

**1 Tony Mike (Estate)**

**Case No. 01CEPR00599**

**Atty Knudson, David N. (for Petitioner/Executor Lisa A. Bowie)**

**First and Final Report and Petition for Final Distribution on Waiver of Accounting**

<b>DOD: 12/22/2001</b>		<b>LISA A. BOWIE</b> , Executor, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Accounting is waived.	
		I & A - <b>\$100,000.00</b>	
<b>Cont. from</b>		POH - <b>\$100,000.00</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>	Executor - <b>waives</b>	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Attorney - <b>waives</b>	
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>	Costs - <b>\$853.00</b> (filing fees, publication)	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	<b>Distribution, pursuant to decedent's will, is to:</b>	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>	Lisa A. Bowie – 100% interest in the real property	
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>	9/11/01	
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 2/18/14</b>
			<b>Updates: 2/20/14 skc</b>
			<b>Recommendation: SUBMITTED</b>
			<b>File 1 – Mike</b>

<b>DOD: 2/3/03</b>		<p><b>ANTHONY PETRELLI</b>, Administrator, is petitioner.</p> <p>Petitioner states in his petition for Probate Petitioner alleged that the value of the assets subject to Administration was \$210,000.00. This allegation was based on the fact that prior to the issuance of letters, Petitioner concluded from the best evidence available that the decedent died in possession of real and personal property.</p> <p>It appears now that the property is not property that was subject to administration because investigation, after letters were issued, revealed that all of decedent's known assets were either in joint tenancy or had beneficiary designations. The parties interested agreed that there were no assets, then known, that were subject to probate.</p> <p>On or about 4/7/2004, the parties settled a dispute about the assets and entered into a Mutual Release and Compromise Agreement. All parties were represented by counsel who also signed the agreement.</p> <p>The assets of Pete Petrelli were distributed pursuant to the agreement by non-probate transfer leaving the estate with no assets.</p> <p><b>Wherefore, Petitioner prays for an order:</b></p> <ol style="list-style-type: none"> <li>1. Terminating further proceedings.</li> <li>2. Discharging the Personal Representative.</li> </ol>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from 011314</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
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<input type="checkbox"/>	<b>Aff.Pub.</b>		
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<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
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<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 2/18/14</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 2 – Petrelli</b></p>	

**(1) First Account and Status Report of Administrator, and (2) to set Aside Exempt Personal Property**

<b>DOD: 9/18/2007</b>	<b>LAURA DOZIER</b> , surviving spouse/Administrator, is petitioner.		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>Petition does not allege any fact as to why the personal property should be set aside for the surviving spouse.</li> <li>Disbursement schedule does not include the nature and purpose of each disbursement as required by Probate Code §1062(b).</li> <li>Petition states the Petitioner used the proceeds from the sale of a bulldozer to reimburse herself various administrative expenses. Need itemization.</li> <li>Need order</li> </ol> <p><b>Note:</b> If the petition is granted the court will set a status hearing for the filing of the petition for final distribution on <b>Friday, September 26, 2014 at 9:00 a.m. in Dept. 303.</b></p> <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>
	Account period: 2/4/2008 – 9/30/2013		
<b>Cont. from 121113, 020314</b>	Accounting	- \$650,755.95	
	Beginning POH	- \$650,750.00	
	Ending POH	- \$333,000.00	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/> <b>Verified</b>			
<input checked="" type="checkbox"/> <b>Inventory</b>			
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<input checked="" type="checkbox"/> <b>Notice of Hrg</b>			
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<input type="checkbox"/> <b>Aff.Pub.</b>			
<input type="checkbox"/> <b>Sp.Ntc.</b>			
<input type="checkbox"/> <b>Pers.Serv.</b>			
<input type="checkbox"/> <b>Conf. Screen</b>			
<input checked="" type="checkbox"/> <b>Letters</b>	2/4/08		
<input type="checkbox"/> <b>Duties/Supp</b>			
<input type="checkbox"/> <b>Objections</b>			
<input type="checkbox"/> <b>Video Receipt</b>			
<input type="checkbox"/> <b>CI Report</b>			
<input checked="" type="checkbox"/> <b>9202</b>			
<input type="checkbox"/> <b>Order</b>	X		
<input type="checkbox"/> <b>Aff. Posting</b>			
<input type="checkbox"/> <b>Status Rpt</b>			
<input type="checkbox"/> <b>UCCJEA</b>			
<input type="checkbox"/> <b>Citation</b>			
<input checked="" type="checkbox"/> <b>FTB Notice</b>			
<b>Please see additional page</b>			
<b>Reviewed by: KT</b>			
<b>Reviewed on: 2/19/14</b>			
<b>Updates:</b>			
<b>Recommendation:</b>			
<b>File 3 – Dozier</b>			

**Petitioner prays for an order:**

1. That the First Account and Report of Petitioner be settled, allowed and approved as filed;
2. That all actions of Petitioner as Administrator, as set forth in the petition, account and report be ratified, confirmed and approved;
3. That the exempt personal property described in the petition be set aside to the surviving spouse;
4. That the administration of the estate continue.



**5 Michael B. Ekizian (Estate)**

**Case No. 13CEPR00583**

**Atty Esraelian, Robyn L. (for Gayle Barton – Executor/Petitioner)**

**(1) Waiver of Accounting and (2) Petition for Allowance of Statutory Fees to Executor, and (3) Petition for Final Distribution**

<b>DOD: 04/22/13</b>	<b>GAYLE BARTON, Executor, is Petitioner.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u><b>CONTINUED FROM 02/03/14</b></u>
	<b>Accounting is waived.</b>	
<b>Cont. from 022414</b>	I & A - <b>\$370,000.00</b>	
<b>Aff.Sub.Wit.</b>	POH - <b>\$370,000.00</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Executor - <b>\$10,400.00</b>	
<input checked="" type="checkbox"/> <b>Inventory</b>	(statutory)	
<input checked="" type="checkbox"/> <b>PTC</b>	Attorney - <b>\$5,000.00</b> (less than	
<input checked="" type="checkbox"/> <b>Not.Cred.</b>	statutory)	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Distribution, pursuant to decedent's will, is to:</b>	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> w/	Gayle Barton, Trustee of the Michael B. Ekizian Declaration of Trust - <b>\$370,000.00</b>	
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b> 08/05/13		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<input checked="" type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<input checked="" type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by: JF</b>
		<b>Reviewed on: 02/18/14</b>
		<b>Updates:</b>
		<b>Recommendation: SUBMITTED</b>
		<b>File 5 – Ekizian</b>

**First-Amended Petition for Instructions and to Determine Entitlement**

Edith DOD: 3-12-12	<b>CLARENCE DALE STEVENS</b> is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
Sam DOD: 9-27-97	<b>Petitioner states</b> he is the named successor trustee and beneficiary of the Edith Lillian Mitchell Stevens Revocable Living Trust dated 11-2-83, as amended 5-4-04, 5-9-07, and 2-11-08. Attached to the petition are the trust and the 2 <sup>nd</sup> and 3 <sup>rd</sup> amendments. Petitioner states the 1 <sup>st</sup> amendment has been irretrievably lost or stolen, but its non-existence is of no legal or factual consequence, as the terms, conditions, and instructions under which the trust is to be administered and distributed are more than adequately described in the 2 <sup>nd</sup> and 3 <sup>rd</sup> amendments.	1. <u>As previously noted:</u> Notice to certain beneficiaries was sent "C/O" other persons. However, <u>direct</u> notice to the person entitled thereto is required by Cal. Rules of Court 7.51 ( <u>even to a minor or a conservatee</u> ), and notice to the attorney, if represented, is required by Probate Code §1214. The Court may require continuance for proper notice (30 days' direct notice) to all persons entitled to notice, as noted above.
Cont. from 121613	Petitioner states Sam C. Stevens and Edith Lillian Mitchell Stevens were once married and residing in the County of Fresno. They had four children of the marriage: Robert Duane Stevens; Betty Lou Amelino; Larry Bryan Stevens; and Clarence Dale Stevens (Petitioner).	Specifically, notice to Betty Lou Amalino was sent "C/O" Public Guardian, rather than directly, as previously noted.
Aff.Sub.Wit.	Sam and Lillian wrote two revocable living trusts during their marriage to address their estate planning needs and desires. Sam's trust dated 11-2-83 is also attached for reference. Petitioner notes the "reciprocal provisions" of Sam's and Edith's trusts.	Also, notice to <u>Robert Stevens</u> was previously sent to his attorney. This time, notice was sent to him "C/O" Shari Ann Stevens, with the attorney excluded.
✓ Verified	Petitioner states that the two trusts told title to multiple parcels of real property in both Fresno County and within the State of California and a promissory note secured by real property in Torrance, CA, said property being vested in the name of Betty Lou Amelino.	2. <u>Need order.</u>
Inventory	Petitioner states there is no ambiguity in the writings created by Edith prior to her death, and that Petitioner is the unquestioned successor trustee of her trust under the 3 <sup>rd</sup> Amendment dated 2-11-08.	Reviewed by: skc
PTC	A dispute has arisen between the beneficiaries and trustees of the two trusts.	Reviewed on: 2-14-14
Not.Cred.	<b>SEE ADDITIONAL PAGES</b>	Updates: 2-21-14
✓ Notice of Hrg		Recommendation:
✓ Aff.Mail		File 6A – Stevens
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		

