>Bond fee: \$50.00 (ok)</p> <p>Petitioner states the conservatee died intestate and is survived by one son; however, after payment of fees and commissions, there will be no assets remaining to distribute.</p> <p>Petitioner requests that due to the insufficiency of the estate to pay fees and commissions, a lien be imposed against the estate for any unpaid balance of the authorized fees and commissions.</p> <p><b>Petitioner prays for an Order:</b></p> <ol style="list-style-type: none"> <li>1. Approving, allowing and settling the account;</li> <li>2. Authorizing the conservator and attorney fees and commissions;</li> <li>3. Authorizing payment of the bond fee; and</li> <li>4. Imposing a lien against the estate for any unpaid balance of the authorized fees and commissions.</li> </ol>	
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 12-29-11
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 5 - Gomez</b>



Atty Shepard, Jefferson S., of Shepard Shepard & Janian, Selma (for Petitioner Rosalinda Vasquez)

Second Amended Spousal or Domestic Partner Property Petition  
(Prob. C. 13650)

DOD: 12/19/1997	<p><b>ROSALINDA VASQUEZ</b>, surviving spouse, is Petitioner.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Continued from 11/14/2011. Minute Order</u> states Counsel has filed an Amended Petition. A Court date of 1/11/2012 has been provided.</p>	
Cont. from 101711, 111411			No other proceedings.
Aff.Sub.Wit.			
✓ Verified			
Inventory			Decedent died intestate.
PTC			
Not.Cred.			
✓ Notice of Hrg	<p><b>Petitioner states</b> Decedent and Petitioner were married in Fresno on 11/24/1973, and all property described in the <i>Petition</i> was acquired by Decedent and Petitioner during their marriage. Petitioner states the subject property was paid for with community funds of Decedent and Petitioner.</p>	<p><b>Petitioner requests:</b></p> <ol style="list-style-type: none"> <li>1. Court determination that ½ interest in real property located at 2160 Valley View Street, Selma, CA, passes to her; and</li> <li>2. Court confirmation that ½ interest in real property located at 2160 Valley View Street, Selma, CA, is property that belongs to her.</li> </ol>	
✓ Aff.Mail			W/
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJA			
Citation			
FTB Notice			

Reviewed by: LEG
Reviewed on: 12/30/11
Updates:
Recommendation: SUBMITTED
File 7 – Vasquez

Age: 9		<p><b>NO TEMPORARY – none requested</b></p> <p><b>DAVID L. DANIEL and DENISE A. DANIEL</b>, Paternal Grandparents, are Petitioners.</p> <p>Father: <b>JONATHAN D. DANIEL</b> - <i>Nomination, Consent and Waiver of Notice filed 11-2-11</i></p> <p>Mother: <b>BREANNE S. CAVAZZON</b> - <i>Nomination, Consent and Waiver of Notice filed 11-2-11</i></p> <p>Maternal Grandfather: Gerald Bennett - <i>Petitioners request notice be excused</i></p> <p>Maternal Grandmother: Karen M. Doyle</p> <p><b>Petitioners state</b> Madeline has resided with them for approximately five years and has a strong emotional bond with them. Father is incarcerated. Mother has been diagnosed and is being treated for a terminal disease, and is unable to care for the child.</p> <p><b>Court Investigator Jennifer Young filed a report on 12-30-11.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Petitioners request the Court excuse notice to the maternal grandfather because the mother does not know him and does not know his whereabouts, and he is not aware of the existence of this child.</p> <p>If notice is not excused, need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing or consent and waiver of notice for: - Gerald Bennett (Maternal Grandfather)</p>	
DOB: 2-28-02				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
N/A	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
<p>Reviewed by: skc</p> <p>Reviewed on: 12-29-11</p> <p>Updates: 1-4-12</p> <p>Recommendation:</p> <p>File 8 – Daniel</p>				

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

<b>DOD: 7-25-11</b>		<b>DAVID DAVIS</b> , Son, is Petitioner and requests appointment as Administrator with full IAEA without bond.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Petitioner is a resident of Port Orchard, WA. The Court may require bond if the proposed personal representative resides outside California per Cal. Rule of Court 7.201(b) and Probate Code 8571.</p> <p><i>Note: Petitioner is the only relative listed and would be the sole intestate heir; however, three creditor's claims have already been filed totaling \$17,661.65, including:</i></p> <ul style="list-style-type: none"> <li>- CA Franchise Tax Board \$9,769.87</li> <li>- American Express \$999.45</li> <li>- American Express \$6,892.33</li> </ul> <p>2. Letters are not signed.</p>
		Petitioner is a resident of Port Orchard, WA.	
	Aff.Sub.Wit.	Full IAEA – ok	
✓	Verified	Decedent died intestate	
	Inventory	Residence: Fresno	
	PTC	Publication: Fresno Business Journal	
	Not.Cred.		
✓	Notice of Hrg	<b>Estimated Value of Estate:</b>	
✓	Aff.Mail	Personal property: \$200,000.00	
✓	Aff.Pub.	Annual income: \$ 1,165.00	
✓	Sp.Ntc.	Total: \$201,165.00	
	Pers.Serv.	Probate Referee: Rick Smith	
	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: 12-29-11
Updates: 12-30-11
Recommendation:
File 9 - Davis

