

(1) Petition for Termination of Further Proceedings and (2) Discharging Personal Representative

DOD: 2/3/03		<p>ANTHONY PETRELLI, Administrator, is petitioner.</p> <p>Petitioner states in his petition for Probate Petitioner alleged that the value of the assets subject to Administration was \$210,000.00. This allegation was based on the fact that prior to the issuance of letters, Petitioner concluded from the best evidence available that the decedent died in possession of real and personal property.</p> <p>It appears now that the property is not property that was subject to administration because investigation, after letters were issued, revealed that all of decedent's known assets were either in joint tenancy or had beneficiary designations. The parties interested agreed that there were no assets, then known, that were subject to probate.</p> <p>On or about 4/7/2004, the parties settled a dispute about the assets and entered into a Mutual Release and Compromise Agreement. All parties were represented by counsel who also signed the agreement.</p> <p>The assets of Pete Petrelli were distributed pursuant to the agreement by non-probate transfer leaving the estate with no assets.</p> <p>Wherefore, Petitioner prays for an order:</p> <ol style="list-style-type: none"> 1. Terminating further proceedings. 2. Discharging the Personal Representative. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: <ol style="list-style-type: none"> a. Sue Petrelli (spouse)
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 X		
<input type="checkbox"/>	Aff.Mail X		
<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: 1/9/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 – Petrelli</p>	

DOD: 4-17-13	<p>KATINA SAPIEN LOZANO PAULEY, Conservator with bond of \$60,000.00, is Petitioner.</p>	NEEDS/PROBLEMS/COMMENTS:		
	<p>Account period: 9-19-11 through 8-12-13</p>			
Cont. from 120213	<p>Accounting: \$ 102,960.95</p>	<p style="text-align: center;">OFF CALENDAR</p> <p><i>Second Amended First and Final Account, etc.</i> was filed on 1/3/2014, and is set for hearing on 2/10/2014.</p>		
<table border="1"> <tr> <td data-bbox="136 365 334 399">Aff.Sub.Wit.</td> <td data-bbox="334 365 380 399"></td> </tr> </table>	Aff.Sub.Wit.			<p>Beginning POH: \$ 37,268.63</p>
Aff.Sub.Wit.				
<table border="1"> <tr> <td data-bbox="136 399 334 432">Verified</td> <td data-bbox="334 399 380 432"></td> </tr> </table>	Verified			<p>Ending POH: \$ 17,668.83</p>
Verified				
<table border="1"> <tr> <td data-bbox="136 432 334 466">Inventory</td> <td data-bbox="334 432 380 466"></td> </tr> </table>	Inventory			<p>Conservator: Waives</p>
Inventory				
<table border="1"> <tr> <td data-bbox="136 466 334 499">PTC</td> <td data-bbox="334 466 380 499"></td> </tr> </table>	PTC			<p>Attorney: \$7,295.00 (per declaration)</p>
PTC				
<table border="1"> <tr> <td data-bbox="136 499 334 533">Not.Cred.</td> <td data-bbox="334 499 380 533"></td> </tr> </table>	Not.Cred.			<p>(Note: \$8,874.83 has already been paid pursuant to court order 6-4-12.)</p>
Not.Cred.				
<table border="1"> <tr> <td data-bbox="136 533 334 567">Notice of Hrg</td> <td data-bbox="334 533 380 567"></td> </tr> </table>	Notice of Hrg			<p>Petitioner prays for an order:</p>
Notice of Hrg				
<table border="1"> <tr> <td data-bbox="136 567 334 600">Aff.Mail</td> <td data-bbox="334 567 380 600"></td> </tr> </table>	Aff.Mail			<p>1. Settling and allowing this account and approving and confirming the acts of Petitioner as conservator;</p>
Aff.Mail				
<table border="1"> <tr> <td data-bbox="136 600 334 634">Aff.Pub.</td> <td data-bbox="334 600 380 634"></td> </tr> </table>	Aff.Pub.		<p>2. Authorizing payment of \$7,295.00 to Joanne Sanoian for her services to the petitioner and the conservatorship estate during this account period, and authorizing withdrawal of \$4,609.97 from Chase blocked account xxx5483 and \$2,685.03 from Chase account xxx6758 (total \$7,295.00) in certified funds payable to Joanne Sanoian;</p>	
Aff.Pub.				
<table border="1"> <tr> <td data-bbox="136 634 334 667">Sp.Ntc.</td> <td data-bbox="334 634 380 667"></td> </tr> </table>	Sp.Ntc.		<p>3. After payment of the above sums, authorizing petitioner to close Chase blocked account xxx5483 and deposit the remaining balance into Chase xxx 6758;</p>	
Sp.Ntc.				
<table border="1"> <tr> <td data-bbox="136 667 334 701">Pers.Serv.</td> <td data-bbox="334 667 380 701"></td> </tr> </table>	Pers.Serv.		<p>4. That any other property of the estate not now known or discovered that may belong to or in which the decedent or estate may have any interest should be distributed to Petitioner as Trustee of the Angelina S. Lozano Living Trust;</p>	
Pers.Serv.				
<table border="1"> <tr> <td data-bbox="136 701 334 735">Conf. Screen</td> <td data-bbox="334 701 380 735"></td> </tr> </table>	Conf. Screen		<p>5. Authorizing and directing Petitioner be discharged and the surety on her bond be discharged; and</p>	
Conf. Screen				
<table border="1"> <tr> <td data-bbox="136 735 334 768">Letters</td> <td data-bbox="334 735 380 768"></td> </tr> </table>	Letters		<p>6. Such other orders as the Court deems proper.</p>	
Letters				
<table border="1"> <tr> <td data-bbox="136 768 334 802">Duties/Supp</td> <td data-bbox="334 768 380 802"></td> </tr> </table>	Duties/Supp			<p>Reviewed by: skc / LEG</p>
Duties/Supp				
<table border="1"> <tr> <td data-bbox="136 802 334 835">Objections</td> <td data-bbox="334 802 380 835"></td> </tr> </table>	Objections			<p>Reviewed on: 1/10/14</p>
Objections				
<table border="1"> <tr> <td data-bbox="136 835 334 869">Video Receipt</td> <td data-bbox="334 835 380 869"></td> </tr> </table>	Video Receipt			<p>Updates:</p>
Video Receipt				
<table border="1"> <tr> <td data-bbox="136 869 334 903">CI Report</td> <td data-bbox="334 869 380 903"></td> </tr> </table>	CI Report			<p>Recommendation:</p>
CI Report				
<table border="1"> <tr> <td data-bbox="136 903 334 936">9202</td> <td data-bbox="334 903 380 936"></td> </tr> </table>	9202			<p>File 2 – Lozano</p>
9202				
<table border="1"> <tr> <td data-bbox="136 936 334 970">Order</td> <td data-bbox="334 936 380 970"></td> </tr> </table>	Order			
Order				
<table border="1"> <tr> <td data-bbox="136 970 334 1003">Aff. Posting</td> <td data-bbox="334 970 380 1003"></td> </tr> </table>	Aff. Posting			
Aff. Posting				
<table border="1"> <tr> <td data-bbox="136 1003 334 1037">Status Rpt</td> <td data-bbox="334 1003 380 1037"></td> </tr> </table>	Status Rpt			
Status Rpt				
<table border="1"> <tr> <td data-bbox="136 1037 334 1071">UCCJEA</td> <td data-bbox="334 1037 380 1071"></td> </tr> </table>	UCCJEA			
UCCJEA				
<table border="1"> <tr> <td data-bbox="136 1071 334 1104">Citation</td> <td data-bbox="334 1071 380 1104"></td> </tr> </table>	Citation			
Citation				
<table border="1"> <tr> <td data-bbox="136 1104 334 1138">FTB Notice</td> <td data-bbox="334 1104 380 1138"></td> </tr> </table>	FTB Notice			
FTB Notice				

4 Donald Dean Riley (Estate)

Case No. 12CEPR00559

Atty Lucich, Nicholas L Jr. (for Petitioner/Administrator Steven Riley)

(1) First and Final Report of Administrator on Waiver of Account and (2) Petition for Allowance of Statutory Administrator's Fees and Statutory Attorneys Fees and (3) for Final Distribution

