



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.

(1) First Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney [Prob. C. §§ 2620; 2623; 2942]

Age: 80 years	<p>PUBLIC GUARDIAN, Conservator of the Estate only, is petitioner.</p> <p>MARC HAHN, son, is conservator of the person.</p> <p>Account period: 10/23/09 – 10/26/11</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Accounting</td> <td style="width: 10%; text-align: center;">-</td> <td style="width: 60%; text-align: right;">\$246,448.94</td> </tr> <tr> <td>Beginning POH</td> <td style="text-align: center;">-</td> <td style="text-align: right;">\$205,932.92</td> </tr> <tr> <td>Ending POH</td> <td style="text-align: center;">-</td> <td style="text-align: right;">\$111,323.52</td> </tr> <tr> <td colspan="3"> </td> </tr> <tr> <td>Conservator</td> <td style="text-align: center;">-</td> <td style="text-align: right;">\$1,876.40</td> </tr> </table> <p>(13.45 Deputy hours @ \$96/hr and 7.70 Staff hours @ \$76/hr)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Attorney</td> <td style="width: 10%; text-align: center;">-</td> <td style="width: 60%; text-align: right;">\$2,000.00</td> </tr> </table> <p>(per Local Rule)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Bond fee</td> <td style="width: 10%; text-align: center;">-</td> <td style="width: 60%; text-align: right;">\$203.64 (o.k.)</td> </tr> </table> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Court fees</td> <td style="width: 10%; text-align: center;">-</td> <td style="width: 60%; text-align: right;">\$52.00</td> </tr> </table> <p>(certified copies)</p> <p>Petitioner request that due to the insufficiency of the estate to pay the fees and commissions that a lien be imposed upon the estate for any unpaid balances of the authorized fees and commissions.</p> <p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> 1. Approving, allowing and settling the first account; 2. Authorizing the conservator and attorney fees and commissions; 3. Payment of the bond and court fees; 4. Authorize petitioner to impose a lien on the estate for any unpaid balances of authorized fees and commissions. <p>San Mateo County Court Investigator, Julianna Weidner's Report filed on 10/30/10.</p>	Accounting	-	\$246,448.94	Beginning POH	-	\$205,932.92	Ending POH	-	\$111,323.52				Conservator	-	\$1,876.40	Attorney	-	\$2,000.00	Bond fee	-	\$203.64 (o.k.)	Court fees	-	\$52.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Disbursement schedule shows a payment of \$82,408.55 to Marc Hahn, conservator of the person, for subsistence on 6/17/10. Court may require clarification. (Note: There are other disbursements each month for subsistence ranging from \$877.00 to \$4,582.38.)</p>
Accounting		-	\$246,448.94																							
Beginning POH		-	\$205,932.92																							
Ending POH		-	\$111,323.52																							
Conservator		-	\$1,876.40																							
Attorney		-	\$2,000.00																							
Bond fee		-	\$203.64 (o.k.)																							
Court fees		-	\$52.00																							
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UCCJEA																										
Citation																										
FTB Notice																										
	<p>Reviewed by: KT</p> <p>Reviewed on: 1/24/11</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 - Hahn</p>																									

(1) Waiver of Accounting and First and Final Report of Executor and Petition for Its Settlement, (2) for Allowance of Compensation for Ordinary and Extraordinary Services, and (3) for Final Distribution [Prob. C. 10954(a)(1)]

DOD: 11/08/07	NORMA M. JARVIS , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Accounting is waived.	
Cont. from	I & A - \$1,267,500.00	
<input type="checkbox"/> Aff.Sub.Wit.	POH - \$215,221.41	
<input checked="" type="checkbox"/> Verified	Executor - waived	
<input checked="" type="checkbox"/> Inventory	Attorney - waived	
<input checked="" type="checkbox"/> PTC	Attorney x/o fees- \$4,624.00 (for legal services provided in connection with obtaining a judgment against Casey Hacker on behalf of the estate)	
<input checked="" type="checkbox"/> Not.Cred.	Costs - \$1,415.00 (filing fees, publication, certified copies)	
<input checked="" type="checkbox"/> Notice of Hrg	Distribution, pursuant to Decedent's Will, is to:	
<input checked="" type="checkbox"/> Aff.Mail w/o	Norma M. Jarvis, as Trustee of the Kenton J. Jarvis 1996 Revocable Trust dated 04/08/96 - Real property and Judgment in Fresno Superior Court Case No. 10CECG007726.	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters 08/05/08		
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: 01/24/12	
	Updates:	
	Recommendation: SUBMITTED	
	File 2 - Jarvis	

