

Atty Iversen, Judy K
Atty PEDERSEN, KRIS B
Atty G., Thomas Fleming III

Notice of Motion to Partially Lift Stay and Permit the Depositions of Ken Cordle and Kevin Sweeney to Proceed

Age:		NEEDS/PROBLEMS/COMMENTS:
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		
		FILE CURRENTLY WITH LEGAL RESEARCH
		Reviewed by: NRN
		Reviewed on:
		Updates:
		Recommendation:
		File 1 - Iversen

4A Milton C. Smotherman (Estate)

Case No. 12CEPR00039

Atty Boyajian, Thomas M (for Mark C. Smotherman – Son – Petitioner)

Atty Lucich, Nicholas L., Jr. (for Lorna Ann Smotherman – Spouse – Contestant and Competing Petitioner)

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

DOD: 11-9-11	MARK C. SMOTHERMAN , Son, is Petitioner and requests appointment as Administrator with Full IAEA with bond (amount unspecified).	NEEDS/PROBLEMS/COMMENTS:
	Full IAEA – ok	
	Decedent died intestate	
	Residence: Clovis	
	Publication: Fresno Business Journal	
<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	Estimated Value of Estate:	
<input checked="" type="checkbox"/> Aff.Mail	Personal Property: \$18,100.00	
<input checked="" type="checkbox"/> Aff.Pub.	Real Property: \$162,000.00	
<input type="checkbox"/> Sp.Ntc.	Total: \$180,100.00	
<input type="checkbox"/> Pers.Serv.	Probate Referee: Rick P. Smith	
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters	LORNA ANN SMOTHERMAN , Spouse, filed a Contest of Appointment of Mark C. Smotherman as Personal Representative pursuant to Probate Code §1043 and 8004(a) and a competing petition (Page 4B).	
<input checked="" type="checkbox"/> Duties/Supp		
<input checked="" type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt	Contestant states she opposes the appointment of Petitioner as Administrator because Contestant is entitled to appointment herself as Administrator and has priority to act under Probate Code §8461(a) because she was Decedent’s surviving spouse. She and Decedent were married on 6-28-1980.	
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order	Contestant is entitled to priority of appointment as surviving spouse because she is entitled to succeed to part of the estate.	
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice	As stated in <i>Estate of Gibson</i> (1963) 222 CA2d 299 at pp. 300-301: “The court has very limited discretion in this matter [appointment of administrator] and generally must appoint a qualified person with the highest priority.”	
		Reviewed by: skc
		Reviewed on: 2-24-12
		Updates:
		Recommendation:
		File 4A - Smotherman

4B Milton C. Smotherman (Estate)

Case No. 12CEPR00039

Atty Boyajian, Thomas M (for Mark C. Smotherman – Son – Petitioner)

Atty Lucich, Nicholas L., Jr. (for Lorna Ann Smotherman – Spouse – Contestant and Competing Petitioner)

Petition for Letters of Administration; Authorization to Administer Under the Independent Administration of Estates Act with Limited Authority (Prob. C. 8002, 10450)

DOD: 11-9-11	LORNA ANN SMOTHERMAN , Spouse, is Competing Petitioner and requests appointment as Administrator with Limited IAEA with bond of \$120,000.00	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> Petitioner states the estimated real property does not include the residence in Clovis because it is community property which will pass to spouse outside probate. Estimated personal property includes items that are also community property and may not be subject to probate.
	Full IAEA – ok	
	Decedent died intestate	
	Residence: Clovis	
	Publication: Fresno Business Journal	
	Estimated Value of Estate:	
	Personal Property: \$120,000.00	
	Real Property: \$150,000.00	
	Total: \$270,000.00	
	Probate Referee: Rick P. Smith	
<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 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 checked="" 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: 2-24-12
		Updates:
		Recommendation:
		File 4B - Smotherman

4B

Petition for Letters of Administration with General Powers; Authorization to Administer Under the IAEA