DOD: 4/17/12		STEVEN RILEY , Administrator is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	
		I & A - \$223,800.62	
Cont. from			
	Aff.Sub.Wit.	Administrator - \$3,500.00 (less than statutory)	
✓	Verified		
✓	Inventory	Attorney - \$7,488.56 (statutory)	
✓	PTC		
✓	Not.Cred.	Costs - \$1,491.00 (filing fees, probate referee, publication, certified copies)	
✓	Notice of Hrg	W/	
✓	Aff.Mail	Closing reserve - \$2,000.04	
	Aff.Pub.		
	Sp.Ntc.	Distribution, pursuant to intestate succession, is to:	
	Pers.Serv.	Betty Lou Stockdale - \$30,498.98 and 1/5 interest in personal property.	
	Conf. Screen	Ron Riley, Tom Riley, Gary Iness, Sharon Hansen, Becky Pray, Jonna Planting and Pat Riley - \$15,249.49 and 1/10 interest in personal property each.	
✓	Letters	8/2/12	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202	Steven Riley - \$11,749.49, 2000 Ford Ranger Pick Up and 1/10 interest in personal property.	
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		
			Reviewed on: 1/9/14
			Updates:
			Recommendation: SUBMITTED
			File 4 – Riley

(1) Waiver of First and Final Account and (2) Report of Executor and (3) Petition for Settlement Thereof, for Allowance of Attorney's Fees for Ordinary and Extraordinary Services and Costs, and (4) for Final Distribution

DOD: 12/21/11	DANIEL K. THOMAS , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Accounting is waived.	
Cont. from	I & A - \$70,000.00	
<input type="checkbox"/> Aff.Sub.Wit.	POH - \$70,000.00	
<input checked="" type="checkbox"/> Verified	Executor - waives	
<input checked="" type="checkbox"/> Inventory	Attorney (statutory) - \$2,800.00	
<input checked="" type="checkbox"/> PTC	Attorney x/o - \$1,292.50 (per itemization and declaration for efforts to locate estate assets including legal research to determine title to a Note secured by Deed of Trust, 1 attorney hour @ \$320.00 - \$360.00 per hour and 8.30 paralegal hours @ \$125.00-135.00 per hour)	
<input checked="" type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail W/		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Costs - \$919.47 (filing fees, postage (for more than 10 persons))	
<input checked="" type="checkbox"/> Letters	Distribution, pursuant to Decedent's Will and agreement of heirs, is to:	
Duties/Supp		
Objections		
Video Receipt	Barbara F. Thomas - real property	
CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 1/9/14
		Updates:
		Recommendation:
		File 5 – Thomas

(1) First and Final Account and Petition for Settlement Thereof and (2) for Allowance of Statutory Attorney's Fees and (3) for Allowance of Statutory Executor's Fees and (4) for Reimbursement of Costs Advanced and (5) Final Distribution

DOD: 1-2-13		MIYUKI LAPPEN , Executor without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;">OFF CALENDAR</p> <p><i>Amended and Restated First and Final Account, etc.</i> was filed on 1/3/2014, and is set for hearing on 2/10/2014.</p> <p>Continued from 11/19/2013. Minute Order states matter continued at the request of counsel.</p> <p>The following issues from the last hearing remain:</p> <ol style="list-style-type: none"> The accounting is not in the form required by Probate Code §1060. Specifically, the summary does not contain totals, and no additional schedules are provided. <u>Note:</u> If accounting is to be waived, need waiver from Ms. Lappen as trustee of the trust and schedules with required information pursuant to Cal. Rules of Court 7.550. Petitioner is also the trustee of the trust to whom the estate will be distributed. Therefore, notice to the beneficiaries is required pursuant to Probate Code §1208(b). Trust terms include the following beneficiaries: <ul style="list-style-type: none"> Children of Miyuki Lappen; Children of Mitsumaro Motoyoshi; Children of Kazumaro Motoyoshi. Decedent's siblings; Fresno Buddhist Church Building Fund and General Fund. Need clarification: I&A lists various securities. Petitioner states the property on hand is \$349,399.62 cash; however, Petitioner does not include a statement as to changes in form of assets.
		Account period: 1-2-13 through 9-25-13	
Cont. from 111913		Accounting: <i>Not provided</i> Beginning POH: \$332,464.14 Ending POH: \$349,399.62 (cash)	
	Aff.Sub.Wit.	Executor (Statutory): \$9,987.98	
✓	Verified	Attorney(Statutory): \$9,987.98	
✓	Inventory	Costs: \$1,192.37 (filing, publication, certified letters, appraisal)	
✓	PTC	Creditor's Claims: Petitioner requests authorization to pay the following two creditor's claims in settlement of the two creditor claims filed:	
✓	Not.Cred.	<ul style="list-style-type: none"> \$4,656.78 to Central Valley Care, Inc., (Claim filed 6-20-13); Allowance of Creditor's Claim filed 12/11/2013 shows entire claim allowed for \$4,656.78. \$5,414.26 to Miyuki Lappen (Executor, claim for funeral costs filed 5-13-13). Allowance of Creditor's Claim filed 12/11/2013 shows entire claim allowed for \$5,414.26. 	
✓	Notice of Hrg	Distribution pursuant to Decedent's will:	
✓	Aff.Mail	Miyuki Lappen, Trustee of the Merika Motoyoshi Revocable Trust dated 12/10/2012: \$318,160.25 .	
	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 / LEG	
		Reviewed on: 1/10/14	
		Updates: 1/10/14	
		Recommendation:	
		File 6 – Motoyoshi	

(1) First and Final Account and Report of Status of Administration and Petition for Settlement thereof and (2) for Allowance of Statutory Attorneys' and Executor's Compensation; and (3) for Reimbursement of Costs Advanced and (4) for Final Distribution

DOD: 4/5/13	LARRY E. DAVIS , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 4/5/13 – 10/28/13	
	Accounting - \$80,762.56	
	Beginning POH - \$68,762.56	
	Ending POH - \$74,160.24	
Cont. from	Administrator - \$3,170.50 (statutory)	
<input type="checkbox"/> Aff.Sub.Wit.	Administrator costs - \$2,977.53 (per itemization for insurance, auto and home repairs)	
<input checked="" type="checkbox"/> Verified	Attorney - \$1,649.25 (filing fees, publication, probate referee, bond and certified copies)	
<input checked="" type="checkbox"/> Inventory	Ruby Davis reimbursement of costs - \$33,613.38 (per itemization for clean-up of residence, funeral and burial expense)	
<input checked="" type="checkbox"/> PTC	Distribution, pursuant to intestate succession, is to:	
<input checked="" type="checkbox"/> Not.Cred.	Ruby Davis and Ronald Breckenridge - \$5,915.81, each;	
<input checked="" type="checkbox"/> Notice of Hrg	Delbert Frech, Darrel Frech, Marlene Deaver, Erwin Frech and Marilyn Coulter - 1\$183.16, each;	
<input checked="" type="checkbox"/> Aff.Mail W/	Susan Powell, Bruce Breckenridge, Michael Breckenridge and Nancy Burg - 1,478.76, each;	
Aff.Pub.	Gary Breckenridge and Gail Ohman - \$2,957.91, each.	
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
<input checked="" type="checkbox"/> Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 1/9/14
		Updates:
		Recommendation:
		File 7 – Breckenridge

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

Age: 84 years		<p>SANDRA J. CLINE, step-daughter, is petitioner and requests appointment as conservator of the estate without bond and with \$700,000 to be placed into a blocked account.</p> <p>Estimated value of the estate: Personal property- \$ 2,000.00 IRA - \$700,000.00 Total - \$702,000.00</p> <p>Petitioner states she is the appointed successor agent under a durable power of attorney. The proposed conservatee is the beneficiary of her deceased husband's IRA account. The representative of UBS Financial Services, the administrator of the IRA suggested to Sandra Cline that the only way to transfer the IRA was for Sandra to be appointed as Conservator of Ms. Lynch.</p> <p>Voting rights affected.</p> <p>Court Investigator Jennifer Young's Report filed on 11/21/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Advised Rights on 11/15/13</p> <p>Voting rights affected need minute order</p> <p>1. Order allows for the Conservator to withdraw the minimum distribution required by law for 2013 from the IRA and place the funds into the conservatee's checking account to apply for the conservatee's care. Petition should state the estimated amount of the distribution in order to calculate the bond. Probate Code §2320 required bond to be posted on all assets of the conservatorship that are not in a blocked account. Note: A bond in the amount of \$68,000.00 was filed on 12/9/13.</p> <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, February 14, 2014 at 9:00 a.m. in Department 303, for the filing of the receipt for blocked account. • Friday, May 9, 2014 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. • Friday, March 13, 2015 at 9:00 a.m. in Department 303, for the filing of the first account. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
Cont. from 120213			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail W/		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input checked="" type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input checked="" type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: KT</p> <p>Reviewed on: 1/10/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8 – Lynch</p>	