Age: 89 years DOB: 10/6/1922		<p>CRAIG MCGLASHAN, Conservator, is petitioner.</p> <p>Account period: 5/24/10 – 5/30/11</p> <p>Accounting - \$1,773,164.49 Beginning POH- \$ 872,934.64 Ending POH - \$1,691.981.80</p> <p>Current bond is \$1,099,584.00</p> <p>Conservator - waives</p> <p>Attorney - \$800.00</p> <p>Petitioner states the current bond is less than the value of the estate. Petitioner states he is a member of the State Bar and is the only child of the conservatee and request that the court leave the bond set at the current amount.</p> <p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> 1. That Petitioner be directed to pay the sum of \$800.00 to the Law Office of Howk and Downing. 2. The court order that the Conservatee is not able to complete an affidavit of voter registration; 3. All acts and transactions of the Conservator of the Person and Estate of Jamie E. McGlashan, as set forth in the account and report or relating to matters set forth in the account and report be ratified, confirmed and approved. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued to 3/12/12 at the request of the attorney.</p> <ol style="list-style-type: none"> 1. Summary of Account is not on the mandatory Judicial Council form. Probate Code 2620(a). 2. Need Board and Care Statements. Probate Code §2620(c)(5). 3. Need bank statements. Probate Code §2620(c)(2) 4. Need supplemental Inventory and Appraisal for additional property received. Probate Code §2613. 5. Morgan Stanley Smith Barney Account was not appraised by the Probate Referee as required. Probate Code §2610(c) and Probate Code §8901. 6. Inventory and appraisals filed total \$1,084,929.64. Beginning property on hand totals \$872,934.64. Beginning property on hand should be the inventory and appraisal amount. 7. Petitioner sold real property of the conservatorship (court confirmed) during this account period. Need original closing escrow statements. Probate Code §2620(c)(4). <p><i>Please see additional page</i></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			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
2620(c)	X		
Order	X		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 1/25/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3 - McGlashan</p>	

- 8. Schedule B- Gain on Sale lists the gain on the sale of the real property as \$164.38. The gain is the difference between the inventory and appraisal value (\$220,000) and the sale price (\$240,000). Therefore the gain on sale is \$20,000.00.**
- 9. Disbursement schedule includes a disbursement to Howk & Downing in the amount of \$2,743.04 for costs and filing fee associated with conservatorship. Need itemization of costs and filing fee.**
- 10. Disbursement schedule includes a disbursement to Craig McGlashan for pre-conservatorship expenses in the amount of \$947.50. Need itemization.**
- 11. Disbursement schedule includes a returned item chargeback fee to Bank of America in the amount of \$36.00. Court may require clarification.**
- 12. 1999 Jaguar is valued at \$8,500.00 on the inventory and appraisal. The property on hand at the end of the account period lists the Jaguar valued at \$8,510.00.**
- 13. If court requires bond to be increased pursuant to Probate Code §2320, bond should be increased to \$1,907.217.24.**
- 14. Need Order**

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued to 2/15/12</u> at the request of the attorney.</p>
Cont. from 110211, 121411		
Aff.Sub.Wit.		
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Inventory		
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Notice of Hrg		
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Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
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Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 1/24/12
		Updates:
		Recommendation:
		File 4A - Guerrero

4A

Ex Parte Petition for Appointment of Guardian Ad Litem-Probate

		<p>JULIETA GUERRERO, mother of the minor, is petitioner.</p> <p>Petitioner states the minor in this proceeding, Gabriella Guerrero, is four years old. She is the only child of the decedent. Decedent owned real property at the time of his death.</p> <p>Petitioner requests the court appoint her as Guardian Ad Litem for the minor, Gabriella Guerrero, for the purpose of filing a Petition to Determine Succession on the minor's behalf.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued to 2/15/12 at the request of the attorney.</p>
Cont. from 110211, 121411			
<input type="checkbox"/>	Aff.Sub.Wit.		
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<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: KT</p> <p>Reviewed on: 1/24/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4B – Guerrero</p>	

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

DOD: 5/9/2011		<p>GABRIELA GUERRERO, by her Guardian Ad Litem, JULIETA GURRERRO, is petitioner.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>Decedent died intestate.</p> <p>I & A – NEED.</p> <p>Petitioner requests Court determination that decedent’s interest in real and personal property pass to Gabriela Guerrero pursuant to intestate succession.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued to 2/15/12</u> at the request of the attorney.</p> <p>Note: Gabriela is a four year old minor.</p> <ol style="list-style-type: none"> 1. Need Inventory and Appraisal 2. #9a(3) of the petition was not answered re: issue of predeceased child. 3. Attachment 11 of the petition does not include the decedent’s interest in the property. 4. Minute order dated 11/2/11 vacated the hearing date of 11/21/11 and rescheduled the matter to 12/14/11. Petitioner’s Notice of Hearing shows the vacated hearing date of 11/21/11. Need Notice of Hearing for the rescheduled date of 12/14/11 with proof of service on all interested parties.
Cont. from 121411			
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Inventory			
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Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	W/		
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Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: KT	
		Reviewed on: 1/24/12	
		Updates:	
		Recommendation:	
		File 4C - Guerrero	

Atty Smith, Frederick W., Jr. (of Oakdale, CA, for Petitioner Dorothy Powell, by and through her agent, Craig Powell)

(1) Petition Pursuant to Prob. C. §17200; (2) Request for Accounting; (3) Request for Suspension of Trustee Powers; (4) Request for Removal of Trustee; (5) Request for Appointment of Neutral Trustee; (6) Request for Reimbursement of Attorney's Fees and Costs [Prob. C. §17200]

