

**1A Joann L. McClay (Estate)**

**Case No. 06CEPR00372**

**Atty Alexander, Thomas M., Jr. (of Beverly Hills, CA, for Former Administrator Jeffrey McClay)**

**Atty Kruthers, Heather H. (for Public Administrator)**

**Atty Stevenson, Tracy A. (of Orange, CA, for Surety, American Contractors Indemnity Company)**

**Probate Status Hearing**

<b>DOD: 7/27/05</b>	<b>PUBLIC ADMINISTRATOR</b> was appointed Successor Administrator on 1/20/15. Letters issued 2/5/15.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> Pursuant to Order Regarding Surety's Liability Upon Bankruptcy of Former Personal Representative entered 12/11/15, the Court set hearing on 12/15/15 for argument re the issues of the amount to be paid out on the bond.</p> <p><b>Minute Order 12/15/15:</b> Ms. Kruthers and Ms. Stevenson will talk and try to resolve the issue of apportionment.</p> <p><b>Update:</b> A status report was filed 2/3/16 by the Public Administrator. See Last Page.</p> <p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 2/3/16</p> <p><b>Updates:</b> 2/4/16</p> <p><b>Recommendation:</b></p> <p><b>File 1A - McClay</b></p>
<b>Cont from 042115, 060915, 081815, 091515, 121515</b>	<b>History: JEFFREY MCCLAY</b> , Son, was appointed Administrator with Full IAEA with bond of \$252,000.00 on 5/23/06. Bond was filed and Letters issued 8/31/06. I&A filed 2/7/07 indicated residential real property valued at \$300,000.00.	
<b>Aff.Sub.Wit.</b>	On 5/10/07, a Request for Special Notice was filed by Probate Referee Steven Diebert. On 10/12/07, a Creditor's Claim of \$1,105.65 was filed by Cancer Care Associates of Fresno. There was no further activity in the estate the Court set the matter for status hearing in 2013.	
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	On 9/10/14, Attorney Alexander filed a petition for final distribution on behalf of his absconded client pursuant to Probate Code §10953(c). The petition indicated that the Administrator borrowed a sum of money to satisfy obligations and expenses of the estate, secured by the real property, and intended to make a distribution to his sister, make necessary repairs, and assume the loan after closing. The attorney was unaware whether any distribution of loan proceeds was made, whether any payment to the sister was made, or whether any repairs were made on the residence. The attorney requested surcharge of the Administrator to the extent of any breach of fiduciary duty, etc., and also requested statutory and extraordinary attorney's compensation.	
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>	<b>Minute Order 1/20/15 states:</b> The Court removes Jeffrey McClay and appoints the Public Administrator in order for them to pursue surcharging Mr. McClay on the bond. Tracy Stevenson requests time to have subpoenas issued and gather information. The Public Administrator is to submit a written status report for the 4/21/15 hearing.	
<b>UCCJEA</b>	<b>Status Report Re Estate Assets filed 4/14/15 by Public Administrator states</b> Deputy PA Noe Jimenez spoke with Mr. Alexander, who believed that the only asset, the residence, was lost to foreclosure. He later found out that Mr. McClay may have benefitted from a loan he secured against the residence – a line of credit for \$120,000.00 on the house in 2007. It appears he pulled all the credit line money out, and the residence was sold at a trustee sale in 2010 for \$155,000.00. Mr. Jimenez believes he has found an accurate address for Mr. McClay in Sacramento, CA. <b>The PA and counsel agree that Mr. McClay should be surcharged the full amount of the property listed on the I&amp;A, \$252,100 of which should be paid by the bond company, less any amounts that the company can recover or show were paid to benefit the estate.</b>	
<b>Citation</b>		
<b>FTB Notice</b>		

**Declaration of Tracy A. Stevenson Regarding Discharge of Surety's Liability Upon Bankruptcy of Personal Representative filed 6/5/15 states:** Jeffrey M. McClay, the decedent's son, was appointed administrator of the decedent's estate on or about 5/23/06. ACIC filed its administrator's bond on behalf of Jeffrey M. McClay in the penal sum of \$252,100 on or about 8/31/06. In applying for that bond, McClay executed an indemnity agreement wherein he agreed to indemnify and reimburse the surety for all losses, attorney fee, and costs of any nature resulting from issuance of the bond.

On or about 7/8/08, while still acting as administrator of the estate, Jeffrey M. McClay filed a Voluntary Petition for Bankruptcy in the Eastern District of California, Case Number 2008-14472. That petition disclosed that he was administrator of the estate and as such held titled to the decedent's real property, subject to an encumbrance, and that he was an heir of the estate.

Because he was administrator at the time he filed for bankruptcy protection, the estate is charged with having knowledge of the bankruptcy filing and will failing to take action to seek relief from the bankruptcy court to protect its interests or pursue a claim. As such the estate's claim against McClay has been discharged by the bankruptcy court and the estate is barred from pursuing surcharge against him.

Because a claimant is required by law to obtain a surcharge judgment against a fiduciary before the surety's liability arises, the estate is legally precluded from proceeding against the surety in this matter.

Because McClay is bound by an indemnity agreement to indemnify the surety for all losses and fees and costs in connection with the bond, pursuing the surety would cause post-discharge economic loss to McClay and interfere with the fresh start granted by his bankruptcy discharge. (The surety did not receive notice of the bankruptcy action and the bankruptcy discharge does not preclude the surety from seeking indemnity from McClay, which it would do.) See authority provided.

The declaration concludes that the estate's ability to pursue surcharge against Jeffrey McClay has been discharged by the bankruptcy court, and the estate's ability to pursue the surety on its bond is also discharged for two reasons: 1) a surcharge against McClay is a prerequisite to pursuing the surety, and a surcharge cannot be sought; and 2) pursuit of the surety would violate the fresh start objective of the Bankruptcy Code.

**Response of Public Administrator to Declaration of Tracy A. Stevenson was filed 9/10/15.**

**SEE ADDITIONAL PAGES**

**Response of Public Administrator filed 9/10/15 states** although Ms. Stevenson refers to her document as a declaration, it is in fact an objection to the surcharge of the former Administrator. Her client, American Contractors Indemnity Company, will therefore be referred to as Objector.

According to the Court docket, the former administrator's attorney filed a petition for final distribution on 9/10/14. The petition included surcharge of McClay and for liability on the bond. The hearing on that petition has been continued several times for the attorney to provide notice, surety company to conduct discovery and file an objection, and the PA to file a response to objections.

**The PA states McClay's bankruptcy case is irrelevant to the surety's obligation to make good on its bond.** See CCP §§ 996.410 and 996.460, which specifically authorize this surcharge action and make Objector's liability independent of McClay's liability. The purpose of a bond for estate administration is to ensure that the estate can be made whole in the event a fiduciary (McClay) absconds with funds, and is unable to make the estate whole. Under the facts of this case, McClay did not faithfully execute his fiduciary duties, but rather violated that duty by stealing assets from the estate. Under the clear terms of the bond, the obligations to remit payment to the estate remain "in full force and effect."

**The estate's claim against McClay is NOT discharged because of his knowledge of his bankruptcy filing because his knowledge is NOT imputed to the estate.** The estate's claim is not discharged simply because McClay, the fiduciary, was aware of his own bankruptcy. His duty is to the beneficiaries and creditors of the estate. He did not make his bankruptcy known to anyone who had standing to object to his fraudulent taking of estate assets. There is no evidence before this court that he advised the bankruptcy trustee or judge of his fraudulent taking of estate assets. The PA used the case number provided to view the Federal Court's online case information system. The Estate of Joann McClay is not listed among the creditors of this case. This is not surprising since the only way it would be listed would be for McClay to have revealed his theft from the estate to the bankruptcy trustee and judge. Simply put, his knowledge cannot be imputed to the beneficiaries and creditors because of his breach of fiduciary duty and conflict of interest.

**The PA states obtaining a surcharge against the personal representative is NOT a prerequisite to pursuing a claim against the surety so the estate CAN pursue the surety.** See CCP §§ 996.410 and 996.460, stating that the principal and surety are liable jointly and severally. The PA agrees with Objector that the liability of a surety comes only after entry of judgment; however, Objector provides no basis for her statement that "this is generally taken to mean ...surcharge against the principal." The statute stands on its own and merely states entry of judgment. The PA is doing just that, seeking an entry of judgment against the surety, as authorized by state law.

**The estate is NOT barred from pursuing the surety bond because it would NOT violate the fresh start objective of the bankruptcy code.** First, the fresh start concept is to protect the principal. Second, the concept is not intended to protect the principal from all judgments. See authority. Third, by seeking payment from the surety, the PA is not seeking a judgment against the principal and thus is not violating the principal's right to the fresh start. The surety will do that if it decides to seek indemnification from McClay after paying on its claim to the estate.

**Conclusion: There being no argument that McClay embezzled from the estate, the PA requests the Court deny the objections and surcharge the surety company, ACIC, the amount of \$252,100, to be paid to the PA as successor administrator of the estate of Joann McClay.**

**Note: Tracy A. Stevenson, attorney for Surety, American Contractors Indemnity Company, filed a Reply on 9/14/15.** The reply cites authority and concludes that to pursue recovery, one must first obtain a surcharge judgment against McClay. However, surcharge cannot be pursued because the estate's claim has been discharged by the bankruptcy court. It is respectfully requested that the Court deny the request to surcharge.

**SEE ADDITIONAL PAGES**

**Status Report Regarding Estate Assets filed 12/2/15 by Public Administrator states** at the status hearing on 9/15/15, the Court took this matter under submission as to the issue of whether or not the surety company is liable for full surcharge based on the bankruptcy issue. If the Court rules in favor of the Public Administrator, the matter will be set for further status regarding the apportionment of the surcharge. The underlying petition for final distribution was continued to 12/15/15.