DOD: 12-17-11	SPECIAL ADMINISTRATION granted ex parte on 1-18-12 expires 3-6-12.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> Petitioner was granted power as Special Administration to make decisions related to Decedent's business and grape harvest. <ol style="list-style-type: none"> Need Notice of Petition to Administer Estate. Need proof of service of Notice of Petition to Administer Estate at least 15 days prior to the hearing per Probate Code §8110 and Cal. Rule of Court 7.51 on the following relatives: <ul style="list-style-type: none"> - Theresa Parnell (Daughter) - Manuel Jaurique (Grandson) - John Parnell (Grandson) - Noah Parnell (Grandson) - Sammy Parnell (Grandson) Need bond of \$350,000.00 or waivers of bond from appropriate heirs.
	PAUL JAURIQUE, Son, is Petitioner and requests appointment as Administrator with Full IAEA without bond.	
<input type="checkbox"/> Aff.Sub.Wit.	Full IAEA – ok	
<input checked="" type="checkbox"/> Verified	Decedent died intestate	
<input type="checkbox"/> Inventory	Residence: Fresno	
<input type="checkbox"/> PTC	Publication: Fresno Business Journal	
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Aff.Mail	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/> Aff.Pub.	Estimated Value of Estate:	
<input type="checkbox"/> Sp.Ntc.	Personal Property: \$ 50,000.00	
<input type="checkbox"/> Pers.Serv.	Real Property: \$ 300,000.00	
<input type="checkbox"/> Conf. Screen	Total: \$ 350,000.00	
<input checked="" type="checkbox"/> Letters	Probate Referee: Rick P. Smith	
<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: 2-24-12
		Updates:
		Recommendation:
		File 5 - Jaurique

Petition for Probate of Will and for Letters of Administration with Will Annexed
 (Prob. C. 8002, 10450)

DOD: 10/10/11		<p>DAVID L. JIMENEZ, son, is Petitioner. <u>Named executor under Decedent's will declines to act.</u></p> <p>Will dated 9/15/03</p> <p>Full IAEA – o.k.</p> <p>Residence: Fresno County Publication: Fresno Business Journal</p> <p>Estimated value of estate: Personal property \$ 93,000.00 Annual income 0 Real property 295,000.00</p> <hr/> <p>Total \$388,000.00</p> <p>Petition requests that bond be fixed at \$388,000.00.</p> <p>Probate Referee: Steven Diebert</p>	NEEDS/PROBLEMS/COMMENTS:	
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			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			
		Reviewed by: NRN		
		Reviewed on: 2/27/12		
		Updates: 2/27/12		
		Recommendation:		
		File 6 - Jimenez		

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

DOD: 12-1-11	LAWRENCE E. WAYTE , Son and named Executor without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Full IAEA – ok	
	Will dated 3-10-89	
<input type="checkbox"/> Aff.Sub.Wit.	S/P	
<input checked="" type="checkbox"/> Verified		
Inventory		
PTC		
Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	W/O	
<input checked="" type="checkbox"/> Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 2-24-12
		Updates:
		Recommendation: SUBMITTED
		File 7 - Wayte

Age: 72	<p>THE PUBLIC GUARDIAN was appointed Conservator of the Person and Estate on 9-9-08.</p> <p>The First Account was settled on 1-12-10 and the Court set this status hearing for filing of the next account. If the accounting is filed by 3-5-12, then no appearance is necessary on 3-6-12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need 2nd Account or current status report.</p>
DOB: 5-6-39		
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		
<input checked="" type="checkbox"/> CI Report		
9202		
Order		
Aff. Posting		
Status Rpt X		
UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: skc</p> <p>Reviewed on: 2-24-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8 - Winegar</p>	

Age: 62 years DOB: 10/4/1949	<p>PUBLIC GUARDIAN was appointed as conservator of the person and estate on 11/30/10.</p> <p>Inventory and appraisal filed showing the estate valued at \$1,472.08.</p> <p>First account is now due.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR. First account filed and is set for hearing on 4/4/12.</p>
Cont. from 010312		
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: KT	
	Reviewed on: 2/27/12	
	Updates:	
	Recommendation:	
	File 10 - Rodriguez	