Louis Varni DOD: 2-25-10	<p>DOROTHY POWELL, by and through her agent, CRAIG POWELL, is Petitioner. Petitioner is the sister of Eva Varni and a beneficiary of the VARNI FAMILY TRUST created 3-27-97, amended and restated in its entirety on 2-21-03, and amended on 12-3-03.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>		
Eva Varni DOD: 9-18-05	<p>ALBERT PINASCO is the sole remaining successor trustee by the terms of the trust (he served as an initial co-trustee with the trustors, then as co-trustee with the surviving trustor, and now alone) and pursuant to the Notification by Trustee under Probate Code §16061.7 executed on 1-21-11 (attached). Mr. Pinasco is also a beneficiary and an officer of the Varni Corporation, which is owned by the trust.</p>	<p><u>Note:</u> On 1-26-12, the Probate Clerks' Office received a telephone call from an attorney associated with the trust (not Frederick W. Smith, Jr.), who stated that this Petitioner, Dorothy Powell, has died, and requested to continue the matter. The clerk informed the caller that only the Petitioner's attorney could receive a continuance by phone.</p>		
<table border="1"> <tr> <td>Aff.Sub.Wit.</td> <td></td> </tr> </table>	Aff.Sub.Wit.		<p>Petitioner states Mr. Pinasco has failed to keep beneficiaries reasonably informed of the status of the administration of the trust and has failed to furnish the material information necessary to protect the beneficiaries' interests as required by Probate Code §§ 16060 and 16061.</p>	<p><u>Therefore, this matter remains on calendar, subject to the following issues:</u></p>
Aff.Sub.Wit.				
<table border="1"> <tr> <td>✓ Verified</td> <td>X</td> </tr> </table>	✓ Verified	X	<p>After the death of the surviving trustor on 2-25-10, Petitioner did not receive any information regarding the trust for nearly 11 months. Petitioner contacted the trustee and requested a copy of the trust and asset information beginning in October 2010; however, the first formal information received was the notification to beneficiaries which was sent on 1-21-11 (almost one year after the death of the surviving trustor).</p>	<p>1. The Petition is brought by Dorothy Powell, by and through her agent, Craig Powell, who signed the verification. However, the Petition does not explain the circumstances of the agency or the relationship between Dorothy Powell and Craig Powell.</p>
✓ Verified	X			
<table border="1"> <tr> <td>Inventory</td> <td></td> </tr> </table>	Inventory		<p>Petitioner also requested information regarding the assets of the trust, an accounting, and requested to meet with the trustee regarding trust administration.</p>	<p>Craig Powell has not been appointed as a guardian ad litem by the Court in this proceeding pursuant to Probate Code §1003.</p>
Inventory				
<table border="1"> <tr> <td>PTC</td> <td></td> </tr> </table>	PTC		<p>In response, Petitioner was provided with a one-page document listing the principal assets of the trust as four parcels of real estate and 100% of the shares in the Varni Corporation. No asset valuations or accounting was provided.</p>	<p>Additionally, the Court has been informed that Petitioner Dorothy Powell has died.</p>
PTC				
<table border="1"> <tr> <td>Not.Cred.</td> <td></td> </tr> </table>	Not.Cred.		<p style="text-align: center;"><u>SEE PAGE 2</u></p>	<p><u>Therefore, based on all of these issues, need clarification and authority for CRAIG POWELL to bring this petition, and verify it, on behalf of DOROTHY POWELL.</u></p>
Not.Cred.				
<table border="1"> <tr> <td>✓ Notice of Hrg</td> <td></td> </tr> </table>	✓ Notice of Hrg			<p><u>If the parties wish to pursue this matter, the Court may require amendment.</u></p>
✓ Notice of Hrg				
<table border="1"> <tr> <td>✓ Aff.Mail</td> <td>W</td> </tr> </table>	✓ Aff.Mail	W		<p style="text-align: center;"><u>SEE PAGE 3</u></p>
✓ Aff.Mail	W			
<table border="1"> <tr> <td>Aff.Pub.</td> <td></td> </tr> </table>	Aff.Pub.			<p>Reviewed by: skc</p>
Aff.Pub.				
<table border="1"> <tr> <td>Sp.Ntc.</td> <td></td> </tr> </table>	Sp.Ntc.			<p>Reviewed on: 1-26-12</p>
Sp.Ntc.				
<table border="1"> <tr> <td>Pers.Serv.</td> <td></td> </tr> </table>	Pers.Serv.			<p>Updates:</p>
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Conf. Screen				
<table border="1"> <tr> <td>Letters</td> <td></td> </tr> </table>	Letters			<p>File 5 - Varni</p>
Letters				
<table border="1"> <tr> <td>Duties/Supp</td> <td></td> </tr> </table>	Duties/Supp			
Duties/Supp				
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Objections				
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Order	X			
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<table border="1"> <tr> <td>FTB Notice</td> <td></td> </tr> </table>	FTB Notice			
FTB Notice				

Page 2 of 4

SUMMARY (Continued):

Petitioner did not receive any detailed information until a beneficiaries' meeting on 8-6-11, to which she was forbidden to bring representation of any kind. At the meeting, a PowerPoint presentation included a list of the properties owned and a balance sheet for Varni Corporation (*not the trust*). This information was provided 18 months after the death of the surviving trustor and still no accounting was provided.