**Page 2**

**Petitioner states** that on 10-10-13, Robert Stevens filed an unlawful detainer action against petitioner 13CECL09482 seeking to evict Petitioner from real property located at 19760 E. American Avenue, Reedley, CA 93654 (APN 333-290-13). See deed at Exhibit H. (Deed dated 1983 indicates that Sam and Edith granted this property in one-half undivided interests to each of their respective trusts.) Petitioner submits that is beyond dispute that title to this real property is vested as such.

Petitioner believes the UD action initiated by Robert Stevens was brought against Petitioner with an intent to vex, annoy, harass, and needlessly impose financial punishment upon Petitioner, and the Court must issue instructions and make findings confirming Petitioner as the proper successor trustee of Edith's trust, as amended, or a multiplicity of separate but related legal actions will ultimately be filed between the interested parties to each of the trusts.

**Petitioner requests the following:**

- 1. An adjudication, finding, and instruction from the Court that, under operation of the 3<sup>rd</sup> Amendment dated 2-11-08, Petitioner is confirmed as the due, proper, and only successor trustee of the Edith Lillian Mitchell Stevens Revocable Living Trust dated 11-2-83 as amended 5-4-04, 5-9-07, and 2-11-08;**
- 2. An adjudication, finding, and instruction from the Court that the 3<sup>rd</sup> Amendment is in full force and effect;**
- 3. An adjudication, finding, and instruction from the Court that the 3<sup>rd</sup> Amendment controls and instructions Petitioner as successor trustee how the trust estate contained within the trust shall be distributed; and**
- 4. That the Court order such other and further relief as it may deem proper.**

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**Objections filed 2-18-14 by Robert Stevens state** that pursuant to the notice sent pursuant to §16061.7, Petitioner had 120 days from the date of service of such notice to bring action. 120 days passed and no objections were received; therefore, Robert signed the Affidavit of Change of Trustee on each trust property reflecting that he was the new owner of the property. Petitioner has not performed any duties in what he claims to be his capacity as successor trustee of the Edith Trust, has not made any effort to comply with Probate Code §16061.7. By his failure to respond to the 120 day notice to file action or even inform Robert of the existence of what he claims are valid amendments to the trust, he has waived his right to act as trustee and enforce those amendments.

Objector states at a minimum Petitioner is liable under §16061.9 for the significant damages, attorney's fees and costs caused by his failure to serve the notification required by §16061.7.

**SEE ADDITIONAL PAGES**

**Dept. 303, 9:00 a.m. Monday, February 24, 2014**

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**Objector states** that since Edith's death in 2012 and until recently, Dale has acted as if he is the sole owner of the several properties owned by the Sam Trust and the Edith Trust, and collected rents from tenants for over 18 months and has never accounted for his actions. While he admits that Robert is the trustee of the Sam Trust, he nevertheless collected rents and used those rents for his own advantage and has ignored Robert's request to account for rents collected.

After Robert was finally able to collect some of the rents upon providing copies of the deeds showing Robert as successor trustee, Dale even filed an unlawful detainer action against a tenant at one of the properties in this county claiming to be the owner of the property. The tenant properly paid Robert, which Dale knew, but chose to ignore. He could not provide proof that he was the owner of the property and the case was dismissed.

Objector states Dale was acting as de facto trustee of the Sam Trust and the Edith Trust prior to Edith's passing and collecting all rents. Edith was not competent and could not have exercised the duties of trustee. The rents were clearly not used to pay for upkeep and repairs. Not only is Dale liable for the waste he has caused, his failure to keep the properties safe subjects both the Sam Trust and the Edith Trust to liability.

**Objector requests the Court order Dale to file an accounting from the time he began acting as de facto trustee, including all information as to the cash Edith had up until her death, and requests that the Court order Dale to stay off the properties owned by the trusts and quit collecting rent thereon.**

**Objector requests the Court:**

- 1. Deny the First Amended Petition for Instructions and to Determine Entitlement;**
- 2. Order that Robert Stevens be allowed to continue as trustee of the Edith Trust;**
- 3. Order Clarence Dale Stevens to provide an accounting of the Edith Trust;**
- 4. Order that Clarence Dale Stevens stay off the properties owned by the Edith Trust and cease collecting rent on those properties;**
- 5. Award damages, cost and attorney fees as will be proven at trial; and**
- 6. For other and further relief as the court deems proper.**

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**Declaration of Petitioner's Attorney Michael G. Karby Re: Defects of Service on First Amended Petition, Request for Continuance, and Imposition of Sanctions on Attorney filed 2-20-14 states:** On 2-20-14, the attorney learned for the first time that beneficiary Betty Lou Amalino has two conservators: The Fresno County Public Guardian acts as Conservator of her Estate, but on Cathy Y. Dunn Chappel acts as Conservator of her Person. He had previously sought an address and was informed to serve the Public Guardian and counsel of record, Gary Motsenbocker; however, it is now discovered that he was misinformed. He is now informed that Ms. Amalino and Ms. Chappel reside in Canon City, Colorado. Having never known these facts until this morning, it is now known that Ms. Amalino was not properly served. Mr. Karby presents his most sincere apology before the Court and all parties and attorneys interested in this matter and requests that his client not be surcharged or sanctioned in any manner, that all sanctions be imposed upon the attorney personally because although he exercised his best efforts, they were obviously not vigorous enough. Mr. Karby will appear on 2-24-14 and make further apologies and pay sanctions imposed.

Petition for Order Accepting Resignation of Trustee and for Appointment of Successor Trustee