Age: 20	<p>CLARA SOTO, Mother, was appointed Conservator of the Person and Estate without bond on 6-29-11.</p> <p>The issue of blocked account was deferred.</p> <p><i>Note: Petitioner originally requested powers under Probate Code §2590 to sell real property of the estate without Court confirmation and to purchase real property.</i></p> <p><i>Minute Order 6-29-11 states: The Court waives the issue of the bond for the present time. The issue of the blocked account is deferred until the next hearing. The Court grants the Petition as to the person and estate without special powers.</i></p> <p><i>The Order dated 7-21-11 notes that the Conservator is not authorized to take possession of money or any other property without a specific Court order.</i></p> <p>On 1-4-12, the Court set this status hearing for filing of the Inventory and Appraisal. Notice was sent to the Conservator and to Attorney Pimentel.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need status of conservatorship estate and/or the expected insurance claim.</p>
DOB: 4-8-91		
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	X	
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 2-27-12
		Updates:
		Recommendation:
		File 11 - Soto

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

Age: 19		<p>NO TEMPORARY REQUESTED</p> <p>PATSY ZUNIGA, Mother, is Petitioner and requests appointment as Conservator of the Person and Estate without bond.</p> <p>Estimated Value of Estate: <i>Unknown</i></p> <p>Voting Rights affected</p> <p>A <u>copy</u> of a Capacity Declaration was filed 1-24-12.</p> <p>Petitioner states the proposed conservatee was born with Down Syndrome and is unable to provide for her own physical health, clothing or shelter. She is unaware of the costs of shelter or food and does not have capacity to seek medical attention if needed. The paternal grandparents have been caring for her since she was two months old, but are now “getting up in years” and it is increasingly difficult for them to care for her.</p> <p>Petitioner requests appointment as Conservator of the Estate without bond because she is a full time student and lacks the funds to post bond. Specifically, Petitioner requests the ability to administer any and all financial obligations and/or accounts in regards to the proposed conservatee’s assets and debt, and for care, custody and control of all real property, if any, including the right to sell, convey, or transfer, or maintenance/collection of rents on rental property, if any.</p> <p>Petitioner states that although the proposed conservatee currently resides in Fresno, it would be in her best interest to reside in Stanislaus County. Petitioner is ready and able to provide adequate living arrangements. Petitioner states that when they see each other, the proposed conservatee begs to come home with Petitioner. Petitioner attached copies numerous letters in support of the petition from friends and family.</p> <p>Court Investigator Samantha Henson filed a report on 2-29-12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Court Investigator advised rights on 2-15-12.</u></p> <p><u>Voting rights affected-Need minute order</u></p> <p>Note: Petitioner resides in Modesto, CA. The proposed conservatee (Krishna) resides in Fresno with her paternal grandparents, Eddie and Linda Galaviz, who were formerly her legal guardians in Case #0522953.</p> <ol style="list-style-type: none"> 1. Attorney Ben Roberts did not sign the Petition. 2. If Petitioner is seeking medical consent powers, need <u>original</u> Capacity Declaration. Note: Petitioner does not request medical consent powers at 1.g. of the Petition. Petitioner states the original Capacity Declaration was filed in Stanislaus County and provides a copy; however, this Court may require an original. <i>If requested, the Court may also require amended petition and service on all parties of the additional request for medical consent powers.</i> 3. Notice of Hearing filed 2-8-12 indicates the paternal grandparents (with whom Krishna resides) were served together rather than individually per Cal. Rule of Court 7.51(a)(1). The Court may require amended service. 4. Need proof of service of Notice of Hearing with a copy of the Petition at least <u>30 days</u> prior to the hearing on the Regional Center pursuant to Probate Code §1822(e). 5. Petitioner requests conservatorship of the estate with various specific powers but does not indicate the reason why. Need clarification. Note that conservatorship of the estate is not necessary if public assistance is the only asset. See Local Rule 7.15.4. 6. If conservatorship of the estate is granted, need estimated value of estate and bond including cost of recovery pursuant to Probate Code §2320(c)(4) and Cal. Rule of Court 7.207. 	
DOB: 7-2-92				
Aff.Sub.Wit.				
✓	Verified			X
Inventory				
PTC				
Not.Cred.				
✓	Notice of Hrg			
✓	Aff.Mail			W
Aff.Pub.				
Sp.Ntc.				
✓	Pers.Serv.			W
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
Objections				
✓	Video Receipt			
✓	CI Report			
9202				
✓	Order			
Aff. Posting				
Status Rpt				
UCCJEA				
✓	Citation			
FTB Notice				
Reviewed by: skc				
Reviewed on: 2-27-12				
Updates: 3-1-12				
Recommendation:				
File 12A - Galaviz				