DOD: 07/05/2013	DAVID PATRICK FERRELL, MICHAEL JOHN FERRELL, and HUGH JOSEPH FERRELL, sons are petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 12/30/2013: Ms. Nuttall requests a continuance to address the issues noted in the examiner notes.</p> <p>The following issues remain:</p> <ol style="list-style-type: none"> 1. Need date of death of decedent's spouse per Local Rule 7.7.1D. 2. #9(3) or 9(4) of the petition is not answered regarding a registered domestic partner. 3. #5(a) or #5(b) of the Inventory and Appraisal was not marked regarding the property tax certificate.
	40 days since DOD	
Cont. from 123013	No other proceedings	
<input type="checkbox"/> Aff.Sub.Wit.	I&A - \$130,000.00	
<input checked="" type="checkbox"/> Verified	Decedent died intestate	
<input checked="" type="checkbox"/> Inventory	Petitioner requests Court determination that decedent's 100% interest in real property located at 2323 N. Jackson, Fresno, Ca., pass 1/3 rd to David Patrick Ferrell, 1/3 rd to Michael John Ferrell and 1/3 rd Hugh Joseph Ferrell pursuant to intestate succession.	
<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		
		Reviewed by: LV
		Reviewed on: 01/09/2014
		Updates:
		Recommendation:
		File 9 – Ferrell

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

Lauren, 15	<u>TEMPORARY EXPIRES 01/13/2014</u>		<p>NEEDS/PROBLEMS/ COMMENTS:</p>
Jenelle, 12	<p>RUBEN MACEDO and ERLINDA MACEDO, maternal grandparents, are Petitioners.</p>		
	<p>Father: JOHNNY JARAMILLO – <i>Personally served 12/06/13</i></p>		
Cont. from	<p>Mother: CYNTHIA MACEDO – <i>Consent & Waiver of Notice filed 11/07/13</i></p>		
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	w/		
Aff.Pub.			
Sp.Ntc.			
✓ Pers.Serv.			
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
<p>Paternal grandfather: DECEASED Paternal grandmother: DORA JARAMILLO - <i>Ex Parte Order Dispensing with Notice filed 12/12/13</i> Minors: Lauren Jaramillo and Jenelle Jaramillo, consent and waive notice Sibling: Johnny Jaramillo, served by mail on 11/22/2013</p> <p>Petitioner alleges that the mother is terminally ill and is currently in hospice care. It is not anticipated that she will live much longer. The mother has nominated Petitioners to be guardians. The children have not visited with their father for approximately 3 years. The mother has custody of the children. Petitioners allege that the father is abusive and has a history of domestic violence in his relationships. Further, Petitioners allege that the last time the girls visited their father, he woke Lauren up and spanked her with a belt in Jenelle's presence. Petitioners state that the girls are afraid of their father and have not visited with him since that incident. Petitioners state that temporary guardianship is necessary because they are fearful that the father will try to take custody of the children when he learns of the mother's illness or passing. The girls do not want to have contact with their father.</p> <p>Objections to Petition for Appointment of Guardian filed by John Jaramillo, Father, on 01/10/2014 which states that he objects to the petition for guardianship as he is a fit and proper parent and there is no reason that custody should be with the grandparents. Mr. Jaramillo states that the maternal grandparent's hostility towards the father has made having a relationship with the children difficult. He states that he has been intentionally denied the right to visit with the children and to have them in his care on a regular basis and it is not deserved or warranted. Mr. Jaramillo states that he loves his children and can provide a loving and stable home for them.</p> <p>Mr. Jaramillo states that the allegations of him spanking Lauren are false and misleading. He states that he did so when she chose her punishment but was not abusive in any way.</p> <p style="text-align: center;"><u>Please see additional page</u></p>			

Mr. Jaramillo states it is not in the best interest of the children to allow the petitioner to continue to alienate him from his children and deny him his parental rights. He states he understands that the children are resistant because they have been coached, prodded, and rewarded to support their mother and grandparent's wishes. It is for these reasons that Mr. Jaramillo asks the Court to deny the petition for appointment of guardianship, or in the alternative, order that he have ongoing regular visitation with the children pending a psychological evaluation, counseling for both the children and father, and a further hearing in this matter.

Court Investigator Jennifer Daniel's report filed 01/06/2014.

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

Age: 17 years	<u>Temporary Expires 1/13/14</u>		<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: <ol style="list-style-type: none"> Juan Antonio Arevalo (father) Note: Father was served by mail however, Probate Code §1511 requires personal service. Marta Luz Iraheta Garcia (mother) Francisco A. Arevalo-Iraheta (minor) Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: <ol style="list-style-type: none"> Luis Alonso Mebreno Hernandez (paternal grandfather) Leonidas Arevalo Viuda de Garcia (paternal grandmother) The file includes a Memorandum of Points and Authorities in Support of Petition for Factual Findings Regarding Minor's Eligibility for Special Immigration Status however a Petition re same has not been filed.
	<p>VERONICA AREVALO, paternal aunt, is petitioner.</p>		
Cont. from	<p>Father: JUAN ANTONIO AREVALO</p>		
<input type="checkbox"/> Aff.Sub.Wit.	<p>Mother: MARTA LUZ IRAHETA GARCIA</p>		
<input checked="" type="checkbox"/> Verified	<p>Paternal grandfather: Luis Alonso Mebreno Hernandez</p>		
<input type="checkbox"/> Inventory	<p>Paternal grandmother: Leonidas Arevalo Viuda de Garcia</p>		
<input type="checkbox"/> PTC	<p>Maternal grandfather: Antonio Hernandez – Deceased.</p>		
<input type="checkbox"/> Not.Cred.	<p>Maternal grandmother: Maxima Hernandez – Deceased.</p>		
<input checked="" type="checkbox"/> Notice of Hrg	<p>Petitioner states the minor is estranged from his father who lives in New York. The whereabouts of the mother are unknown. Mom abandoned the minor when he was a baby. The minor's paternal grandparents are living in El Salvador and in failing health and are unable to care for the minor.</p>		
<input checked="" type="checkbox"/> Aff.Mail	W/		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.	X		
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
<p>Court Investigator Samantha Henson's Report filed on 1/7/14</p>			
<p>Reviewed by: KT</p>			
<p>Reviewed on: 1/10/14</p>			
<p>Updates:</p>			
<p>Recommendation:</p>			
<p>File 11 – Arevalo-Iraheta</p>			

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

DOD: 11/19/2012		<p>SHERI L. SINCLAIR, spouse/named executor without bond, is petitioner.</p> <p>Full IAEA – o.k.</p> <p>Will dated: 6/27/2005</p> <p>Residence: Fresno Publication: Fresno Business Journal</p> <p>Estimated value of the estate: Real Property - \$250,000.00</p> <p>Probate Referee: Rick Smith</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need supplement to the Duties and Liabilities (Judicial Council form DE-147S)</p> <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, June 13, 2014 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. • Friday, March 13, 2015 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
Cont. from			
<input checked="" type="checkbox"/>	Aff.Sub.Wit.		
<input 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"/>	Aff.Mail		
<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: KT			
Reviewed on: 1/9/14			
Updates:			
Recommendation:			
File 12 – Tierce			

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

DOD: 4/11/11		<p>ALMA RAMOS, daughter, is petitioner and requests appointment as Administrator without bond.</p> <p>All heirs waive bond.</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate.</p> <p>Residence: Fresno Publication: Fresno Business Journal</p> <p>Estimated value of the estate: Real property - \$395,000.00</p> <p>Probate Referee: Rick Smith</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, June 13, 2014 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. • Friday, March 13, 2015 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</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"/>	Aff.Mail			W/O
<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			
<p>Reviewed by: KT</p> <p>Reviewed on: 1/9/14</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 13 – Ramos</p>				

Petition for Order Approving Modification of Trust Under Probate Code 15404 & 15409 [Prob. C. 17200(b)(3)]

