



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.

First and Final Account and Report of Administrator and Petition for Allowance of Ordinary Commissions and Fees and for Distribution

DOD: 02/10/92	PUBLIC ADMINISTRATOR , is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need consent to distribution in undivided interests from the beneficiaries pursuant to Local Rule 7.12.4. 2. The Petition was filed with a Fee Waiver. The Petition indicates that the distributees will be paying the costs of administration outside of the estate, but does not address the filing fee. Filing fee of \$435 should be paid as a cost of administration.
	Account period: 06/30/10 – 03/19/15	
	Accounting: \$107,198.00	
	Beginning POH: \$107,198.00	
	Ending POH: \$105,000.00	
Cont. from	Administrator: \$1,000.00 (less than statutory) – to be paid outside of the estate	
<input type="checkbox"/> Aff.Sub.Wit.	Attorney: \$1,000.00 (less than statutory) – to be paid outside of the estate	
<input checked="" type="checkbox"/> Verified	Bond Fee: \$268.00 (ok) – to be paid outside of the estate	
<input checked="" type="checkbox"/> Inventory	Distribution, pursuant to intestate succession, is to:	
<input checked="" type="checkbox"/> PTC	Danece A. Hannah-Hamilton – ½ interest in real property	
<input checked="" type="checkbox"/> Not.Cred.	Jennifer N. Hannah-Hamilton – ½ interest in real property	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters 04/7/92		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
<input checked="" type="checkbox"/> FTB Notice		
Reviewed by: JF		
Reviewed on: 01/25/16		
Updates:		
Recommendation:		
File 1- Hamilton		

Amended Third Account Current, Report of Conservator and petition for Its Settlement

DOD: 8/15/13	ALBERT FRANCO , Son and Co-Conservator, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS:
	Account period: 6/1/12 – 8/31/13	
	Accounting: \$121,910.31	
	Beginning POH: \$ 92,518.86	
	Ending POH: \$ 90,639.43	
<input type="checkbox"/> Aff.Sub.Wit.	(\$639.43 cash plus real property valued at \$89,000.00 and personal property valued at \$1,000.00)	<u>SEE ADDITIONAL PAGES</u>
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Petitioner states the estate could not afford the cost of an accountant as noted to this court and the prior court. Petitioner has provided the bank statements.	
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail	Petitioner waives compensation.	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Petitioner states the Conservatee at the time of her demise was being cared for by her daughter in Lakewood, Los Angeles County, CA; however, her legal residence was in Fresno where her real property was located. Petitioner requests the Court so rule so they can either petition for distribution out of the conservatorship and/or open a probate case in Fresno. Petitioner and his sister, Patricia Leonard, the co-conservator, are the only heirs and the only asset is the conservatee's residence in Fresno.	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	Petitioner states the conservators had on file a bond totaling \$181,280.00. After the prior accounting, the court stated the bond was no longer necessary and it was canceled. (See Examiner's Notes.)	
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp	Petitioner prays for an order that:	
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt	<ol style="list-style-type: none"> 1. Notice of hearing on this account, report and petition be given as required by law; 2. The Court make an order approving, allowing and settling the attached account and report of the Co-Conservators as filed; 3. Further, due to the fact that the Conservatee died on 8/15/13, that the Court order this Conservatorship closed and dismissed. 	
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input checked="" type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
	<u>SEE ADDITIONAL PAGES</u>	Reviewed by: skc Reviewed on: 1/25/16 Updates: Recommendation: File 2- Kozera

Page 2

Petitioner states he and his sister Patricia Leonard are the duly appointed co-conservators of the person and estate. When their mother died on 8/15/13, she was staying with Patricia. Taking care of a dying parent is very stressful, and after her death, Patricia wanted Petitioner to take care of everything. Petitioner took over paying bills for the residence in Fresno and has been dealing with this conservatorship. Patricia Leonard will not appear regarding this matter and when the conservatorship is dissolved, Petitioner will be the one to petition for the probate estate. Although she has not been formally removed, she asked Petitioner to finish up this case and he agreed.

In the Second Account, two bank accounts were listed. Petitioner closed one of the accounts after the Second Account; therefore, in this report, Petitioner is providing information on the only account he has been using.

