ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

1 **Alex Coleman, Jr. (Estate)** **Case No. 02CEPR00793**

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

(1) First and Final Account and Report of Successor Administrator and (2) Petition for Allowance of Ordinary Commissions and Fees and (3) for Distribution [Prob. C. 9202; 10800; 10810; 10951; 11600; 11850(a)]

DOD: 8-9-02		
	Aff.Sub.Wit.	
✔	**Verified**	
✔	**Inventory**	
✔	**PTC**	
✔	**Not.Cred.**	
✔	**Notice of Hrg**	
✔	**Aff.Mail**	W
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✔	**Letters**	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✔	**9202**	
✔	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
N/A	**FTB Notice**	

PUBLIC ADMINISTRATOR, Successor Administrator, is Petitioner.

Account period: 8-17-11 through 9-28-12

Accounting: $11,268.39
Beginning POH: $0.00
Ending POH: $5,268.39

Successor Administrator (Statutory): $450.74

Attorney (Statutory): $450.74

Costs: $441.50 (filing, certified letters)

John F. Garland (Attorney for Former Executor): $2,395.00
Services are itemized by date and include legal services to the Former Executor in connection with her estate administration, accounting and removal. Attorney Garland states this amount is less than statutory based on the value of the estate at the time his client administered it ($127,359.78) – see Exhibit B.

Distribution pursuant to Decedent's will, Former Executor Bridgette Coleman's Disclaimer, and preliminary distributions made to Alex Coleman is:

Brandi Coleman: $1,129.56
Alex Coleman: $400.85

NEEDS/PROBLEMS/ COMMENTS:

Reviewed by: skc
Reviewed on: 2-9-12
Updates:
Recommendation:
File 1 - Coleman

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

2 **Mickey Lorene Fulbright (CONS/PE)** **Case No. 04CEPR00703**

Atty **LeVan, Nancy J. (court appointed for Conservatee)**

Atty **Wall, Jeffrey L (for Petitioner Christine Adams)**

Amended Petition to Authorize Proposed Action (Substituted Judgment) [Prob. C. 2580(b)(5)]

Age: 66 years
DOB: 11/7/1944

Cont. from 011112

	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	W/
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	X
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

CHRISTINE ADAMS, conservator, is petitioner.

CHRISTINE ADAMS was appointed as conservator of the person and estate on 7/20/2004. Bond was not required. Accountings were waived and the court ordered that the conservatee's mobile home could not be sold without court order.

Petitioner states after consultation with counsel, she believes that establishment of a trust would result in substantial savings to the heirs of the Conservatee and avoid the probate of the Conservatee's estate.

Petitioner has directed her attorney to draft a new inter vivos trust to accomplish the objectives set forth above.

Petitioner prays for an order:

1. Authorizing her to execute, on behalf of the conservatee, the inter vivos trust declaration, a copy of which is attached to the petition;
2. Authorizing her to execute, on behalf of the conservatee, a deed conveying title to the real property in the Conservatorship estate over to the inter vivos trust;
3. That the Court will have continuing jurisdiction over the inter vivos trust;
4. Terminating the conservatorship of the estate and ordering issuance of new letters of conservatorship of the person only.

NEEDS/PROBLEMS/COMMENTS:

1. **Petition does include the amount of bond required. Probate Code 15602 requires a trustee to post bond except under compelling circumstances.**
2. **Need Order**

Reviewed by: KT

Reviewed on: 2/10/12

Updates:

Recommendation:

File 2 - Fulbright

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

3A Manuel M. Perez (Estate) Case No. 08CEPR00662

Atty **Fanucchi, Edward L. (for Cecelia Gossett – Petitioner)**

Petition for Order to Remove Administrator of Estate to Allow Appointment of Successor Administrator (Prob. C. 8502)

DOD: 5/8/08		
Cont. from		
	Aff.Sub.Wit.	
√	Verified	
	Inventory	
	PTC	
	Not.Cred.	
√	Notice of Hrg	
√	Aff.Mail	x
	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	

CECELIA GOSSETT, Decedent's niece, is Petitioner.

Juan Gonzalez is the current Administrator of the Estate *(Letters of Administration issued 9/8/08.)*

Petitioner requests that the Court: 1) issue a citation directed to Juan Gonzalez as Administrator requiring him to appear and show cause as to why he should not be removed as Administrator and the Letters of Administration revoked and 2) remove and revoke the Letters of Administration.

Petitioner alleges the causes for removal are as follows:

1. During the Estate's administration, Juan Gonzalez has withdrawn more than $30,000.— for his own personal use without court authorization. While he did deposit several thousand dollars during the administration, it was not enough to cover his withdrawals;
2. On 10/26/11, this Court surcharge Juan Gonzalez for interest that would have been earned had the unauthorized withdrawals not occurred (Petitioner's law firm calculated the surcharge to be $952.11 through 10/26/11);
3. On 10/26/11, Attorney Edward L. Fanucchi was advised that Juan Gonzalez had withdrawn an additional $400.00 from the estate accounts with was not listed on the Second Amended First and Final Account previously filed with the Court;
4. For the protection of the Estate's numerous heirs, the Quinlan, Kershaw law firm obtained a Court order blocking the estate bank accounts;
5. Finally, Juan Gonzalez has failed to respond to his attorneys since 10/26/11;
6. Petitioner's law firm has paid the bond premium due 8/12/11, because of Juan Gonzalez' failure to pay.

Declaration of Edward L. Fanucchi in Support of Petition for Removal, filed 1/11/12, states:

1. Due to the lack of response by Mr. Gonzalez, the Quinlan Kershaw filed and ex parte petition to block the estate accounts at Golden One Credit Union (this Court granted the ex parte on 11/29/11).

