



ATTENTION

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

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

Thank you for your patience.

(1) First and Final Account and Report of Guardian and Petition for Its Approval; (2) for Allowance of Attorney's Fees and Costs; (3) Discharge or Guardian of Person; and (4) Authority to Deliver Assets

Age: 19 years	PEDRO CERVANTES and SUSAN CERVANTES , maternal grandparents and Co-Guardians of the Person and Estate appointed on 1/7/1999, are Petitioners.		NEEDS/PROBLEMS/COMMENTS:
DOB: 8/9/1992			
Cont. from	<u>Account period: 1/7/1999 – 8/9/2010</u>		
<input type="checkbox"/> Aff.Sub.Wit.	Accounting	- \$173,712.00	
<input checked="" type="checkbox"/> Verified	Beginning POH	- \$131,531.20	
<input checked="" type="checkbox"/> Inventory	Ending POH	- \$173,712.00 (all cash)	
<input type="checkbox"/> PTC	Co-Guardians	- waive	
<input type="checkbox"/> Not.Cred.	Attorney	- \$1,400.00	
<input checked="" type="checkbox"/> Notice of Hrg	<i>(per Declaration, which includes 1 hour estimated for attorney's review of documents and attendance at hearing)</i>		
<input checked="" type="checkbox"/> Aff.Mail	W/		
<input type="checkbox"/> Aff.Pub.	Attorney Costs	- \$421.00	
<input type="checkbox"/> Sp.Ntc.	<i>(filing fees and certified copies)</i>		
<input type="checkbox"/> Pers.Serv.	Petitioners state they received a check from Thrift Savings Plan [from the ward's deceased mother's participation via her former employer] for \$10,769.85, and without realizing the funds were to go into a blocked account, the Petitioners used the funds to purchase bedroom furniture, clothing and to pay for medical bills of the minor; these funds were mistakenly not placed in a blocked account and not kept track of as part of the guardianship account, as these funds went directly to Petitioners and not through their counsel's office <i>(please refer to Declaration of Susan Cervantes filed 1/9/2012.)</i>		
<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			
<i>~Please see additional page~</i>			Reviewed by: LEG
			Reviewed on: 2/17/12
			Updates:
			Recommendation:
			File 1 - Strickland

Declaration of Susan Cervantes filed 1/9/2012 states she did not realize the Thrift Savings Plan funds she was using were to be held in a blocked account; that she and the Co-Guardian have purchased things for the minor over the years and the costs have far exceeded the **\$10,769.85**; and she apologizes to the Court for the error.

Declaration of Jordan Strickland filed 1/9/2012 states he went to CITIBANK after his 18th birthday and requested to withdraw money from his account, and the bank allowed him to open a personal account and transfer money from the guardianship account into a checking account; he is the only person who has withdrawn money from the account, and his grandparents and court-appointed Guardians have not taken any money from the account; he also went to CHASE bank to withdraw his money and that bank told him he needed a court order and would not release any money to him without a court order; he did not know that he could not use the money or take the money out of the accounts without a court order; he apologizes to the Court if he has done anything wrong, as he thought the money was his and that he could use it how he wanted.

Petitioners request that the guardianship be terminated as the former ward attained the age of 18 years on 8/9/2010; Petitioners request that they be discharged as Guardians of the Person and Estate of the former ward.

Petitioners pray for an Order:

1. Settling and allowing the First and Final Account and report and confirming the acts of the Petitioners and Guardians of the Estate for the account period;
2. Authorizing Petitioners to pay the attorney fees and reimbursement of costs advanced;
3. Discharging the Petitioners as Guardians of the Estate; and
4. Authorizing Petitioners to deliver the property remaining in their possession to Jordan Everett Strickland, and to facilitate this delivery, authorizing the unblocking of the Chase bank account and the Citibank account.

Atty Cross, Robert W. M., sole practitioner of Selma (for Petitioner Irma Lozano, Administrator)

(1) Second and Final Account and Report of Administrator and Petition for Its Settlement, (2) for Allowance of Compensation to Attorney for Ordinary Services, and (3) for Final Distribution (Prob. C. 10902 and 10950)