Petitioner states the trustee has not provided an accounting pursuant to Probate Code §16062, which requires account at termination or at least annually. A letter from the trustee's counsel dated 1-27-11 stated an accounting would be forthcoming, but the only information Petitioner received is the list and balance sheet noted above and provided at the beneficiaries' meeting. These documents do not conform to the requirements for the contents of an accounting (Probate Code §16063), including receipts and disbursements, assets and liabilities, trustee's compensation, and compensation of any agents hired.

In addition, Petitioner is informed and believes the trustee purchased a residence and adjacent vacant lot in Tahoma, California for \$865,000.00, and spent \$27,778.92 for additional improvements to the property, presumably an investment for the trust. The balance sheet provided to beneficiaries shows the property has expenses of \$62,198.76 for the period 6/2010-5/2011, yet this property has not generated any income. The purchase was made in December 2009, two months before the death of Louis Varni, at which Mr. Pinasco was a co-trustee. Mr. Varni was supposedly the beneficiary of this purchase; however, at that time, he was in poor health and advanced in age and it was highly unlikely that he would have ever visited or used the property. Petitioner speculates that Mr. Pinasco has used it himself since it has not been rented to third parties.

A trustee has a duty to manage assets as a prudent investor would, exercise reasonable care, skill and caution per Probate Code §16047(a), and also has a duty to make the trust property productive. The purchase and subsequent management of the Tahoma Property is a violation of the trustee's duty, since approximately one million dollars from the trust was spent on it, but it has not been rented out or generated any income. This money could have been available to distribute to beneficiaries of the trust.

Petitioner states the trustee has only made one small distribution to the beneficiaries at the meeting.

He has not provided a list of assets or proposed distribution schedule. Specifically, he has failed to make the distributions of tangible personal property in violation of the specific trustee's duties.

Petitioner further states that the trustee has a conflict of interest in that he is trustee, beneficiary, and an officer of Varni Corporation, which is owned by the trust. Trustees are subject to removal whenever it appears that their private interests conflict with their trust duties, and when it appears that trust property has been appropriated to their own use. See Moore v. Bowes (1937) 8 C.2d 162, 165; Estate of Vokal (1953) 121 C.A.2d 252, 258. Petitioner states that because he "is wearing multiple hats" it is difficult for him to act in the best interest of all trust beneficiaries.

Petitioner states the trustee should be removed from office, his powers suspended, and an independent successor trustee appointed because:

- He does not keep the beneficiaries informed regarding the administration of the trust;
- He has not provided an accounting for the trust;
- He has mismanaged assets of the trust; and
- He has not distributed the assets of the trust.

Petitioner also requests that the Court order trustee's compensation and/or share of the assets be charged for Petitioner's attorney's fees and costs for bringing this Petition.

Petitioner requests an Order:

- That Mr. Pinasco provide an accounting of the assets in the trust and the subtrusts created thereunder;
- That Mr. Pinasco be removed as trustee;
- That Justice Steven M. Vartabedian be appointed as the neutral successor trustee;
- That Mr. Pinasco surrender all assets of the trust and subtrusts created thereunder to the Court-appointed neutral successor trustee;
- That Mr. Pinasco's compensation/distributive share of the trust be charged and credited to Petitioner for the costs and attorney's fees for bringing this Petition; and
- Any such additional order as the Court deems proper.

SEE PAGE 3

NEEDS/PROBLEMS/COMMENTS (Continued):

- 2. Petitioner provides a list of parties entitled to notice pursuant to Probate Code §17201; however, there appear to be a number of beneficiaries who are not included.**

The Court may require clarification and notice pursuant to Probate Code §17201 and Cal. Rule of Court 7.51 (including minors).

The list of persons that may require notice may include:

- Roberta (Jane) Pores (Eva Varni's sister)**
- Eva Varni's five grand-nieces and nephews**
- Kimala Hockey and her children**
- Dan Stetson and Jan Stetson (unknown relation to Eva Varni)**
- Kathy Pinasco and Sherry Pinasco (unknown relation to Eva Varni)**
- Lisa Pacheco (Louis Varni's sister)**
- Heirs of deceased heirs, as mentioned in the trust**
- "caregivers who served Eva Varni and Louis Varni during their lifetimes" pursuant to the 2-21-06 Amendment.**

Note: 30 days' notice is required. The Court may not shorten time for giving notice per Probate Code §17203(b).