NEEDS/PROBLEMS/COMMENTS:

1. **Need proof of service showing Notice of Hearing on the bonding company, pursuant to PrC §1213(3).**

Notes:

1. **Page 3B is Petitioner's *Petition for Probate*, wherein she seeks to be appointed successor administrator of the Estate. Per *Declaration of Edward L. Fanucchi*, Petitioner seeks appointment in order to complete the accounting, obtain a court order for final distribution, make the final distribution, and put the estate in a position to be closed. [Note: The Court's last minute order in this case, on 10/26/11 on Juan Gonzalez' *Second Amended First and Final Account* (filed by the Quinlan, Kershaw firm) states: Counsel is directed to compute the monies that were taken by Juan Gonzalez. The Court orders the surcharge to be 10% per annum. The Petition is denied. Nor further court date is given by the Court.]**
2. **On 11/29/11, this Court granted the Quinlan Kershaw's *ex parte* petition to block the estate bank accounts at Golden One Credit Union. Receipts for the blocked accounts however were never filed. Court may require further information as to the status of the bank accounts.**
3. **Per *Non Service Report*, filed by Petitioner on 2/8/12, numerous efforts were made to serve Mr. Gonzalez with the Petitioner at his home and via telephone with the between 1/19/12 and 1/30/12; process was returned due to lack of service.**

Reviewed by:	NRN
Reviewed on:	2/10/12
Updates:	2/16/12
Recommendation:	
File 3A - Perez	

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

3B Manuel M. Perez (Estate) **Case No. 08CEPR00662**

Atty Fanucchi, Edward L. (for Cecelia Gossett – Petitioner)

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 5/8/08		
Cont. from		
	Aff.Sub.Wit.	
√	Verified	
	Inventory	
	PTC	
	Not.Cred.	
√	Notice of Hrg	
	Aff.Mail	
√	Aff.Pub.	
√	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
√	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
√	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

CECELIA GOSSETT, Decedent's niece, is Petitioner.

[Juan Gonzalez is the current Administrator. Letters of Administration issued 9/8/08.]

Decedent died intestate.

No heirs have waived bond.

Full IAEA – o.k.

Residence – Huron, CA
Publication – Fresno Business Journal

Estimated value of estate:

Personal property	-	$54,770.77
Annual income	-	360.00
Total		**$55,130.77**

Petitioner requests full IAEA powers and an order that $55,200.00 be placed into a blocked account.

PROBATE REFEREE: STEVEN DIEBERT

NEEDS/PROBLEMS/COMMENTS:

Note: See Page 3A for Petitioner's Petition to Remove Current Administrator.

1. **Order as submitted indicates bond is not required and does not refer to Petitioner's request for an order that $55,200.00 be placed into a blocked account. Court may require clarification.**

Reviewed by: NRN
Reviewed on: 2/10/12
Updates:
Recommendation:
File 3B - Perez

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

4 **Robert Russell (Estate)** **Case No. 09CEPR00684**

Atty **Merzon, John (for Kathleen Trumbly (formerly Strickland), Administrator – Petitioner)**

Amended First and Final Report of Status of Administration; Waiver of Account; and Petition for Waiver of Bond, for Compensation and for Final Distribution

DOD: 3/7/08		
Cont. from		
	Aff.Sub.Wit.	
√	**Verified**	
√	**Inventory**	
√	**PTC**	
√	**Not.Cred.**	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	11/17/09
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
√	**9202**	
	Order	X
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
√	**FTB Notice**	

KATHLEEN STRICKLAND, Administrator with $10,000 bond, is Petitioner.

Accounting is waived.

I & A - **$75,000.00**
POH - **$56,692.67 (all cash)**

Administrator (statutory) - $2,843.02

Attorney (statutory) - waives

Distribution, pursuant to intestate succession, is to:

Kathleen Strickland - 33.33%
Jennifer Todd - 33.33%
Deborah Gist - 33.33%

NEEDS/PROBLEMS/COMMENTS:

<u>Note</u>: Petitioner was formerly represented by Sandra Smith. Attorney Merzon substituted into the case on 1/12/12.

1. Need Order.

Reviewed by: NRN
Reviewed on: 2/16/12
Updates:
Recommendation:
File 4 - Russell

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

5 **Lee L. Palmer (Estate)** **Case No. 11CEPR00019**

Atty **Wright, Janet L. (For Daniel A. Briggs – Executor – Petitioner)**

(1) Petition to Close and Distribute Estate on Waiver of Notice and on Waiver of Account and (2) to Approve Payment of Statutory and Extraordinary Attorneys' Fees

DOD: 11-17-10			**DANIEL A BRIGGS**, Executor with Full IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
			Accounting is waived.	
			I&A: $97,626.65 POH: $47,725.83	
	Aff.Sub.Wit.			
✔	Verified			
✔	Inventory		Executor (Statutory): Waived	
✔	PTC			
✔	Not.Cred.		Attorney (Statutory): $3,545.04	
✔	Notice of Hrg		Attorney (Extraordinary): $1,566.50 ($516.75 in connection with the sale of the residence, $156.00 in connection with tax matters, and $893.75 in connection with the extensive debt/creditor issues) (Declaration filed 12-22-11 provides itemization.)	
✔	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen		Costs: $395.00 (filing)	
✔	Letters			
	Duties/Supp		Closing: $500.00	
	Objections			
	Video Receipt		Distribution pursuant to Decedent's will:	
	CI Report		Daniel A. Briggs - $38,247.79	
✔	9202			
✔	Order			
	Aff. Posting			**Reviewed by:** skc
	Status Rpt			**Reviewed on:** 2-9-12
	UCCJEA			**Updates: SUBMITTED**
	Citation			**Recommendation:**
✔	FTB Notice			**File 5 - Palmer**

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

6 Sexton Family Trust dated 11-29-1990 **Case No. 11CEPR00939**

Atty **Motsenbocker, Gary L., sole practitioner (for Petitioner Robert Sexton)**
Atty **Sanoian, Joanne, sole practitioner (for Respondent Jacquelyn Trout, daughter)**

Status Hearing Re: Petition for Relief for Breach of Trust; for Conversion of Trust Property; for Breach of Fiduciary Duty; for an Account of Trust Administration; for Removal of Trustee; and for Damages (Prob. C. 17200(b) et seq; 17211; 850 et seq; 16000-16006; 16040; 16060; 16063; 16400; 16420; and 16440 et seq)

Delores DOD: 1/18/2010		
Orville DOD: 5/5/2010		
Cont. from 120711, 011812		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	W/
✓	Summons	
	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	

ROBERT SEXTON, son and named Beneficiary of the **SEXTON FAMILY TRUST dated 11/29/1990**, as amended, is Petitioner.

