

Petitioner states, continued:

- As more particularly set forth in the attached *Declaration of Alexander F. Simas*, it appears that following the 1/29/2004 denial of the *Petition for Authorization to Dismiss Survivor Action*, Mr. Rigali closed his probate file, sending it to an off-site storage facility; he apparently thought nothing further needed to be done;
- Shortly thereafter, he was elected as a judge of the Santa Barbara County Superior Court and left the firm; no one remaining in the firm had any knowledge that this matter had been left unresolved;
- The following claims [totaling **\$15,275.06**] have been properly filed with the Court and served on the Estate; none of them have been paid as the Estate has no assets; there has been no contact with any of the creditors since March 2003:
 - Discover Financial for **\$7,767.00**;
 - American Express for **\$348.38**;
 - Citibank (South Dakota) NA for **\$7,159.68**.
- Petitioner has diligently searched for all assets of Decedent but has failed to discover any property of any kind belonging to the Estate that is subject to administration;
- All costs, expenses, and premiums on surety bonds incurred in the administration of the Estate have been paid with funds provided by the Petitioner outside the Estate.

Petitioner prays for an Order:

- 1. Terminating further proceedings for the Estate's administration; and**
- 2. Discharging Petitioner as the Estate's Administrator.**

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

DOD: 10/19/87	<p>CURTIS LEE, son, was appointed Administrator with Will Annexed with bond in the amount of \$9,000.00 on 01/13/04.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
	<p>Bond was filed 02/19/04 and Letters were issued on 03/30/04.</p>	<p>See page 2C Petition for Surcharge.</p>
<p>Cont. from 092812, 111612, 011813, 071913, 082313, 091213, 101713, 112013</p>	<p>I & A showing the value of the estate at \$9,000.00 was filed on 03/22/04 and Reappraisal for Sale I & A filed 04/01/01 showed the value of the estate at \$13,000.00.</p>	
Aff.Sub.Wit.	<p>On 8/29/12 the attorney of record, Darlene Kelly, was relieved as counsel.</p>	
Verified		
Inventory	<p>Minute Order from 8/29/12 the court set an Order to Show Cause hearing regarding Curtis Lee's failure to file an accounting. Curtis Lee was ordered to be personally present on 9/28/12. Counsel need not appear.</p>	
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail	<p>On 9/28/12 there were no appearances.</p>	
Aff.Pub.	<p>Minute order dated 11/16/12 states the court on its own motion removes Curtis Lee as the administrator and appoints the Public Administrator.</p>	
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	<p>Letters for Successor Administrator with Will Annexed were issued for the Public Administrator on 12/11/2012.</p>	
Letters		
Duties/Supp	<p>The bonding company was mailed notice of Curtis Lee's removal as Administrator on 12/12/12.</p>	
Objections		
Video Receipt	<p>Former Status Report of the Public Administrator filed on 7/16/2013 states upon receiving the file Administrator and his attorney reviewed it to determine what the asset were, and what surcharge would be appropriate against the former administrator. However, upon further investigation, it appears that if Mr. Lee misappropriated any amount, it may only be \$3,000. In addition, he may be the only heir. The Public Administrator is sorting through County records to determine if there is any documentation to support his claims. Therefore the successor Administrator requests this matter be set out for 30 days, or a date convenient to the court.</p>	
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: KT</p>
		<p>Reviewed on: 1/14/14</p>
		<p>Updates:</p>
		<p>Recommendation:</p>
		<p>File 2A – Baker</p>

Status Report of the Public Administrator filed on 8/5/2013 states the Public Administrator did not locate the whereabouts of the other three beneficiaries. The California Inmate Locator sited and TLO did not show anything for Billie Lee or Willie Lee.

If the Court accepts the allegations of Curtis Lee as set forth in his declaration filed on 12/2/2003, then the Court can determine that Mr. Lee is the only heir. Thus, no other person would be harmed by any purposeful or inadvertent misconduct while acting as administrator.

County Counsel confirmed Probate Referee Rick Smith that he was paid for his appraisal. Mr. Lee would still be responsible for fees owing to the Court.

If the Court does not accept Mr. Lee's allegations, the Public Administrator would need guidance from the Court to continue administering the estate.

Note:

The decedent died on 10/19/1987. It appears she was survived by her four children, former Administrator, Curtis Lee, Billie Lee, Jr., Willie Lee, Jr. and Bertha Lee. In Curtis Lee's declaration filed on 12/3/2003 he states he last saw his sister Bertha at their mother's (decedent) funeral. Mr. Lee states he last saw his brother Willie in 1995 and that he last saw his brother Billie in approximately 1999.

Decedent's Will devised her entire estate to her four children, Curtis, Bertha, Billie and Willie. Since they all survived, regardless if they subsequently died, they (or their estates) are entitled to a share of this estate.

Probate Code § 11850 allows for property to be distributed to the County Treasury where the whereabouts of the distributee is unknown. Therefore it appears that if the whereabouts of the Bertha, Willie and Billie (who are entitled to distribution because they survived their mother) is unknown then the share that would go to Bertha, Billie and Willie should be deposited with the County Treasury.