DOD: 10/11/2003		<p>IRMA LOZANO, daughter and Administrator with Full IAEA without bond appointed on 1/2/2007, is Petitioner.</p> <p>Account period: 1/11/2011 – 1/23/2012</p> <p>Accounting - \$215,500.00 Beginning POH - \$215,500.00 Ending POH - \$ 13,258.64 (<i>all cash</i>)</p> <p>Administrator - waives</p> <p>Administrator’s Claim - \$6,673.54 (<i>partial payment of \$20,549.49 Creditor’s Claim documented in Attachments 1 through 6 to the First Account and Report filed 1/11/2011; for payment of property taxes, insurance, utilities/water/power, house maintenance/yard, and funeral expenses;</i>)</p> <p>Attorney - \$4,500.00 (<i>less than statutory of \$7,310.00</i>)</p> <p>Costs - \$2,085.10 (<i>filing fees, certified copies, publication, probate referee, appearance fee in litigation matter;</i>)</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> • During the period of the account, Petitioner sold the real property residence in Selma for \$75,000 (<i>Seller’s Final Closing Statement attached as Exhibit B</i>), on <u>6/15/2011</u> after years of having the property on the market; the sale price was fair even though much less than the valuation of \$215,000, and the sale was proceeded by <i>Notice of Proposed Action</i> to all heirs; • Petitioner also settled all claims of the Department of Health Services for the discounted amount of \$50,000 [<i>Dismissal of Creditor’s Claim and Withdrawal of Request for Special Notice</i> was filed on 7/5/2011]; <p align="center"><i>~Please see additional page~</i></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proposed order.</p>	
Cont. from				
✓	Aff.Sub.W			
✓	Verified			
✓	Inventory			
✓	PTC			
✓	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/O
	Aff.Pub.			
✓	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			010207
	Duties/S			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
	Order			X
	Aff. Post			
	Status Rpt			
	UCCJEA			
	Citation			
✓	FTB Notice			
		<p>Reviewed by: LEG</p> <p>Reviewed on: 2/21/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2 - Lazono</p>		

Petitioner states, continued:

- Petitioner paid out of her own funds **\$1,400** to settle an individual's claim against the estate;
- Petitioner submitted a claim against the estate for **\$20,549.49**, documented in full as *Attachments 1 through 6* to the *First Account and Report* filed 1/11/2011 [*Order Settling First Account and Report of Administration was signed 4/7/2011*]; Petitioner was not reimbursed at the time of the first account, and requests **\$6,673.54** of the total amount she expended be reimbursed to her;
- While Petitioner has made other payments in the last year on behalf of the estate, she is not seeking reimbursement for any of those expenditures; there are insufficient funds to reimburse her for the expenditures;
- Items of household furniture valued at **\$500.00** on the *Inventory and Appraisal* were not realistically saleable and so were given to heirs who wanted them and were in position to take them;
- There will be no distribution to any of the Decedent's heirs because [there are insufficient funds], even with the waiver of compensation by Petitioner as Administrator, a significant reduction in attorney's fees for the probate action, and no charging of attorney's fees in connection with the separate lawsuit with the Department of Health Care Services [10CECG02260].

Petitioner prays for an Order:

1. Settling, allowing and approving the *First Account* of Petitioner as Administrator, and confirming and approving all acts and proceedings of Petitioner as Administrator;
2. Authorizing and directing Petitioner to pay the attorney's compensation of **\$4,500.00** and reimbursement of **\$2,085.10** costs advanced by the attorney;
3. Authorizing Petitioner to pay herself **\$6,673.54** as satisfaction of her claim as creditor of the estate;
4. Distributing any other property of Decedent or the estate not now known or discovered to the persons entitled to it, Decedent's children, as follows: 1/5th each Eugenio Lozano, Rosanelia Garcia, Richard Lozano, Mary Helen Jasso, and Irma Lozano; and
5. Discharging and releasing Petitioner from all liability to be incurred hereafter upon the filing of receipts [*Examiner added: and approval of an Ex Parte Petition for Final Discharge and Order.*]

3 Erika Hernandez, Logan Hernandez, & Jaydin Hernandez (GUARD/P)

Case No. 08CEPR01188

Atty Hernandez, Teresa (pro per Guardian)
Atty Attashian, Zepure (for Petitioner/mother Eliza Frausto)

Respondent's Notice of Motion and Application to Reconsider and Revocation of Order Re: Supervised Visits, and Retroactive Stay of Proceedings, Alternatively, a Request to Participate in Court Investigation Regarding Modification of Visitation, Memorandum of Points and Authorities and Declaration of Respondent in Support