Petitioner states:

- **ORVILLE DEAN SEXTON** and **DELORES A. SEXTON** as Settlors and Trustees of the Trust created on 11/29/1990, jointly amended the Trust by a *First Amendment* dated 10/29/1996; a *Second Amendment* dated 4/19/2007; and by Orville alone in a document referenced by him as *Agreement/Letter of Instruction (Third Amendment)* dated 3/1/2010 *(copies of Trust and amendments attached as Exhibits A, A1, A2, and A3)*;
- After the death of Delores (DOD 1/18/2010), Orville became the sole Trustee, and pursuant to the terms of the Trust, the Trust was not divided into two trusts as provided by its terms; upon the death of Orville (DOD 5/5/2010), the Trust became irrevocable;
- **JACQUELYN TROUT**, daughter (Respondent), assumed the office of Successor Trustee after the death of Orville and has been acting as Successor Trustee since his death;
- Pursuant to the *Agreement/Letter of Instruction (Third Amendment)* dated 3/1/2010, Orville appointed **GARY ROGERS** as a Successor Co-Trustee of the Trust to implement distribution;
- The Successor Trustee (Jacqueline Trout) owed a fiduciary duty to the Petitioner, had a duty to exercise the utmost care, integrity, honesty and loyalty in her dealings with the Trust and the interest of the beneficiaries;

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS:

<u>Continued from 1/18/2012</u>. ***Minute Order*** **states Mr. Motsenbocker requests a continuance. Matter continued to 2/22/2012.**

Reviewed by: LEG	
Reviewed on: 2/10/12	
Updates:	
Recommendation:	
File 6A - Sexton	

6A

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

Petitioner states, continued:

- The Successor Trustee deposited Trust funds into her personal account; she took possession of personal property belonging to the Trust, and the proceeds from the sale of personal property assets belonging to the Trust, and she converted them to her own use, all of which accrued to the detriment of the Petitioner;
-
- The Successor Trustee knew or should have known that her acts would accrue to the detriment of the Petitioner's interest in the Trust estate, and that she did all of these acts in patent "bad faith" with the intent of depriving Petitioner of his fair share of the Trust estate;
- Petitioner requests the Court should suspend her powers as Successor Trustee and order her removal as the Successor Trustee of the Trust for breach of trust and for her wrongful and unlawful conduct;
- The Successor Trustee has not rendered an account after one year as required by the Probate Code; she has not provided information to the Petitioner upon his reasonable request as to information in regard to the assets belonging in the Trust; she has provided inaccurate, incomplete and/or incorrect information to the Petitioner in regard to the Trust;
- Petitioner requests the Court order the Successor Trustee to render a detailed account of her administration of the Trust commencing on 5/5/2010 to the present and to cause a copy of the accounting to be delivered to the Petitioner and his attorney within 90 days of the initial hearing on this matter;
- The Successor Trustee owed the Petitioner a duty to act in scrupulous good faith and with absolute candor; she breached her fiduciary duty to the Petitioner by failing to control and preserve the Trust property, by failing to deal impartially with the assets of the Trust; by failing to administer the Trust in the interest of the beneficiaries; by failing to keep the beneficiaries reasonably informed; by failing to keep Trust property separate from non-trust property; by converting trust property to her own use and enjoyment; and by failure to maintain the cash in the Trust in interest-bearing accounts;
- The Successor Trustee should be ordered to respond in damages for each and every breach of trust and wrongful act;
- The Successor Trustee has repeatedly breached her fiduciary duty of loyalty and impartiality to the Petitioner as a Trust beneficiary; the breaches accrued to the specific and special detriment of the Petitioner; the Successor Trustee personally benefited from her acts and course of conduct; she concealed her activities from the Petitioner, and her entire course of conduct and actions in the matter constitute "bad faith" per se; her conduct and actions with Petitioner were outrageous and they constitute acts of oppression, fraud and malice;
- The Successor Trustee should be ordered to pay exemplary damages for her wrongful conduct, or in the alternative, she should be ordered to pay as damages an equal amount to double the value of all property taken, concealed and/or disposed of by the Successor Trustee in bad faith, according to proof;
- The Successor Trustee's acts constitute breach of trust, she engaged in self-dealing, she failed to deal impartially with the interest of beneficiaries, she failed to keep the Trust property separate from other property; she breached the duty of loyalty, and all of her acts and actions were patently unfair and prejudicial to the interest of the Petitioner in the Trust estate; the Successor Trustee failed to observe the directions and intent of the Settlor as expressed in the Trust; Petitioner contends that as to all acts of Successor Trustee in regard to the Trust, she did them with intent to deprive Petitioner of his rightful share of the Trust estate and in "bad faith;"

~Please see additional page~

Petitioner states, continued:

- Petitioner is entitled to damages with interest as provided in the Probate Code for all breaches of Trust, or in the alternative, the Successor Trustee should be ordered to pay as damages an amount equal to double the value of all property taken, concealed and/or disposed of by the Successor Trustee in "bad faith," according to proof;
- The Successor Trustee concealed and transferred property to herself while she held a fiduciary relationship in regard to the Petitioner; she made gifts of money and property to herself and others in contravention to the provisions of the Trust; all such transactions and/or transfers were in violation of her fiduciary duties as Successor Trustee and they should be adjudge voided and set aside and the asset or value of the assets and/or transactions and/or transfers should be surcharge against the Successor Trustee;
- The Successor Trustee has acted in all matters concerning the Petitioner with oppression, fraud and malice toward the Petitioner, and he is entitled to exemplary damages, or in the alternative, an amount equal to double the value of all property taken, concealed and/or disposed of by the Successor Trustee in "bad faith," according to proof.

