



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 and Final Account and (2) Report of Conservator, and (3) Petition for Final Distribution (Prob. C. 1860(a), 1861(a)(1)(b), 2620)

DOD: 02/28/12	CAROL LEWIS , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 04/27/11 – 02/28/12	CONTINUED FROM 01/14/13
	Accounting - \$75,126.41	As of 01/29/13, nothing further has been filed in this matter. The following notes have not been addressed and remain:
	Beginning POH - \$70,000.00	1. Schedule C of the Accounting states that \$13,950.14 in attorney's fees and \$460.50 in costs have been paid to Quinlan, Kershaw & Fanucchi. It appears that this payment of fees was made without court order in violation of Probate Code § 2647, which states that no attorney's fees may be paid from the estate of the conservatee without prior court order.
	Ending POH - \$45,992.01	Note: Declaration filed 11/20/12 states that charges for services rendered total \$16,856.64. This differs from the \$13,950.14 requested in the Petition. Need clarification.
Cont. from 082912, 101712, 112012, 112612, 011413	Account period: 02/29/12 – 04/30/12	Note to Judge: The Examiner has retained the Order in this matter due to the above referenced defects.
<input type="checkbox"/> Aff.Sub.Wit.	Accounting - \$45,992.01	
<input checked="" type="checkbox"/> Verified	Beginning POH - \$45,992.01	
<input type="checkbox"/> Inventory	Ending POH - \$28,356.99	
<input type="checkbox"/> PTC	Conservator - waived	
<input type="checkbox"/> Not.Cred.	Attorney - \$13,950.14	
<input checked="" type="checkbox"/> Notice of Hrg	<i>(already paid to Quinlan, Kershaw & Fanucchi per Schedule C of Accounting.</i>	
<input checked="" type="checkbox"/> Aff.Mail w/	<i>\$8,416.14 for "conservatorship fees for estate work" and \$5,534.00 for "fees and costs, services to conservatorship". No itemization of fees and costs is provided.)</i>	
<input type="checkbox"/> Aff.Pub.	Costs - \$460.50	
<input type="checkbox"/> Sp.Ntc.	<i>(already reimbursed to Quinlan, Kershaw & Fanucchi per Schedule C of Accounting. Costs are not itemized.)</i>	
<input type="checkbox"/> Pers.Serv.	Petitioner prays for an Order:	
<input type="checkbox"/> Conf. Screen	1. Approving, allowing and settling the first and final account;	
<input type="checkbox"/> Letters	2. Terminating the conservatorship and discharging the conservator upon the filing of an Ex Parte Petition for Final Discharge and Order; and	
<input type="checkbox"/> Duties/Supp	3. Distributing the remaining assets of the conservatorship to the Estate of James R. Eaton, and that the Estate of James R. Eaton immediately pay said funds to Carol Lopez, as the sole surviving heir of the conservatee, pursuant to the Disclaimer of Interest executed by Mark Eaton and Victoria Milo.	
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 2620(c)		Reviewed by: JF
<input checked="" type="checkbox"/> Order		Reviewed on: 01/29/13
<input type="checkbox"/> Aff. Posting		Updates:
<input type="checkbox"/> Status Rpt		Recommendation:
<input type="checkbox"/> UCCJEA		File 1 - Eaton
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

2A Hendrix Escoto, Camryn Escoto and Carlos Escoto, III (GUARD/P)

Case No. 12CEPR00182

Atty Stegall, Nancy J. (for Lynda Lockwood – Guardian)
Atty Escoto, Laura L. (pro per – mother/Petitioner)