Petitioner states the conservatorship technically stopped and the probate estate started when his mother died. He did not account for and deal with the conservatorship estate assets subsequent to her death as stated in the prior declaration because petitioner plans to deal with those assets in the probate estate.

Petitioner states in the prior Examiner Notes, it states he requested termination without distribution of the assets or indicating that an estate has been opened. Petitioner states he did say he would open a probate case. He thought this had to be closed first. Petitioner did not know that assets could be distributed out of the conservatorship estate.

Petitioner states he is not an attorney and there are no funds to hire one. While he knows he is responsible for knowing the rules, he respectfully asks for some guidance. Since he and his sister are the only heirs, if it is not necessary to open a probate case, he would like to know if the house can be distributed from the conservatorship case.

Concerning the other probate notes, Petitioner has amended the accounting and the charges and credits now match and the beginning property on hand now matches the property on hand at the close of the Second Account.

Re Request for Special Notice filed by Leigh Burnside: Petitioner states he originally hired that firm to help recover about \$300,000 that someone stole from the estate prior to the conservatorship. Instead of doing what he hired them to do, they spent about a year and \$90,000 of estate funds in attorney fees for multiple attorneys and paralegals relative to this conservatorship. He fired them and they had the gall to try and come back and collect more attorney fees. He told them if they continued in their effort to get paid for not doing what they were hired to do, he would sue them. Mr. Burnside and his firm (sic) have been gone for several years and have not been noticed. Petitioner objects to having to waste additional time and money keeping them notified when they were fired for non-performance and basically ripping off his mother for \$90,000.

Petitioner states he has not accounted for estate assets subsequent to his mother's death and again respectfully requests that the assets be distributed out of this case or that this case be closed/dismissed so a probate can be opened. The Court could also accept this third account and then have a fourth and final account for the subsequent period. Either way, Petitioner respectfully requests help.

SEE ADDITIONAL PAGES

NEEDS/PROBLEMS/COMMENTS:

1. The petition is not verified by Co-Conservator Patricia Leonard. (Although Petitioner states he and his sister agreed that he would finish up the conservatorship, this issue remains noted pursuant to Probate Code §1020.)
2. Although Petitioner revised the summary to balance, no accounting schedules are provided in support of the summary pursuant to Probate Code §1062. Summary and schedules should be completed on the mandatory Judicial Council forms. (Although Petitioner previously provided the bank statements, these are supplemental and are not in a format reviewable by the court.)
3. As previously noted, Petitioner provides an "account current" that ends at the end of the month after the conservatee's death, but does not account for any subsequent period per §2620(b) or request distribution of assets in order to close the conservatorship. In this amended petition, Petitioner requests direction as to how to proceed – whether to open an estate or whether distribution can occur from this conservatorship estate.

While the Court cannot provide legal advice, Examiner notes that if the value of the remaining assets, reappraised at date of death, is under \$150,000.00, Petitioner may be able to use a summary proceeding for distribution to the heirs rather than opening a full probate estate. See Probate Code §13150 et seq. However, this type of proceeding, while simpler, would require some participation by Ms. Leonard. Petitioner may wish to review Form DE-310 (Petition to Determine Succession) along with DE-160, DE-161 (Inventory and Appraisal). Please note that the manner of closing of this conservatorship estate may depend on the proceeding Petitioner intends to use (full probate or summary proceeding), and final account herein according to the Probate Code may still be necessary.

4. Need Notice of Hearing (Mandatory Judicial Council Form GC-020) for this hearing date and proof of service of Notice of Hearing on all relatives at least 15 days prior to the hearing pursuant to Probate Code §§ 1220, 2621, 1460(b)(6). (It appears Petitioner served notice of a prior hearing date that was taken off calendar. Petitioner should have filed this amended petition and thereafter served the Notice of Hearing on all relatives.
5. Request for Special Notice: Petitioner states the law firm did not do what they were hired to do and he fired them. However, Court records indicate that the Co-Conservators were represented by Dowling Aaron from commencement of conservatorship proceeding through the settling of the first account, which also included a petition and order for substituted judgment revoking estate planning documents and powers of attorney. See file for history and details. The Court granted attorney fees and costs of \$42,563.75 on 4/21/11 and \$4,730.25 on 8/23/11.

