

Petition for Termination of Guardianship of the Estate

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| | ALYSSA KILNER , Former minor, is Petitioner. | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Pursuant to Probate Code §2627, after a ward has reached majority, the ward may settle accounts with the guardian and give the guardian a release which is valid if obtained fairly and without undue influence. Except as otherwise provided by code, a guardian is not entitled to a discharge until one year after the ward was attained majority.</p> |
| | MICHAEL L. KILNER and DEBRA KILNER , Paternal Grandparents, were appointed Guardians of the minor's estate on 9/23/04. | |
| Aff.Sub.Wit. | <p>Petitioner states she has reached the age of majority and requests termination of the guardianship of the estate. Both guardians consent and waive notice of hearing.</p> <p>On 1/13/16, Ms. Kilner filed a Waiver of Account and Release of Guardian along with an Ex Parte Petition for Withdrawal of Funds from Blocked Account.</p> <p>On 1/14/16, the Court entered its Order for Withdrawal of Funds from Blocked Account.</p> | |
| 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: 2/23/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1- Kilner</p> |

Executor Murillo, Joel M. (Attorney/Executor)

Attorney Murphy, Christine M. (Deputy Attorney General – Objector)

Motion to Termination Further Proceedings and Discharge of Personal Representative

| | | |
|---|---|---|
| DOD: 04/15/05 | JOEL MURILLO was appointed Executor with Full IAEA without bond and Letters issued on 02/22/2006. | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: A settlement agreement was signed 01/29/2016.</p> <p>Minute Order of 01/21/2016: Counsel represents that they have a signed settlement agreement, but it has not yet reached the court. Ms. Murphy states she will file a withdrawal once the lien is resolved.</p> <p>The following issues still remain:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing on mandatory Judicial Council form. 2. Need Notice of Hearing with proof of service to be served on all interested parties. |
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| | | |
| Cont. from 070215, 073015, 111215, 012116 | Petitioner states: in the petition for probate filed 08/26/2005, movant alleged that the value of the assets of decedent subject to probate administration was \$155,000.00. This allegations was based on the best evidence available that decedent died possessed of the real estate at 10651 Fantz, Del Rey, California (the said real estate), which was subject to administration. On June 25, 2014, a final Inventory and Appraisal was filed in this estate reflecting that property. However, the property described above is not now or was it on June 25, 2014, property that is subject to administration. The reason is that on 06/09/2014, in Fresno Superior Court case 14CEPR00329, the court Ordered on the Petition to Determine Succession to Real Property pursuant to Probate Code § 13151 that the said real estate passed to Angelita Garcia. Thus, the said real estate is no longer an asset of this estate, rendering moot the Inventory and Appraisal filed on 06/25/2014. | |
| <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 | X | |
| <input type="checkbox"/> Aff.Mail | X | |
| <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 checked="" type="checkbox"/> Objections | All costs, expenses, and premiums on surety bonds, incurred in the administration of the estate have been paid. | |
| <input type="checkbox"/> Video Receipt | | |
| <input type="checkbox"/> CI Report | A request for special notice was filed by the California Department of Health Services and notice of the time and place of hearing on this motion was given as required by law. | |
| <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 | | |
| | Wherefore, movant prays: | |
| | <ol style="list-style-type: none"> 1. For an order terminating further proceedings for the administration of the estate. 2. For an order to discharge the personal representative of the estate. 3. For such other orders as the court may deem proper. | |
| | <u>Please see additional page</u> | |
| | | Reviewed by: LV |
| | | Reviewed on: 02/23/2016 |
| | | Updates: |
| | | Recommendation: |
| | | File 2A - Rodriguez |

Opposition to Motion to Terminate Further Proceedings and Discharge of Personal Representative filed 06/24/2015 by Christine M. Murphy, Deputy Attorney General, states on May 27, 2015, the personal representative of decedent Elvira Rodriguez, Joel Murillo, filed a "Motion to Termination (sic) Further Proceedings and Discharge of Personal Representative". While the Department of Health Care Services (Department) was served with the motion, counsel for the Department was not and did not receive a copy of the motion until mid-June. Department opposes the granting of Motion on the grounds that the Judgment and Judgment Lien against petitioner Joel Murillo, as personal representative, has not been satisfied.

Department obtained a judgment against Joel Murillo, as representative of the Estate of Elvira Rodriguez, on August 9, 2009 in *Shewry v. Murrillo*, Fresno Superior Court Case No. 08CECG03103DRF. Attached here to as Exhibit A is a copy of the Notice of Entry of Judgment and Judgment in that case. Subsequently, a Judgment Lien was recorded against the estate property of decedent at 10651 E. Fantz Ave. Del Rey, California, 93616 (Estate Property). Attached hereto as Exhibit B is a copy of the Judgment lien. The lien remains on the estate property and has not been satisfied by the petitioner.

After the filing of the judgment lien, Joel Murillo initiated another action to probate the estate property of the decedent Elvira Rodriguez. (Matter of Elvira Rodriguez, Fresno Superior Court, Case No. 14CEPR00329.) In the later action, the Court issued an order dated 06/09/2014, determining that the estate property of Elvira Rodriguez succeed to the beneficiary of the Will, Angelita Garcia.

Department opposes the granting of the present motion on the grounds that the judgment against petitioner Joel Murillo, as personal representative in the above-entitled matter, and the judgment lien, have not been satisfied. Thus, any order of discharge would not be appropriate without satisfaction of the judgment and lien.

Further, denial of the motion to discharge Joel Murillo, as personal representative, will preserve the Department's claim and avoid further litigation. Department is concerned that because of the multiple proceedings probating the estate property there may be a later challenge by Angelita Garcia to the legitimacy of the Department's lien against the Estate Property. The Department wants to avoid the need for a Court action pursuant to Welfare and Institutions Code section 14009.5 against Angelita Garcia as a recipient of estate property or an action for payment from the personal representative. Thus, the Department respectfully requests that the Court deny the motion seeking to terminate further proceedings and to discharge Joel Murillo as personal representative until the judgment is satisfied by either settlement involving the beneficiary of the Estate Property, recognition of the lien by Angelita Garcia, or payment of the Department's claim.