Petition for Visitation

Hendrix, 11	LAURA ESCOTO , mother is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 01/17/13 See page 2B for Petition to Terminate Guardianship filed by Guardian Lynda Lockwood and Page 2C for Petition for Guardianship by Nora and Carlos Escoto, Sr.</p> <p>The minors are now living with the paternal grandparents pursuant to the agreement made during mediation. It is unclear whether this Petition for Visitation is still necessary.</p> <p>If the Petition for Visitation moves forward, the following remains outstanding:</p> <ol style="list-style-type: none"> 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 Visitation</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for: <ul style="list-style-type: none"> - Carlos Escoto (father) - Carlos Escoto (paternal grandfather) - Nora Escoto (paternal grandmother) - Mark Buik (maternal grandfather)
Camryn, 8	LYNDA LOCKWOOD , maternal grandmother, was appointed guardian of the minors and Letters were issued on 04/26/12. – Served by mail on 10/06/12.	
Carlos, 7		
	Father: CARLOS ESCOTO	
Cont. from 11/05/12, 12/03/12, 1/17/13	Paternal grandfather: CARLOS ESCOTO Paternal grandmother: NORA ESCOTO	
<input type="checkbox"/> Aff.Sub.Wit.	Maternal grandfather: MARK BUIK – <i>Declaration of Due Diligence filed 11/02/12</i>	
<input type="checkbox"/> Verified	Petitioner requests unsupervised visitation every weekend commencing Fridays at 3:00 pm and concluding Sunday at 6:00 pm. The visits will take place at the paternal grandparents house. Petitioner also requests unsupervised visitation on the children's birthdays and every holiday. Petitioner further requests educational rights to attend sporting events, holiday programs/band performances, etc. She also requests reasonable phone calls to the minors on a daily basis. Petitioner states that she would also like to start family counseling to help aid in the family reunification process.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail	x	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order	x	
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

CONTINUED ON PAGE 2

2A Hendrix Escoto, Camryn Escoto and Carlos Escoto, III (GUARD/P)

Page 2

Response of Guardian to Laura Escoto's Request to Modify Visitation filed 10/31/12 states: the current court order is that Laura may visit in the guardians home on alternating Sundays commencing at 10:00 am and ending at 4:00 pm. The current order was executed when Laura was enrolled in an inpatient drug rehab at Spirit of Woman. Laura was not allowed to leave the facility, so guardian brought the children to visit her at the facility. Laura had Sunday visitation because the children's father, Carlos, was to have supervised visits with his parents (paternal grandparents) on alternating Saturdays. Carlos and Laura cannot visit simultaneously because Laura is protected from Carlos by a domestic violence restraining order that doesn't expire until 06/01/14. As a condition of visiting, both Carlos and Laura were to submit to a drug test 3 days before each visitation.

After completing the 90 day program, Laura renewed her enrollment for an additional 30 days to make it a 120 day program; however, Laura left Spirit of Woman without completing the additional program she pledged to complete. Shortly after leaving Spirit of Woman, Laura enrolled herself in an out-patient transitional sober living facility called Lifehouse, however she left Lifehouse within 1 month. Laura continued alternating Sunday visitation in Respondent's home and continued to submit to a drug test prior to visiting. Laura never returned to either Spirit of Woman or Lifehouse and is currently homeless.

On 05/17/12, Carlos (father), tested positive for meth, thus the guardian suspended his visitation pursuant to the court order. Since suspending Carlos' visitation, Respondent has been harassed by Laura, Carlos, and Carlos' parents regarding visitation. Although Laura has a restraining order against Carlos, they communicate regularly. Carlos has always lived with his parents. In the past, when the children have visited with their paternal grandparents, the grandparents let Carlos visit with the children unsupervised and even let them leave their home with Carlos, which is unacceptable.

After Carlos' visitation was suspended due to his drug use, he and his parents have shown up at the school when Hendrix had a soccer game. Respondent states that Carlos' father, Carlos, Sr. verbally assaulted her on one occasion and on another occasion, after having been warned by the school to stay away, they showed up again and the school called the police which resulted in a huge scene and Carlos being arrested. It is not in the best interest of the children to witness these incidents.

On October 2, 2012, Laura advised that she was working and could not visit the children on Sunday and requested to visit the children on Wednesday 10/03/12 instead. Respondent agreed so long as Laura could drug test before visiting. Laura made excuses for why she could not drug test before visiting, respondent states that she tried accommodating Laura to drug test offering to drive her to the drug testing sight or use a home test, but Laura refused. Respondent fears that Laura is using drugs again and did not want to test because of the possibility of a positive drug test.

Respondent states that the guardianship has been very difficult for her. She stepped in and obtained guardianship due to the parents drug use and instability. She believes that the children would have been taken by CPS had she not sought guardianship. Since becoming guardian, she has been verbally assaulted by the paternal grandparents, has had to deal with the police due to Carlos being at the school, and rearranging her schedule to accommodate visitation for Laura has been difficult. Respondent also has 3 other children in her home to care for and she is the caretaker for a medically challenged child who requires 24 hour care. Respondent states that she is willing to continue to act as guardian but she needs help from the Court and definite rules in place to make things easier.