Petitioner requests:

1. The Court remove Jacquelyn Trout as Successor Trustee for cause;
2. The Court order the Successor Trustee to render a detailed and correct account for all property held by her from the Decedent's date of death;
3. The Court order the Successor Trustee to account for all property and funds administered, expended and/or distributed on behalf of the Decedent;
4. The Court award damages against the Successor Trustee for all property unaccounted for or missing, together with interest at the legal rate per annum from the date of the breach of trust;
5. The Court award damages to Petitioner, together with interest at the legal rate per annum from the date of each and every breach of trust according to proof;
6. The Court award damages for each and every breach of trust according to proof;
7. In the alternative, the Court award damages in an amount equal to double the value of the property taken, concealed and/or disposed of by the Successor Trustee "in bad faith" according to proof;
8. The Court order a constructive trust on the assets of the Trust and/or the Successor Trustee for such sums that the Court determines to be due the Petitioner; and
9. The Court award attorney's fees provided for in the law and costs of suit incurred herein.

~Please see additional page~

***Response of Jacquelyn Trout to Petition for Relief for Breach of Trust; for Conversion of Trust Property; for Breach of Fiduciary Duty; for an Account of Trust Administration; for Removal of Trustee; and for Damages* filed on 12/21/2011 states:**

- She admits and denies allegations in identified paragraphs of the *Petition*, with some specifics as follows:
  - She denies the Trust was amended by a third document referred to by Petitioner as a Third Amendment;
  - She submits to the venue of this action in Fresno County, but denies that the principal place of administration is in Fresno County;
  - She denies that Orville Dean Sexton's date of death was 5/5/2010;
  - She denies the date she acted as Successor Trustee of the Trust was 5/5/2010;
  - She is currently preparing a full and complete accounting of trust administration and all actions taken by her as Successor Trustee, although she has kept Petitioner apprised of all of her actions throughout her administration of the Trust; in 10/2010, Petitioner agreed to a final and specific distribution of trust assets and approved all actions of Respondent in Trust Administration;
  - Petitioner breached his agreement to Respondent for resolution of this matter by bringing this action;
  - She admits that she has a duty to act in good faith with respect to Petitioner.

- Respondent alleges the following affirmative defenses to each cause of action asserted in the *Petition*:
  1. **Offset:** Respondent denies that Petitioner is entitled to any recovery against Respondent; however, in the event that Petitioner obtains any award against Respondent, the amount owed by the Respondent to Petitioner as a result of that award is to be reduced and/or offset by the amount equal to all monies received by Petitioner from Respondent or owed by Petitioner to Respondent or other persons identified in the *Petition*.
  2. **Unclean Hands:** Petitioner is not entitled to any relief because he comes to this Court with unclean hands.
  3. **Excuse:** Any performance by this answering Respondent is excused by the acts, errors, omissions, and non-performance of Petitioner and others;
  4. **Waiver:** Respondent alleges the Petition is barred by the doctrine of waiver.
  5. **Estoppel:** By reason of Petitioner's own actions, Petitioner is estopped from pursuing the claims set forth in the *Petition*.
  6. **Justification:** Any alleged conduct of Respondent is justified on account of the acts, errors and omissions of Petitioner.
  7. **Good Faith:** The *Petition*, and each and every purported claim and/or cause of action stated in it, is barred because at all relevant times the Respondent acted in good faith, observing all reasonable standards in her actions and dealings at issue in the lawsuit.
  8. **Other Defenses:** Respondent presently has insufficient knowledge or information on which to form a belief as to whether she may have additional affirmative defenses available to her; accordingly, Respondent reserves the right to assert additional affirmative defenses in the event discovery indicates it would be appropriate.

Respondent prays for an order denying the *Petition*.

7 Josephine Ellen Reis aka Josephine Reis (Estate) Case No. 11CEPR01051

Atty Downing, Marcella (for Jimmie Dale Reis – son/Petitioner)

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

DOD: 09/27/07			**JIMMIE DALE REIS,** son, is Petitioner, and requests appointment as Administrator with Will Annexed without bond.
Cont. from 012312			
	Aff.Sub.Wit.	X	
✓	**Verified**		Full IAEA – **NEED**
	Inventory		
	PTC		Will dated 12/10/77
	Not.Cred.		
✓	**Notice of Hrg**		Residence: Laton Publication: **NEED**
✓	**Aff.Mail**		
	Aff.Pub.	X	**<u>Estimated Value of the Estate:</u> $0.00**
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		Probate Referee: **STEVEN DIEBERT**
✓	**Letters**		
✓	**Duties/Supp**		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

<u>OFF CALENDAR</u>
CONTINUED TO 02/29/12
at request of Counsel

Reviewed by: JF

Reviewed on: 02/09/12

Updates:

Recommendation:

File 7 - Reis

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

9 Patrick Russell Paz (GUARD/P) **Case No. 11CEPR01115**

Atty Moore, Leslie (for Petitioner Rose Marie Parochette/paternal grandmother)

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

Age: 9 years DOB: 12/29/2002		
Cont. from		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	X
	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	

Temporary Expires 2/22/12

ROSE MARIE PAROCHETTI, paternal grandmother, is petitioner.

Father: **RICHARD PAZ** – *personally present in court on 1/4/12.*

Mother: **ANDREA DORA CRYSTAL BARRIOS** – *personally present in court on 1/4/12.*

Paternal grandfather: Albert Paz
Maternal grandfather: Mr. Barrios – *deceased*
Maternal grandmother: Bonita Burkett

Petitioner states there has been a long history of abuse and neglect of the minor at the hands of his mother and her boyfriend, Deon O'Shay Owens. Both have sold drugs out of the home where the minor lives. DCSF removed the minor from the home in November 2011. The minor was returned after a family maintenance plan was implemented. On 12/9/11 the mother's boyfriend took the minor to his great uncle and left him there. During Petitioner's visit with the minor at the uncle's home, the minor told her that mom's boyfriend hits and punches him with his fist, and has hit him with a hanger. Petitioner feels that the minor is in imminent danger because the mother and Deon have contacted the uncle and stated her Deon may come and pick up the minor.

Court Investigator Julie Negrete's Report filed on 2/15/12

NEEDS/PROBLEMS/COMMENTS:

Note: According to the Petition, Petitioner is a resident of Las Vegas, Nevada.

Minute Order dated 1/4/12 from the hearing on the Temporary Guardianship states the court finds that notice has been given to the mother and father based on their appearance in court here today. The Court grants the petition. The Court orders that Patrick may reside in the State of Nevada pending the general hearing on 2/22/12.

