



**2 Sharon Rutherford (Estate)**

**Case No. 12CEPR00101**

**Atty LeVan, Nancy J. (for Robert Jones and Denise Jones – Co-Administrators – Petitioners)**

**First Amended Report of Administrator and Petition for Final Distribution Upon Waiver of Accounting of the Estate of Sharon Rutherford, and Petition for Allowance of Statutory, Extraordinary Compensation and Reimbursement for Out-of-Pocket Expenses and Mileage for Co-Administrators, Statutory and Extraordinary Fees for Attorney**

<b>DOD: 10-11-11</b>		<p><b>NEEDS/PROBLEMS/ COMMENTS:</b></p> <p><b><u>OFF CALENDAR</u></b></p> <p>2<sup>nd</sup> Amended Petition filed 1-22-15 is set for hearing on 2-26-15.</p>	
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
✓	<b>Inventory</b>		
✓	<b>PTC</b>		
✓	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>		w & w/o
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
✓	<b>Letters</b>		3-16-12
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
✓	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
✓	<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 1-20-15</p> <p><b>Updates:</b> 1-22-15</p> <p><b>Recommendation:</b></p> <p><b>File 2 - Rutherford</b></p>	

**(1) First and Final Account and Report of Guardian; (2) Petition for Allowance of Compensation to Guardian and her Attorney; (3) Termination of Guardianship; and (4) Distribution**

<b>Age: 18 years</b>	<b>PUBLIC GUARDIAN</b> , Guardian of the Estate, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Petition request payment of court fees of \$435.00 for the filing of the initial Petition for Appointment of Guardian. At the time of the filing of the initial petition the Public Guardian also filed a Petition for Appointment of Temporary Guardian. Therefore an additional \$60.00 is owed to the Court for the Temporary Guardianship Petition.</p>
	Account period: 3/26/14 – 11/21/14	
<b>Cont. from</b>	Accounting - <b>\$45,411.40</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$0</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Ending POH - <b>\$35,015.90</b>	
<b>Inventory</b>	Guardian - <b>\$3,794.92</b>	
<b>PTC</b>	(35.77 Deputy hours @ \$96/hr and 4.75 Staff hours @ \$76/hr)	
<b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b> W/	Attorney - <b>\$1,250.00</b>	
<b>Aff.Pub.</b>	(less than allowed per Local Rule)	
<b>Sp.Ntc.</b>	Bond Fee - <b>\$73.00</b>	
<b>Pers.Serv.</b>	(o.k.)	
<b>Conf. Screen</b>	Court Fees - <b>\$435.00</b>	
<b>Letters</b>	(filing fee)	
<b>Duties/Supp</b>		
<b>Objections</b>	<b>Petitioner prays for an Order:</b>	
<b>Video Receipt</b>	1. Approving, allowing and settling the First and Final account.	
<b>CI Report</b>	2. Authorizing the guardian and attorney fees and commissions	
<b>9202</b>	3. Payment of the bond fee	
<input checked="" type="checkbox"/> <b>Order</b>	4. Payment of court fees	
<b>Aff. Posting</b>	5. Authorizing the distribution of the remaining property on hand to Kassandra Higgins.	
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 1/20/15</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 3 - Higgins</b>

**Request to Modify Visitation Orders**

<b>Age: 5</b>	<b>ANTOINETTE FULLER</b> , paternal aunt/temporary guardian, is Petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>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.</b></p> <p><b>Note:</b> 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"> <li>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"> <li>Orrin Fuller (father)</li> <li>Melissa Calderon (mother)</li> <li>Paternal grandparents</li> <li>Maternal grandparents</li> </ol> <b>Note:</b> 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. Proofs of Service by mail were filed 01/21/15 however the <b>Notice of Hearing is a Mandatory Form</b> </li> <li>Need Order.</li> </ol>
	<b>Petitioner</b> 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.	
<b>Cont. from 120114</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>	x	
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	x	
<b>Aff.Mail</b>	x	
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>	x	
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
	<p><b>ORRIN FULLER</b>, 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. <b>Minute Order from 08/12/14</b> 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><b>Petitioner</b> 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 minor's 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>	
		<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 01/20/15</p> <p><b>Updates:</b> 01/21/15</p> <p><b>Recommendation:</b></p> <p><b>File 4 - Fuller</b></p>