Erika age: 7 years DOB: 9/21/04	ELIZA FRAUSTO , mother, is petitioner.	NEEDS/PROBLEMS/ COMMENTS:		
Logan age: 5 years DOB: 2/25/07	TERESA HERNANDEZ , paternal grandmother, was appointed guardian on 2/9/2009.			
Jaydin age: 3 years DOB: 7/28/08	Petitioner requests this Court reconsider its order of 1/4/2012 modifying the visitation.	1. <i>Need Notice of Hearing.</i>		
Cont. from		2. Need proof of service of the Notice of Hearing on:		
<table border="1"> <tr> <td>Aff.Sub.Wit.</td> <td></td> </tr> </table>	Aff.Sub.Wit.		Petitioner states on 5/21/2009, the Guardian Teresa Hernandez filed and served a Citation and Petition to Declare the Minors Free from mother's custody (case nos. 09CEFL03194, 03199, 03200).	a. Teresa Hernandez (guardian/paternal grandmother) Note: A proof of service was filed showing service of the Notice of Motion and supporting documents, however a <i>Notice of Hearing</i> has not been filed.
Aff.Sub.Wit.				
<table border="1"> <tr> <td>✓ Verified</td> <td></td> </tr> </table>	✓ Verified		The petition to terminate the mother's parental rights is pending.	
✓ Verified				
<table border="1"> <tr> <td>Inventory</td> <td></td> </tr> </table>	Inventory		On January 4, 2012 mother states she appeared in this court on a Petition to Modify the Guardianship Visitation Orders from unsupervised to supervised. The Court, unaware of the pending Petition to Declare the Minor Child Free from Mother's Care, modified the visitation orders.	
Inventory				
<table border="1"> <tr> <td>PTC</td> <td></td> </tr> </table>	PTC			
PTC				
<table border="1"> <tr> <td>Not.Cred.</td> <td></td> </tr> </table>	Not.Cred.			
Not.Cred.				
<table border="1"> <tr> <td>Notice of Hrg</td> <td>X</td> </tr> </table>	Notice of Hrg	X	Petitioner alleges as a result of the pending termination, the guardianship orders are stayed and cannot be modified. Accordingly she is requesting the Court vacate its 1/4/2012 order and reinstate the previous visitation orders pending resolution of the pending termination of her parental rights.	
Notice of Hrg	X			
<table border="1"> <tr> <td>Aff.Mail</td> <td></td> </tr> </table>	Aff.Mail			3. Need Order
Aff.Mail				
<table border="1"> <tr> <td>Aff.Pub.</td> <td></td> </tr> </table>	Aff.Pub.			
Aff.Pub.				
<table border="1"> <tr> <td>Sp.Ntc.</td> <td></td> </tr> </table>	Sp.Ntc.			
Sp.Ntc.				
<table border="1"> <tr> <td>Pers.Serv.</td> <td></td> </tr> </table>	Pers.Serv.			
Pers.Serv.				
<table border="1"> <tr> <td>Conf. Screen</td> <td></td> </tr> </table>	Conf. Screen			
Conf. Screen				
<table border="1"> <tr> <td>Letters</td> <td></td> </tr> </table>	Letters			
Letters				
<table border="1"> <tr> <td>Duties/Supp</td> <td></td> </tr> </table>	Duties/Supp			
Duties/Supp				
<table border="1"> <tr> <td>Objections</td> <td></td> </tr> </table>	Objections			
Objections				
<table border="1"> <tr> <td>Video Receipt</td> <td></td> </tr> </table>	Video Receipt			
Video Receipt				
<table border="1"> <tr> <td>CI Report</td> <td></td> </tr> </table>	CI Report		Alternatively, Petitioner asks that the court refer Teresa (guardian) and mother to an additional assessment with a Court Investigator. Mother alleges the current visitation order providing her with supervised visits only, are unjustified.	
CI Report				
<table border="1"> <tr> <td>9202</td> <td></td> </tr> </table>	9202			Reviewed by: KT
9202				
<table border="1"> <tr> <td>Order</td> <td>X</td> </tr> </table>	Order	X		Reviewed on: 2/21/12.
Order	X			
<table border="1"> <tr> <td>Aff. Posting</td> <td></td> </tr> </table>	Aff. Posting			Updates:
Aff. Posting				
<table border="1"> <tr> <td>Status Rpt</td> <td></td> </tr> </table>	Status Rpt		Petitioner states during their last few visits the children have been begging her to take them home for the visits. They are not comfortable with Teresa supervising the visits. Petitioner states the children's safety, health and wellbeing are her first priority.	Recommendation:
Status Rpt				
<table border="1"> <tr> <td>UCCJEA</td> <td></td> </tr> </table>	UCCJEA			File 3 - Hernandez
UCCJEA				
<table border="1"> <tr> <td>Citation</td> <td></td> </tr> </table>	Citation			
Citation				
<table border="1"> <tr> <td>FTB Notice</td> <td></td> </tr> </table>	FTB Notice			
FTB Notice				

Atty Cross, Robert W. M., sole practitioner of Selma (for Petitioner Rebba Workmon)

(1) First and Final Report of Executor on Waiver of Account and (2) Petition for Allowance of Compensation to Attorney for Ordinary Services and for (3) Final Distribution