		<p><b>RONALD SNYDER</b>, Trustee of <b>MARGARET WENTWORTH TESTAMENTARY TRUST</b>, is Petitioner.</p> <p><b>Petitioner states:</b></p> <ul style="list-style-type: none"> <li>• He was duly appointed as Trustee of the <b>MARGARET WENTWORTH TESTAMENTARY TRUST</b> by Order of the Court dated 2/8/1991 (<i>copy of Order attached as Exhibit A</i>);</li> <li>• Petitioner serves as Trustee without bond;</li> <li>• Petitioner has tendered his resignation as Trustee, and Petitioner requests that his resignation be accepted; (<i>Resignation attached as Exhibit B</i>);</li> <li>• As there is no successor trustee nominated in the Order, Petitioner requests that <b>BRUCE D. BICKEL</b>, a private professional trustee, be appointed as successor trustee; (<i>Acceptance of Appointment as Trustee attached as Exhibit C</i>);</li> <li>• The Trust estate consists of one asset which is cash in the amount of <b>\$109,816.81</b>;</li> <li>• Petitioner requests bond be fixed in the amount of <b>\$110,000.00</b>.</li> </ul> <p><b>Petitioner requests:</b></p> <ol style="list-style-type: none"> <li>1. The Court accept Petitioner's resignation;</li> <li>2. The Court appoint <b>BRUCE D. BICKEL</b> as Successor Trustee of the <b>MARGARET WENTWORTH TESTAMENTARY TRUST</b> created under Order dated 2/8/1991;</li> <li>3. Petitioner Ronald Snyder be directed to transfer the Trust assets to <b>BRUCE D. BICKEL</b>; and</li> <li>4. On acknowledge of receipt of Trust assets by <b>BRUCE D. BICKEL</b>, the Court discharge Petitioner Ronald Snyder, as Trustee, from all duties and responsibilities as Trustee of the <b>MARGARET WENTWORTH TESTAMENTARY TRUST</b> created under Order dated 2/8/1991.</li> </ol>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> Order dated 2/8/1991 in Case #4057394 from the <b>ESTATE OF MARGARET WENTWORTH</b> finds the estate residue shall be distributed to Petitioner in trust for <b>EVERETT ALLEN WENTWORTH, JR.</b> for his lifetime; upon his death, the trust property shall be distributed in specific percentages to the Petitioner, <b>ROSEANN MACSWAIN</b>, and <b>JERRY DALE SNYDER</b>.</p> <p><b>Note:</b> Court will set a status hearing as follows:</p> <ul style="list-style-type: none"> <li>• <b>Friday, March 28, 2014 at 9:00 a.m. in Dept. 303</b> for the filing of the proof of bond.</li> </ul> <p>Pursuant Local Rule 7.5, if the document stated above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required.</p> <p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 2/18/14</p> <p><b>Updates:</b> 2/21/14</p> <p><b>Recommendation:</b></p> <p><b>File 7 – Wentworth</b></p>
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
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✓	Notice of Hrg		
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	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
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	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Atty Pape, Jeffrey B., of Pape & Shewan (for Petitioner Raheleh Gohari)

Petition by Agent Under Power of Attorney for Order to Establish Special Needs Trust [Probate Code § 4541(b)]

<b>Age: 56 years</b>		<p><b>RAHELEH GOHARI</b>, daughter and Agent for the Proposed Beneficiary, is Petitioner.</p> <p><b>Petitioner seeks an order under Probate Code § 4541</b> to establish a Special Needs Trust (SNT) for the benefit of the proposed SNT Beneficiary, based upon the following:</p> <ul style="list-style-type: none"> <li>• <b>FARSHAD GOHARI</b> is the proposed SNT Beneficiary who is to receive <b>\$373,271.43</b> from a workers' compensation recovery related to a serious, chronically painful hand injury resulting in a disability; despite his disability, he is not conserved because he has capacity to manage his personal and financial affairs;</li> <li>• As a result of his disability, the proposed SNT Beneficiary receives Supplemental Security Income (SSI) and Medi-Cal benefits in order to meet his basic needs and all of his medical needs; because these public benefits are "needs-based," outright distribution of assets to him will result in his losing eligibility for vital public benefits unless the assets are directed to a SNT;</li> <li>• The receipt of the workers' compensation recovery assets would eliminate the proposed SNT Beneficiary's eligibility for both SSI and Medi-Cal because they exceed <b>\$2,000.00</b> and he would be disqualified until he has spent down the assets to below <b>\$2,000.00</b>;</li> <li>• To preserve eligibility the assets can be directed to an SNT, without which the proposed Beneficiary's special needs for supportive services, supplemental medical services, and other palliative care are unlikely to be met;</li> </ul> <p style="text-align: center;"><b>~Please see additional page~</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. <i>Petition</i> states the executed <i>Power of Attorney</i>, a copy of which is attached to the <i>Petition</i> as <i>Exhibit B</i>, specifically grants Petitioner the power to conduct "Estate, trust, and other beneficiary transactions." However, the associated letter "H" that must be initialed in order to grant such powers to the agent is not initialed by the principal, <b>FARSHAD GOHARI</b>, which essentially results in no powers having been granted to the agent. Court may require the existing <i>Power of Attorney</i> be revoked, and said letter "H" to be initialed with due execution of a subsequent <i>Power of Attorney</i> rather than relying solely on the "Special Instructions" contained on the executed <i>Power of Attorney</i> dated 12/13/2013.</p> <p style="text-align: center;"><b>~Please see additional page~</b></p>	
<b>Cont. from</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
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<input type="checkbox"/>	<b>Not.Cred.</b>			
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>			
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>			W/
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
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<input type="checkbox"/>	<b>Letters</b>			
<input type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
		<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 2/21/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 8 – Gohari</b></p>		

**Petitioner states, continued:**

- The establishment of the SNT is necessary to provide for the proposed Beneficiary's current and future needs while preserving eligibility for public benefits; notwithstanding the foregoing, the proposed Beneficiary may receive a portion of the settlement funds outright to acquire exempt assets; it is intended that the proposed Beneficiary receive **\$130,000.00** outright to acquire with this sum an interest in a residence and an automobile, which will be exempt assets;
- Petitioner seeks an order under § 4541 that the proposed Beneficiary's assets, except for **\$130,000.00** to be used to acquire exempt assets, be paid to the proposed Trustee of the **FARSHAD GOHARI SPECIAL NEEDS TRUST** (*copy of proposed SNT attached as Exhibit A*);
- Petitioner also seeks an order of the Court that the Agent is authorized to signed the proposed SNT as Grantor;
- The Court has authority to establish the SNT under Probate Code § 4541 which states, in relevant part, that a petition may be filed under this part for any one or more of the following purposes...  
(b) Passing on the acts or proposed acts of the attorney-in-fact;
- **Power of Attorney:** On 12/13/2013, the proposed Beneficiary executed a limited durable power of attorney, which authorized Petitioner to act on behalf of the principal with regard to the establishment of a special needs trust (*copy of executed Power of Attorney is attached as Exhibit B*); this power of attorney specifically grants Petitioner the power to conduct "estate, trust, and other beneficiary transactions." Under Special Instructions, the instrument also expressly authorizes and directs the agent, as required by Probate Code §4264(a), to petition the probate court to have the court establish a special needs trust under 42 USC 1396p(d)(4)(A) for the principal's sole benefit and to transfer a portion of the assets he is to receive from litigation recovery to the **FARSHAD GOHARI SPECIAL NEEDS TRUST** authorized to be established by the Court;
- The proposed SNT complies with all federal and state law requirements:
  1. **The proposed SNT meets all criteria of 42 USC 1396p(d)(4)(A);**
  2. **The proposed SNT Beneficiary meets eligibility requirements of 42 USC 1396p(d)(4)(A),** in that he is under age 65, he is disabled as defined in 42 USC 1382c(a)(3), the same definition used to qualify him for SSI; the proposed SNT provides at Article Six that on Farshad Gohari's death, Medi-Cal will receive reimbursement for all medical assistance provided to him;
  3. **The Court is one of the entities that is allowed under 42 USC 1396p(d)(4)(A)** to establish an SNT; the Court's intervention is required to establish the proposed (d)(4)(A) SNT for Farshad Gohari because he cannot by himself establish an SNT that complies with the law, since the persons or entities having authority to establish an SNT are limited to a parent, grandparent, legal guardian, or a Court; in the case of Farshad Gohari, because he has neither a legal guardian nor a living parent or grandparent, the Court is the only entity available to authorize the establishment of a (d)(4)(A) SNT;
  4. **Compliance with California Rules of Court (CRC) 7.903 is Not Required;** The CRC 7.903 requirements do not apply to this trust; CRC 7.903 applies to trusts established by court order under the provisions of Probate Code § 2580 – 2586 and 3600 – 3613; this trust is not being established under those sections; moreover, court supervision is not necessary in this matter because Farshad Gohari has capacity and he personally selected the trustee; the trustee is required to account to Farshad Gohari on an annual basis; Farshad Gohari wishes to preserve this money for his anticipated "special needs" and does not want to spend additional money on future court fees, attorney fees, accountings and bond while he has capacity to review the trustee's actions.