Age: 10	<p>KHAMMANEE OUANOULACK, mother, was appointed Guardian of the Estate and Letters were issued on <u>08/29/05</u>.</p> <p>Declaration of Receipt of Funds into blocked account was filed 11/02/05, showing total deposit of \$53,021.43 into a blocked account at Washington Mutual Bank.</p> <p>Clerk’s Certificate of Mailing filed 11/02/11 shows that Notice of this Hearing was mailed to Khammanee Ouanoulack on 11/02/11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 1/17/12. Minute Order states:</u> Examiner notes are provided to the Petitioner.</p> <ol style="list-style-type: none"> 1. Need <i>Inventory & Appraisal</i>. 2. Need First Account and Report of Guardian. 	
DOB: 01/10/02			
Cont. from 011712			
Aff.Sub.Wit.			
Verified			
Inventory			x
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	x		
UCCJEA			
Citation			
FTB Notice			
	Reviewed by: NRN		
	Reviewed on: 2/27/12		
	Updates:		
	Recommendation:		
	File 13 - Phaphone		

Petition for Visitation

Age: 5	VANESSA M. CASAREZ, Mother, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Notice of Hearing.</p> <p>2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on:</p> <ul style="list-style-type: none"> - <u>Raul Rangel</u> (Paternal Grandfather and Co-Guardian) - <u>Juana Rangel</u> (Paternal Grandmother and Co-Guardian) - <u>Ruben Rangel, Sr.</u> (Father)
DOB: 6-5-06	RAUL and JUANA RANGEL, Paternal Grandparents, were appointed Co-Guardians on 8-21-06.	
	Petitioner filed a Petition for Termination of Guardianship that is set for hearing on 4-3-12 and concurrently filed this Petition for Visitation to pave the way to terminating the guardianship in a manner that will have the least amount of emotional distress to Ruben Jr.	
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	X	
Aff.Mail	X	
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>Petitioner states when Ruben Jr., was born in 2006, she consented to guardianship with the understanding that it was temporary until she could care for him on her own. She was instructed by the guardians not to mention during visits that she was his mother because he believes Juana is his mother. To be respectful of their wishes, and afraid that she would be denied visitation otherwise, she allowed herself to be referred to as "the girl" or "la muchacha." The guardians would use guilt and intimidation to maintain control of the visits, such as discussing Petitioner's addiction, and telling her they shouldn't allow her to visit, etc. This made Petitioner fearful that they could stop the visits at any time, so Petitioner was very careful to respect every limit that was placed.</p> <p>On Ruben Jr.'s 4th birthday (June 2010), Petitioner was informed what type of gifts to purchase because he wasn't allowed certain things, but when she arrived to visit, was informed that he wasn't home; he was at his father's house (Ruben Rangel, Sr.). This concerned Petitioner because the current agreement has the father named as a person not allowed to have unsupervised contact with Ruben Jr.</p> <p>At this point, Petitioner realized that he was 4 years old and didn't even know she was his mother. As he gets older, how long can he be expected to welcome this "la muchacha" into his life? It's too confusing.</p> <p>This was a wakeup call for Petitioner and she made the decision to take care of her business. She had some criminal issues – all minor offenses that had she been responsible at the time would have been easily cleared up and dropped. However, due to her addiction, they were now more serious issues. Since then, Petitioner has reconnected with her immediate family and her father has been in contact with the guardians and has visited Ruben Jr., with her. Her father is a musician, and Ruben Jr., also has a natural talent and loves music. It has been discussed to allow Ruben Jr., to visit their home, but Petitioner is fearful that with the continued deception this will never take place. She has asked if Ruben Jr., can visit at her family's home, and the guardians have said that when he is 13 he can decide what he wants to do. When she asked when they will tell him she is his mother, they answered later.</p> <p style="text-align: center;">SEE PAGE 2</p>	
	<p>Reviewed by: skc</p> <p>Reviewed on: 2-27-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14 - Rangel</p>	