Hearing Re: Request for Instruction

DOD: 10/19/1987	<p>CURTIS LEE, son, was appointed Administrator with Will Annexed with bond in the amount of \$9,000.00 on 01/13/04.</p> <p>Bond was filed 02/19/04 and Letters were issued on 03/30/04.</p> <p>I & A showing the value of the estate at \$9,000.00 was filed on 03/22/04 and Reappraisal for Sale I & A filed 04/01/01 showed the value of the estate at \$13,000.00.</p> <p>Minute order dated 11/16/12 states the court on its own motion removes Curtis Lee as the administrator and appoints the Public Administrator.</p> <p>Letters for Successor Administrator with Will Annexed were issued for the Public Administrator on 12/11/2012.</p> <p>The bonding company was mailed notice of Curtis Lee's removal as Administrator on 12/12/12.</p> <p>Minute Order dated 8/23/13 set this status hearing re: Request for Instructions (please see page 2A)</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>See page 2C Petition for Surcharge.</p>
Cont. from 091213, 101713, 112013		
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: 1/14/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2B – Baker</p>

2C Theola Louise Baker (Estate)

Case No. 03CEPR01573

Atty Lee, Curtis (former Administrator)

Atty Kruthers, Heather H (for Petitioner/Successor Administrator/Public Administrator)

Petition for Surcharge Against Former Administrator for Breach of Fiduciary Duty
[Prob. C. 9600 et seq; 11050]

DOD: 10/19/1987	PUBLIC ADMINISTRATOR , successor Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Continued from 11/20/13. Minute order states Mr. Roberts advises the Court that they withdrew as counsel a year ago. Mr. Roberts further advises that he has been in contact with the Lees and he is requesting a continuance to resolve this matter.	
Cont. from 112013	<p>Petitioner states according to the Court file former Administrator Curtis Lee entered into a sale agreement for \$13,000.00 for the real property, the only asset of the estate. Chicago Title provided a Seller's Statement dated October 8, 2004. One line reads, "REIMBURSEMENT OF FEES PAID TO CURTIS LEE." The amount was \$7,415.00. According to an e-mail written by a woman named Cindy Lee, also provided by Chicago Title, the breakdown of the reimbursements were for attorney's fees, taxes, garbage bins, tractor rental and fines from the County. Of obvious concern to petitioner is money paid to an attorney before any fees were approved by this Court. Unfortunately, he is not aware of which attorney received the money from Mr. Lee, if any.</p> <p>After all the fees, commissions, and other sale expenses were paid out of escrow, Mr. Lee received the remaining \$3,349.16. This is what he should have received in his capacity as personal representative. Instead he kept that money too.</p> <p>Mr. Lee did not file an accounting of his tenure as administrator. Therefore, he should be surcharged for the total amount of the estate not accounted for. The sale of the sole asset was for \$13,000. Mr. Lee should be surcharged for the \$7,415.00 he took from escrow as "reimbursements". He should also be surcharged for the \$3,349.16 that was turned over to him as personal representative.</p> <p style="text-align: center;">Please see additional page</p>		
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input 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			
Please see additional page		Reviewed by: KT Reviewed on: 1/14/14 Updates: Recommendation: File 2C – Baker	

2C

Mr. Lee was sanctioned \$1,000 by the Court for failure to appear. He has not paid the sanction, and therefore, it should also be part of the surcharge against him.

The total surcharge against Curtis Lee, former administrator, is \$11,764.16. The Public Administrator and his attorney, County Counsel, will also see fees for their services in bringing the surcharge action. The underlying surcharge is more than the bond, proof of which, was posted on 2/19/2004 in the amount of \$9,000.00.

Petitioner requests that the bond company, Surety Bonding Company of America (SBCA), be ordered to pay to the successor administrator the full amount of the bond, \$9,000.00 as a surcharge against Curtis Lee, for breaching his fiduciary duty to the beneficiaries and creditors of the estate by misappropriating funds.

The Public Administrator reserves his right to seek payment for his and his attorney's services.

Wherefore, petitioner prays that,

1. The Court find that the former administrator, Curtis Lee, breached his fiduciary duty to the beneficiaries and the creditors of the estate.
2. The Court find that the actual loss to the estate is a minimum of \$11,764.16, and make an order of surcharge against the former administrator in that amount.
3. The bond company, SBCA, be ordered to pay the successor administrator the full amount of the bond, \$9,000.00.

Declaration of David A. Roberts regarding Petition for Surcharge. Mr. Roberts states he is a partner in the law firm of Caswell, Bell & Hillison, LLP (CBH). In 2003, Curtis Lee retained the law firm to probate his mother's will. Mr. Lee gave CBH an initial retainer and reimbursed them for costs incurred during the probating of the estate. Shortly after the court granted Mr. Lee's petition to sell the real property, CBH lost contact with him. The attorney who originated and was handling the matter left CBH. Upon review of the matters he left behind, CBH discovered this probate. CBH attempted to reestablish contact with Mr. Lee and upon failing to do so, file a motion and the court allowed them to withdraw from the case.

Only costs incurred in this probate proceeding in the amount of \$748.00 were paid to CBH by Curtis Lee. There were no attorney's fees paid. The attorney's fees in the amount of \$1,875.00 referenced in the Petition for Surcharge were never received by CBH.

Please see additional page

Declaration of Curtis Lee Regarding Petition for Surcharge Against Former Administrator filed on 1/13/14. Mr. Lee states he had maintained the property since his mother's death in 2003. He realized that it cost too much money to maintain and decided to sell the real property. The real property was run down with an old shack-type structure and out buildings on it. It was necessary to demolish all buildings on the property, clean up trash deposited by vagrants and keep the weeds cleared from the property so that his mother's estate would not receive a fine from the County.

Mr. Lee states his sister lived in Central Mexico with her husband. Mr. Lee nor any of his siblings have heard from her since their mother's funeral and some family members told him that they believed she died in Mexico a few years ago.

Mr. Lee states when he began the probate process it had been 9 years since he had heard from his brother Willie Lee. At their mother's funeral Willie told him he didn't want anything from their mother's estate. Mr. Lee states Willie told him that he wanted to give up his rights to any property or money he would inherit. He signed a document stating that he gives up his interest in the estate (exhibit A to the declaration). He did ask for \$30.00.

Mr. Lee states his brother Billie Lee, has been in and out of jail, and has had many run ins with the law over the years. He has been a vagrant for many years and the family did not know how to contact him. None of the siblings helped to maintain the property or pay any bills pertaining to the probate.