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

<b>DOD: 10-3-12</b>	<b>HOLLY FOLEY</b> , Beneficiary, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Minute Order 10-27-14:</b> 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.
<b>Cont. from 092914, 102714</b>	<b>Petitioner states</b> 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 <b>VICTORIA HOWARD</b> is currently the sole trustee, <b>VAUGHN HOWARD</b> having resigned on or about 6-23-14.	The following items remain noted for reference:
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Petitioner states Virginia Howard died 10-3-12. Petitioner alleges the value of the trust at her death was over \$600,000.00.	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.
<input checked="" type="checkbox"/> <b>Verified</b>	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.	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.
<input type="checkbox"/> <b>Inventory</b>	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.	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.
<input type="checkbox"/> <b>PTC</b>		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.
<input type="checkbox"/> <b>Not.Cred.</b>		<b>Note:</b> 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?
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		<b>SEE ADDITIONAL PAGES</b>
<input checked="" type="checkbox"/> <b>Aff.Mail</b> <span style="float: right;">w</span>		<b>Reviewed by:</b> skc
<input type="checkbox"/> <b>Aff.Pub.</b>		<b>Reviewed on:</b> 1-20-15
<input type="checkbox"/> <b>Sp.Ntc.</b>		<b>Updates:</b>
<input type="checkbox"/> <b>Pers.Serv.</b>		<b>Recommendation:</b>
<input type="checkbox"/> <b>Conf. Screen</b>		<b>File 5 - Howard</b>
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		

Page 2

**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.**

Atty Baldwin, Kenneth A.; Cunningham, Nicole; of McCormick Barstow (for Petitioners Seanna Haslouer and Amy Haslouer Hansen)

Atty Burnside, Leigh W.; Johnson, Summer A.; of Dowling Aaron, Inc. (for Respondent Barbara Gill)

Petition for Order to Return Property to Decedent's Estate  
 [Prob. C. 850(a)(2)(D)]

<b>DOD: 10/25/2013</b>	<b>SEANNA HASLOUER and AMY HASLOUER HANSEN,</b> grandchildren and Beneficiaries, are Petitioners.	<p><b>NEEDS/PROBLEMS/ COMMENTS:</b></p> <p><b>Page 6B</b> is the Demurrer filed on 11/6/2014 in this matter.</p> <p><b>Continued from 11/10/2014.</b> Minute Order [Judge Sanderson] states the Court also sets the demurrer for 1/26/2015.</p> <p><b>Notes Re Proofs of Service:</b></p> <ul style="list-style-type: none"> <li>• Notice of Hearing filed 10/20/2014 shows personal service of notice with a copy of the <i>Petition</i> to <b>FRESNO CREMATION COMPANY dba CHAPEL OF THE LIGHT</b> on 10/8/2014.</li> <li>• Notice and Acknowledgment of Receipt filed 10/20/2014 shows receipt on 10/10/2014 by Attorney Leigh Burnside of the notice with a copy of the <i>Petition</i>.</li> </ul>
	<b>Petitioners seek the return to the Decedent's estate of specific items of personal property,</b> and the distribution to the Petitioners as the specific devisees the items of personal property.	
<b>Cont. from 111014</b>		
<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	<b>Response and Objection of Barbara Gill to Petition for Order to Return Property to Decedent's Estate</b> was filed by Respondent <b>BARBARA GILL</b> on 11/6/2014.	
<input checked="" type="checkbox"/> Aff.Mail	<b>Declaration of MARY BORREGO</b> was filed 11/7/2014.	
<input type="checkbox"/> Aff.Pub.	<b>Demurrer to Petition for Order to Return Property to Decedent's Estate; Memorandum of Points and Authorities</b> was filed by Respondent <b>BARBARA GILL</b> on 11/6/2014.	
<input type="checkbox"/> Sp.Ntc.		
<input checked="" 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		
		<b>Reviewed by:</b> LEG
		<b>Reviewed on:</b> 1/20/15
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 6A – Azarian</b>