		<p>GARY ESAJIAN, ELENE P. ESAJIAN, EDWARD N. ESAJIAN & JEANIE ANN ESAJIAN, are Petitioners.</p> <p>Petitioners state GARY ESAJIAN is the Trustor of the Gary Esajian 1995 Trust, dated January 6, 1995. ELANE P. ESAJIAN is the spouse of the Trustor and is a discretionary beneficiary of the trust. EDWARD N. ESAJIAN and JEANIE ANN ESAJIAN are brother and sister of the Trustor and discretionary beneficiaries of the trust. Trustor's one living niece and four living nephews are also discretionary beneficiaries and contingent remainder beneficiaries if Trustor is not survived by any children or their issue.</p> <p>At the time the Trust was created on 1/6/1995, Trustor was unmarried and had no children. Since the creation of the Trust, Trustor married Elene P. Elajian and that marriage produced two children, Alexandra Elajian (age 9) and Olivia Elajian (age 7), both of whom are discretionary and contingent beneficiaries and remainder beneficiaries of the Trust.</p> <p>The Trust is an insurance trust with it sole asset consisting originally of four life insurance policies in the total death benefit amount of \$2 million. The four policies were recently exchanged for a single policy with a higher death benefit.</p> <p style="text-align: center;">Please see additional page</p>	<p>NEEDS/PROBLEMS/COMMENTS:</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/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: 11/10/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14 – Esajian</p>	

The Trust is an insurance trust, created by the Trustor before his marriage with the intent to provide funds to defray all or a portion of the estate taxes upon the death of the Trustor. Since the Trustor's marriage, those estate taxes will now accrue and be payable upon the death of the second to die of the Trustor and his wife. Due to these changed circumstances and based upon the agreement of Trustor and the consent of all beneficiaries, this petition seeks to address such change in circumstances and to modify the Trust to effectuate the purposes of Trustor by extending the term of the Trust to a date that is after the second death of Trustor and his wife, Elene P. Esajian.

The petition does not seek further modification of the provisions governing distribution, management, or other administration of the Trust.

There have been no previous modifications, amendments or other revocations of the Trust as of this date.

Petitioner prays for an Order:

1. Dispensing with notice of the hearing;
2. Determining that with respect to this petition, the interests of any unborn, unascertained, or minor beneficiaries are adequately represented by the present beneficiaries or their parent, without appointment of a guardian ad litem;
3. Approving the deletion of existing paragraph A2.1 of the Trust and replacement with a new A2.1, as set forth above governing the terms of the Trust.

Petition for Rescission, Damages, and Transfer of Trust Property (Probate Code §850, §17200, §17200.1)

		LENA B. RUTHERFORD is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Petition was not signed by the Petitioner or her Guardian Ad Litem, Barbara Kraschel. Probate Code §1020. Petition was not verified. Probate Code §1021. It appears that this matter should have been filed in the civil court and not in the probate court as a trust action. Probate Code §17200 states a trust petition can be filed concerning the internal affairs of the trust or to determine the existence of a trust. §17200 does not include any provisions for elder abuse. The allegations in the pleadings are primarily brought under the Welfare and Institutions Code concerning elder abuse. Need Order
		BARBARA KRASCHEL , niece, was appointed as Guardian Ad Litem for Lena B. Rutherford on 11/21/13.	
Cont. from		Petition states:	
<input type="checkbox"/>	Aff.Sub.Wit.	Petitioner, Lena B. Rutherford, is an 87 year old woman who at all times alleged herein was and continues to be impaired by age and certain physical disabilities.	
<input type="checkbox"/>	Verified	<input checked="" type="checkbox"/>	
<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	Petitioner, Lena B. Rutherford, is the sole settlor and sole trustee of the Trust.	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	Mrs. Rutherford's husband Edgar died in 1995. Mr. & Mrs. Rutherford never had any children, however Mrs. Rutherford enjoyed a close relationship with her nieces, including BARBARA KRASCHEL ("Barbara") and at one time DIANNE GIRAZIAN ("Dianne").	
<input checked="" type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections	The trust instrument specified that during her life, Mrs. Rutherford was entitled to all of the principal and income of the Trust. Following her death, Barbara, Dianne and Jennifer Hull would receive the remainder of the Trust estate through various gifts.	
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt	Mrs. Rutherford amended the Trust on October 5, 1999, altering the dispositive provisions of the Trust and removing Dianne as a beneficiary (while adding Melanie Hull).	
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Please see additional page.			
Reviewed by: KT			
Reviewed on: 1/10/14			
Updates:			
Recommendation:			
File 15 – Rutherford			

In or around May of 2006, Mrs. Rutherford fell and shattered her hip. At the time, she was living with neighbors across the street from her home in Selma and renting her house to tenants. After the accident and due to her physical disability, Mrs. Rutherford required assistance with her day to day activities. In 2008, Mrs. Rutherford wanted to move home. Knowing she could not live alone, Mrs. Rutherford and Dianne agreed that Dianne would move into Mrs. Rutherford's home and provide for her care. In return for these care services, Mrs. Rutherford agreed that Dianne would receive the property after Mrs. Rutherford's death. Rather than allow Mrs. Rutherford to amend her Trust to provide for this bequest, Dianne insisted that Mrs. Rutherford immediately deed the property to Dianne so as to avoid a trust or probate administration. Mrs. Rutherford agreed to sign a deed to Dianne but subject to the reservation of a life estate in the property for herself.

Upon reaching this agreement, Dianne took Mrs. Rutherford to any attorney with whom Mrs. Rutherford was unfamiliar. The attorney subsequently prepared and notarized deeds transferring the property from the trustee to Mrs. Rutherford individually, and then from Mrs. Rutherford, individually, to Dianne, subject to Mrs. Rutherford's life estate. At the time Mrs. Rutherford signed the deeds, she did not believe that she was giving the property to Dianne. Rather, Mrs. Rutherford understood that Dianne would receive the property after Mrs. Rutherford's death.

After Mrs. Rutherford signed the deeds, Dianne began removing all of Mrs. Rutherford's furniture from the property and replacing it with her own. Shortly thereafter, Dianne insisted that Mrs. Rutherford pay to have the house remodeled so that it would "be up to Dianne's standards." Dependent on Dianne's care, Mrs. Rutherford reluctantly agreed.

Once Mrs. Rutherford's furniture was replaced and the remodel had been completed, Dianne began referring to the property as "her" house and eventually took away Mrs. Rutherford's keys.

Despite claiming that it has her house, Dianne spent very little time actually living in the home or caring for Mrs. Rutherford. Instead, she often took long trips and left Mrs. Rutherford unattended for long periods of time.

One such occasion, just three months after Mrs. Rutherford signed the deeds transferring the property to Dianne, Mrs. Rutherford suffered a crippling accident while Dianne was away for several days visiting Palm Desert. On 7/12/08, Ms. Rutherford, who has been unsteady since her hip accident, was walking through the newly remodeled kitchen, lost her balance and attempted to steady herself using the handle of the oven. Unfortunately, the new oven had never been fastened to the wall or floor. It toppled over onto Mrs. Rutherford and trapped her underneath. Mrs. Rutherford was pinned under the oven for approximately 39 hours until she was discovered by a neighbor. The accident caused Mrs. Rutherford to lose her right arm at the shoulder. She also sustained additional injuries to her legs and lower body as a result of the fall.

Mrs. Rutherford was in intensive care for 10 days and in a rehabilitation facility and residential care facility thereafter. In February 2009, Mrs. Rutherford left the residential care facility and moved in with her niece Barbara.

From the time of the accident until the filing of the Complaint, Mrs. Rutherford was either completely disabled due to her severe injuries or otherwise incapacitated as a result of the high dosage of pain medications administered to manage her symptoms.

Please see additional page.

Mrs. Rutherford has had little or no contact with Dianne since the accident with the exception of one incident when Dianne requested that Mrs. Rutherford pay to replace the oven since it had broken as a result of the fall. Dianne has not visited Mrs. Rutherford since 2008 and continues to deny Mrs. Rutherford access to the property. When they last spoke, Dianne told Mrs. Rutherford that she owns the property and cannot take care of Mrs. Rutherford.

First Cause of Action: Elder Abuse: Neglect

- Mrs. Rutherford incorporates the above allegations.
- At all times relevant to this action, Mrs. Rutherford was 65 years of age, or older.
- Dianne moved in with Mrs. Rutherford but failed to adequately care for her. Dianne knew Mrs. Rutherford required a high level of care and supervision due to her disability. Despite that knowledge, Dianne often left Mrs. Rutherford unattended for several days at a time.
- On 7/12/2008 Dianne specifically failed to protect Mrs. Rutherford resulting in catastrophic injuries to Mrs. Rutherford.
- As a result of the neglect, Mrs. Rutherford seeks the rescission of the deed transferring the property from the trustee to herself as an individual to Dianne.
- In addition, Mrs. Rutherford requests this Court find that Dianne is liable for Mrs. Rutherford's attorneys' fees pursuant to Welfare and Institutions Code § 15610.30 and 15610.57.
- Mrs. Rutherford also seeks the imposition of punitive damages as a result of Dianne's reckless conduct.
- Mrs. Rutherford further requests damages for her pain and suffering according to applicable law, including but not limited to Welfare and Institutions Code § 156157(b) and 15657.2(b).