To date, the Court has not issued a ruling regarding the surcharge. The 90<sup>th</sup> day will run on the date of this status hearing. Therefore, the Public Administrator requests that this matter not be set again before 60 days.

**Status Report Regarding Estate Assets filed 2/3/16 by Public Administrator states** the Court's ruling on the liability for the surcharge was issued on 12/11/15 finding in favor of the Public Administrator. The bond company requested time to argue re apportionment, thus the matter was continued.

Since that time, Senior Deputy County Counsel Heather Kruthers calculated the amount to be surcharged against Jeffrey McClay as \$163,895.33, which is approx. \$87,000 less than the full bond fee. Ms. Kruthers emailed that proposal to the bond company on 1/11/16, and followed up on 1/19/16. Attorney Tracy Stevenson responded that she was working on the numbers as well. On 1/29/16, Ms. Stevenson reported that she had requested information from the tax collector's office to determine if Mr. McClay had paid any property taxes, for which he would be credited against the surcharge.

As of the drafting of this report, Ms. Stevenson has not heard back from the tax collector. Therefore, she and the Public Administrator jointly request that this matter be again continued for 45 days, which will allow time for response and for the parties to prepare a stipulation for the Court's consideration.

**(1) Petition for Final Distribution and (2) for Final Accounting, and (3) for Allowance of Statutory Attorney's Compensation and (4) for Extraordinary Attorney's Compensation, and (5) to Surcharge Personal Representative, and (6) for Liability on Probate Bond**

<b>DOD: 7/27/2005</b>		<p><b>THOMAS ALEXANDER, JR.</b>, attorney for Jeffrey McClay, Administrator, is Petitioner.</p> <p><b>JEFFREY MCCLAY</b> was appointed Administrator on 5/23/06 with full IAEA authority and bond set at \$252,100.00. Bond was filed on 8/31/06 and Letters issued.</p> <p>I &amp; A, part. 1, filed on 2/5/07 with a value of \$300,000.00.</p> <p>Creditor's Claims filed:</p> <ul style="list-style-type: none"> <li>• Cancer Care Associates - \$1,105.65</li> </ul> <table> <tr> <td>Attorney fees</td> <td>-</td> <td>\$9,000.00</td> </tr> <tr> <td>Attorney x/o</td> <td>-</td> <td>\$1,500.00 (for the filing of this petition)</td> </tr> <tr> <td>Costs</td> <td>-</td> <td>\$435.00 (filing fee)</td> </tr> </table> <p><b>Petitioning attorney states</b> that it is his belief that the Administrator borrowed a sum of money (probably in excess of \$15,000) for the purpose of satisfying obligations and expenses of the estate. It is petitioner's belief that the loan was secured by the estate's real property. The intention of the Administrator that he would (1) distribute a portion of the loan to satisfy an assignment of interest of his sister and co-heir of the estate, Melanie McClay, (2) make necessary repairs to the estate real property, and (3) assume the loan, in his individual capacity, after the close of the probate proceedings. Petitioner states he is unaware (1) whether any distribution of the loan proceeds was made, (2) whether any payment to Melanie McClay or any repairs were made, or (3) whether any payments on the loan were made.</p> <p><b>Please see additional page</b></p>	Attorney fees	-	\$9,000.00	Attorney x/o	-	\$1,500.00 (for the filing of this petition)	Costs	-	\$435.00 (filing fee)	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Minute Order 12/15/15: Trailing the status hearing regarding apportionment of the surcharge.</b></p> <p><b>Status Report of the Public Administrator filed on 12/2/15 states</b> the court took the matter under submission as to the issue of whether or not the surety company is liable for full surcharge based on the bankruptcy issue. To date the court as not issue a ruling regarding the surcharge. Therefore the Public Administrator requests this matter not be set again before 60 days.</p> <p>1. Need proof of service of the Notice of Hearing along with a copy of the petition on:</p> <ol style="list-style-type: none"> <li>Steven Diebert – pursuant to his Request for Special Notice.</li> <li>American Contractors Indemnity Company (bond) – pursuant to their Request for Special Notice.</li> </ol> <p><b>Please see additional page.</b></p>
Attorney fees	-		\$9,000.00									
Attorney x/o	-		\$1,500.00 (for the filing of this petition)									
Costs	-		\$435.00 (filing fee)									
<b>Cont. from 102914, 121515</b>												
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>											
<input checked="" type="checkbox"/>	<b>Verified</b>											
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<input checked="" type="checkbox"/>	<b>Not.Cred.</b>											
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>											
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<input type="checkbox"/>	<b>Aff.Pub.</b>											
<input type="checkbox"/>	<b>Sp.Ntc.</b>											
<input type="checkbox"/>	<b>Pers.Serv.</b>											
<input type="checkbox"/>	<b>Conf. Screen</b>											
<input checked="" type="checkbox"/>	<b>Letters</b> 8/31/16											
<input type="checkbox"/>	<b>Duties/Supp</b>											
<input type="checkbox"/>	<b>Objections</b>											
<input type="checkbox"/>	<b>Video Receipt</b>											
<input type="checkbox"/>	<b>CI Report</b>											
<input checked="" type="checkbox"/>	<b>9202</b> X											
<input type="checkbox"/>	<b>Order</b> X											
<input type="checkbox"/>	<b>Aff. Posting</b>											
<input type="checkbox"/>	<b>Status Rpt</b>											
<input type="checkbox"/>	<b>UCCJEA</b>											
<input type="checkbox"/>	<b>Citation</b>											
<input type="checkbox"/>	<b>FTB Notice</b> N/A											
		<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 2/3/16 (skc)</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 1B – McClay</b></p>										

Petitioning attorney states he is unaware whether any proceeds remain available for distribution. Petitioner is also unaware of the existence of any executed assignment of interest by Melanie McClay.

Petitioner request surcharge of the Personal Representative (1) to the extent of any breach of fiduciary duty or to the extent that estate funds have, through negligence or otherwise, become unavailable to the estate, (2) to the extent of any loss of her estate shares of the estate property by Melanie McClay, (3) of any monies that are due to the Probate Referee or any creditors of the estate, and (4) to the extent of any statutory compensation that are due this petitioning attorney, and for extraordinary services rendered in preparing this petition.

**Wherefore Petitioning Attorney prays:**

1. That the administration be brought to a close;
2. That this Final Account and Petition for Final Distribution and for Statutory and Extraordinary Attorney Fees and for Surcharge on the Personal Representative's Bond be approved as filed;
3. That the acts and proceedings of Petitioner as Administrator be confirmed and approved;
4. That this Petitioning attorney, be authorized and directed to pay himself \$9,000 in statutory and \$1,500 as extraordinary fees and \$435.00 for reimbursement of costs;
5. That the Administrator be surcharged in an amount calculated to pay the statutory and extraordinary fees and reimbursement of costs in the sum of \$10,935, and that Cancer Care Associated in the amount of \$1,105.65, and that distribution of on half of the remaining trust estate be paid to Melanie McClay to make her whole as the Administrator's co-heir. That any remaining estate property after proper payments of costs of administration and the ½ interest of his co-heir be paid to Jeffrey McClay, Administrator.

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**NEEDS/PROBLEMS/COMMENTS (Cont.):**

2. Petition is signed and verified by the attorney using a cursive computer font. Need original signature.
3. Petition states that it is the attorney's belief that fees remain due to probate referee Steven Diebert. However the petition does not indicate the balance of the fees due nor does it request payment of said fees.
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
5. Petition alleged Jeffrey McClay absconded with the estate. However the petition does not indicate what efforts were made to locate Jeffrey McClay.

**NEEDS/PROBLEMS/COMMENTS (Cont.):**

6. Attorney Thomas Alexander is requesting extra ordinary fees for the filing of this petition. The request for extraordinary fees does not comply with California Rules of Court, Rule 7.702. In addition,

Probate Code § 12205 indicates the court may reduce the compensation of the personal representative or attorney for the personal representative by an amount the court determines appropriate if the court makes all of the following determinations:

- 1) The time taken for administration of the estate exceeds the time required by this chapter or prescribed by the court.
- 2) The time taken was within the control of the personal representative or attorney whose compensation is being reduced.
- 3) The delay was not in the best interest of the estate or interested persons.

Probate Code § 12200 states the personal representative shall either petition for an order for final distribution of the estate or make a report of the status of administration not later than the following times:

- a) In an estate for which a federal estate tax return is not required, within one year after the date of issuance of letters.

In this matter there was no activity by the attorney or the personal representative from 2/5/07 until the matter was set for a status hearing by court staff on 3/7/14. The attorney and the personal representative did not appear at the status hearing on 3/7/14. An Order to Show Cause was issued and the matter continued to 5/2/14. On 5/2/14 the attorney and the personal representative again did not appear. The court imposed sanctions on the attorney for \$500 and continued the matter to 5/23/14. On 5/23/14 the attorney appeared (but did not file a written status report as required by Local Rule 7.5C). The attorney made representations to the court and the court rescinded the previously issued sanctions. The status hearing was continued to 8/7/14. On 8/7/14 the attorney appeared (but again did not file a written status report as required by Local Rule 7.5C) and the status hearing was continued to 9/25/14. On 9/10/14 this Petition was filed. There is no explanation as to why the estate was delayed for over 7 years.