Atty Baldwin, Kenneth A.; Cunningham, Nicole; of McCormick Barstow (for Petitioners Seanna Haslouer and Amy Haslouer Hansen)

Atty Burnside, Leigh W.; Johnson, Summer A.; of Dowling Aaron, Inc. (for Respondent Barbara Gill)

**Demurrer**

<b>DOD: 10/25/2013</b>		<p><b>SEANNA HASLOUER and AMY HASLOUER HANSEN</b>, grandchildren and Beneficiaries, filed on 9/26/2014 a <i>Petition for Order to Return Property to Decedent's Estate</i>, seeking the return of specific items of personal property.</p> <p><b>Demurrer to Petition for Order to Return Property to Decedent's Estate; Memorandum of Points and Authorities filed by Respondent BARBARA GILL on 11/6/2014</b> generally demurs to each and every cause of action set forth in the <i>Petition</i> pursuant to Code of Civil Procedure § 430.10 et seq.</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> LEG
			<b>Reviewed on:</b> 1/20/15
			<b>Updates:</b>
		<b>Recommendation:</b>	
		<b>File 6B - Azarian</b>	

Atty Walters, Jennifer L. (for Irma Hicks – Co-Trustee – Petitioner)

Atty Donohue, Francis T, III, (of Newport Beach, CA, for Jesse Joe Ruelas – Co-Trustee – Objector)

Atty Ruelas, Angela (Pro Per – Beneficiary – Objector)

**Petition for Instructions Regarding Life Estate of Angela Ruelas and Removal of Co-Trustee of The Octavio and Mary Ruelas Family Trust**

<b>Octavio Ruelas</b> DOD: 6-7-06	<b>IRMA HICKS</b> , a Co-Trustee of the Octavio and Mary Ruelas Family Trust, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Minute Order 12-1-14:</u> 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.  The following items remain noted:  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.  2. It is unclear if Christina is currently residing in the home at this time. The Court may require 30 days' notice to Christina Ruelas pursuant to Probate Code §17203(c) or other applicable law.  3. Need order pursuant to Local Rule 7.1.1.F.
<b>Mary Ruelas</b> DOD: 6-11-14		
<b>Cont from 120114</b>	<p><b>Petitioner states</b> she and <b>JESSE JOE RUELAS</b> 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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p><b>Therefore, Petitioner requests instructions regarding the life estate of Angela Ruelas.</b> 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.</p> <p style="text-align: center;"><b><u>SEE ADDITIONAL PAGES</u></b></p>	
<b>Aff.Sub.Wit.</b>		
✓ <b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
✓ <b>Notice of Hrg</b>		
✓ <b>Aff.Mail</b>		W
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>	X	
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 1-20-15
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 7 - Ruelas</b>

## Page 2

**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.

<b>DOD: 9-16-14</b>	<b>JAMES R. GASKIN, Son, and LILLIE FERN GASKIN, Daughter, are Petitioners.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	40 days since DOD	
	No other proceedings	
<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>	I&A: \$140,000 (real property located at 631 W. Norwich in Clovis)	
<input checked="" type="checkbox"/> <b>Inventory</b>		
<b>PTC</b>	Will dated 4-28-97 devises the estate to Petitioners.	
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	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.	
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: skc</b>
		<b>Reviewed on: 1-20-15</b>
		<b>Updates:</b>
		<b>Recommendation: SUBMITTED</b>
		<b>File 8 - Gaskin</b>