SUMMARY (Continued) (Page 2 of 3):

Petitioner does not want Ruben Jr., to have trust issues or feel betrayed. Petitioner tries to bring family members to visit so that he can get to know his other family, but the dishonesty is very difficult.

Petitioner states she has also recently become aware that Juana has some serious medical issues, and worry that should something happen to her, the big changes would be detrimental to Ruben Jr. It is imperative that she be integrated into his life to help Ruben Jr., deal with emotional issues and stress of seeing his grandmother ill.

Petitioner states the guardians are still closely supervising her interaction with Ruben Jr., and are still using guilt and intimidation to ensure that she doesn't forget they are in control. Petitioner states her visits have always been positive, and Ruben Jr., is always excited to see her and cried when she leaves; however, during a recent visit, she noticed a change in his treatment of her. She states he asked why she's there, why she calls, what she wants to talk to him about. Also, the guardians now allow him to play violent video games and other toys/characters that were against rules previously imposed (Spiderman, etc.) because the father allows it.

Petitioner states that on Jan 25th she scheduled a visit for the 28th with Co-Guardian Juan Rangel. That day, they did not answer the phone, so she called an aunt who has been a point of contact. When reached, the guardians agreed to call Petitioner when they returned home, but they did not call that day. The next day, Petitioner called and was told that she could continue to try to visit, but if they're not home, they're not home.

Petitioner would like consistent visits with Ruben Jr., and requests a visitation schedule of Friday evenings 6pm to Saturday mornings 12pm with exchanges to take place at McDonalds on Jensen/99. Weekends not scheduled for overnight visit, Petitioner would like a 4 hour visit as mutually agreed upon by the parties. Petitioner requests a graduated visitation schedule to ease Ruben Jr., into feeling comfortable with her.

Petitioner also filed a declaration from her sister, Barbara Jaurique, in support of her request for unsupervised visits. The declaration details Petitioner's progress in becoming drug-free, attending meetings voluntarily, and attending church regularly. Ms. Jaurique's declaration states that she was also concerned about Ruben Jr.'s care after attending a visit and noticing that the guardians were not home, but had left Ruben Jr., with an uncle who was "obviously stoned."

The declaration also states Ruben Jr., started Kindergarten this year, but that he had previously been disqualified from attending a paid preschool because an aunt and uncle were using him as a deduction on their taxes so he did not qualify. Ms. Jaurique does not think this is appropriate. She feels Petitioner is fully capable of handling scheduled unsupervised visits with her son, and is being held back from developing a relationship with him and is being alienated from making progress. She has made mistakes in the past, but they are not beyond repair. Ruben Jr., deserves to know his whole family without limits. Scheduled visits are necessary so that the guardians cannot cancel, deny or dominate the visits.

Guardians Raul and Juana Rangel filed a Responsive Declaration on 2-27-12 and request the Petition be denied:

- When the child was born, he was delivered to the guardians by the Department of Children and Family Services. He was premature and positive for methamphetamine.
- The guardians did not see Petitioner until she showed up on 6-5-08. She left again and returned to visit the child twice between 2008 and 2010.
- Petitioner returned again on 6-5-11 and visited with the child.
- After September, 2011, Petitioner returned one more time to visit, and after that she has not come to visit at all, according to Petitioner, because her father has three jobs and no time to bring her to visit.
- On at least four occasions, she has called to visit, but never showed up.
- Contrary to Barbara Jaurique's declaration, visitation has not been on a regular basis. Visiting whenever she wants is not "a regular basis." A child is not a commodity to be used and disposed of whenever Petitioner chooses. The love and affection of a child of tender years requires more attention than every two months or so.
- Petitioner had two other children who were removed by law enforcement due to her drug use, and to the guardians' knowledge, those two children were adopted by the foster parents.
- It is alleged that at the time, Petitioner had absconded with one of those children and was not apprehended until a year later.