**Petition to Determine Succession to Real Property (Prob. C. 13151)**

<b>DOD: 8-10-09</b>	<b>MARIA BARBOZA</b> , Daughter, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	40 days since DOD	
	No other proceedings	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	I&A - \$99,000.00 (real property in Kingsburg, CA)	
<input checked="" type="checkbox"/> <b>Verified</b>	Will dated 8-17-01 devises entire estate to Petitioner.	
<input type="checkbox"/> <b>Inventory</b>	Petitioner requests court determination that Decedent's 100% interest in the real property in Kingsburg, CA passes to her pursuant to Decedent's will.	
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Notice of Hrg</b>		
<input type="checkbox"/> <b>Aff.Mail</b>		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed on:</b> 12-29-11
		<b>Updates:</b>
		<b>Recommendation:</b> SUBMITTED
		<b>File 10 - Barboza</b>

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

<b>DOD: 9-23-11</b>		<b>JOAN K. BLEVINS</b> , Mother, is Petitioner and requests appointment as Administrator with Full IAEA without bond.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>1. Need proof of publication.</b> <b>2. Need proposed order.</b>  <u>Note:</u> Petitioner is the sole surviving parent and sole heir, and requests appointment without bond. If required, bond should be \$147,000.00 per Probate Code §8482.)
		Petitioner is the sole surviving parent and sole heir, and waives bond.	
	Aff.Sub.Wit.		
✓	Verified	Full IAEA – <i>Need publication</i>	
	Inventory		
	PTC	Decedent died intestate	
	Not.Cred.		
N/A	Notice of Hrg	Residence: Fresno Publication: <i>Need publication</i>	
N/A	Aff.Mail		
	Aff.Pub.	X Estimated Value of Estate:	
	Sp.Ntc.	Personal property: \$ 1,000.00	
	Pers.Serv.	Annual income: \$ 12,000.00	
	Conf. Screen	Real property: (\$ 160,000.00)	
✓	Letters	Total: (\$ 147,000.00)	
✓	Duties/Supp	(Petitioner states the decedent’s real property valued at \$160,000.00 is encumbered for \$320,000.00.)	
	Objections		
	Video Receipt		
	CI Report	Probate Referee: Steven Diebert	
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 12-29-11
			Updates:
			Recommendation:
			File 11 - Kershner

Status Hearing Re: Filing of the Fourteenth Account

Age:		NEEDS/PROBLEMS/COMMENTS:  <p style="text-align: center;"><b><u>OFF CALENDAR</u></b></p> 14 <sup>TH</sup> Account was settled 12-7-11.
DOD:		
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: skc
		Reviewed on: 12-29-11
		Updates:
		Recommendation:
		File 12 - Ferguson

Age:	<p><b>LAVONNE ILENE BOLAND</b>, Daughter, was appointed Conservator of the Person and Estate with additional powers under Probate Code §2590 with bond of \$10,000.00 on 3-28-08. Bond was filed and Letters issued on 4-24-08.</p> <p><b>I&amp;A filed 8-27-08</b> reflected a total value of the conservatorship estate of \$65,826.31, consisting of a one-half interest in real property in Squaw Valley, CA, a one-half interest in a mare registered as a National Show Horse, a one-half interest in two kilns, and various interests in other personal property.</p> <p><b>On 2-11-09</b>, the Court authorized Conservator to fix Conservatee’s residence outside the State of California. Post-Move Notice of Change of Residence reflects a new address in Bend, OR.</p> <p><b>On 8-12-09</b>, the first account was settled.</p> <p><b>On 9-22-09</b>, revised Letters were issued reflecting only Conservatorship of the Estate, as the equivalent of a Conservatorship of the Person was obtained in Oregon, and this Court retained jurisdiction over the estate.</p> <p><b>The next account is now due.</b> The Court set this status hearing and sent notice to Conservator and Attorney Feigel on 11-3-11.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li><b>1. Need Second Account Current.</b></li> <li><b>2. Outstanding fees of \$860.00 are due to the Court Investigator’s Office for prior investigations.</b></li> </ol>	
DOD:			
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			X
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 12-29-11	
		Updates:	
		Recommendation:	
		File 13 - Squires	

**14 Kaitlyn Combs, Sierra Combs and  
Cienna Combs (GUARD/P)**

**Case No. 09CEPR00613**

**Atty Combs, Zachary W. (Pro Per – Father – Petitioner)**  
**Atty Crisp, Renee Gail (Pro Per – Maternal Grandmother – Guardian)**  
**Petition for Termination of Guardianship**