Substitution of Attorney was filed 8/9/11, and Request for Special Notice was filed 8/25/11. It appears the majority of the fees granted were paid according to the Co-Conservators' Second Account; however, Pursuant to Probate Code §1252, Notice of Hearing with a copy of the petition must be served on the party requesting special notice unless dispensed by the Court. Therefore, notice is required.

SEE ADDITIONAL PAGES

Page 4

Note: Petitioner states his bond was waived pursuant to the Court's minute order of 2/21/13; however, as previously noted, the Order Approving Second Account signed by the Court on 2/21/13 states at Paragraph 13 on Page 4: "The Co-Conservators have on file a bond totaling \$181,280 from International Fidelity Insurance Company in connection with their appointment as Co-Conservators, which is sufficient in this estate." This Order clarifies that the bond was not waived or canceled; rather, the current bond was found sufficient at that time to proceed without increase.

Petition for Probate of Will and for Letters of Administration with Will Annexed; Authorization to Administer Under the Independent Administration of Estates Act

DOD: 10/3/11		<p>FRESNO COUNTY PUBLIC ADMINISTRATOR is Petitioner and requests appointment as Administrator with Will Annexed with Full IAEA without bond.</p> <p>Full IAEA – ok</p> <p>Will dated 8/11/09</p> <p>Residence: Fresno Publication: Business Journal</p> <p>Estimated value of estate: Real property: \$311,000.00</p> <p>Probate Referee: Rick Smith</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Petitioner lists only the decedent’s four living children at #8; however, it appears that there are additional people entitled to notice of this proceeding, including:</p> <ul style="list-style-type: none"> - Vanessa Galvan (Daughter of deceased son Frank Garcia Galvan, mentioned in the will) - Vivian Saicon (Granddaughter and Named alternate executor and former conservator of the person) <p>Therefore, need revised declaration re #8 and proof of service of Notice of Petition to Administer Estate on Vanessa Galvan and Vivian Saicon at least 15 days prior to the hearing per Probate Code §8110.</p> <p>2. Need date of death of Frank Garcia Galvan per Local Rule 7.1.1.D.</p> <p><u>Note:</u> If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> • Wednesday May 25, 2016 for filing the Inventory and Appraisal • Wednesday March 29, 2017 for filing the first account or petition for final distribution.
Cont. from 121515			
	Aff.Sub.Wit. S/P		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		
✓	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
Reviewed by: skc			
Reviewed on: 1/22/16			
Updates:			
Recommendation:			
File 3 - Galvan			

4B Jacob Martin Elias Farino (GUARD/P) Case No. 12CEPR01138

Attorney Koligian, Robert, JR (for Carole Jarvis and Danyell Farino)

Notice of Motion and Motion to Be Relieved as Counsel

		ROBERT KOLIGIAN, JR. , attorney for Carole Jarvis and Danyell Farino, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Court Trial that was set for 01/15/2016 was continued to 03/18/2016 pursuant to Order signed by Judge Snauffer on 12/16/2015.</p> <p>1. Need Order.</p>
		DANYELL FARINO , maternal step-grandmother, and CAROLE JARVIS , maternal grandmother, were appointed Co-Guardians on 03/19/2013.	
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	x	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice	<p>Subsequent to the filing of this motion, Mr. Koligian has requested that both Ms. Farino and Ms. Jarvis execute a Substitution of Attorney forms. Correspondence was sent to Ms. Farino and Ms. Jarvis on 09/09/2015 and 10/14/2015, as of date of preparation of this declaration Mr. Koligian has failed to hear from either of them.</p> <p>Mr. Koligian respectfully requests that the Court relieve him as the Attorney of Record for Danyell Farino and Carole Jarvis.</p>	
			<p>Reviewed by: LV</p> <p>Reviewed on: 01/25/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4B- Farino</p>

5 Mikaylah & Aubreyella Pizano-Ortiz & Jameson Cruz (GUARD/P)

Case No. 13CEPR01010

Petitioner Cruz, Patricia (Pro Per – Paternal Grandmother)