- 3. Petitioner requests appointment of Justice Steven M. Vartabedian as the neutral successor trustee; however, there is no indication that he is aware of or would agree to serve as successor trustee. He was not served with notice of this petition, and there is no signed consent or acceptance of trust provided.**
- 4. Pursuant to Probate Code §15602, a person not named as a trustee in the trust instrument must provide a bond; however, Petitioner does not provide an estimate for bond purposes. The code states that the Court may not excuse the requirement except in compelling circumstances.**

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

Age: 18 DOB: 12/30/93	<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
	JULIA SERRANO DE ROMERO and CARLOS ROMERO , parents, are Petitioners and request appointment as Conservator of the Person with medical consent powers.	1. Need CI report.
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Declaration of Jacob K. Peters, M.D. supports request for medical consent powers.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Voting Rights – NEED REPORT	
<input checked="" type="checkbox"/> Aff.Mail w/	Petitioners state that the proposed conservatee is diagnosed with Down’s Syndrome and requires assistance with most daily living tasks. She has the cognitive ability of about a six year old and needs assistance with bathing, hygiene, cooking, etc. She also suffers from a speech impairment that makes it difficult for her to express her needs and desires.	
<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 checked="" type="checkbox"/> Video Receipt	Court Investigator Samantha Henson’s report was filed – NEED REPORT.	
<input type="checkbox"/> CI Report X		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input checked="" type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 01/25/12
		Updates:
		Recommendation:
		File 7 - Romero

		NAGLAA K. ALAMELDIN , sister / Administrator with full IAEA with bond of \$190,000.00, is Petitioner. (Appointed 1-2-07)	NEEDS/PROBLEMS/COMMENTS:
DOD: 11-6-06		Account period: 11-6-06 through 9-20-10	<u>(Page 1 of 3)</u>
Cont. from: 110110, 120610, 012711, 042811, 070711, 081811, 091411, 113011		Accounting: \$ 507,501.26 Beginning POH: \$ 477,653.43 Ending POH: \$ 105,275.67	Note: This is the 9th hearing on this petition.
	Aff.Sub.Wit.	Administrator: \$ 5,944.34 (Note: Petition does not appear to request statutory commissions at this time.)	Note: Roli Elsotari (Decedent's ex-wife) filed a petition to remove Administrator on 2-3-10, which was denied on 7-13-10. On that date, the minute order states Atty Rindlisbacher will file an interim accounting; status hearing set for 9-21-10. This Status Report and Account (the interim accounting) was filed 9-21-10 and heard on 11-1-10, and was continued to 12-6-10, 1-27-11, 4-28-11, and 7-7-11.
✓	Verified	Administrator: \$ 11,424.99 (Reimburse for costs of administration and repairs to residence – This amount is included in the Ending POH figure as a Note Payable.)	The following issues remain regarding this petition: See Page 2, 3.
✓	Inventory	Attorney: \$ 5,944.34 *	Declaration filed 9-13-11 addresses the issues noted on Page 2 and 3 and requests an additional 30 days to correct the inventory and file an amended account.
✓	PTC	*Petitioner proposes to split statutory attorney fees between current attorneys and former attorneys Tuttle & McCloskey, who have filed a Creditor's Claim for \$2,140.00, which has not yet been approved by the court or paid, and \$3,500.00 estimated statutory fees. This split has not yet been agreed upon yet. Petition does not appear to request payment of these fees.	Minute Order 11-30-11 continued the matter to 2-1-12.
✓	Not.Cred.		As of 1-25-12, nothing further has been filed.
✓	Notice of Hrg		Contacts: Reviewed 11-21-11
✓	Aff.Mail		Recommendation:
	Aff.Pub.		Reviewed by: skc
	Sp.Ntc.		File 8 - Alameldin
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202	Petitioner states the estate is <u>not</u> in a position to be closed because Petitioner has not been able to collect the amounts owed to the estate by Roli Elsotari and the estate is insolvent.	
	Order	Petitioner requests that the administration of the estate continue until Roli Elsotari has repaid the sums owed to the estate or other satisfactory arrangements approved by the Court are made for repayment of those sums.	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
N/A	FTB Notice	Petitioner prays for an Order: 1. Confirming and approving all acts of Petitioner; 2. Settling and approving the First account; 3. Authorizing reimbursement to Petitioner for costs of \$11,424.99 4. Continuing administration of the estate until Roli Elsotari has repaid the sums owed to the estate or other satisfactory arrangements approved by the Court are made for repayment of those sums; and 5. Such further orders as the court deems appropriate. Declaration filed 8-18-11 addresses the Bank of America creditor's claim. Minute Order 8-18-11: Counsel requests a continuance to resolve the other issues. Minute Order 9-14-11: Mr. Rindlisbacher requests a continuance.	

NEEDS/PROBLEMS/COMMENTS (Continued) (Page 2 of 3):

1. Inventory and Appraisal filed 3-23-10 and Amended I&A filed 9-13-11 appear to contain items appraised by Petitioner on Attachment 1 that should have been appraised by Probate Referee on Attachment 2 per Probate Code §8901:

- Warrant dated 11-15-06 valued at \$13,618.19
- Warrant dated 5-21-07 valued at \$232.61
- Warrant dated 7-3-07 valued at \$18.41

Note: Descriptions of warrants state: "paid to Roli Elsotari (per Order of Fresno County Superior Court, sustained on appeal, this asset belongs to estate)."

Note: Petition addresses the warrants at #3 and #5, as judgments and states interest is accruing and Petitioner plans to levy Ms. Elsotari's wages to enforce the judgment.

Declaration filed 9-13-11 states the warrants were properly inventoried. At the time of his death, these warrants represented wages and vacation compensation owed to Decedent. They were paid to Roli Elsotary pursuant to a beneficiary designation, and Petitioner sought judicial relief for an order that she be required to pay those monies back to the estate.