Also, the parties are presently in settlement discussions regarding the satisfaction of the Department's Judgment and lien. Department, thus, requests that the Court continue this motion to allow for the entry of a settlement agreement addressing the issues raised by the outstanding judgment and requests a continuance until at least August 14, 2015 for the drafting of said settlement agreement.

For the foregoing reasons, Department respectfully requests the Court deny the motion or, in the alternative, continue the motion to allow for the entry of settlement agreement.

2B Elvira Rodriguez (Estate) Case No. 05CEPR00988

Executor Murillo, Joel M. (Attorney/Executor)

Attorney Murphy, Christine M. (Deputy Attorney General – Objector)

Probate Status Hearing RE: Resolution

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|--------------------------|--|--|
| DOD: 04/15/05 | <p>JOEL MURILLO was appointed Executor with Full IAEA without bond and Letters issued on 02/22/2006.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> |
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| | <p>Minute Order of 11/12/2015 set this Status Hearing regarding Resolution.</p> | <p><u>OFF CALENDAR.</u> <u>Settlement Agreement filed 01/29/2016.</u></p> |
| Cont. from 012116 | | |
| Aff.Sub.Wit. | <p>Minute Order states Counsel represents that they have been working towards resolution and need additional time to finalize the agreement.</p> | <p>Minute Order of 01/21/2016: Counsel represents that they have a signed settlement agreement, but it has not yet reached the court. Ms. Murphy states she will file a withdrawal once the lien is resolved.</p> |
| 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: LV |
| | | Reviewed on: 02/23/2016 |
| | | Updates: |
| | | Recommendation: |
| | | File 2B- Rodriguez |

Probate Status Hearing RE: Proof of Additional Bond

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|----------------------|--|---|
| DOD: 11/27/05 | <p>ANITA CHOPERENA is Administrator with bond of \$150,000.00.</p> <p>On 1/21/16, the Court confirmed the sale of certain real property in Los Banos, CA, subject to ex parte request to vacate the prior sale. The Court set this status hearing for the filing of the additional bond in the amount of \$550,000.00.</p> <p>Status Report filed 2/11/16 states the increase is not necessary until the closing of the sale of the real property. As of this writing, a certified copy of the order has been left with the title company for that sale, but the date of closing escrow has not been scheduled. There is no reason to believe the transaction will not take place; however, if it should, the personal representative would rather not have already paid for what might turn out to be an unnecessary increase in the amount of the bond. In any event, counsel for the personal representative will inform the probate examiner of the status of the closing before the status hearing takes place.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>Additional bond of \$550,000.00 filed 2/22/16.</p> |
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| Aff.Sub.Wit. | | |
| Verified | | |
| Inventory | | |
| PTC | | |
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| Notice of Hrg | | |
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| 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: 2/22/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3- Choperena</p> | |

Probate Status Hearing RE: Removal of Co-Conservator(s)

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|---|---------------|---|--|---|
| | | <p>BARBARA CASTRO and JESSICA BURNETT, Daughters, are Co-Conservators of the Person. BARBARA CASTRO is sole Conservator of the Estate.</p> <p>On 1/13/16, the Court set this status hearing re: removal of co-conservator(s).</p> <p>Court Investigator Jennifer Young filed a report on 2/8/16.</p> <p>A Status Report was filed 1/13/16 by Co-Conservator Barbara Castro.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> | |
| | 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 | | | |
| | | | Reviewed by: skc | |
| | | | Reviewed on: 2/23/16 | |
| | | | Updates: | |
| | | | Recommendation: | |
| | | | File 4- Castro | |

Attorney Heather H. Kruthers (for Public Guardian, Conservator of the Person and Estate)

Probate Status Hearing Re: Termination of Proceeding for Deceased Conservatee

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| DOD: 7/19/2015 | PUBLIC GUARDIAN was appointed Conservator of the Person and Estate on 6/14/2007. | NEEDS/PROBLEMS/COMMENTS: |
| | Conservatee died 7/19/2015. | |
| Cont. from | <i>Notice of Status Hearing</i> filed 1/5/2016 set this hearing on 2/25/2016 for the termination of proceedings for the deceased conservatee. | <ol style="list-style-type: none"> Pursuant to Local Rule 7.5(B), need proof of notice of the <i>Status Report</i> filed 2/19/2016 to PATRICIA DAVIS, daughter, per <i>Request for Special Notice</i> filed 6/25/2007. Need final account pursuant to CA Rule of Court 7.1052(c). |
| <input type="checkbox"/> Aff.Sub.Wit. | <i>Clerk's Certificate of Mailing</i> shows notice was mailed to the Public Guardian and County Counsel on 1/5/2016. | |
| <input checked="" type="checkbox"/> Verified | Status Report Re: Filing of the Second and Final Account filed 2/19/2016 states: | |
| <input type="checkbox"/> Inventory | <ul style="list-style-type: none"> The Public Guardian is short-staffed; one of the support staff suddenly retired for medical reasons, and that person has not been replaced; Although the Public Guardian intends on replacing this person, the County's recruitment period is usually at least 3 months from the time the vacancy occurs to the time it is filled; The person who prepares the necessary documents for accounts is currently covering both her duties and the duties of the other staff member who retired; therefore, she is unable to get all the accounts done that need to be done before the scheduled status hearings; Furthermore, there have been a large number of accounts set for status hearings, which makes it even harder for her to get to all of them; In addition, where applicable, her services are needed to correct errors and discrepancies found by the Probate Examiners in the accounts that are being heard; Therefore, it is respectfully requested that the next status hearing for this matter be set no sooner than 90 days from the date of this status hearing. | |
| <input type="checkbox"/> PTC | | |
| <input type="checkbox"/> Not.Cred. | | |
| <input type="checkbox"/> Notice of Hrg | X | |
| <input type="checkbox"/> Aff.Mail | | |
| <input type="checkbox"/> Aff.Pub. | | |
| <input type="checkbox"/> Sp.Ntc. | X | |
| <input type="checkbox"/> Pers.Serv. | | |
| <input type="checkbox"/> Conf. Screen | | |
| <input type="checkbox"/> Letters | | |
| <input type="checkbox"/> Duties/Supp | | |
| <input type="checkbox"/> Objections | | |
| <input type="checkbox"/> Video Receipt | | |
| <input type="checkbox"/> CI Report | | |
| <input type="checkbox"/> 9202 | | |
| <input type="checkbox"/> Order | | |
| <input type="checkbox"/> Aff. Posting | | |
| <input checked="" type="checkbox"/> Status Rpt | | |
| <input type="checkbox"/> UCCJEA | | |
| <input type="checkbox"/> Citation | | |
| <input type="checkbox"/> FTB Notice | | |
| | | Reviewed by: LEG |
| | | Reviewed on: 2/23/16 |
| | | Updates: |
| | | Recommendation: |
| | | File 5- Davis |