~Please see additional page~

**Petitioner states, continued:**

- The interests of judicial economy are best served by allowing petitions under Probate Code § 4541 directing an attorney-in-fact to both fund and execute a special needs trust where an adult has capacity without the necessity of going through a cumbersome process of establishing a conservatorship, setting up the Trust through a Probate Code § 2580(b)(5) [*substituted judgment*] proceeding, and then terminating the conservatorship;
- Petitioner proposes that Petitioner **RAHELEH GOHARI** be named the initial Trustee of the **FARSHAD GOHARI SPECIAL NEEDS TRUST**, and shall be responsible for all investments and general management;
- The proposed Trustee is Farshad Gohari's daughter, who is also his attorney-in-fact;
- The proposed Trustee will have available to her accounting and administrative support, and others who will assist her as necessary in her role as Trustee;
- The consent of **RAHELEH GOHARI** to serve as Trustee is attached as *Exhibit C*;
- The only person or entity entitled to notice is the principal (Probate Code § 4544); however, although not required, notice of the time and place of hearing on this petition and a copy of the petition will be served on the Directors of the State Departments of Health Care Services, State Hospitals, and Developmental Services at least 15 days before the hearing [*Proof of Service by Mail filed 1/15/2014.*]

**Petitioner prays that the Court make the following findings and orders:**

1. The Court approves the proposed acts of the Agent and directs that Agent to execute and fund the Trust as Grantor, thereby requiring the establishment of the **FARSHAD GOHARI SPECIAL NEEDS TRUST**, pursuant to 42 USC 1396p(d)(4)(A), to be funded with the litigation recovery;
2. The assets of the Trust estate are unavailable to the Beneficiary and shall not constitute a resource to **FARSHAD GOHARI** for **FARSHAD GOHARI'S** financial eligibility for Medi-Cal, SSI, Section 8, regional center assistance, or any other program of public benefits;
3. That **RAHELEH GOHARI** shall serve as the initial Trustee of the **FARSHAD GOHARI SPECIAL NEEDS TRUST** without bond; and
4. That the California Rule of Court 7.903 requirements do not apply to a Trust established by the Court through Probate Code § 4541.

***Points and Authorities in Support of Petition by Agent Under Power of Attorney for Order to Establish Special Needs Trust was filed 1/7/2014.***

**NEEDS/PROBLEMS/COMMENTS, continued:**

2. Pursuant to Local Rule 7.19(B), trusts funded by court order in Fresno County must comply with California Rule of Court (CRC) 7.903; therefore, the Petitioner's proposed SNT must comply with CRC 7.903. The *Petition* states compliance with CRC 7.903 is not required because that rule applies to trusts established by court order under the provisions of Probate Code §§ 2580 – 2586 and 3600 – 3613, and this SNT is not being established under those sections, and further that court supervision is not necessary in this matter because **FARSHAD GOHARI** has capacity and he personally selected the Trustee. Court may require more persuasive and specific authority, in addition to the treatise cited in *Points and Authorities in Support of Petition* filed on 1/7/2014, to support Petitioner's request that the Court should allow waiver of the protections of CRC 7.903 that are typically required for special needs trusts and that are specifically required here pursuant to this Court's Local Rule.

~Please see additional page~

Dept. 303, 9:00 a.m. Monday, February 24, 2014

**NEEDS/PROBLEMS/COMMENTS, continued:**

3. If Court requires the SNT to comply with Local Rule 7.19(B) and California Rule of Court 7.903, pursuant to California Rule of Court 7.903(c)(5), the SNT instrument must require the trustee to post bond in the amount required under Probate Code § 2320 et seq. Probate Code § 2320(c)(4) provides the bond shall include a reasonable amount for the cost of recovery to collect on the bond. The required bond to be posted by the Trustee would be **\$267,598.57** (Total workers' compensation benefits of **\$373,271.43**, less the **\$130,000.00** withheld for purchase of exempt assets results in **\$243,271.43** as the basis for bond calculation.) Alternatively, Court may require all funds be deposited into a blocked account for the SNT with court approval required for withdrawals exceeding a sum certain (such as **\$2,000.00**.)
4. The following issues are noted with the regard to the terms of the proposed SNT, based upon this Court's typical inclusion of specific SNT terms, and the suggestions are offered to Petitioner and her Attorney as considerations for revision to the proposed SNT:
  - **ARTICLE THREE** – SNT terms should include language distinguishing “distributions” from “disbursements” in a form similar to the following: Disbursements for special needs, as distinct from distributions for special needs, may be made in the Trustee's sole, absolute and good faith discretion without Court approval. Disbursements refers to any one-time expenditure and/or on-going, regular and continuing expenditures from the special needs trust, disbursed in the sole discretion of the Trustee to provide for the special needs of the Beneficiary. Distributions for special needs refers to any purchases of property, real or personal, made upon request to and approval by the Court, to provide for the special needs of the Beneficiary, which property must be included on the *Schedule of Property on Hand* shown as special needs trust assets at the time of the special needs trust accounting. The Trustee shall not make any distributions that the Trustee in good faith determines is not for the special needs of the Beneficiary, and all distributions shall be made only upon Court approval.
  - **ARTICLE THREE** – SNT terms may include specific language regarding purchase of a residence, upon court approval as an asset of the SNT, with or without title vested in the name of the SNT. Additionally, language may be included stating that, upon court approval, the Trustee may use SNT funds for improvement of a residence which is or is not titled in the name of the Trust. The following language should also be included in the SNT: “Distributions for the purchase of any real property or fixed tangible personal property shall be accounted for and included on a Schedule of Trust Property on Hand at the time of the SNT accounting. Any purchase or sale of any real property of the SNT may be made only if authorized by the Court pursuant to the rules applicable to Conservatorships and Guardianships.”
  - **ARTICLE FOUR** – SNT terms should contain the California Rule of Court 7.903(b) and (c) required provisions in trust instruments, pursuant to Local Rule 7.19(B).

~Please see additional page~

**Suggestions offered to Petitioner and her Attorney as considerations for revision to the proposed SNT, continued:**

- **ARTICLE FIVE** – Section 1(B) provides that if for any reason **RAHELEH GOHARI** ceases to act as Trustee, then **BRUCE D. BICKEL** shall act as successor sole Trustee, and if he is unable or unwilling to act as Trustee, **JULIE ROSS** shall act as successor sole Trustee. These terms do not necessarily conflict with CRC 7.903(c)(7) in that the original SNT will name these successor trustees at the outset, whereas any successor trustees that may be needed subsequent to their serving would require court approval for appointment.
  - **ARTICLE EIGHT** (and any other pertinent articles) – Some terms should be changed to exclude terms that contradict with California Rule of Court 7.903. Section 4. Duty to Account should include language from CRC 7.903(c)(6).
  - **Final page of SNT** should include date and signature line for the Judicial Officer to date and sign following approval of the petition and establishment of the SNT.
  - **Schedule A** is an optional inclusion at the end of the SNT for list of SNT assets at time of establishment.
5. Need revised proposed Order Establishing Special Needs Trust containing the following: (a) the specific amount of funds comprising the special needs trust estate; (b) the complete terms of the **FARSHAD GOHARI SPECIAL NEEDS TRUST**, with the proposed changes to SNT terms acceptable to Petitioner and the Attorney; and (c) the required provisions in special needs trust instruments pursuant to California Rule of Court 7.903(c) (unless the Court determines CRC 7.903(c) should not apply, in contravention of Local Rule 7.19(B).)