Second Cause of Action: Elder Abuse: Financial Abuse

- Mrs. Rutherford incorporates the above allegations.
- Dianne appropriated Mrs. Rutherford's property when she agreed to care for Mrs. Rutherford in exchange for the property.
- Mrs. Rutherford alleges that Dianne obtained the property by fraud because Mrs. Rutherford's giving of the deed was conditioned upon Dianne's promise to provide live-in care for Mrs. Rutherford; however, Dianne never intended to actually provide the care contemplated in the agreement. In fact, Dianne later demanded that Mrs. Rutherford remodel the house for her, and Mrs. Rutherford's own expense, despite the fact that she never intended to perform her part of the bargain.

Please see additional page.

- Dianne obtained the property by undue influence because she assumed fiduciary responsibility for Mrs. Rutherford when she among other things, (a) agreed to care for her in exchange for the property, (b) suggesting that the property be deeded her directly so as to circumvent the legal requirements for such gifts after death, (c) took Mrs. Rutherford to meet with an unfamiliar attorney who prepared the deeds, (d) participated in Mrs. Rutherford's discussion with that attorney, (e) and received title to the property immediately instead of upon Mrs. Rutherford's death.
- Dianne also appropriated the property for wrongful use because she knew or should have known that depriving Mrs. Rutherford of her home was likely to cause harm to Mrs. Rutherford. In addition, by excluding Mrs. Rutherford from the home and claiming a fee simple interest in the property, Dianne precluded Mrs. Rutherford individually or as trustee of the Trust, from renting the property to generate income for her benefit.
- Mrs. Rutherford therefore seeks rescission of the deed transferring the property.
- In addition, Mrs. Rutherford requests this Court find that Dianne is liable for Mrs. Rutherford's attorneys' fees pursuant to Welfare and Institutions Code § 15610.30 and 15610.57.
- Mrs. Rutherford also seeks the imposition of punitive damages as a result of Dianne's intentional and fraudulent conduct.
- Mrs. Rutherford further requests damages for her pain and suffering according to applicable law, including but not limited to Welfare and Institutions Code § 156157(b) and 15657.2(b).

Third Cause of Action: Fraud False Promise

- Mrs. Rutherford incorporates the above allegations.
- Mrs. Rutherford alleges that at the time Dianne made the promise to Mrs. Rutherford she had no intention of providing the care and supervision promised. Dianne's lack of intention is evidenced by the fact that she never provided such care, was rarely home, insisted that Mrs. Rutherford remodel the house after she moved in, and began excluding Mrs. Rutherford from the property rather than caring for her. In fact, after Mrs. Rutherford's accident in July 2008, Dianne told Mrs. Rutherford that she would not take care of her.
- Mrs. Rutherford relied on Dianne's promises when she deeded the property.
- Mrs. Rutherford's reliance was reasonable because, prior to that agreement, she had enjoyed a close relationship with Dianne and had no reason to suspect Dianne would not perform as promised.
- Mrs. Rutherford was harmed by Dianne's false promises because she effectively lost her home, her furniture, and suffered catastrophic physical harm as a result of her reliance on those promises.
- Mrs. Rutherford therefore seeks rescission of the deed transferring the property.

Please see additional page.

Fourth Cause of Action: Fraud: Undue Influence

- Mrs. Rutherford incorporates the above allegations.
- The transfer of the property from Mrs. Rutherford to Dianne is presumed, by operation of law, to be the product of undue influence.
- Dianne had a confidential relationship with Mrs. Rutherford because Dianne had agreed to live with and care for Mrs. Rutherford. In addition, Dianne and Mrs. Rutherford enjoyed a close relationship of trust and confidence prior to the agreement.
- Dianne was active in the procurement of the deed because it was Dianne who suggested that the property be transferred during Mrs. Rutherford's lifetime, and it was Dianne who took Mrs. Rutherford to see Attorney Paulette Janian (who happens to be a longtime friend of Dianne's), rather than to Mrs. Rutherford's longtime estate planning attorney, Richard M. Aaron. Dianne also participated in the conference wherein Mrs. Rutherford spoke to Ms. Janian and executed the deeds.
- Dianne received undue benefit from the deed because she received the property immediately instead of upon Mrs. Rutherford's death. Furthermore, even though the deed reserves a life estate for Mrs. Rutherford, Dianne used the execution of the deed to take complete and exclusive possession of the property, and eventually physically excluded Mrs. Rutherford from her own home.
- Mrs. Rutherford therefore seeks rescission of the deed transferring the property.

Fifth Cause of Action: Ejectment

- Mrs. Rutherford incorporates the above allegations.
- Mrs. Rutherford is legally entitled to the possession of the property. At a minimum, Mrs. Rutherford has a life estate in the property. While Dianne may have a remainder interest in the property and was in fact permitted to reside in the property with Mrs. Rutherford until at least 2009, Dianne has since declared herself to be the owner of the property and has denied Mrs. Rutherford access to the same.

Please see additional page.

Petitioner prays for an order:

1. Rescission of the deed transferring the property to Dianne.
2. Rescission of the deed transferring the property from Mrs. Rutherford, in her capacity as Trustee, to Mrs. Rutherford as an individual;
3. Attorneys' fees pursuant to applicable law, including but not limited to Welfare and Institutions Code § 15610.30 and 15610.57;
4. Punitive damages in an amount sufficient to deter similar actions by Dianne or other in the future;
5. Damages for pain and suffering according to applicable law, including but not limited to, Welfare and Institutions Code § 156157(b) and 15657.2(b).
6. Compensatory damages according to proof;
7. An order of the Court ejecting Dianne from the property until the termination of Mrs. Rutherford's life;
8. Costs incurred herein.

Atty Amador, Catherine A., of Pascuzzi, Moore & Stoker (for Petitioner Albert Rousseau)
 Atty Walters, Jennifer, of Walters & Moshrefi (Court-appointed for Conservatee)

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

Age: 86 years		<p>ALBERT ROUSSEAU, son, is Petitioner and requests appointment of ANDREA ROUSSEAU, granddaughter, as Conservator of the Person with medical consent and dementia powers to administer dementia medications.</p> <p>Need Capacity Declaration.</p> <p>Voting Rights Affected.</p> <p>Petitioner states proposed Conservatee suffers from dementia, having been first diagnosed in 2003, and she is now experiencing advanced symptoms. Petitioner states proposed Conservatee requires a walker and a person to assist her ambulate, and she has fallen several times recently and is unable to get up by herself. Petitioner states proposed Conservatee is completely unable to provide for her own personal needs, including cooking, cleaning, shopping or managing her own medications or personal hygiene, and she requires round-the-clock care. Petitioner states currently the family has hired caregivers to assist family members in ensuring that someone is available to care for proposed Conservatee throughout the day, and she spends most weekends with her granddaughter, the proposed Conservator. Petitioner states the family has increasing concerns that proposed Conservatee should not be left alone at night with just her daughter, GEORGIA ROUSSEAU, as Georgia has physical limitations and mental health issues. Petitioner states Georgia has recently begun to interfere with other family members' efforts to care for the proposed Conservatee, including those the proposed Conservatee appointed as Trustee and Agents for Health Care.</p> <p align="center"><i>~Please see additional page~</i></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Item 1(k) of the <i>Petition</i> requests orders relating to dementia placement or treatment. Since dementia powers are requested, need the mandatory <i>Attachment Requesting Special Orders Regarding Dementia</i> (Judicial Council form GC-313.) Petition requests medical consent powers pursuant to Probate Code § 2355 [and dementia] powers pursuant to Probate Code § 2356.5. Need <i>Medical Capacity Declaration</i> (Judicial Council form GC-335) in support of Petitioner's request pursuant to Probate Code § 1890(c). 	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	Cap Dec.			X
<input type="checkbox"/>	Dem. Att.			X
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input checked="" type="checkbox"/>	Pers.Serv.			
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input checked="" type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: LEG</p> <p>Reviewed on: 1/10/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16 – Rousseau</p>		

Petitioner requests other orders be granted as follows: Petitioner seeks orders allowing the proposed Conservator to move the proposed Conservatee from her current to home the proposed Conservator's home if necessary to provide appropriate care for the proposed Conservatee; recently the proposed Conservatee's daughter, Georgia, has been interfering with family's efforts to provide care for proposed Conservatee, and has refused to allow the proposed Conservator into the house and to allow the proposed Conservatee to leave; the family seeks flexibility to ensure the proposed Conservatee has 24-hour care, and Petitioner Albert Rousseau can provide additional care to proposed Conservatee when not traveling for work, since he resided with the proposed Conservator. However, the family would not move proposed Conservatee if they can work out a solution to provide appropriate care in her own home.

