



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Request to Modify Visitation Orders

Age: 5	ANTOINETTE FULLER, paternal aunt/temporary guardian, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 12/01/14 Minute Order from 12/01/14 states: Mr. Miller is to file a copy of the order that was agreed to on 08/12/14 no later than 12/08/14, or the Court will consider imposing sanctions. Matter continued for the defects to be cured.</p> <p>Note: It does not appear that extended Letters of Temporary Guardianship have been issued to Petitioner.</p> <p>The next status hearing is set for 02/17/15 for status of the guardianship.</p> <ol style="list-style-type: none"> The Request to Modify Visitation is not Verified by Petitioner. Need <i>Notice of Hearing</i> and proof of service by mail at least 15 days before the hearing of Notice of Hearing for: <ol style="list-style-type: none"> Orrin Fuller (father) Melissa Calderon (mother) Paternal grandparents Maternal grandparents Note: Proof of Service filed 10/17/14 indicates that a copy of the Request to Modify Visitation Order was mailed to James Miller, attorney for father Orrin Fuller, on 10/17/14. Need Order.
	<p>Petitioner filed a Petition for Appointment of Temporary and General Guardian of the Person on 04/23/14. The temporary was granted Ex Parte and then extended at the hearing on 05/15/14.</p> <p>ORRIN FULLER, father, objected and the Petition Court set the matter for a settlement conference on 07/02/14. The temporary remained in place. On 08/12/14 the parties held a status hearing. Minute Order from 08/12/14 states: The parties agree to a 6 month guardianship. The child shall be enrolled in counseling. The therapist shall submit a report to this Court. The father shall enroll in a parenting class, anger management and a 52 week batterers treatment program. The father shall have supervised visits, supervised by Nancy Fuller. Attorney Miller will prepare an Order after Hearing with visitation and phone schedule. The temporary guardianship was extended to 02/12/15.</p> <p>Petitioner states that the current visitation schedule allows for supervised visits with the father in Ventura County (supervised by Nancy Fuller), the father is supposed to reimburse Petitioner the mileage spent based on IRS mileage guidelines. Petitioner states that the visits are hard on the minor and she is typically very tired after travelling the nearly 5 hours each way for the visits to take place. Petitioner states that it takes the minor a few days to recover from the visits and she is exhausted at school the next day. Additionally, Petitioner states that the father has not followed the Court order on several occasions which constitutes a change in circumstances. Further, the Father has not reimbursed any mileage to Petitioner. On 09/14/14 Petitioner drove the minor more than 300 miles to visit and the father never showed up. Because of the minors age, the length of travel and the Father's inability to attend or reimburse Petitioner for the visits, Petitioner requests that the current visitation order be modified to supervised visitation, at a supervising agency in Fresno to be paid for by the Father.</p>	
Cont. from 120114		
Aff.Sub.Wit.		
Verified	x	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	x	
Aff.Mail	x	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order	x	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: JF</p> <p>Reviewed on: 01/20/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 - Fuller</p>

Atty Upton, Andrea M. (for Petitioner Holly Foley)
 Atty Kruthers, Heather (for Public Administrator)