During the course of the probate the court signed an order confirming the sale of the real property for \$13,000.00. Mr. Lee states his attorney told him that he would be reimbursed for any costs that he advanced on behalf of his mother's estate so his wife Cindy sent an e-mail to the escrow officer telling her to provide Mr. Lee with a check for \$7,415.00 directly from the escrow account. The balance of the escrow funds in the amount of \$3,349.16 were paid to the estate.

Mr. Lee states the reimbursement to him in the amount of \$7,415.00 was for his actual out-of-pocket expenses and estimated attorneys' fees, administrator's commissions and costs advanced paid by Mr. Lee and future costs. The attorney fees were never paid to Mr. Lee's attorney and the commissions were never distributed to Mr. Lee. The sum of \$1,040.00 is still in a bank account. It is not in the estate bank account that was initially set up because after a period of inactivity, the bank said they would no keep the account open and would have to turn the funds over to the State of California Unclaimed Property.

Mr. Lee provides an itemized list of out-of-pocket costs paid by him totaling \$1,074.00 for filing fees, publication, certified copies, bond, and for the probate referee.

Mr. Lee also provides an itemization of funds paid by him in connection with the real property totaling \$6,047.75 and also includes copies of receipts.

Mr. Lee states he wanted to make sure both his brother's received something from his mother's estate so on 6/10/05, when his brother surfaced, Mr. Lee states he gave him \$1,000.00 as his share of the estate. Mr. Lee states he also paid his brother Willie, the sum of \$1,000.00 even though he signed his rights away. Evidence of payment to his brother's is attached as Exhibit E.

Please see additional page

Declaration of Curtis Lee Regarding Petition for Surcharge Against Former Administrator filed on 1/13/14 (cont.): Mr. Lee states, in summary he is responsible for the accounting to the \$7,415.00 that was disbursed to him through the escrow, plus the \$3,349.16 payable to the estate for a total of \$10,764.16. Mr. Lee's total out of pocket costs were \$9,351.75. There is still \$1,406.41 left in the account for payment of attorneys' fees and costs. Mr. Lee notes that Willie Lee and Billie Lee have already been paid \$1,000.00 each. If his sister Bertha Louise Lee resurfaces or is found to be alive, Mr. Lee states he will make sure that she receives the sum of \$1,000.00, even if it is paid from his own funds.

Tenth Account and Report of Trustee and Petition for Its Approval; for Allowance of Trustee's and Attorney's Fees and Costs; and for Change to Budget [Prob. C. 17200(b)(5)(6)]

		BRUCE BICKEL , successor trustee, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The monthly budget attached to the accounting includes \$800.00 per month each for attorney and trustee fees. It is unclear whether these fees are paid on a monthly basis or if this amount is just budgeted for each month. There is no request for ongoing recurring payment to the trustee or attorney. Need clarification. It is noted that the requested attorney fee is less than what is budgeted, but the requested trustee fee far exceeds the budgeted amount.</p> <p>Reviewed by: JF</p> <p>Reviewed on: 01/13/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3 – Duran</p>
		Account period: 08/01/11 – 06/30/13	
		Accounting - \$163,660.63	
		Beginning POH - \$26,709.77	
		Ending POH - \$49,463.65	
		(\$27,158.79 is cash)	
		Trustee - \$28,918.50 (for:	
		Administrative Services 25.45 hours	
		Transactional Services 95.34 hours	
		Case Mgmt. Services 116.90 hours	
		Clerical Services 4.65 hours	
		242.34 hours at an	
		effective rate of \$119.33/hr., rates for services	
		range from \$150/hr. to \$60/hr.; itemized by date)	
		Attorney - \$4,522.00	
		(itemized by date – 8.10 hours @ \$280/hr.; 15.25	
		hours at \$140/hr.; and 1.40 hours @ \$85/hr.)	
		Attorney costs - \$513.00 (court call	
		appearance and filing fees)	
		Petitioner requests to increase the budget	
		amount to Comcast cable services to	
		\$250.00/month due to Daniel greatly exceeding	
		his former budget for this item. The average	
		monthly amount spent during this accounting	
		period was \$248.00.	
		Petitioner prays for an Order:	
		1. Settling, allowing the account and report	
		and approving and confirming the acts of	
		Petitioner for the accounting period of	
		08/01/11 – 06/30/13;	
		2. Authorizing the trustee and attorney fees	
		and costs;	
		3. Authorizing the Comcast cable amount in	
		the trust budget to be increased to	
		\$250.00/month.	
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

(1) Third and Final Account and Report of Guardian, (2) Waiver of Compensation by Guardian of Estate, (3) Petition for Attorney’s Fees and Costs Reimbursement of the Attorney, (4) for Authority to Deliver Assets and Discharge the Guardian