SEE PAGE 3

SUMMARY (Continued) (Page 3 of 3):

- Petitioner has made little or no effort to improve her own life or stay informed about the child's home life, school, or otherwise. In other words, she has never cared for or about the child.
- It appears Petitioner has been unable to provide for herself. She resides with her father along with her father's three children, ages 9, 11, and 12, and another sister, Barbara Jaurique. The limited housing condition where she now lives is not suitable for another person.
- Since the child's birth, Petitioner has made no efforts to establish any type of relationship with the child, and when she has visited, it was for about 20-30 minutes, never more than an hour, and is never left alone with him.
- The child does not know who Petitioner is to him, and has not been told to protect him.
- Petitioner has not done anything to improve her relationship with the child.
- At the beginning of the guardianship, the guardians offered to take Petitioner into their home to rehabilitate herself and establish a relationship with the child, but she left two days later and didn't return until two years later.
- At this point in the child's life, it would not be in his best interest to establish any type of relationship; it would cause emotional and psychological damage.
- Allowing any contact with Petitioner would be detrimental to his emotional and psychological well-being.
- In addition, the child could be at risk based on Petitioner's prior history of absconding with her other child.
- At present, the child is well cared for, well nourished, there are no issues between the guardians and the child that merit any type of intervention by any agency, and things should remain as they are: sole legal and physical custody to the guardians.
- Contrary to any allegation of drug or alcohol use, no one at this home engages in that type of conduct. Barbara Jaurique's allegation, "was quite obviously high on some substance," is a total and complete lie.

Joanna Rangel, Paternal Aunt, also filed a Responsive Declaration on 2-27-12. The declaration addresses the allegation of drug use by an uncle in the petition and states that the uncle does not do drugs. On the day in question, she and her husband were in charge of the child, and was present during the visit, which lasted 20 minutes. The declaration states Petitioner visits maybe once every six weeks and comments on the duration. Ms. Rangel was very surprised at the petition itself and the unfounded allegations. The child is close to the guardians and being away from them will be difficult for him. Petitioner is a stranger to the child. The requested visitation should not be granted.

Ms. Rangel states Petitioner has never been denied any contact with the child and it is disturbing that she would make these allegations. It is unclear why she is doing any of this, but her request should be denied.

15A Jose Borjas and Roy Borjas (GUARD/P)

Case No. 09CEPR00838

Atty Borjas, Tania (pro per Guardian/paternal aunt)

Atty Ramirez, Sonia (pro per Mother)

Atty Ramirez, Maria Aracely (pro per Petitioner/maternal aunt)

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

Jose age: 8 years DOB: 3/21/03	MARIA ARACELY RAMIREZ , maternal grandmother, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>There is no vacancy in the office of guardian. Guardian, Tania Borjas, had filed a <i>Petition for Termination</i> on 11/8/11 however she dismissed her petition on 1/9/12.</p> <p>1. Need proof of personal service of the <i>Notice of Hearing</i> along with a copy of the petition or <i>Consent and Waiver of Notice or Declaration of Due Diligence on:</i></p> <p>a. Jose Borjas (father)- if court does not dispense with notice.</p>
Roy age: 7 years DOB: 8/11/04	TANIA BORJAS , paternal aunt, was appointed as guardian on 1/13/2010.	
Cont. from	Father: JOSE BORJAS – <i>Allegedly deported to Honduras, South America. Declaration of Due Diligence filed on 2/29/12.</i>	
<input type="checkbox"/> Aff.Sub.Wit.	Mother: SONIA RAMIREZ – <i>consents and waives notice.</i>	
<input checked="" type="checkbox"/> Verified	Paternal grandfather: Alvaro Nino – <i>deceased.</i>	
<input type="checkbox"/> Inventory	Paternal grandmother: Carmen Borjas – <i>served on 1/5/12.</i>	
<input type="checkbox"/> PTC	Maternal grandfather: Juan Ramirez – <i>deceased.</i>	
<input type="checkbox"/> Not.Cred.	Petitioner states the paternal aunt, Tania Borjas, has filed a petition to terminate the guardianship. Petitioner is requesting guardianship so that the children can come and live with her and she can care for them.	
<input checked="" type="checkbox"/> Notice of Hrg	Declaration of Petitioner filed on 2/29/12 to show proof that there is violence in the home of the current guardian, Tonia Borjas. Declaration includes a Fresno County Police Report from an incident that occurred on 1/26/10.	
<input checked="" type="checkbox"/> Aff.Mail	Court Investigator Samantha Henson’s Report filed on 2/29/12	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv.		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input 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: 2/27/12
		Updates: 3/2/12
		Recommendation:
		File 15A - Borjas

