

Age: 16 years		<p>MARK E. OLSON, successor Trustee (Private Professional Fiduciary), is Petitioner.</p> <p>Account period: 07/31/10 – 07/31/12</p> <p>Accounting - \$463,686.15 Beginning POH - \$299,055.65 Ending POH - \$324,340.49</p> <p>Trustee - \$8,911.00 (\$7,799.00 has already been paid per Court order allowing compensation at \$350.00/month. Trustee requests approval for the remaining unpaid portion of \$511.00)</p> <p>Attorney - \$5,112.86 (per itemization and declaration for total fees in the amount of \$4,962.50 consisting of 18.9 hours broken down at .50 hr. @ \$175.00/hr., 7.30 hr. @ \$200.00/hr., 9.40 hr. @ \$300.00/hr., and 1.70 hr. @ \$350.00/hr. plus costs in the amount of \$150.36 for postage, photocopies and faxes)</p> <p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> Settling and allowing the first account as filed; Ratifying, confirming, and approving all of the acts and transactions of Petitioner as trustee; Allowing reasonable compensation to Petitioner for ordinary services rendered as trustee, in the total amount of \$8,911.00 for the period 07/31/10 – 07/31/12, of which \$511.00 remains unpaid to Petitioner; and Authorizing and directing trustee to pay Robert T. Haden Professional Corporation, the sum of \$5,112.86 from the trust estate as fees for services rendered from 09/01/10 – 11/20/12. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 01/30/13 Minute Order from 01/30/13 states: Counsel requests a continuance to address the issues noted in the Examiner Notes.</p> <p>As of 02/21/13, nothing further has been filed in this matter and the following comments remain:</p> <ol style="list-style-type: none"> Property on hand shows that the trust owns a 2008 Ford Econoline E-250 Van. Automobile Expense shows varying monthly charges from 11/11 – 05/12 for a total of \$16,830.60 for "Van Rental". It is unclear why the trust rented a van when it owned a van. The Court may require more information. Schedule C-2 shows a disbursement to Sawyer Air Conditioning for \$10,900.00 for a HEPA unit for the house, however this item is not shown as an asset of the Trust on the Property on Hand schedule. The Court may require more information regarding this item. Petitioner is requesting total compensation of \$8,911.00 for the accounting period based on the Court's previous order authorizing \$350/month to the Trustee. Based on the \$350/month the compensation to the Trustee for the 24 month accounting period would be \$8,400.00 not \$8,911.00. Further Schedule C-3 of the accounting reflects disbursements to Mark Olson in varying amounts rather than even monthly payments of \$350.00. The Court may require more information. Schedule C-5 reflects reimbursements to Rafael Bustos for various amounts for mileage, vacation expenses, mariachi, 15th birthday party, clothing, outings, etc. The Court may require more information regarding these reimbursements. Attorney's request for fees and costs includes costs in the amount of \$150.36 for postage, photocopies and faxes; however, these costs are considered by the Court as part of the cost of doing business pursuant to Local Rule 7.17B. 	
Cont. from 013013				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: JF</p> <p>Reviewed on: 02/21/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 - Bustos</p>		

(1) First and Final Account and Report of Successor Administrator and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and (3) for Distribution

DOD: 7/2/2008		PUBLIC ADMINSTRATOR , Successor Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 10/11/11 – 12/21/12	
Cont. from		Accounting - \$60,000.00	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$60,000.00	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$35,966.96	
<input checked="" type="checkbox"/>	Inventory	Administrator - \$1,620.00	
<input checked="" type="checkbox"/>	PTC	(statutory)	
<input checked="" type="checkbox"/>	Not.Cred.	Administrator x/o - \$1,248.00 (per Local Rule for sale of Real property and preparation of tax returns)	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	Attorney - \$1,620.00	
	Aff.Pub.	(statutory)	
	Sp.Ntc.	Bond - \$187.50 (o.k.)	
	Pers.Serv.	Court fees - \$25.50	
	Conf. Screen	(certified copies)	
<input checked="" type="checkbox"/>	Letters	10/11/11	
<input checked="" type="checkbox"/>	Duties/Supp	Petitioner states the estate is insolvent. After payment of creditor's claims there is no property to distribute to the heirs.	
	Objections		
	Video Receipt	Distribution of remaining property on hand will be to:	
	CI Report	HSCB Bank - \$9,416.34	
<input checked="" type="checkbox"/>	9202	HSCB Bank - \$9,306.00	
<input checked="" type="checkbox"/>	Order	Discover Bank - \$6,938.52	
	Aff. Posting	Target Nat'l Bank - \$2,596.85	
	Status Rpt	Citibank - \$2,573.25	
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 2/21/13
			Updates:
			Recommendation:
			File 3 - Gaucin