Probate Status Hearing RE: Termination of Proceeding for Deceased Conservatee

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| | PUBLIC GUARIDAN is Conservator of the Person and Estate. | NEEDS/PROBLEMS/COMMENTS: 1. Need final account and petition for termination of conservatorship. |
| | On 1/5/16, the Court set this status hearing re termination of proceeding for deceased Conservatee. | |
| Aff.Sub.Wit. | Status Report filed 2/19/16 states the Public Guardian is short-staffed. The person who prepares necessary documents for accounts is currently covering both her duties and duties of staff who retired, and is unable to get all accounts done for the scheduled status hearings. Furthermore, there has been a large number of accounts set for status hearings, which makes it harder for her to get to all of them and correct errors and discrepancies found by Probate Examiners in accounts that are being heard. Therefore, it is respectfully requested that the next status hearing for this matter be set no sooner than 90 days from this date. | |
| Verified | | |
| Inventory | | |
| PTC | | |
| Not.Cred. | | |
| Notice of Hrg | | |
| Aff.Mail | | |
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| 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: 2/23/16 |
| | | Updates: |
| | | Recommendation: |
| | | File 6- Gutierrez |

Attorney Heather H. Kruthers (for Petitioner Public Guardian, Conservator)

(1) Third Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney

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|-------------------------------------|----------------------|--|--|
| | | PUBLIC GUARDIAN , Conservator of the Person and Estate, is Petitioner. | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If the <i>Petition</i> is granted, Court will set a status hearing as follows:</p> <ul style="list-style-type: none"> Tuesday, January 30, 2018 at 9:00 a.m. in Dept. 303 for filing of the fourth account. <p>Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required.</p> |
| | | Account period: 8/1/2013 – 11/30/2015 | |
| | | Accounting - \$130,612.75 | |
| | | Beginning POH - \$ 58,268.05 | |
| | | Ending POH - \$ 36,244.79 <i>(all cash)</i> | |
| Cont. from | | Conservator - \$2,349.60 <i>(17.35 Deputy hours @ \$96/hr and 9.00 Staff hours @ \$76/hr;)</i> | |
| <input type="checkbox"/> | Aff.Sub.Wit. | Attorney - \$2,500.00 <i>(per Local Rule, \$1,250.00/year for 2 years, including for sale of real property.)</i> | |
| <input checked="" type="checkbox"/> | Verified | Bond fee - \$332.08 (OK) | |
| <input type="checkbox"/> | Inventory | Petitioner prays for an Order: | |
| <input type="checkbox"/> | PTC | 1. Approving, allowing and settling the Third Account; | |
| <input type="checkbox"/> | Not.Cred. | 2. Authorizing the conservator and attorney fees and commissions; and | |
| <input checked="" type="checkbox"/> | Notice of Hrg | 3. Authorizing payment of the bond fee. | |
| <input checked="" type="checkbox"/> | Aff.Mail W/ | Court Investigator's Report filed 8/4/2015. | |
| <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 checked="" type="checkbox"/> | CI Report | | |
| <input checked="" type="checkbox"/> | 2620 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | Reviewed by: LEG | |
| | | Reviewed on: 2/23/16 | |
| | | Updates: | |
| | | Recommendation: | |
| | | File 7 – Lopez | |

Second Account Current and Report of Successor Guardian and Petition for Allowance

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| | | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>Amended Second Account filed 1/27/16 is set for hearing on 3/8/16.</p> |
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| Cont'd from 120315, 011416 | | |
| | Aff.Sub.Wit. | |
| ✓ | Verified | |
| | Inventory | |
| | PTC | |
| | Not.Cred. | |
| ✓ | Notice of Hrg | |
| ✓ | Aff.Mail | |
| | Aff.Pub. | |
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| | Pers.Serv. | |
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| | Duties/Supp | |
| | Objections | |
| | Video Receipt | |
| | CI Report | |
| | 9202 | |
| ✓ | Order | |
| | Aff. Posting | |
| | Status Rpt | |
| | UCCJEA | |
| | Citation | |
| | FTB Notice | |
| | | Reviewed by: skc |
| | | Reviewed on: 2/22/16 |
| | | Updates: |
| | | Recommendation: |
| | | File 8 – Cervantes |

First Account Current and Report of Successor Guardians; for Allowance of Attorney Fees and Reimbursement of Costs Advanced