1. **Need *Notice of Hearing.***
2. **Need Proof of service of the *Notice of Hearing* on:**
   a. **Albert Paz (paternal grandfather)** *(Note: Albert Paz was served with a copy of the Petition but the proof of service does not indicate that he has been served with the Notice of Hearing as required by Probate Code §1511)*
   b. **Bonita Burkett (maternal grandmother)**

Court Investigator Julie Negrete to provide:

1. **Clearances**

Reviewed by: KT
Reviewed on: 2/10/12
Updates:
Recommendation:
File 9 - Paz

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

10 **Harold Eugene Lehr (Estate)** **Case No. 11CEPR01116**

Atty **Lehr, Mark Eugene (pro per – son/Petitioner)**

Petition for Probate of Will and for Letters Testamentary

DOD: 11/21/10		
Cont. from		
S/P	**Aff.Sub.Wit.**	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	X
	Aff.Mail	X
	Aff.Pub.	X
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	x
✓	**Duties/Supp**	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	X
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

MARK LEHR, son/named Executor without bond, is Petitioner.

Full IAEA – **NEED**

Will dated 01/30/04

Residence: Fresno
Publication: **NEED**

Estimated Value of the Estate:

Personal property	-	$110,000.00
Annual income	-	7,200.00
Real property	-	150,000.00
Total	-	**$267,200.00**

Probate Referee: **STEVEN DIEBERT**

NEEDS/PROBLEMS/COMMENTS:

1. **Need *Notice of Petition to Administer Estate.***
2. **Need proof of service by mail at least 15 days before the hearing of *Notice of Petition to Administer Estate* on:**
   - Scott Lehr
   - Brad Lehr
3. **Need Affidavit of Publication.**
4. **Petition is not marked at item 5(a)(7 or 8) regarding issue of a predeceased child.**
5. **Petition is not marked at item 5(b) regarding stepchild or foster child.**
6. **Need Order and Letters.**

Reviewed by: JF
Reviewed on: 02/10/12
Updates:
Recommendation:
File 10 - Lehr

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

11 Victoria Allshouse (CONS/E) **Case No. 12CEPR00031**

Atty Barrus, John E. (for Petitioners Michael J. Allhouse and Denise L. Allhouse)

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

Age: 19 years DOB: 7/20/1992		
Cont. from		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	W/
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	Letters	
✓	Duties/Supp	
	Objections	
	Video Receipt	X
✓	CI Report	
	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
✓	Citation	
	FTB Notice	

THERE IS NO TEMPORARY.
No temporary was requested.

MICHAEL J. ALLHOUSE and **DENISE L. ALLHOUSE**, parents, are petitioners and request appointment ad Conservators of the estate without bond pursuant to Probate Code §2323.

Estimated value of the estate:

Wages - $7,500.00
Public Assistance - $9,600.00

Petitioners state the proposed conservatee suffers from cerebral palsy. She is relatively high functioning, attends school and is able to manage her personal care. Her physician has determined she is competent to make decisions regarding her health care, but only has a limited ability to manage her financial affairs. Petitioners believe that the proposed conservatee could be persuaded to enter into a contract not in her best interests or to simply give her money away. Proposed conservatee currently has a bank account, held jointly in her name and her mother's name. She works a few hours per week for minimum wage.

Petitioners further request that accountings be waived pursuant to Probate Code §2628.

Court Investigator Charlotte Bien's Report filed on 2/9/12.

NEEDS/PROBLEMS/COMMENTS:

Court Investigator Advised Rights on 2/7/12.

1. **Pursuant to the Petition it appears the only assets/income of the proposed conservatee is her wages and possibly public assistance benefits. Probate Code §1871 states the Conservatee retains the right to control his or her wages or salary provided under section 2601. Section 2601 states unless otherwise ordered by the court, the wages or salaries of the conservatee are not a part of the estate and the conservator is not accountable for such wages or salaries. The wages or salaries shall be paid to the conservatee and are subject to his or her control to the same extent as if the conservatorship did not exist.**

2. **Need Conservatorship Video Viewing Receipt for both Michael J. Allhouse and Denise L. Allhouse.**

Reviewed by: KT
Reviewed on: 2/10/12
Updates:
Recommendation:
File 11 - Allshouse

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

12 Douglas Maddox (Estate) **Case No. 12CEPR00066**

Atty Teixeira, J. Stanley (for Matilda Maddox – spouse/Petitioner)

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

DOD: 12/19/11		
Cont. from		
s/p	**Aff.Sub.Wit.**	
	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	w/o
✓	**Aff.Pub.**	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	**Letters**	
✓	**Duties/Supp**	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

MATILDA MADDOX, spouse/named Executor without bond, is Petitioner.

Full IAEA – **OK**

Will dated: 12/24/81

Residence: Riverdale
Publication: The Business Journal

Estimated Value of the Estate:

Personal property	-	$7,163,000.00
Annual income	-	3,725,000.00
Real property	-	4,640,000.00
Total	**-**	**$15,528,000.00**

Probate Referee: **STEVEN DIEBERT**

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: JF

Reviewed on: 02/10/12

Updates:

Recommendation: SUBMITTED

File 12 - Maddox

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

Atty **Mayfield, Lori or Wall, Jeffrey L. (for Christopher Lee Fulbright – Administrator)**

Further Status Hearing

DOD: 5-4-09

Cont. from 063011, 102711, 110911, 011112

	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	X
	UCCJEA	
	Citation	
	FTB Notice	

CHRISTOPHER LEE FULLBRIGHT, brother, was appointed Administrator with Will Annexed with full IAEA without bond on 7-28-09.

On 5-5-11, the first account was settled and the court set this hearing for further status of the estate.

Status Report filed 6-16-11 states the estate is not in a condition to be closed. Decedent's sole beneficiary is her mother, Mickey Fulbright, who is subject to conservatorship and receives Medi-Cal assistance. An attorney has been retained to assist with her Medi-Cal planning and obtaining approval of an irrevocable trust in her conservatorship proceedings. Additional time for administration of the estate is needed to obtain ruling in the conservatorship proceedings. It has been requested that no assets be distributed to Mickey Fulbright until these matters have been resolved.

Minute Order 6-30-11 states: Counsel advises the Court that they are very close in the Conservatorship of Mickey.