Petition to Compel Account

DOD: 10-3-12		<p>HOLLY FOLEY, Beneficiary, is Petitioner.</p> <p>Petitioner states the trust was created 3-29-05 by Virginia Howard as Settlor and Trustee and amended and restated in its entirety on 7-4-11, and amended again on 8-12-11. Petitioner is informed and believes that VICTORIA HOWARD is currently the sole trustee, VAUGHN HOWARD having resigned on or about 6-23-14.</p> <p>Petitioner states Virginia Howard died 10-3-12. Petitioner alleges the value of the trust at her death was over \$600,000.00.</p> <p>On 5-16-14, Petitioner, through counsel, made a written request for an account of the trust. On 5-28-14, following the sale of certain real property owned by the trust, Petitioner again requested a full and complete account of the remaining assets. Petitioner is entitled to receive an account per Probate Code §16062.</p> <p>On or about 4-15-13, Petitioner received an inventory of trust assets from the trustee's former legal counsel, but has not received anything since that date. More than 60 days have elapsed since Petitioner's written request for a full account; therefore, this petition is appropriate under Probate Code §17200(b) and Petitioner requests an order of this Court instructing the trustee to deliver an account of the transactions of the trust to Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 10-27-14: The Court notes that Victoria Howard has not responded to the petition or done anything to move this matter forward. The Court removes Victoria Howard as the trustee and appoints the Public Administrator as the successor trustee. The Court will rely on counsel to provide the Public Administrator with what is necessary.</p> <p>The following items remain noted for reference:</p> <ol style="list-style-type: none"> 1. Petitioner states Fresno County is the proper venue pursuant to Probate Code §17005 (a)(1) (principal place of administration); however, the current trustee, Victoria Howard, resides in <u>Red Oak, Iowa</u>, and the most recent former trustee, Vaughn Haward, resides in <u>Omaha, Nebraska</u>. Need clarification as to how Fresno County, CA, is the proper venue for this petition. 2. Petitioner provides the names and addresses of the beneficiaries, but does not state if these are all of the people <u>entitled to notice</u> pursuant to Probate Code §17201. Need clarification. 3. Petitioner mentions receipt of an inventory from the "Trustee's <u>former</u> legal counsel." Pursuant to Probate Code §1214, if the trustee is currently represented, notice is required to be served on the attorney, and Probate Code §17203 requires 30 days' notice. <p>The Court may require clarification as to how Petitioner knows that the trustee is no longer represented by the attorney who provided the inventory, and may require continuance for notice to the attorney for the trustee, if any.</p> <p>Note: The trust and amendments were prepared by Attorney Gilbert B. Fleming of Fresno, CA. Is this the attorney that served the inventory? If so, is this the basis for venue in Fresno?</p> <p style="text-align: center;">SEE ADDITIONAL PAGES</p> <p>Reviewed by: skc</p> <p>Reviewed on: 1-20-15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 - Howard</p>	
Cont. from 092914, 102714				
<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			

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First Supplement to Petition to Compel Account filed 10-22-14 states Attorney Gilbert Fleming continued to assist the trustees until about January 2014. Thereafter, Mr. Fleming continued to principally administer the trust from Fresno County, where the decedent resided and where both trust accounts and real property were located.

Petitioner is informed and believes that the remaining assets consist of a very small amount of money in the trust account, the trustee having depleted the account while still residing in Fresno, and the trust's interest in an investment fund.

No petition to transfer administration has been filed pursuant to § 17401 and Section 12.05 of the trust. Accordingly, administration continues to be Fresno County and venue is proper in Fresno County.

Though counsel for petitioner have repeatedly inquired as to whether the trustee has retained new counsel after Mr. Fleming withdrew in January 2014, Petitioner is informed and believes that the trustee has not, and remains unrepresented.

The following additional Examiner's Notes remain noted for reference:

Probate Code §17002 states:

17002. (a) The principal place of administration of the trust is the usual place where the day-to-day activity of the trust is carried on by the trustee or its representative who is primarily responsible for the administration of the trust.

(b) If the principal place of administration of the trust cannot be determined under subdivision (a), it shall be determined as follows:

(1) If the trust has a single trustee, the principal place of administration of the trust is the trustee's residence or usual place of business.

(2) If the trust has more than one trustee, the principal place of administration of the trust is the residence or usual place of business of any of the cotrustees as agreed upon by them or, if not, the residence or usual place of business of any of the cotrustees.

If Mr. Fleming withdrew as counsel for the trustees, how did administration of the trust continue in Fresno without him? Pursuant to Probate Code §17002, the principal place of administration follows the trustee.

§17400 applies to trusts that are already before the Court. That is not the case here, and the trust section referenced does not appear to require petition to the Court for transfer. The trust has never been before this Court.

If Mr. Fleming's former representation of the trustee is the basis for Fresno as venue, Mr. Fleming is entitled to Notice of Hearing on Mr. Fleming at least 30 days prior to the hearing pursuant to §17203 and §1214.

Also, Petitioner has now listed herself, along with her two siblings and their addresses, as all persons entitled to notice, but Petitioner still has not provided her own address to the Court. The names and addresses of each person entitled to notice are required pursuant to §17201. Need a list complete with Petitioner's address.