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



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

<b>DOD: 11/23/2014</b>		<b>JEREMY MCNABB</b> , named executor/friend without bond, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  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.  <b>Note: If the petition is granted status hearings will be set as follows:</b>  <b>If the Court grants Bond Status Hearing will be set for Tuesday, 02/24/2015 at 9:00a.m. in Dept. 303.</b>  <ul style="list-style-type: none"> <li>• <b>Tuesday, 05/26/2015 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u></li> <li>• <b>Tuesday, 03/28/2016 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> 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.
		Petitioner is a resident of Oklahoma City, Oklahoma.	
<b>Cont. from</b>		Full IAEA – o.k.	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	s/p	
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>	Will dated: 01/06/2004	
<input type="checkbox"/>	<b>PTC</b>	Residence: Fresno	
<input type="checkbox"/>	<b>Not.Cred.</b>	Publication: The Business Journal	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	<b>Estimated value of the Estate:</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	Personal property - \$2,000.00	
<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>	Real property - \$300,000.00	
		<b>Total - \$302,000.00</b>	
<input type="checkbox"/>	<b>Sp.Ntc.</b>	Probate Referee: Rick Smith	
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
<b>Reviewed by: LV</b>			
<b>Reviewed on: 01/20/2015</b>			
<b>Updates:</b>			
<b>Recommendation:</b>			
<b>File 11 - Ugaste</b>			

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

<b>DOD: 11/29/2014</b>		<p><b>CAREY W. CHRISTMAN</b>, named executor/son without bond, is petitioner.</p> <p>Full IAEA – o.k.</p> <p>Will dated: 12/10/2007</p> <p>Residence: Selma          Publication: The Selma Enterprise</p> <p><b>Estimated value of the Estate:</b></p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$13,100.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$190,000.00</td> </tr> <tr> <td><b>Total</b></td> <td>-</td> <td><b>\$203,100.00</b></td> </tr> </table> <p>Probate Referee: Steven Diebert</p>	Personal property	-	\$13,100.00	Real property	-	\$190,000.00	<b>Total</b>	-	<b>\$203,100.00</b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: If the petition is granted status hearings will be set as follows:</b></p> <ul style="list-style-type: none"> <li>• <b>Tuesday, 05/26/2015 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u></li> <li>• <b>Tuesday, 03/28/2016 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> <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>
Personal property	-		\$13,100.00									
Real property	-		\$190,000.00									
<b>Total</b>	-		<b>\$203,100.00</b>									
<b>Cont. from</b>												
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		s/p									
<input checked="" type="checkbox"/>	<b>Verified</b>											
<input type="checkbox"/>	<b>Inventory</b>											
<input type="checkbox"/>	<b>PTC</b>											
<input type="checkbox"/>	<b>Not.Cred.</b>											
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>											
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>		w/									
<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>											
<input type="checkbox"/>	<b>Sp.Ntc.</b>											
<input type="checkbox"/>	<b>Pers.Serv.</b>											
<input type="checkbox"/>	<b>Conf. Screen</b>											
<input checked="" type="checkbox"/>	<b>Letters</b>											
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>											
<input type="checkbox"/>	<b>Objections</b>											
<input type="checkbox"/>	<b>Video Receipt</b>											
<input type="checkbox"/>	<b>CI Report</b>											
<input type="checkbox"/>	<b>9202</b>											
<input checked="" type="checkbox"/>	<b>Order</b>											
<input type="checkbox"/>	<b>Aff. Posting</b>											
<input type="checkbox"/>	<b>Status Rpt</b>											
<input type="checkbox"/>	<b>UCCJEA</b>											
<input type="checkbox"/>	<b>Citation</b>											
<input type="checkbox"/>	<b>FTB Notice</b>											
		<b>Reviewed by:</b> LV										
		<b>Reviewed on:</b> 01/20/2015										
		<b>Updates:</b>										
		<b>Recommendation:</b> Submitted										
		<b>File 12 - Christman</b>										



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

<b>DOD: 9/8/2004</b>	<p><b>GARY W. O'MEARA</b> 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 <b>GARY W. O'MEARA</b> as Administrator and appointed the <b>PUBLIC ADMINISTRATOR</b> as successor Administrator.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>OFF CALENDAR.</b> First Account and Report of Gary O'Meara was filed and is set for hearing on 2/24/15.</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: 1/22/15	
	Recommendation:	
	File 14 – Mara	

Atty LeVan, Nancy J., sole practitioner (for Jonathan Holcomb, Executor)