DOD: 6/1/2009		REBBA WORKMON, daughter and Executor with Full IAEA without bond appointed on 5/18/2010, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Proposed order does not comply with Local Rule 7.6.1(A) providing that monetary distributions must be stated in dollars, and not as a percentage of the estate. Need revised proposed order containing the dollar amount to be distributed to each distributee, along with the percentage to each of the Note secured by Deed of Trust.
		Accounting is waived.	
Cont. from		I & A - \$312,007.29	
Aff.Sub.W		POH - \$286,071.57 (<i>\$284,451.57 is cash</i>)	
✓ Verified			
✓ Inventory		Executor - waives	
✓ PTC			
✓ Not.Cred.		Attorney - \$5,500.00 (<i>less than statutory of \$9,240.15; Note: Petition calculates statutory fees based upon a loss on the sale of the real property; no loss should be included, as payment of seller's costs are not considered a loss;</i>)	
✓ Notice of Hrg			
✓ Aff.Mail		Costs - \$1,152.40 (<i>filing fees, probate referee, publication, certified copies</i>)	
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.		Petitioner states:	
Conf. Screen		<ul style="list-style-type: none"> Petitioner took the following actions with close communication with CAROLYN E. KENDRICK, the other distributee: sold motor home for its inventoried value of \$100; sold pickup truck for its inventoried value of \$13,000 to Carolyn Kendrick by receipt in the estate of \$5,000 cash and by receipt of the Petitioner of an old tractor; Petitioner and Carolyn Kendrick disposed of other personal property jointly by mutual agreement; Petitioner sold the real property residence located at 6726 E. Clarkson in Selma for its appraised value of \$160,000 in July 2011 following service of <i>Notice of Proposed Action</i> and written consent of Carolyn Kendrick; A Note with an inventoried value of \$4,110.67 secured by a Deed of Trust on the real property located at 15528 S. Hughes has now been paid down to \$1,619.95 with continuing monthly payments of \$100. 	
Letters 051810			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
✓ 9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation		Distribution pursuant to Decedent's Will is to:	
✓ FTB Notice		<ul style="list-style-type: none"> REBBA WORKMON – [\$138,899.59 cash] and 50% interest in the Note secured by Deed of Trust on real property located at 15528 S. Hughes; CAROLYN E. KENDRICK – [\$138,899.59 cash] and 50% interest in the Note secured by Deed of Trust on real property located at 15528 S. Hughes. 	
Reviewed by: LEG			
Reviewed on: 2/21/12			
Updates:			
Recommendation:			
File 4 – Powell			

(1) Petition for Settlement on Waiver of Account; (2) Petition for Final Distribution and for (3) Allowance of Compensation for Ordinary Services

DOD: 5/27/2010		<p>MICHAEL W. McNIFF, Administrator, is petitioner.</p> <p>Accounting is waived.</p> <p>I & A - \$160,000.00</p> <p>POH - \$ 61,002.88</p> <p>Administrator - waives</p> <p>Attorney - \$4,000.00 (less than statutory)</p> <p>Distribution, pursuant to intestate succession, is to:</p> <p>Michael W. McNiff - \$19,000.96</p> <p>Mark McNiff - \$19,000.96</p> <p>Richard McNiff - \$19,000.96</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Attorney made a math error in the calculation of statutory attorney fees. The correct amount for statutory fees is \$5,957.50 and not \$6,957.50 as listed in the petition and the order. The attorney has agreed to accept \$4,000.00 as her fee for ordinary services, therefore distribution is not affected. Examiner has interlineated the order to reflect the correct amount of statutory fees.</p>
Cont. from			
<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 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 10/18/10		
<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		
		Reviewed by: KT	
		Reviewed on: 2/22/12	
		Updates:	
		Recommendation: SUBMITTED	
		File 5 - McNiff	

First Additional Page 6, Chester & Lorene Beeler (Trust) Case No. 10CEPR00880

Petitioner states, continued:

- Pursuant to an ex parte petition and order of the Court, the Trustee paid several medical services creditors, including Golden Living Center care facility, for a total sum of **\$6,993.28**;
- There are 4 creditors that have not been paid, consisting of the Petitioner and persons related to the Petitioner; Petitioner seeks Court approval to pay the following claims totaling **\$29,106.15**:
 - **\$3,118.00** to **ERIC BROWN** [*relationship to the Decedent or Petitioner unstated*], for medical bills and lost wages due to injury sustained while working at the Beeler property getting it ready for sale; medical bill was **\$118.00**, and he was unable to work for 10 days at his job as a self-employed plumber making **\$600.00** per day, thus Mr. Brown claimed lost wages of **\$6,000.00** for 10 days work; Trustee agreed to settle the claim for **\$3,000.00** plus the medical expenses (*please refer to Exhibit 1 for copy of written request to Trustee and copy of urgent care medical evaluation and bill*);
 - **\$12,750.45** to **GAIL BROWN** (Trustee, niece) and **\$9,396.38** to **DONNA WYATT** [*relationship to the Decedent or Petitioner unstated*], for the care of Chester and Lorene for ~8 months by Donna, who understood that she was to be compensated for her work; and for the care of Lorene after Chester's death, as it is specifically stated in Chester's Will that Gail is to be paid and compensated for taking care of Lorene after Chester's death; Gail and Donna paid bills with their own funds and took care of the Beelers (*please refer to Exhibits 2 and 3 for summaries of their work and receipts for expenses*);
 - **\$3,841.32** to **LANCE ARMO**, Attorney for Donna Wyatt and Gail Brown in the initial probate proceedings and the will contest until Petitioner Gail Brown's current attorney substituted in; Petitioner paid Mr. Armo \$2,725.00 and Mr. Armo claims a balance due of \$1,116.32 (*please refer to Exhibit 4 for copies of his invoices*); Petitioner requests to be reimbursed the amount she has paid, and for approval to pay the balance due to Mr. Armo.
- After a *Notice of Proposed Action* was mailed to all interested parties on 11/5/2010, and no objections were received, the Trustee sold the real property at 6205 W. Dudley in Fresno for **\$190,000.00**, with escrow closing on 1/13/2011; proceeds from the sale deposited into the blocked estate account totaled **\$154,987.79**;
- The Trust is a beneficiary of the Probate Estate (Case 10CEPR00104) and should receive funds in excess of **\$100,000**; no funds have yet been received from the Probate Estate;
- Trustee will pay taxes that become due, and Trustee has paid expenses of Trust administration except for claims of Eric Brown, Gail Brown, Donna Wyatt, Lance Armo, and Trustees and attorney's fees;
- The Trust does not specify the Trustee's compensation; pursuant to Probate Code § 15681, the Trustee is entitled to reasonable compensation, which Petitioner believes to be **\$13,502.96** computed on a fee base of **\$525,148.04** for services similar to that performed by an executor of an estate;
- Petitioner's attorney has rendered services on behalf of the Trust administration and of the related probate petitions; services through 12/31/2011 and costs advanced (of \$557.62) total **\$19,032.93** (*please refer to Exhibit 6 for Declaration in Support of Request for Compensation for Attorney's Services, stating in part: on 8/3/2010 the parties attended a settlement conference with Judge Kazanjian at which it was agreed that Attorney Ruth Lind's fees would be paid out of the Probate Estate, and Attorneys Barrus & Roberts would be paid out of the Trust administration*).

~Please see additional page~

Petitioner requests authorization to make the following preliminary distributions from the remaining cash on hand of **\$245,697.08**, which will be available for distribution after payment of creditors, trustees compensation, attorney's fees, and closing reserve (as noted above). Petitioner states the pecuniary gifts set forth in Section 4.03(b) of the Trust total **\$300,000.00**, and the Trustee would like to distribute **\$240,000.00 or 80% of each bequest**, as follows:

1. ANNA B. HINNLEY – **\$32,000.00**
2. WEST PARK BAPTIST CHURCH – **\$80,000.00**
3. BETTY RODGERS – **\$32,000.00**
4. FRANCES ALVERS – **\$32,000.00**
5. GAIL BROWN – **\$32,000.00**
6. JOHN H. BEELER – **\$32,000.00**

Petitioner states it is anticipated the Trust will receive in excess of **\$100,000** from the Probate Estate, and the Trust is also receiving payments of **\$1,166.52** on the promissory note asset; if the Trust receives the **\$100,00**, the Trust will have sufficient funds to pay the balance of the pecuniary gifts; after there are sufficient cash funds to pay the balance of the pecuniary gifts, the estate residue will be paid to the Fresno Rescue Mission; the Trustee anticipates it will distribute the remaining cash and the promissory note to the Fresno Rescue Mission and close the estate.

Petitioner prays for an Order:

1. Settling, allowing and approving the First Account and Report of the Petitioner as Trustee;
2. Confirming and approving all acts of and proceedings of the Petitioner as trustee relating to the matters set forth in the account;
3. Authorizing and directing the Trustee to pay the creditors the amounts identified in the Petition *[noted above]*;
4. Authorizing and directing the Trustee to pay the attorney compensation and reimbursement of costs advanced through 12/31/2011; and
5. Allowing Petitioner to make preliminary distribution of pecuniary bequests in the amount of **\$240,000.00** *[as noted above]*.

Response and Objection to First Account of Trustee, Report of Trustee, Confirmation of Payment to Creditors and Allowance of Payment to Creditors, Fixing of Trustee's Compensation, and Approving Payment of Attorney's Fees and for Preliminary Distribution filed on 2/20/2012 by ANNA B. HINLEY and FRANCES ALBERS states:

- They are residents of the State of Maryland and are beneficiaries under Decedent's Will (Case 10CEPR00104) and of the Trust;
- As described by Petitioner Gail Brown, an agreement was reached by the parties participating in the settlement conference in the Probate matters that modify the distribution terms set forth in the Will and Trust; the agreement was a basis for allowing Pastor James Roberts to act as the Executor of the Estate;
- While the distribution terms under the agreement, which was never signed, have not been followed to date, the beneficiaries have agreed to allow the administration to progress through the preliminary distribution of the Probate estate and now of the Trust estate in order to move the administration of each matter along; however, as part of the agreement initially between the parties, the attorneys for the Executor were to be paid out of the Estate upon Court approval and attorneys for the Trustee were to be paid out of the Trust upon Court approval; the fees for the beneficiaries, Hinley and Albers, were to be paid equally from the Probate estate and the Trust estate;
- With that understanding, the *Declaration of Gary Bagdasarian in Support of Payment of Attorney's Fees on Behalf of Beneficiaries and Hinley and Albers* is attached, reflecting a total amount of **\$35,280.00** and costs of **\$455.71**;
- Request is made that all costs and ½ of the fees in the amount of **\$17,640.00 or a total of \$18,095.71 be paid from the Trust.**

7 Esther Eaton (CONS/PE)

Case No. 10CEPR01090

Atty Fanucchi, Edward L.

Atty Bagdasarian, Gary G.

Probate Status Hearing Re: Filing of Inventory and Appraisal

Age:		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Inventory and Appraisal filed 2-9-12.
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: 2-21-12	
	Updates:	
	Recommendation:	
	File 7 - Eaton	

8 Palmira Marando (Trust)
 Atty Reich, Jeff (for Mike Montgomery)
 Atty Saccheri, James L. (pro per Petitioner)
 Accounting by James L. Saccheri

Case No. 11CEPR00180

		JAMES L. SACCHERI is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Proof of service of the <i>Notice of Hearing</i> indicates the <i>Notice of Hearing</i> was mailed on 2/9/12, 20 days notice and not 30 days as required by Probate Code §17203. 2. Need order.
		Account period: 6/20/2002 – 7/1/2008	
Cont. from 011812		Accounting - \$419,906.61	
	Aff.Sub.Wit.	Beginning POH - \$299,293.44	
✓	Verified	Ending POH - \$ 53,417.09	
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg	Petitioner prays that the accounting for the period of 6/20/2002 – 7/1/2008 be settled, allowed and approved.	
✓	Aff.Mail	W/O	
	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: KT
			Reviewed on: 2/21/12
			Updates:
			Recommendation:
			File 8 – Marando

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

DOD: 10-11-10	PUBLIC ADMINISTRATOR , Executor with Full IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 5-4-11 through 12-28-11	<p>1. The Decedent's will appoints the Public Administrator as Executor without bond. However, the Public Administrator requests payment of a bond fee pursuant to Probate Code §7621(d).</p> <p>The Court may require clarification regarding the applicability of this section when specifically nominated without bond pursuant to will.</p> <p>2. The Decedent's will specifically devises his estate as follows:</p> <p>"...to the County of Fresno, a Political Subdivision of the State of California. It is my wish and desire that the property distributed to said County of Fresno be used by its Parks and Recreation Division. In the use of said estate, it is my further wish and desire that reasonable and appropriate recognition be given to the memory of my father, Floyd Lawrence and my mother, Mildred Lawrence, and to my memory."</p> <p>The proposed order simply distributes the funds to: "John A. Navarette, County Administrative Officer."</p> <p>The Court may require the order to contain more specific language.</p>
	Accounting: \$829,675.23	
	Beginning POH: \$782,675.23	
	Ending POH: \$799,225.85 (cash)	
	Executor (Statutory): \$19,428.41	
	Executor (Extraordinary): \$248.00 (1 Deputy hour @ \$96.00/hr and 2 Staff hours @ \$76.00/hr for preparation of tax returns)	
✓ Verified		
✓ Inventory		
✓ PTC		
✓ Not.Cred.		
✓ Notice of Hrg		
✓ Aff.Mail	W	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
✓ Letters	5-4-11	
Duties/Supp		
Objections		
Video Receipt		
CI Report		
✓ 9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
✓ FTB Notice		

10 Josephine Ellen Reis aka Josephine Reis (Estate) Case No. 11CEPR01051
Atty Downing, Marcella (for Jimmie Dale Reis – son/Petitioner)

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

DOD: 9-27-11	JIMMIE DALE REIS , Son, is Petitioner and requests appointment as Administrator with Full IAEA without bond.	NEEDS/PROBLEMS/COMMENTS: 1. Need Proof of publication. <u>Note:</u> Petitioner estimates that the estate consists of annual income from real and personal property; however, no real or personal property is included as asset of the estate. Examiner notes that because all heirs waive bond this is not an issue at this time; however, the Court may require some clarification as to the nature of the assets. <u>Note:</u> Petitioner originally requested to admit Decedent's will dated 12-10-77 to probate; however, this amended petition indicates that Decedent died intestate. <i>Examiner notes that the will devises the entire estate to Decedent's five children, which is the same as intestate succession. Petitioner's siblings consent to his appointment and waive bond.</i>
	All heirs waive bond	
<input type="checkbox"/> Aff.Sub.Wit.	Full IAEA – <i>Need publication</i>	
<input checked="" type="checkbox"/> Verified	Decedent died intestate	
<input type="checkbox"/> Inventory	Residence: Laton, Fresno County, CA	
<input type="checkbox"/> PTC	Publication: <i>Need publication</i>	
<input type="checkbox"/> Not.Cred.	Estimated Value of Estate:	
<input checked="" type="checkbox"/> Notice of Hrg	Annual income: \$255,000.00	
<input checked="" type="checkbox"/> Aff.Mail	Probate Referee: Rick Smith	
<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 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		
		Reviewed by: skc
		Reviewed on: 2-22-12
		Updates:
		Recommendation:
		File 10 - Reis