Court Investigator Jennifer Daniel's Report was filed on 1/7/2014.

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

Age: 9	<u>TEMPORARY EXPIRES 01/13/2014</u>	NEEDS/PROBLEMS/COMMENTS:
	<u>GENERAL HEARING 02/13/2014</u>	<u>17B is the competing temporary petition filed by Phyllis and Jesse Torres, maternal great aunt and uncle.</u>
Cont. from 123013	SANTOS L. DE LA FUENTE, mother, and DIANA M. MARINEZ, god mother/non relative, are petitioners.	Minute Order (Judge Snauffer) of 12/30/2013: The Court orders that an investigation be conducted immediately with respect to Ms. Torres' petition scheduled for 01/13/2014. The Court grants visitation to the Torres' as follows: every Sunday from 9am until 5pm pending the next hearing on 01/13/2014. Family members may visit the child while she is with the Torres'.
Aff.Sub.Wit.	Father: ADOLPH CEREDI , Consents and Waives Notice	
✓ Verified	Mother: SANTOS L. DE LA FUENTE , Consents and Waives Notice; Deceased	
Inventory	Paternal Grandparents: Unknown	
PTC	Maternal Grandfather: Louie Silva	
Not.Cred.	Maternal Grandmother: Sara De La Fuente	
Notice of Hrg	Petitioners state: temporary guardianship is urgently needed as the mother/co-petitioner, Santo L. De La Fuente, is bed bound and has terminal 4 th stage breast cancer and is currently in the Hospice Program at St. Agnes Hospice and Home Health since 12/10/2013. Her prognosis is two days to two months. Co-Petitioner, Diana M. Marinez has been caring for both the minor child, and the mother. Diana M. Marinez transports the child to and from school each day, takes her to medical appointments, provides meals and clothing. The mother states that Diana Marinez is a very positive and influential person in her life and has been since her birth.	
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		
	Co-Petitioner/Mother, Santos De La Fuente, states that she does not want the minor child to be allowed any contact with the maternal grandmother, Sarah De La Fuente, or any other member of the mother's biological family because she does not feel the child would be safe. She feels that the child would be taken illegally.	
	<u>Please see additional page</u>	
		Reviewed by: LV
		Reviewed on: 12/18/2013
		Updates: 12/19/2013
		Recommendation:
		File 17A – De La Fuente

Attached to the petition is a notarized statement from the mother stating that she gives Diana Marie Martinez guardianship of her daughter, it states that she has been caring for the child since 08/2013.

Also attached is a California Statutory Will dated 11/18/2013 which nominates the co-petitioner, Diana Marie Martinez, to be the child's guardian upon the death of the mother.

Declaration filed 12/18/2013 by co-petitioner, Diana Marie Martinez, which includes letters of support of the guardianship. Also included is a letter from the child which states she wishes to live with Diana Marie Martinez.

Petitioner requests: to be excused from noticing the father, Adolph Ceredi, as he and the minor child have never met. He has never attempted to be a father, nor has he ever claimed her as a daughter. Co-Petitioner, Diana M. Martinez, attempted to contact him via Facebook, Child Support, Valley Yellow Pages and www.instacheckmate.com.

Objection to Diana M. Martinez Being Appointed As Guardian of The Minor Child, Carlie Jezza De La Fuente filed by Phyllis Torres, maternal great-aunt, on 12/27/2013 states that she objects to Diana M. Martinez being appointed as guardian of Carlie; as well as request that Phyllis Torres and her husband, Jesse Torres, be appointed guardians effective immediately.

Ms. Torres does not believe that Diana M. Martinez is the fit and proper person to care for her niece; and believes that it will be detrimental to her well-being and quite possibly to her safety.

Diana M. Martinez, has a known history of drug abuse, mental health issues as well as physical illnesses that sometimes put her in the hospital for weeks at a time. She disclosed to Ms. Torres that she was hospitalized for a nervous breakdown or in her words "went crazy" in 2013 as the result of her financial difficulties and her husband leaving her. She also has a history of poor money management, and the inability to keep gainful employment. Ms. Torres believes that Diana is motivated by money; and that she is seeking guardianship of the minor to access any money that the child might be entitled to including social security benefits.

It is in the best interest of the child to be raised by her biological family, Diana is not biologically related to the child nor was she related to her mother. Objector is the minor child's great aunt, and her husband is the child's great uncle and godfather. Ms. Torres and her husband have been very close to the child and her mother their entire life.

Mrs. Torres is highly concerned about Dian's son, George Tapia, driving the child around. Mrs. Torres alleges that Mr. Tapia does not have a driver's license due to having DUI's. Ms. Torres also alleges that Diana M. Martinez' family history involves drugs, alcohol and abusive behaviors.

Ms. Torres states that the mother was diagnosed in 2009 with terminal cancer and had indicated to her that she wanted her to become the minor's guardian. In September 2013 the mother requested legal paperwork be drafted indicating her desire for Ms. Torres to become guardian of the child, at that time the mother signed a Nomination of Guardian (copy attached hereto as Exhibit A). Once the mother began residing in the home of Diana M. Martinez things began to change. Diana informed Mrs. Torres that the mother no longer wanted to have anything to do with her and was not longer welcomed in the home. Diana prevented Mrs. Torres from visiting the child and the mother. Diana took over all of the mother's possessions, allowing family members to drive the mother's car, she deleted the mother's Facebook page. Diana took over the mother's phone and began to impersonate her when Mrs. Torres would try to call her. Mrs. Torres believes that Diana M. Martinez was telling the mother that her family did not want to see her.

Please see additional page

Mrs. Torres objects to Diana having guardianship of the minor child for many reasons. Mrs. Torres believes that Diana was influencing the mother and taking advantage of her mental state to manipulate the situation. Mrs. Torres believes that the mother was made to feel guilty, and felt pressured into nominating Diana as the minor's guardian. Mrs. Torres alleges that the signature of the mother does not match any other documents that Mrs. Torres has.

Mrs. Torres believes that the temporary petition of Diana M. Marinez is filled with mistruths and lies; she believes the signature of the mother is a forgery. Mrs. Torres asks that the Court compare the signatures of the mother.

Mrs. Torres asks the Court to terminate the temporary guardianship of Carlie by Diana Marinez, and deny the permanent guardianship. Mrs. Torres is requesting that her and her husband, Jess Torres, be allowed to have guardianship of the minor child as it is in her best interest.

Filed Objection of Mrs. Torres also includes several objections of family members attached as "Exhibits".

Declaration of Diana M. Marinez, petitioner, filed on 12/30/2013, states the mother of the child passed away on 12/15/2013. She passed away with petitioner and the minor child present. She states she met with the child's father on 12/23/2013 at her home and the Court Investigator was also present. She states that the father of the minor signed the consent form, and that both he and his mother both consent to her being appointed guardian of the child.

Needs / Problems /Comments (continued)

Note: Petitioners have included the original will of Santos L. De La Fuente. The Court may wish to have the original will returned to the petitioners. The Court does not accept an original will until the individual's death pursuant to Probate Code §8200(a)(1).

