

1 Wade J. Barrett (Estate)

Case No. 02CEPR00294

Atty LeVan, Nancy J. (for Wayne Barrett – Administrator/Petitioner)

(1) Report of Administration of Administrator and Petition for Settlement thereof and (2) Allowance of Statutory Compensation for Administrator and Statutory and Extraordinary Attorney Fees and (3) for Final Distribution

DOD: 09/23/01		WAYNE BARRETT , Administrator, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> No Inventory & Appraisal has been filed in this matter. The Petition refers to assets consisting of personal property stored within two storage sheds and \$11,825.48. Need Inventory & Appraisal. The Petition does not include an accounting or statement that an accounting has been waived by the beneficiaries. Need accounting or waivers of account from Michael Barrett and Rodger Barrett. The Petition requests statutory fees based on a fee base of \$11,825.48; however, the Petition does not sufficiently describe the property on hand, contain an accounting, and no inventory & appraisal has been filed, therefore the Examiner cannot determine whether this is a correct fee base. The petition is inconsistent regarding the request for fees. Item 3 of the prayer requests \$8,763.02 as the <u>total</u> statutory and extraordinary fees and costs to be reimbursed to the attorney, while item 5 of the prayer asks again for the statutory fee of \$473.02. The Petition is unclear regarding the fees requested. It appears from paragraph 17 of the Petition that the requested extraordinary fees are \$4,763.50 and costs \$3,999.50 for a total of \$8,763.02. Adding in the statutory fee, the total fees/costs appear to total \$9,236.02, which results in \$2,589.46 remaining for distribution/payment of creditor's claims. Need clarification. The proposed distribution does not appear to be accurate taking into account the requested fees and costs.
		Account period – No Accounting provided	
Cont. from			
	Aff.Sub.Wit.		
✓	Verified	I &A - none filed	
	Inventory	POH - \$11,825.48??	
	PTC	Attorney - \$473.02 (statutory)	
✓	Not.Cred.		
✓	Notice of Hrg	Attorney x/o - \$4,763.50 (67.5 hours \$150.00/hr. expended by attorney investigating fraudulent transfer of real property by Mary Frost; taking depositions, preparing for and participating in a two day trial; attorney has agreed to this 50% reduction of the total fee)	
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters	06/10/03	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202	n/a	
✓	Order	<p>Distribution, pursuant intestate succession and subject to creditor's claim as follows:</p> <p>Franchise Tax Board - \$844.02 (Creditor's Claim)</p> <p>Rodger Barrett - \$655.21, plus ½ of the personal property (previously held in storage?)</p> <p>Michael Barrett - \$655.21, plus ½ of the personal property (previously held in storage?)</p>	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice	n/a	
		Reviewed by: JF	
		Reviewed on: 02/05/14	
		Updates:	
		Recommendation:	
		File 1 – Barrett	

2A Wilma Ruth Manuel (Estate)

Case No. 0609019

Atty Knudson, David N., sole practitioner (for Cynthia Blackstock, Executor)

(1) First Account and Report of Executor, (2) Petition for Recovery of Funds Belonging to Estate and Status Report of Executor [Prob. C. 10900, 850]

DOD: 10/8/1997		<p>CYNTHIA BLACKSTOCK, daughter and Executor, is Petitioner.</p> <p>Account period: 8/26/1998 – 9/30/2013</p> <table border="0"> <tr> <td>Accounting</td> <td>-</td> <td>\$190,000.00</td> </tr> <tr> <td>Beginning POH</td> <td>-</td> <td>\$190,000.00</td> </tr> <tr> <td>Ending POH</td> <td>-</td> <td>\$190,000.00</td> </tr> </table> <p><i>(real property)</i></p> <p>Executor - not requested</p> <p>Attorney - not requested</p> <p>Costs - not requested</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> With the exception of rejecting two creditor's claims, Petitioner has taken no action on the others (<i>Exhibit A lists the creditor's claims filed</i>); during the full court of administration of the estate, the estate has lacked sufficient funds to pay creditors claims; Petitioner's counsel is in contact with the Franchise Tax Board concerning resolution of the claim filed 8/28/1998 for \$348,196.00; The obligations of the estate include expenses of administration and costs which have not been paid, together with unpaid property taxes on the residence; Under Decedent's Will, the residential real property passes to Petitioner; The residence was listed as "<i>Partial Inventory No. 1</i>" [filed 1/14/2000] because it was believed there were other assets which would be subject to administration; however, none have been recovered; <p>~Please see additional page~</p>	Accounting	-	\$190,000.00	Beginning POH	-	\$190,000.00	Ending POH	-	\$190,000.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 1/27/2014. Minute Order states Mr. Markeson is appearing specially for Attorney David Knudson.</p> <p>1. Petitioner states that the residence was listed as "<i>Partial Inventory No. 1</i>" [filed 1/14/2000] because it was believed there were other assets which would be subject to administration. <i>Ex Parte Order to Turn Over Funds Belonging to the Estate</i> filed 10/30/2013 indicates assets belonging to the estate held by Edward A. Kent of ~\$41,500.00 shall be turned over to the Petitioner as Executor. Need information regarding the status of the funds, and a supplemental or final <i>Inventory and Appraisal</i> to be filed with the Court showing the additional value to the estate.</p> <p>Note: If Petition is granted, Court will set a status hearing as follows:</p> <ul style="list-style-type: none"> Friday, August 29, 2014 at 9:00 a.m. in Dept. 303 for the filing of the second and/or final account. <p>Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required.</p>
Accounting	-		\$190,000.00									
Beginning POH	-		\$190,000.00									
Ending POH	-		\$190,000.00									
Cont. from 012714												
<input type="checkbox"/>	Aff.Sub.Wit.											
<input checked="" type="checkbox"/>	Verified											
<input checked="" type="checkbox"/>	Inventory											
<input checked="" type="checkbox"/>	PTC											
<input checked="" type="checkbox"/>	Not.Cred.											
<input checked="" type="checkbox"/>	Notice of Hrg											
<input checked="" type="checkbox"/>	Aff.Mail W/											
<input type="checkbox"/>	Aff.Pub.											
<input checked="" 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											
		<p>Reviewed by: LEG</p> <p>Reviewed on: 2/6/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2A – Manuel</p>										

Petitioner states, continued:

- A number of related proceedings have occurred in the administration of this estate:
 - On 2/20/1998, Petitioner filed a petition to probate Decedent's Will dated 6/18/1996; Mickey Manuel, Sr., filed a Will contest, contending that there was a subsequent Will which incorporated the living trust, dated 9/12/1997;
 - Mickey Manuel, Sr., also filed a "Petition to Ascertain the Validity of Trust-Related Documents and Determine to whom the Trust Property Shall Pass...." And Petitioner demurred and moved to dismiss both the Will contest and trust petition;
 - On 8/18/1998, Mickey Manuel, Sr., was ordered to file a petition to probate the 9/12/1997 Will as a lost will, to properly serve his will contest, and to file an amended petition regarding the purported trust; nothing was filed, so an Order for Probate was entered 8/26/1998, admitted the 6/18/1996 will and appointing Petitioner as Executor with full IAEA authority without bond;
 - Mickey Manuel, Jr., also filed a Petition to Revoke Probate of the admitted Will; Petitioner's demurred was sustained without leave to amend on 4/29/1999;
 - On 12/17/1998, the Court dismissed Mickey Manuel, Sr.'s Petition to Establish the Existence of the Trust;
 - In 2000, Mickey Manuel, Jr., filed a Complaint for Ejectment Claiming Possession of the Estate's Residence located on North Pleasant in Fresno; Petitioner filed a Petition to Confirm Title to the Residence as an Asset of the Estate; the two actions were consolidated; Mickey Manuel, Sr., (A. D. Manuel), also asserted his claim to the property as trustee of the purported 1997 trust; on 5/25/2000, Mickey Manuel, Sr. was ordered to file his claim in writing within 30 days; he failed to do so;
 - In 2006, it was discovered that Mickey Manuel, Jr. had forged his mother's signature and obtained a loan secured by Deed of Trust against the North Pleasant residence; on 11/14/2006, Judge Quashnick entered a preliminary injunction prohibiting the trustee under the Deed of Trust from foreclosing on the property;
 - Subsequently, the matter was settled and a Notice of Settlement was filed 6/21/2007;
 - In 2012, Mickey Manuel, Sr., filed once again a petition seeking confirmation of the purported trust, in companion case 12CEPR00408; after various hearings, that petition was dismissed without prejudice;
 - Mickey Manuel, Sr., also filed an unlawful detainer action and obtained a writ of possession for the North Pleasant residence; on 10/29/2012, the court entered an order restraining the writ of possession;
 - Following a hearing on 12/5/2012, the court entered an Order Confirming Title to Real Property as an Asset of the Estate, in which it determined that the Pleasant Avenue residence was an asset of the estate, and Mickey Manuel, Sr., had no interest in it;
 - Subsequently, an order was entered in the unlawful detainer proceeding dismissing it and consolidating the unlawful detainer proceeding with this case.