Examiner notes that items such as debts and notes payable are typically appraised by the Probate Referee. If, at the time of death, these items were not warrants, but wages, they should be listed appropriately in whatever form or character they were at the date of death. If they later became debts owed to the estate via judgment or warrant, that is not an inventory item. However, for purposes of continuing this review, this explanation is accepted by Examiner.

2. Inventory and Appraisal filed 3-23-10 includes "TD Ameritrade Investment Account" valued at \$108,013.63 by Administrator on Attachment 1. Petition states this is a money market account, which means that appraisal on Attachment 1 is appropriate per Probate Code §8901(d); however, the Petition further states that Decedent had "shorted" a number of stocks against this account and Administrator repaid the loan by purchasing the stocks that had been shorted by Decedent and selling them the same day at a gain of \$29,394.36. The court may require further information regarding whether appraisal of this item as a cash asset (including loan and repayment) is appropriate or whether the loan within the asset warrants appraisal by Probate Referee.

Note: Minute Order 4-28-11 states Atty Rindlisbacher represents the account was properly accounted for; however, the minute order does not reflect action by the court on the representation. The item remains noted.

Declaration filed 9-13-11 states the item is properly appraised on Attachment 1.

SEE PAGE 3

NEEDS/PROBLEMS/COMMENTS (Continued) (Page 3 of 3):

3. Need Allowance or Rejection of Creditor's Claims:

- Bank of America \$311.50 (filed 8-27-07)

- Bank of America \$40,978.89 (filed 8-27-07)

Note: Petition states Bank of America was paid \$37,000.00; however, no Allowance or Satisfaction has been filed.

Note: Petition states Bank of America claim for \$311.50 is still pending.

Note: Declaration filed 8-18-11 provides a letter from Bank of America indicating settlement and receipt of \$37,000.00; however, the account number referenced on the letter does not match the account number referenced on either B of A creditor's claim. Need clarification.

Declaration filed 9-13-11 states Petitioner is researching to find out why the account numbers don't match, and the smaller claim is still pending.

As of 1-25-11, nothing further has been filed.

4. Petition appears to use net figures instead of gross figures for calculation of gains and losses (vehicles, personal property). This affects the balance of the account.

Declaration filed 9-13-11 states Petitioner is correcting the accounting to use gross figures and will be filing an amended and corrected account.

As of 1-25-11, nothing further has been filed.

5. Petition states the Guaranty Bank balance was transferred to the California State Controller's Office and Petitioner is submitting paperwork to collect this amount. Court may require additional information.

Declaration filed 9-13-11 states this item is pending. Petitioner was recently notified that there may be another asset that was previously unknown that may be a part of the estate.

As of 1-25-11, nothing further has been filed.

Need status of pending return of funds, plus status of discovery of the previously unknown asset.

DOD: 06/10/09		DOUGLAS E. VOELKEL & KAREN L. MUZZY, children, were appointed as Special Administrators on 08/03/11 and Letters were issued on 08/08/11. The Letters of Special Administration will expire on 02/01/12.	NEEDS/PROBLEMS/COMMENTS: 1. Need status update.
Cont. from		Petitioners requested to appointment as Special Administrators for the purpose bringing a Quiet Title/Adverse Possession action on behalf of the estate.	
Aff.Sub.Wit.			
Verified		Minute Order from 08/03/11 hearing states: Declination to Act as Executor/Special Administrator accepted and filed in court. The Court extends the special letters to 02/01/12. The Court advises counsel that the special letters will be subject to further extension.	
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: 01/25/12
			Updates:
			Recommendation:
			File 9 - Voelkel