Age: 9	<u>GENERAL HEARING 03/03/2014</u>	NEEDS/PROBLEMS/COMMENTS:
	PHYLLIS TORRES and JESSE TORRES , maternal aunt and uncle, are petitioners.	1. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Temporary Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Adolph Ceredi (Father)
Cont. from	DIANA M. MARINEZ , was appointed temporary guardian of the minor on 12/30/2013.	2. Order is incomplete. Need Order.
<input type="checkbox"/> Aff.Sub.Wit.	Father: ADOLPH CEREDI	
<input checked="" type="checkbox"/> Verified	Mother: SANTOS L. DE LA FUENTE , <i>Deceased</i>	
<input type="checkbox"/> Inventory	Paternal Grandparents: Unknown	
<input type="checkbox"/> PTC	Maternal Grandfather: Louie Silva	
<input type="checkbox"/> Not.Cred.	Maternal Grandmother: Sara De La Fuente	
<input type="checkbox"/> Notice of Hrg <input checked="" type="checkbox"/>	Petitioner states: the minor child's mother is recently deceased; the father has never even met the child. The parents are unable/unwilling to provide for the child. The child is currently under a temporary guardianship, by Diana M. Marinez; however, the petitioner believes that leaving the child under the custody and care of Mrs. Marinez is detrimental to the child. The petitioner believes that the current guardian has only obtained guardianship of the minor for her own financial gain. It is believed that the current guardian used the illness of the mother to coerce her into nominating Ms. Marinez as guardian. It is also possible that the signature of the mother is forged on the petition for temporary guardianship.	
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv. <input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA	It is also believed that the child's safety is an issue as the guardian has allowed her adult son to drive the child around with a suspended or revoked license. It is also believed that the current guardian has a prescription drug habit and has stolen prescription drugs that were prescribed to the mother.	
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice	Court Investigator Charlotte Bien's report filed 01/07/2014.	
		Reviewed by: LV
		Reviewed on: 01/09/2014
		Updates:
		Recommendation:
		File 17B – DeLa Fuente

Status Hearing Re: Filing Petition for Final Distribution

DOD: 4/13/12	<p>DARRYL GRANT, son, was appointed Administrator with Bond in the Amount \$89,000.00 on 06/12/12. Bond was filed 07/02/12 and Letters of Administration were issued on 06/15/12.</p> <p>Inventory & Appraisal filed 07/20/12 - \$67,000.00.</p> <p>Minute order dated 10/28/13 set this status hearing. Minute order states that an offer has been made [on the real property] and accepted which provides for a 60 day escrow. He further advises that it is his hope to file a petition for final distribution thereafter.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Petition for Distribution or current written status report pursuant to Local Rule 7.5, which states: In all matters set for status hearing, verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>	
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			
			<p>Reviewed by: KT</p> <p>Reviewed on: 1/9/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18 – Grant</p>

Atty Lopez, Amy L (for Amanda Joy Mathia-Guardian)

Atty Hopper, Cindy J (for Rebecca Jones and Chad Jones, Maternal Grandparents)

Atty Hopper, Cindy J. (for Roxanna Keller-Weaver- Petitioner- Maternal Aunt)

Atty Kharazi, H. Ty (for Thomas Bingham-Mathia, father, Cathy Amero and Gary Amero, paternal grandparents)

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

Age: 6 years	ROXANNA KELLER-WEAVER, maternal aunt, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note to Judge: Amanda Joy Mathia was appointed temporary guardian of the minor on 10/23/2012. The temporary expires on 03/18/2014. A Competing petition was filed by Cathy Amero, paternal grandmother, and Gary Amero, paternal step-grandfather, on 04/12/2013. A Trial is set for 03/18/2014.</p> <p>1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:</p> <ul style="list-style-type: none"> Thomas Bingham-Mathia (Father) <p>Note: Thomas Bingham-Mathia was served c/o Attorney H. Ty Kharazi on 11/15/2013. Pursuant to CA Rules of Court 7.51(a)(1) service in care of another person is insufficient pursuant to CA Rules of Court 7.51(a)(1).</p>
Cont. from		
Aff.Sub.Wit.		
✓ Verified	Father: THOMAS BINGHAM-MATHIA	
Inventory	Mother: TERESA BINGHAM-MATHIA , personally served on 11/21/2013	
PTC		
Not.Cred.		
✓ Notice of Hrg	Paternal grandfather: Douglas Bingham, Deceased Paternal grandmother: Cathy Amero	
✓ Aff.Mail		
Aff.Pub.	Maternal grandfather: Chad Jones, served by mail on 11/15/2013	
Sp.Ntc.	Maternal grandmother: Rebecca Jones, served by mail on 11/15/2013	
✓ Pers.Serv.		
✓ Conf. Screen	Petitioner states: she is the maternal aunt of the minor child. On 10/23/2012 the court granted Amandajoy temporary guardianship of the minor. At that hearing the court granted the maternal grandparents, Rebecca Jones and Chad Jones, supervised visitation to be supervised by the maternal great grandfather, Howard Keller. The court further ordered that Rachael, the minor, have no contact with Vincent Mathia who is the biological paternal grandfather of the child.	
✓ Letters		
✓ Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
✓ UCCJEA		
Citation		
FTB Notice		
	Please see additional page	
		Reviewed by: LV
		Reviewed on: 01/10/2014
		Updates:
		Recommendation:
		File 19 – Bingham-Mathia

Amandajoy alleges that the parents, Teresa and Thomas, had a very volatile relationship, Amandajoy alleges that Rachael has resided with her since 10/2011. Amandajoy states that Teresa asked her to care for Rachael since she was unable to do so. However, pursuant to court order in Fresno County Superior Court case number 10CEFL00372, for the hearing on 01/27/2012, Teresa had sole legal and sole physical custody of Rachael with Thomas having supervised visits to be supervised by Amandajoy.

Despite the fact at the hearing on 12/13/2012, the court ordered that Rachael is to have **no contact with Vincent Mathia** who is the biological paternal grandfather of the child **Amandajoy has continued to allow him contact with Rachael**. Furthermore Teresa has consented to this guardianship while the father of the minor child Thomas has not consented.

On 04/12/2013, Cathy Amero, stated in her Petition that during her marriage to Vincent he was very abusive both emotionally and physically. Cathy stated that she pleaded with Vincent's mother, Deanna Jackson, to help Vincent stop the abuse. Cathy states that she tried to leave Vincent but Deanna and Amandajoy forced her to stay **stating that there was nothing wrong with Vincent**. When Cathy finally mustered up the nerve to leave Vincent, **Amandajoy hid her minor child from her**.

After Cathy divorced Vincent she discovered that Vincent had sexually abused his own son, Matthew. Matthew, in turn, molested Thomas and therefore all contact between Thomas and Rachael is supervised due to the history between the parents and statements made by Thomas to Family Court Services child custody recommending counselor.

Shortly after Cathy found out what Vincent had done to Matthew, Vincent's parental rights were terminated and Thomas and Matthew were both adopted by Cathy's prior husband who is now deceased. After Thomas' adopted father passed away, Thomas commenced a relationship with his biological father, Vincent Mathia.

During Thomas and Teresa's marriage they resided with Vincent, Deanna and Amandajoy. Pursuant to Cathy's declaration filed 04/12/2013, Vincent, Deanna and Amandajoy told both Thomas and Teresa that they were bad parents and that they could leave but Rachael was to stay with them.

As stated above pursuant to the court order filed 01/27/2012, in Fresno County Superior Court Case number 10CEFL00372, Teresa was granted sole legal and sole physical custody of Rachael with Thomas having supervised visits to be supervised by Amandajoy. It was not until Amandajoy filed for guardianship and the maternal grandparents were served with the same that the maternal family became aware that Rachael was not residing with Teresa and that Rachael had been residing with Amandajoy since 10/2011.

Amandajoy is not a proper guardian for Rachael. Amandajoy has disobeyed the court's order and has continued to allow Rachael to have contact with Vincent. Ms. Keller-Weaver has been on some of the visits with Rachael that she has with Rebecca and Chad Jones. Rachael has informed Rebecca that she often spends time with "PaPa Vincent" and that she is not allowed to tell where she is going after the visit. While Amandajoy allows Vincent contact with Rachael she only allows Teresa limited contact with Rachael despite the fact that she has informed the court that she allows Teresa unlimited contact with the child.

Please see additional page

Since Thomas and Teresa have divorced Teresa has started a relationship with her ex father-in-law, Vincent Mathia. Teresa has asked Ms. Keller-Weaver questions and made several statements which lead her to believe that she is engaged in an on-going and sexual relationship with Vincent. Teresa has also made statements to Chad and Rebecca (her parents) which indicates that she is engaged in a relationship with Vincent.

Amandajoy has **"instructed"** and **"coached"** Rachael to call Teresa and Thomas by their first names and convinced Rachael that her parents do not love her. Amandajoy has also taught Rachael to call her grandparents by their first names. Furthermore Rachael has disclosed to her Ms. Keller-Weaver as well as to her paternal grandparents that she is to call Teresa her "biological mom" as Amandajoy is her "mother" and the child refers to Vincent Mathia as her "daddy". Rachael is 5 years old and knows who her mother and father are as well as her grandparents. It appears that Rachael is being brainwashed and Ms. Keller-Weaver believes and is informed it is coming from Amandajoy.