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|---|----------------------|---|--|
| | | <p>OSCAR BARBA and TRISHA L. BARBA, Successor Co-Guardians of the Estate, are Petitioners.</p> <p>Account period: 11/25/14 – 11/30/15 Accounting: \$564,522.07 Beginning POH: \$207,098.15 Ending POH: \$557,115.07</p> <p>Cash is held in various blocked accounts in lieu of bond.</p> <p>Petitioners waive compensation.</p> <p>Attorney: \$3,700.00 (reduced from \$3,780.00, for 16.8 attorney hours @ \$225/hr. See attached declaration and itemization of services including appearances, communications with former and current guardians, work in connection with the second and final account of former guardian, various ex parte petitions re blocked accounts, coordinating distributions from a life insurance policy, drafting this first account, and filing further Inventory and Appraisals)</p> <p>Costs: \$522.00 (certified copies, filing fees)</p> <p>Petitioners pray for an order:</p> <ol style="list-style-type: none"> 1. Settling, allowing, and approving the first account and all acts and transactions of the Successor Guardians as set forth therein; 2. Authorizing the attorney's fees and costs; 3. For such other orders as the Court deems proper. | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Petitioners are Successor Co-Guardians of the Estate only. Hector Barba is Successor Guardian of the Person only (appointed 3/17/15).</p> |
| | Aff.Sub.Wit. | | |
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| | PTC | | |
| | Not.Cred. | | |
| ✓ | Notice of Hrg | | |
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| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| ✓ | Letters | | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| ✓ | 2620(c) | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| | | | <p>Reviewed by: skc</p> <p>Reviewed on: 2/23/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 9- De La Mora</p> |

Attorney: J. Stanley Teixeira (for former Administrator Julie Ravisconi)

Attorney: Heather Kruthers (for Administrator Public Administrator)

Attorney: Randolph Krbechek (petitioner/former attorney for Julie Ravisconi)

Petition for Allowance of Attorney's Fees for Extraordinary Services and Advanced Costs

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|-------------------------------------|---------------|---|---|-----|
| DOD: 9/1/12 | | <p>RANDOLF KRBECHK, former attorney for former Administrator Julie Ravisconi, is petitioner.</p> <p>Petitioner states he was the attorney for the personal representative, Julie Ravisconi from April 8, 2013 through October 2, 2015.</p> <p>A creditor's claim was filed by Camber Dupree on 9/23/13. The claim was rejected by Julie Ravisconi in her capacity as personal representative.</p> <p>To enforce her claim, Camber Dupree filed an action entitled <i>Dupree v. Ravisconi</i>, Fresno Superior Court Case no. 14CECG03809.</p> <p>Mr. Krbchek states he defended the estate in the lawsuit.</p> <p>Petitioner settled the creditor's claim filed by Camber Dupree by paying \$41,747.00 to Camber Dupree. Such payment was made without advanced notice to Mr. Krbechek. Mr. Krbechek states he learned of the payment when he was so informed by the attorney for Camber Dupree.</p> <p>Mr. Krbchek requests fees totaling \$5,530.00 for 17.73 hours of attorney time at \$300.00 per hour and 2.8 hours of paralegal time at \$75.00 per hour. In addition to costs of \$435.00 for the filing fee.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 1/21/16. Minute order dated 1/21/16 states any declarations with regard to the order in which the claims should be paid or the amount that should be paid before the attorney's fees are paid or the amount that should be paid before the attorney fees are paid are to be filed at least one week prior to 2/25/16. As of 2/23/16 the following issues remain:</p> <ol style="list-style-type: none"> California Rules of Court, Rule 7.702 states the petition for extraordinary compensation must include a statement of facts upon which the petition is based. The statement of facts that are required but not in the petition include: <ol style="list-style-type: none"> Show the nature and difficulty of the tasks performed; Show the results achieved; Show the benefit of the services to the estate; State the estimated amount of statutory compensation to be paid by the estate, if the petition is not part of a final account or report. | |
| Cont. from 012116 | | | | |
| <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/O |
| <input type="checkbox"/> | Aff.Pub. | | | |
| <input type="checkbox"/> | Sp.Ntc. | | | |
| <input type="checkbox"/> | Pers.Serv. | | | |
| <input type="checkbox"/> | Conf. Screen | | | |
| <input type="checkbox"/> | Letters | | | |
| <input type="checkbox"/> | Duties/Supp | | | |
| <input type="checkbox"/> | Objections | | | |
| <input type="checkbox"/> | Video Receipt | | | |
| <input type="checkbox"/> | CI Report | | | |
| <input type="checkbox"/> | 9202 | | | |
| <input checked="" type="checkbox"/> | Order | | | |
| <input type="checkbox"/> | Aff. Posting | | | |
| <input type="checkbox"/> | Status Rpt | | | |
| <input type="checkbox"/> | UCCJEA | | | |
| <input type="checkbox"/> | Citation | | | |
| <input type="checkbox"/> | FTB Notice | | | |
| | | <p>Reviewed by: KT</p> <p>Reviewed on: 2/23/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10A- Dupree</p> | | |

10B Timothy Lee Dupree (Estate)

Case No. 13CEPR00290

Attorney: J. Stanley Teixeira (for former Administrator Julie Ravigcioni)

Attorney: Heather Kruthers (for Administrator Public Administrator)

Attorney: Randolph Krbechek (former attorney for Julie Ravigcioni)

Probate Status Hearing RE: Reimbursement and/or Surcharges

| | | |
|----------------------|--|---------------------------------|
| DOD: 9/1/12 | JULIE RAVISCIONI , daughter was appointed Administrator with full IAEA authority without bond on 05/15/2013. | NEEDS/PROBLEMS/COMMENTS: |
| | Letters issued 05/16/2013 | |
| Cont. from | Final Inventory and Appraisal filed 11/06/2013 shows an estate valued at \$182,150.00. | |
| Aff.Sub.Wit. | In Julie Ravigcioni's accounting it was discovered that she made loans to TC Transport in the amount of \$65,875.00. Paid creditor's claims of the estate totaling \$52,195.52 when there was a priority claim filed by the IRS in the amount of \$104,205.30. In addition, Julie Ravigcioni made preliminary distributions of \$13,000.00. All of the above was done prior to any satisfaction of the creditor's claims filed by the IRS. | |
| Verified | Julie Ravigcioni was removed as Administrator and the Public Administrator appointed by minute order dated 9/2/15. | |
| Inventory | On 1/21/16 the Court deemed Julie Ravigcioni's account received and settled, but did not confirm or approve of any of her acts. | |
| PTC | This status hearing was set for status of any reimbursement/surcharge. | |
| Not.Cred. | Stipulation by the Former and Current Administrators of the Estate filed on 2/22/16 states in summary that Julie Ravigcioni acknowledges that she is to pay the estate \$119,390.52. The Fresno Public Administrator agrees that Julie Ravigcioni is to pay the estate at a rate of \$1,000.00 per month (without interest) until paid. | |
| 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: KT |
| | | Reviewed on: 2/23/16 |
| | | Updates: |
| | | Recommendation: |
| | | File 10B- Dupree |