**Probate Status Hearing Re: Failure to File the Inventory and Appraisal and Failure to File a First Account or Petition for Final Distribution**

<b>DOD: 10/26/2007</b>	<p><b>JONATHAN HOLCOMB</b>, son, was appointed Executor with Full IAEA authority without bond on 5/26/2009. Letters issued on 5/26/2009.</p> <p>Pursuant to Probate Code § 8800(b), Final Inventory and Appraisal was due 9/26/2009. Final Inventory and Appraisal was filed on 3/25/2014.</p> <p>First account and/or petition for final distribution was due May 2010.</p> <p>Notice of Status Hearing filed 11/15/2013 set a status hearing on 1/10/2014 for failure to file the inventory and appraisal and first account and petition for final distribution.</p> <p>Status Report filed was by <b>JONATHAN HOLCOMB</b> on 11/6/2014 for the <u>previous</u> status hearing.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 11/10/2014</b> [Judge Sanderson.]</p> <p><b>Notes for background:</b></p> <ul style="list-style-type: none"> <li>Minute Order dated 1/10/2014 states counsel informs the Court that they are proceeding with the recovery of assets turned over to the Controller.</li> <li>Creditor's Claim was filed 7/7/2009 by the Franchise Tax Board in the amount of <b>\$481.07</b> [recently updated to the total of <b>\$625.52.</b>]</li> </ul> <ol style="list-style-type: none"> <li>Need Supplemental Inventory and Appraisal for the <b>\$5,016.82</b> funds received, and all other funds received.</li> <li>Need first account and/or petition for final distribution, and proof of service of notice of the Status Report filed 11/6/2014, pursuant to Local Rule 7.5(B), including notice per Request for Special Notice filed by the Franchise Tax Board on 7/7/2009.</li> </ol>	
<b>Cont. from 011014, 031114, 081114, 111014</b>			
<b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/> <b>Verified</b>			
<b>Inventory</b>			X
<b>Acct.</b>			X
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			X
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<input checked="" type="checkbox"/> <b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<b>Reviewed by:</b> LEG	
		<b>Reviewed on:</b> 1/20/15	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 16 – Holcomb</b>	

Nathaniel, 12	TALINA HURLEY, maternal grandmother, was appointed Guardian of the minors on 11/19/12	<b>NEEDS/PROBLEMS/COMMENTS:</b>
Scarlet, 9		
	On 05/27/14, Guardian's Petition to Fix Residence Outside the State of California was granted.	1. Need proof of establishment of guardianship in Oregon.
Cont. from		
Aff.Sub.Wit.	On 06/24/14, Debra Swenson, maternal grandmother, filed an <b>Ex Parte Application for Temporary Restraining Order Preventing Guardian from Fixing Residence of Minors Outside of California and an Order Shortening Time on Petition to Terminate Order Fixing Minors Residence Outside of California.</b>	
Verified	The Ex Parte Application was granted on 06/24/14 and set a hearing for 07/10/14.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	At the 07/10/14 hearing, the matter was set for a court trial on 07/24/14.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	At the Court trial on 07/24/14, the Court found that there was no detriment in allowing the children to move to Oregon and set this matter for a Status Hearing regarding the Establishment of a Guardianship in Oregon.	
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 17 - Swenson

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

<b>DOD: 06/29/11</b>	<p><b>KIRK KAYAJANIAN</b>, grandson, was appointed as Executor with full IAEA and without bond on 03/26/13.</p> <p><b>Minute Order from hearing on 03/26/13</b> set this matter for a status hearing regarding filing of the First/Final Account and Petition for Distribution for 05/16/14.</p> <p><b>Inventory &amp; Appraisal, final</b> filed 02/21/13 - \$137,500.00</p> <p><b>Inventory &amp; Appraisal, Reappraisal for sale</b> filed 02/21/13 - \$145,000.00</p> <p><b>Status Report</b> 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><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>CONTINUED FROM 11/17/14</b>  <b>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.</b></p> <p>1. Need Accounting/Report of Executor and Petition for Distribution.</p>
<b>Cont. from 051614, 111714</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: JF</b>
		<b>Reviewed on: 01/20/15</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 18 - Kayajanian</b>