Minute Order 10-27-11 states: No appearances. Matter continued to 11-9-11.

Minute Order 11-9-11 states: No appearances. Matter is continued to 1-11-12.

Minute Order 1-11-12 states: Continued to 2-22-12.

<u>Note</u>: Page 2 is a petition for substituted judgment in the conservatorship case.

NEEDS/PROBLEMS/COMMENTS:

<u>Note</u>: Page 2 is a Petition for substituted judgment in the conservatorship case.

Updates:

Contacts: Reviewed 2-9-12

Recommendation:

Reviewed by: skc

File 13 - Scharton

14 Myra A. Fillion (Estate) **Case No. 10CEPR00889**

Atty Barrus, John (for Petitioner Paul A. Fillion)

Probate Status Hearing Re: Filing of First Account or Petition for Final Distribution (Prob. C. §12200, et seq.)

DOD: 8/31/2010	**PAUL A. FILLION** was appointed as Executor of the Estate with full IAEA Authority and without bond on 11/15/10.	**NEEDS/PROBLEMS/COMMENTS:** 1. **Need current status report, first account or petition for final distribution.**
Cont. from 012312	Corrected I & A filed on 9/23/11 showing the estate value as $125,000.00	**<u>Note:</u> Paul A. Fillion initially represented by Attorney John Barrus. Mr. Barrus substituted out of the case on 9/22/11 and Mr. Fillion was self-represented. On 2/14/12 a Substitution of Attorney was filed whereby Mr. Barrus is again representing Mr. Fillion.**
Aff.Sub.Wit.	First account or petition for final distribution was due 11/15/11.	
Verified	This status hearing was set for the filing of the first account or petition for final distribution.	
Inventory	A copy of the Notice of Status Hearing was mailed to Paul A. Fillion on 9/26/11.	
PTC	Minute Order (Judge Bruce Smith) dated 1/23/12 states Mr. Fillon advises the court that he just listed the house for sale. He further advises the Court that he needs to obtain counsel. The Court orders Mr. Fillon to file and serve the first account by 2/14/12.	
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		**Reviewed by: KT**
Status Rpt		**Reviewed on: 2/9/12**
UCCJEA		**Updates: 2/16/12**
Citation		**Recommendation:**
FTB Notice		**File 14 - Fillion**

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

15 **Laila Neal Special Needs Trust** **Case No. 11CEPR00875**

Atty **Alch, Thomas S. (for Tina Neal – Mother – Petitioner)**

Probate Status Hearing Re: Confirmation of Transfer

Age: 1 **DOB: 4-25-10**	**THE LAILA NEAL SPECIAL NEEDS TRUST** was created pursuant to Court Order Granting Petition for Approval of Creation of Proposed Special Needs Trust on 11-21-11. The Court Order states that the trust will be subject to the continuing jurisdiction of the Superior Court for the County of Los Angeles, and the Court set this status hearing for confirmation of the transfer of the file to Los Angeles.	**NEEDS/PROBLEMS/COMMENTS:** **OFF CALENDAR** **Case transferred to Los Angeles County Superior Court on 1-26-12.**
Cont. from 012312		
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		**Reviewed by:** skc
Status Rpt		**Reviewed on:** 2-9-12
UCCJEA		**Updates:**
Citation		**Recommendation:**
FTB Notice		**File 15 - Neal**

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

16A Samantha Shreffler (GUARD/P) **Case No. 06CEPR00821**

Atty Shreffler, Irene L. (pro per Guardian/maternal grandmother)

Status Hearing Re: Proof of Guardianshp in Arizona and Termination of the California Guardianship

Age: 15 years **DOB: 1/18/1997**	**IRENE SHREFFLER**, maternal grandmother/guardian, petitioned the court to fix the residence outside of California to Kingman, Arizona. Irene Shreffler was appointed guardian of the person on 9/20/06. Father: **GEORGE PLESH** Mother: **DENISE LEMEN** On 7/25/11 the Court granted the petition to move the minor to Arizona ordered that a guardianship or its equivalent would be commenced in Arizona within four months of the order. **Minute Order dated 1/23/12** continued the status hearing to 2/22/12 and set an Order to Show Cause Re: Contempt. Irene Shreffler was ordered to be present on 2/22/12.	**NEEDS/PROBLEMS/COMMENTS:** **Please see page 16B re: Order to Show Cause.** **1. Need status of guardianship proceedings in Arizona.**
Cont. from 012312		
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		**Reviewed by: KT**
Status Rpt		**Reviewed on: 2/9/12**
UCCJEA		**Updates:**
Citation		**Recommendation:**
FTB Notice		**File 16A - Shreffler**

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

16B Samantha Shreffler (GUARD/P) **Case No. 06CEPR00821**

Atty Shreffler, Irene L. (pro per Guardian/maternal grandmother)

Order to Show Cause Re: Contempt

Age: 15 years	
DOB: 1/18/1997	
Cont. from	
Aff.Sub.Wit.	
Verified	
Inventory	
PTC	
Not.Cred.	
Notice of Hrg	
Aff.Mail	
Aff.Pub.	
Sp.Ntc.	
Pers.Serv.	
Conf. Screen	
Letters	
Duties/Supp	
Objections	
Video Receipt	
CI Report	
9202	
Order	
Aff. Posting	
Status Rpt	
UCCJEA	
Citation	
FTB Notice	

IRENE SHREFFLER, maternal grandmother/guardian, petitioned the court to fix the residence outside of California to Kingman, Arizona.

Irene Shreffler was appointed guardian of the person on 9/20/06.

Father: **GEORGE PLESH**

Mother: **DENISE LEMEN**

On 7/25/11 the Court granted the petition to move the minor to Arizona ordered that a guardianship or its equivalent would be commenced in Arizona within four months of the order.

Minute Order dated 1/23/12 continued the status hearing to 2/22/12 and set an Order to Show Cause Re: Contempt. Irene Shreffler was ordered to be present on 2/22/12.