Petition for Compensation

| | | | |
|---|----------------------|---|---|
| | | <p>J. STANLEY TEIXEIRA, Court appointed attorney for Conservatee, is Petitioner.</p> <p>The FRESNO COUNTY PUBLIC GUARDIAN was appointed Conservator of the Person and Estate on 5/29/13.</p> <p>The Conservatee filed a Petition for Termination of Conservatorship on 10/20/15, which was granted on 12/8/15.</p> <p>Petitioner requests fees in connection with his services to the Conservatee including visits, investigating his needs, consulting with care providers, investigating alternatives to conservatorship, petitioning for termination of the conservatorship, appearance at hearings, and successful termination.</p> <p>Petitioner requests payment in the total amount of \$3,435.00. Petitioner states his standard hourly rate for services is \$275.00. The reasonable value of the services described is \$3,560.00. He is informed that to file this petition, he will need to submit a filing fee in the amount of \$435.00.</p> <p>Attached are numerous billing statements indicating 12.5 total hours @ \$250/hour.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</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: 2/23/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11- Brannon</p> |

Probate Status Hearing RE: Termination of Proceeding for Deceased Conservatee

| | | |
|---------------|---|---|
| | PUBLIC GUARIDAN is Conservator of the Person and Estate. | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>2. Need final account and petition for termination of conservatorship.</p> |
| | On 1/5/16, the Court set this status hearing re termination of proceeding for deceased Conservatee. | |
| Aff.Sub.Wit. | <p>Status Report filed 2/18/16 states the Public Guardian is short-staffed. The person who prepares necessary documents for accounts is currently covering both her duties and duties of staff who retired, and is unable to get all accounts done for the scheduled status hearings. Furthermore, there has been a large number of accounts set for status hearings, which makes it harder for her to get to all of them and correct errors and discrepancies found by Probate Examiners in accounts that are being heard.</p> <p>Therefore, it is respectfully requested that the next status hearing for this matter be set no sooner than 90 days from this date.</p> | |
| 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 |
| | | Reviewed on: 2/23/16 |
| | | Updates: |
| | | Recommendation: |
| | | File 12- Walker |

Atty Markeson, Thomas; Harris, Richard (for Administrator Kevin Gunner)

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

| | | |
|---|--|--|
| DOD: 10/29/2013 | KEVIN GUNNER , Attorney at Law, was appointed Administrator with Will Annexed with Full IAEA authority with bond of \$384,000.00 on 2/11/2014. | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 8/6/2015. Minute Order states continued at the request of counsel.</p> |
| | | |
| | | |
| Cont. from 041015, 080615 | Proof of Bond was filed 2/21/2014. | |
| | Letters issued on 2/24/2014. | |
| <input type="checkbox"/> Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> Verified | Pursuant to Probate Code § 8800(b) , Final Inventory and Appraisal was filed 7/17/2014 showing an estate value of \$888,465.61 . | |
| <input type="checkbox"/> Inventory | Pursuant to Probate Code § 12200 , first account and/or petition for final distribution was due 2/24/2015. | |
| <input type="checkbox"/> PTC | Minute Order dated 2/11/2014 from the hearing on the petition for letters of administration set this status hearing on 4/10/2015 for filing of the first account and/or petition for final distribution. | |
| <input type="checkbox"/> Not.Cred. | | |
| <input type="checkbox"/> Notice of Hrg | | |
| <input checked="" type="checkbox"/> Aff.Mail | | |
| <input type="checkbox"/> Aff.Pub. | | |
| <input type="checkbox"/> Sp.Ntc. | Status Report on Final Distribution filed 2/18/2016 by Attorney Markeson for the Administrator states: | |
| <input type="checkbox"/> Pers.Serv. | <ul style="list-style-type: none"> This estate is not yet ready for distribution, and is likely insolvent; The Administrator has sold all personal and real property of the estate; some personal items have not yet been picked up or paid for; Administrator is in possession of cash of ~\$50,000.00; They have begun preparing the accounting schedules; The estate is also a named defendant in the matter of <i>Diocese of San Joaquin and The Episcopal Church v. Shofield</i> (08CECG01425); the defendants have appealed to the Fifth District Court of Appeal; the case has been fully briefed; Oral argument has been scheduled for 3/9/2016; Pursuant to Court rules, a final decision due no more than 90 days thereafter; Accordingly, he requests this matter be continued to 6/23/2016 in order for that matter to be resolved and the Court to issue its decision. | |
| <input type="checkbox"/> Conf. Screen | | |
| <input type="checkbox"/> Letters | | |
| <input type="checkbox"/> Duties/Supp | | |
| <input type="checkbox"/> Objections | | |
| <input type="checkbox"/> Video Receipt | | |
| <input type="checkbox"/> CI Report | | |
| <input type="checkbox"/> 9202 | | |
| <input type="checkbox"/> Order | | |
| <input type="checkbox"/> Aff. Posting | | |
| <input checked="" type="checkbox"/> Status Rpt | | |
| <input type="checkbox"/> UCCJEA | | |
| <input type="checkbox"/> Citation | | |
| <input type="checkbox"/> FTB Notice | | |
| | | <p>Reviewed by: LEG</p> <p>Reviewed on: 2/23/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13 - Schofield</p> |