Octavio Ruelas DOD: 6-7-06	IRMA HICKS , a Co-Trustee of the Octavio and Mary Ruelas Family Trust, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Mary Ruelas DOD: 6-11-14	Petitioner states she and JESSE JOE RUELAS were named as joint successor trustees; however, since Mary Ruelas' passing, Jesse Ruelas has not been abiding by this provisions of the trust and has been making decisions regarding trust property without Petitioner's approval or knowledge.	Minute Order 12-1-14: The Court orders that the home needs to be vacated per the trust no later than 12-31-14; the Trustees have the responsibility to rent the property with the revenue going into the Trust account.
<hr/>		
Cont from 120114		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Article VIII, Section C of the trust provides a life estate in the trust property located at 61 N. DeWitt Ave., in Clovis to Angela Ruelas, and states that should Angela Ruelas choose not to live in said property or upon her death, the property shall be held in trust with any income distributed in equal shares to the seven heirs, approx. 14.28% each.	
<input type="checkbox"/> Inventory	Petitioner states Angela has indicated she would be granting residency in the property to Christina Ruelas, who is Co-Trustee Jesse Ruelas' daughter. Angela indicates she has made personal arrangements with Christina regarding rent and the monies are being collected by Angela without any benefit to the trust.	The following items remain noted:
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		1. The petition does not state the names and addresses of each person entitled to notice of this petition, which includes Petitioner, pursuant to Probate Code §17201. Need verified declaration with this information.
<input checked="" type="checkbox"/> Aff.Mail	Petitioner states the beneficiaries, all siblings, cannot come to an agreement as to whether this is an acceptable method for Angela to secure her life estate.	
<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	Petitioner states that according to the provisions of the trust, if Angela Ruelas chooses not to live in the home, it reverts back to trust property and is under the exclusive control of the trustees to determine the appropriate resolution regarding the property. Co-Trustee Jesse Ruelas' position is that Angela has the right to have anyone in the property she wishes during her life estate, even if she is not living in the home. This causes Petitioner concern regarding his motives, since the person living in the home is his daughter. She is receiving a great benefit from living in the home at the expense of all the beneficiaries.	
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice	Therefore, Petitioner requests instructions regarding the life estate of Angela Ruelas. Considering her non-compliance with the provision indicating that she must live in the home to ratify the life estate, Petitioner is requesting the Court instruct the 61 N. DeWitt property to revert back to trust property to be under the exclusive control of the Co-Trustees.	
<hr/>		
<p style="text-align: center;">SEE ADDITIONAL PAGES</p>		
<hr/>		
Reviewed by: skc		
Reviewed on: 1-20-15		
Updates:		
Recommendation:		
File 7 - Ruelas		

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Jesse Joe Ruelas, Co-Trustee, filed Answer and Objections on 11-14-14. Mr. Ruelas denies that he has not been abiding by the provisions of the trust and denies that he has been making decisions without Petitioner's approval or knowledge. The only dispute concerns the life estate. Respondent believes it was his parents' wishes that their youngest daughter, Angela Ruelas, was to be given a life estate in the property and is entitled to possession of the property. Petitioner disagrees.

Respondent states that the fact that he disagrees with Petitioner on this matter is not a reason to remove him as co-trustee. Respondent is concerned that if he is removed, Petitioner will ignore the terms of the trust. Petitioner wanted her son Matthew to have the home, and was upset when their mother asked Matthew to move out. Respondent states Petitioner is also upset that the home was left to Angela and Angela has not agreed to give or rent the home to Matthew.

Respondent states the only assets of the trust that he is aware of are the home and personal property at the home. There is a separate property in Ensenada being overseen by Petitioner; however, Respondent doesn't know if it is part of the trust.

Respondent states Angela has stated that she intends to return to live in the property and believes that she has been moving items into the home. Respondent is informed that Angela has allowed Christina Ruelas and her child to also reside at the home, and they have use of two bedrooms, and the others are for Angela.

Respondent believes the Court should determine the meaning of the trust terms, and this issue about Angela Ruelas' life estate in the property. Respondent denies that he has any hostility or has refused to cooperate with Petitioner as his co-trustee, and states he is not being guided in his actions by the fact that Christina is his daughter. Respondent believes Angela is entitled to the home, and Petitioner wants her out of the home so that she can rent it to her son.