		MARLA FUJISAWA , Sister and Guardian of the Person and Estate with bond of \$50,000.00, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The accounting indicates that the minor has been paying one-half of household expenses (house, utilities, pool, phone/internet). However, it appears that numerous people reside in the household. See Notice of Hearing indicating that six (6) people were sent notice at the Trenton Avenue address.</p> <p>Need clarification regarding the minor’s share of household expenses. Has the minor received an interest in the property for his contributions?</p> <p><u>Note:</u> A declaration filed in connection with a prior accounting stated the guardian assumed the first and second mortgages on the home upon their mother’s passing in 2004 so Brendon could continue to reside there. The declaration states that regardless of whoever else lives in the home, including the guardian’s husband and other siblings, the home is considered to belong to Brendon and Marla; therefore, the two of them share the expenses. However, it does not appear that the guardianship estate owns an interest in the home.</p> <p>2. <u>Distributions exceeded income by \$2,298.38.</u> As such, the Court may require clarification regarding the numerous distributions for fast food, restaurant meals on top of grocery purchases and cash distributions for lunch and allowance, <u>with reference to the Guardian’s duty to manage the minor’s assets with prudence.</u></p> <p>3. The proposed order has been interlineated with the distribution amount of \$22,567.78. (The order indicated the entire \$26,377.78.) However, the Court may require that a revised order be provided for signature.</p>
		Account period: 8-30-12 through 9-11-13	
	Aff.Sub.Wit.	Accounting: \$45,192.48	
✓	Verified	Beginning POH: \$28,676.16	
	Inventory	Ending POH: \$26,377.78	
	PTC	Guardian: Waives	
	Not.Cred.	Attorney: \$3,350.00 (Per Declaration and itemization, for 11.70 hours @ \$250/hr)	
✓	Notice of Hrg	Costs: \$460.00	
✓	Aff.Mail	Petitioner requests an order:	
	Aff.Pub.	1. Approving, allowing and settling the Third and Final Account;	
	Sp.Ntc.	2. Authoring the attorney fees and costs;	
	Pers.Serv.	3. Payment of \$22,567.78 to Brendon Fujisawa, age 18;	
	Conf. Screen	4. Discharging the guardian after one year and upon filing of the ex parte request for discharge and order and receipt from the distribution to the minor; and	
	Letters	5. For such other relief that the Court considers proper.	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	2620(c)		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: skc	
		Reviewed on: 1-14-14	
		Updates:	
		Recommendation:	
		File 4 – Fujisawa	

Atty Kruthers, Heather H., of County Counsel's Office (for Petitioner Public Guardian)

(1) Third and Final Account and Report of Guardian; (2) Petition for Allowance of Compensation to Guardian and Attorney; and (3) Distribution

Age: 18 years	PUBLIC GUARDIAN , Guardian of the Estate appointed on 11/19/2006, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
DOB: 10/12/1995		
Cont. from	Account period: 12/24/2011 – 11/14/2013	
<input type="checkbox"/> Aff.Sub.Wit.	Accounting - \$35,005.77	
<input checked="" type="checkbox"/> Verified	Beginning POH - \$34,970.73	
<input type="checkbox"/> Inventory	Ending POH - \$28,640.16 <i>(all cash)</i>	
<input type="checkbox"/> PTC	Guardian - \$322.48 <i>(1.38 Deputy hours @ \$96/hr and 2.50 Staff hours @ \$76/hr)</i>	
<input type="checkbox"/> Not.Cred.	Attorney - \$600.00 <i>(less than \$2,500.00 per Local Rule @ \$1,250.00 for 2 years;)</i>	
<input checked="" type="checkbox"/> Notice of Hrg	Bond fee - \$143.20 (OK)	
<input checked="" type="checkbox"/> Aff.Mail W/	Costs - \$435.00 <i>(filing fee)</i>	
<input type="checkbox"/> Aff.Pub.	Petitioner prays for an Order:	
<input type="checkbox"/> Sp.Ntc.	1. Finding that the guardianship of the estate of the minor terminated on her age of majority on 10/12/2013;	
<input type="checkbox"/> Pers.Serv.	2. Approving, allowing and settling the Third and Final Account;	
<input type="checkbox"/> Conf. Screen	3. Authorizing the Guardian commissions and attorney fees;	
<input type="checkbox"/> Letters	4. Authorizing payment of the bond fee and reimbursement of costs; and	
<input type="checkbox"/> Duties/Supp	5. Authorizing Petitioner to distribute the remaining property of \$27,139.[48] to KRISTA BRATTON.	
<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: LEG
		Reviewed on: 1/13/14
		Updates:
		Recommendation: SUBMITTED
		File 5 – Bratton

DOD: 01/19/2009		<p>MARLIN L. HECKMAN, son/named executor without bond is petitioner.</p> <p>Full IAEA – o.k.</p> <p>Will dated: 09/18/1974 Original Will admitted 05/05/2009</p> <p>Unsigned Supplemental Inventory & Appraisal filed 04/04/2013 showing real property in the amount of \$100,000.00.</p> <p>Residence: Fresno Publication: The Business Journal</p> <p>Estimated value of the Estate: Real Property - \$100,000.00</p> <p>Probate Referee: Rick Smith</p> <p>Petitioner states after the close of the probate administration in this case with the decedent's son Melvin R. Heckman, as Executor, who acted because he lived nearest this court, there was discovered a partial interest in real property in the decedent's name.</p> <p>There was no omnibus clause in the prior order of distribution entered 01/04/2010.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Melvin R. Heckman was appointed Executor on 05/05/2009. Letters were issued on 05/05/2009. Order for Final Distribution signed on 01/04/2010. Melvin R. Heckman died on 10/05/2012.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 06/13/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Friday, 03/13/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail w/		
<input checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Reviewed by: LV			
Reviewed on: 01/13/2014			
Updates:			
Recommendation: Submitted			
File 6 – Heckman			

(1) Petition for Final Distribution on Waiver of Accounting; and (2) for Allowance of Compensation for Statutory Attorney Fees and Extraordinary Attorney Fees