Amended First and Final Account and Report of Administrator and Petition for Its Settlement, for Allowance of Compensation to Administrator and Attorney for Ordinary Services and for Final Distribution

| | | | |
|-------------------------------------|----------------------|---|--|
| DOD: 9/16/13 | | <p>CRAIG GAMMEL, Nephew and Administrator with Full IAEA with bond of \$270,000.00, is Petitioner.</p> <p>Account period: 5/20/14 – 10/31/15 Accounting: \$479,447.65 Beginning POH: \$465,990.11 Ending POH: \$458,588.61 (cash)</p> <p>Administrator (statutory): \$12,584.83 Attorney (statutory): \$12,584.83 Closing: \$2,500.00</p> <p>Distribution pursuant to intestate succession:</p> <p>Ella Sift: \$86,183.79 (20%) Loretta Deel: \$86,183.79 (20%) Donald Gammel: \$86,183.79 (20%) Robert Gammel: \$86,183.79 (20%) Michael Gammel: \$43,091.89 (10%) Craig Gammel: \$43,091.89 (10%)</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> |
| Cont. from 012816 | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | | |
| <input checked="" type="checkbox"/> | Inventory | | |
| <input checked="" type="checkbox"/> | PTC | | |
| <input checked="" type="checkbox"/> | Not.Cred. | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | | |
| <input checked="" type="checkbox"/> | Aff.Mail | | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input checked="" type="checkbox"/> | Letters | | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input checked="" 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 checked="" type="checkbox"/> | FTB Notice | | |
| | | <p>Reviewed by: skc</p> <p>Reviewed on: 1/27/16</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 14- Gammel</p> | |

Status Hearing Re: Filing of the First Account or Petition for Final Distribution

| | | |
|-----------------------------------|--|---|
| DOD: 9/13/13 | | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>Petition for Final Distribution filed 2/11/16 is set for hearing on 3/23/16.</p> |
| | | |
| | | |
| | | |
| Cont. from 052215, 073015, 111915 | | |
| 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 |
| | | Reviewed on: 2/22/16 |
| | | Updates: |
| | | Recommendation: |
| | | File 15 - Ribeiro |

16 Tommie George McNeely (Estate) Case No. 15CEPR00030

Attorney: Gregory J. Roberts (for Petitioner Gerald McNeely)

First and Final Account of Executor and Petition for Its Settlement; for Allowance of Fees and for Final Distribution

| | | | |
|-------------------------------------|----------------------|--|--|
| DOD: 12/16/14 | | GERALD McNEELY , Executor, is petitioner. | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Disbursement schedule shows payments totaling \$1,075.00 to Robert Folk, Esq. for informal assistance to executor with probate. This appears to be in violation of Probate Code §10810 and California Rules of Court, Rule 7.770 stating there shall be no compensation paid to the attorney in advance of a court order. The fees paid to Mr. Folk are in addition to the statutory requested by Mr. Roberts. Therefore total attorney fees are in excess of the statutory fees in violation of Probate Code §10813. – Petitioner states she will deduct the payment to the attorney from her statutory fees. – Order has been interlineated.</p> |
| | | Account period: 12/16/14 – 10/15/15 | |
| Cont. from 011416 | | Accounting - \$344,577.30 | |
| <input type="checkbox"/> | Aff.Sub.Wit. | Beginning POH - \$344,062.22 | |
| <input checked="" type="checkbox"/> | Verified | Ending POH - \$305,898.05 | |
| <input checked="" type="checkbox"/> | Inventory | Executor - \$9,251.55 | |
| <input checked="" type="checkbox"/> | PTC | \$8,176.55 (statutory, less \$1,075.00 paid to Robert Folk, Esq. for informal assistance to executor with probate.) | |
| <input checked="" type="checkbox"/> | Not.Cred. | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | W/ Attorney - \$9,251.55 | |
| <input checked="" type="checkbox"/> | Aff.Mail | (statutory) | |
| <input type="checkbox"/> | Aff.Pub. | Attorney X/O - \$1,694.00 | |
| <input type="checkbox"/> | Sp.Ntc. | (for sale of real property per itemization and declaration 6.05 hours @ \$280/hr) | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input checked="" type="checkbox"/> | Letters | 3/16/15 Closing - \$2,000.00 | |
| <input type="checkbox"/> | Duties/Supp | Distribution, pursuant to Decedent's Will, is to: | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | Peggy McNeely-Deas - \$66,754.83 | |
| <input type="checkbox"/> | CI Report | Virginia Taylor - \$50,073.22 | |
| <input checked="" type="checkbox"/> | 9202 | Gerald McNeely - \$83,436.45 | |
| <input checked="" type="checkbox"/> | Order | Earline McNeely - \$83,436.45 | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input checked="" type="checkbox"/> | FTB Notice | | |
| Reviewed by: KT | | | |
| Reviewed on: 2/23/16 | | | |
| Updates: | | | |
| Recommendation: | | | |
| File 16- McNeely | | | |

17 Beatrice Marie Woof (Estate) Case No. 15CEPR00094

**Attorney Kruthers, Heather H (for Public Administrator – Former Administrator)
 Administrator Melom, Patricia (Pro Per – Current Administrator)**

**First and Final Account and Report of Former Administrator and Petition for
 Allowance of Ordinary Commissions and Fees and for Distribution**