Age: 4 years	<p>CARRIE M. O'KEY, mother, is Petitioner.</p> <p>CHERYL HICKS, current guardian, was granted guardianship of the minor on 8/8/11. Letters of Guardianship were issued on 8/16/11.</p> <p>Petitioner Mother states she is requesting visitation with her daughter. It has been 3 months since she last saw the minor. Prior to that time, Petitioner (Mother) was able to work out visitation with the current guardian who was a friend of Petitioner, and Mother was able to visit with her daughter as was the minor's sister. Petitioner allowed the minor to reside with the guardian initially so that Mother could get her life together. The current guardian initially told Petitioner that she would let Petitioner know when Petitioner could see the minor. Petitioner was released from jail on 12/9/11. However, Petitioner has been unable to see the minor since that time. Petitioner misses her daughter and wishes that her daughter will not have feelings of abandonment and know that her family loves her. Petitioner also wishes for the minor and her sister to be able to visit with one another. At the time of the guardianship, Petitioner was not completely knowledgeable about what she was signing, and wished to place the minor with the guardian while Petitioner got herself and her mind together. Petitioner loves and misses the minor and is requesting that the Court grant her visitation.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i> 2. Need proof of mailed service of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Visitation</i>, pursuant to Probate Code §§1460 and 1511 for the following persons: <ol style="list-style-type: none"> a. Cheryl Hicks, Guardian b. Father c. Paternal grandparents d. Maternal grandparents
DOB: 11/27/07		
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg <input checked="" type="checkbox"/>		
<input type="checkbox"/> Aff.Mail <input checked="" type="checkbox"/>		
<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 checked="" type="checkbox"/>		
<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: NRN</p> <p>Reviewed on: 2/27/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16 - Okey</p>		

Age: 13 years DOB: 04/23/98	<p style="text-align: center;"><u>Temporary Expires 3/6/12</u></p> <p>MARICE RUIZ, non-relative, is petitioner.</p> <p>Father: GILBERT CORTEZ – <i>Court dispensed with notice by minute order dated 11/17/11.</i></p> <p>Mother: TINA CORTEZ</p> <p>Paternal grandparents: Unknown Maternal grandparents: Not Listed</p> <p><i>Consent & Waiver of Notice of Minor filed 11/07/11</i></p> <p>Petitioner states the minor needs to go to school and needs to be seen by a doctor. The mother is a drug user, is mentally ill and was living in an unsafe home.</p> <p>DSS Social Worker Anita Ruiz’s Report filed 1/12/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 1/17/12. Minute Order states examiner notes are provided to petitioner. The petitioner is directed to cure defects. <i>As of 2/27/12 the following issues remain:</i></p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of personal service of the <i>Notice of Hearing</i> along with a copy of the <i>Petition or Consent and Waiver of Notice or Declaration of Due Diligence</i> on: <ol style="list-style-type: none"> a. Tina Cortez (mother) 3. Need proof of service of the <i>Notice of Hearing</i> along with a copy of the <i>Petition or Consent and Waiver of Notice or Declaration of Due Diligence</i> on: <ol style="list-style-type: none"> a. Paternal grandparents b. Maternal grandparents 	
Cont. from 011712			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			X
Aff.Mail			X
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			X
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
		Reviewed by: KT	
		Reviewed on: 2/27/12	
		Updates:	
		Recommendation:	
		File 17 - Cortez	