**Note:** To facilitate revision of the proposed SNT, a “working draft” of the proposed order establishing the SNT has been prepared for reference, which contains suggestions and proposed changes for potential revisions to the terms of the SNT (*scanned and faxed to Attorney Pape on 2/21/2014 for consideration of proposed changes.*)

**Note:** If petition is granted, Court will set status hearings as follows:

- **Friday, April 25, 2014 at 9:00 a.m. in Dept. 303** for filing of the bond or proof of deposit in blocked account; and
- **Friday, April 24, 2015 at 9:00 a.m. in Dept. 303** for filing of the first account of the SNT.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

**Dept. 303, 9:00 a.m. Monday, February 24, 2014**

**9 Helen M. Davalos aka Helen Margaret Davalos aka Helen Margaret Mulleneaux (Estate)**

**Case No. 14CEPR00043**

**Atty Jaech, Jeffrey A. (for Wendy M. Carlos – Petitioner)**

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

<b>DOD: 01/03/14</b>	<b>WENDY M. CARLOS,</b> daughter/named Executor without bond, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note: Status hearings will be set as follows:</b>  <ul style="list-style-type: none"> <li>• <b>Friday, 07/25/14 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <b>and</b></li> <li>• <b>Friday, 04/24/15 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required.
<b>Cont. from</b>	Full IAEA – OK	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b> s/p	Will dated 03/26/99	
<input checked="" type="checkbox"/> <b>Verified</b>	Residence: Fresno	
<input type="checkbox"/> <b>Inventory</b>	Publication: The Business Journal	
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Estimated Value of the Estate:</b>	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> w/o	Personal property - \$ 60,000.00	
<input type="checkbox"/> <b>Aff.Pub.</b>	Annual income - 500.00	
<input type="checkbox"/> <b>Sp.Ntc.</b>	Real property - 169,000.00	
<input type="checkbox"/> <b>Pers.Serv.</b>	<b>Total - \$229,500.00</b>	
<input type="checkbox"/> <b>Conf. Screen</b>	Probate Referee: <b>RICK SMITH</b>	
<input checked="" type="checkbox"/> <b>Letters</b>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 02/18/14
		<b>Updates:</b>
		<b>Recommendation:</b> SUBMITTED
		<b>File 9 – Davalos</b>

Raul, 14	<u>GENERAL HEARING 04/14/14</u>		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need <i>Notice of Hearing</i>.</li> <li>2. Need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Temporary Petition or Consent &amp; Waiver of Notice or Declaration of Due Diligence</i> for:                     <ol style="list-style-type: none"> <li>a. Raul Salvador Andres Lopez (father)</li> <li>b. Karla Liliana Juarez Bautista (mother) Note: Notarized statement from mother, does not excuse personal service requirement. Need mother's signature on Consent &amp; Waiver of Notice.</li> </ol> </li> </ol>
Odalys, 12	<p><b>MARIA BAUTISTA JUAREZ</b>, maternal grandmother, is Petitioner.</p> <p>Father: <b>RAUL SALVADOR ANDRES LOPEZ</b>                      Mother: <b>KARLA LILIANA JUAREZ BAUTISTA</b></p> <p>Paternal grandfather: RAUL ANDRES RIVAS                      Paternal grandmother: MANUELA DEL CARMEN LOPEZ DE ANDRES</p> <p>Maternal grandfather: ALEJANDRO JUAREZ</p> <p><b>Petitioner states</b> that the minor's father lives in Canada and the mother lives in El Salvador. Petitioner is willing to provide them with housing, care and maintenance. There is no adult willing to care for the minors. Temporary guardianship is needed in the event of an emergency and for the children's educational needs/issues.</p>		
Cont. from			
<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 type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/>		
<input type="checkbox"/> Aff.Mail			
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.	<input checked="" type="checkbox"/>		
<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 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: JF
			Reviewed on: 02/18/14
			Updates:
			Recommendation:
			File 10 – Juarez

ProPer Mathis, Judy (pro per – Conservator)

ProPer Holguin, Irene (pro per – mother/Petitioner)

Petition for Visitation

Age: 29		<p><b>IRENE HOLGUIN</b>, mother, is Petitioner.</p> <p><b>JUDY MATHIS</b>, foster mother/friend, was appointed conservator of the person on 1/7/03.</p> <p><b>Petitioner states</b> that she has complied with the previous court ordered visitation since 2011 and would now like to increase the visitation from 8:00am Saturday morning to 8:00pm Sunday evening and to include every legal holiday.</p> <p><b>Declaration attaching letter from Ronald Sequeira of CVRC</b> filed 02/19/14 states: Currently, Isabel visits with her mother, Irene Holguin, on Sundays from 8:00am to 8:00pm. Upon returning from those visits, an increase in all behaviors has been noted and blood sugar levels have not been within normal range, taking numerous days to stabilize. Ms. Holguin is now requesting overnight and holiday visits. Mr. Sequeira recommends that no changes be made to the current visitation plan and that the terms and conditions of the visits remain at the discretion of Conservator Judy Mathis.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> Per minute order dated 08/03/11, Irene Holguin currently has unsupervised visitation every Sunday from 8:00am to 6:00pm.</p>	
Cont. from				
<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 type="checkbox"/>	Aff.Mail			
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<input checked="" type="checkbox"/>	Pers.Serv.			w/
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order		x	
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<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 02/18/14</p> <p><b>Updates:</b> 02/19/14</p> <p><b>Recommendation:</b></p> <p><b>File 11 – Castro</b></p>		

**12 Ariel Golden, Dallas Kerns, Dylan Kerns & Dwayne McCoy (GUARD/P)**

**Case No. 09CEPR00065**

**Atty Crawford, Angelita C. (pro per Guardian/maternal grandmother)**

**Atty English, Anita (pro per Petitioner/mother)**

**Petition for Visitation**

<b>Ariel age: 15</b>	<b>ANITA R. ENGLISH</b> , mother, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on: - Ariel Golden (Minor, age 15)</li> <li>2. The Court may also require proof of service of Notice of Hearing at least 15 days prior to the hearing on: - Danny Golden (Father of Ariel) - Charles Kerns (Father of Dallas and Dylan)) - Dwayne McCoy (Father of Dwayne)</li> </ol> <p><b>Note:</b> On 1/3/14, Guardian Angelita Crawford was granted a domestic violence restraining order against Petitioner Anita English in Case No. 13CEFL05929 that expires 1/3/19.</p>
<b>Dallas age: 9</b>	<b>ANGELITA CRAWFORD</b> , maternal grandmother, was appointed guardian of Ariel on 4/22/2009 and was appointed guardian of Dallas, Dylan and Dwayne on 1/12/13. - <i>Served by mail on 1-16-14</i>	
<b>Dylan age: 8</b>		
<b>Dwayne age: 1</b>		
	Father (of Ariel): <b>DANNY EARL GOLDEN</b>	
	Father (of Dallas and Dylan): <b>CHARLES KERNS</b>	
	Father (of Dwayne): <b>DWAYNE MCCOY</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Petitioner states</b> she was unable to appear in Court and her prior petition for visitation was denied. Since that hearing, she has not been able to continue visits with her children and she needs a court date to be able to see them.	
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	<b>Petitioner's prior petition filed 10/23/13 stated</b> she has not been allowed to talk to or see her children in five months. Her mother, guardian Angelita Crawford, is refusing to give her any contact.	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>	<b>Examiner's Note:</b> On 12/9/13, the Court ordered the parties to participate in mediation. However, at the continued hearings on 12/19/13 and 12/30/13, there were no appearances.	
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>	A copy of the Mediation agreement was filed by Anita English on 12/9/13. The parties agreed that mom would have supervised visits. The visits would continue as long as they were peaceful and healthy family visits. The first visit will be 12/14/13 between 2:00 and 5:00 at Hometown Buffet and adjacent stores. Future visits will be every other weekend beginning on 1/4/14. The parties agree to encourage the children to keep visits. The parties agree that telephone conversations may be had between mom and her children.	
<input type="checkbox"/> <b>9202</b>		
<input type="checkbox"/> <b>Order</b>	X	
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by: KT / skc</b>
		<b>Reviewed on: 2-19-14</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 4B – Golden, Kerns &amp; McCoy</b>