| | | |
|---|--|---|
| DOD: 10/13/2014 | PUBLIC ADMINISTRATOR , former Administrator, is petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | Account Period: 11/05/2014 – 11/05/2015 | <p>Minute Order of 01/21/2016: Counsel reports that she spoke with Patricia Melom this morning, and Ms. Melom wants time to speak to the Public Administrator.</p> |
| Cont. from 012116 | Accounting - \$625,338.93 | |
| <input type="checkbox"/> Aff.Sub.Wit. | Beginning POH - \$625,338.93 | |
| <input checked="" type="checkbox"/> Verified | Ending POH - \$92,715.18 (\$38,515.18 is cash) | |
| <input type="checkbox"/> Inventory | | |
| <input type="checkbox"/> PTC | Bond fee - \$781.68 | |
| <input checked="" type="checkbox"/> Not.Cred. | | |
| <input checked="" type="checkbox"/> Notice of Hrg | Executor - \$2,000.00 (less than Statutory) | |
| <input checked="" type="checkbox"/> Aff.Mail w/ | Attorney - \$2,000.00 (less than Statutory) | |
| <input type="checkbox"/> Aff.Pub. | | |
| <input type="checkbox"/> Sp.Ntc. | | |
| <input type="checkbox"/> Pers.Serv. | | |
| <input type="checkbox"/> Conf. Screen | Distribution to Patricia Melom, Successor Administrator, the remaining cash in the amount of \$32,736.00. | |
| <input checked="" type="checkbox"/> Letters 05/07/15 | | |
| <input type="checkbox"/> Duties/Supp | Wherefore, petitioner prays that: | |
| <input type="checkbox"/> Objections | 1. The final account prepared herewith be settled, allowed and approved as filed; | |
| <input type="checkbox"/> Video Receipt | 2. Petitioner and his attorney each be authorized the sum of \$2,000.00 as their statutory compensation; | |
| <input type="checkbox"/> CI Report | 3. Petitioner be authorized to pay from the estate a bond fee of \$7841.68, a filing fee of \$435, and a processing fee of \$127.50; | |
| <input checked="" type="checkbox"/> 9202 | 4. Distribution of the estate of the decedent in petitioner's hands be made as set forth above, and | |
| <input checked="" type="checkbox"/> Order | 5. For such other and further orders as the Court considers just and proper. | |
| <input type="checkbox"/> Aff. Posting | | |
| <input type="checkbox"/> Status Rpt | | |
| <input type="checkbox"/> UCCJEA | | |
| <input type="checkbox"/> Citation | | |
| <input checked="" type="checkbox"/> FTB Notice | | |
| | | Reviewed by: LV |
| | | Reviewed on: 02/23/2016 |
| | | Updates: |
| | | Recommendation: |
| | | File 17- Woof |

Probate Status Hearing RE: Filing of the Inventory and Appraisal

| | | |
|----------------------|---|--|
| DOD: 1/23/15 | <p>BRUCE BICKEL was appointed Administrator with Full IAEA with bond of \$215,000.00 on 9/23/15.</p> <p>Bond was filed 10/6/15 and Letters issued 10/9/15.</p> <p>At the hearing on 9/23/15, the Court set this status hearing for the filing of the Inventory and Appraisal.</p> <p>Status Report filed 2/24/16 states the decedent's conservatorship action Case No. 0237515 which currently holds possession of the assets has not yet concluded. The Second and Final Account is scheduled for hearing on 3/1/16, which petition asks that the assets be delivered to the administrator of the estate. The Administrator has not yet filed an Inventory and Appraisal because the assets have not come into this estate.</p> <p>Therefore, Ms. Horton humbly requests that this status hearing be continued to 3/1/16 or alternatively for 60 days.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Inventory and Appraisal per Probate Code §8800.</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: 2/23/16</p> <p>Updates: 2/24/16</p> <p>Recommendation:</p> <p>File 18- Inman</p> | |

Attorney Jim D. Lee (for Sandy Duane Queen, Executor)

Probate Status Hearing Re: Filing of the Inventory and Appraisal

| | | |
|-----------------------|--|---|
| DOD: 5/15/2015 | <p>SANDY DUANE QUEEN, uncle of predeceased spouse and Successor Trustee of the SID AND GWEN LEHMAN TRUST, was appointed Executor with full IAEA authority without bond on 10/13/2015.</p> <p>Minute Order dated 9/24/2015 from the hearing on the petition for probate of will set this status hearing on 2/25/2016 for filing of the final inventory and appraisal.</p> <p>Final Inventory and Appraisal filed 11/19/2015 shows an estate value of \$1,313,219.58.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR</p> <p>Corrected Final Inventory and Appraisal filed 2/24/2016.</p> <p>1. <i>Final Inventory and Appraisal</i> filed 11/19/2015 is incomplete at Item 3 regarding whether the inventory contains a statement of all or a portion of the estate that has come into the Executor's possession. Need current statement as to the entirety of the estate assets, and/or a <i>Supplement Inventory and Appraisal</i> if there are additional estate assets to be reported to the Court.</p> |
| 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 | | |
| | | Reviewed by: LEG |
| | | Reviewed on: 2/23/16 |
| | | Updates: 2/24/16 |
| | | Recommendation: |
| | | File 19- Lehman |

Attorney Steven M. Matlak (for Mike Kochergen and Ann Shuken)

Probate Status Hearing Re: Filing of the Inventory and Appraisal

| | | |
|---|--|--|
| DOD: 6/20/2015 | MIKE KOCHERGEN and ANN SHUKE are Co-Executors. | NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR Per Status Report filed 2/23/2016 stating there are no assets of the probate estate to require filing of an inventory and appraisal; the probate administration is established solely to defend the Decedent's interest in pending litigation in the Fifth District Court of Appeal and to determine all creditor's claims against the estate; Decedent's Trust is the sole heir of the estate. |
| | | |
| | | |
| | | |
| Cont. from | | |
| <input type="checkbox"/> Aff.Sub.Wit. | | |
| <input type="checkbox"/> Verified | | |
| <input type="checkbox"/> Inventory | | |
| <input type="checkbox"/> PTC | | |
| <input type="checkbox"/> Not.Cred. | | |
| <input type="checkbox"/> Notice of Hrg | | |
| <input type="checkbox"/> Aff.Mail | | |
| <input type="checkbox"/> Aff.Pub. | | |
| <input type="checkbox"/> Sp.Ntc. | | |
| <input type="checkbox"/> Pers.Serv. | | |
| <input type="checkbox"/> Conf. Screen | | |
| <input type="checkbox"/> Letters | | |
| <input type="checkbox"/> Duties/Supp | | |
| <input type="checkbox"/> Objections | | |
| <input type="checkbox"/> Video Receipt | | |
| <input type="checkbox"/> CI Report | | |
| <input type="checkbox"/> 9202 | | |
| <input type="checkbox"/> Order | | |
| <input type="checkbox"/> Aff. Posting | | |
| <input type="checkbox"/> Status Rpt | | |
| <input type="checkbox"/> UCCJEA | | |
| <input type="checkbox"/> Citation | | |
| <input type="checkbox"/> FTB Notice | | |
| | Reviewed by: LEG | |
| | Reviewed on: 2/23/16 | |
| | Updates: | |
| | Recommendation: | |
| | File 20- Kochergen | |