Age: 87	DEBORAH K. BOYETT, Petitioner, was Court appointed to represent the conservatee on 10/24/11.	NEEDS/PROBLEMS/COMMENTS:
	JOAN ST. LOUIS, was appointed successor conservator of the person and estate on 01/09/13.	
Cont. from	Petitioner requests fees in connection with the representation of the conservatee for Joan St. Louis Petition to appoint a successor conservator.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Petitioner asks that she be paid from the conservatorship estate for 21.6 hours @ \$250.00/hr. for \$5,400.00 and costs in the amount of \$435.00 for a total of \$5,835.00.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Services are itemized by date and include review of documents, meetings and telephone conferences with other parties involved in this matter, visits with client, and court appearances.	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		Reviewed by: JF
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		Reviewed on: 02/21/13
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 4 - Bingham

Petition for Termination of Guardianship

Age: 5	JULIETA GUERRERO, mother/Guardian of the Estate, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Petitioner is Spanish speaking. Note: It appears this guardianship is not in a position to be terminated due to the following: 1. No Inventory & Appraisal has been filed in this matter. Need Inventory & Appraisal. 2. No accounting has been filed in this matter. Need First and Final Account. 3. Need <i>Notice of Hearing</i> . 4. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: - Maternal grandmother* *Unless the Court dispenses with Notice. Petitioner states that she lives in Mexico. 5. The caption on the Petition and Order is incorrect. The minor's name should be reflected in the caption, not the name of the minor's deceased father. Need revised Order.
	Petitioner was appointed Guardian of the Estate on 04/25/12.	
Cont. from	Father: CUAUHTEMOC GUERRERO – deceased	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory	Paternal grandparents: DECEASED	
<input type="checkbox"/> PTC	Maternal grandmother: LIVES IN MEXICO	
<input type="checkbox"/> Not.Cred.	Maternal grandfather: DECEASED	
<input type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Aff.Mail	<input checked="" type="checkbox"/> Petitioner states that guardianship of the estate is no longer necessary because the only asset of the estate was lost to foreclosure.	
<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: JF
		Reviewed on: 02/21/13
		Updates:
		Recommendation:
		File 5 - Guerrero

Petition for Instructions and Authorization Regarding Payment of Tuition for Conservatee's Daughter

Age: 63	PUBLIC GUARDIAN , Conservator of the estate, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Note: The Court may require further information regarding the request at the hearing.
	Petitioner states the conservatee's monthly income is approx. \$2,106.90. His monthly expenses are \$1,177.40, including rent, utilities and personal needs money. He also has \$131,849.97 cash on hand from an inheritance.	
<input type="checkbox"/> Aff.Sub.Wit.	One of Mr. Lee's daughters began college this year. Her annual expenses for school, including room and board and books, total \$43,545.00. Through scholarships, grants and financial aid, she will be able to cover \$37,359.00 of that. She needs another \$6,066.00 to pay fully for her first year.	
<input checked="" type="checkbox"/> Verified	Mr. Lee's son-in-law has been in contact with the Public Guardian and County Counsel regarding the daughter's need for assistance. Mr. Lee has expressed his desire to provide assistance to his daughter for her education. Mr. Lee's attorney, Kim Aguirre, expressed concern about providing money to a child from whom Mr. Lee is estranged. Therefore, the Court's instruction and authority are necessary.	
<input type="checkbox"/> Inventory	Probate Code §2423 allows authorization, upon petition, for the conservator to pay and distribute surplus income of the estate to relatives within the second degree whom the Conservatee would, in the judgment of the court, have aided but for the existence of the conservatorship. The Court, in ordering payments under this section, may impose conditions if the court determines that the Conservatee would have imposed conditions if he had capacity to act.	
<input type="checkbox"/> PTC	Petitioner states the Court can order payments by finding that the Conservatee would have aided his daughter but for the existence of the conservatorship of his estate. Mr. Lee stated that he would like to provide her with financial assistance for school.	
<input type="checkbox"/> Not.Cred.	Petitioner prays that the Court find that Mr. Lee would provide financial assistance to his daughter but for the existence of the conservatorship; and that the Court order a payment of \$6,066.00 to Hannah Grace Lee.	
<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: 2-21-13
Updates:
Recommendation:
File 6 – Lee