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

		<b>NO TEMP REQUESTED</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>LEE DALE JENKINS</b> , Maternal Grandfather, is Petitioner and requests guardianship of D'Eric Jenkins.	<u><b>If this matter goes forward:</b></u>
	<b>Aff.Sub.Wit.</b>	Father: <b>NOT LISTED</b>	<b>1. Need Notice of Hearing.</b>
✓	<b>Verified</b>	Mother: <b>SHAQUISHA JENKINS</b>	<b>2. Need proof of personal service of Notice of Hearing with a copy of the petition per Probate Code §1511 or consent and waiver of notice or declaration of due diligence on:</b>
	<b>Inventory</b>	Paternal Grandfather: Not listed	- Shaquisha Jenkins (mother)
	<b>PTC</b>	Paternal Grandmother: Not listed	- Unknown father
	<b>Not.Cred.</b>	Maternal Grandmother: Faitha Jenkins (Guardian of this minor's sibling)	<b>3. Need proof of service of Notice of Hearing with a copy of the petition per Probate Code §1511 or consent and waiver of notice or declaration of due diligence on:</b>
	<b>Notice of Hrg</b>		- Faitha Jane Jenkins (Maternal Grandmother)
	<b>Aff.Mail</b>		- Paternal Grandparents
	<b>Aff.Pub.</b>	<b>Petitioner states</b> the mother is running the streets, prostituting herself out, and told Petitioner she could not take care of the baby. She wrote a note for Petitioner to care for him.	
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
✓	<b>Conf. Screen</b>	<b>Court Investigator Julie Negrete filed a report on 2-7-14.</b>	
✓	<b>Letters</b>		
✓	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
✓	<b>CI Report</b>		<b>Reviewed by:</b> skc
✓	<b>Clearances</b>		<b>Reviewed on:</b> 2-18-14
✓	<b>Order</b>		<b>Updates:</b>
	<b>Aff. Posting</b>		<b>Recommendation:</b>
	<b>Status Rpt</b>		<b>File 13 – Jenkins</b>
✓	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		

**14 Petra Cazares Ferris (GUARD/P)**  
**Atty Reyes, Rosario (pro per – non-relative/Petitioner)**  
**Atty Reyes, Daniel (pro per – non-relative/Petitioner)**

**Case No. 13CEPR01110**

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

<b>Age: 8</b>		<b><u>TEMPORARY EXPIRES 02/24/14</u></b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>ROSARIO REYES and DANIEL REYES,</b>		<p>1. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:</p> <ul style="list-style-type: none"> <li>• Paternal Grandfather (Not Listed)</li> <li>• Paternal Grandmother (Not Listed)</li> <li>• Maternal Grandfather (Not Listed)</li> <li>• Maternal Grandmother (Not Listed)</li> </ul>	
		non-relatives (godparents), are Petitioners.			
<b>Cont. from</b>		Father: <b>EDUARDO DOMINGUEZ</b> , Court dispensed with notice per minute order of 01/07/2014			
	<b>Aff.Sub.Wit.</b>	Mother: <b>NANCY FALCUCCI</b> – personally served on 01/01/14			
✓	<b>Verified</b>	Paternal grandfather: NOT LISTED			
	<b>Inventory</b>	Paternal grandmother: NOT LISTED			
	<b>PTC</b>	Maternal grandfather: NOT LISTED			
	<b>Not.Cred.</b>	Maternal grandmother: NOT LISTED			
✓	<b>Notice of Hrg</b>	Siblings: TERESA HOLGUIN, J.B.			
	<b>Aff.Mail</b>	x			
	<b>Aff.Pub.</b>				
	<b>Sp.Ntc.</b>				
✓	<b>Pers.Serv.</b>	w/			
✓	<b>Conf. Screen</b>				
✓	<b>Letters</b>				
✓	<b>Duties/Supp</b>	<p><b>Petitioners state</b> that Petra has lived with the petitioners since she was 3 months old, they have provided clothing, housing, food and an education.</p>			
	<b>Objections</b>				
	<b>Video Receipt</b>	<p><b>DSS Social Worker Irma Ramirez report filed 02/21/2014.</b></p>			
✓	<b>CI Report</b>				
	<b>9202</b>				
✓	<b>Order</b>				
	<b>Aff. Posting</b>				
	<b>Status Rpt</b>				
✓	<b>UCCJEA</b>				
	<b>Citation</b>				
	<b>FTB Notice</b>				
				<b>Reviewed by: LV</b>	
				<b>Reviewed on: 02/18/2014</b>	
				<b>Updates: 02/21/2014</b>	
				<b>Recommendation:</b>	
				<b>File 14 – Ferris</b>	

Petition for Appointment of Temporary Guardianship of the Person

Age: 1 month	<b>TEMPORARY GRANTED TO ANGELINA ORTEZ</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Petition was not signed or verified by Rinaldo Ray Ortiz.  2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: • Father (Unknown)  3. Page #5 of the Guardianship Petition – Child Information Attachment (GC 210(CA)) which pertains to whether the child has Native American Ancestry was not completed. Need declaration with page #5 attached.
	<b>ONLY EXPIRES 02/24/2014</b>		
	<b>GENERAL HEARING 04/09/2014</b>		
Cont. from	<b>ANGELINA ORTEZ</b> and <b>RINALDO ORTEZ</b> , maternal aunt and uncle are petitioners.		
Aff.Sub.Wit.	Father: <b>UNKNOWN</b>		
✓ Verified	Mother: <b>CYNTHIA E. VALLADORES</b> , consents and waives notice		
Inventory	Paternal Grandfather: Unknown Paternal Grandmother: Unknown		
PTC	Maternal Grandfather: Alfredo A. Valladores, Deceased		
Not.Cred.	Maternal Grandmother: Norma Linda Garcia, Deceased		
✓ Notice of Hrg	<b>Petitioners state:</b> the mother of the minor child does not want the child. She is unstable and at the present time is unable to care for the child. She tested positive for drugs. Temporary orders are needed so the proposed guardians will be able to obtain medical care for the child, when necessary. The baby is only a few days old and will need to be taken to the doctor for checkups, etc. The guardianship will also provide the proposed guardians the opportunity to place the child on their health insurance.		
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
✓ Pers.Serv.	w/		
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
			<b>Reviewed by:</b> LV
			<b>Reviewed on:</b> 02/19/2014
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 15 – Valladores</b>

		<b>GENERAL HEARING 2-6-14, CONTINUED TO 4-3-14</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>MARIA DE LOS ANGELES RODRIGUEZ,</b>	
		Step-Granddaughter, is Petitioner and requests appointment as Temporary Conservator of the <b>Estate only</b> with bond of \$35,450.00 with specific authority to sell the proposed conservatee's former residence in Salina, CA, and to direct payment of the proposed conservatee's Social Security benefits for her care and maintenance during temporary conservatorship.	<b>Note: The Proposed Conservatee has <u>NOT</u> been advised of her rights.</b>
	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	X	
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		<p>Petitioner states the proposed conservatee's residence is at risk of vandalism and must be sold immediately to obtain funds to care for the proposed Conservatee and prevent damage to the property.</p> <p>Petitioner requests the Court excuse notice to the step-daughter and other step-granddaughters listed in the original petition because the residence needs to be sold immediately.</p> <p><b>Estimated value of estate:</b>          Personal property: \$2,500.00          Public assistance benefits: \$12,000.00          Real property: \$194,800.00</p> <p><b>Court Investigator Jennifer Daniel filed a report on 2-19-14.</b></p> <p><b>Curtis D. Rindlisbacher filed Report and Recommendation of Court Appointed Counsel for Proposed Conservatee on 2-18-14.</b></p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p>	<p><b>Minute Order 2-6-14:</b>          Based on Polina Arevalo's anticipated move to Fresno, the Court finds that it would be in the best interest to have jurisdiction in Fresno County. The Court indicates to counsel that it will entertain a petition for temporary conservator of the estate on an order shortening time. Matter is continued to 4/3/14 so the investigation in Monterey County can be completed. Continued to 4-3-14 at 9am in Dept. 303.</p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p>
			<b>Reviewed by:</b> skc
			<b>Reviewed on:</b> 2-19-14
			<b>Updates:</b> 2-20-14
			<b>Recommendation:</b>
			<b>File 16 – Arevalo</b>

Page 2

Report and Recommendation of Curtis D. Rindlisbacher, Court-appointed counsel for the proposed Conservatee, filed 2-18-14, states:

Mr. Rindlisbacher visited Ms. Arevalo at her current facility and confirmed that she is in need of 24 hour care and cannot be safely cared for in her home. According the Petitioner's attorney Catherine Amador, temporary conservatorship is needed to sell the residence and obtain social security benefits. Ms. Amador confirmed that her client is employed and will be bonded.