Amandajoy has made visitation and telephone contact with Rachael difficult not only for the maternal grandparents but the paternal grandparents as well. Ms. Keller-Weaver does not believe that Amandajoy will foster any relationship between Rachael and her parents unless it is her family, her, Vincent or Deanna visiting.

Amandajoy continuously interrupts the telephone calls between Rachael and the family. Amandajoy will often not allow Rachael to talk and will talk during the entire telephone conversation. Rachael will often say during the scheduled phone calls, "I don't want to talk to you." Ms. Keller-Weaver believes that Amandajoy is coaching Rachael on what to say. Amandajoy will plan activities for Rachael during scheduled telephone calls so that the maternal family has limited contact with Rachael. When Rachael speaks with Rebecca for the scheduled telephone calls Amandajoy tells her that she only has five minutes prior to allowing Rachael to talk. Amandajoy has also interrupted the telephone calls between Rachael and her paternal grandmother and Rachael's father.

Ms. Keller-Weaver believes that Amandajoy is actively alienating Rachael from any family outside of Vincent and Deanna Jackson and herself. While Amandajoy won't allow Rachael contact with her own family Amandajoy allows her to have contact with complete strangers. Amandajoy does not care about Rachael's well-being or spending time with her. Amandajoy is unemployed and rather than spend time with Rachael she has her enrolled in daycare full time! Amandajoy does not have Rachael's best interest in mind but rather is concerned about alienating her from her family.

Ms. Keller-Weaver is fearful that due to the fact that Amandajoy is allowing Rachael contact with Vincent that Rachael is NOT SAFE IN AMANDAJOY'S care nor is Amandajoy protecting her.

Ms. Keller-Weaver believes that she can provide a loving and supportive home for Rachael. Not only will she protect Rachael but she will allow her contact with her family unlike Amandajoy. It is also her hope that Teresa will discontinue her relationship with Vincent and one day she can be a full time mother to Rachael. Ms. Keller-Weaver does not believe any of this will happen if Rachael continues in Amandajoy's custody.

Please see additional page

Court Investigator Julie Negrete's report filed 12/11/2013.

Needs/Problems/Comments continued:

2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:
 - Cathy Amero (Paternal Grandmother)

Note: Cathy Amero was served c/o Attorney H. Ty Kharazi on 11/15/2013. Pursuant to to CA Rules of Court 7.51(a)(1) service in care of another person is insufficient pursuant to CA Rules of Court 7.51(a)(1).

20 Trinity Leanne Henson (GUARD/P)
 Atty Dodge, Candice L (pro per Guardian/maternal grandmother)
 Atty Weisman, Kathy (pro per Guardian/maternal great-grandmother)
 Atty Kennedy, Peter (pro per Petitioner)

Case No. 13CEPR00259

Petition for Visitation

Age: 1 year		PETER KENNEDY, father, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Response of the Co-Guardians, Candice Dodge and Kathy Weisman was not verified.
		CANDICE L. DODGE , maternal grandmother, and KATHY WEISMAN , maternal great grandmother, were appointed co-guardians on 6/14/13.	
Cont. from		Mother: DIANNA JEAN HENSON	
	Aff.Sub.Wit.		
✓	Verified	Paternal grandparents: deceased Maternal grandfather: deceased	
	Inventory		
	PTC	Petitioner states he would like to rebuild the father-daughter relationship. He is allowed to see his daughter occasionally but would like a more stable visitation schedule with set days and times.	
	Not.Cred.	Petitioner states he has turned his life around. He now has a stable place and a part time job. He is almost finished with school and has completed his probation. He has completed all drug and anger classes and passed them all.	
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp	Response to Petition filed by Candice Dodge and Kathy Wiesman, guardians, on 1/6/14 states they feel the any visits should be supervised. They are more than willing to supervise any visits and have done so on the few occasions Peter has visited.	
	Objections	Respondents also request that drug testing be done at Peter's expense. The last request is that Peter take parenting classes. Peter has always been respectful to them and they would like to give him the benefit of the doubt, but drugs and alcohol, can be difficult to stay away from and are an escape for many that have had a difficult upbringing as Peter has. The requests are not meant to punish Peter but to protect Trinity. Respondents state the agree that it is important for Peter to be a part of Trinity's life.	
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: KT	
		Reviewed on: 1/10/14	
		Updates:	
		Recommendation:	
		File 20 – Henson	

Atty Roman, Guillermo (Pro Per – Maternal Grandfather – Petitioner)
 Atty Avila, Maria Guadalupe (Pro Per – Maternal Grandmother – Petitioner)

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

Isaac age: 5 years	TEMP EXPIRES 1/1314	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Petitioner's fee waiver was denied on 11/3/13. Therefore the filing fee of \$225.00 is now due.</p> <p>Court Investigator Jennifer Young to provide:</p> <p>1. Court Investigator's Report 2. Clearances</p>
Ilin age: 1 year	<p>GUILLERMO ROMAN and MARIA GUADALUPE AVILA, maternal grandparents, are petitioners.</p> <p>Father (both minors): UNKNOWN – Court dispensed with notice to the fathers by minute order dated 1/2/14.</p> <p>Mother: CRYSTAL ROMAN – personally served on 12/11/13.</p> <p>Paternal Grandparents: Unknown</p> <p>Petitioners state they are the grandparents of the children. The mother is using drugs and is not taking care of the children properly. They fear the children may be in danger because of the mother's uncontrolled drug use. For the safety of the children they are requesting a guardianship.</p>	
Cont. from		
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
✓ Pers.Serv.	W/	
✓ Conf. Screen		
✓ Letters		
✓ Duties/Supp		
Objections		
Video Receipt		
CI Report	X	
9202		
✓ Order		
Aff. Posting		
Status Rpt		
✓ UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 1/10/14
		Updates:
		Recommendation:
		File 21 – Roman

Atty Fair, James Lester (Pro Per – Petitioner – Maternal Uncle)

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

Age: 16 years		TEMPORARY EXPIRES 01/13/2014		NEEDS/PROBLEMS/COMMENTS:	
		JAMES LESTER FAIR , maternal uncle, is petitioner.		Minute Order of 12/09/2013: Bernard Fair objects to the guardianship.	
Cont. from 120913		Father: JOHN ESTRADA – Court Dispensed with Notice per Minute Order of 10/22/2013		As of this examiner’s review no written objections have been filed.	
<input type="checkbox"/>	Aff.Sub.Wit.	<input type="checkbox"/>			
<input type="checkbox"/>	Verified	<input type="checkbox"/>			
<input type="checkbox"/>	Inventory	<input type="checkbox"/>			
<input type="checkbox"/>	PTC	<input type="checkbox"/>			
<input type="checkbox"/>	Not.Cred.	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Notice of Hrg	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Aff.Mail	<input type="checkbox"/>			
<input type="checkbox"/>	Aff.Pub.	<input type="checkbox"/>			
<input type="checkbox"/>	Sp.Ntc.	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Pers.Serv.	w/			
<input type="checkbox"/>	Conf. Screen	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Letters	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Duties/Supp	<input type="checkbox"/>			
<input type="checkbox"/>	Objections	<input type="checkbox"/>			
<input type="checkbox"/>	Video Receipt	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	CI Report	<input type="checkbox"/>			
<input type="checkbox"/>	9202	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Order	<input type="checkbox"/>			
<input type="checkbox"/>	Aff. Posting	<input type="checkbox"/>			
<input type="checkbox"/>	Status Rpt	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	UCCJEA	<input type="checkbox"/>			
<input type="checkbox"/>	Citation	<input type="checkbox"/>			
<input type="checkbox"/>	FTB Notice	<input type="checkbox"/>			
		Mother: MEGUMI FAIR , personally served on 10/11/2013			
		Paternal grandparents: Court Dispensed with Notice per Minute Order of 10/22/2013			
		Maternal grandfather: Bernard Fair, served by mail 11/18/2013			
		Maternal grandmother: Emi Fair, served by mail on 11/18/2013			
		Minor: Jessica Monique Estrada, Consents and Waives Notice			
		Siblings: Felicia Neill, and Alexander Fair, Consent and Waive Notice			
		Petitioner states the minor recently suffered a traumatic brain injury and requires 24 hour care. Her mother is unfit to care for her and would not be physically able to care for her. CPS officer advised the petitioner to seek guardianship as soon as possible so that the mother would not be allowed to see the child based on the fact that the mother is not in her right mind.			
		Court Investigator Dina Calvillo’s report filed 11/26/2013.			
				Reviewed by: LV	
				Reviewed on: 01/10/2014	
				Updates:	
				Recommendation:	
				File 22 – Estrada	