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

DOD: 4/24/2009	RAMONA RAMOS , daughter, is Petitioner and requests appointment as Special Administrator with full IAEA and without bond.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 1/2/13. As of 2/21/13 the following issues remain:</p> <ol style="list-style-type: none"> <i>Petition</i> does not state why a special administrator is needed as opposed to a general administrator. A special administrator is generally appointed for a limited purpose whereby a general administrator is appointed to administer the entire estate. Court may require clarification. Need <i>Affidavit of Publication</i>. <i>Petition</i> requests appointment as Special Administrator with general powers and full IAEA. Pursuant to Probate Code §8545, notice shall be the same as under Probate Code §8003, which includes publication under Probate Code § 8120 et seq. Item 5(a) of the <i>Petition</i> is incomplete as to (3) or (4) re: registered domestic partner, and (7) or (8) re: issue of a predeceased child. Need date of death of spouse pursuant to Local Rule 7.1.1D. Need Order Need Letters. <p>Note: There have been two previous continuances and none of the deficiencies have been corrected or addressed.</p> <p>Reviewed by: KT</p> <p>Reviewed on: 2/21/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 - Ramos</p>
	Petitioner is the sole heir and waives bond.		
Cont. from 121212, 010213	Full IAEA – ?		
<input type="checkbox"/> Aff.Sub.Wit.	Decedent died intestate.		
<input checked="" type="checkbox"/> Verified	Residence – Coalinga Publication – ?		
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	W/		
<input type="checkbox"/> Aff.Pub.	X		
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters	X	Estimated value of the Estate:	
<input checked="" type="checkbox"/> Dufies/Supp	Real property- \$64,000.00		
<input type="checkbox"/> Objections	Total - \$64,000.00		
<input type="checkbox"/> Video Receipt	Probate Referee: Rick Smith		
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input type="checkbox"/> Order	X		
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			

(1) First and Final Account and Report of Administrator and (2) Petition for Final Distribution and (3) for Allowance of Compensation for Ordinary Services

DOD: 10/1/2009	VALERIE E. SILVA , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 10/1/2009 – 12/5/2012	
Cont. from	Accounting - \$533,517.10	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH - \$526,589.53	
<input checked="" type="checkbox"/> Verified	Ending POH - \$531,706.08	
<input checked="" type="checkbox"/> Inventory	Administrator - waives	
<input checked="" type="checkbox"/> PTC	Attorney - \$13,670.34	
<input checked="" type="checkbox"/> Not.Cred.	(statutory)	
<input checked="" type="checkbox"/> Notice of Hrg	Closing - \$1,500.00	
<input checked="" type="checkbox"/> Aff.Mail W/	Distribution, pursuant to Intestate Succession, is to:	
Aff.Pub.	Valerie Silva - \$89,495.41,	
Sp.Ntc.	1/3 of the furniture and furnishings,	
Pers.Serv.	33.33 shares of Entergy Corp, 1/3	
Conf. Screen	interest in real property located on	
<input checked="" type="checkbox"/> Letters 2/25/12	Tulare Ave and 1/3 interest in real	
Duties/Supp	property located on Railroad Ave.	
Objections	Sharon Silva Neresian - \$89,495.41,	
Video Receipt	1/3 of the furniture and furnishings,	
CI Report	33.33 shares of Entergy Corp, 1/3	
<input checked="" type="checkbox"/> 9202	interest in real property located on	
<input checked="" type="checkbox"/> Order	Tulare Ave and 1/3 interest in real	
Aff. Posting	property located on Railroad Ave.	
Status Rpt	Steven Silva - \$89,495.41,	
UCCJEA	1/3 of the furniture and furnishings,	
Citation	33.33 shares of Entergy Corp, 1/3	
<input checked="" type="checkbox"/> FTB Notice	interest in real property located on	
	Tulare Ave and 1/3 interest in real	
	property located on Railroad Ave.	
	Reviewed by: KT	
	Reviewed on: 2/22/13	
	Updates:	
	Recommendation: SUBMITTED	
	File 8 - Silva	

DOD: 4/28/2009		DANA VAN HORN , Executor, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Order does not comply with Local Rule 7.6.1B – No riders or exhibits may be attached to any order, except as may be otherwise provided on Judicial Council forms. Need new order.</p>
		Petitioner states the only asset of the estate in California is a 1/5 undivided interest in the Richard W. Moore Testamentary Trust. The only asset of the Richard W. Moore Testamentary Trust is 1,536.97 acres, more or less of real property located in Fresno County.	
Cont. from		Decedent's Will devises "the undivided one-fifth (1/5) interest owned by me in 1,536.97 acres, more or less of real estate . . . " to be distributed to a testamentary trust for which is wife, the Petitioner, is the income beneficiary and his two children are the remainder beneficiaries.	
	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	At the time the decedent passed away he did not own a 1/5 interest in the above described property nor was such interest "owned" by him. Rather, he had a vested 1/5 beneficial interest in the Richard W. Moore Testamentary Trust (which actually owned the property). In other words the decedent did not own the property he specifically left to his testamentary trust. Since the establishment of the probate, the trustees of the Richard W. Moore Trust have distributed the aforementioned property to the beneficiaries of the trust, which means a 1/5 interest in the property was deeded to Dana Van Horn and Executor of the Estate of Larry Dean Van Horn.	
	Aff. Posting	The decedent's Will contains a residue clause leaving everything other than the 1/5 interest in the real property to his wife, Petitioner Dana Van Horn.	
	Status Rpt	It is Petitioner's belief that it was the intent of the Decedent to leave whatever assets he had in California to the testamentary trust established by his will.	
	UCCJEA		
	Citation		
	FTB Notice	Thus the issue before the Court is whether the subject 1/5 interest in the real property should be distributed to the testamentary trust described in the decedent's Will or to his wife, the Petitioner as a devisee under the residue clause in the decedent's Will.	
		Wherefore, Petitioner prays for the Court make an order determining that the testamentary trust established by the Decedent's Will is the property devisee of the aforementioned real property interest, which is now owned by the Estate of Larry Van Dorn.	