~Please see additional page~

Second Additional Page 2A, Wilma Ruth Manuel (Estate) Case No. 0609019

Petitioner states, continued:

- Among the assets of the estate are funds held by **EDWARD A. KENT**, who represented the Decedent in bankruptcy proceedings; a copy of Mr. Kent's recent letter acknowledging he holds the funds is attached as *Exhibit B*; the funds are necessary in the administration of the estate and constitute assets of the estate; it is necessary that the estate receive the funds in order to use them for payment of expenses of administration;
- Information provided to the estate in 1999 indicated the funds had a value of **~\$41,500.00** at that time; at one time, Mickey Manuel, Jr., asserted he had the right to those funds; however, through various proceedings Mickey Manuel, Jr., has abandoned that claim, and his whereabouts are unknown;
- The status of the residence is dire; Petitioner has been working on obtaining a loan against the residence to cover administrative expenses, and then seek distribution of the residence subject to the loan, as the residence is a specific devise under the Will; no other assets have come to Petitioner's knowledge or into her possession which would be distributable under Decedent's Will.

Petitioner prays for an Order:

1. Accepting, allowing and approving the First Account as filed;
2. Ratifying, confirming and approving all allegations of the petition;
3. Directing Edward A. Kent to remit any and all proceeds being held on behalf of Wilma Ruth Manuel, and of the estate of Wilma Ruth Manuel, to Petitioner as Executor under the Will of Wilma Ruth Manuel; and
4. Authorizing the administration of the estate to continue for a period of 6 months to enable resolution of issues regarding the residence and the Franchise Tax Board creditor's claim.

Note: *Exhibit A* of the *Petition* does not include in the list of filed creditor's claims in this estate the *Creditor's Claim* filed 12/5/2012 by Mickey Manuel, Sr., for **\$8,513.86** representing property taxes he states he has paid for the real property, which claim was rejected by the *Rejection of Creditor's Claim* filed by Petitioner on 8/5/2013, and which rejection was explained to Mickey Manuel, Sr. in a letter dated 10/18/2013 from Attorney Knudson (copy of letter attached to *Declaration of Mickey Manuel, Sr. Re Status Hearing and Rejection of Claim* filed 10/29/2013.)

Atty Knudson, David N., sole practitioner (for Cynthia Blackstock, Executor)
 Atty Lampe, Michael J., sole practitioner of Visalia (for J.W. Stone and Mildred Stone; and The Money Man Corp.)
 Pro Per Manuel, Sr., Mickey (Pro Per Claimant)

Status Hearing Re: Settlement

DOD: 10/8/1997	<p>CYNTHIA BLACKSTOCK, daughter, was appointed Executor on 8/26/1998 without bond, following objections by and litigation with MICKEY MANUEL, SR., surviving spouse, who had filed a Will Contest on 6/3/1998, objecting to the validity of Decedent's estate planning documents.</p> <p>Minute Order dated 4/26/2013 from the last hearing in this matter states parties request a continuance. Matter continued to 6/28/2013. Counsel advises the Court that he should have some information on the unlawful detainer by the next hearing. Counsel is directed to submit a status report. The Court orders that the restraining order remain in full force and effect. <i>Status Hearing Re Settlement</i> was set on 6/28/2013, which was continued to 8/23/2013.</p> <p>Status Report of Executor filed 6/26/2013 states:</p> <ul style="list-style-type: none"> • WILMA RUTH MANUEL died 10/8/1997 and her Will left her Fresno residence to two daughters, CYNTHIA BLACKSTOCK and ANGELA MANUEL, and her residence in Kent, Washington to 3 grandchildren, ALYSHA WATTS, TSION MULUGETA and LEONARD WILLIAMS; • Wilma was not married at the time of her death; she had previously been married to A. D. MANUEL, commonly known as "Mickey Manuel," or "Mickey Manuel, Sr."; • Wilma was survived by a son, MICKEY MANUEL, also known as "MICKEY MANUEL" or "MICKEY MANUEL, JR.;" "MICKEY JUNIOR MANUEL" and/or MICKEY J. R. MANUEL;" Mickey Manuel, Jr., sometimes also poses as Mickey Manuel, Sr.; • Cynthia (Executor) believes the petition filed in this proceeding was actually filed by Mickey Manuel, Jr., even though it is signed "Mickey Manuel, Sr.;" MICKEY MANUEL, SR. aka A. D. MANUEL is not a beneficiary under Wilma's Will; Mickey Manuel, Jr. is disinherited with a gift of \$1.00 under Wilma's Will; <i>Status Report</i> pgs. 2-3 detail long history of proceedings in this matter); 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 1/27/2014. Minute Order states Mr. Markeson is appearing specially for Attorney David Knudson.</p> <p>1. Need verified status report and proof of service of notice of the status hearing re: settlement pursuant to Local Rule 7.5(B).</p>
Cont. from 062813, 082313, 103013, 120913, 012714		
Aff.Sub.Wit.		
Verified		
Inventory		
Status Rep.		
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	X	
UCCJEA		
Citation		
FTB Notice		

~Please see additional page~

Reviewed by: LEG
Reviewed on: 2/6/14
Updates:
Recommendation:
File 2B – Manuel

Status Report of Executor filed 6/26/2013, continued:

- In 2006, it was discovered that **MICKEY MANUEL, JR.**, had forged Wilma's signature against the North Pleasant property, the only asset of the estate, and obtained a loan secured by Deed of Trust against the North Pleasant residence; a petition was filed to obtain a restraining order to prevent the foreclosure, and on 11/14/2006, Judge Quashnick entered a preliminary injunction prohibiting the trustee to the Deed of Trust from foreclosing on the property; subsequently, the matter was settled and a *Notice of Settlement* was filed on 6/21/2007.
- **Recent Actions:**
 - In 2012, Mickey Manuel, Sr., filed once again a petition seeking confirmation of the purported trust, in companion Case #12CEPR00408; after various hearings, that petition was dismissed without prejudice; Mickey Manuel also filed an unlawful detainer action and obtained a writ of possession for the North Pleasant residence;
 - On 10/29/2012, the Court entered an order restraining the writ of possession;
 - Following a hearing on 12/5/2012, the Court entered an *Order Confirming Title to Real Property as an Asset of the Estate*, in which it determined that the Pleasant Avenue residence was an asset of the estate, and Mickey Manuel, Sr., had no interest in it;
- **Status of the Estate:** The Court has previously directed counsel to respond to issues regarding:
 1. Funds held by Edward A. Kent, former attorney for Wilma Manuel. In response to a letter directed to Edward A. Kent, the undersigned (Attorney Knudson) received a response, acknowledging the funds were still being held (*copy attached as Exhibit A*); by Court order entered 3/29/1999, Mr. Kent was to hold the funds amidst competing claims that were (then) being asserted by Mickey Manuel, Jr., Mickey Manuel, Sr., and the estate, pending issuance of an order by a court of competent jurisdiction to turn over those funds; the estate will be filing an ex parte petition to have those funds turned over to the estate; information provided to the estate at the time of filing the petitions in 1999 indicated that the funds had a value of **~\$41,500.00**.
 2. Settlement of the litigation concerning J. W. Stone and Mildred Stone, the deed of trust forged by Mickey Manuel, Jr. The deed of trust which was determined to be a forgery had been issued to J.W. Stone and Mildred Stone, Trustees of the J. W. Stone Koegh Profit Sharing Plan #001; the Stone defendants were represented in the suit by Michael J. Lampe; the undersigned is informed and believes that counsel was retained on behalf of the Stone defendants by First American Title Insurance Company, which had issued title insurance on the transaction; subsequently, the Stone defendants assigned their interest in the deed of trust to First American Title Insurance Company; in response to the undersigned's request, a letter was received from Michael P. Smith [*of the Law Offices of Michael J. Lampe of Visalia, representing J. W. Stone and Mildred Stone*] (*copy attached as Exhibit B*); in a conversation with Mr. Smith, he indicated that the present beneficiary, First American Title Insurance Company, recognized the invalidity of the deed of trust, and would take no action on it; it is anticipated that First American will release any beneficiary interest under said deed of trust.
 3. The status of the real property. The North Pleasant residence is the only asset of the estate recovered to date; it passes to Cynthia Blackstock under the Will, since Angela Manuel is deceased; Partial Inventory and Appraisal No. 1 filed 1/14/2000 showed a value of **\$190,000.00** for the residence; an accounting would show the residence still on hand; there have been no estate transactions, since the estate has never had any liquid assets; the expenses of the residence have been paid by Cynthia Blackstock.
 4. Unlawful Detainer Proceedings. A motion to dismiss the unlawful detainer action is set for **8/12/2013**.