Lloyd, 3 DOB: 09/08/08 <hr/> Kayveon, 2 DOB: 10/19/09 <hr/> <hr/> <hr/> Cont. from <hr/> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;"></td> <td style="width: 85%;">Aff.Sub.Wit.</td> <td style="width: 10%;"></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Verified</td> <td></td> </tr> <tr> <td></td> <td>Inventory</td> <td></td> </tr> <tr> <td></td> <td>PTC</td> <td></td> </tr> <tr> <td></td> <td>Not.Cred.</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Notice of Hrg</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Aff.Mail</td> <td style="text-align: center;">w/</td> </tr> <tr> <td></td> <td>Aff.Pub.</td> <td></td> </tr> <tr> <td></td> <td>Sp.Ntc.</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Pers.Serv.</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Conf. Screen</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Letters</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Duties/Supp</td> <td></td> </tr> <tr> <td></td> <td>Objections</td> <td></td> </tr> <tr> <td></td> <td>Video Receipt</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>CI Report</td> <td></td> </tr> <tr> <td></td> <td>9202</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Order</td> <td></td> </tr> <tr> <td></td> <td>Aff. Posting</td> <td></td> </tr> <tr> <td></td> <td>Status Rpt</td> <td></td> </tr> <tr> <td></td> <td>UCCJEA</td> <td></td> </tr> <tr> <td></td> <td>Citation</td> <td></td> </tr> <tr> <td></td> <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		✓	Duties/Supp			Objections			Video Receipt		✓	CI Report			9202		✓	Order			Aff. Posting			Status Rpt			UCCJEA			Citation			FTB Notice		<p style="text-align: center;"><u>TEMPORARY EXPIRES 02/01/12</u></p> <p>DEBORRAH SMITH, maternal grandmother, is Petitioner.</p> <p>Father: LLOYD C. MACKLIN, JR. – <i>personally served 12/28/11</i></p> <p>Mother: DEBORRAH M. HARVEY – <i>personally served 12/09/11</i></p> <p>Paternal grandfather: LLOYD C. MACKLIN – <i>declaration of due diligence filed 12/09/11; petitioner believes he is deceased</i></p> <p>Paternal grandmother: JOYCE L. FRIERSON – <i>served by mail on 12/29/11</i></p> <p>Maternal grandfather: RONNIE GREEN – <i>declaration of due diligence filed 01/11/12</i></p> <p>Petitioner states that neither parent is fit to care for the children due to drug problems and domestic violence between them. The father is in Wasco State Prison and the mother was recently arrested. Petitioner states that she neither parent is able to provide a stable and safe home.</p> <p>Court Investigator Dina Calvillo’s report was filed 01/24/12.</p> <p>Declaration of mother, Deborah Harvey, filed 01/27/12 states that she is in favor of her mother being appointed as guardian of her two children. She feels that the children will be well cared for by her mother. Ms. Harvey states that she is OK with the paternal grandmother having visitation with the children at the guardian’s discretion, once her home has been verified to be safe. Further, she states that she feels it is in the children’s best interest to live with Petitioner and not with the paternal grandmother.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <hr/> <p>Reviewed by: JF</p> <hr/> <p>Reviewed on: 01/24/12</p> <hr/> <p>Updates:</p> <hr/> <p>Recommendation:</p> <hr/> <p>File 11 - Macklin</p>
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Petition for Termination of Guardianship

Age: 4	TAMARA E. MADDEN, Mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
DOB: 1-30-07	REEVE M. MARTIN, Paternal Grandmother, was appointed Guardian on 9-15-11.	<u>Minute Order 9-15-11</u> : The Court finds it is in the best interest of the child to have Reeve Martin as Guardian. The Court orders supervised visitation at the home of the Guardian or other location on Wednesdays and Saturdays from 10:30 am to 12:00 noon. Guardian may extend the visits if she believes it is in the best interest of the child and Mother can provide a safe environment without drugs, alcohol or boyfriends.
Cont. from 113011	Father: BRUCE DEANDRE' SMITH - <i>Incarcerated</i>	<u>Minute Order 11-30-11</u> : The Court directs that a court investigator communicate with CPS regarding the guardian not following-up with medical appointments/lab work for the minor's existing health issues. Additionally, CPS is to be advised that there may be other issues regarding the well-being of the child including but not limited to the possible delay of the child attending kindergarten or preschool due to delays in medical appointments. Matter continued to 2-1-12.
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC	Petitioner states Guardian isn't caring for the child properly and his health is at risk.	
Not.Cred.		
Notice of Hrg	X	
Aff.Mail	X	
Aff.Pub.		
Sp.Ntc.		
✓ Pers.Serv.		
Conf. Screen	Petitioner states that the Guardian stated to the Court Investigator that the child was taken from Mother's home by DSS, but she has never had a CPS case and he was not taken – Mother dropped him with the father. Petitioner attached medical records and DSS reports.	
Letters		
Duties/Supp		
Objections	Court Investigator Dina Calvillo filed a report on 11-18-11.	
Video Receipt		
✓ CI Report	X	
✓ Clearances		
Order	X	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	Court Investigator to provide supplemental report per Minute Order 11-30-11.	
		1. Need Notice of Hearing.
		2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing per Probate Code §1460(b)(5) or consent and waiver of notice on: - Reeve Martin (Guardian) - Bruce DeAndre' Smith (Father)
		<i>Note: A proof of personal service was filed on 11-30-11 showing personal service on Guardian Reeve Martin; however, it was filed with a "Declaration" cover page rather than a "Notice of Hearing" so it is unknown whether a hearing date was provided to the Guardian.</i>
		3. Need Order.
		Reviewed by: skc
		Reviewed on: 1-25-12
		Updates:
		Recommendation:
		File 12 - Smith

Age: 8 years DOB: 4/28/2003	<p style="text-align: center;"><u>Temporary Expires 2/1/2012</u></p> <p>JOSEPHINA GONZALEZ, maternal grandmother, is Petitioner.</p> <p>Father: RICHARD LONGBOY – <i>personally served on 9/27/11.</i></p> <p>Mother: GRACIE CAMARILLO – <i>court dispensed with notice by minute order dated 9/15/11.</i></p> <p>Paternal grandfather: <i>Not listed</i> Paternal grandmother: <i>Not listed</i> Maternal grandfather: <i>Not listed</i></p> <p>Petitioner states the child needs a guardian because her father is incarcerated, her mother is unstable and has not been in the child’s life for two years, and the child has no home. Petitioner states the child’s father wishes that the child live with the Petitioner.</p> <p>Court Investigator Dina Calvillo’s Report filed on 10/18/11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Petition does not include the names and addresses of the paternal grandparents or the maternal grandfather. Need proof of service of the <i>Notice of Hearing</i> and a copy of the <i>Petition or Consent to Appointment of Guardian and Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i> for: <ol style="list-style-type: none"> Paternal grandparents Maternal grandfather <i>UCCJEA</i> form filed on 9/2/2011 does not provide residence information for the last 5 years as required. 	
Cont. from 110211			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail			W/O
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: 1/24/12			
Updates:			
Recommendation:			
File 13 - Longboy			