DOD: 7-17-12	KATHRYN LOPEZ , Administrator with Limited IAEA with bond of \$150,000.00, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. <u>Prior notes stated:</u> Local Rule 7.16 authorizes a flat fee of \$1,000.00 without the need to itemize time in connection with court-confirmed sales of real property.</p> <p>Attorney Mechill's declaration in support of extraordinary attorney fees includes <u>both</u> the \$1,000 flat fee for sale of the real property, which appears to include time spent connection with the actual confirmation transaction pursuant to local rule, <u>but also includes</u> an itemized list of additional services in connection with the sale, including negotiation of the listing agreement, etc., that are billed hourly totaling \$2,400.00.</p> <p>The local rule is designed to cover all extraordinary services in connection with sale of real property that is confirmed by the Court, including services leading up to the actual confirmation, without itemization. As such, \$1,000.00 is allowable without <u>any</u> itemization. Alternatively, itemization is required for all services. The Court may require further itemization for Attorney Mechill's extraordinary fee request.</p> <p><u>Update:</u> Attorney Mechill's Declaration filed 12-11-13 includes itemization indicating that the additional time expended for which the flat fee of \$1,000.00 was requested actually totals \$3,240.00; however, due to the small size of the estate he was concerned about billing this amount. See itemization.</p> <p>2. The revised order still does not specify monetary distributions to each heir per Local Rule 7.6.1.A. The Court may interlineate, or may require revised order.</p>
	Accounting is waived.	
Cont. from 121113		
Aff.Sub.Wit.	I&A: \$99,725.00	
✓ Verified	POH: <u>Approx</u> \$70,100.00 cash plus two guns	
✓ Inventory		
✓ PTC	Administrator (Statutory and Extraordinary): Waived	
✓ Not.Cred.		
✓ Notice of Hrg	Attorney (Statutory): \$3,990.00 (\$1,995.00 each to Attorneys Hamilton Skinner and Mechill	
✓ Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	Attorney Hamilton Skinner (Extraordinary): \$1,008.00 (pursuant to declaration, for 4.2 attorney hours @ \$240/hr for legal research and services, etc., in connection with release of the obligation)	
Conf. Screen		
✓ Letters		
Duties/Supp		
Objections		
Video Receipt	Attorney Mechill (Extraordinary): \$5,680.00 (pursuant to declaration, for 19.5 hours @ \$240/hr for legal services in connection with the sale of the real property and release of the creditor's claim) (Also see additional declaration filed 12-11-13.)	
CI Report		
✓ 9202		
✓ Order	<p>Distribution pursuant to intestate succession and Order Authorizing Administrator to Release Obligation Due Decedent in Exchange for Satisfaction of Interest in Estate:</p> <p>Rachel Ben: <u>Approx.</u> \$30,500 plus two guns (per agreement filed 12-11-13)</p> <p>Kathryn Lopez: <u>Approx.</u> \$30,500</p>	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
✓ FTB Notice		
	Reviewed by: skc	
	Reviewed on: 12-10-13	
	Updates:	
	Recommendation:	
	File 7 – Lopez	

(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]

DOD: 6/30/13	PUBLIC GUARDIAN, Conservator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 8/15/12 – 6/30/13	
Cont. from	Accounting - \$27,905.91	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH - \$0	
<input checked="" type="checkbox"/> Verified	Ending POH - \$ 5,186.63	
<input type="checkbox"/> Inventory	Subsequent account period: 8/15/12 – 6/30/13	
<input type="checkbox"/> PTC	Accounting - \$8,766.04	
<input type="checkbox"/> Not.Cred.	Beginning POH - \$5,186.63	
<input checked="" type="checkbox"/> Notice of Hrg	Ending POH - \$9,138.63	
<input checked="" type="checkbox"/> Aff.Mail W/	Conservator - \$14,354.40	
<input type="checkbox"/> Aff.Pub.	(123.40 Deputy hours @ \$96/hr and 33.00 Staff hours @ \$76/hr)	
<input type="checkbox"/> Sp.Ntc.	Attorney - \$2,000.00 (per Local Rule)	
<input type="checkbox"/> Pers.Serv.	Bond fee - \$25.00 (o.k.)	
<input type="checkbox"/> Conf. Screen	Petitioner request that due to the insufficiency of the estate to pay the fees and commissions that a lien be imposed upon the estate for any unpaid balances of the authorized fees and commissions.	
<input type="checkbox"/> Letters	Petitioner prays for an Order:	
<input type="checkbox"/> Duties/Supp	1. Approving, allowing and settling the First and Final Account;	
<input type="checkbox"/> Objections	2. Authorizing the conservator and attorney fees and commissions;	
<input type="checkbox"/> Video Receipt	3. Payment of the bond fee;	
<input type="checkbox"/> CI Report	4. Authorize petitioner to impose a lien on the estate for any unpaid balances of authorized fees and commissions	
<input type="checkbox"/> 9202		Reviewed by: KT
<input checked="" type="checkbox"/> Order		Reviewed on: 1/14/14
<input type="checkbox"/> Aff. Posting		Updates:
<input type="checkbox"/> Status Rpt		Recommendation:
<input type="checkbox"/> UCCJEA		File 8 – Waer
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

Petition to Fix Residence Outside the State of California

Age: 20	DEBRA PASLEY , mother/Conservator of the Person and Estate, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition to Fix Residence Outside the State of California</i> for: David Hal Jones (father). <i>Probate Code § 2352(c)</i>. 3. Need Order. <p>Note: Petitioner has served and filed the <i>Pre-Move Notice of Proposed Change or Personal Residence of Conservatee or Ward</i>. After the move, the Conservator must also serve a <i>Post-Move Notice of Change of Residence of Conservatee or Ward</i> (Judicial Council Form GC-080) within 30 days of the move and file the original with the court.</p>
	Petitioner was appointed Conservator of the Person and Estate on 03/05/13 with bond set at \$15,000.00. Letters of Conservatorship were issued on 03/28/13.	
Cont. from	Father: DAVID HAL JONES	
<input type="checkbox"/> Aff.Sub.Wit.	Petitioner states that she has accepted employment out of state and is moving to Moneta, Virginia.	
<input checked="" type="checkbox"/> Verified	Petitioner requests permission to fix the residence of the Conservatee outside the state of California to Virginia.	
<input type="checkbox"/> Inventory	Petitioner states the duration of the out of state move is expected to be more than four months and a Conservatorship proceeding will be commenced in the place of new residence.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 01/14/14
		Updates:
		Recommendation:
		File 9 – Pasley