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Second Additional Page 2B, Wilma Ruth Manuel (Estate) Case No. 0609019

NEEDS/PROBLEMS/COMMENTS, continued:

Notes for background:

Declaration of Mickey Manuel, Sr., RE Status Hearing and Rejection of Claim filed 10/29/2013 states:

- His creditor's claim for **\$8,513.86** for property taxes he paid on the house that is part of this estate was rejected according to the docket history on 8/5/2013;
- He recently received a letter dated 10/18/2013 from Attorney David N. Knudson, who represents Personal Representative Cynthia Blackstock (*copy of letter attached as Exhibit A*);
- In the letter, Attorney Knudson states that he is writing the letter at the Court's request to explain why his creditor's claim was rejected; without any citation to statute or case law, Attorney Knudson said:

“In Probate cases, creditor's claims are filed only for debts and claims that exist prior to the person's death. Thus filing a creditor's claim for the monies you advanced towards property taxes was inappropriate; it was not permitted by law and had to be rejected. It appears, however, that the taxes should have been paid by the estate; unfortunately, the estate has no funds. We are trying to obtain a loan to pay administrative expenses and close the estate. There are no assets that we have been able to locate except for the house here in Fresno. Mickey Jr. fraudulently claimed the house in Washington, trashed it, borrowed against it and it was foreclosed.”
- He disagrees with Attorney Knudson's statement regarding his claim being “inappropriate” and “not permitted by law and had to be rejected.” In fact, based on the citation below, it appears that Attorney Knudson is making a false statement. In California Civil Practice [...] Volume 13, Chapter 13 § 13.2, it states as follows:

“...The definition of ‘claim’ in Probate Code § 9000(a) is based on the definition of claim contained in Uniform Probate Code § 1-201(4), which states that a claim includes liabilities of the estate that arise at or after the death of the decedent. Consequently, regardless of the literal language of Probate Code § 9000, a reasonable interpretation of ‘claim’ includes liabilities arising after, as well as before, a Decedent's death [Kizer v. Hanna (1989) *reporter cites omitted*].”
- It is his belief that the property taxes he paid were a legitimate claim; it is his intention to file a Complaint of Rejected Claim on or before 11/4/2013;
- Further, Attorney Knudson's letter confirms his beliefs and statements when he also stated in his letter: “...There are no assets that we have been able to locate except for the house here in Fresno. Mickey Jr. fraudulently claimed the house in Washington, trashed it, borrowed against it and it was foreclosed.”
- In Case #12CEPR00408, he petitioned the Court to recognize Wilma Ruth Manuel's Trust, which preceded the Will that appointed Cynthia Blackstock, and where he was the Successor Trustee and a beneficiary of the estate; Cynthia Blackstock alleged that he, instead of Mickey Jr., was the one that committed fraud; in that case, he was basically dismissed based on those allegations and now we see through Attorney Knudson that Cynthia Blackstock knew all along that he was not the perpetrator of the fraud; [Note: Minute Order dated 6/18/2012 from Case #12CEPR00408 states the *Petition for Order Accepting Appointment of Respondent as Successor Trustee for the Wilma Manuel Family Trust* is denied and dismissed without prejudice.]
- So, as the never divorced husband of Decedent Wilma Ruth Manuel, and as the Successor Trustee and beneficiary of her Trust, he has an interest in the house in Fresno as well as the right to be reimbursed for the **\$8,513.86** in property taxes he paid;

~Please see additional page~

Notes for background, continued:

Declaration of Mickey Manuel, Sr., RE Status Hearing and Rejection of Claim filed 10/29/2013, continued:

- In addition, he feels it to be grossly unfair for Attorney Knudson to obtain a loan on the house, for administrative expenses which are primarily his attorney fees;
- A loan, if one is obtained, will not be able to be paid back and the house will end up in foreclosure; this will cause a loss of equity which is also unfair to the beneficiaries of the estate;
- In the minute order for the last status conference hearing, the Court ordered him to provide Attorney Knudson information about estate assets; he mentioned that there had been life insurance on Wilma Ruth Manuel; in the letter from Attorney Knudson, he asked him for information concerning the company, where it was obtained, etc.; he has no further information or detail concerning life insurance other than he know that she had some at one time.

Petition to Confirm Title to Real Property in the Estate filed by Cynthia Blackstock, Executor, on 10/30/2012 was heard on 12/5/2012; the Petition was granted, and the *Order Confirming Title to Real Property in the Estate* signed 12/11/2012 finds in pertinent part: The residence located on North Pleasant is an asset of the Estate of Wilma Ruth Manuel, and Mickey Manuel, Sr., has no interest therein; temporary restraining order entered by this Court on 10/29/2012 is extended to 2/4/2013 or until an adverse ruling is obtained in Case #12CECL05667 [unlawful detainer]; Mickey Manuel, Sr., the Fresno County Sheriff, and their agents, [etc.], are restrained and enjoined from executing that *Writ of Possession* entered 10/5/2012 in Case #12CECL05667 [Civil case consolidated with Probate case on 8/16/2013.]

Status Report of Executor filed by Attorney Knudson for Cynthia Blackstock on 6/11/2012 states:

- Wilma Ruth Manuel's Will left her Fresno residence to two daughters, **CYNTHIA BLACKSTOCK** and **ANGELA MANUEL**, and a residence in Kent, Washington, to three grandchildren, **ALYSHA WATTS, TSION MULUGETA,** and **LEONARD WILLIAMS**;
- Wilma was not married at the time of her death on 10/8/1997; she had previously been married to **A. D. MANUEL**, commonly known as, "**MICKEY MANUEL**" or "**MICKEY MANUEL, SR.:**"
- Wilma was survived by a son, **MICKEY MANUEL**, also known as "**MICKEY MANUEL**" or "**MICKEY MANUEL, JR.:**" "**MICKEY JUNIOR MANUEL**" and/or **MICKEY J. R. MANUEL;**" Mickey Manuel, Jr., sometimes also poses as Mickey Manuel, Sr.;
- Cynthia (Executor) believes the petition filed in this proceeding was actually filed by Mickey Manuel, Jr., even though it is signed "Mickey Manuel, Sr.:" **MICKEY MANUEL, SR.** aka **A. D. MANUEL** is not a beneficiary under Wilma's Will; Mickey Manuel, Jr. is disinherited with a gift of **\$1.00** under Wilma's Will; *Status Report pgs. 2-3 detail history of proceedings*);
- In 2006, it was discovered that **MICKEY MANUEL, JR.**, had forged Wilma's signature against the North Pleasant property, the only asset of the estate, and obtained a loan secured by Deed of Trust against the North Pleasant residence; a petition was filed to obtain a restraining order to prevent the foreclosure, and on 11/14/2006, Judge Quashnick entered a preliminary injunction prohibiting the trustee to the Deed of Trust from foreclosing on the property; subsequently, the matter was settled and a *Notice of Settlement* was filed on 6/21/2007;

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Fourth Additional Page 2B, Wilma Ruth Manuel (Estate) Case No. 0609019

Notes for Background, continued:

Status Report of Executor filed 6/11/2012, continued:

- **Present status of the estate:** Nothing further occurred in the estate proceedings until **MICKEY MANUEL, SR.**, filed an *Application for Waiver of Court Fees* in February 2009 and in September 2009, both of which were denied; on **3/27/2012**, he filed a further *Application for Waiver of Court Fees*, which was granted, and thereupon he filed his *Petition to Secure Appointment as "Successor Trustee"* for the **WILMA MANUEL FAMILY TRUST**; Cynthia Blackstock has not been given notice of the hearing on that petition;
- The North Pleasant residence is the only asset of the estate; it passes to Cynthia Blackstock under the Will since Angela Manuel is deceased; Wilma also owned a residence in Kent, Washington, of which **Mickey Manuel, Jr.**, obtained possession and fraudulently sold, taking the proceeds;
- There are no funds available to pay expenses of administration; Wilma's former attorney **EDWARD A. KENT, JR.**, had possession of some of her funds, but Mr. Kent resigned from the State Bar in 2003 with disciplinary charges pending; the plan for administration is to try to obtain a loan on the North Pleasant residence so administrative expenses can be paid.