Reviewed by: KT

Reviewed on: 2/22/13

Updates:

Recommendation:

File 9 - Horn

Petition to Compel Trustee to Account; for Accounting by Attorney in Fact; for Further Accounting; for Elder Fiduciary Abuse; for Constructive Trust, and for Damages [Prob. C. 17200 et seq, 4500 et seq; 16000-16006; 16040; 16060; 16062-16063; 16400; 16420 and 16440 et seq; W&I C. 15657, 15610.30]

		CYNTHIA F. HILL and LEWIS C. SLAYTON are Petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 11/1/12. As of 2/22/13 the following issues remain:</p> <ol style="list-style-type: none"> 1. Petition also requests relief for the Jessie C. Slayton and Martha Jane Slayton Revocable Living Trust dated June 1, 2005. The Jessie C. Slayton and Martha Jane Slayton Revocable Living Trust is not before the court and therefore the court cannot make orders with regard to said trust. A separate action will need to be commenced regarding issues involving the Jesse C. Slayton and Martha Jane Slayton Revocable Trust. 2. Page 2, line 9 & 10 of the Petition states trust assets are distributable to Cynthia F. Hill, Lewis ("Rusty") C. Slayton, and Shirley Alexander. However, page 2, line 12 states the assets are distributable to Cynthia F. Hill, Jesse C. Slayton, Jr. and Shirley Alexander. The court may require clarification.
		Petitioners allege: On 7/29/2009 the Slayton Family Grantor Trust was created. The grantor of the Trust was Jesse C. Slayton; the Trustee of the Trust was Jesse's niece, Debbie Slayton.	
Cont. from 110112		The Slayton Family Grantor Trust was actually established on behalf of Jesse by Debbie Slayton who executed the Trust document as Jesse's attorney-in-fact. Jesse had previously executed a durable power of attorney on 5/3/2005.	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Please see additional page

Reviewed by: KT

Reviewed on: 2/22/13

Updates:

Recommendation:

File 10 - Slayton

The sale was made to a related party without a broker. Bobby Slayton is the brother of the settlor, Jesse C. Slayton, and Joyce Slayton is the wife of Bobby Slayton. Bobby Slayton and Joyce Slayton are the parents Debbie Slayton, the Trustee.

Petitioners were advised of the sale and are informed and believe that the consideration for the sale of the residence was not unreasonable notwithstanding the relationship between the Trustee and the purchasers of the property.

Following the sale, the Trustee distributed cash in the amount of \$65,000 to each of the three beneficiaries. The Trustee indicated that each of the beneficiaries were to receive at least \$20,000.00 more; however no additional funds have been distributed to the beneficiaries, nor has any additional information been provided to the beneficiaries.

Pursuant to California law, the Trustee is required to account to the beneficiaries of the Trust. On February 23, 2011, counsel for Petitioners served a demand for an accounting on the Trustee, Debbie Slayton.

To date, an accounting has not been received from the Trustee.

Wherefore, Petitioners request this court to order the Trustee to render an accounting of the administration of the Trust, in the form and manner prescribed by law.

Petitioner further requests a review of the acts of the attorney-in-fact and for further accounting by attorney-in-fact.

Petitioner alleges Jesse C. Slayton was married to Martha Jane Slayton for more than 49 years. Martha died in July 2008. Petitioners believe that Jesse and Martha previously established a Revocable Living Trust Agreement known as the "**Jesse C. Slayton and Martha Jane Slayton Revocable Living**" dated June 1, 2005 (the Jesse and Martha Trust). A page entitled "Overview of pertinent Information" is attached as Exhibit F; the document indicates that the Jesse and Martha Trust may have been established by Jesse C. Slayton individually, and acting as Attorney-in-Fact for his wife, Martha. Petitioners have been unable to obtain a copy of the Jesse and Martha Trust.

Petitioners further believe, based on statements made by Jesse C. Slayton that prior to the establishment of the Jesse and Martha Trust, he had cash assets in excess of \$400,000.00.

Petitioners believe that at some time prior to July 29, 2009, Debbie Slayton became trustee of the Jesse and Martha Trust. On July 29, 2009, Debbie Slayton signed an "Affidavit of Change of Trustee," declaring that the former Trustee, Jesse C. Slayton was incapacitated, and that she has succeeded to the position of trustee.