NEEDS/PROBLEMS/COMMENTS:

1. **A copy of the Minute Order from the 1/23/12 hearing setting the Order to Show Cause was mailed to Irene Shreffler at a Fresno address on 1/27/12. The mailing was returned as undeliverable. On 2/9/12 a copy of the Minute Order setting the Order to Show Cause hearing was mailed to the address in Arizona provided by the guardian at the 7/25/11 hearing allowing the move to Arizona.**

Reviewed by: KT
Reviewed on: 2/9/12
Updates:
Recommendation:
File 16B - Shreffler

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

17 Cesar Gonzalez & Marco Hernandez (GUARD/P) Case No. 09CEPR00574

Atty Sanchez, Isidoro (pro per Guardian)

Atty Sanchez, Elizabeth (pro per Guardian)

Order to Show Cause Re: Contempt Why Cesar Was Moved Outside California to Pennsylvania

Cesar age: 8 years **DOB: 11/22/2003**	**ISIDORO SANCHEZ** and **ELIZABETH SANCHEZ,** non-relative family friends, were appointed guardians of the minor Cesar Gonzalez on 9/28/09, and were appointed guardians of the minor Marco Hernandez on 3/22/10. **Concepcion Hernandez Ministro**, mother, petitioned the court to terminate the guardianship. On 11/14/11 the Court granted the termination as to Marco Hernandez only and continued the matter as to Cesar Gonzalez to 1/23/2012. During the investigation the Court Investigator, Julie Negrete, discovered the Guardians had moved to Pennsylvania with the minor Cesar. The Guardians did not obtain permission from the court to move with Cesar to Pennsylvania. At the hearing on 1/23/2012 the Court (Judge M. Bruce Smith) denied the mother's petition to terminate the guardianship as to Cesar and set this Order to Show Cause for the Guardians to appear and show cause why Cesar was moved outside the State of California to Pennsylvania. Copy of the Minute Order was mailed to Guardians, Isidoro Sanchez and Elizabeth Sanchez, in Pennsylvania on 1/27/2012.	**NEEDS/PROBLEMS/COMMENTS:** **This matter concerns Cesar only. Guardianship of Marco was terminated on 11/14/11.**
		Reviewed by: KT
		Reviewed on: 2/10/12
		Updates:
		Recommendation:
		File 17 – Gonzalez & Hernandez

Cont. from

	Aff.Sub.Wit.	
	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

18 Windell Lightle, Jr., Windaisha Lightle and Daveeon Colter (GUARD/P) Case No.11CEPR00843

Atty Lambert, Arthur (pro per – maternal great-uncle/Petitioner)

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

Windell, 11
DOB: 3/2/00

Windaisah, 8
DOB: 3/21/03

Daveeon, 4
DOB: 6/26/07

Cont. from 112111, 012312

	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	

TEMPORARY EXPIRES 01/23/12

ARTHUR LAMBERT, maternal great-uncle, is petitioner.

Windell and Windaisha's father: **WINDELL LIGHTLE, SR.** – *declaration of due diligence filed 12/20/11*

Daveeon's father: **KENNETH COLTER** – *declaration of due diligence filed 12/20/11* ***- Objection filed 1-20-12 (See Page 2)***

Mother: **JACQUELLA ELEY** - *deceased*

Windell & Windaisha's paternal grandparents: UNKNOWN
Daveeon's paternal grandfather: UNKNOWN
Daveeon's paternal grandmother: JOYCE THOMAS – *declaration of due diligence filed 12/20/11*
Maternal grandfather: DENNIS ELEY – *declaration of due diligence filed 12/20/11*
Maternal grandmother: DECEASED

Petitioner states on 8/14/11 the children's mother called him and asked if he could become the guardian of her children in the event she died. Mom died on 8/21/11. The father of the youngest child was incarcerated when he was born and is currently on parole. The youngest child's father has a mental disability and is on SSI and may not be able to take care of the child. The older children have not seen their father for the last 6-7 years. Neither of the fathers has financially supported the children.

Court Investigator Samantha Henson's report was filed 11/10/11.

Court Investigator Samantha Henson's report was filed 01/17/12.

NEEDS/PROBLEMS/COMMENTS:

CONTINUED FROM 01/23/12
Minute order from 01/23/12 states: The matter is continued to 02/22/12. The Court extends the temporary as to Windell & Windaisha to 02/22/12. The Court denies the temporary as to Daveeon.

As of 02/09/12, the following remains outstanding:

1. **Need *Notice of Hearing.***
2. **Need proof of personal service of *Notice of Hearing* with a copy of the *Petition* at least 15 days before the hearing or Consent and Waiver of Notice for:**
   - Windell Lightle, Sr. (father of Windell & Windaisha)
   - Kenneth Colter (father of Daveoon)
   Note: Mr. Colter was at the hearing on 01/23/12
3. **Need proof of service by mail of *Notice of Hearing* with a copy of the *Petition* at least 15 days before the hearing or Consent and Waiver of Notice or Declaration of Due Diligence for:**
   - Paternal grandparents (unknown)
   - Dennis Eley (maternal grandfather)
   Declarations of due diligence filed 12/20/11 state that the Petitioner has been unable to locate contact information for Joyce Thomas (Daveeon's paternal grandmother), and that the maternal grandfather, Dennis Eley, resides out of state and the Petitioner has not had contact with him.

Reviewed by: JF

Reviewed on: 02/09/12

Updates:

Recommendation:

File 18 – Lightle & Colter

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

18 Windell Lightle, Jr., Windaisha Lightle and Daveeon Colter (GUARD/P) Case No.11CEPR00843

Atty Lambert, Arthur (pro per – maternal great-uncle/Petitioner)

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

Objection filed 1-20-12 by Kenneth Colter (Daveeon's father) states he feels he can provide a stable and healthy living environment for Daveeon because he is his father.

Mr. Colter also provided a declaration attaching letters in support:

A letter from his parole agent indicating that he is currently enrolled at a college to become a welder, and has no violations since his release. He has been compliant with the conditions of his parole, including monthly drug testing (all negative), and his parole adjustment has been satisfactory.

A letter from the director of Daveeon's pre-school details his enrollment by his father and his punctual attendance and pickup, and states the sudden change for this family seems to be going well for father and son.

A letter from Daveeon's teacher details Daveeon's participation and interaction with the school and his father.

The declaration also provides Mr. Colter's class schedule.