Continued on Page 3

Dept. 303, 9:00 a.m. Monday, February 4, 2013

2A Hendrix Escoto, Camryn Escoto and Carlos Escoto, III (GUARD/P)

Page 3

When the children were visiting both parents and the paternal grandparents every weekend, they would return to Respondents home with bad attitudes and were tough to control. The parents and paternal grandparents rules are much more liberal that Respondents. The children don't understand why they can't live with their parents or paternal grandparents and it is difficult for them adjusting to living in Respondents household after visiting over the weekends. Respondent states that she ensures that the children do their homework, eat meals as a family, and respect people. The parents and paternal grandparents give the children much more freedom and even allow them to walk by themselves to the mall close to the paternal grandparents home, it is often difficult for them to readjust to a more strict home.

Further, Laura remains homeless and unstable. She did not complete her drug rehabilitation and Respondent believes she is using drugs again. Based on past behavior, Laura's suicide attempts and drug use, Respondent believes the safety of the children is still an important issue. Respondent is uncomfortable with the paternal grandparents providing their home for visitation due to the fact that they have facilitated Carlos interacting with the children in violation of the Court's prohibition. Respondent asks the Courts assistance in setting definite boundaries regarding guardianship and the visitation schedule with Laura. Respondent states that she has tried to accommodate Laura, but believes with her drug addiction, she needs continued supervision. Respondent realizes that Carlos has not asked to modify his visitation yet, but by Laura requesting that her visitation take place at the paternal grandparents home, indirectly the paternal family is involved in this petition. Respondent asks that the Court review the best interests of the children and assist her in making this guardianship work.

Based on the foregoing, Respondent asks the court:

1. Consider the proposed visitation schedule as follows which provides reasonable orders not including overnight visits at this time, but allows Laura to visit with the children on alternating Saturdays from 10:00 am – 5:00 pm and alternating Sundays from 10:00 am to 5:00 pm.
2. Require Laura to submit to a witnessed drug screen on each Friday immediately preceding the Saturday visitation. The drug test shall be faxed directly to Respondent and if the drug screen is positive, visitation shall be suspended pending further order of the Court.

Declaration of Nora Escoto filed 11/02/12 states that she is in total agreement with the visitation plan requested by Laura Escoto.

Declaration of Carlos A. Escoto, Sr. filed 11/02/12 states that he and his wife have allowed Laura Escoto to move into their home. They are in total agreement with the visitation request made by Laura. Further, Mr. Escoto states that they are happy to answer to the false information that has been stated about them in court or mediation.

Declaration of Carlos Escoto (father) filed 11/02/12 states that he no longer lives with his parents having moved from their home 3 months ago. Mr. Escoto further states that Laura is a good mother. He further states that the guardian has not followed through with things she stated she would with the children (such as getting them therapy) and that she has often stated that caring for the children is a burden for her. He fully supports the children being with their mother and his parents.

Atty Sanchez, Lacey N. (for Lynda Lockwood – Guardian)

Petition for Termination of Guardianship

Hendrix, 11	<p>LYNDA LOCKWOOD, maternal grandmother, is Petitioner.</p> <p>Petitioner was appointed guardian of the minors and Letters were issued on 04/26/12.</p> <p>Father: CARLOS ESCOTO – served by mail on 12/12/12</p> <p>Mother: LARUA ESCOTO – served by mail on 12/12/12</p> <p>Paternal grandfather: CARLOS ESCOTO – served by mail on 12/12/12</p> <p>Paternal grandmother: NORA ESCOTO – served by mail on 12/12/12</p> <p>Maternal grandfather: MARK BUIK</p> <p>Petitioner states that she sought guardianship because both of the parents are drug addicts. Since being appointed as guardian, she has encountered problems with the children’s behavior after returning from visits with the paternal grandparents and parents and the adjustment has been difficult. Petitioner further states that in addition to the three minors, she also cares for three other children including one medically fragile child that requires 24 care. Petitioner requests reasonable visitation with the children after termination of her guardianship as mutually agreed between the future guardians.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: The minors are now living with the paternal grandparents pursuant to the agreement made during mediation.</p> <p>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 Termination or Consent & Waiver of Notice or Declaration of Due Diligence</i> for:</p> <ul style="list-style-type: none"> - Mark Buik (maternal grandfather)
Camryn, 8		
Carlos, 7		
Cont. from 011713		
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		
		Reviewed by: JF
		Reviewed on: 01/29/13
		Updates:
		Recommendation:
		File 2B - Escoto