Kaitlyn Madison Combs (4) DOB: 3-9-07		<p><b>ZACHARY COMBS</b>, Father, is Petitioner.</p> <p><b>RENEE GAIL CRISP</b>, Maternal Grandmother, was appointed Guardian on 10-1-09.</p> <p>Mother: <b>BRITNEY CRISP</b>  Maternal Grandfather: John Thomas Hall  Paternal Grandfather: Jamie Combs  Paternal Grandmother: Pamela Loman</p> <p><b>Petitioner states</b> he feels his children have been neglected and abused, and subject to a violent environment with possible drug use and sexual and physical abuse. Petitioner attaches "Social Work Progress Notes" from Children's Hospital dated 11-1-11 describing that Father received a call on 10-26-11 from a relative alleging sexual and physical abuse and neglect. Father and his sister picked them up and brought them to the hospital. The report describes that the children were visibly dirty, and Kaitlyn recounted an incident of sexual abuse.</p> <p><b>Court Investigator Jo Ann Morris filed a report on 1-3-12.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing or consent and waiver of notice or declaration of due diligence on: <ul style="list-style-type: none"> <li>- Renee Gail Crisp (Guardian)</li> <li>- Britney Crisp (Mother)</li> <li>- Thomas Hall (Maternal grandfather)</li> <li>- Jamie Combs (Paternal Grandfather)</li> <li>- Pamela Loman (Paternal Grandmother)</li> </ul> </li> </ol>
Sierra Lindsay Combs (3) DOB: 12-26-08			
Sienna Renee Combs (3) DOB: 12-26-08			
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			
✓ Clearances			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 12-29-11	
		Updates: 1-4-12	
		Recommendation:	
		File 14 - Combs	



**Petition for Final Distribution on Waiver of Accounting**

<b>DOD: 3-15-11</b>	<b>JUDY SCARABELLO and ELLENA SCARABELLO,</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
	Daughters and Co-Administrators with Limited IAEA without bond, are Petitioners.			
	Accounting is waived.			
	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>			
✓	<b>Inventory</b>			
✓	<b>PTC</b>			
✓	<b>Not.Cred.</b>			
N/A	<b>Notice of Hrg</b>			
N/A	<b>Aff.Mail</b>			
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>			
✓	<b>Letters</b>	6-29-11		
	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
✓	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
✓	<b>FTB Notice</b>			
				<b>Reviewed by: skc</b>
				<b>Reviewed on: 12-29-11</b>
			<b>Updates:</b>	
			<b>Recommendation: SUBMITTED</b>	
			<b>File 16 - Scarabello</b>	

Petition for Appointment of Temporary Guardianship of the Person

Age: 3 DOB: 04/13/08	<u>GENERAL HEARING 02/28/12</u>	NEEDS/PROBLEMS/COMMENTS:
	SHARON KUGELMAN and RONALD KUGELMAN, maternal grandparents, are Petitioners.	1. Need <i>Notice of Hearing</i> .
Cont. from	Father: JOSHUA GOMES – <i>currently incarcerated</i>	2. Need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Temporary Guardianship</i> or Consent and Waiver of Notice or Declaration of Due Diligence for:
Aff.Sub.Wit.		- Joshua Gomes (father)
✓ Verified	Mother: RACHAEL SHEA – <i>declaration of due diligence filed 12/27/11</i>	- Rachael Shea (mother) *A declaration of due diligence filed 12/27/11 states that the mother's whereabouts are unknown and she is not responding to calls or texts from the Petitioners or other family members.
Inventory	Paternal grandfather: UNKNOWN	
PTC	Paternal grandmother: NISHA	
Not.Cred.	Sibling: Isaac Shea (11)	
Notice of Hrg	Petitioners state the mother left the minor in their care and they are unable to reach her. Mother is unstable and has been moving in and out of their home. Petitioners state that they are able to provide a stable and safe home for Jenna.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
✓ Conf. Screen		
✓ Letters		
✓ Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
✓ UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 12/30/11
		Updates:
		Recommendation:
		File 17 - Kugelman

Atty Thomas, Tracy Janine (pro per – maternal grandmother/Petitioner)

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Izaiah, 3 DOB: 08/24/08	<p align="center"><b><u>GENERAL HEARING 02/29/12</u></b></p> <p><b>TRACY THOMAS</b>, maternal grandmother, is Petitioner.</p> <p>Father: <b>C.J. BRYANT</b></p> <p>Mother: <b>GINA McADAMS</b></p> <p>Paternal grandparents: UNKNOWN</p> <p>Maternal grandfather: NOT LISTED</p> <p>Petitioner states that both of the children have lived with her since birth with their parents in and out of their lives. Petitioner states that she wants to provide a safe and stable home for the children.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need <i>Notice of Hearing</i>.</li> <li>2. Need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Temporary Guardianship or Consent and Waiver of Notice or Declaration of Due diligence</i> for:                     <ul style="list-style-type: none"> <li>- C. J. Bryant (father)</li> <li>- Gina McAdams (mother)</li> </ul> </li> </ol>	
Adrian, 2 DOB: 10/04/09			
Cont. from			
Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			x
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			x
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
<input checked="" type="checkbox"/> Order			
Aff. Posting			
Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
Citation			
FTB Notice			
		Reviewed by: JF	
		Reviewed on: 01/03/12	
		Updates:	
		Recommendation:	
		File 18 - Bryant	