Please see additional page

On 11/29/2009, a deed was recorded transferring Jesse's residence from Debbie Slayton as Trustee of the Jesse and Martha trust to Jesse C. Slayton, a married man. On that same day, there as a recorded deed transferring the residence from Jesse C. Slayton, a married man, to Debbie Slayton, Trustee of the Slayton Family Grantor Trust dated July 29, 2009.

Petitioners believe that following Martha's death, Jesse was the primary beneficiary of the Jesse and Martha Trust.

Petitioners believe that Debbie Slayton, as successor Trustee of the Jesse and Martha Trust and/or as attorney in fact for Jesse Slayton, transferred and/or dissipated assets of the Trust, or assets belonging to Jesse Slayton to and for her own benefit and/or transferred same to third parties, the identities of whom is unknown to Petitioners.

Petitioners allege that Debbie Slayton regularly used Jesse's credit card for her personal benefit. After Jesse's death, a family member observed that Debbie "like[d] spending your uncle Charlie's money" (referring to Jesse C. Slayton, who was known as "Uncle Charlie" to some family members).

Wherefore, Petitioners request that Debbie Slayton account for her actions as attorney in fact of Jesse C. Slayton from 5/3/2009, and any and all actions taken as trustee of the Jesse and Martha Trust, in the manner prescribed by law.

Petitioners allege that in administering the Trust after the death of Jesse C. Slayton, the Trustee Debbie Slayton breached one or more fiduciary duties owing to the beneficiaries of the Slayton Family Trust, including without limitation, the duty to administer the trust solely in the interest of the beneficiaries; the duty to preserve trust property; and the duty to make trust property productive. As a result of the Trustee's actions, Petitioners have been damaged by the loss of their beneficial interest in the trust, in an amount according to proof. That as a result of the Trustee's actions, petitioners have been further damaged in that Petitioners have been required to retain an attorney and incur attorney's fees to assert their rights to trust property, and against the Trustee, in an amount according to proof. That the actions of the Trustee were outrageous and intentional and as such the Trustee's conduct should be punished by an award of exemplary damages against the Trustee and in favor of the beneficiaries.

At all times alleged in this petition, Jesse C. Slayton was elderly and over the age of 65 years old. For a number of years prior to his death, commencing in 2004 or early 2005, Debbie Slayton lived in Jesse's residence under an agreement that she would provide for his need and would receive room and board and a monetary stipend. She occupied the position of care custodian until approximately 2008 when Jesse's declining health required that he move into Sierra Villa, a care facility.

Please see additional page

Petitioners allege, for some years prior to his death, Jesse was suffering from diminished mental capacity, was subjected to being taken advantage of by the Respondents. Respondents exercised complete dominion and control over Jesse's assets and gained knowledge of his assets and property.

In addition, Debbie Slayton sequestered and prevented Jesse from having contact with other family members, including Petitioner, Cynthia F. Hill, specifically stating that Cynthia was not to be permitted to visit with Jesse, her father, unless Debbie was present.

The conduct of Respondents and each of them, resulted in the deprivation of Jesse's assets, which were necessary for his care and ongoing maintenance.

The above-described conduct constitutes financial abuse under Welfare and Institutions Code section 15657 and 15610.30.

Respondents, and each of them are guilty of recklessness, oppression and fraud; respondents and each of them acted with malice against Jesse in the commission of the above described abuse.

Pursuant to Welfare and Institutions Code 15657(a) Respondents and each of them are liable for reasonable attorney's fees and costs necessarily incurred in bringing an prosecuting this claim.

Petitioners believe that Respondents and each of them have wrongfully taken, transferred, concealed and otherwise deprived Jesse of property belonging to the Slayton Family Trust and/or the Jesse and Martha Trust and/or Jesse C. Slayton. Said Respondents may include, without limitation, **Debbie Slayton, Bobby Slayton**, her father, and/or **Joyce Slayton**, her mother.

Bobby Slayton died on 5/13/2012. To Petitioner's knowledge no probate proceedings have been commenced.

Petitioners believe that at the time the property or assets of Jesse C. Slayton and/or the trusts were transferred, the transferees knew the property were assets of the Slayton Family Trust, the Jesse and Martha Trust or Jesse C. Slayton.

As a result of such transfer, the transferees received and held the property or assets as Constructive Trustee for and on behalf of the beneficiaries of the Trust, namely Cindy Hill, Lewis Slayton and Shirley Alexander. Respondents, and each of them, should be ordered to surrender and deliver said property to Petitioners.

Petitioners are unaware of the beneficiaries of the Jesse C. Slayton and Martha Jane Slayton Revocable Living Trust dated June 1, 2005.