Atty Leavy, Tamia M. (Pro Per – Sister – Petitioner)

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

Age: 12	NO TEMPORARY – none requested	NEEDS/PROBLEMS/COMMENTS:
DOB: 11-20-99	TAMIA M. LEAVY, Sister, is Petitioner.	
Cont. from 113011	Father: Deceased	<u>Minute Order 11-30-11</u> : Examiner Notes provided to Petitioner. Petitioner is directed to cure the defects. The Court continues the matter to 2-1-12. The Court orders that a Court Investigator contact CPS to follow up on the Petitioner's participation in the programs she was directed to attend during the TDM.
Aff.Sub.Wit.	Mother: Deceased	
✓ Verified	Paternal Grandfather: Not listed	<u>As of 1-25-12, nothing further has been filed.</u>
Inventory	Paternal Grandmother: Not listed	
PTC	Maternal Grandfather: Not listed	<u>Guardianship cannot go forward without the following mandatory items:</u>
Not.Cred.	Maternal Grandmother: Austrila Vines	
Notice of Hrg	X Siblings: Dewayne Gaster, Tehada Hale (ages not listed)	1. Need Confidential Guardianship Screening Form (GC-212).
Aff.Mail	X	
Aff.Pub.	Petitioner states she is the only thing close to a mother that he has and requests to let him stay close to home. She loves her brother and has taken care of him his whole life and knows he wants to succeed in life.	2. Need Duties of Guardian (GC-248)
Sp.Ntc.		3. Need Notice of Hearing.
Pers.Serv.	X	4. 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 or consent and waiver of notice on <u>Lorenzo D. Leavy (age 12)</u> .
Conf. Screen	X	
Letters	X	5. 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 or consent and waiver of notice or declaration of due diligence on:
Duties/Supp	X	
Objections		- Paternal Grandfather
Video Receipt		- Paternal Grandmother
✓ CI Report	UCCJEA indicates Lorenzo has lived with Petitioner since July 2008.	- Maternal Grandfather
✓ Clearances		- Maternal Grandmother
Order	X Court Investigator Samantha Henson filed a report on 11-22-11.	- Tehada Hale (Sibling age 35)
	<i>Court Investigator to provide supplemental report per Minute Order 11-30-11.</i>	- Shaniea Easter (Sibling age 30)
Aff. Posting		- Dewayne Easter (Sibling age 29)
Status Rpt		- Hosea Leavy (Sibling age 21)
✓ UCCJEA		- Latifah Leavy (Sibling age 19)
Citation		- Marquise Leavy (Sibling age 15)
FTB Notice		- Parent/Guardian of Marquise
		- Any other siblings age 12 or older, and parent or guardian, if still a minor
		Reviewed by: skc
		Reviewed on: 11-21-11
		Updates: 11-28-11
		Recommendation:
		File 14 - Leavy

Atty Liscano, Lorie (pro per – maternal grandmother/Petitioner)

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

Age: 2 months DOB: 11/05/11	<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
	LORIE LISCANO , maternal grandmother, is Petitioner.	This Petition is for Arturo Vargas only. Petitioner was appointed as Guardian of Jordan and Guage on 12/01/11.
	Father: MARIO VARGAS	
Cont. from	Mother: MARYANN LISCANO	
Aff.Sub.Wit.	Paternal grandparents: UNKNOWN	
✓ Verified	Maternal grandfather: RUDY LISCANO	
Inventory	Petitioner states that the mother has a history of drug abuse. Petitioner has cared for all children since birth. Petitioner was appointed as guardian of Jordan and Guage on 12/01/11, however, Arturo was not included in the Petition because he was not born until after the Petition was filed. Petitioner is now seeking guardianship of Arturo also. Petitioner states that he is a newborn and needs to be properly cared for and his mother knows that she is not able to properly care for any of her children.	<ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of personal service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Guardianship</i> <u>or</u> Consent and Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ul style="list-style-type: none"> - Mario Vargas (father) - Maryann Liscano (mother) 3. 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 Guardianship</i> <u>or</u> Consent and Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ul style="list-style-type: none"> - Paternal grandparents (unknown) - Rudy Liscano (maternal grandfather) 4. Need <i>Confidential Guardian Screening Form</i>. 5. Need Duties of Guardian. 6. Need UCCJEA. 7. Need CI report and clearances – CI to provide.
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
✓ Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report	Court Investigator Julie Negrete’s report was filed – NEED REPORT.	
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Note: Petitioner filed Confidential Guardian Screening Form, Duties of Guardian, UCCJEA, and Consent and Waivers of Notice in connection with her guardianship petition for Jordan and Guage; however, these documents need to be filed again for this new petition.
		Reviewed by: JF
		Reviewed on: 01/25/12
		Updates:
		Recommendation:
		File 15 – Halford & Liscano