7. Need Order.

**2 Logan Dean Posey (GUARD/P) Case No. 09CEPR00746**

**Attorney Stegall, Nancy J (for Kathy G. Posey & Dean R. Posey – Guardians)**

**Probate Status Hearing RE: Establishment of Guardianship in Montana**

<b>Age: 10</b>	<b>KATHY G. POSEY, and DEAN R. POSEY,</b> maternal grandparents were appointed guardians of the minor on 11/09/2009.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>DOB: 11/01/2005</b>		
	Letters issued on 11/09/2009.	<b>Note: Attorney Nancy Stegall submitted a Request for Dismissal on 01/28/2016 however it was filed as “not entered” as the Petition to Fix Residence Outside of California was granted on 07/28/2015.</b>
<b>Cont. from</b>	Co-Guardians filed a Petition to Fix Residence Outside of California on 06/18/2015. Hearing was set for 07/28/2015.	1. Need Proof of Establishment of Guardianship in Montana.
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Notice of Hrg</b>	<b>Minute Order of 07/28/2015</b> set this Status Hearing regarding Establishment of Guardianship in Montana. Minute Order states: If proof of establishment of a guardianship in Montana, not just filing, is filed at least two court days prior, then no appearance is necessary on 02/09/2016.	
<input type="checkbox"/> <b>Aff.Mail</b>		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by: LV</b>
		<b>Reviewed on: 02/04/2016</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 2- Posey</b>

**Second Amended Account Current and Report of Conservator; Petition of Conservator  
Petition for its Settlement, for Allowance of Attorneys Compensation and for its Termination**

		<b>DEBRA PASLEY</b> , Mother and Conservator of the Person and Estate with bond of \$15,000.00, is Petitioner. <i>(Not verified.)</i>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Minute Order 1/5/16: Counsel requests an additional 30 days.</b></p> <p><b><u>SEE ADDITIONAL PAGES</u></b></p>
		<b>Account period: 3/28/13 – 10/17/14</b>	
		<b>Accounting: <u>Not provided</u></b>	
		Beginning POH: \$13,438.31	
		Ending POH: \$70,195.61	
		(\$1,715.61 plus a 1/5 interest in real property in Virginia valued at \$68,480.00)	
	<b>Aff.Sub.Wit.</b>		
	<b>Verified</b>	X	
✓	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
	<b>Notice of Hrg</b>	X	
	<b>Aff.Mail</b>	X	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
✓	<b>Letters</b>	3/28/13	
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
	<b>Order</b>	X	
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		

**Petitioner states:** Inventory and Appraisal was filed 6/5/13 showing the value of the estate to be \$13,438.31. Summary of account and supporting schedules are provided at Exhibit B. *(See #1.)*

As reflected in prior pleadings, the Conservator and Conservatee moved out of state. The Conservator was appointed Guardian of the Conservatee in Oklahoma by Court order and Letters issued on 8/13/14.

Petitioner does not request compensation for her services.

Petitioner requests attorney's compensation as set forth in Exhibit "C." *(See #3.)*

**Petitioner prays:**

1. That this account and report be approved and settled;
2. That the acts of the Conservator shown in the account and report be approved;
3. That, upon settlement of this account, the Conservator be directed to pay her attorneys, McCormick Barstow, LLP, compensation for services rendered and, as yet, unpaid;
4. That the Conservatorship in California be terminated; and
5. That the Court grant such other and further relief as it deems just and proper.

**Reviewed by:** skc

**Reviewed on:** 2/3/16

**Updates:**

**Recommendation:**

**File 3 – Pasley**

**Page 2 – NEEDS/PROBLEMS/COMMENTS:**

1. This petition does not provide any accounting in the form required by Probate Code §§ 2620, 1060, or any mandatory schedules on the required Judicial Council forms.  
Need amended petition with accounting, schedules, including required mandatory form for summary. Although Petitioner has been appointed Guardian in Oklahoma, this Court retains jurisdiction for settling accounts pursuant to Probate Code §2630.  
The only schedule provided at Exhibit B is a statement of property on hand, labeled as “receipts,” but which does not show any account summary, receipts, disbursements, etc., and further indicates that the conservatorship estate cash has been reduced by \$11,722.70 without explanation.  
Note: The Conservatee’s interest in the Virginia real property is not an asset of this conservatorship estate, but should be referenced in its own schedule pursuant to §1063(h).
2. This petition is not verified by the Conservator as required by Probate Code §§ 1021, 1023.  
(Note: §1023 provides that an attorney may sign or verify on a client’s behalf if he or she is absent from the county unless the person is a fiduciary appointing in the proceeding.)
3. Petitioner requests attorney’s compensation pursuant to Exhibit C, but no Exhibit C is attached.
4. Need Notice of Hearing.
5. Need proof of service of Notice of Hearing at least 15 days prior to the hearing pursuant to Probate Code §1460(b)(6) on:
  - Morgan Elizabeth Pasley (Conservatee)
  - Debra Pasley (Conservator/Fiduciary, since the petition is not verified by her)
  - David Hal Jones (Father)
6. *The Court may also require notice to the surety of any continued or future hearings.*

**4A Gene Ray Chance (Estate) Case No. 13CEPR00612**  
**Attorney Standard, Donna M (for Walter Sherwood Chance – Petitioner - Executor)**  
**Amended First Account and Report of Status of Administrator of Estate Gene Ray Chance**

<b>DOD: 10/16/2015</b>	<b>WALTER SHERWOOD CHANCE</b> , Executor, with limited IAEA authority, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Account period: 07/12/2013 - 07/30/2015	<b><u>OFF CALENDAR.</u></b> <b><u>Second Amended First Account</u></b> <b><u>and Report of Status of</u></b> <b><u>Administration filed 02/04/2016.</u></b> <b><u>Hearing is set for 03/22/2016</u></b>
<b>Cont. from 110915, 011116</b>	Accounting - <b>\$145,375.95</b> Beginning POH - <b>\$136,373.49</b> Ending POH - <b>\$143,387.62</b> (\$8,387.62 is cash)	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		<b>Minute Order of 01/11/2016: Ms. Standard represents that she did not prepare the blocking order because she needed direction as to the amount. The court directs Ms. Standard to submit the said order with the amount that went into the account presently, and to focus on curing that particular item of the Examiner's notes.</b>
<input checked="" type="checkbox"/> <b>Verified</b>		
<input checked="" type="checkbox"/> <b>Inventory</b>	Executor – Not requested at this time	
<input type="checkbox"/> <b>PTC</b>		
<input checked="" type="checkbox"/> <b>Not.Cred.</b>	Attorney – Not requested at this time	
<input type="checkbox"/> <b>Notice of Hrg</b>	<b>Petitioner states:</b> the estate is not in a condition to be closed at the present time until a sale of real property has occurred.	
<input type="checkbox"/> <b>Aff.Mail</b>	At time of sale petitioner would request that upon confirmation of the sale and receipt of all proceeds from the sale of the real property that those funds be distributed pursuant to the Private Covenant/Contract which has been deemed the Last Will of Decedent, Gene Ray Chance.	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		<b>The following issues remain:</b>  1. Court order dated 09/20/2013 requires all estate funds are ordered to be placed in a blocked account. The petition asserts that the cash amounts presently in the Estate are now held by Sabine State Bank and Trust in a blocked interest bearing account. The cash had previously been held in a regular account despite the Court's order which required all estate funds to be placed in a blocked account. It appears that the Court has never been provided a Blocking order. Need Order to Deposit Money into Blocked Account, mandatory Judicial Council Form MC-355 and Receipt for Blocked Account, mandatory Judicial Council form MC-356.  <b><u>Please see additional page</u></b>
<input checked="" type="checkbox"/> <b>Letters</b>	11/26/13	
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>	<b>Petitioner requests:</b> reimbursement for costs advanced in the amount of \$21,830.91 for payments of costs for the benefit of the estate after the sale of real property.	
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input checked="" type="checkbox"/> <b>9202</b>	<b>Wherefore:</b>	
<input checked="" type="checkbox"/> <b>Order</b>	<ol style="list-style-type: none"> <li>1. Petitioner requests the Amended First Account and Report of Administrator be allowed and approved as filed;</li> <li>2. The costs of this proceeding be ordered paid by the estate in portions determined by the Court at the time of closing the estate.</li> <li>3. For such other and further order the Court may deem just and proper.</li> </ol>	
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input checked="" type="checkbox"/> <b>FTB Notice</b>		<b>Reviewed by:</b> LV
		<b>Reviewed on:</b> 02/04/2016
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 4A – Chance</b>

3. Petitioner's signature on the corrected Inventory and Appraisal filed 08/03/2015 appears to be a color copy and not an original signature as required.
4. Petition states the balance on hand is \$145,375.95, however the Schedule 4 lists total property on hand is \$143,387.62. Need clarification.
5. Order appointing personal representative orders all funds of the estate to be placed in a blocked account. Accounting shows income from rents in the amount of \$9,002.46 and disbursements of \$1,988.33. The purpose of the blocked account is so that the funds of the estate are protected and all withdrawals from blocked account are to be approved by the Court. It appears that disbursements have been made without a Court order.
6. Need Notice of Hearing on Mandatory Judicial Council Form with proof of service on all interested parties.
7. It appears that petitioner is requesting that he be reimbursed for costs advanced in the amount of \$21,830.91 for payments of cost for the benefit of the estate, however it is not included in the prayer of the petition.
8. If petitioner is requesting reimbursement in the amount of \$21,830.91 it should be included in the "*it is so ordered*" portion of the order. Need new order.
9. #5 of the Order includes the following statement, "any other property not now know or discovered that may belong to the estate or decedent or in which the decedent or estate has an interest should be distributed pursuant to the Private Contract/Covenant, which the Court has accepted as the Last Will Ray Chance," this statement should be included in the final distribution order not the order for the first account. Need new order.