Please see additional page

Wherefore, Petitioners pray:

- 1. That Debbie Slayton be ordered to account and report:
 - a. For her actions as Trustee of the Slayton Family Trust from July 29, 2009;**
 - b. For her actions as Trustee or Successor Trustee of the Jesse C. Slayton and Martha Jane Slayton Revocable Living Trust dated June 1, 2005;**
 - c. For any and all actions taken as attorney-in-fact for Jesse C. Slayton, pursuant to power of attorney executed May 3, 2005;****
- 2. For damages in an amount according to proof;**
- 3. For exemplary damages in an amount according to proof;**
- 4. For damages assessed on account of acts of elder abuse, including but not limited to actual damages, exemplary and punitive damages, and attorney's fees and costs;**
- 5. For imposition of a constructive trust on Respondents who received assets belonging to or attributable to Jesse C. Slayton, the Jesse C. Slayton and Martha Jane Slayton Revocable Living Trust and/or the Slayton Family Trust;**
- 6. For attorney's fees and costs incurred in bringing this action; and**
- 7. For such other and further relief as the court may deem proper.**

(1) First and Final Account and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator, Her Attorney, and Conservatee's Attorney and (3) Distribution

DOD: 11/9/2012	PUBLIC GUARDIAN , Temporary Conservator, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Declaration of Court appointed, Attorney Gary Bagdasarian, in support of his fees includes 2.30 hours (\$575.00) to attend a court hearing concerning the withdrawal of the Public Guardian's Petition on 11/28/12 after the conservatee died. Why was it necessary for the attorney for the conservatee to attend this hearing after the conservatee had died? Reviewed by: KT Reviewed on: 2/22/12 Updates: Recommendation: File 11 - Constantian
	Account period: 10/29/12 – 11/9/12	
	Accounting - \$9,217.97	
Cont. from	Beginning POH - \$9,217.97	
<input type="checkbox"/> Aff.Sub.Wit.	Ending POH - \$4,793.47	
<input checked="" type="checkbox"/> Verified		
Inventory	Subsequent account period: 11/10/12 – 12/10/12	
PTC		
Not.Cred.	Accounting - \$5,924.57	
<input checked="" type="checkbox"/> Notice of Hrg	Beginning POH - \$4,793.47	
<input checked="" type="checkbox"/> Aff.Mail W/	Ending POH - \$2,453.70	
Aff.Pub.	Conservator - \$6,454.48	
Sp.Ntc.	(58.13 Deputy hours @ \$96/hr and 11.50 Staff hours @ \$76/hr)	
Pers.Serv.		
Conf. Screen	Attorney - \$1,250.00 (per Local Rule)	
Letters		
Duties/Supp	Attorney (Gary Bagdasarian, court appointed for conservatee) - \$1,625.00 (per itemization and declaration 6.5 hours @ \$250/hr)	
Objections		
Video Receipt		
CI Report	Court costs - \$461.00 (filing fee, certified copies)	
9202		
<input checked="" type="checkbox"/> Order	Bond fee - \$25.00 (o.k.)	
Aff. Posting		
Status Rpt	Petitioner request that due to the insufficiency of the estate to pay the fees and commissions that a lien be imposed upon the estate for any unpaid balances of the authorized fees and commissions.	
UCCJEA		
Citation		
FTB Notice	Petitioner prays for an Order: <ol style="list-style-type: none"> 1. Approving, allowing and settling the first and final account. 2. Authorizing the conservator and attorney fees and commissions 3. Payment of the bond fee 4. Payment of the court costs 5. Authorize petitioner to impose a lien on the estate for any unpaid balances of authorized fees and commissions 	

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

DOD: 12/06/2012		<p>DAVID J. WILSON, son/named executor without bond, is petitioner.</p> <p>Full IAEA – o.k.</p> <p>Will dated: 08/04/1989</p> <p>Residence: Fresno Publication: The Business Journal</p> <p>Estimated Value of the Estate:</p> <table border="0"> <tr> <td>Personal property</td> <td>-</td> <td>\$2,000.00</td> </tr> <tr> <td>Real Property</td> <td>-</td> <td>\$180,000.00</td> </tr> <tr> <td>Total:</td> <td>-</td> <td>\$182,000.00</td> </tr> </table> <p>Probate Referee: Steven Diebert</p>	Personal property	-	\$2,000.00	Real Property	-	\$180,000.00	Total:	-	\$182,000.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 07/26/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Friday, 04/25/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <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	-		\$180,000.00									
Total:	-		\$182,000.00									
Cont. from												
<input type="checkbox"/>	Aff.Sub.Wit.		s/p									
<input checked="" type="checkbox"/>	Verified											
<input type="checkbox"/>	Inventory											
<input type="checkbox"/>	PTC											
<input type="checkbox"/>	Not.Cred.											
<input checked="" type="checkbox"/>	Notice of Hrg											
<input checked="" type="checkbox"/>	Aff.Mail		w/									
<input checked="" 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 checked="" type="checkbox"/>	Duties/Supp											
<input type="checkbox"/>	Objections											
<input type="checkbox"/>	Video Receipt											
<input type="checkbox"/>	CI Report											
<input type="checkbox"/>	9202											
<input checked="" type="checkbox"/>	Order											
<input type="checkbox"/>	Aff. Posting											
<input type="checkbox"/>	Status Rpt											
<input type="checkbox"/>	UCCJEA											
<input type="checkbox"/>	Citation											
<input type="checkbox"/>	FTB Notice											
		<p>Reviewed by: LV</p> <p>Reviewed on: 02/21/2013</p> <p>Updates:</p> <p>Recommendation: Submitted</p> <p>File 12 - Wilson</p>										