Atty Garza, Yolanda (pro per Petitioner/grandmother)
 Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 13 years DOB: 12/17/1998	<p style="text-align: center;"><u>Temporary Expires 03/06/12</u></p> <p>YOLANDA GARZA, paternal grandmother, is Petitioner.</p> <p>Father: TOMMY OCHOA – <i>personally served 01/13/12</i></p> <p>Mother: ANGIE MANZANALES – <i>personally served 01/13/12</i></p> <p>Paternal grandfather: Not stated</p> <p>Maternal grandparents: Not stated</p> <p>Minor: Dominique Ochoa – <i>consents and waives notice.</i></p> <p>Petitioner states ???</p> <p>Court Investigator Jennifer Young's Report filed on 2/28/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Petition does not state why a guardianship is necessary. Petition indicates mother's last name is Moncanalis. Proof of service lists mother's last name as Mansanalez. Court may require clarification. Petition does not list the names and addresses of the paternal grandfather and maternal grandparents. Need proof of service of the <i>Notice of Hearing or Consent and Waiver of Notice or Declaration of Due Diligence</i> on: <ol style="list-style-type: none"> Paternal grandfather Maternal grandfather Maternal grandmother 	
Cont. from			
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			

Reviewed by: KT
Reviewed on: 2/28/12
Updates: 3/2/12
Recommendation:
File 18 - Ochoa

19 Trevon Randle (CONS/P)

Case No. 12CEPR00173

Atty Hand, Tom (Pro Per – Non-Relative / Former Guardian – Petitioner)
Atty Hand, Valerie (Pro Per – Non-Relative / Former Guardian – Petitioner)
Atty Sevadjian, Lucille Mae (Pro Per – Non-Relative / Former Guardian – Petitioner)

Petition for Appointment of Temporary Limited Conservator of the Person

Age: 19	<p>GENERAL HEARING 3-26-12</p> <p>TOM HAND, VALERIE HAND, and LUCILLE MAE SEVADJIAN, Foster family and former legal guardians, are Petitioners and request appointment as Temporary Limited Co-Conservators of the Person.</p> <p>Petitioners state Trevon was placed with them as a foster child on 7-29-1998 when he was six years old and has been in their home ever since. Petitioners became his legal guardians on 3-7-2000. He has had limited contact with his mother, Rochelle Perry, and she has made no contact for at least 10 years.</p> <p>Petitioner states Trevon resides in a state licensed children’s facility. The facility must re-license as an adult facility to maintain compliance with regulations. Trevon cannot remain a client in the adult home due to his health conditions. Community Care licensing requires that he become a non-client with a conservator in order to remain in the home. Petitioners state they need temporary conservatorship now to keep him in our family or the state will move him out of their home.</p> <p>Court Investigator Jennifer Daniel filed a report on 2-27-12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Court Investigator advised rights on 2-22-12.</u></p> <ol style="list-style-type: none"> 1. Need proof of personal service of Notice of Hearing with a copy of the Petition at least five court days prior to the hearing on Proposed Conservatee Trevon Randle per Probate Code §2250(e). 2. Petitioners state Trevon has lived with them since 1998; they have been his legal guardians since 2000; his father is unknown and his mother has not had contact for approx. 10 years. If notice is not excused, need Notice of Hearing and proof of service of N Notice of Hearing with a copy of the Petition at least five court days prior to the hearing per Probate Code §2250(e) on: <ul style="list-style-type: none"> - Rochelle Perry (Mother) - Unknown father 	
DOB: 7-13-92			
Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			X
Aff.Mail			X
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			X
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
Objections			
Video Receipt			
<input checked="" type="checkbox"/> CI Report			
9202			
<input checked="" type="checkbox"/> Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 2-27-12	
		Updates:	
		Recommendation:	
		File 19 - Randle	