Creditor's Claim filed 12/5/2012 by MICKEY MANUEL, SR., aka A.D. MANUEL, is dated 11/15/2012 and states **\$8,513.86** is owed to him based on the following:

- Attached to the claim are receipts for payments made on property with parcel #406-172-01-S; *[Note: documents attached consist of copy of 2011-2012 Fresno County Secured Property Tax Bill; copy of Abstract of Delinquent Secured Taxes or Certificate of Redemption; copy of County of Fresno Tax Collection Division letter regarding payment of delinquent taxes under an installment plan of redemption for APN 406-172-01, indicating \$90.00 installment plan fees and first payment of 20% or more of the unpaid redemption amount and any current taxes must be paid by June 30, signed by Mickey Manuel and dated 5/4/2012];*
- Cynthia Blackstock owes this money; she was residing and still resides in the residence and chose not to pay property taxes for years;
- The Trust was about to lose the house but he stepped up and saved it;
- Once it is settled that the home is back in the Trust, and now that the home is already back in his name in the Trust, he will take care of the taxes from now on;
- This creditor's claim is in no way a settlement of what Cynthia owes the Trust; he is still pursuing the assets from Wilma's life insurance policy, which he was the beneficiary of, and all assets that have not been accounted for;
- Wilma and he were never divorced; enclosed you will find a copy of the marriage license *[Note: copy of marriage license is not attached to claim.]*
- Explanation of money owed totaling **\$8,513.86**:
 - **\$4,839.86** -- 20% of taxes owed had to be paid
 - **\$3,184.00** – current year taxes for 2011
 - **\$400.00** – one month that he paid
 - **\$90.00** – start-up fee.

Petition to Determine Administration Expenses Allocable to Encumbered Property Prior to Satisfaction of Lien, and for Deposit of Purchase Money with Court in Satisfaction of Lien and Expenses [Prob. C. 10361.5, 10362]

DOD: 11-23-06	<p>TRO restraining Trustee's Sale and further Proceedings Regarding Premises at 4086 W. San Jose, Fresno, CA extended to 12-2-13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>		
	<p>Petitioner states one of the assets of the estate is real property located at 4086 W. San Jose in Fresno, originally appraised at \$275,000.00 at Decedent's date of death. Due to the decline in the real estate market, and based on Internet valuation website, Petitioner believes the house is valued at this time at approx. \$133,000.00.</p>	<p>Minute Order 1-17-13: The Court directs Mr. Knudson to submit a declaration specifically outlining what is happening in the other jurisdictions that would preclude further inventory and appraisals. Matter continued to 3/21/13. Mr. Knudson is directed to provide Mr. Lucich notice of the next hearing. The temporary restraining order restraining the trustee's sale is extended to 3/21/13. Continued to 3/21/13.</p>		
<p>Cont. from 011713, 032113, 042513, 050913, 062013, 071813, 101713, 120213, 012714</p>	<p>Decedent's spouse Maria Raquel Petrogonas ("Raquel") has continued to reside in the residence and on 8-24-10 was granted a probate homestead.</p>	<p>Minute Order 3-21-13: Ms. Hubbell is appearing specially for Thomas Agawa. Joint request for continuance. Matter continued to 4-25-13. TRO remains in full force and effect and is extended to 4-25-13.</p>		
<table border="1"> <tr> <td data-bbox="142 594 337 634">Aff.Sub.Wit.</td> <td data-bbox="337 594 394 634"></td> </tr> </table>	Aff.Sub.Wit.		<p>At the date of death, the house was encumbered in the initial amount of \$91,751.00, with the mortgage payable at a rate of \$848.26/month. During the initial period of estate administration, the Administrator made payments from estate funds, and later, Raquel made payments to the Administrator for the mortgage. Raquel's sole source of income is Social Security Disability payments of only \$850/month.</p>	<p>Minute Order 6-20-13: Mr. Knudson is also appearing specially for Edward Treder. Mr. Knudson advises the Court that they are still working on settling this matter. Mr. Knudson requests a continuance. Matter continued to 7/18/13. The TRO is extended to 7/18/13. Continued to 7-18-13</p>
Aff.Sub.Wit.				
<table border="1"> <tr> <td data-bbox="142 634 337 674">✓ Verified</td> <td data-bbox="337 634 394 674"></td> </tr> </table>	✓ Verified		<p>The property subsequently went into default. Anticipating funds from the sale of properties in Argentina and/or Greece, Petitioner advanced \$7,650 to cure the default on the loan. When the estate was unable to pay property taxes and/or insurance, the bank subsequently raised the monthly payment to more than \$1,600.00. Petitioner tried on numerous occasions to negotiate a loan modification with Bank of America, who steadfastly refused to consider it.</p>	<p>Note: Points and Authorities in Support of Petition were filed 3-19-13 by Attorney Knudson. See file.</p>
✓ Verified				
<table border="1"> <tr> <td data-bbox="142 674 337 714">Inventory</td> <td data-bbox="337 674 394 714"></td> </tr> </table>	Inventory		<p>The current arrearages are \$19,327.00 and the present balance due is \$47,565.64 (Exhibit C). A Trustee's (foreclosure) sale was set for 11-29-12.</p>	<p>Reviewed by: skc</p>
Inventory				
<table border="1"> <tr> <td data-bbox="142 714 337 753">PTC</td> <td data-bbox="337 714 394 753"></td> </tr> </table>	PTC		<p>Petitioner states the estate has incurred substantial administrative expenses with respect to the administration of this property and brings this petition pursuant to Probate Code §10361.5 to determine the amount of expenses of administration reasonably associated with the administration of the encumbered property, and to determine the expenses of the sale payable from the sales proceeds.</p>	<p>Reviewed on: 2-4-14</p>
PTC				
<table border="1"> <tr> <td data-bbox="142 753 337 793">Not.Cred.</td> <td data-bbox="337 753 394 793"></td> </tr> </table>	Not.Cred.		<p>In the event the property is sold, whether at Trustee's sale or otherwise, the estate lacks assets to pay administration expenses and seeks an order determining same.</p>	<p>Updates:</p>
Not.Cred.				
<table border="1"> <tr> <td data-bbox="142 793 337 854">✓ Notice of Hrg</td> <td data-bbox="337 793 394 854"></td> </tr> </table>	✓ Notice of Hrg		<p style="text-align: center;">SEE PAGE 2</p>	<p>Recommendation:</p>
✓ Notice of Hrg				
<table border="1"> <tr> <td data-bbox="142 854 337 894">✓ Aff.Mail</td> <td data-bbox="337 854 394 894">w</td> </tr> </table>	✓ Aff.Mail	w		<p>File 3A - Petrogonas</p>
✓ Aff.Mail	w			
<table border="1"> <tr> <td data-bbox="142 894 337 934">Aff.Pub.</td> <td data-bbox="337 894 394 934"></td> </tr> </table>	Aff.Pub.			
Aff.Pub.				
<table border="1"> <tr> <td data-bbox="142 934 337 974">Sp.Ntc.</td> <td data-bbox="337 934 394 974"></td> </tr> </table>	Sp.Ntc.			
Sp.Ntc.				
<table border="1"> <tr> <td data-bbox="142 974 337 1014">Pers.Serv.</td> <td data-bbox="337 974 394 1014"></td> </tr> </table>	Pers.Serv.			
Pers.Serv.				
<table border="1"> <tr> <td data-bbox="142 1014 337 1054">Conf. Screen</td> <td data-bbox="337 1014 394 1054"></td> </tr> </table>	Conf. Screen			
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<table border="1"> <tr> <td data-bbox="142 1054 337 1094">Letters</td> <td data-bbox="337 1054 394 1094"></td> </tr> </table>	Letters			
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<table border="1"> <tr> <td data-bbox="142 1094 337 1134">Duties/Supp</td> <td data-bbox="337 1094 394 1134"></td> </tr> </table>	Duties/Supp			
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<table border="1"> <tr> <td data-bbox="142 1134 337 1173">✓ Response</td> <td data-bbox="337 1134 394 1173"></td> </tr> </table>	✓ Response			
✓ Response				
<table border="1"> <tr> <td data-bbox="142 1173 337 1213">Video Receipt</td> <td data-bbox="337 1173 394 1213"></td> </tr> </table>	Video Receipt			
Video Receipt				
<table border="1"> <tr> <td data-bbox="142 1213 337 1253">CI Report</td> <td data-bbox="337 1213 394 1253"></td> </tr> </table>	CI Report			
CI Report				
<table border="1"> <tr> <td data-bbox="142 1253 337 1293">9202</td> <td data-bbox="337 1253 394 1293"></td> </tr> </table>	9202			
9202				
<table border="1"> <tr> <td data-bbox="142 1293 337 1333">✓ Order</td> <td data-bbox="337 1293 394 1333"></td> </tr> </table>	✓ Order			
✓ Order				
<table border="1"> <tr> <td data-bbox="142 1333 337 1373">Aff. Posting</td> <td data-bbox="337 1333 394 1373"></td> </tr> </table>	Aff. Posting			
Aff. Posting				
<table border="1"> <tr> <td data-bbox="142 1373 337 1413">Status Rpt</td> <td data-bbox="337 1373 394 1413"></td> </tr> </table>	Status Rpt			
Status Rpt				
<table border="1"> <tr> <td data-bbox="142 1413 337 1453">UCCJEA</td> <td data-bbox="337 1413 394 1453"></td> </tr> </table>	UCCJEA			
UCCJEA				
<table border="1"> <tr> <td data-bbox="142 1453 337 1493">Citation</td> <td data-bbox="337 1453 394 1493"></td> </tr> </table>	Citation			
Citation				
<table border="1"> <tr> <td data-bbox="142 1493 337 1533">FTB Notice</td> <td data-bbox="337 1493 394 1533"></td> </tr> </table>	FTB Notice			
FTB Notice				