Petition for Appointment of Guardian of the Person

Jameson Age: 2	<u>NO TEMPORARY REQUESTED</u>		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This petition pertains to Jameson Cruz only.</p> <p>Note: Maternal Grandmother, Nellie Ortiz, was appointed guardian of Mikaylah and Aubreyella Pizano-Ortiz, minor's siblings, on 1/21/14.</p>	
	<p>PATRICIA CRUZ, paternal grandmother, is petitioner.</p> <p style="text-align: center;"><u>Please see petition for details</u></p>			
Cont. from				
<input type="checkbox"/> Aff.Sub.Wit.				
<input checked="" type="checkbox"/> Verified				
<input type="checkbox"/> Inventory				
<input type="checkbox"/> PTC				
<input type="checkbox"/> Not.Cred.				
<input checked="" type="checkbox"/> Notice of Hrg				
<input checked="" type="checkbox"/> Aff.Mail		w/		
<input type="checkbox"/> Aff.Pub.				
<input type="checkbox"/> Sp.Ntc.				
<input type="checkbox"/> Pers.Serv.				
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<input checked="" type="checkbox"/> Letters				
<input checked="" type="checkbox"/> Duties/Supp				
<input type="checkbox"/> Objections				
<input type="checkbox"/> Video Receipt				
<input checked="" type="checkbox"/> CI Report				
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<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: LV
				Reviewed on: 01/25/2016
			Updates:	
			Recommendation:	
			File 5- Pizano-Ortiz & Cruz	

Attorney Heather H. Kruthers (for Petitioner Public Guardian)

First Account Current and Report of Conservator and Petition for Allowance of Compensation

		<p>PUBLIC GUARDIAN, Conservator of the Person and Estate, is Petitioner.</p> <p align="center">~Please see Petition for details~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Paragraph 9 of the <i>Petition</i> states the Conservatee has received benefits from or through the Veterans Administration. Pursuant to Probate Code § 1822(d), if the <i>Petition</i> states the proposed conservatee is receiving or is entitled to receive benefits from the Veterans Administration, notice shall be mailed to the Office of the Veterans Administration referred to in Probate Code § 1461.5. Need proof of 15 days' mailed service of <i>Notice of Hearing</i> to the Office of the Veterans Administration.</p> <p>2. Paragraph 10 of the <i>Petition</i> states the Conservatee has been confined in a state hospital in California during the pendency of these proceedings. Probate Code § 1461(b) provides notice of the time and place of hearing on the petition, report or account, and a copy of the petition, report, or account, shall be mailed to the director at the director's office in Sacramento at least 15 days before the hearing.</p> <p align="center">~Please see additional page~</p>																																													
<p>Cont. from</p> <table border="1"> <tr><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td>✓ Verified</td><td></td></tr> <tr><td>✓ Inventory</td><td></td></tr> <tr><td>PTC</td><td></td></tr> <tr><td>Not.Cred.</td><td></td></tr> <tr><td>✓ Notice of Hrg</td><td></td></tr> <tr><td>✓ Aff.Mail</td><td>W/</td></tr> <tr><td>Aff.Pub.</td><td></td></tr> <tr><td>Sp.Ntc.</td><td></td></tr> <tr><td>Pers.Serv.</td><td></td></tr> <tr><td>Conf. Screen</td><td></td></tr> <tr><td>Letters</td><td>101614</td></tr> <tr><td>Duties/Supp</td><td></td></tr> <tr><td>Objections</td><td></td></tr> <tr><td>Video Receipt</td><td></td></tr> <tr><td>✓ CI Report</td><td></td></tr> <tr><td>9202</td><td></td></tr> <tr><td>✓ Order</td><td></td></tr> <tr><td>Aff. Posting</td><td></td></tr> <tr><td>Status Rpt</td><td></td></tr> <tr><td>UCCJEA</td><td></td></tr> <tr><td>Citation</td><td></td></tr> <tr><td>FTB Notice</td><td></td></tr> </table>				Aff.Sub.Wit.		✓ Verified		✓ Inventory		PTC		Not.Cred.		✓ Notice of Hrg		✓ Aff.Mail	W/	Aff.Pub.		Sp.Ntc.		Pers.Serv.		Conf. Screen		Letters	101614	Duties/Supp		Objections		Video Receipt		✓ CI Report		9202		✓ Order		Aff. Posting		Status Rpt		UCCJEA		Citation		FTB Notice
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		<p>File 7- Badiali</p>																																														

Note: If the *Petition* is granted, Court will set a status hearing as follows:

- **Tuesday, January 9, 2018 at 9:00 a.m. in Dept. 303** for filing of the second account.

Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required.

Probate Status Hearing RE: Filing of the Inventory and Appraisal

DOD: 10/31/14	<p>BEVERLY KITCHEN, spouse, was appointed Administrator with limited IAEA and without bond on 08/12/15. Letters of Administration were issued on 08/13/15.</p> <p>Minute Order from hearing on 08/12/15, set this status hearing regarding filing of the Inventory & Appraisal.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u> Inventory & Appraisal filed 01/22/16</p>	
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
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<input type="checkbox"/> UCCJEA	<input type="checkbox"/>		
<input type="checkbox"/> Citation	<input type="checkbox"/>		
<input type="checkbox"/> FTB Notice	<input type="checkbox"/>		
		Reviewed by: JF	
		Reviewed on: 01/25/16	
		Updates:	
		Recommendation:	
		File 8- Kitchen	

Attorney Gregory J. Roberts (for Richard A. Herzog, Trustee)
 Attorney Randolph Krbechek (for Eugene D. Herzog, Beneficiary)

Trustee's First Account and Petition for Its Approval

Darrell DOD: 5/26/2011	<p>RICHARD A. HERZOG, son and Successor Trustee of the HERZOG FAMILY TRUST dated 1/31/2008, is Petitioner.</p> <p align="center">~Please see Petition for details~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Minute Order dated 12/8/2015 from the hearing on the Verified Petition for Accounting and for Order Instructing Trustee and Compelling Final Distribution from Trust filed by EUGENE HERZOG, son and Trust Beneficiary, set a Settlement Conference on 2/9/2016, stating mandatory settlement conference statements are due by 2/2/2016, and set the matter for Trial with a one-day time estimate on 3/8/2016 at 8:30 a.m. in Department 303.</p> <p align="center">~Please see additional page~</p>
Anna DOD: 12/7/2012		
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
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<input type="checkbox"/> Aff.Pub.		
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<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
	Reviewed by: LEG	
	Reviewed on: 1/25/16	
	Updates:	
	Recommendation:	
	File 9- Herzog	

NEEDS/PROBLEMS/COMMENTS, continued:

1. *Proof of Service by Mail* filed 12/7/2015 shows notice was served to the following persons named in the Trust instrument as contingent beneficiaries of the Trust; however, their names are omitted from Paragraph 7 of the *Petition* that lists the names and residences of trust beneficiaries and others entitled to notice:
 - **BRYAN EUGENE HERZOG;**
 - **KARI L. TRAXLER;**
 - **SHELLIE M. MAZZEI** (*Note: Proof of Service by Mail filed 12/7/2015 does not show notice was served to her.*)
2. Need proof of service by mail of **30 days'** notice prior to hearing for the following Trust beneficiary pursuant to Probate Code §§ 15804(a) and 17203(a)(2):
 - **SHELLIE M. MAZZEI**, contingent Beneficiary.

Note: Proposed order does not make a specific finding that Petitioner is authorized to reimburse Petitioner **RICHARD HERZOG** as Trustee the sum of **\$4,082.28**; to authorize Petitioner to distribute **\$1,983.96** to **DANIELLE HERZOG**; to authorize the holding of a reserve from the distribution of Trust assets; and to authorize the distribution of Trust assets as proposed.