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

19A Jasmyne Marie Minton, Rose Marie Minton, and Ryan Allen Anthony Minton (GUARD/P) **Case No. 11CEPR01044**

Atty Kasparowitz, Lawrence (Pro Per – Maternal Grandfather – Petitioner)
Atty Millard, Maryl (Pro Per – Maternal Grandmother – Petitioner)

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

Jasmyne (6)
DOB: 7-9-05

Rose Marie (5)
DOB: 11-6-06

Ryan (3)
DOB: 1-31-08

Cont. from 012312

	Aff.Sub.Wit.	
✔	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✔	**Notice of Hrg**	
✔	**Aff.Mail**	W
	Aff.Pub.	
	Sp.Ntc.	
N/A	**Pers.Serv.**	
	Conf. Screen	
✔	**Letters**	
✔	**Duties/Supp**	
	Objections	
	Video Receipt	
✔	**CI Report**	
✔	**Clearances**	
✔	**Order**	
	Aff. Posting	
	Status Rpt	
✔	**UCCJEA**	
	Citation	
	FTB Notice	

TEMPORARY EXPIRES 1-23-12, extended to 2-22-12

LAWRENCE A. KASPAROWITZ and MARYL MILLARD, Maternal Grandparents, are Petitioners.

Father: **DAVID PATRICK MINTON**
- *Nomination, Consent, and Waiver of Notice filed 11-28-11*

Mother: **LARA MARIE MINTON**
- *Nomination, Consent, and Waiver of Notice filed 11-22-11*

Paternal Grandfather: Clyde Minton
Paternal Grandmother: Sheila Minton

Petitioners state the children need a relatively long term guardianship because the parents need time to be in a position to provide a safe environment. The parents have had seven years of drug and alcohol abuse, domestic violence, inadequate care and supervision of the children. Petitioners state the parents voluntarily placed the children with them in July of 2011. The children have lived on their property most of their lives and have close attachment to them. Jasmyne has lived with Petitioners since a restraining order was placed with reference to an assault on Jasmyne in 2010.

The temporary petition states the father was convicted in December 2010 of felony child abuse on Jasmyne (his second felony conviction). CPS placed all of the children with Petitioners in July and urged Petitioners to obtain guardianship. The temporary petition contains descriptions of the domestic abuse by the father.

Court Investigator Jo Ann Morris filed a report on 1-17-12.

NEEDS/PROBLEMS/COMMENTS:

Continued from 1-23-12.

Minute Order 1-23-12: The matter is continued to 2/22/12. The Court extends the temporary to 2/22/12. The Court indicates for the record that it agrees to supervised visitation and any other visitation as ordered by the Criminal Court.

Note: Petitioners' Requests to Waive Court Fees were denied on 11-23-11.

As of 2-16-12, fees have not been paid. The following issue remains:

1. **Petitioners' requests to waive Court fees were denied on 11-23-11. Filing fees of $265.00 are now due.**

   Note: Pages 19B and 19C are Petitioners' Request for Hearing about Court Fee Waiver Orders.

Reviewed by: skc
Reviewed on: 2-9-12
Updates: 2-16-12
Recommendation:
File 19A - Minton

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

19B Jasmyne Marie Minton, Rose Marie Minton, and Ryan Allen Anthony Minton (GUARD/P) **Case No. 11CEPR01044**

Atty Kasparowitz, Lawrence (Pro Per – Petitioner)

Request for Hearing About Court Fee Waiver Order

			NEEDS/PROBLEMS/COMMENTS:
			CONFIDENTIAL
	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		**Reviewed by:** skc
	Status Rpt		**Reviewed on:** 2-16-12
	UCCJEA		**Updates:**
	Citation		**Recommendation:**
	FTB Notice		**File 19B - Minton**

19B

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

19C **Jasmyne Marie Minton, Rose Marie Minton, and Ryan Allen Anthony Minton (GUARD/P)** **Case No. 11CEPR01044**

Atty **Millard, Maryl (Pro Per – Petitioner)**

Request for Hearing About Court Fee Waiver Order

			NEEDS/PROBLEMS/COMMENTS:
			CONFIDENTIAL
	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		**Reviewed by:** skc
	Status Rpt		**Reviewed on:** 2-16-12
	UCCJEA		**Updates:**
	Citation		**Recommendation:**
	FTB Notice		**File 19B - Minton**

19C

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

20 Dorothy Ann Haley (Det Succ) **Case No. 12CEPR00006**

Atty Harper, Lori (pro per Petitioner)
Atty Haley, Charles Lee (pro per Petitioner)
Atty Ferguson, Kelli (pro per Petitioner)
Atty Durbin, Daniel (pro per Petitioner)

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

DOD: 6/12/2011		
Cont. from		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	N/A
	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	

LORI HARPER, daughter, **CHARLES LEE HALEY**, son**,** **KELLI FERGUSON**, daughter and **DANIEL DURBIN**, son, is petitioner.

40 days since DOD.

No other proceedings.

Will dated: 1/8/2011

I & A - **$108,042.00**

Petitioners request Court determination that Decedent's interest in real and personal property pass as follows pursuant to Decedent's Will:

Charles Lee Haley – butcher block table.

Kelli Ferguson – China

Lori Harper – real property, 1995 Ford Crown Victoria and furniture and furnishings.

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: KT
Reviewed on: 2/10/12
Updates:
Recommendation: SUBMITTED
File 20 - Haley

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012

21 **Marilynne R. Martin (Estate)** **Case No. 12CEPR00032**

Atty **Lyon, Mark (pro per Petitioner)**

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

DOD: 11/7/11			
Cont. from			
✓	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
✓	Aff.Mail	W/O	
✓	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

MARK LYON, named executor without bond, is petitioner.

Full IAEA – o.k.

Will dated: 12/30/1992

Residence: Fresno
Publication: Fresno Business Journal

Estimated Value of the Estate:

Personal property	-	$ 20,000.00
Real property	-	$350,000.00
Total	-	**$370,000.00**

Probate Referee: STEVEN DIEBERT

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: KT
Reviewed on: 2/10/12
Updates: 2/14/12
Recommendation:
File 21 - Martin

Dept. 303, 9:00 a.m. Wednesday, February 22, 2012