Probate Status Hearing Status Re: Filing of the Inventory and Appraisal

| | | |
|---------------|--|--|
| Age: | | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>Final I&A filed 2/22/16</p> |
| DOD: | | |
| | | |
| | | |
| 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 | | |
| | | Reviewed by: skc |
| | | Reviewed on: 2/22/16 |
| | | Updates: |
| | | Recommendation: |
| | | File 21- Gonsalves |

- Petitioner Wellington, Mary (Pro Per – Daughter – Petitioner)
- Petitioner Vargas, Mary E. (Pro Per – Daughter – Petitioner)
- Petitioner Aguila, Maria Ellen (Pro Per – Daughter – Petitioner)
- Petitioner Burman, Mary Alice (Pro Per – Daughter – Petitioner)
- Petitioner Miller, RoseMary (Pro Per – Daughter – Petitioner)
- Petitioner Lamproe, Mary Adelaide (Pro Per – Daughter – Petitioner)
- Petitioner Aguila, Joe, Jr. (Pro Per – Son – Petitioner)
- Petitioner Luna, Loreto (Pro Per – Spouse – Petitioner)

Amended Petition to Determine Succession to Real Property

| | | |
|---|---|----------------------------------|
| DOD: 12/21/14 | Petitioners are: | NEEDS/PROBLEMS/COMMENTS: |
| | <ul style="list-style-type: none"> MARY WELLINGTON, Daughter MARY E. VARGAS, Daughter MARIA ELLEN AGUILA, Daughter MARY ALICE BURMAN, Daughter ROSEMARY MILLER, Daughter MARY A. LAMPROE, Daughter JOE AGUILA, JR., Son LORETO LUNA, Spouse | |
| | 40 days since DOD | |
| | No other proceedings | |
| | I&A: \$110,100.00 (real property located at 357 E. Durian in Coalinga plus misc. personal property) | |
| | Decedent died intestate | |
| | Petitioners request Court determination that the decedent's property passes 1/3 to the surviving spouse and the remaining 2/3 to be split between the seven children (a 2/21 interest each). | |
| <input type="checkbox"/> Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> Verified | | |
| <input checked="" 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 | | |
| <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 | | |
| | | Reviewed by: skc |
| | | Reviewed on: 2/23/16 |
| | | Updates: |
| | | Recommendation: SUBMITTED |
| | | File 23- Luna |

Petitioner: Maria de la Luz Rangel (pro per)

Petition for Appointment of Guardian of the Person

| | | | |
|-------------------------------------|---------------|--|---|
| | | THERE IS NO TEMPORARY. No temporary was requested. | NEEDS/PROBLEMS/COMMENTS: Continued from 1/14/16. Minute order states Examiner notes provided in open court. As of 2/23/15 the following issues remain: 1. Need Notice of Hearing. 2. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Georgette Salazar (minor) b. Mayela Juarez (mother) – unless the court dispenses with notice. |
| | | MARIA DE LA LUZ RANGEL, maternal grandmother, is petitioner. | |
| Cont. from 121015, 011416 | | Please see petition for details. | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | Court Investigator Report filed on 11/23/15 | |
| <input type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input type="checkbox"/> | Notice of Hrg | X | |
| <input type="checkbox"/> | Aff.Mail | | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | X | |
| <input checked="" type="checkbox"/> | Conf. Screen | | |
| <input checked="" type="checkbox"/> | Letters | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input checked="" type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input checked="" type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | | Reviewed by: KT |
| | | | Reviewed on: 2/23/16 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 24 - Salazar |

Petition for Appointment of Probate Conservator of the Person

| | | | |
|-------------------------------------|---------------|---|--|
| | | <p>THERE IS NO TEMPORARY. No temporary was requested.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Advised Rights on 2/10/16.</p> <p>Voting Rights Affected Need Minute Order.</p> |
| | | | |
| | | <p>BLIA CHONG LEE, father, is petitioner</p> | |
| | | | |
| Cont. from | | <p>Please see petition for details.</p> | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | <p>Court Investigator Report filed on 2/17/16</p> | |
| <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 | | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input checked="" type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input checked="" type="checkbox"/> | Letters | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input checked="" type="checkbox"/> | Video Receipt | | |
| <input checked="" type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input checked="" type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | | Reviewed by: KT |
| | | | Reviewed on: 2/23/16 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 25- Lee |

27 Miah Morningstar, Ellie Hobson, Lola Aguirre-Hobson (GUARD/P)

Case No. 12CEPR01031

Petitioner Aguirre-Bittner, Jackie (Pro Per – Maternal Grandmother)

Petitioner Bittner, Clinton (Pro Per – Maternal Grandfather)

Petition for Appointment of Temporary Guardian

| | | | | |
|-------------------------------------|----------------------|---|---|--------------------------------|
| | | <u>GENERAL HEARING 04/18/2016</u> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Petition pertains to Ellie Hobson and Lola Aguirre-Hobson only. Petitioners were appointed co-guardians of Miah Morningstar on 11/16/2013.</p> | |
| | | <p>JACKIE AGUIRRE-BITTNER, maternal grandmother, and CLINTON BITTNER, maternal grandfather, are petitioners.</p> <p style="text-align: center;"><u>Please see petition for details</u></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 | n/a | | |
| <input type="checkbox"/> | Aff.Mail | | | |
| <input type="checkbox"/> | Aff.Pub. | | | |
| <input type="checkbox"/> | Sp.Ntc. | | | |
| <input type="checkbox"/> | Pers.Serv. | n/a | | |
| <input checked="" type="checkbox"/> | Conf. Screen | | | |
| <input checked="" type="checkbox"/> | Letters | | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | | |
| <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: LV |
| | | | | Reviewed on: 02/23/2016 |
| | | | Updates: | |
| | | | Recommendation: | |
| | | | File 27- Morningstar & Hobson | |