Based on review of the pleadings and interview with the proposed Conservatee and staff at the care facility, Mr. Rindlisbacher recommends:

- a. That venue be maintained in Fresno County only if the proposed Conservatee is actually moved to a care facility in Fresno County within the next six months to facilitate ongoing reviews by this Court Investigator's Office.
- b. That temporary conservatorship of the estate be granted with authority to sell the residence and either store or sell the tangible personal property items located in that residence. Temporary powers are also needed to collect the social security benefits for the proposed Conservatee.
- c. That permanent conservatorship of the person and estate be granted with voting rights affected and exclusive rights to make medical decisions on behalf of the proposed Conservatee.
- d. Because the capacity declaration is incomplete regarding dementia powers, no power to administer psychotropic medications appropriate to the care of dementia be given without a completed capacity declaration supporting such.
- e. Finally, the Court order appointing Mr. Rindlisbacher as counsel for the proposed Conservatee provides that fees and expenses are to be paid by County of Fresno. However, according to counsel for Petitioner, it is believed that the residence is free and clear, and if sold at the estimated value of \$194,000, Mr. Rindlisbacher requests the Court consider revising its order so that his services could be paid from the estate upon approval.

SEE ADDITIONAL PAGES

Page 2

**NEEDS/PROBLEMS/COMMENTS:**

1. Need proof of service of Notice of Hearing with a copy of the Temporary Petition at least five Court days prior to the hearing on the Proposed Conservatee Polina Church Arevalo and her Court-appointed attorney Curtis D. Rindlisbacher pursuant to Probate Code §§ 2250(e), 1214.
2. Petitioner requests the Court excuse notice to the step-relatives listed in the petition. Petitioner stated in the original petition that the proposed Conservatee has no biological relatives, and all relatives listed in the petition are relatives by marriage. If notice is not excused, need notice per Probate Code §2250(e).
3. The Court may require clarification regarding the urgency for sale with reference to Probate Code §2252(e), which provides the findings required for an order authorizing sale during temporary conservatorship, and may require a complete investigation to be completed pursuant to Probate Code §1826 prior to authorizing the sale of the Conservatee's assets.
4. Petitioner does not state whether the proposed sale has been discussed with the proposed Conservatee pursuant to Probate Code §2540.
5. Petitioner requests bond of \$35,450.00 based solely on personal property and income. However, Petitioner requests to sell the Conservatee's real property; therefore, that value should be included in bond calculation.

Bond amount based on the value of the proposed Conservatee's personal property, annual income, value of the real property, and cost of recovery pursuant to Probate Code §2320(c)(4) and Cal. Rules of Court 7.207 should be \$230,230.00.

6. Please confirm if the proposed conservatee's last name is "AREVALO" or "AREVALOS" – the name appears both ways in the paperwork.

**17 Anquane Dupree Draper Lee & Anquanese Lakeys Draper Lee  
(GUARD/P)**

**Case No. 13CEPR01098**

**ProPer Augustus, Carolyn (pro per – biological paternal grandmother/Petitioner)  
Petition for Appointment of Guardian of the Person (Prob. C. 1510)**

<b>Anquan, 7</b>	<b><u>NO TEMPORARY REQUESTED</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Anquanese, 7</b>	<b>CAROLYN AUGUSTUS</b> , biological paternal grandmother, is Petitioner.	<b>CONTINUED FROM 02/18/14</b>
	Biological Father: <b>ANTWANE DUPREE LEE</b> – personally served on 01/21/14	<b>Minute Order from 02/18/14 states: Court Investigator Dina Calvillo is sworn and testifies. The Court orders that Carolyn Augustus take part in the DSS Team Decision Meeting. Javon Waldrop is ordered to provide before the next hearing, proof that the children are enrolled and attending school.</b>
<b>Cont. from 021814</b>	Biological Mother: <b>DEREICE DRAPER</b> Adoptive mother/maternal aunt: <b>JAVON WALDROP</b>	1. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> or <i>Consent &amp; Waiver of Notice</i> or <i>Declaration of Due Diligence</i> for:
<input type="checkbox"/> Aff.Sub.Wit.	Paternal grandfather: DECEASED	a. Javon Waldrop (adoptive mother/biological maternal aunt) – personal service required
<input checked="" type="checkbox"/> Verified	Maternal grandfather: CLOYD LEE MARSHALL Maternal grandmother: DECEASED	b. Cloyd Lee Marshall (maternal grandfather) – service by mail is sufficient
<input type="checkbox"/> Inventory	<b>Petitioner alleges</b> that the children are not being properly cared for in their current home. Their medical and dental needs are neglected, they are underfed, and do not have adequate clothing. The ragged clothes they do have are unclean and their hygiene is poor. The children have no beds and sleep on a dirty floor sometimes without covers.	2. Items 3 & 13 of the Confidential Screening Form were not completed. #3 – I have/have not been charged with, arrested for, or convicted of a crime deemed to be a felony or a misdemeanor; #13 – I have or may have/I do not have an adverse interest that the court may consider to be a risk to, or to have an effect on, my ability to faithfully perform the duties of guardian.
<input type="checkbox"/> PTC	<b>Court Investigator Dina Calvillo filed a report on 02/14/14.</b>	
<input type="checkbox"/> Not.Cred.	<b>DSS Social Worker Irma Ramirez filed a report on 02/14/14.</b>	
<input checked="" type="checkbox"/> Notice of Hrg	<b>Objection to Guardianship</b> filed 02/18/14 by Javon Waldrop states that Petitioner, Carolyn Augustus has made false allegations against her. Objector believes that Ms. Augustus is angry because her visitation was stopped. Objector states that she stopped allowing Ms. Augustus to visit the children because of the false allegations.	
<input type="checkbox"/> Aff.Mail	<b>Declaration of Petitioner Carolyn Augustus</b> filed 02/20/14 attaches letters attesting to her character from her church pastor and another woman. The declaration also attaches pictures, reportedly of Javon Waldrop (adoptive mother/aunt) and her husband Darryl Johnson that shows alcohol being consumed with children around and possible drug use. There also is a picture of one of the children with a scabbed sore on the temple.	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv.		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input checked="" 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		<b>Reviewed by:</b> JF
<input type="checkbox"/> Status Rpt		<b>Reviewed on:</b> 02/18/14
<input checked="" type="checkbox"/> UCCJEA		<b>Updates:</b> 02/20/14
<input type="checkbox"/> Citation		<b>Recommendation:</b>
<input type="checkbox"/> FTB Notice		<b>File 17 – Lee</b>

**1A Leonel Rios (Estate)**

Case No. 13CEPR00511

Atty Krause, Stephanie J (for Leonel Rios, Jr. – Petitioner- Son)  
 Atty Shepard, Jeff S. (for Ana Rios – Competing Petitioner –Daughter)