See Answer for additional information. See also Points and Authorities filed concurrently. Respondent prays:

1. That the Court instruct the parties as to what, if anything, Angela Ruelas needs to do to obtain the life estate in the home and property at 61 N. DeWitt;
2. That the Court instruct the parties that Angela Ruelas has been granted a life estate in the home and property at 61 N. DeWitt;
3. That the Court declare that Angela Ruelas' life estate has not terminated;
4. That the court deny Petitioner's demand that Jesse J. Ruelas be removed as a co-trustee of the trust;
5. That Jesse J. Ruelas be reimbursed his costs and attorney fees for responding to this petition and motion; and
6. For such other relief as the Court deems just.

Angela Ruelas also filed an Answer and Objection on 11-18-14.

SEE ADDITIONAL PAGES

Page 3

Angela Ruelas states she does want to live in the home and has moving clothes and possessions into the home and purchasing furniture for the home. She agreed to sublet a portion of the home to a relative, Christina, and her child, in return for Christina contributing to pay the costs of keeping up the house, taxes, etc. Angela states she is keeping the other two bedrooms for her use alone and intends to live in the home while Christina also resides there.

Angela Ruelas states she has already done all that she needs to do to "secure" her life interest in the home and the life interest was granted to her without any conditions precedent that she had to meet before she is given the life estate. It is her understanding that the life estate continues until she dies or chooses not to live there. Neither of these conditions has occurred. Angela requests the Court say what must be done so that she can do it.

Angela Ruelas states she has tried to pay for instucance, gardener, property taxes, and other costs associated with the home, but Petitioner has interfered and made it impossible for her to pay costs directly. For example, the gardener refused to take the payment, stating that Petitioner told him not to take payments from Angela Ruelas. She has also tried to reimburse the trust for various costs and expenses, but Petitioner has refused to cash the check. She has been able to pay utilities and home warranty, and remains ready and willing to pay the other expenses, if Petitioner were not preventing it. Various authority cited.

Angela Ruelas further states that Petitioner entered the home and removed property that was supposed to stay with the home, including furniture, and requests that Petitioner return specific items.

Angela Ruelas prays:

1. That the Court deny Petitioner's request that the court find that her life estate in the property is terminated;
2. That the Court give instructions and declare that she has a life estate in the home and that there were no conditions precedent to her obtaining the life estate;
3. That if the court finds that there are conditions precedent to her obtaining the life estate, that the court give instructions as to what, if anything, she needs to do to obtain the life estate, and give time to meet those conditions;
4. That the Court deny Petitioner's request that the court find that the life estate is terminated;
5. That the Court find that she has not terminated her life estate in the property;
6. That the Court order Petitioner to return the taken property to the home;
7. That the Court deny Petitioner's request to remove Jesse Ruelas as co-trustee;
8. That the Court award Angela Ruelas recovery of her attorney fees and costs of suit;
9. That the Court grant such other relief as is just.

8 Dessie Ona Gaskin (Det. Succ)

Case No. 14CEPR01111

Atty McCloskey, Daniel T. (for James R. Gaskin and Lillie Fern Gaskin – Petitioners)

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

DOD: 9-16-14	JAMES R. GASKIN , Son, and LILLIE FERN GASKIN , Daughter, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
	40 days since DOD	
	No other proceedings	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	I&A: \$140,000 (real property located at 631 W. Norwich in Clovis)	
<input checked="" type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Will dated 4-28-97 devises the estate to Petitioners.	
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	Petitioners request Court determination that the decedent's 100% interest in the real property in Clovis passes to them 50% each pursuant to the decedent's will.	
<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 checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 1-20-15
		Updates:
		Recommendation: SUBMITTED
		File 8 - Gaskin

