



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.

Report of Sale and Petition for Order Confirming Sale of Real Property

DOD: 1/12/1989	DOLORES TRUJILLO is Administrator/petitioner.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Petition request the proceeds be placed into a blocked account by the escrow holder; however, #11c of the order is incomplete re: institution and location of where the funds will be held. Declaration Regarding Persons Entitled to Notice filed on 2/11/15 lists Lynn Rodriguez at 174 N. 6th Street however she was noticed at 6655 N. Constant. Need clarification. <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> Wednesday, March 25, 2015 at 9:00 a.m. in Department 303, for the filing of the receipt for blocked account. <p>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.</p>
	See Petition for Details.		
Cont. from 011215			
Aff.Sub.Wit.			
✓ Verified			
✓ Reappraisal			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	W/O		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
✓ Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: KT
			Reviewed on: 2/11/15
			Updates:
			Recommendation:
			File 1A - Rodriguez

DOD: 1-12-89	<p>MARY ELLEN RODRIGUEZ and DOLORES TRUJILLO, Daughters, were appointed as Co-Administrators without IAEA and with bond of \$8,000.00 on 1-16-1990.</p> <p>Bond was filed and Letters issued on 1-17-1990.</p> <p>Nothing further was filed.</p> <p>The open estate was discovered and the Court set this status hearing.</p> <p>The I & A was filed 10-1-14</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from 081414, 100214, 110614, 121814, 020215		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc/KT
		Reviewed on: 2/11/15
		Updates:
		Recommendation:
		File 1B – Rodriguez

5 Davis 1989 Family Trust (Trust)

Case No. 14CEPR00298

Atty Burnside, Leigh W. (for Petitioner Joshua Davis – Beneficiary)

Petition for Order Compelling Trustee to Account and Report

		<p>See petition for details.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: On 8-26-14, Joshua Davis, Corey Davis and Brittney Davis filed a separate Petition for Order Compelling Trustee to Account and Report in Case 14CEPR00790, titled “Davis Family 1989 Life Insurance Trust – See Page 7 of this calendar.</p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p>	
Cont from 051914, 061814, 071614, 082714, 101414, 121514				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input 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: skc</p> <p>Reviewed on: 2-11-15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 - Davis</p>	

NEEDS/PROBLEMS/COMMENTS:

- ~~1. This petition requests accountings for two separate trusts. The two separate trusts have separate terms, separate assets, and separate purposes, and as such consideration by the Court requires separate petitions, separate notice, separate files, separate filing fees, and ultimately separate accountings.~~

~~The Court may designate this case number as the Family Trust file and direct Petitioner to initiate a separate proceeding regarding the Life Insurance Trust.~~

Update: On 8-26-14, Joshua Davis, Corey Davis and Brittney Davis filed a separate Petition for Order Compelling Trustee to Account and Report in Case 14CEPR00790, titled "Davis Family 1989 Life Insurance Trust – See Page 7 of this calendar.

2. Also, per its terms, the Family Trust was to immediately divide into twelve (12) separate trusts, only one of which was for Petitioner's benefit. Need clarification and authority regarding the scope of the request for accounting(s).

Note: The language in the instruments differentiates between division into separate trusts and into separate shares, as contemplated by the Life Insurance Trust.

3. Notice appears to have been mailed to six people as couples, rather than as individuals entitled to direct notice. The Court may require amended direct service pursuant to Cal. Rules of Court 7.51.
4. Probate Code § 17200(b)(7) provides that the Court can compel the trustee to provide information or account if the trustee has failed to provide the requested information within 60 days after the beneficiary's reasonable written request. Here, Petitioner states that he requested information after the settlors' deaths, which was approx. 14 years ago, but Petitioner does not state if any recent written request was made pursuant to § 17200(b)(7), or what response was received, if any, pursuant to the written request. The Court may require clarification as to whether this petition may be prematurely filed pursuant to § 17200(b)(7) and may require continuance for formal request and response. (Note: The requests should be separated for each trust pursuant to the above items.)
5. Need revised order.