**19 Lorraine Keehn (CONS/P)**

**Case No. 14CEPR00474**

**Atty Matlak, Steven M. (for Linda Courtney – Daughter – Petitioner)**

**Atty Walters, Jennifer L. (Court appointed for Proposed Conservatee)**

**Probate Status Hearing RE: Filing of Proof of Bond**

<b>Age: 91</b>	<b>ROCHELLE ROSENBALM</b> , family friend, was appointed as Conservator of the Person with medical consent powers and Conservator of the Estate with bond set at \$1,003,640.00 on 12/08/14.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		1. Need bond in the amount of \$1,003,640.00 and/or current written status report.
<b>Cont. from</b>	<b>Minute Order from</b> hearing on 12/08/14 set this matter for a status hearing regarding filing of the bond on 01/26/15.	
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>	<b>Letters of the Person only</b> were issued on 01/14/15.	
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		<b>Reviewed by:</b> JF
<b>Status Rpt</b>		<b>Reviewed on:</b> 01/21/15
<b>UCCJEA</b>		<b>Updates:</b>
<b>Citation</b>		<b>Recommendation:</b>
<b>FTB Notice</b>		<b>File 19 - Keehn</b>

**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><b>ESPERANZA DIAZ</b>, mother, is petitioner.</p> <p><b>YOLANDA ALVAREZ</b>, maternal grandmother, was appointed guardian on 2/22/11.</p> <p>Father (of Nikki): <b>DANIEL SOTO</b>                  Father (of Amina &amp; Manuel): <b>MANUEL LOPEZ</b>                  Father (of Ebony &amp; Juan): <b>JUAN ALVAREZ</b>                  Father (of Gabriel &amp; Isaiah): <b>GABRIEL GARCIA</b></p> <p>Paternal grandparents: Not listed                  Maternal grandfather: Salvador Diaz                  Minor Nikki – consents and waives notice.</p> <p><b>Petitioner states</b> 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><b>Court Investigator Report filed on 1/20/15.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>This termination is as to Nikki, Ebony, Amina, Gabriel and Isaiah only. It does not include Juan and Manuel.</b></p> <ol style="list-style-type: none"> <li>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.)</li> <li>Need Notice of Hearing.</li> <li>Need proof of service of the Notice of Hearing on:                         <ol style="list-style-type: none"> <li>Yolanda Alvarez (guardian/maternal grandmother)</li> <li>Daniel Soto (father)</li> <li>Manuel Lopez (father)</li> <li>Juan Alvarez (father)</li> <li>Gabriel Garcia (father)</li> <li>Paternal grandparents</li> <li>Mary Holguin (paternal grandmother of Gabriel and Isaiah)</li> <li>Salvador Diaz (maternal grandfather)</li> <li>Juan Alvarez (minor age 15)</li> <li>Amina Lopez (minor age 13)</li> </ol> </li> </ol>
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: <b>KT</b>
		Reviewed on: <b>1/20/15</b>
		Updates:
		Recommendation:
		File <b>20B - Garcia</b>

**Petition for Termination of Guardianship**

<b>Age: 15</b>	<b>JUANITA SUAREZ</b> , maternal great-aunt, is Petitioner. She was appointed as Guardian of the Person on 08/13/12.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  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 for Termination of Guardianship</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: a. Richard Gonzalez Andrade (father) b. Rabekka Andrade (minor)
	Father: <b>RICHARD GONZALEZ ANDRADE</b>	
<b>Cont. from</b>	Mother: <b>MINERVA ATKINSON</b> – <i>deceased</i>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Paternal grandparents: UNKNOWN	
<input checked="" type="checkbox"/> <b>Verified</b>	Maternal grandfather: ROBERT ATKINSON – <i>deceased</i>	
<input type="checkbox"/> <b>Inventory</b>	Maternal grandmother: ANGELINA BANUELOS – <i>Consents and waives notice</i>	
<input type="checkbox"/> <b>PTC</b>	Siblings: JOSE RODRIGUEZ, RAY RODRIGUEZ – <i>Both consent &amp; waive notice</i>	
<input type="checkbox"/> <b>Not.Cred.</b>	<b>Petitioner states</b> the minor no longer wants to abide by the guardian's rules or curfew. She recently snuck out of the house and stayed out for almost 24 hours. She has stated that she needs to go out and have more fun.	
<input type="checkbox"/> <b>Notice of Hrg</b>	<b>Court Investigator filed a report on 01/16/15.</b>	
<input type="checkbox"/> <b>Aff.Mail</b>		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input checked="" type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 01/20/15
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 21A - Andrade</b>