11 Patricia A. Hausmann (Estate)

Case No. 12CEPR00036

Atty Bagdasarian, Gary (for Philip A. Hausmann -

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

DOD: 12-19-11	PHILIP A. HAUSMANN , Son, is Petitioner and requests appointment as Administrator with Full IAEA without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Petitioner was appointed Special Administrator on 1-12-12 for the purpose of accessing certain bank accounts to maintain payments on Decedent’s mortgage and vehicle and pay funeral expenses. Special Administration expires 2-29-12.</p> <p><u>Note:</u> Petitioner originally requested to admit Decedent’s will dated 10-28-77 to probate; however, the will is not self-proving and no subscribing witnesses can be found.</p> <p><i>Examiner notes that the will devises the entire estate to Decedent’s two sons, which is the same as intestate succession. Petitioner’s brother consents to his appointment and waives bond.</i></p> <p>1. Need proof of publication.</p>
	All heirs waive bond.	
<input type="checkbox"/> Aff.Sub.Wit.	Full IAEA – <i>Need publication</i>	
<input checked="" type="checkbox"/> Verified	Decedent died intestate.	
<input type="checkbox"/> Inventory	Residence: Fresno	
<input type="checkbox"/> PTC	Publication: <i>Need publication</i>	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Estimated value of estate:	
<input checked="" type="checkbox"/> Aff.Mail	Personal property: \$54,831.00	
<input type="checkbox"/> Aff.Pub.	Real property: \$12,000.00 (Estimated value of <u>\$160,000.00 less encumbrance of \$148,000.00</u>)	
<input type="checkbox"/> Sp.Ntc.	Total: \$66,831.00	
<input type="checkbox"/> Pers.Serv.	Probate Referee: Steven Diebert	
<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		

Reviewed by: skc
Reviewed on: 2-22-12
Updates:
Recommendation:
File 11B - Hausmann

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

DOD: 9-23-11	SHAWNA ROBBINS, LA RON ALIPAZ, daughters, and ROBBIE ROBBINS, son, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
	40 days since DOD	
	No other proceedings	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	I&A: \$70,000.00	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Decedent died intestate	
<input checked="" type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	W Petitioners request court determination that Decedent's 100% interest in certain real property located in Fresno passes to them in equal undivided one-third interests pursuant to intestate succession.	
<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 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: 2-22-12
		Updates:
		Recommendation: SUBMITTED
		File 12 - Nelson

Pro Per McLemore, Patrick (Pro Per Petitioner, Administrator)

Petition for Final Distribution on Waiver of Accounting and for Allowance of Statutory Commissions (Prob. C. 10400-10406, 10904, 11600, 11642)