**4B Gene Ray Chance (Estate) Case No. 13CEPR00612**  
**Attorney Standard, Donna M (for Walter Sherwood Chance – Petitioner - Executor)**  
**Probate Status Hearing RE: Receipt for Blocked Account**

<b>DOD: 10/16/2015</b>	<b>WALTER SHERWOOD CHANCE</b> , Executor, with limited IAEA authority, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u><b>OFF CALENDAR.</b></u> <u><b>Receipt for Blocked Account</b></u> <u><b>filed 02/04/2016 in the</b></u> <u><b>amount of \$6,745.24.</b></u>  <b>Continued from 01/11/2016</b>  1. Need Receipt for Blocked Account.  <b>Note:</b> Court order dated 09/20/2013 requires all estate funds are ordered to be placed in a blocked account.
	Letters issued on 11/26/2013	
	Minute Order of 11/09/2015 set this Status Hearing for the filing of the Receipt for Blocked Account.	
<b>Cont. from 011116</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> LV
		<b>Reviewed on:</b> 02/04/2016
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 4B- Chance</b>

**4B**



Attorney Nancy J. LeVan (for Petitioner Gary Morris, Jr., Beneficiary)  
 Attorney Jennifer Walters (for Walter A. Morris, Successor Trustee)

**Petition to Compel Accounting by Trustee of the Gary F. Morris, Sr. 2013 Trust and Petition for Distribution of Trust Assets to Doug Standing, Trustee of the Gary Morris, Jr. Trust and Petition for Fees and Costs**

DOD: 10/19/2013	GARY MORRIS, JR., Beneficiary, is Petitioner.		NEEDS/PROBLEMS/COMMENTS:
	Petitioner states:		
	<ul style="list-style-type: none"> <li>• <b>WALTER A. MORRIS</b> was appointed as Successor Trustee of the <b>GARY F. MORRIS, SR., 2013 TRUST</b> on 4/1/2014 [copy of Trust attached as Exhibit A to Declaration of Clerical Error and Omissions filed 10/2/2015];</li> <li>• The <b>GARY F. MORRIS, SR., 2013 TRUST</b> terms provide that the balance of the Trust estate, including all assets poured into the Trust as a result of Trustor's death, is to be distributed to <b>BARBARA TURNER</b>, Trustee of the <b>GARY F. MORRIS, JR., TRUST</b>;</li> <li>• <b>BARBARA TURNER</b> resigned as Trustee of both Trusts, and <b>WALTER A. MORRIS</b> was appointed as Successor Trustee;</li> <li>• Petitioner requests the Court compel <b>WALTER A. MORRIS</b>, as Trustee of the <b>GARY F. MORRIS, SR., 2013 TRUST</b>, to distribute the remaining assets in the <b>GARY F. MORRIS, SR., 2013 TRUST</b> to <b>DOUG STANDING</b>, Trustee of the <b>GARY F. MORRIS, JR., TRUST</b> within 30 days of the order approving this petition;</li> <li>• <b>GARY F. MORRIS, SR., 2013 TRUST</b> terms provide that the Trustee shall periodically, but not less than once each year, render an account of its administration of the Trust(s) under the Trust instrument to all current income beneficiaries;</li> <li>• <b>GARY F. MORRIS, SR's.</b>, date of death is 10/9/2013 [sic]; <b>WALTER A. MORRIS</b> was appointed as Successor Trustee on 4/1/2014; to date, no accounting has been received from <b>WALTER A. MORRIS</b>.</li> </ul>		<p><b>Page 6B</b> is a Fee Waiver Review.</p> <p><b>Note:</b> Order on Ex Parte Petition for Payment of Allowance to Gary Morris, Jr. for Housing Pursuant to Article 2, Section 2.04(D) of the Gary Morris, Sr. Revocable Trust dated 9/3/2013 filed on 1/29/2016 sets that petition for hearing on <b>3/10/2016 at 9:00 a.m. in Dept. 303</b>.</p> <p><b>Continued from 1/5/2016.</b> Minute Order states Ms. Walters represents that there have been continued difficulties in obtaining the bank statements, but the accounting is otherwise completed and ready for filing. Ms. LeVan agrees to the accounting being filed without the missing statements; Ms. Walters will proceed with the filing.</p> <p><b>Note:</b> Court records do not show an accounting has been filed by as of 2/3/2016.</p>
Cont. from 100615, 111715, 010516			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	W	/	
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/S			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: LEG
			Reviewed on: 2/3/16
			Updates:
			Recommendation:
			File 6A – Morris

**Petitioner prays the Court Order:**

1. An accounting from **WALTER A. MORRIS** from the period when he was Successor Trustee of the **GARY F. MORRIS, SR., 2013 TRUST** from 4/1/2014 until 8/31/2015;
2. **WALTER A. MORRIS**, Successor Trustee of the **GARY F. MORRIS, SR., 2013 TRUST**, [shall] distribute all of the remaining assets in the **GARY F. MORRIS, SR., 2013 TRUST** to **DOUG STANDING**, Trustee of the **GARY F. MORRIS, JR., TRUST** within 30 days of the signed of the order approving this *Petition*;  
and
3. Allowing attorney fees and costs to Petitioner to be paid by Walter Morris for failure to file accounting and distribute assets pursuant to **GARY F. MORRIS, SR., 2013 TRUST** terms.

**Notes:**

- *Petition* was filed using a fee waiver, which is currently pending. The **\$435.00** filing fee is appropriately payable from Trust assets. *Declaration of Clerical Error and Omissions* filed 10/2/2015 states Petitioner agrees that a filing fee should be paid by Walter Morris, Trustee of the **GARY F. MORRIS, SR., 2013 TRUST**; however, Walter Morris is not communicating with the beneficiary, Gary Morris, Jr., his attorney, nor the Successor Trustee of the **GARY F. MORRIS, JR., TRUST**; the beneficiary has no access to funds of the Trust.
- *Order Setting Bond Amount* filed 4/25/2015 set bond at **\$286,000.00**, proof of which was filed on 5/9/2014. *Order Reducing Bond Amount* filed 5/13/2015 finds that the bond amount for **WALTER A. MORRIS**, as Trustee of the **GARY F. MORRIS, SR., 2013 TRUST** is reduced to **\$152,137.88**, which is the amount of net proceeds [*distributed to the seller of the Trust real property*] plus 10%.
- *Declaration of Clerical Error and Omissions* filed 10/2/2015 attaches as *Exhibit B* a copy of the bond renewal that was mailed to Walter Morris, and states it is unknown what Walter Morris did with it.

Attorney Nancy J. LeVan (for Petitioner Gary Morris, Jr.)

Fee Waiver Review

DOD: 10/19/2013		<b>CONFIDENTIAL</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Continued from 1/5/2016.</u> <i>Minute Order</i> states this request is trailing the Petition to Compel Accounting; the Court indicates denial of the fee waiver if there are monies in the Trust.
Cont. from 100615, 111715, 010516			
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: LEG	
		Reviewed on: 2/3/16	
		Updates:	
		Recommendation:	
		File 6B – Morris	

Probate Status Hearing RE: First Acct and Final Dist

<b>DOD: 6/15/14</b>	<p><b>ABIGAIL SERRATO</b>, Daughter, was appointed Executor with Full IAEA without bond on 12/9/14. Letters issued on 12/10/14.</p> <p>At the hearing on 12/9/14, the Court set this status hearing for the filing of the first account or petition for final distribution.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. <b>Need first account or petition for final distribution pursuant to Probate Code §12200 or written status report pursuant to Local Rule 7.5.</b></p>
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
	<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 2/3/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 7A- Serrato</b></p>	

**Ex Parte Request for Order Depositing Proceeds into a Blocked Account; and  
Request for Partial Distribution**

<b>DOD: 6/15/14</b>	<b>ABIGAIL SERRATO</b> , Daughter, was appointed Executor with Full IAEA without bond on 12/9/14. Letters issued on 12/10/14.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li><b>This petition was made as an ex parte motion; however, because it requires noticed hearing, the Court may require payment of the regular \$435.00 filing fee.</b></li> <li><b>The petition is not verified by the Executor pursuant to Probate Code §1020.</b></li> <li><b>Need Notice of Hearing and proof of service of Notice of Hearing on all interested parties and their attorney(s).</b></li> <li><b>Petitioner makes no allegations as to whether distribution may be made without loss to creditors or injury to the estate pursuant to Probate Code §11621. For example, has notice been given to the appropriate agencies as required by Probate Code §9202?</b></li> <li><b>Petitioner also makes no statement as to why preliminary distribution is necessary at this time, when the first account or petition for final distribution is now due pursuant to Probate Code §12200. Is the estate not in a condition to close? Why or why not?</b></li> </ol> <p style="text-align: center;"><b><u>SEE PAGE 2</u></b></p>
	I&A filed 6/11/15 reflects a total estate value of \$400,000.00 consisting of insurance proceeds (cash) of \$100,000.00 plus real property in Madera valued at \$300,000.00.	
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>	x	
<b>Inventory</b>		
<b>PTC</b>	On 12/24/15, Attorney Criego filed this Ex Parte Request for Order Depositing Proceeds into Blocked Account; and Request for Partial Distribution.	
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	x	
<b>Aff.Mail</b>	x	
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>	The Court's order of 1/5/16 set the matter for noticed hearing on 2/9/15, which is the same date as the status hearing for the filing of the first account or petition for final distribution, which was set at appointment on 12/9/14. The order was mailed to Mr. Criego on 12/7/15.	
<b>Letters</b>		
<b>Duties/Supp</b>	<b>Mr. Criego's Ex Parte Petition (not verified by Ms. Serrato) states:</b> Mr. Criego requests an ex parte order allowing the executor deposit a check in the sum of \$119,769.31, which was secured by the attorney on behalf of the estate from Transamerica Life Insurance Company, into a blocked account at Bank of the West.	
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
✓	<b>Order</b>  There is a partial dispute as to the distribution remains as to the proceeds; however, all parties have agreed and consented to a partial distribution to the non-disputed amount of \$48,000.00 as set forth below: a. Payment to Rick Smith, Probate Referee, in the amount of \$320.00 b. Reimbursement for publication to attorney Criego in the amount of \$480.00 c. Reimbursement for filing fees to Attorney Criego in the amount of \$435.00 d. Partial distribution to the heirs as follows: - Genaro Serrato, Jr.: \$12,000.00 - David Serrato: \$12,000.00 - Javier Serrato: \$12,000.00 - Abigail Serrato: \$12,000.00	
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
	<b><u>SEE PAGE 2</u></b>	
<b>Reviewed by:</b> skc		
<b>Reviewed on:</b> 2/3/16		
<b>Updates:</b>		
<b>Recommendation:</b>		
File 7A-Serrato		

**Attached to the petition is a letter dated 12/9/15 from Mr. Criego to all interested parties.** Mr. Criego states he is in possession of the final insurance proceeds issued on behalf of the decedent.