Page 2

Petitioner states the expenses of administration reasonably related to the administration of the encumbered property are \$46,167.18, computed at Exhibit E, which includes:

- Estimated statutory fees allocable to the property, based on the estimated current value;
- Extraordinary fees payable to Petitioner and his attorney for the sale of the property at a minimal rate pursuant to Local Rule 7.18;
- Filing fees;
- Additional attorney's fees incurred in bringing this petition, together with costs advanced; and
- Expenses paid for the care preservation and maintenance of said property during the course of administration, including mortgage payments, homeowner's insurance and property taxes.

No additional expenses of sale are requested at this time. If the property is ultimately sold pursuant to the power of sale under the deed of trust, said expenses will be borne by the Bank. However, if Petitioner is successful in negotiating a short sale or otherwise reaching accommodation with the lender, this petition will be amended accordingly.

Petitioner will incur additional charges in serving notice of hearing on this petition and may incur additional attorney's fees for appearing at the hearing(s) on this petition. Said additional fees will be presented in a supplement to this petition prior to the hearing date.

Petitioner requests the Court order that following the hearing and approval of this petition, any proceeds of sale be paid to the clerk of the court to be disbursed as provided in Probate Code §10362 as follows:

- First in payment of costs of administration attributable to this property;
- Second towards payment of the lien held by Bank of America, and thereafter
- To lenders with secured interests in the property, including Paul A. Dictos (\$7,650.00) and Atkinson, Andelson, Loya, Ruud and Romo (\$106,767.00)

Petitioner requests:

1. That the Court determine the amount of expenses of administration reasonably related to the administration of the encumbered property;
2. That the Court determine the expenses of sale of said property, if any there be;
3. That the Court order the proceeds from the sale to be paid to the Clerk of the Court to be disbursed as provided in Probate Code §10362
4. For an order that upon such payment the lien on the property be discharged; and
5. For such further orders that the Court may deem proper.

Bank of America, N.A., Respondent/Secured Party filed:

- **Memorandum of Points & Authorities in Response to Petition to Determine Administrative Expenses Pursuant to Cal. Prob. Code §§ 10361.5, 10362**
Respondent requests the Court deny any order compelling Respondent to accept less than the entire amount due under its security interest and/or deny any order requiring a Reconveyance of its lien, and further deny Petitioner any fees and costs claimed to be related to the sale and administration of the property, particularly any fees and costs derived from proceeds from the sale of Respondent's secured property. See pleading for details.
- **Request for Judicial Notice in Support of its Response to Petition to Determine Administrative Expenses Pursuant to Cal. Evid. Code §§ 452(c), (g), 453 & Appendix of Exhibits**
12 exhibits provided. See pleading for details.

DOD: 11-23-06	<p>PAUL A. DICTOS, Administrator with Limited IAEA and bond of \$100,000.00, filed Petition to Determine Administration Expenses Allocable to Encumbered Property Prior to Satisfaction of Lien, and for Deposit of Purchase Money with Court in Satisfaction of Lien and Expenses, which petition was originally heard on 1-17-13, and continued numerous times, finally to 1-27-14. See Page 3A.</p> <p>The Court also granted a Temporary Restraining Order pending these proceedings, which has been extended to 1-27-14.</p> <p>BANK OF AMERICA, N.A., Respondent / Secured Party, filed a response on 1-14-13.</p> <p>Pursuant to Minute Order 7-18-13, both counsel concur that the petition was premature and continuance was needed to list the property.</p> <p>On 12-2-13, the Court confirmed the sale of the real property for \$165,000.00. On that date, Mr. Knudsen advised the Court that he anticipates a stipulation with regard to the above-referenced petition. The Court continued the petition to 1-27-14 (Page 3A, which is the 9th hearing on the petition), and also set this status hearing re stipulation.</p> <p>As of 1-22-14, nothing further has been filed.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 1-27-14: Mr. Markeson is appearing specially for Attorney David Knudson. The Court is informed that the stipulation is being circulated.</p> <p>1. Need written status report per local rules.</p>
Cont. from 012714		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202 Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: skc</p> <p>Reviewed on: 2-4-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3B – Petrogonas</p>	

Update: Status Report filed 1-24-14 states that at the hearing on 12-2-13, the Court confirmed the sale of the property for \$165,000. At the hearing, Attorney Edward Treder for B of A represented that he was reviewing final numbers for the demand for payoff on its promissory note. Final numbers have been reached, and with the assistance of Fidelity Title, a proposed stipulation (attached) is being circulated wherein the parties stipulate to payment of a specific amount for administrative expenses attributable to the real property, as initially urged in the petition, B of A receives its full demand in satisfaction of its promissory note, the promissory note of Paul A > Dictos, representing personal funds advanced for payment of property taxes, shall be paid out of the portion of the funds allocable to the estate, and the balance of proceeds shall be allocated 42% to Atkinson, Andelson, et al towards payment of their promissory note secured by deed of trust against real property, and 48% to Maria Raquel Petragonas, decedent's spouse, in full satisfaction of her homestead rights with respect to the property.

Note: A proposed Order Approving Stipulation is provided; however, the stipulation is not yet signed. It appears it would be premature to approve the stipulation at this time, as it appears to deal with issues outside the scope of this petition, possibly having to do with final distribution.

(1) Fourth & Final and Report of Conservator and (2) Petition for Allowance of Fees to Attorney and (3) for Reimbursement of Expenses to Conservator and (4) Discharge of Conservator and Delivery of Assets

DOD: 03/29/13	THEODORA MICHAILIDES , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:	
	Account period: 10/01/12 – 03/29/13		
Cont. from	Accounting - \$64,606.22		
Aff.Sub.Wit.	Beginning POH - \$55,016.40		
<input checked="" type="checkbox"/> Verified	Ending POH - \$29,991.23		
Inventory	Subsequent account period: 03/30/13 – 11/30/13		
PTC	Accounting - \$31,296.96		
Not.Cred.	Beginning POH - \$29,991.23		
<input checked="" type="checkbox"/> Notice of Hrg	Ending POH - \$24,373.08		
<input checked="" type="checkbox"/> Aff.Mail w/	Conservator - waived		
Aff.Pub.	Conservator costs - \$865.84 (for funeral expenses)		
Sp.Ntc.	Attorney - \$2,100.00 (12 hours @ \$175/hr.)		
Pers.Serv.	Petitioner requests authority to distribute the remaining assets, pursuant to an affidavit under Probate Code § 13101, to Theodora Michailides, pursuant to decedent's will.		
Conf. Screen	Petitioner states that the remaining assets of the estate were derived from the sale of real property that was specifically devised to Petitioner in decedent's will.		
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
<input checked="" type="checkbox"/> 2620(c)			
<input checked="" type="checkbox"/> Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice	<p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> 1. Finding that the Conservatorship terminated on 03/29/13, the date of conservatee's death; 2. Approving, allowing and settling the Fourth and Final Account; 3. Authorizing the payment of attorney's fees; 4. Authorizing the reimbursement of costs to the conservator; 5. Authorizing and directing the Conservator to deliver the remaining estate assets (consisting of \$20,416.24 cash, plus \$994.00 receivable from the SSA) to herself; and 6. On filing of the proper receipts and an Ex Parte Petition for Final Discharge, discharging Petitioner as conservator and her bond. 		
			Reviewed by: JF
			Reviewed on: 02/05/14
		Updates:	
		Recommendation:	
		File 4 – Mitchell	

Petition for Termination of Proceedings Due to Lack of Assets and Discharge of the Personal Representative