Second Amended Petition to Determine Succession to Real Property

DOD: 2-7-11	ALONDRA PUGA, MARIA SOCORRO LOPEZ, MANUEL LOPEZ, JR., and ALMA BEJARANO are Petitioners.	NEEDS/PROBLEMS/COMMENTS:	
	40 days since DOD		
Aff.Sub.Wit.	No other proceedings		
<input checked="" type="checkbox"/> Verified			
<input checked="" type="checkbox"/> Inventory	I&A: \$145,000.00 (Real property in Salinas, Monterey County, CA)		
PTC			
Not.Cred.	Decedent died intestate		
<input checked="" type="checkbox"/> Notice of Hrg	Petitioners request court determination that the decedent's 50% interest in the real property passes as follows:		
<input checked="" type="checkbox"/> Aff.Mail	w		
Aff.Pub.			
Sp.Ntc.	Maria Soccoro Lopez: 16.67%		
Pers.Serv.	Manuel Lopez, Jr.: 11.11%		
Conf. Screen	Alma Bejarano: 11.11%		
Letters	Alondra Puga: 11.11%		
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
<input checked="" type="checkbox"/> Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: skc
			Reviewed on: 1-29-13
		Updates:	
		Recommendation: SUBMITTED	
		File 3 - Lopez	

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

DOD: 09/03/2012		<p>JAMIE L. HAMILTON, daughter is petitioner and requests appointment as Administrator with Will Annexed without bond.</p> <p>Petitioner is sole heir and waives bond.</p> <p>Full IAEA – o.k.</p> <p>Will Dated: 10/13/2009</p> <p>Residence: Clovis Publication: The Business Journal</p> <p>Estimated Value of the Estate: Personal property - \$40,000.00 Real property - \$156,000.00 Total: - \$196,000.00</p> <p>Probate Referee: Steven Diebert</p>	<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"> • Friday, 07/05/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Friday, 04/04/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Cont. from			
<input checked="" type="checkbox"/>	Proof of Holographic Instrument		
<input checked="" type="checkbox"/>	Verified		
	Inventory		
	PTC		
	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail w/o		
<input checked="" type="checkbox"/>	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		<p>Reviewed by: LV</p> <p>Reviewed on: 01/28/2013</p> <p>Updates:</p> <p>Recommendation: Submitted</p> <p>File 6 - Hamilton</p>	

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

Age: 13		TEMPORARY EXPIRES 2-4-13	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need proof of personal service at least 15 days before the hearing of Notice of Hearing with copy of the Petition or Consent & Waiver of Notice on Ralph Galindo, IV (minor). 2. Notice of Hearing filed 12-7-12 does not indicate that a copy of the petition was included with the service per §1511 on Guy Todd (Maternal grandfather) and Elizabeth Galindo (Paternal grandmother). The Court may require continuance for further service.
		<p>RHONDA GARCIA, maternal second cousin, is Petitioner.</p> <p>Father: RALPH GALINDO, III – Declaration of Due Diligence filed 12/03/12, notice dispensed 12-13-12</p> <p>Mother: HEATHER GALINDO – Consent filed 12-13-12</p> <p>Paternal grandfather: RALPH GALINDO, Jr. – deceased</p> <p>Paternal grandmother: ELIZABETH GALINDO – Served by mail 12-5-12</p> <p>Maternal grandfather: GUY TODD – Served by mail 12-5-12</p> <p>Maternal grandmother: DEBBIE TODD – deceased</p> <p>Petitioner states the minor's mother is incarcerated at Fresno County Jail and his father is homeless and has a drug problem. The father has not contacted petitioner since the minor has been in her care. When the child was previously in his father's care, he was often left at random people's houses with no food or clothes. Mother provided letter to Petitioner agreeing with the temporary guardianship.</p> <p>Court Investigator Charlotte Bien filed a report on 1-17-13.</p>	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w/o	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: JF / skc	
		Reviewed on: 1-29-13	
		Updates:	
		Recommendation:	
		File 8 - Galindo	