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

<b>DOD: 12/04/2012</b>		<p><b>LEONEL RIOS</b>, son is petitioner and requests appointment as Administrator with bond set at \$122,000.00.</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate</p> <p>Residence: Selma                  Publication: The Business Journal</p> <p><b>Estimated value of the Estate:</b></p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$2,000.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$120,000.00</td> </tr> <tr> <td><b>Total</b></td> <td>-</td> <td><b>\$122,000.00</b></td> </tr> </table> <p>Probate Referee: Rick Smith</p>	Personal property	-	\$2,000.00	Real property	-	\$120,000.00	<b>Total</b>	-	<b>\$122,000.00</b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>This matter to be heard at 10:30a.m.</u></b></p> <p><b>Note: If the petition is granted status hearings will be set as follows:</b></p> <ul style="list-style-type: none"> <li>• <b>Friday, 03/21/2014 at 9:00a.m. in Dept. 303</b> for filing of the Bond <b>and</b></li> <li>• <b>Friday, 07/25/2014 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <b>and</b></li> <li>• <b>Friday, 04/24/2015 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Personal property	-		\$2,000.00									
Real property	-		\$120,000.00									
<b>Total</b>	-		<b>\$122,000.00</b>									
<b>Cont. from 102413, 120913</b>												
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>											
<input checked="" type="checkbox"/>	<b>Verified</b>											
<input type="checkbox"/>	<b>Inventory</b>											
<input type="checkbox"/>	<b>PTC</b>											
<input type="checkbox"/>	<b>Not.Cred.</b>											
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>											
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w/											
<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>											
<input type="checkbox"/>	<b>Sp.Ntc.</b>											
<input type="checkbox"/>	<b>Pers.Serv.</b>											
<input type="checkbox"/>	<b>Conf. Screen</b>											
<input checked="" type="checkbox"/>	<b>Letters</b>											
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>											
<input type="checkbox"/>	<b>Objections</b>											
<input type="checkbox"/>	<b>Video Receipt</b>											
<input type="checkbox"/>	<b>CI Report</b>											
<input type="checkbox"/>	<b>9202</b>											
<input checked="" type="checkbox"/>	<b>Order</b>											
<input type="checkbox"/>	<b>Aff. Posting</b>											
<input type="checkbox"/>	<b>Status Rpt</b>											
<input type="checkbox"/>	<b>UCCJEA</b>											
<input type="checkbox"/>	<b>Citation</b>											
<input type="checkbox"/>	<b>FTB Notice</b>											
		<p><b>Reviewed by:</b> LV</p> <p><b>Reviewed on:</b> 02/21/2014</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 1A – Rios</b></p>										

1A

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

<b>DOD: 12/4/2012</b>		<p><b>ANA RIOS SENN</b> aka <b>ANNA RIOS</b>, daughter is petitioner and requests appointment as Administrator with Will Annexed and with bond set at \$92,000.00.</p> <p>Full IAEA – <b>Need publication.</b></p> <p>Holographic Will dated: 11/14/2012</p> <p>Residence: Selma          Publication: <b>NEED</b></p> <p><b>Estimated value of the estate:</b>          Personal property \$ 2,000.00          Real property \$90,000.00  <b>Total - \$92,000.00</b></p> <p>Probate Referee: Rick Smith</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>This matter to be heard at 10:30a.m.</u></b></p> <p><b>The following issues remain:</b></p> <ol style="list-style-type: none"> <li>1. Need Notice of Petition to Administer the Estate.</li> <li>2. Need proof of service of the Notice of Petition to Administer the Estate on:             <ol style="list-style-type: none"> <li>a. Leonel Rios (son)</li> <li>b. Aide Rios (daughter)</li> </ol> </li> <li>3. Need Affidavit of Publication.</li> <li>4. Need Letters.</li> </ol> <p><b>Note: If the petition is granted status hearings will be set as follows:</b></p> <ul style="list-style-type: none"> <li>• <b>Friday, 03/21/2014 at 9:00a.m. in Dept. 303</b> for filing of the Bond <b>and</b></li> <li>• <b>Friday, 07/25/2014 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <b>and</b></li> <li>• <b>Friday, 04/24/2015 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
<b>Cont. from 120913</b>			
<input checked="" type="checkbox"/>	<b>Proof of Holographic Inst.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
	<b>Notice of Hrg</b>		
	<b>Aff.Mail</b> X		
	<b>Aff.Pub.</b> X		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b> X		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
		<p><b>Reviewed by: KT/ LV</b></p> <p><b>Reviewed on: 02/21/2014</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 1B – Rios</b></p>	

**Will Contest**

<b>DOD: 12/4/2012</b>		<p><b>LIONEL RIOS</b>, son, and <b>AIDE RIOS</b>, daughter, are contestants.</p> <p><b>Contestants allege:</b></p> <ol style="list-style-type: none"> <li>The purported will was not executed by decedent in the manner and form required by law for the execution of a will.</li> <li>At the time of the alleged execution of the purported will, the decedent did not intend that such writing should take effect as his last will, but instead intended for it to clarify that any beneficiary designation already made to Ana were to be honored.</li> <li>At the time of the alleged execution of the purported will, the decedent was not of sound and disposing mind.</li> <li>The purported will was made as a direct result of undue influence consisted of the following: The decedent made unnatural provisions by disinheriting two of his three children. The decedent had been encouraged to make a will for years and had adamantly refused to do so. Ana was isolating the decedent and in control of his care at the time the document was allegedly prepared and signed by decedent. Decedent's cognitive abilities had degraded and he was heavily medicated during the time period when the document was allegedly signed. Ana was with the Decedent when the document was prepared and signed.</li> <li>The purported will was made under duress created by Ana in that Ana isolated the decedent, threatened the decedent by telling him would no longer see Ana or her children if he did not comply with her requests and yelling at the Decedent.</li> </ol> <p><b>Wherefore, Contestants pray that the purported will be denied probate, for costs of suit and for further relief as proper.</b>  <b>Please see additional page</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>Need proposed order</li> </ol>
<b>Cont. from 120913</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input checked="" type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b> X		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input checked="" type="checkbox"/>	<b>Summons</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

**Answer of Ana Rios Senn to Contest of Will filed 02/21/2014** states having reviewed the Contest and Grounds of Opposition to Probate Will of Leonel Rios, Jr. and Aide Rios, answers as follows:

- The document that decedent, Leonel Rios, Sr., wrote was a holographic Will. It was handwritten and signed and dated so it meets Probate Code §6111.
- The documents speaks for itself.
- Although the decedent was on dialysis medication and dying of renal failure, he understood what he had, who his children were and who he wanted things to go to.
- Ana Rios Senn did not isolate the decedent nor did she exercise undue influence over him. Aide Rios was supposed to take care of the decedent and take care of his bills. She was living with him in his home. While Aide Rios was living with the decedent, Ruth Herrera, the decedent's sister, would walk to the decedent's home to check on him because she knew he was not being taken care of properly. At times, Ruth Herrera, would find no food in the house. At another time, Ruth Herrera witnessed ants covering the table while the decedent was eating there. Aide Rios was also using the decedent's credit cards for her own personal use without permission. Aide Rios also wrote a check to Leonel Rios, Jr., from the decedent's checkbook for \$1,800.00 without permission. The decedent demanded the money back from both of them but they refused and it was never returned. The decedent then took his checkbook away from Aide Rios and entrusted Ana Rios Senn to handle his financial matters because his bills were not being paid, yet his bank account depleted every month during the time Aide Rios was supposed to be paying his bills. Once that happened, Aide Rios moved out. When Aide Rios left, Aide Rios took the decedent's Chevrolet Crew Cab pickup and refused to return it to him. Ana Rios Senn then moved in with the decedent to care for him and his personal affairs after Aide Rios moved out. Leonel Rios, Jr., refused to help with the decedent. Decedent has also loaned Leonel Rios, Jr. money so he could open a coffee shop but Leonel Rios, Jr. refused to repay the loan. The decedent was aware of what was going on around him and knew Aide Rios and Leonel Rios, J. were just taking advantage of decedent's generosity.
- The decedent was never under duress from Ana Rios Senn. She did not isolate the decedent nor threaten that he would not see her or her children if he did not comply with her requests. Ana Rios Senn made no requests of the decedent. In fact, after Aide Rios moved out from the decedent's home, and despite the decedent's phone calls to her, she is the one who kept her children away from their grandfather. Aide Rios told the decedent he would never see them again before he died and he did not. Ana Rios Senn also never yelled at the decedent.
- By their own actions, Leonel Rios, Jr. and Aide Rios alienated themselves from the decedent. Ana Rios Senn had nothing to do with that.

Wherefore, this answering respondent prays that the Will Contest be denied, and the Decedent's Will be admitted to probate, and for such other and further relief as the Court may deem property.