Probate Status Hearing RE: Filing of the Inventory and Appraisal

DOD: 4/15/15	<p>BRAD JACOBSON was appointed Administrator with full IAEA and without bond on 7/6/15.</p> <p>Letters issued 7/8/15.</p> <p>Inventory and Appraisal filed on 10/15/15 showing a value of \$305,000.00.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 12/9/15. Minute order states the filed Inventory and Appraisal was not signed by the probate referee. If a signed Inventory and Appraisal is filed at least two court days prior to 1/27/16, then no appearance is necessary on 1/27/16. – A copy of the minute order was mailed to Steven R. Hrdlicka and Brad Jacobson on 12/9/15.</p> <p>1. Inventory and appraisal was not signed by the probate referee.</p>
Cont. from 120915		
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: 1/25/16
		Updates:
		Recommendation:
		File 10 – Craig

Waiver of Accounting and Petition for Allowance of Statutory Fees to Administrator and Attorney for Administrator, and Petition for Final Distribution

DOD: 11/07/14		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Calendared in Dept. 303 in error.</p> <p>This matter is to be heard in Dept. 54 at 8:30am.</p> <p>See page 31 for additional notes.</p>	
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
✓	PTC		
✓	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		w/
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		07/06/15
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		x
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		x
		Reviewed by: JF	
		Reviewed on: 01/25/16	
		Updates:	
		Recommendation:	
		File 11- Rustigian	

Probate Status Hearing RE: Filing of the Inventory and Appraisal

Age:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u> Inventory & Appraisal filed 01/11/16</p>
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 01/25/16
		Updates:
		Recommendation:
		File 12- Simone

Probate Status Hearing RE: Report from the Public Guardian

Age: 41	<p>PUBLIC GUARDIAN, was appointed Successor Conservator on 08/19/15. Letters of Conservatorship were issued on 01/13/16.</p> <p>Minute Order dated 8/19/2015 from the hearing on the petition stated that the Court would sign the order upon receipt of resignation from the current Conservator [Carolyn Sadler] and set a status hearing for 11/18/15.</p> <p>Minute Order from 11/18/15 set this status hearing for a report from the Public Guardian and stated: Counsel reports that San Mateo retained jurisdiction as to Ms. Sadler's final accounting, setting it for a hearing on 12/22/15. The Public Guardian has arranged a meeting with Ms. Sadler for today and will make a demand for the assets to be turned over.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need status report from Public Guardian.</p>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: JF</p> <p>Reviewed on: 01/25/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13- Eidson</p>

Petition for Letters of Administration, Authorization to Administer under IAEA

DOD: 6/6/15		<p>GENARO A. SALAS, spouse, is petitioner and requests appointment as Administrator without bond.</p> <p>All heirs waive bond.</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate.</p> <p>Residence: Clovis Publication: Fresno Business Journal.</p> <p>Estimated value of the estate:</p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$ 5,000.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$68,569.00</td> </tr> <tr> <td>Total</td> <td>-</td> <td>\$73,569.00</td> </tr> </table> <p>Probate Referee: Steven Diebert</p>	Personal property	-	\$ 5,000.00	Real property	-	\$68,569.00	Total	-	\$73,569.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Wednesday, June 29, 2016 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. • Wednesday, March 29, 2017 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
Personal property	-		\$ 5,000.00									
Real property	-		\$68,569.00									
Total	-		\$73,569.00									
Cont. from 120915												
<input type="checkbox"/>	Aff.Sub.Wit.											
<input checked="" type="checkbox"/>	Verified											
<input type="checkbox"/>	Inventory											
<input type="checkbox"/>	PTC											
<input type="checkbox"/>	Not.Cred.											
<input type="checkbox"/>	Notice of Hrg											
<input checked="" type="checkbox"/>	Aff.Mail	W/										
<input checked="" type="checkbox"/>	Aff.Pub.											
<input type="checkbox"/>	Sp.Ntc.											
<input type="checkbox"/>	Pers.Serv.											
<input type="checkbox"/>	Conf. Screen											
<input checked="" type="checkbox"/>	Letters											
<input checked="" type="checkbox"/>	Duties/Supp											
<input type="checkbox"/>	Objections											
<input type="checkbox"/>	Video Receipt											
<input type="checkbox"/>	CI Report											
<input type="checkbox"/>	9202											
<input checked="" type="checkbox"/>	Order											
<input type="checkbox"/>	Aff. Posting											
<input type="checkbox"/>	Status Rpt											
<input type="checkbox"/>	UCCJEA											
<input type="checkbox"/>	Citation											
<input type="checkbox"/>	FTB Notice											
		<p>Reviewed by: KT</p> <p>Reviewed on: 1/25/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 17 – Salas</p>										