DOD: 8/7/2010		PATRICK McLEMORE , son and Administrator, is Petitioner.		NEEDS/PROBLEMS/COMMENTS:	
		Accounting is waived.		<u>Continued from 1/24/2012. Minute Order</u> states the matter is continued to 2/29/2012 at the request of the Petitioner.	
Cont. from 012412				The following issues from the last hearing remain:	
	Aff.Sub.Wit.	I & A	-	\$145,000.00	<ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i> of the <i>Petition for Final Distribution on Waiver of Accounting</i>, and proof of mailed service of 15 days' notice prior to hearing pursuant to Probate Code §§ 11000 and 11601 for the following persons: <ul style="list-style-type: none"> • Mark A. Troutman, son • Cheryl A. Widener, daughter; • Peggy E. Turner, step-daughter; • Kelly J. Basoco, step-daughter. 2. Need proof of mailed service of 15 days' notice prior to hearing of the <i>Notice of Hearing</i> along with a copy of the <i>Petition</i> for Union Bank per the <i>Request for Special Notice</i> filed 1/25/2011, pursuant to Probate Code §§ 1250, 1252, 11000, and 11601. 3. Need proof of mailed service of 15 days' notice prior to hearing of the <i>Notice of Hearing</i> along with a copy of the <i>Petition</i> for Scott Weltman, Esq. (for Bank of America) per the <i>Request for Special Notice</i> filed 9/16/2010, pursuant to Probate Code §§ 1250, 1252, 11000, and 11601. 4. Pursuant to Local Rule 7.12.4, the Court will not order distribution of real property in undivided interests without the written consent of all distributees. Need written consent of: <ul style="list-style-type: none"> • Patrick McLemore, step-son; • Mark A. Troutman, son; • Cheryl A. Widener, daughter; • Peggy E. Turner, step-daughter; • Kelly J. Basoco, step-daughter. 5. Statutory fee base does not include the \$3,000.00 loss on sale of Decedent's automobile. Correct statutory fee calculates as \$5,260.00 when the loss is taken into account as required by Probate Code § 10800. Proposed order does not contain a finding for award of statutory commissions to Petitioner as is requested in the <i>Petition</i>. Need revised proposed order awarding the correct amount of statutory compensation to the Petitioner as Administrator.
✓	Verified	POH	-	\$125,000.00	
✓	Inventory	Administrator	-	[\$5,260.00]	
✓	PTC	(statutory)			
✓	Not.Cred.				
	Notice of Hrg			X	
	Aff.Mail			X	
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.				
	Conf. Screen				
	Letters	101310			
	Duties/S				
	Objections				
	Video Receipt				
	CI Report				
✓	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation				
✓	FTB Notice				
				Reviewed by: LEG	
				Reviewed on: 2/17/12	
				Updates:	
				Recommendation:	
				File 14 - McLemore	

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

Age: 7 months DOB: 07/27/11	<p align="center"><u>NO TEMPORARY REQUESTED</u></p> <p>VIOLETA ALCANTAR, maternal grandmother, is Petitioner.</p> <p>Father: CHRISTIAN LOPEZ</p> <p>Mother: FLOR VIOLETA SERRATOS – <i>consent and waiver of notice filed 02/01/12</i></p> <p>Paternal grandfather: JOE LOPEZ – <i>served by mail 01/27/12</i></p> <p>Paternal grandmother: TERESA LOPEZ – <i>served by mail 01/27/12</i></p> <p>Maternal grandfather: RIGOBERTO SERRATOS – <i>served by mail 01/27/12</i></p> <p>Petitioner states that the mother is only 16 and is not exhibiting the maturity necessary to properly care for her son. Petitioner states that she has been the primary care provider and has supported the baby since birth. Petitioner states that the mother has threatened to run away and take the baby with her. Petitioner states that the father is 18 and currently on probation for burglary. Father has a history of substance abuse and arrest and is not able to properly care for the child.</p> <p>Court Investigator Julie Negrete's report was filed 02/14/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of personal service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> or Consent and Waiver of Notice or Declaration of Due Diligence for:</p> <p>- Christian Lopez (father)</p>
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv. <input type="checkbox"/> 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		
	<p>Reviewed by: JF</p> <p>Reviewed on: 02/22/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15 - Lopez</p>	

21 Jaylen Ortiz, Agustin Leon, Alfredo Leon, and Alyssa Ortiz (GUARD/P) Case No.

12CEPR00145

Atty Garcia, Elsa (pro per – paternal aunt/Petitioner for Alfredo/Alyssa)

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

Alfredo, 5 DOB: 08/24/06	<p align="center"><u>GENERAL HEARING 04/11/12</u></p> <p>ELSA GARCIA, paternal aunt, is Petitioner.</p> <p>Father: JOSE AGUSTIN LEON – <i>incarcerated</i></p> <p>Mother: ROSEANA ORTIZ – <i>currently incarcerated</i></p> <p>Paternal grandfather: AGUSTIN LEON Paternal grandmother: PETRA GARCIA AUMADA</p> <p>Maternal grandfather: DECEASED Maternal grandmother: IRENE ORONA</p> <p>Siblings: AGUSTIN LEON, JAYLEN ORTIZ</p> <p>Petitioner states that both parents are incarcerated. The children had been living with their mother prior to her being arrested. The mother’s home was very dirty, with no gas and no food in the refrigerator. The mother was evicted from her home for not paying the rent.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This Petition pertains to Alfredo and Alyssa Ortiz only. A Petition guardianship of Jaylen and Agustin by another paternal aunt, Guadalupe Villagomez was heard on 02/27/12.</p> <ol style="list-style-type: none"> 1. UCCJEA is incomplete. Need children’s residence address from birth to 02/03/12. 2. Need <i>Notice of Hearing</i>. 3. Need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Temporary Guardianship or Consent and Waiver of Notice or Declaration of Due Diligence</i> for: <ul style="list-style-type: none"> - Jose Agustin Leon (father) - Roseana Ortiz (mother) 	
Alyssa, 9 DOB: 02/11/03			
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			x
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			x
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
Reviewed by: JF			
Reviewed on: 02/17/12			
Updates:			
Recommendation:			
File 21 – Ortiz & Leon			