Margaret Mitchell DOD: 9-17-09		SUSAN MITCHELL and ROBERT SMITTCAMP, Co-Trustees, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
William Mitchell DOD: 4-27-11			
Cont. from		Account period: 11/01/12 – 11/19/13	
	Aff.Sub.Wit.	Accounting - \$59,565.95	
✓	Verified	Beginning POH - \$55,754.40	
	Inventory	Ending POH - \$0.00	
	PTC	(\$46,317.60 was distributed)	
	Not.Cred.	Trustees - waive	
✓	Notice of Hrg	Petitioner state that the amount remaining to be distributed included mineral interests in Nevada County, CA valued at \$3,001.00. The Co-Trustees have been unsuccessful in selling these mineral interests. Beneficiary, Gail Burson agreed to purchase the mineral rights for \$3,001.00.	
✓	Aff.Mail w/		
	Aff.Pub.	Petitioners state that all remaining assets of the Trust will be distributed to the beneficiaries as follows:	
	Sp.Ntc.	Gail Burson - \$12,438.20	
	Pers.Serv.	Nancy L. Mitchell - \$15,439.20	
	Conf. Screen	Susan Mitchell - \$15,439.20	
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: JF
			Reviewed on: 01/14/14
			Updates:
			Recommendation:
			File 10 – Mitchell

		TEMP EXPIRES 12-18-13, extended to 1-15-14	NEEDS/PROBLEMS/COMMENTS:
		GALE BREWER MUNCE , Maternal Great-Grandmother, is Petitioner.	<u>Minute Order 12-18-13</u> : The Court orders that Ms. Munce intervene in the Family Law matter and seek a prompt order. The temporary is extended to 1/15/14. Continued to 1/15/14; Temporary Guardianship Letters extended to 1/15/14.
Cont. from 121813		Father: JAMES PARKER - <i>Objection filed 12-27-13</i>	<p><u>The following issues remain:</u></p> <ol style="list-style-type: none"> 1. Need Confidential Guardian Screening Form (Mandatory Judicial Council Form GC-212). 2. Need Notice of Hearing. 3. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ul style="list-style-type: none"> - James Parker (Father) - Eden Lantia (Mother) 4. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ul style="list-style-type: none"> - Joseph Parker (Paternal Grandfather) - Teresa Parker (Paternal Grandmother) - Curtis Lantia (Maternal Grandfather) 5. The Court may require clarification regarding the <u>presently pending</u> family law action. See Local Rule 7.15.7.
<input type="checkbox"/>	Aff.Sub.Wit.	Mother: EDEN LANTIA	
<input checked="" type="checkbox"/>	Verified	Paternal Grandfather: Joseph Parker Paternal Grandmother: Teresa Parker	
<input type="checkbox"/>	Inventory	Maternal Grandfather: Curtis R. Lantia Maternal Grandmother: Jennifer Lantia - <i>Consents and waives notice</i>	
<input type="checkbox"/>	PTC	Siblings: Hailey M. Parker (3) and Savanna R. Parker (5)	
<input type="checkbox"/>	Not.Cred.	Petitioner states: [REDACTED FOR POSTING]	
<input type="checkbox"/>	Notice of Hrg	Court Investigator Dina Calvillo filed a report on 12-16-13.	
<input type="checkbox"/>	Aff.Mail	Objection filed 12-27-13 by James Parker, Father, states he objects to the appointment of Petitioner as guardian because there is no basis for that appointment. The child is not in danger with the father. Objector states he was not provided with ANY notice of these proceedings, including the temporary or general hearings, and there is a current custody order in effect through the Family Law Court. Since the entry of the order in the Family Law matter, the parents have agreed that the existing order in that case should be modified. The parents agree that there is no basis for guardianship and Objector states the facts set forth in the petition are false. Had he been served with process he would have appeared to contest the temporary appointment. After a full review of this matter, the Court will also see that Petitioner cannot provide proper care of McKenzie and Objector asks that the petition be denied and that the issue of custody of McKenzie be dealt with in the ongoing Family Law proceeding between the parents.	
<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 checked="" type="checkbox"/>	Duties/Supp		
<input checked="" type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	Clearances		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: skc
			Reviewed on: 1-13-14
			Updates:
			Recommendation:
			File 11 – Parker

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

Age: 2		TEMPORARY EXPIRES 01/15/2013		NEEDS/PROBLEMS/COMMENTS:	
		<p>YARA CARDOSO LOPEZ, Non-relative, is Petitioner.</p> <p>Father: UNKNOWN, Court dispensed with notice pursuant to Minute Order of 11/06/2013</p> <p>Mother: CHRISTINA MONIQUE NAVARRO, Court dispensed with notice pursuant to Minute Order of 11/06/2013</p> <p>Paternal Grandfather: Unknown Paternal Grandmother: Unknown</p> <p>Maternal Grandfather: Not listed Maternal Grandmother: Rosie Morin Navarro, served by mail on 12/16/2013</p> <p>Siblings: Stephanie Navarro- served by mail on 12/16/2013 Armando, Elijah, Brianna, Mariah, Oscar, Lexi (half-siblings, last names and ages unknown, some estimated 12 or older)</p> <p>Petitioner states that in 2011, before the minor child herein was born, the mother asked Petitioner to take the baby girl and love and care for her. At the time of the baby's birth on 09/13/2011, the mother handed the child to the petitioner right after delivery. The Petitioner took her new baby home and the mother went on her way with almost all contact lost with her after that. She states she has plans to adopt the minor.</p> <p>DSS Social Worker Irma Ramirez' report filed 12/11/2013.</p>		<p>1. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with the 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"> • Paternal Grandfather (Unknown) • Paternal Grandmother (Unknown) • Maternal Grandfather (Not Listed) • Any sibling over the age of 12 	
Cont. from					
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail		w/		
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.		x		
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: LV	
				Reviewed on: 01/13/2014	
				Updates:	
				Recommendation:	
				File 12 – Yanez	