Petition for Appointment of Successor Trustee

		ERIK S STRUVE , Beneficiary, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 1/6/16: Counsel requests a short continuance to address item one on the examiner's notes. The Court finds that a bond in the amount of \$100,000.00 is appropriate.</p> <p>Note: Declaration filed 1/13/16 cleared examiner's notes.</p> <p>Note: Examiner has interlined the proposed order to reflect bond of \$100,000.00 as noted above.</p> <p>The Court will also set a status hearing for the filing of the bond as follows:</p> <ul style="list-style-type: none"> • Wednesday, March 16, 2016 <p>If appropriate documentation has been filed, the status hearing may come off calendar. Otherwise, written status report is required pursuant to Local Rule 7.5.</p> <p>Reviewed by: skc</p> <p>Reviewed on: 1/22/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18- Struve</p>
		Petitioner states on or about 11/2/87, the Honorable Eugene Krum signed that certain Judgment approving the First and Final Account and For Final Distribution which established the George Struve Testamentary Trust in 0350103-8 (attached).	
Cont. from 010616		The first part of the trust regarding Kennedy Ranch has been terminated and is not at issue in these proceedings.	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice	<p>The second part of the trust, established under Paragraph F of Section 8, continues in effect. Marva L. Struve, Trustee, has submitted her resignation effective upon appointment of a successor trustee by this Court. Both named successor trustees are deceased; therefore, Petitioner seeks appointment of himself, an adult and a remainder beneficiary, as successor trustee.</p> <p>Marva L. Struve is the current income beneficiary. Upon her death, 2/3 of the trust estate shall be distributed to Erik Struve, 1/6 shall be distributed to Gregory R. Jenney, and 1/6 shall be distributed to Courtney Thon, as issue of Vicki L. Stott.</p> <p>Marva L. Struve and Gregory Jenney both nominate Petitioner and waive bond.</p> <p>Courtney Thon has objected to the petition and is entitled to notice.</p> <p>See also Memorandum of Points and Authorities.</p> <p>Petitioner prays for an order appointing Petitioner as successor trustee of the George Struve Testamentary Trust to serve without bond and with all of the powers and duties of trustee; and for such other and further relief as the court deems just and proper.</p>	

Probate Status Hearing RE: Filing of the Bond

Age:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u> Bond in the amount of \$150,000.00 filed 12/18/15</p>
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 01/25/16
		Updates:
		Recommendation:
		File 19- Freeman

Petition for Appointment of Guardian of the Person

Age: 1	TEMPORARY EXPIRES 01/27/16	NEEDS/PROBLEMS/COMMENTS:
	TWYLA HOLLIS and MONTRAY IRELAND , maternal grandmother and maternal uncle, are Petitioners.	1. 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 Appointment of Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for:
Cont. from	Father: NATHANIEL RICKS, JR. – personally served on 12/09/15	a. Paternal grandmother Note: Proof of service filed 12/15/15 states that Ewanda West was personally served on 12/14/15; however, her relationship to the minor is unknown
<input type="checkbox"/> Aff.Sub.Wit.	Mother: MONIQUE ISAIAH – <i>Consent & Waiver of Notice</i> filed 11/25/16	b. Anthony Isaiah (maternal grandfather) – <i>unless diligence is found</i>
<input checked="" type="checkbox"/> Verified	Paternal grandfather: NATHANIEL RICKS – served by mail on 11/25/15	
<input type="checkbox"/> Inventory	Paternal grandmother: UNKNOWN	
<input type="checkbox"/> PTC	Maternal grandfather: ANTHONY ISAIAH – <i>Declaration of Due Diligence</i> filed 01/21/16 states that his whereabouts are unknown, Petitioners have not seen him for 16 years	
<input type="checkbox"/> Not.Cred.	Petitioners state [see file].	
<input checked="" type="checkbox"/> Notice of Hrg	Court Investigator Julie Negrete filed a report on 01/21/16.	
<input checked="" type="checkbox"/> Aff.Mail w/		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv. w/		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 01/25/16
		Updates:
		Recommendation:
		File 20- Isaiah