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

Age: 38		<u>NO TEMPORARY REQUESTED</u>		NEEDS/PROBLEMS/COMMENTS:			
		<p>LISA MEGERDICHIAN, sister, is Petitioner, and requests appointment as Conservator of the Person with medical consent powers and Conservator of the Estate with bond fixed at \$115,000.00.</p> <p>Estimated Value of the Estate: Personal property - \$ 120.00 Annual income - 12,000.00 Real property - 100,500.00 Total - \$112,120.00</p> <p>Petitioner states that the proposed conservatee was involved in a head-on collision with a drunk driver and suffered a traumatic brain injury on 11/10/12. He is in a coma-like state, minimally conscious, and is tube fed. Petitioner states that conservatorship of the person is necessary to ensure that the proposed conservatee gets needed treatment and Conservatorship of the Estate is necessary because the proposed conservatee cannot make financial decisions at this time, further Bryan is the claimant in a pending personal injury action and he lacks capacity, awareness and understanding to negotiate the claim, or to sign a release if the case settles.</p> <p>Court Investigator Julie Negrete filed a report on 02/19/13.</p>		<p>Court Investigator advised rights on 02/06/13.</p> <p>1. The proof of service attached to the Citation states that a copy was mailed to the proposed conservatee on 01/29/13; however, service by mail is insufficient. Need proof of <u>personal</u> service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Probate Conservator</i> and copy of the <i>Citation for Conservatorship</i> on the proposed conservatee.</p> <p>2. Need Letters.</p> <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 07/05/13 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal; and • Friday, 05/02/14 at 9:00a.m. in Dept. 303 for the filing of the first account. <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>			
Cont. from							
	Aff.Sub.Wit.						
✓	Verified						
	Inventory						
	PTC						
	Not.Cred.						
✓	Notice of Hrg						
✓	Aff.Mail			w/			
	Aff.Pub.						
	Sp.Ntc.						
	Pers.Serv.			x			
✓	Conf. Screen						
	Letters			x			
✓	Duties/Supp						
	Objections						
✓	Video Receipt						
✓	CI Report						
	9202						
✓	Order						
	Aff. Posting						
	Status Rpt						
	UCCJEA						
✓	Citation						
	FTB Notice						
				Reviewed by: JF			
				Reviewed on: 02/22/13			
				Updates:			
				Recommendation:			
				File 13 - Assodourian			

Petition for Appointment of Temporary Conservatorship of the Person and Estate

Age: 63	<u>TEMPORARY WAS GRANTED EX PARTE;</u> <u>EXPIRES 02/27/13</u>	NEEDS/PROBLEMS/COMMENTS:
	<u>GENERAL HEARING 03/27/13</u>	
Cont. from	<p>BEVERLY ANN HALL, sister, is Petitioner and requests appointment as Temporary Conservator of the Person and Estate.</p> <p><u>Estimated Value of the Estate:</u> Unknown at this time</p> <p>Petitioner states that Christine has been diagnosed with Alzheimer's. Christine came to live with Petitioner approximately 2 years ago because Christine's husband was experiencing health problems and was no longer able to care for her. Petitioner has been acting under a health care power of attorney and is the payee for Christine's benefits. Temporary Conservatorship is now necessary because Christine's husband, Arthur Dhooghe, passed away unexpectedly and his brother is handling the estate. The brother and his attorney have both contacted Petitioner regarding distributing Arthur's estate, but have failed to provide Petitioner with a copy of Arthur's will. Petitioner has refused to make any commitments or entertain any proposed agreements without receiving additional information about Arthur's estate or having legal authority to act on Christine's behalf. Petitioner seeks temporary conservatorship without bond, for the purposes of receiving information and assessing the interests of Christine in Arthur's estate. The Order and Letters for Temporary Conservatorship should state that the Petitioner has no authority to receive property or enter into agreements regarding Christine's property interests.</p> <p>Court Investigator Jo Ann Morris filed a report on 02/15/13.</p>	<p>Court Investigator advised rights on 02/14/13.</p>
Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
Inventory		
PTC		
Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/		
Aff.Pub.		
Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv. w/		
Conf. Screen		
Letters x		
<input checked="" type="checkbox"/> Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order x		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: JF</p> <p>Reviewed on: 02/22/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14 - Dhooghe</p>