Because there is no agreement between the heirs, he proposes to deposit the proceeds into a blocked account, pay the obligation relating to the Probate Referee, filing and publication fees, and request preliminary distribution of \$50,000.

The letter also states: "Additionally, that the legal description/address to the **MADERA** property be corrected and that the Executor be authorized to prepare a corrected deed **and each heir received a divisible interest in the property**" (emphasis in original); "That the Executor be authorized to correct the APN and legal description as to the unrecorded **FRESNO** property."

Attached to the letter are Consents to Notice of Proposed Action signed by all four heirs.

**NEEDS/PROBLEMS/COMMENTS (Cont'd):**

- 6. The above-referenced letter appears to imply that the executor may have or may be planning to distribute the estate real property to the heirs prior to Court authorization. Need clarification.**

**Also note: If there are changes to the legal description as provided in the Inventory and Appraisal, this should be explained in the petition for final distribution.**

- 7. The Final I&A filed 6/11/15 includes the insurance proceeds and real property in Madera. The above-referenced letter also indicates additional real property in Fresno that is not inventoried in this estate. The Court may require clarification.**

**8 J. Jesus Rocha (Estate)**

**Case No. 14CEPR00797**

**Attorney Fanucchi, Edward L. (for Maria Ines Gonzalez – Interested Party)**

**Attorney Knudson, David N. (for Guadalupe Rocha – Administrator)**

**Probate Status Hearing RE: Trial Setting**

<b>DOD: 06/24/2014</b>	<p><b>GUADALUPE ROCHA</b>, was appointed Administrator with full IAEA, with bond set at \$10,000.00 on 07/16/2015.</p> <p>Letters issued on 07/27/2015</p> <p>Maria Ines Gonzalez, interested party, filed a Petition for Order Directing Personal Representative to Transfer Property to Petitioner and Her Husband, on 08/25/2015.</p> <p>Hearing was set for 10/06/2015 where the matter was continued to 11/17/2015 to allow Mr. Knudson to respond.</p> <p>Minute Order of 11/17/2015 set this Status Hearing regarding the Trial Setting.</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
<b>Cont. from</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
			<b>Reviewed by: LV</b>
			<b>Reviewed on: 02/04/2016</b>
	<b>Updates:</b>		
	<b>Recommendation:</b>		
	<b>File 8- Rocha</b>		

Probate Status Hearing RE: Filing of the First and Final Account

<b>DOD: 6/18/14</b>	<p><b>ALESHA J. JENSEN</b>, Daughter, was appointed Administrator with Full IAEA without bond on 12/9/14. Letters issued on 12/10/14.</p> <p>At the hearing on 12/9/14, the Court set this status hearing for the filing of the first account or petition for final distribution.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. <b>Need first account or petition for final distribution pursuant to Probate Code §12200 or written status report pursuant to Local Rule 7.5.</b></p>
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
	<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 2/3/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 9- Bergen</b></p>	

Petitioner Laurie Lee Cardoza (Pro Per, maternal cousin)  
 Objector MaryAnne Wilson (Pro Per, mother)

Probate Status Hearing Re: Visitation

	<p><b>LAURIE LEE CARDOZA</b>, maternal cousin, was appointed Guardian of the Person on 10/13/2015. <i>Letters issued on 11/10/2015.</i></p> <p><b>MARY ANN WILSON</b>, mother, filed on 8/31/2015 a <b>Declaration of MARYANNE WILSON</b>, containing objections and proposed resolution to the Court.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 12/15/2015.</b>  <i>Minute Order [Judge Snauffer]</i> states Mary Ann Wilson, mother, states that she was unaware of the Guardianship being granted despite being in attendance at the hearing on 10/13/2015 when the petition was granted. Ms. Wilson is directed to file an actual visitation petition for the Court's consideration and a petition to terminate, if so desired.</p>
Cont. from 080415, 090115, 102715, 121515		
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		
Clearances		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 2/3/16
		Updates:
		Recommendation:
		File 10 – Nitti

Petition for Appointment of Guardian of the Person

		<b>THERE IS NO TEMPORARY. Temporary was denied.</b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 12/8/15. Minute order states</b> examiner notes and ICWA forms provided in open court. <b>As of 2/3/16 the following issues remain:</b></p> <ol style="list-style-type: none"> <li>1. Mother's objections state the minor has Native American ancestry. Therefore, a <i>Notice of Child Custody Proceeding for Indian Child</i> (Form ICWA-030), must be completed and returned to the probate clerk for service. (Copy of the form is in the file to give to petitioner.)</li> <li>2. Need proof of service of the Objections on Petitioner, Luis J. Flores.</li> </ol>
		<p><b>LUIS J. FLORES</b>, former step-father, is petitioner.</p> <p>Please see petition for details.</p> <p><b>Court Investigator Report filed on 9/15/15</b></p> <p><b>Objections of mother, Roseline Mattinson, filed on 11/17/15.</b></p>	
Cont. from 092215, 102015, 120815			
<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 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		
		<b>Reviewed by:</b> KT	
		<b>Reviewed on:</b> 2/3/16	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 11 - Castell</b>	

Petitioner Hickingbottom, Sarah (pro per – paternal aunt/Petitioner)

**Petition for Appointment of Guardian of the Person**

<b>Cherish, 3</b>	<b><u>TEMPORARY EXPIRES 02/09/16</u></b>		<p><b>NEEDS/PROBLEMS/ COMMENTS:</b></p> <p><b><u>CONTINUED FROM 12/15/15</u></b></p> <p>1. Need proof of service by mail of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent &amp; Waiver of Notice <u>or</u> Declaration of Due Diligence for:</p> <p>a. Maternal grandfather (Richard Houston)</p> <p>b. Paternal grandfather – Proof of Service filed 10/02/15 does not indicate that he was served a copy of the Petition along with the Notice of Hearing</p> <p><b>Note:</b> both parents appeared at the 08/17/15 hearing. At the 08/17/15, father, Peter Villarrial, consented for the record and mother, Melissa Houston, objected.</p> <p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 02/03/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 12 – Villarrial</b></p>
<b>Maleenah, 2</b>	<p><b>SARAH HICKINGBOTTOM</b>, paternal aunt, is Petitioner.</p>		
<b>Adaleen, 1 year</b>	<p>Father: <b>PETER VILLARRIAL</b> – personally served on 08/22/15; Consented in court on 08/17/15</p>		
<b>Cont. from 100515</b>	<p>Mother: <b>MELISSA HOUSTON</b> – personally served on 08/16/15</p>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/> <b>Verified</b>	<p>Paternal grandfather: PETER VILLARRIAL, SR. – served by mail with Notice of Hearing only on 08/21/15</p>		
<input type="checkbox"/> <b>Inventory</b>	<p>Paternal grandmother: Vanessa Carson – personally served on 08/22/15</p>		
<input type="checkbox"/> <b>PTC</b>	<p>Maternal grandfather: RICHARD HOUSTON</p>		
<input type="checkbox"/> <b>Not.Cred.</b>	<p>Maternal grandmother: Cindy Hernandez – personally served on 08/16/15</p>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>			
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	w/o		
<input type="checkbox"/> <b>Aff.Pub.</b>			
<input type="checkbox"/> <b>Sp.Ntc.</b>	<p><b>Petitioner states</b> [see file].</p>		
<input checked="" type="checkbox"/> <b>Pers.Serv.</b>	w/		
<input checked="" type="checkbox"/> <b>Conf. Screen</b>	<p><b>Court Investigator Julie Negrete filed a report on 09/29/15.</b></p>		
<input checked="" type="checkbox"/> <b>Letters</b>	<p><b>Declaration of Cindy Hernandez (maternal grandmother) filed 09/30/15.</b></p>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>	<p><b>Several Letters of Recommendation and/or in Support of the Mother, Melissa Houston filed 10/02/15.</b></p>		
<input type="checkbox"/> <b>Objections</b>			
<input type="checkbox"/> <b>Video Receipt</b>			
<input checked="" type="checkbox"/> <b>CI Report</b>	<p><b>Objection to Guardianship</b> filed 01/06/16 by Melissa Houston (mother).</p>		
<input type="checkbox"/> <b>9202</b>			
<input checked="" type="checkbox"/> <b>Order</b>			
<input type="checkbox"/> <b>Aff. Posting</b>			
<input type="checkbox"/> <b>Status Rpt</b>			
<input checked="" type="checkbox"/> <b>UCCJEA</b>			
<input type="checkbox"/> <b>Citation</b>			
<input type="checkbox"/> <b>FTB Notice</b>			