DOD: 11-12-14		<p>JOEL M. JOYNER, Spouse, is Petitioner and requests appointment as Administrator with Limited IAEA and bond of \$10,000.00.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> - Monday, May 25, 2015 for the filing of the Inventory and Appraisal - Monday, May 23, 2016 for the filing of the first account or petition for final distribution. <p>If the proper items are on file pursuant to local rules, the status hearings may come off calendar. Otherwise, status report is required pursuant to local rules.</p>
		Limited IAEA – ok	
	Aff.Sub.Wit.	Decedent died intestate	
✓	Verified	Residence: Clovis	
	Inventory	Publication: Fresno Business Journal	
	PTC	Estimated value of estate:	
	Not.Cred.	Personal property: \$7,000.00	
✓	Notice of Hrg	Real property: \$220,000.00	
✓	Aff.Mail	Probate Referee: Steven Diebert	
✓	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 1-20-15
			Updates:
			Recommendation:
			File 9 - Ferring

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

DOD: 11/23/2014		JEREMY MCNABB , named executor/friend without bond, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Proposed personal representative is a resident of Oklahoma. Probate Code § 8571 states notwithstanding a waiver of bond, the court in its discretion may require a nonresident personal representative to give a bond in an amount determined by the court.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <p>If the Court grants Bond Status Hearing will be set for Tuesday, 02/24/2015 at 9:00a.m. in Dept. 303.</p> <ul style="list-style-type: none"> • Tuesday, 05/26/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Tuesday, 03/28/2016 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>
		Petitioner is a resident of Oklahoma City, Oklahoma.	
Cont. from		Full IAEA – o.k.	
<input type="checkbox"/>	Aff.Sub.Wit.	s/p	
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Residence: Fresno	
<input type="checkbox"/>	Not.Cred.	Publication: The Business Journal	
<input checked="" type="checkbox"/>	Notice of Hrg	Estimated value of the Estate:	
<input checked="" type="checkbox"/>	Aff.Mail	Personal property - \$2,000.00	
<input checked="" type="checkbox"/>	Aff.Pub.	Real property - \$300,000.00	
		Total - \$302,000.00	
<input type="checkbox"/>	Sp.Ntc.	Probate Referee: Rick Smith	
<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		
Reviewed by: LV			
Reviewed on: 01/20/2015			
Updates:			
Recommendation:			
File 11 - Ugaste			

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

DOD: 9/8/2004	<p>GARY W. O'MEARA was appointed Administrator with full IAEA authority and without bond on 1/4/2006.</p> <p>Letters issued on 1/4/2006.</p> <p>Inventory and appraisal filed on 12/19/2006 shows the estate valued at \$378,000.00.</p> <p>On 12/1/14, after several status hearings, the Court removed GARY W. O'MEARA as Administrator and appointed the PUBLIC ADMINISTRATOR as successor Administrator.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order dated 12/1/14 states the court removes Gary O'Meara as Administrator of the estate and appoints the Public Administrator forthwith. Mr. O'Meara is ordered to turn over any and all paperwork pertaining to the estate to the Public Guardian no later than 12/15/14. If an accounting is not filed by Mr. O'Meara by 1/26/15, then Mr. O'Meara is ordered to be personally present on 1/26/15 and the Court will consider sanctions.</p> <p>1. Need Petition for Final Distribution 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 030714, 050914, 061914, 081814, 100614, 120114			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: KT	
		Reviewed on: 1/20/14	
		Updates:	
		Recommendation:	
		File 14 - Mara	

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

DOD: 06/29/11	<p>KIRK KAYAJANIAN, grandson, was appointed as Executor with full IAEA and without bond on 03/26/13.</p> <p>Minute Order from hearing on 03/26/13 set this matter for a status hearing regarding filing of the First/Final Account and Petition for Distribution for 05/16/14.</p> <p>Inventory & Appraisal, final filed 02/21/13 - \$137,500.00</p> <p>Inventory & Appraisal, Reappraisal for sale filed 02/21/13 - \$145,000.00</p> <p>Status Report filed 11/17/14 states: the Executor worked with Champion Mortgage, the lienholder on the real property asset of the estate to work out a sale of the property for less than what is owed. The mortgage company has authorized the sale and an escrow has been open. The personal representative intends the purchase the property and has arranged his own financing. The Executor requests a 60 day continuance in order to accomplish the sale and close the estate.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 11/17/14 Minute Order from 11/17/14 states: Mr. Bagdasarian requests an additional 60 days. A written status report is to be filed by 01/22/15.</p> <p>1. Need Accounting/Report of Executor and Petition for Distribution.</p>
Cont. from 051614, 111714		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 01/20/15
		Updates:
		Recommendation:
		File 18 - Kayajanian