Petition for Letters of Administration with IAEA

DOD: 10/21/15		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued to 2/23/16 at the request of the attorney.</p>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 1/15/16
		Updates:
		Recommendation:
		File 25-Lockie

Petition for Appointment of Successor Probate Conservator of the Person and Estate

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator advised rights on 12/17/15.</p> <p><u>Minute Order 1/20/16:</u> Counsel is to file a verified declaration with the dementia powers and the reverse mortgage issue. If upon filing of the video receipt and clarifying documents the Court is able to approve the matter, then the 1/27/16 hearing may come off calendar. No appearance is necessary at the status hearing if the proof of bond is filed at least two court days prior.</p> <p><u>Update:</u> Declaration filed 1/21/16 provides information regarding two withdrawals on the reverse mortgage and clarifies that Petitioner is seeking dementia medication powers, but not placement powers.</p>
Cont. from 012016			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		W
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
✓	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 1/22/16
			Updates:
			Recommendation:
			File 28- Perehoduk

First and Final Account and Report of Executor, Petition for Final Distribution

DOD: 11/14/13		KIMBERLY KYLE HALL , Executor, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 1/20/16 for status of the filing of an amended petition. As of 1/25/16 an amended petition has not been filed.</p> <p>Need Amended Petition based on but not limited to the following:</p> <ol style="list-style-type: none"> 1. Petition states this is an accounting however there is no accounting attached. Probate Code §1060. 2. Inventory and Appraisal did not include the date of death of Decedent. 3. Petition did not include a statement as to whether or not creditors have been noticed. Probate Code §9050 states that the personal representative shall give notice to all known or reasonably ascertainable creditors. This is in addition to the publication. 4. Petition does not contain a statement regarding Probate Code §216 and 9202(b) re: notice to the Director of Victims Compensation and Government Claims Board. <p>Please see additional page</p>
		Account period: ??	
Cont. from 012016		Accounting - ?	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$300,000.00	
<input checked="" type="checkbox"/>	Verified	Ending POH - ?	
<input checked="" type="checkbox"/>	Inventory	Executor - waives	
<input checked="" type="checkbox"/>	PTC	Attorney - \$5,000.00	
<input type="checkbox"/>	Not.Cred.	(less than statutory) X	
<input type="checkbox"/>	Notice of Hrg	X	
<input type="checkbox"/>	Aff.Mail	X	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	Kimberly Kyle Hall	
<input type="checkbox"/>	Pers.Serv.	Whitney Erin Hurd	
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	11/17/14	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input type="checkbox"/>	Order	X	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 1/25/16
			Updates:
			Recommendation:
			File 29- Oppelt

5. Petition requests distribution to Kimberly Kyle Hall and Whitney Erin Hurd. However, the Will devises the estate to the John J. Oppelt and Barbara J. Oppelt Revocable Trust.
6. Notice of Hearing was not on the Mandatory Judicial Council form (DE-020).
7. Proof of service of the Notice was not signed.
8. Petition does not comply with Local Rule 7.12.1. Petition must list the property to be distributed. The description shall include the cash on hand. Description in the petition of any asset by reference to the inventory is not acceptable.
9. Need Order.

Waiver of Accounting and Petition for Allowance of Statutory Fees to Administrator and Attorney for Administrator, and Petition for Final Distribution

DOD: 11/07/14	GALE RUSTIGIAN , Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: This matter is to be heard in Dept. 54 at 8:30am. 1. The Petition does not make a statement regarding the notice required under Probate Code § 9202(b) – to the Victim Compensation Board; or 9202(c) – to the Franchise Tax Board. Reviewed by: JF Reviewed on: 01/25/16 Updates: Recommendation: File 1- Rustigian
	I & A - \$267,500.00	
	POH - \$68,378.86 (all cash)	
Cont. from	Administrator- waived	
<input type="checkbox"/> Aff.Sub.Wit.	Attorney - \$5,000.00 (less than statutory)	
<input checked="" type="checkbox"/> Verified	Distribution, pursuant to intestate succession, is to:	
<input checked="" type="checkbox"/> Inventory	Makayla Rustigian: \$63,378.86	
<input checked="" type="checkbox"/> PTC		
<input checked="" type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters 07/06/15		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202 x		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice x		