Petitioner Roman James Cota (Pro Per – Paternal Uncle – Petitioner)

Petitioner Carrie Joyce Cota (Pro Per – Paternal Aunt – Petitioner)

Petition for Appointment of Guardian of the Person

		See petition for details.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Minute Order 1/28/16:</u>                  Petitioners report that the minor is currently with Elvira Zavala, the maternal grandmother and competing petitioner, because of the minor's close bond to her. The Cotas' temporary letters are extended, with the understanding that the minor will remain in Ms. Zavala's care.</p> <p><u>Note:</u> See Page B re Ms. Zavala's petition.</p> <p><u>Note:</u> Petitioners' Declaration filed 1/27/16 indicates support of the petition by Elvira Zavala.</p> <p>If this petition goes forward, the following issue remains noted for reference:</p> <ol style="list-style-type: none"> <li>1. Declaration filed 10/26/15 provides a printout of the hearing information provided to the mother via Facebook message on 10/3/15. Probate Code §1511 requires personal service. <u>Update:</u> No further evidence of notice has been filed by Petitioners.</li> </ol>	
Cont. from 110515, 012816				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
	Conf. Screen			
✓	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: skc		
		Reviewed on: 2/3/16		
		Updates:		
		Recommendation:		
		File 14A – Cota		

Petition for Appointment of Temporary Guardian of the Person

		See petition for details.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of personal service of Notice of Hearing with a copy of the temp petition at least five court days prior to the hearing per Probate Code §2250(e) <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ul style="list-style-type: none"> <li>- Ernest R. Cota (Father)</li> <li>- Jessica M. Samora (Mother)</li> </ul> </li> </ol>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 2/3/16	
			Updates:	
			Recommendation:	
			File 14B- Cota	



Petitioner Gustavo Montes de Leon (Pro Per)

Petitioner Rebecca Gonzalez Montes (Pro Per)

Petition for Appointment of Probate Conservator

		<b>NO TEMPORARY REQUESTED</b>	<p><b>GUSTAVO MONTES DE LEON and REBECCA GONZALEZ MONTES,</b> parents, are Petitioners and request appointment as Conservator of the Person with medical consent powers.</p> <p style="text-align: center;">~Please see Petition for details~</p> <p><b>Court Investigator's Report was filed on 10/1/2015.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Court Investigator Advised Rights on 9/28/2015.</b></p> <p><b>Continued from 10/27/2015.</b> Minute Order [Judge Snauffer] states: No appearances. The Clerk is directed to mail a minute order and examiner notes to Petitioners. (<b>Clerk's Certificate of Mailing</b> shows a copy of the minute order and examiner notes dated 12/15/2015 were mailed to Petitioners on 12/15/2015.)</p> <p><b>The following issues from the last hearing remain:</b></p> <ol style="list-style-type: none"> <li>1. Medical Capacity Declaration of Sreekanth Chava, M.D., filed 9/16/2015 does not support medical consent powers. If Petitioners wish to pursue medical consent powers, need Medical Capacity Declaration in support of Petitioners' request pursuant to Probate Code § 1890(c).</li> <li>2. Item 11(b) of the Petition indicates the maternal and paternal grandparents live at an unknown address in Mexico. Court may require Notice of Hearing and proof of service by mail of the notice with a copy of the Petition for Appointment of Probate Conservator, or a Declaration of Due Diligence, for the maternal and paternal grandparents named in the Petition pursuant to Probate Code § 1822(b)(2).</li> <li>3. Need Confidential Supplemental Information form (GC-312) pursuant to Probate Code § 1821.</li> </ol>
Cont. from 102715, 121515				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	Cap. Dec.	X		
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail	W/ O		
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.	N/A		
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/ Supp	Supp X		
<input type="checkbox"/>	Objections			
<input checked="" 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 type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation	Court Excused		
<input type="checkbox"/>	FTB Notice			
			<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 2/3/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 16 – Montes</b></p>	

**17 Mya Licon (GUARD/P) Case No. 15CEPR01014**

**Petitioner Abarca, Michelle Sally (Pro Per – Maternal Aunt)**

**Petition for Appointment of Guardian of the Person**

<b>Age: 8</b>	<b>TEMPORARY EXPIRES 02/09/2016</b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Minute Order of 12/15/2015 (Judge Snauffer):</b>  <b>Examiner notes provided in open court. For the record, the paternal grandmother is deceased, and the paternal grandfather is unknown. Nicole Perez, mother, is to file and properly serve written objections. The Court grants temporary orders to preserve the status quo; letters are to issue forthwith.</b></p> <p><b>As of this Examiner's review no written objections have been filed and the following issues remain:</b></p> <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> <li>• Victor Licon (Father) – Unless the Court dispenses with notice</li> </ul> </li> <li>3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> <li>• Paternal Grandfather (Unknown)</li> <li>• Maternal Grandfather (Unknown)</li> <li>• Oralia Abarca (Maternal Grandmother)</li> </ul> </li> <li>4. UCCJEA is incomplete as it does not provide the period of time the minor child resided at each address provided for the past five years.</li> </ol>
	<p><b>MICHELLE SALLY ABARCA,</b>  maternal aunt, is petitioner.</p> <p><u>Please see petition for details</u></p>	
<b>Cont. from 121515</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Notice of Hrg</b>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> <b>Aff.Mail</b>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input checked="" type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input checked="" type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> LV
		<b>Reviewed on:</b> 02/04/2016
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 17 - Licon</b>



## Page 2 – NEEDS/PROBLEMS/COMMENTS:

1. 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 or declaration of due diligence on:
  - Andrea Chavarria (Minor)
  - Maria Espinoza (Minor)
  - Betzaida Delgado (Minor)
  - Claudia Delgado (Mother)
  - Oscar Chavarria (Father of Andrea)
  - Cruz Espinoza (Father of Maria)
  - Jorge Cuevas (Father of Betzaida)
  - Adolfo Rodriguez (Father of Monica and Yesenia)
  - Rene Balladares (Father of Rene)

Note: Declarations of Due Diligence filed 12/31/15 states Adolfo Rodriguez, Cruz Espinoza, and Rene Balladares were personally served, and Jorge Cuevas was notified of this court date by Facebook, but no Notice of Hearing or Proof of Service or other documentation has been filed.

2. 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:
  - Jose G. Delgado (Maternal Grandfather)
  - Israel Cavarrria (Paternal Grandfather of Andrea)
  - Elvia Chavarria (Paternal Grandmother of Andrea)
  - Paternal Grandparents of Maria
  - Paternal Grandparents of Betzaida
  - Adolfo Rodriguez, Sr. (Paternal Grandfather of Monica and Yesenia)
  - Maria Aguirre (Paternal Grandmother of Monica and Yesenia)
  - Gloria Del Rosario Contreras (Paternal Grandmother of Rene)

Note: Notices of Hearing filed 12/31/15 are defective. They do not indicate that the parties were served with a copy of the petition, and the service information is incomplete (does not state when the parties were served or by whom).

Note: It appears notice was sent to a Rogelio Cuevas and Esperanza Prado, but it is unclear who these people are. Are these the paternal grandparents of Betzaida?

**19 Jose Chavarria, Fabian Chavarria (GUARD/P) Case No. 15CEPR01065**

Petitioner Chavarria, San Juanita Uresti (Pro Per – Paternal Aunt)

Petitioner Avila, Rodolfo Chavarria (Pro Per – Paternal Uncle)

Objection Avila, Manuel Chavarria (Pro Per – Father)

**Petition for Appointment of Guardian of the Person (Initial)**

Jose Age: 14	<p align="center"><b><u>NO TEMPORARY REQUESTED</u></b></p> <p>SAN JUANITA CHAVARRIA, paternal aunt, and RODOLFO CHAVARRIA AVILA, paternal uncle, are petitioners.</p> <p align="center"><b><u>Please see petition for details</u></b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Minute Order of 01/05/2016: Examiner notes provided in open Court. Manuel Chavarria, father, states that he was served 2 months ago.</b></p> <p><b>The following issues still remain:</b></p> <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> <li>• Manuel Chavarria (Father)</li> </ul> </li> <li>3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> <li>• Maternal grandfather (not listed)</li> <li>• Siblings over age 12</li> </ul> </li> </ol>	
Fabian Age: 16			
Cont. from 010516			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			x
Aff.Mail			x
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			x
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
Reviewed by: LV			
Reviewed on: 02/04/2016			
Updates:			
Recommendation:			
File 19- Chavarria			

**Petition for Court Order Modifying Trust Instrument in Changed Circumstances**

<b>Margaret Salwasser</b> DOD: 7/11/14	<b>DENNIS SALWASSER</b> , Trustee, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Melvin Salwasser</b> DOD: 5/17/15	<b>Petitioner states</b> Melvin Salwasser and Margaret Salwasser created the <b>Melvin Salwasser Family Heritage Trust</b> on 12/30/99. Margaret died 7/11/14. Melvin died 5/17/15. The settlors were survived by two adult children: Petitioner and Deborah Hendrickson. A third child, Brent Salwasser, predeceased both settlors without issue. Petitioner has two adult children and four grandchildren, only one an adult. Deborah Hendrickson has no natural or adopted children, but has three stepchildren.	Continued from 12/15/15 per request of counsel.  <b>Update: Consents to Modification and Distribution of Trust were filed 2/2/16 by Lisa Dutcher and Leann Schmit, two of three adult contingent successor lifetime beneficiaries.</b>
Cont. from 121515	As of Melvin Salwasser's death in 2015, the trust estate consisted of cash, securities, and a small interest in a family business entity. The total value was less than \$750,000.00.	
<input type="checkbox"/> Aff.Sub.Wit.	After the surviving settlor's death, the trust estate is to be divided into two trusts, one for each child. Each child's trust was then divided into an "exempt share" and a "nonexempt share" trust. Each trust would hold less than \$375,000.00 of value and would be held for the lifetime of the surviving child of the settlors.	Reviewed by: skc
<input checked="" type="checkbox"/> Verified	Petitioner states continuation of the trust under its terms would defeat or substantially impair the accomplishment of the purposes of the trust.	Reviewed on: 2/3/16
<input type="checkbox"/> Inventory	<b>Therefore, Petitioner requests an order under §15409 modifying the terms of the trust to distribute outright to the two children of the settlors (Dennis Salwasser and Deborah Hendrickson).</b>	Updates:
<input type="checkbox"/> PTC	SEE PAGE 2	Recommendation:
<input type="checkbox"/> Not.Cred.		File 20 - Salwasser
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/o		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

**Petitioner states** the trust provides for a long term strategy to avoid estate tax at the deaths of the settlors' children and on the deaths of grandchildren, great-grandchildren, and so on (a "dynasty trust"). Dynasty trusts became popular when several states liberalized or eliminated the rule against perpetuities. (California has not liberalized its rule against perpetuities (§21205.) Combined with an increasing federal generation-skipping-transfer-tax exemption, it became possible to use a dynasty trust to arrange so descendants into perpetuity would get the benefit of a substantial financial legacy without ever paying estate, gift, or generation-skipping transfer taxes.