20B Nikki Alvarez, Juan Alvarez, Ebony Alvarez, Amina Lopez, Manuel Lopez, Gabriel Garcia and Isaiah Garcia

Case No. 10CEPR00371

Atty Olivas, Yolanda (pro per Guardian/maternal grandmother)

Atty Diaz, Esperanza (pro per Petitioner/mother)

Petition for Termination of Guardianship

Nikki age: 17 years	<p>ESPERANZA DIAZ, mother, is petitioner.</p> <p>YOLANDA ALVAREZ, maternal grandmother, was appointed guardian on 2/22/11.</p> <p>Father (of Nikki): DANIEL SOTO Father (of Amina & Manuel): MANUEL LOPEZ Father (of Ebony & Juan): JUAN ALVAREZ Father (of Gabriel & Isaiah): GABRIEL GARCIA</p> <p>Paternal grandparents: Not listed Maternal grandfather: Salvador Diaz Minor Nikki – consents and waives notice.</p> <p>Petitioner states the guardian has given the children back to her as of 9/15/14. She has physically terminated the guardianship. Petitioner states the guardian knows that she has turned her life around and her children want to be reconciled with her. Petitioner states she is drug free.</p> <p>Court Investigator Jennifer Daniel's Report filed on 1/20/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This termination is as to Nikki, Ebony, Amina, Gabriel and Isaiah only. It does not include Juan and Manuel.</p> <ol style="list-style-type: none"> Petition does not include the names and current addresses of the fathers or paternal grandparents of the minors. Petition lists the name of the maternal grandfather but not his current address. (Examiner found the names of the fathers from the Petition for Appointment of Guardian.) Need Notice of Hearing. Need proof of service of the Notice of Hearing on: <ol style="list-style-type: none"> Yolanda Alvarez (guardian/maternal grandmother) Daniel Soto (father) Manuel Lopez (father) Juan Alvarez (father) Gabriel Garcia (father) Paternal grandparents Mary Holguin (paternal grandmother of Gabriel and Isaiah) Salvador Diaz (maternal grandfather) Juan Alvarez (minor age 15) Amina Lopez (minor age 13)
Juan age: 15 years		
Amina age: 13 years		
Ebony age: 11 years		
Manuel age: 9 years		
Gabriel age: 5 years		
Isaiah age: 4 years		
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: KT
		Reviewed on: 1/20/15
		Updates:
		Recommendation:
		File 20B - Garcia

		NO TEMP REQUESTED	NEEDS/PROBLEMS/COMMENTS:
		See petition for details.	
		Court Investigator filed a report on 11-6-14.	If this petition goes forward, the following issues exist:
		Blanca Ybarra (Mother) filed an Objection on 11-13-14.	
Cont from 111714			1. Need Notice of Hearing.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		2. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Blanca Ybarra (Mother) - Michael Rogers (Minor) - Father (Note: Petitioner states the father is unknown; however, the Court Investigator's report indicates that the father is incarcerated, but a name was not provided.)
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		3. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Paternal Grandfather - Paternal Grandmother - Maternal Grandmother
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	x	Reviewed by: skc
<input type="checkbox"/>	Aff.Mail	x	
<input type="checkbox"/>	Aff.Pub.		Reviewed on: 1-20-15
<input type="checkbox"/>	Sp.Ntc.		Updates:
<input type="checkbox"/>	Pers.Serv.	x	Recommendation:
<input checked="" type="checkbox"/>	Conf. Screen		File 24 – Rogers
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input checked="" type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	Clearances		
<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		

25 Antoine Hemingway, Trinity Hemingway and Confidence Kelly (GUARD/P)

Case No. 14CEPR01035

Atty Bryant Cain, Rebecca Ann (pro per – maternal grandmother/Petitioner)

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

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR</u> General guardianship hearing continued to 03/10/15</p>	
Cont. from 120114			
<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		
<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: 01/20/15	
		Updates:	
		Recommendation:	
		File 25 – Hemmingway & Kelly	