DOD: 6-24-07	DANA HOLMES , Daughter, and Administrator with Full IAEA without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> A Creditor's Claim was filed 11-21-07 for \$14,586.74 by Bank of America FIA Card Services NA. It does not appear that this claim was ever addressed by the Administrator. Therefore, the creditor is entitled to notice of this hearing pursuant to Probate Code §11000. The Court may require continuance for service. Letters issued in 2007. Petitioner states the house was foreclosed upon in August 2012. The Court may require an accounting or clarification regarding the administration of the estate during that five year time period. Was the house occupied? Was rent collected? What was the reason for the delay in closing the estate?
	Petitioner states that despite the efforts of the personal representative to sell the property and prevent foreclosure, the home was lost to foreclosure in August 2012.	
Aff.Sub.Wit.	Regarding the other assets subject to administration: The vehicle was repossessed by the loan holder and the furniture was donated due to poor condition.	
✓ Verified	Pursuant to Probate Code §12251, Petitioner prays for an order:	
Inventory	<ol style="list-style-type: none"> Terminating the proceedings due to lack of assets; Discharging the personal representative; Any other orders the Court deems appropriate. 	
PTC		
Not.Cred.		
✓ Notice of Hrg		
✓ Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
✓ 9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 2-4-14
		Updates:
		Recommendation:
		File 5 – Vinson

**Second Amended First and Final Account and Report of Conservator, Petition for
 Its Settlement, for Attorney Fees and Discharge of Conservator of the Estate**

Age:		NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED TO 3-4-14</u> Per Attorney request
DOD:		
Cont. from		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<input type="checkbox"/>	Notice of Hrg	
<input type="checkbox"/>	Aff.Mail	
<input type="checkbox"/>	Aff.Pub.	
<input type="checkbox"/>	Sp.Ntc.	
<input type="checkbox"/>	Pers.Serv.	
<input type="checkbox"/>	Conf. Screen	
<input type="checkbox"/>	Letters	
<input type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input type="checkbox"/>	CI Report	
<input type="checkbox"/>	9202	
<input type="checkbox"/>	Order	
<input type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: skc
		Reviewed on: 2-4-14
		Updates:
		Recommendation:
		File 6 – Lozano

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

Age: 17 years		<u>Temporary Expires 2/10/14</u>		NEEDS/PROBLEMS/COMMENTS: Note: Petition for Factual Findings Regarding Minor's Eligibility to Apply for Special Immigration Status was filed and is set for hearing on 3/3/14. 1. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Marta Luz Iraheta Garcia (mother) b. Francisco A. Arevalo-Iraheta (minor) 2. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Luis Alonso Mebreno Hernandez (paternal grandfather) b. Leonidas Arevalo Viuda de Garcia (paternal grandmother)
		VERONICA AREVALO , paternal aunt, is petitioner.		
		Father: JUAN ANTONIO AREVALO – consents and waives notice.		
Cont. from 011314		Mother: MARTA LUZ IRAHETA GARCIA		
	Aff.Sub.Wit.		Paternal grandfather: Luis Alonso Mebreno Hernandez	
✓	Verified		Paternal grandmother: Leonidas Arevalo Viuda de Garcia	
	Inventory		Maternal grandfather: Antonio Hernandez – Deceased.	
	PTC		Maternal grandmother: Maxima Hernandez – Deceased.	
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W/		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	X	Petitioner states the minor is estranged from his father who lives in New York. The whereabouts of the mother are unknown. Mom abandoned the minor when he was a baby. The minor's paternal grandparents are living in El Salvador and in failing health and are unable to care for the minor.	
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report		Court Investigator Samantha Henson's Report filed on 1/7/14.	
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: KT				
Reviewed on: 2/5/14				
Updates:				
Recommendation:				
File 9 – Arevalo-Iraheta				

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

DOD: 11/19/2012	SHERI L. SINCLAIR , spouse/named executor without bond, is petitioner.	NEEDS/PROBLEMS/COMMENTS: Continued from 1/13/14. Minute order states Jennifer Tierce [daughter] requests a continuance to obtain counsel. Note: If the petition is granted, status hearings will be set as follows: <ul style="list-style-type: none"> • Friday, July 11 2014 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. • Friday, April 10, 2015 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.
	Full IAEA – o.k.	
	Will dated: 6/27/2005	
<input checked="" type="checkbox"/> Aff.Sub.Wit.	Residence: Fresno	
<input type="checkbox"/> Verified	Publication: Fresno Business Journal	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	Estimated value of the estate: Real Property - \$250,000.00	
<input checked="" type="checkbox"/> Aff.Mail		
<input checked="" type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Probate Referee: Rick Smith	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed on: 2/5/14
		Updates:
		Recommendation:
		File 10 – Tierce

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

Adrianna (5)	TEMPORARY DENIED ON 01/07/2014		NEEDS/PROBLEMS/COMMENTS:
Aiden (7)	LORRE and STEVE WALLACE , Maternal Grandmother and Step-grandfather, are Petitioners.		<p>Minute Order of 01/07/2014: Ms. Castro-Ayala's objections are noted. The Court indicates to the parties that it has the benefit of the CPS referral whereby the concerns were not substantiated. The Court on its own motion orders a further referral to DSS. The court investigator is ordered to contact DSS immediately. Mother and father are ordered to cooperate with any investigation conducted by the Probate investigator and/or DSS. The petition is denied. The General Hearing remains set for 2/10/14. The Court orders mother and father to submit to a hair follicle test at Choices Drug Facility before the end of business today. In the event a hair follicle test cannot be performed, a comparable test is to be taken.</p> <p>Note re history:</p> <ul style="list-style-type: none"> • The minors reside with the parents in Selma, Fresno County, CA. • Petitioners reside in Quincy, Plumas County, CA. • Petitioners originally filed temporary and general petitions in Plumas County Superior Court on 6-27-13. • The father filed an objection and a petition to transfer the matter to Fresno County. • A Court Investigation was conducted by Plumas County Superior Court and filed 10-4-13. • On 10-29-13, the Court granted the petition to transfer the matter to Fresno County Superior Court. Fresno Superior Court received the transferred file on 12-9-13, and the Petitioners also filed new temporary and general petitions for guardianship on 12-9-13.
Cont. from	Father: JOHN HANSEN - Personally served 12-12-13		
<input type="checkbox"/> Aff.Sub.Wit.	Mother: ALLISON HANSEN - Personally served 12-12-13		
<input checked="" type="checkbox"/> Verified	Paternal Grandfather: Unknown (believed deceased)		
<input type="checkbox"/> Inventory	Paternal Grandmother: Jeannette Hansen, served by mail on 12/11/2013		
<input type="checkbox"/> PTC	Maternal Grandfather: Earl Beever (deceased)		
<input type="checkbox"/> Not.Cred.	Petitioners state request immediate guardianship to provide the children with a safe, loving, healthy, drug free environment, enroll them in school, help them to catch up to their grade levels.		
<input checked="" type="checkbox"/> Notice of Hrg	Petitioners reside in Plumas County. When they originally filed for guardianship there, the parents were constantly moving from place to place living in a motorhome in campsites, and they were unable to serve the mother.		
<input checked="" type="checkbox"/> Aff.Mail	w/	When the father moved to transfer the matter to Fresno County, and was ordered to pay the transfer fees, Petitioners paid the fees because they believed he would not pay and delay the proceedings.	
<input type="checkbox"/> Aff.Pub.		Petitioners are concerned that the parents are abusing methamphetamine. Lorre Wallace states she and her daughter were always close, but in September 2013, Allison Hansen told her she could not talk to her anymore.	
<input type="checkbox"/> Sp.Ntc.		After a visit in June 2013, Petitioners are very worried about the children and had to do something to protect them. Petitioners asked to visit because the mother had been constantly asking for money in the preceding months.	
<input checked="" type="checkbox"/> Pers.Serv.	w/	Please see additional page	
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input checked="" type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
		Reviewed by: LV	
		Reviewed on: 02/05/2014	
		Updates:	
		Recommendation:	
		File 11 – Hansen	

Petitioners state they sent money because they did not want the family to go without food, but once the requests became regular, they stopped sending money. They offered non-monetary support, but the parents always rejected their offers. Petitioners offered to let Allison and the children come live with them until John got back on his feet, but Allison only wanted money from them.

Petitioners stated they waited a week to visit, per Allison's request, and came to visit on June 16. When they arrived at the address that Allison had given her sister, they learned it was only a temporary residence. Allison appeared frail, pale, and malnourished. Allison appeared open to the idea of coming to stay with them, but did not think John would allow it. John was keeping the children at an undisclosed location. Petitioners later learned that John had threatened her and she was afraid to talk with them because John was monitoring her phone.