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Age: 4 months		<u>TEMPORARY EXPIRES 02/27/2013</u>		NEEDS/PROBLEMS/COMMENTS:
		<u>GENERAL HEARING 04/15/2013</u>		
Cont. from		MELISSA JENEE CARPENTER , non-relative, is petitioner.		<ol style="list-style-type: none"> 1. Need Notice of Hearing. 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: <ul style="list-style-type: none"> • Jonathan Andrew Seward, Sr. (Father) • Connie Zimmerman (Mother) 3. UCCJEA does not provide the residence since birth for the child as required.
<input type="checkbox"/>	Aff.Sub.Wit.	Father: JONATHAN ANDREW SEWARD, SR.		
<input checked="" type="checkbox"/>	Verified	Mother: CONNIE ZIMMERMAN		
<input type="checkbox"/>	Inventory	Paternal Grandfather: Not Listed		
<input type="checkbox"/>	PTC	Paternal Grandmother: Brenda Rush		
<input type="checkbox"/>	Not.Cred.	Maternal Grandparents: Not Listed		
<input type="checkbox"/>	Notice of Hrg	Petitioner states: the father of the child is petitioner's foster brother that suffers from PTSD. Petitioner alleges that both parents are mentally unstable and are unable to care for the child. Petitioner states that the parents fight a lot and that the child was laying in broken glass on one incident. Petitioner alleges that the mother has been 5150d twice and is going to a mental hospital. She also states that the mother suffers from post-partum depression and the mother has stated that she has suicidal thoughts and thoughts of harming the child. Mother has expressed that she cannot function and is unable to care for the child. The mother has left the child home alone while she goes out. Petitioner states that when she received the child he had a severe rash on his bottom that bleed. Petitioner states that she has had the child for the past two months and has provided the child with a stable home. CPS Stacy Moffat informed the parents that if the parents did not give the child to the petitioner that the child would end up in foster care.		
<input type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input checked="" type="checkbox"/>	Conf. Screen			
<input 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 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: 02/21/2013
				Updates:
				Recommendation:
				File 15 - Seward

Page 2

Petitioner filed a Petition for Instructions with respect to the trusts, which was assigned Case No. 12CEPR00873 (the "trust litigation"). Among the issues to be resolved in both cases are

- whether Marva has an interest in the estate or any trust created by the decedent during his lifetime; and
- which testamentary instruments control so that Kelley's inheritance, if any, can be ascertained.

Petitioner states settlements have been reached and entered into by Petitioner and Marva, and Petitioner and Kelley, respectively. The terms are subject to Court confirmation.

Marva's Settlement:

- The estate shall pay Marva \$40,000.00 within 10 days of Court authorization in a check payable to the client trust account of Attorney Bagdasarian. The payment shall be made free of any estate tax liability (i.e., Marva shall not be responsible for a prorate share of the estate taxes due and owing with respect to the decedent's estate).
- Except for the payment, Marva assigns to Maxwell, in his capacity as trustee of the Marvin M. Coit Family Trust First Amended Declaration and Agreement of Trust dated 6-29-05, any interest or claim she has in or to the decedent's assets or in the assets held in any trust created by the decedent during his lifetime (collectively, "Decedent's Assets"), whether the claim arises under any will, codicil, trust, laws of intestate succession, or contract, to be held, administered, and distributed in accordance with the terms thereof.

Kelley's Settlement:

- The estate shall pay Kelley \$100,000.00 within 10 days of Court authorization. The payment shall be made free of any estate tax liability (i.e., Marva shall not be responsible for a prorate share of the estate taxes due and owing with respect to the decedent's estate).
- Except for the payment, Kelley assigns to Maxwell, in his capacity as trustee of the Marvin M. Coit Family Trust First Amended Declaration and Agreement of Trust dated 6-29-05, any interest or claim she has in or to the decedent's assets or in the assets held in any trust created by the decedent during his lifetime (collectively, "Decedent's Assets"), whether the claim arises under any will, codicil, trust, laws of intestate succession, or contract, to be held, administered, and distributed in accordance with the terms thereof.

Both Marva and Kelley waive rights under Civil Code § 1524 re future claims.

Petitioner prays for an Order:

1. Approving the Settlement Agreement & Release dated 1-3-13 between Marva Critch and Dennis A. Maxwell, in his capacity as Administrator with Will Annexed of the Estate of Marvin M. Coit;
2. Approving the Settlement Agreement & Release dated 2-11-13 between Kelley Coit Mauro and Dennis A. Maxwell, in his capacity as Administrator with Will Annexed of the Estate of Marvin M. Coit; and
3. For all other orders the Court deems just and proper.