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

DOD: 05/19/2013		<p>ROBERT C. OLSEN, son/named executor without bond, is petitioner.</p> <p>Full IAEA – o.k.</p> <p>Will dated: 08/23/1995</p> <p>Residence: Fresno Publication: The Business Journal</p> <p>Estimated value of the Estate: Real property - \$132,000.00</p> <p>Probate Referee: Rick Smith</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need original will to be deposited with the Court pursuant to Probate Code §8200(a)(1).</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 06/13/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 03/13/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail w/		
<input checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input 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: LV</p> <p>Reviewed on: 01/14/2014</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13 – Padilla</p>	

Probate Status Hearing for Failure to File a First Account or Petition for Final Distribution

DOD: 5/1/2004	<p>KIMBERLY HOLLABAUGH was appointed as Administrator with full IAEA and without bond on 7/13/2004.</p> <p>Letters issued on 7/13/2004.</p> <p>Inventory and Appraisal filed on 9/29/2004 showing an estate valued at \$218,062.16.</p> <p>Attorney Richard Hemb was originally the attorney of record for Kimberly Hollabaugh. Mr. Hemb filed a Motion to be Relieved as Counsel. The Motion was granted on 7/17/2008.</p> <p>Minute Order dated 8/28/2008 removed Kimberly Hollabaugh as the Administrator and appointed the Public Administrator. The minute order ordered Kimberly Hollabaugh to turn over all documents the Public Administrator.</p> <p>Copy of the 8/28/2008 minute order was mailed Kimberly Hollabaugh but was NOT mailed to the Public Administrator.</p> <p>Status Report of the Public Administrator filed on 9/17/2013 states at the time the Public Administrator was appointed neither the Public Administrator nor County Counsel was notified of the appointment. Therefore, neither was aware of the appointment until a Notice of Status Hearing was mailed to County Counsel on 7/19/13.</p> <p>Senior Probate Assistant Susan Banuelos was assigned to investigator the matter. She located an address for the former administrator in Pennsylvania. She has attempted to make contact without success.</p> <p>Ms. Banuelos intends to attempt to contact the other two heirs.</p> <p>In order to allow time to complete the investigation and prepare the final report, the Public Administrator respectfully requests that the next status hearing be set no sooner than 90 days from the date of this status hearing.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account, petition for final 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 092013		
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: 1/14/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14 – Hollabaugh</p>	

Age: 96	<p>JULIE CARTER and FORREST LANE, daughter and son, were appointed Co-Conservators of the Person and Estate on 03/29/04. Letters of Conservatorship were issued on 05/18/04.</p> <p>Third Account and Report of Conservator was approved on 11/01/11.</p> <p>Minute Order from hearing 11/01/11 set this matter for status regarding the next accounting on 11/06/13.</p> <p>Clerk’s Certificate of Mailing filed 11/08/13 indicates that a copy of the minute order was mailed to Ruth Lind on 11/08/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;">OFF CALENDAR Fourth & Final Account filed 01/13/14 and set for hearing on 02/20/14</p>
Cont. from 110613		
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: JF</p> <p>Reviewed on: 01/13/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15 – Lane</p>	

**16 Nicholas Ivan Balero, Alyssa Lexie Duarte,
Lucas Moises Duarte, Starr Monique Duarte, and
Dominick Alexander Duarte (GUARD/P)**

Case No. 11CEPR00774

**Pro Per Balero, Vanessa (Pro Per Petitioner, mother)
Pro Per Perez, Rosie (Pro Per Objector, paternal grandmother)**

Petition for Termination

Nicholas Age: 12	<p>VANESSA BALERO, mother, is Petitioner.</p> <p>ROSIE PEREZ, paternal grandmother of Alyssa, Lucas, Starr, and Dominique, was appointed Guardian on 10/1/2012. <i>Guardian was personally served on 11/14/2013.</i></p> <p>Father (Nicholas): UNKNOWN Father (Alyssa, Lucas, Starr, Dominique): LUCAS PEREZ DUARTE; <i>Personally served on 11/14/2013.</i></p> <p>Paternal grandparents (Nicholas): Unknown Paternal grandfather (Alyssa, Lucas, Starr, Dominique): Lucas N. Duarte Maternal Grandfather: Manuel Balero Maternal Grandmother: Julie Salinas</p> <p>Petitioner states her children are being abused, neglected, and verbally abused. Petitioner states she feels she has established herself with a good home environment for her children, and has kept a good job for a year and 2 months.</p> <p>Objection to Termination of Guardianship filed by Rosie Perez, Guardian, on 12/10/2013 states: She believes termination will be detrimental to the children's emotional stability; they have had a stable, structured life with the Guardian's family for the last year and prior to that also; the four youngest children have all done very well in school and received awards for perfect attendance; the children have had about 10 visits with their mother in the last year, and all the visits have been initiated by one of the children calling their mother to ask if they could go there; some of the visits have gone well, others have not gone very well; even though the Guardian and the mother do not speak, the Guardian has not told the mother not to call her children or come by to see them, but the mother chooses not to do so; the only child having a lot of trouble is Nicholas, as he is a very angry child and is disrespectful and mean to adults and students; the Guardian decided he needs help and Nicholas now sees a therapist in school.</p> <p>Court Investigator Charlotte Bien's Report was filed on 12/30/2013.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of service by mail of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Termination of Guardianship, or Consent to Termination and Waiver of Notice, or a Declaration of Due Diligence</i>, for:</p> <ul style="list-style-type: none"> • Lucas N. Duarte, paternal grandfather; • Manuel Balero, maternal grandfather; • Julie Salinas, maternal grandmother; • Nicholas Balero, ward. 	
Alyssa Age: 11			
Lucas Age: 11			
Starr Age: 8			
Dominick Age: 5			
Cont from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
Aff.Mail			X
Aff.Pub.			
Sp.Ntc.			
✓ Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
✓ Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: LEG</p> <p>Reviewed on: 1/14/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16 – Duarte & Balero</p>	