Petitioners have never been in this type of abuse situation before and sought help at the Marjaree Mason Center in Fresno. Allison did not accompany them. Late in the evening, John agreed to bring the children back to the house where she was staying at if she made sure that Petitioners were not present.

Petitioners state that while they were in Fresno, they spoke with a Teddy Donaldson, who informed them that the parents were on methamphetamine. Petitioners believe they have been using methamphetamines since 2011.

On June 18, they had not been able to see the children. Petitioners asked Allison if they should stay in Fresno or go back home. Allison informed them by text message that John would let them see the children at a different location. They arrived at a house in Clovis and saw the children. The children did not look healthy. Petitioners asked if they could take the children home to Quincy for a visit, but John refused. Allison could go, but the children could not.

Allison communicated by phone from June 19 through June 21. Petitioners continued to worry and with the assistance of the Marjaree Mason Center arranged a welfare check with the police. The police informed them that they told John Hansen that either he needed to leave, or Allison and the children needed to leave. Late in the evening, Allison told Petitioners that she had called the Marjaree Mason Center, but they told her they would do a drug test, so she was afraid the children would be taken into protective services. Petitioners begged her to let them help, but she refused. Petitioners have had limited contact with Allison since that date.

The children are being neglected, are malnourished and their educational needs are not being met. The children are being home schooled by their drug abusing parents. They are not receiving proper education and are behind grade level. Petitioners believe they have been reported to CPS on at least two occasions, but the social worker has been unable to locate the family due to their nomad lifestyle. The children desperately need and deserve help and Petitioners are willing to do whatever it takes to be there for them. Petitioners are requesting immediate guardianship and ask the Court to order hair follicle drug test before granting any visitation. Petitioners will pay for the tests.

Additional declarations are provided from Petitioner Steven Wallace and Amy Zingaretti, sister of Allison (maternal aunt of the minors).

Declaration of Mary Castro-Ayala Re: Court Ordered Drug Test for John Hansen and Allison Hansen states: she was present in Court on 12/19/13 when the Court ordered that both John and Allison Hansen submit to hair follicle drug tests by 5:00pm that day. Mr. Hansen was present in Court that day but Allison was not. Mr. Hanson had a short buzz cut hairstyle during court and it appeared that, though his hair was short, it was of a sufficient length to provide a hair sample for his Court ordered drug test. Notice has been received that Mr. Hansen failed to complete the court ordered drug test.

Please see additional page

Response to Motion filed 12-19-13 by Attorney Krbechek, attorney for John Hansen, Father.

Note: The document is not verified by the father and appears to be a response from the attorney only.

Response states notice was not properly served.

- Examiner notes that Notice of Hearing filed 12-18-13 indicates personal service on the parents on 12-12-13 pursuant to Probate Code §2250(e)

Response provides the Court with an overview of guardianship law and background regarding the motion for change of venue.

Response states both children are doing well in school. Exhibits attached.

Response states Petitioners' claims are based on unfounded lies. Exhibits attached – responses to special interrogatories.

Response concludes that the Court has failed to respect the rights of the parents and the petition is based on lies. Petitioners seek to deprive the parents of custody of their children.

Response concludes with the parental preference doctrine. Cites provided.

Status Report Regarding Court Ordered Drug Testing for John Hansen filed 01/03/14 states: At the last hearing on 12/19/13 the Court ordered that both parents drug test by a hair follicle test. After the hearing, the father went to take the ordered drug test, but had insufficient hair to complete the follicle test. It was ordered that in the event a hair follicle test could not be obtained from Mr. Hansen that an alternative test be conducted. On 12/21/13, Mr. Hansen went to Everyday Healthcare and had a ten-panel drug test performed. Mr. Hansen tested negative for all substances in that test. Mrs. Hansen was notified of the order to complete the drug screening and to appear at the hearing on 01/07/14. Mrs. Hansen did not complete the drug test. Attorney Krbechek does not represent the mother and she is responsible for her own actions or inactions. On 12/24/13, CPS went to Mr. Hansen's home to conduct its investigation. Mr. Hansen was told that CPS intervention was not necessary. Petitioners do not have any admissible evidence in support of their allegations. Petitioners rely on the investigation report from Plumas County, however, the report is inadmissible hearsay because it was generated after Mr. Hansen's petition to change venue from Plumas County to Fresno County. The Plumas County Court had no authority to order such investigation after Mr. Hansen filed his petition to transfer the action. Mr. Krbechek requests that the Court issue a ruling as to whether this proceeding is a guardianship matter controlled by the Probate Code or whether the Court is undertaking a juvenile dependency proceeding controlled by Welfare & Institutions Code § 300. **Examiner's note:** This matter is a probate guardianship proceeding being held in the Probate Court. It is unclear why Mr. Krbechek is asking for this ruling, the Probate Court does not have jurisdiction over juvenile dependency matters.

Petitioner's Evidentiary Objections to Status Report Regarding Court-Ordered Drug Testing for John Hansen filed by Attorney Mary Castro-Ayala on 01/06/2014.

Objection 1: Paragraph 2, Page 1, Lines 23-25 "On December 21, 2013, John Hansen appeared at Everyday Healthcare and had a ten panel drug test performed." "John tested negative for all substances"

Objections:

- Hearsay
- Lacks Foundation
- Lacks Personal Knowledge
- Calls for Speculation
- Prejudicial, Confusing and/or misleading
- Inadmissible lay opinion
- Writing not properly authenticated

Please see additional page

Objection 2: Paragraph 4, Page 2, Lines 1-2 "On December 24, 2013, CPS went to John Hansen's residence to conduct its investigation. John Hansen was told that intervention by CPS was unnecessary."

Objections:

- Hearsay
- Lacks Foundation
- Lacks Personal Knowledge
- Prejudicial, Confusing and/or misleading

Objection 3: Paragraph 14, Page 4, Lines 15-18 "By the petition pending before this court, petitioners Lorre Wallace and Steve Wallace, the maternal grandparents of the minors, seek to deprive respondent of custody of his children. Petitioners apparently seek to prove that their daughter, Allison Hansen, has a drug problem."

Objections:

- Lacks Foundation
- Lacks Personal Knowledge
- Calls for Speculation
- Prejudicial, Confusing and/or misleading
- Inadmissible Lay Opinion

Objection 4: Paragraph 15, Page 4, Lines 19-21 "However, Allison is the child raised by petitioners. Their son-in-law has no such problem. Petitioners have no relationship with the children. Petitioners have no legal right to deprive the father of custody of his children."

Objections:

- Lacks Foundation
- Lacks Personal Knowledge
- Calls for Speculation
- Prejudicial, Confusing and/or misleading
- Inadmissible Lay Opinion

Memorandum of Points and Authorities in Support of Petitioners' Request to Strike the Status Report Regarding Court Ordered Drug Testing for John Hansen in Its Entirety filed by Attorney Mary Castro-Ayala on 01/06/2014.

Court Investigator Jennifer Young filed a report on 01/06/14.

Court Investigator Jennifer Young's report filed 02/03/2014.

Atty Amador, Catherine A., of Pascuzzi, Moore & Stoker (for Petitioner Albert Rousseau)
 Atty Walters, Jennifer, of Walters & Moshrefi (Court-appointed for Conservatee)

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

Age: 86 years	<p>ALBERT ROUSSEAU, son, is Petitioner and requests appointment of ANDREA ROUSSEAU, granddaughter, as Conservator of the Person with medical consent and dementia powers to administer dementia medications.</p> <p>Capacity Declaration of Abbas Mehdi, M.D., filed 2/6/2014.</p> <p>Voting Rights Affected.</p> <p>Petitioner states proposed Conservatee suffers from dementia, having been first diagnosed in 2003, and she is now experiencing advanced symptoms. Petitioner states proposed Conservatee requires a walker and a person to assist her ambulate, and she has fallen several times recently and is unable to get up by herself. Petitioner states proposed Conservatee is completely unable to provide for her own personal needs, including cooking, cleaning, shopping or managing her own medications or personal hygiene, and she requires round-the-clock care. Petitioner states currently the family has hired caregivers to assist family members in ensuring that someone is available to care for proposed Conservatee throughout the day, and she spends most weekends with her granddaughter, the proposed Conservator. Petitioner states the family has increasing concerns that proposed Conservatee should not be left alone at night with just her daughter, GEORGIA ROUSSEAU, as Georgia has physical limitations and mental health issues. Petitioner states Georgia has recently begun to interfere with other family members' efforts to care for the proposed Conservatee, including those the proposed Conservatee appointed as Trustee and Agents for Health Care.</p> <p><i>~Please see additional page~</i></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Advised Rights on 1/3/2014.</p> <p>Voting Rights Affected – Need Minute Order.</p> <p>Continued from 1/13/2014. Minute Order states Ms. Amador is still waiting for Capacity Declaration from doctor.</p> <p>Note: Proof of Personal Service filed 2/5/2012 for the proposed Conservatee shows an incorrect hearing date of 2/<u>20</u>/2014.</p>
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✓ Order		
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UCCJEA		
✓ Citation		
FTB Notice		
<p>Reviewed by: LEG</p> <p>Reviewed on: 2/7/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 – Rousseau</p>		

Petitioner requests other orders be granted as follows: Petitioner seeks orders allowing the proposed Conservator to move the proposed Conservatee from her current to home the proposed Conservator's home if necessary to provide appropriate care for the proposed Conservatee; recently the proposed Conservatee's daughter, Georgia, has been interfering with family's efforts to provide care for proposed Conservatee, and has refused to allow the proposed Conservator into the house and to allow the proposed Conservatee to leave; the family seeks flexibility to ensure the proposed Conservatee has 24-hour care, and Petitioner Albert Rousseau can provide additional care to proposed Conservatee when not traveling for work, since he resided with the proposed Conservator. However, the family would not move proposed Conservatee if they can work out a solution to provide appropriate care in her own home.