The settlors' tax purpose is explicitly stated in Section 5a of Article Seven of the trust. When the trust was established in 1999, the federal exemption was \$675,000.00 and the estate-tax top rate was 55%, and the settlors were justifiably concerned about the future estate tax burdens on their descendants. However, in 2001, Congress increased the estate-tax exemption in steps as described in the petition. The petition also describes that a further tax development in the last few years was the increase of the federal capital-gains top rate.

Petitioner states property held in a dynasty trust is not eligible for the step-up in basis afforded property held by a decedent at death, so it is exposed to greater capital gain taxes as property is sold.

Because of these changes, the dynasty trust in the Salwasser family's situation is likely to be a tax detriment rather than the benefit contemplated by the settlors. Based on his conversations with his parents, Petitioner believes the only purpose of the dynasty trust features was to avoid taxes on the younger generations, and that the settlors had no appreciation or understanding of their non-tax implications. The settlors could not amend the trust as it was irrevocable.

Early termination provision: Petitioner states the trust provides that if the trustee determines in his sole and absolute discretion that any trust "has become uneconomical to administer due to the high cost of administration relative to the value of the trust property," the trustee may end the trust and distribute to the income beneficiaries. While tax costs of losing the step up in basis of trust property may not be such a "cost of administration," so as to trigger this provision, by analogy, this provision supports Petitioner's view that when the settlors' tax driven purpose is frustrated by changed circumstances, the trust should be ended and the estate distributed.

**Wherefore, Petitioner requests an order modifying the trust as stated above, and for such further orders as the Court considers proper.**

Petition for Court Order Modifying Trust Instrument in Changed Circumstances

<p>Margaret Salwasser DOD: 7/11/14</p>	<p>DENNIS SALWASSER, Trustee, is Petitioner.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
<p>Melvin Salwasser DOD: 5/17/15</p>	<p><b>Petitioner states</b> Melvin Salwasser and Margaret Salwasser created the <b>Salwasser Living Trust</b> on 12/30/99.</p>	<p>Continued from 12/15/15 per request of counsel.</p>
	<p>Margaret died 7/11/14. Melvin died 5/17/15. The settlors were survived by two adult children: Petitioner and Deborah Hendrickson. A third child, Brent Salwasser, predeceased both settlors without issue. Petitioner has two adult children and four grandchildren, only one an adult. Deborah Hendrickson has no natural or adopted children, but has three stepchildren.</p>	<p><u>Update:</u> Consents to <b>Modification and Distribution of Trust</b> were filed 2/2/16 by Lisa Dutcher and Leann Schmit, two of three adult contingent successor lifetime beneficiaries.</p>
<p>Cont. from 121515</p>		
<p><input type="checkbox"/> Aff.Sub.Wit.</p>		
<p><input checked="" type="checkbox"/> Verified</p>		
<p><input type="checkbox"/> Inventory</p>		
<p><input type="checkbox"/> PTC</p>		
<p><input type="checkbox"/> Not.Cred.</p>		
<p><input checked="" type="checkbox"/> Notice of Hrg</p>		
<p><input checked="" type="checkbox"/> Aff.Mail</p>	<p>As of Melvin Salwasser's death in 2015, the trust estate consisted of cash, securities from an IRA, and interests in two family business entities. The total value was less than \$2,300,000.00.</p>	
<p><input type="checkbox"/> Aff.Pub.</p>		
<p><input type="checkbox"/> Sp.Ntc.</p>		
<p><input type="checkbox"/> Pers.Serv.</p>		
<p><input type="checkbox"/> Conf. Screen</p>		
<p><input type="checkbox"/> Letters</p>		
<p><input type="checkbox"/> Duties/Supp</p>		
<p><input type="checkbox"/> Objections</p>	<p>After the surviving settlor's death, the trust estate is to be divided into two trusts, one for each child. Each trust would hold less than \$1,150,000.00 of value.</p>	
<p><input type="checkbox"/> Video Receipt</p>		
<p><input type="checkbox"/> CI Report</p>		
<p><input type="checkbox"/> 9202</p>		
<p><input checked="" type="checkbox"/> Order</p>		
<p><input type="checkbox"/> Aff. Posting</p>		
<p><input type="checkbox"/> Status Rpt</p>	<p><b>Therefore, Petitioner requests an order under §15409 modifying the terms of the trust to distribute outright to the two children of the settlors (Dennis Salwasser and Deborah Hendrickson).</b></p>	<p>Reviewed by: skc</p>
<p><input type="checkbox"/> UCCJEA</p>		<p>Reviewed on: 2/3/16</p>
<p><input type="checkbox"/> Citation</p>		<p>Updates:</p>
<p><input type="checkbox"/> FTB Notice</p>		<p>Recommendation:</p>
		<p>File 21 - Salwasser</p>
	<p style="text-align: center;"><b>SEE PAGE 2</b></p>	

**Page 2**

**Petitioner states** the trust provides for a long term strategy to avoid estate tax at the deaths of the settlors' children and on the deaths of grandchildren, great-grandchildren, and so on (a "dynasty trust"). Dynasty trusts became popular when several states liberalized or eliminated the rule against perpetuities. (California has not liberalized its rule against perpetuities (§21205.) Combined with an increasing federal generation-skipping-transfer-tax exemption, it became possible to use a dynasty trust to arrange so descendants into perpetuity would get the benefit of a substantial financial legacy without ever paying estate, gift, or generation-skipping transfer taxes.

The settlors' tax purpose is explicitly stated in Section 5a of Article Seven of the trust. When the trust was established in 1999, the federal exemption was \$675,000.00 and the estate-tax top rate was 55%, and the settlors were justifiably concerned about the future estate tax burdens on their descendants. However, in 2001, Congress increased the estate-tax exemption in steps as described in the petition. The petition also describes that a further tax development in the last few years was the increase of the federal capital-gains top rate.

Petitioner states property held in a dynasty trust is not eligible for the step-up in basis afforded property held by a decedent at death, so it is exposed to greater capital gain taxes as property is sold.

Because of these changes, the dynasty trust in the Salwasser family's situation is likely to be a tax detriment rather than the benefit contemplated by the settlors. Based on his conversations with his parents, Petitioner believes two primary factors, uncertainty and poor health, explain why they did not amend the trust to eliminate the dynasty trust provisions when the tax law changed. From 2001-2012, there was uncertainty about what the law would be. Margaret Salwasser began suffering from dementia in the late 1990s and later suffered other health issues, residing in a nursing home by 2008. Melvin Salwasser was seriously injured in 2011 and spent time in a skilled nursing facility before returning home, although his health deteriorated rapidly thereafter. Under these circumstances, it is understandable that the settlors did not amend the trust when the tax law on which their dynasty strategy depended changed.

Early termination provision: Petitioner states the trust provides that if the trustee determines in his sole and absolute discretion that any trust "has become uneconomical to administer due to the high cost of administration relative to the value of the trust property," the trustee may end the trust and distribute to the income beneficiaries. While tax costs of losing the step up in basis of trust property may not be such a "cost of administration," so as to trigger this provision, by analogy, this provision supports Petitioner's view that when the settlors' tax driven purpose is frustrated by changed circumstances, the trust should be ended and the estate distributed.