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

Age: 15	<b><u>NO TEMPORARY REQUESTED</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>JOSE MARTIN RODRIGUEZ and CLAUDIA ALEXANDRA MARTINEZ</b> , brother and sister-in-law, are Petitioners.	1. Need <i>Notice of Hearing</i> .
	Father: <b>RICHARD GONZALEZ ANDRADE</b>	2. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> <i>Consent &amp; Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for:
Cont. from	Mother: <b>MINERVA ATKINSON</b> – <i>deceased</i>	a. Rabekka Andrade (minor) – personal service required
Aff.Sub.Wit.	Paternal grandparents: UNKNOWN	b. Richard Gonzalez Andrade (father) – personal service required
✓ Verified	Maternal grandfather: ROBERT ATKINSON – <i>deceased</i>	c. Paternal grandparents – service by mail sufficient
Inventory	Maternal grandmother: ANGELINA BANUELOS	d. Angelina Banuelos – service by mail sufficient
PTC	Sibling: RAY RODRIGUEZ	
Not.Cred.	<b>Petitioners state</b> Rabekka no longer wants to live with the current guardian, Juanita Suarez and the current guardian has petitioned to terminate her guardianship. Rabekka needs a guardian because her mother is deceased and her father's whereabouts are unknown.	
Notice of Hrg	<b>Court Investigator filed a report on 01/16/15.</b>	
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		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 01/20/15
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 21B - Andrade</b>

Pro Per Velasquez, Guadalupe (Pro Per Petitioner, mother)

**Petition for Termination of Guardianship**

	<b>GUADALUPE VELASQUEZ</b> , mother, is Petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Continued from 12/8/2014.</u></p> <p><b>Note:</b> <i>Petition for Termination</i> filed 10/2/2014 by Guadalupe Velasquez is incomplete (blank) on Page 2 except for the date and verification signature. However, all names of relatives and other pertinent information has been obtained from previous documents filed in this case.</p> <p><b>The following issue from the last hearing remains:</b></p> <ol style="list-style-type: none"> <li>1. Need <i>Notice of Hearing</i> and proof of service by mail of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Termination of Guardianship</i>, or <i>Consent to Termination and Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i>, for: <ul style="list-style-type: none"> <li>• Trinidad Velasquez, Guardian;</li> <li>• Carlos Florez, father;</li> <li>• paternal grandparents;</li> <li>• Manuel Velasquez, maternal grandfather;</li> <li>• Luis Enriquez Alvarez, sibling (if age 12 or over.)</li> </ul> </li> </ol>
	<b>TRINIDAD VELASQUEZ</b> , maternal grandmother, was appointed Guardian on 4/7/2014.	
<b>Cont. from 120814</b>		
	<b>Aff.Sub.Wit.</b>	
✓	<b>Verified</b>	
	<b>Inventory</b>	
	<b>PTC</b>	
	<b>Not.Cred.</b>	
	<b>Notice of Hrg</b> X	
	<b>Aff.Mail</b> X	
	<b>Aff.Pub.</b>	
	<b>Sp.Ntc.</b>	
	<b>Pers.Serv.</b>	
	<b>Conf. Screen</b>	
	<b>Letters</b>	
	<b>Duties/Supp</b>	
	<b>Objections</b>	
	<b>Video Receipt</b>	
✓	<b>CI Report</b>	
✓	<b>Clearances</b>	
✓	<b>Order</b>	
	<b>Aff. Posting</b>	
	<b>Status Rpt</b>	
	<b>UCCJEA</b>	
	<b>Citation</b>	
	<b>FTB Notice</b>	
	Father: <b>CARLOS FLOREZ</b>	
	Paternal grandfather: Unknown	
	Paternal grandmother: Unknown	
	Maternal grandfather: Manuel Velasquez	
	<b>Petitioner states</b> she now has stable living as requested for the past [3 or 8?] months, and she is currently employed full time.	
	<b>Court Investigator's Report was filed on 11/25/2014.</b>	
<b>Reviewed by:</b> LEG		
<b>Reviewed on:</b> 1/20/15		
<b>Updates:</b>		
<b>Recommendation:</b>		
<b>File 22 - Velasquez</b>		