Court Investigator Jennifer Daniel's Report was filed on 1/7/2014.

Court Investigator Jennifer Daniel's Supplemental Report was filed on 2/6/2014.

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

DOD: 10/23/2013	DEBRA L. HALL is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	40 days since DOD.	
	No other proceedings.	
Cont. from 012714	Will dated 1/5/10 devises entire estate to Debra L. Hall.	
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<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	I & A - \$70,000.00	
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<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 2/5/14
		Updates:
		Recommendation: SUBMITTED
		File 13 – Hall

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

Age: 22 years		<p>DEBRA A. JENKS, is petitioner and requests that DEBRA A. JENKS, mother, and ANNA ARRIZON, sister be appointed as co-conservators with medical consent powers.</p> <p>Conservatee was previously adjudicated to lack the capacity to give informed consent to medical treatment on 8/18/2009 in case no. 09CEPR00537.</p> <p>Petitioner states the conservatee has a mental age of approximately eight. She is disabled and requires assistance in activities of daily living.</p> <p>Court Investigator JoAnn Morris' report filed 2/3/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>A conservatorship has already been established for Katharine Arrizon in case no. 09CEPR00537. A petition to appoint a co-conservator should have been filed in the existing conservatorship and not as a new case.</p> <p>1. Need Conservatorship Video Viewing Receipt for Anna Arrizon and Debra A. Jenks.</p>	
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		Reviewed by: KT		
		Reviewed on: 2/5/14		
		Updates:		
		Recommendation:		
		File 14 – Arrizon		

Petition for Termination of Proceedings Due to Lack of Assets and Inability to Reach the Personal Representative

DOD: 3/23/2007	<p>NANCY J. LEVAN, attorney, is petitioner.</p> <p>KEVIN LINDELL MAXWELL was appointed as Administrator with Limited IAEA authority and without bond on 7/3/07 and Letters issued.</p> <p>Petitioner states she has made several attempts to reach the personal representative Kevin Maxwell. Letters were sent on 5/18/07, 6/13/07, 8/17/07, 12/12/07, 9/4/09 and 11/4/13. The 9/4/09 correspondence was returned stating "NO ONE BY THIS NAME! RETURN TO SENDER." Petitioner states she has not received a response to any of her letters. Petitioner states she attempted to telephone Mr. Maxwell but the number was disconnected with no forwarding number.</p> <p>Petitioner states she has had no contact with Mr. Maxwell since he was appointed and she is not aware of any assets collected into the estate. The Estate of Lycester Wills, case no. 07CEPR00386 is still open. Mr. Maxwell claimed that his mother had assets in Lycester's estate that were her separate property and should come into this estate. However, with no communication with him or of the settling of Lycester's estate, it is unknown if any assets are available for collection into this estate.</p> <p>Petitioner states she advanced funds totaling \$780.00 to cover costs of the estate and \$1,697.50 in attorney fees.</p> <p>Due to the inability to reach the personal representative and petitioner's belief that there are no assets to administer; Petitioner prays for an order:</p> <ol style="list-style-type: none"> 1. Terminating the Proceedings due to lack of assets; 2. Discharging the attorney of record due to the inability to locate the personal representative. 		<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Order includes information that was not in the Petition, including discharge of the personal representative. The court cannot grant an order that is not consistent with the Petition. Need new order. <p>Question: If, the personal representative was not responding to the attorney as far back as 2007, why didn't the attorney petition the Court at that time to be relieved as counsel? This would have allowed the Court to become involved before the estate got out of hand and all the assets were lost or stolen?</p>																																														
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(1) First and Final Account and Report of Executor and (2) Petition for Allowance of Compensation to his Attorney and (3) Reimbursement to Executor for Funeral Expenses and (4) Closing of an Insolvent Estate

Age:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED TO 3-18-14</u></p> <p>Per Attorney Request</p>
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		<p>Reviewed by:</p> <p>Reviewed on: 2-5-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16 – Fry</p>

Atty Stanlake, Brandy Lee (Pro Per – Mother – Petitioner)

Atty Peralta, Manuel (Pro Per – Guardian)

Petition for Termination of Guardianship

	<p>BRANDY LEE STANLAKE, Mother, is Petitioner.</p>		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: The Court Investigator was unable to complete an investigation regarding this petition. If this petition goes forward, the following issues exist:</p> <ol style="list-style-type: none"> 1. Need Court Investigation Report. 2. Need Notice of Hearing. 3. Need proof of service of Notice of Hearing at least 15 days prior to the hearing per Probate Code §1460(b)(5) on all relatives: <ul style="list-style-type: none"> - Manuel Peralta (Guardian) - Raylynn Stanlake-Smith (Minor) - Reginald Smith (Father) - Paternal Grandfather - Paternal Grandmother - Christine Houser (Maternal Grandmother) - Siblings of the minor, if age 12 or older.
	<p>MANUEL PERALTA was appointed Guardian on 3-4-10.</p>		
	<p>Father: REGINALD SMITH</p>		
	<p>Paternal Grandparents: Not listed</p>		
	<p>Maternal Grandfather: Deceased</p>		
	<p>Maternal Grandmother: Christine Houser</p>		
	<p>Petitioner states she is the mother and she feels all legal rights for the minor should be determined by her (Petitioner). Petitioner feels it is in the minor's best interest to have her mother who is another female to determine what medical and all other needs that her daughter may need her to determine approval or disapproval of. Petitioner would like her current school attendance standing to be improved.</p>		
	<p>Court Investigator Jennifer Daniel filed a report on 2-3-14.</p>		
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	FTB Notice		
			<p>Reviewed by: skc</p>
			<p>Reviewed on: 2-5-14</p>
			<p>Updates:</p>
			<p>Recommendation:</p>
			<p>File 17 – Stanlake-Smith</p>

		GENERAL HEARING 3-27-14	NEEDS/PROBLEMS/COMMENTS:
		MARGARET GLORIA SIMENTAL, Maternal Grandmother, is Petitioner.	<p>1. Petitioner states the father is unknown. The Court may require further diligence or notice. Probate Code §2250(e).</p> <p>2. Petitioner states the minor has Native American ancestry (Apache). Therefore, notice pursuant to the Indian Child Welfare Act (ICWA) must be served pursuant to Probate Code §1460.2 and Cal. Rules of Court 7.1015.</p> <p><u>Notice of Child Custody Proceeding for Indian Child (Form ICWA-030)</u> must be served prior to the general hearing, together with copies of petition and all attachments, including this form, on the child's parent; any Indian custodian; any Indian tribe that may have a connection to the child; the Bureau of Indian Affairs (BIA), and possibly the U.S. Secretary of the Interior, by certified or registered U.S. Mail, return receipt requested.</p> <p><u>A blank form is in the file for Petitioner. Petitioner is directed to complete the form and return it to the Probate Clerk's office as soon as possible.</u> The Probate Clerk will mail the notice to the required agencies and parties.</p> <p>Please note that 60 days' notice is required under this section. Therefore, the general hearing may need to be continued for proof of notice.</p> <p><u>Note:</u> This does not affect this <u>temporary</u> hearing, but the ICWA requirements must be met for a general hearing to take place. See Probate Code 1460.2 and Cal. Rules of Court 7.1015.</p>
		Father: UNKNOWN	
		Mother: ALEXIS SIMENTAL BULGARA	
		Paternal Grandfather: Unknown	
		Paternal Grandmother: Unknown	
		Maternal Grandfather: Andy Bulgara	
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			Reviewed on: 2-5-14
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			Recommendation:
			File 18 – Gonzalez