DOD: 5-9-14	<p>JOHN BIGHAM, Son, was appointed Administrator with Full IAEA without bond on 7-21-14. Letters issued 7-22-14.</p> <p>At the hearing on 7-21-14, the Court set a status hearing for the filing of the Inventory and Appraisal for 1-5-15.</p> <p>Nothing further has been filed.</p> <p>On 1-5-15, there were no appearances. The Court set this Order to Show Cause as to why both should not be fined and as to why Mr. Bigham should not be removed for failure to file the Inventory and Appraisal. Mr. Neilson and Mr. Bigham are both ordered to be personally present on 2-23-15.</p> <p>The Minute Order of 1-5-15 was mailed to Attorney Neilson on 1-5-15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Inventory and Appraisal pursuant to Probate Code §8800 or verified written status report pursuant to Local Rule 7.5.</p>
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: 2-11-15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6 - Bigham</p>	

DOD: 11-6-14		JEAN E. GRAHAM and THOMAS E. RILEY , Named alternate co-executors without bond, are Petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: The Court will set status hearings as follows:</p> <ul style="list-style-type: none"> Monday, June 22, 2015 for the filing of the Inventory and Appraisal Monday, April 25, 2016 for the filing of the first account or petition for final distribution <p>If the proper items are on file prior to the status hearing dates, the status hearings may be taken off calendar. Otherwise, status report and appearance is required pursuant to Local Rule 7.5.</p>
		Named executor Geneva Riley declines to serve.	
	Aff.Sub.Wit.	S/P	
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w	
✓	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 2-11-15
			Updates:
			Recommendation: SUBMITTED
			File 9 - Johnston

DOD: 12-20-13	<p>JOANN DIREDO, Daughter, was appointed Executor with Full IAEA without bond on 7-10-14. Letters issued 7-16-14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 12-11-14</p> <ol style="list-style-type: none"> Need Inventory and Appraisal pursuant to Probate Code §8800. A request for Special Notice has been filed by the IRS. The Court may require Notice of Hearing with a copy of any status report to be served on the IRS and all interested parties pursuant to Probate Code §1252. <p>Note: The original petition estimated the estate value at \$1,000,000.00.</p> <p>Note: As of 12-5-14, three (3) Creditor's Claims have been filed in this matter, including a claim by the IRS in the amount of \$5,805.17 and a claim by a family member in the amount of \$106,866.46.</p>
Cont from 121114, 010515	<p>At the hearing on 7-10-14, the Court set this status hearing re: filing of the Inventory and Appraisal.</p>	
Aff.Sub.Wit.	<p>Status Report (unverified) filed 12-31-15 by Attorney Fanucchi states they have recently become aware of a matter of confusion regarding the real property of the estate. Time is needed to research the entities of ownership and the amount of each entities' ownership, and perhaps supplement or correct the final I&A. There is also an issue of rejection of certain creditor claims. They will be ordering a title search on one parcel. Attorney Fanucchi failed to appear for the 12-11-14 hearing because the hearing was not placed on his calendar pursuant to the 7-8-14 Examiner Notes, and the Executrix was not advised of the said date of hearing.</p> <p>Status Report (unverified) filed 2-9-15 states counsel obtained a Guarantee of the Chain of Title from Chicago Title Company issued 1-9-15 containing 107 pages. It appears there are questions concerning the exact title owned as to a certain property on Shaw Ave., because of multiple transfers since 1978. Additional time is needed to determine ownership and perhaps request supplement or correction to the Final Inventory and Appraisal. The Executrix has been served with three creditor's claims. Mr. Fanucchi will appear on 2-23-15 and request continuance.</p>	
Verified		
Inventory		
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Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
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Pers.Serv.		
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Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: skc</p> <p>Reviewed on: 2-11-15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14 – DiRedo</p>	