**Wherefore, Petitioner requests an order modifying the trust as stated above, and for such further orders as the Court considers proper.**

**Petition for Letters of Administration; Authorization to Administer Under the Independent Administration of Estates Act with Limited IAEA Authority.**

<b>DOD: 3/5/15</b>	<b>NENG VANG</b> is petitioner and requests <b>BEE PHA</b> be appointed Executor with bond set at \$10,000.00.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Continued from 12/15/15 as of 2/3/16 the following issues remain:</b>  <b><u>NEED AMENDED PETITION</u> based on but not limited to the following:</b>
<b>Cont. from 121515</b>	Limited IAEA -	
<b>Aff.Sub.Wit.</b>		<ol style="list-style-type: none"> <li>#2b(1) of the Petition requests Bee Pha be appointed as Executor. It is unclear who Bee Pha is. It appears that this may be the decedent and the name was placed there in error.</li> <li>Petition does not indicate whether or not the decedent died testate or intestate. #3d or 3e of the petition.</li> <li>#2b(1) of the petition requests appointment as executor. #3f(2)(a) requests appointment as administrator. Need clarification.</li> <li>Need date of death of spouse. Local Rule 7.1.1D.</li> <li>#5a(3) or 5a(4) of the petition was not answered re: registered domestic partner.</li> <li>#5a(5) or 5a(6) of the petition was not answered re: child/no child.</li> <li>Petitioner Neng Vang and proposed personal representative Bee Pha are not listed at #8 of the petition as required.</li> <li>Need Affidavit of Publication.</li> <li>Need Notice of Petition to Administer the Estate with proof of service on all interested parties.</li> <li>Need Duties and Liabilities and supplement to the Duties and Liabilities.</li> <li>Need orders and letters</li> </ol>
<input checked="" type="checkbox"/> <b>Verified</b>	Decedent died testate or intestate? (see #2)	
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>	Residence: Fresno Publication: <b>NEED</b>	
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>	X	
<b>Aff.Pub.</b>	X	
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>	X	
<b>Duties/Supp</b>	X	
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>	X	
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
	<b>Estimated value of the Estate:</b> Real property- \$150,000.00	
	Probate referee: Rick Smith	
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 2/3/16</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 22A - Pha</b>

**Probate Status Hearing RE: Filing of an Amended Petition**

<b>DOD: 3/5/15</b>	<b>NENG VANG</b> filed a Petition for Probate and requested <b>BEE PHA</b> be appointed Executor with bond set at \$10,000.00.	<b>NEEDS/PROBLEMS/COMMENTS:</b> 1. Need amended petition.
	The petition had a lot of deficiencies (see page 22A). The Court set this status hearing for the filing of an amended petition.	
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 2/3/16</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 22B- Pha</b>

Petitioner Julie C. Jones (Pro Per - self-represented attorney)

Petition for Appointment of Guardian of the Person

		<p><b>TEMPORARY GRANTED EX PARTE EXPIRES</b>  <b>1/4/2016; extended to 2/9/2016</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>Minute Order dated 1/12/2016 from the hearing on the temporary petition states Mr. Brady [father] objects to the general guardianship for the record. Written objections are to be filed and properly served by 1/25/2016, or the Court will move forward without considering the objections.</li> <li>Court records show no objections have been filed as of 2/3/2016.</li> <li>File contains proposed <i>Order Dispensing with Notice</i> submitted by Petitioner as part of her request to dispense with notice to the children's 10 half-siblings and the maternal grandparents.</li> <li>Court Investigator to provide CI Report and Clearances.</li> </ul>
<b>Cont. from</b>			
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
	<b>Aff.Mail</b>		
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
✓	<b>Pers.Serv.</b>		
✓	<b>Conf. Screen</b>		
✓	<b>Letters</b>		
✓	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>	X	
	<b>Clearances</b>	X	
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
			<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 2/3/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 23- Brady</b></p>

Petitioner Derfelt, Dann Allan (pro per – paternal grandfather)

Petitioner Derfelt, Maryann Alfheim (pro per – paternal step-grandmother)

Petition for Appointment of Guardian of the Person

<b>Age: 3</b>	<b><u>NO TEMPORARY REQUESTED</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>DANN DERFELT and MARYANN DERFELT</b> , paternal grandparents, are Petitioners.	
	Father: <b>ALLAN DERFELT</b> – personally served on 01/16/16; Consent & Waiver of Notice filed 12/10/15	
<b>Cont. from</b>	Mother: <b>MARCELLA DERFELT</b> – personally served on 01/21/16	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Paternal grandmother: VIRGINIA AKERS - deceased	
<input checked="" type="checkbox"/> <b>Verified</b>	Maternal grandfather: ROBERT BERRY – served by mail on 01/16/16	
<input type="checkbox"/> <b>Inventory</b>	Maternal grandmother: GAIL BERRY – served by mail on 01/16/16	
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Court Investigator Jennifer Daniel filed a report on 02/02/16.</b>	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> w/		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input checked="" type="checkbox"/> <b>Pers.Serv.</b> w/		
<input checked="" type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input checked="" type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input checked="" type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 02/04/16
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 24- Derfelt</b>

**Petition for Appointment of Guardian of the Person**

<b>Age: 3 months</b>		<b><u>NO TEMPORARY REQUESTED</u></b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>MARIA CARILLO</b> , maternal great aunt, is Petitioner.		<b>Petitioner is Spanish speaking.</b>	
		Father: <b>VICENTE CERVANTES</b> – <i>Declaration of Due Diligence filed 02/04/16 states that his whereabouts are unknown, mother states she met him on Facebook and he picked her up at a liquor store in Merced, does not know current whereabouts or if he gave her the correct name, he has since deleted his facebook profile</i>		1. Need proof of service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Consent & Waiver of Notice for:	
<b>Cont. from</b>		Mother: <b>STEPHANIE AGUILAR</b> – Consent & Waiver of Notice filed 12/11/15		a. Vicente Cervantes (father) – personal service needed; if diligence is not found	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			b. Paternal grandparents – service by mail ok; if diligence is not found	
<input checked="" type="checkbox"/>	<b>Verified</b>			c. Victor Aguilar (maternal grandfather) – service by mail ok; if diligence is not found	
<input type="checkbox"/>	<b>Inventory</b>				
<input type="checkbox"/>	<b>PTC</b>				
<input type="checkbox"/>	<b>Not.Cred.</b>				
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>				
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	w/			
<input type="checkbox"/>	<b>Aff.Pub.</b>				
<input type="checkbox"/>	<b>Sp.Ntc.</b>				
<input type="checkbox"/>	<b>Pers.Serv.</b>	x			
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>				
<input checked="" type="checkbox"/>	<b>Letters</b>				
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>				
<input type="checkbox"/>	<b>Objections</b>				
<input type="checkbox"/>	<b>Video Receipt</b>				
<input checked="" type="checkbox"/>	<b>CI Report</b>				
<input type="checkbox"/>	<b>9202</b>				
<input checked="" type="checkbox"/>	<b>Order</b>				
<input type="checkbox"/>	<b>Aff. Posting</b>				
<input type="checkbox"/>	<b>Status Rpt</b>				
<input checked="" type="checkbox"/>	<b>UCCJEA</b>				
<input type="checkbox"/>	<b>Citation</b>				
<input type="checkbox"/>	<b>FTB Notice</b>				
		Paternal grandparents: UNKNOWN – <i>Declarations of Due Diligence filed 02/04/16</i>			
		Maternal grandfather: VICTOR AGUILAR – <i>Declaration of Due Diligence filed 02/04/16 states that he was deported to Mexico over 18 years ago</i>			
		Maternal grandmother: SARA CAMACHO – <i>Served by mail on 02/02/16 (Consents per Letter attached to Declaration of Due Diligence filed 02/04/16)</i>			
		<b>Court Investigator Dina Calvillo filed a report on 02/03/16.</b>			
				<b>Reviewed by:</b> JF	
				<b>Reviewed on:</b> 02/04/16	
				<b>Updates:</b>	
				<b>Recommendation:</b>	
				<b>File 25-Aguilar</b>	

Petition to Determine Succession to Real Property

<b>DOD: 7/28/06</b>		<b>RICARD COBOS and CARLOS CAL COBOS</b> , Sons, are Petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		40 days since DOD	
		No other proceedings	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>	I&A: \$145,000.00 (real property located at 4623 North Fourth Street in Fresno)	
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>	Decedent died intestate	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Petitioners request Court determination that the real property passes to Petitioners in one-half undivided interests each pursuant to intestate succession.	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> skc
			<b>Reviewed on:</b> 2/3/16
			<b>Updates:</b>
			<b>Recommendation:</b> SUBMITTED
			<b>File</b> 26- Cobos



**Petition for Appointment of Temporary Guardian**

<b>Age: 16</b>	<b>GENERAL HEARING 03/30/2016</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Notice of Hearing.  2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> <li>• Dionne M. Singleton (Father)</li> <li>• Mikaela Singleton (Minor)</li> </ul> 3. Need UCCJEA.
	<b>ARTHUR LEE COLLINS</b> , non-relative, is petitioner.	
	<b><u>Please see petition for details</u></b>	
<b>Cont. from</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Notice of Hrg</b>	x	
<input type="checkbox"/> <b>Aff.Mail</b>		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>	x	
<input checked="" type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>	x	
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by: LV</b>
		<b>Reviewed on: 02/04/2016</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 28- Singleton</b>

Petition for Appointment of Temporary Guardian of the Person

		See petition for details.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need proof of personal service of Notice of Hearing with a copy of the petition at least five court days prior to the hearing per Probate Code §2250(e) <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Monica Corina Salinas (Mother)</li> <li>2. If diligence is not found, need personal service on the father or consent or further diligence.</li> </ol>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
✓	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: 2/3/16	
			Updates:	
			Recommendation:	
			File 29- Velasquez	

Petitioner Helen Mills (Pro Per)

**Petition to Appoint Temporary Guardian of the Person**

		<u>General Hearing set for 3/29/2016</u>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		HELEN MILLS, paternal grandmother, is Petitioner.	
Cont. from		~Please see Petition for details~	<ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of five (5) court days' notice by personal service of the Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence for:                             <ul style="list-style-type: none"> <li>• Kenya Curry, mother;</li> <li>• Lexia Richardson, proposed ward.</li> </ul> </li> <li>3. UCCJEA form filed on 1/26/2016 indicates the child resides with her mother.</li> <li>4. Need Attachment 3 explaining answer to Item 3 of Confidential Guardian Screening form filed on 1/26/2016.</li> </ol>
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			<b>Reviewed by:</b> LEG
			<b>Reviewed on:</b> 2/3/16
			<b>Updates:</b> 2/5/16
			<b>Recommendation:</b>
			<b>File 30- Richardson</b>