Additional Page 16

Nicholas Ivan Balero, Alyssa Lexie Duarte,

Case No. 11CEPR00774

Lucas Moises Duarte, Starr Monique Duarte, and Dominick Alexander Duarte

NEEDS/PROBLEMS/COMMENTS for Objector Rosie Perez:

1) Need proof of mailed service of the *Notice of Hearing* with a copy of the *Objections to Petition for Termination* pursuant to Probate Code §§ 1460 and 1511 for the following persons:

- Vanessa Balero, Mother;
- Lucas Perez Duarte, Father;
- Lucas N. Duarte, Paternal grandfather;
- Manuel Balero, maternal grandfather;
- Julie Salinas, maternal grandmother;
- Nicholas Balero, ward (age 12.)

Atty Mendoza, Jovita (pro per – maternal grandmother/Petitioner)
 Petition for Termination of Guardianship

Cesar, 10	<p>JOVITA MENDOZA, maternal grandmother/Guardian, is Petitioner.</p> <p>JOVITA MENDOZA, maternal grandmother, was appointed as Guardian of the Person on 03/11/13. Letters of Guardianship were issued on 03/11/13.</p> <p>Father: CESAR GUZMAN AYALA</p> <p>Mother: ELIZABETH MENDOZA – Consent & Waiver of Notice signed 11/14/13</p> <p>Paternal grandparents: UNKNOWN</p> <p>Maternal grandfather: LUIS MENDOZA</p> <p>Petitioner requests that the guardianship be terminated because the mother is back in the home and able to care for the children.</p> <p>Court Investigator Jennifer Daniel filed a report on 01/08/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Termination of Guardianship <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ol style="list-style-type: none"> a. Cesar Guzman Ayala (father) b. Paternal grandparents c. Luis Mendoza (maternal grandfather)
Joshua, 6		
Brian, 5		
Luis, 3		
Cont. from		
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	x	
Aff.Mail	x	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 01/14/14
		Updates:
		Recommendation:
		File 17 – Guzman

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

Age: 1	TEMPORARY EXPIRES 01/15/2013		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>The following issues still remain:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. 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: <ul style="list-style-type: none"> • Pedro Herrera (Father) Unless Court dispenses with notice. 3. 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 : <ul style="list-style-type: none"> • Paternal Grandparents (Unknown) 4. UCCJEA does not provide child's residence since birth.
	<p>JOHN LEDGER, maternal uncle, is petitioner.</p> <p>Father: PEDRO HERRERA, Declaration of Due Diligence filed on 08/06/2013</p> <p>Mother: MARY HERRERA Declaration of Due Diligence filed on 08/06/2013</p> <p>Paternal Grandparents: Unknown</p> <p>Maternal Grandparents: Deceased</p> <p>Petitioner states: Absent parents. No other known relative is willing to take and provide.</p> <p>Court Investigator Dina Calvillo's report filed 10/07/2013.</p>		
Cont. from 101513, 111213			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	x		
Aff.Mail	x		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.	x		
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: LV</p> <p>Reviewed on: 01/13/2014</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18 - Herrera</p>	

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

		NO TEMP REQUESTED	NEEDS/PROBLEMS/COMMENTS: 1. Need Guardianship Petition Child Information Attachment (Mandatory Judicial Council Form GC-210CA). This form is mandatory and contains information about the minor, including required information about whether notice under ICWA may be necessary, other cases, etc.
		LORENZA CALDERON , Maternal Aunt, is Petitioner.	
		Father: Robert Anthony Fisher (Deceased) Mother: Maria Lourdes Calderon (Deceased)	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
N/A	Notice of Hrg	Paternal Grandfather: Neil Fisher - <i>Consents and waives notice</i>	
	Aff.Mail	Paternal Grandmother: Deceased Maternal Grandfather: Deceased Maternal Grandmother: Deceased	
	Aff.Pub.		
	Sp.Ntc.	Petitioners state the mother passed away naming Lorenza Calderon as the guardian in her trust. The father is also deceased.	
N/A	Pers.Serv.		
✓	Conf. Screen	Court Investigator Jo Ann Morris filed a report on 1-7-14.	
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 1-14-14
			Updates:
			Recommendation:
			File 19 – Fisher

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

Age: 1 month	<u>GENERAL HEARING 03/04/14</u>		NEEDS/PROBLEMS/COMMENTS: 1. Need <i>Notice of Hearing</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 Appointment of Temporary Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for: a. Father (unknown)		
	WENDY OKOEGWALE , maternal grandmother, is Petitioner.				
	Father: UNKNOWN				
Cont. from	Mother: MONISHA NICHOLE OKOEGWALE – Consent & Waiver of Notice filed 12/31/13				
<input type="checkbox"/> Aff.Sub.Wit.					
<input checked="" type="checkbox"/> Verified					
<input type="checkbox"/> Inventory					
<input type="checkbox"/> PTC	Paternal grandparents: UNKNOWN				
<input type="checkbox"/> Not.Cred.	Maternal grandfather: EDWARD OKOEGWALE – deceased				
<input type="checkbox"/> Notice of Hrg	x				
<input type="checkbox"/> Aff.Mail	Petitioner alleges that the mother is admittedly abusing drugs and not capable or caring for the child. Petitioner states that the mother is also developmentally delayed and shows no interest in caring for the minor. Petitioner was appointed Conservator of the Person of the Mother on 01/24/13. Petitioner alleges that the mother has abandoned her apartment, preferring to sleep in a park/be homeless.				
<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					
			Reviewed by: JF		
			Reviewed on: 01/14/14		
			Updates:		
			Recommendation:		
			File 20 – Okoegwale		