Status Hearing Re: Filing of the Inventory and Appraisal

<b>DOD: 8-27-13</b>	<b>BRENDA LONG SUTA</b> , Sister, was appointed Executor with Limited IAEA with bond of \$163,000.00 on 7-21-14.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> Executor is a resident of Salt Lake City, UT.</p> <p>1. The Executor's Final Inventory and Appraisal filed 11-25-14 includes non-cash items such as bonds that were appraised by the Executor. This type of asset requires appraisal by the Probate Referee pursuant to Probate Code §8901(d). Therefore, need amended Inventory and Appraisal.</p> <p>(Also, it is unclear if the amounts listed for the life insurance policy and annuity account are the lump sum pay on death amounts that are appraisable by the personal representative pursuant to Probate Code §8901(e), or if these are fluctuating account balances that may require further review.)</p>
	Bond was filed 8-26-14 and Letters issued on 9-16-14.	
	At the hearing on 7-21-14, the Court set a status hearing for the filing of the Inventory and Appraisal for 11-17-14.	
	On 11-17-14, the Inventory and Appraisal had not been filed and there were no appearances.	
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 1-21-15
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 23 - Long</b>

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

		NO TEMP REQUESTED	NEEDS/PROBLEMS/COMMENTS:  If this petition goes forward, the following issues exist:
		See petition for details.	
		Court Investigator filed a report on 11-6-14.	1. Need Notice of Hearing.
Cont from 111714		Blanca Ybarra (Mother) filed an Objection on 11-13-14.	
	Aff.Sub.Wit.		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.)
✓	Verified		
	Inventory		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
	PTC		
	Not.Cred.		Reviewed by: skc
	Notice of Hrg	x	
	Aff.Mail	x	Reviewed on: 1-20-15
	Aff.Pub.		
	Sp.Ntc.		Updates:
	Pers.Serv.	x	
✓	Conf. Screen		Recommendation:
✓	Letters		
✓	Duties/Supp		File 24 – Rogers
✓	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

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

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

		NEEDS/PROBLEMS/COMMENTS:  <b><u>OFF CALENDAR</u></b> <b>General guardianship</b> <b>hearing continued to</b> <b>03/10/15</b>	
Cont. from 120114			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		x
	Aff.Mail		
	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: JF	
		Reviewed on: 01/20/15	
		Updates:	
		Recommendation:	
		File 25 – Hemmingway & Kelly	

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

Age: 5 months	<b>GENERAL HEARING: 03/09/15</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>
	ANNETTE IVORY, non-relative, is Petitioner.		1. Need <i>Notice of Hearing</i> .
	Father: UNKNOWN		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 &amp; Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for:
Cont. from	Mother: E'VAHNAVA WILLIAMS – <i>Consent &amp; Waiver of Notice</i> filed 01/05/15		a. Father (unknown)
<input type="checkbox"/> Aff.Sub.Wit.	Paternal grandparents: NOT LISTED		
<input checked="" type="checkbox"/> Verified	Maternal grandparents: NOT LISTED		
<input type="checkbox"/> Inventory	<b>Petitioner states</b> that the mother is on drugs and is unable to care for the child at this time.		
<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 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: 01/21/15
			Updates:
			Recommendation:
			File 26 - Monares

