

Atty Burnside, Leigh (of DAK, for Norma G. Little – Petitioner)
Atty Milnes, Michael A (for Christopher Brian Little – Executor/Respondent)

Petition to Remove Executor, for an Accounting, for Appointment of Successor Personal Representative, for Surcharge, and to Enforce Settlement AGREEMENT
(Prob. C. 8500, 8501, 8502, 8520 et seq., 8540 et seq., 10952, 12200, 12204, 12205, and CCP 664.6)

DOD: 7/4/08	NORMA G. LITTLE , surviving spouse, is Petitioner.	NEEDS/PROBLEMS/COMMENTS
	Petition states:	
	<ul style="list-style-type: none"> Petitioner Norma Little (“Petitioner”) is the surviving spouse of Decedent; they were married on 5/22/04 and were married at the time of Decedent’s death; On 7/18/08, Respondent Christopher Little (“Respondent”), who is Decedent’s brother, was appointed personal representative of Decedent’s estate by the Pinal County Superior Court, state of Arizona (“Arizona court”); On 11/12/08, the Fresno County Superior Court (“Fresno court”) appointed Respondent as the California Executor with bond of \$400,000.00; Thomas McCarville (“T. McCarville”) and David McCarville (“D. McCarville”) are Arizona attorneys who represent Respondent in the Arizona proceedings; Petitioner previously filed 3 petitions in this matter: 1) <i>Petition to Determine Distribution Rights</i>; 2) <i>Petition for an Order Setting Apart Probate Homestead</i>; and 3) <i>Petition for Payment of Family Allowance</i>, and the matters were set for trial; Prior to trial, the parties agreed to settle all of Petitioner’s claims subject to approval from the Fresno and Arizona courts (Settlement AGREEMENT and Mutual General Release (“AGREEMENT”) attached to Petition as Exhibit A); The AGREEMENT states in part: <ul style="list-style-type: none"> Respondent is to file petitions for approval of the AGREEMENT in each court no later than 8/21/09; upon approval by both courts, Respondent is to distribute property to Petitioner pursuant to said AGREEMENT; Settling parties are to execute or deliver any instrument, furnish any information, or perform any other act necessary to carry out the AGREEMENT’s provisions without undue delay or expense, including appearing at court hearings concerning the status of disputes (<i>emphasis added in Petition</i>); Prevailing party in an action to enforce terms of AGREEMENT is entitled to costs and reasonable attorneys’ fees; AGREEMENT is enforceable pursuant to CCP section 664.6. 	
Cont. from: 091310, 100410, 102710, 120810, 021611, 033011,051811, 080311, 091411, 102611, 011112		Continued from 1/11/12. Minute Order states: Ms. Berger-Hoang and James Clark are appearing via conference call as well as Ken Pierce. Ms.Burnside informs the Court that a settlement was submitted to the court in Arizona.
<input type="checkbox"/> Aff.Sub.Wit		
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<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
	<u>SEE ATTACHED PAGE-</u>	
		Note: Notice of Lien, filed on 2/22/12 by the Dowling, Aaron firm (counsel for Norma Little), indicates the law firm is claiming a lien on any and all claims and entitlements of Norma Little in the amount of \$112,393.41 as of 2/1/12.
		Updates:
		Reviewed: 2/27/12
		Recommendation:
		Reviewed by: NRN
		File: 1A - Little

- On 9/22/09, Respondent petitioned the Fresno court to approve the AGREEMENT; on 9/29/09 he similarly petitioned the Arizona court for approval; on 12/14/09, the Fresno court approved the AGREEMENT;
- On 5/17/10, the Arizona court ordered Respondent's attorney, D. McCarville, to provide all parties with an updated accounting no later than 7/16/10; in disregard of said order, D. McCarville provided the parties with a "First Supplemental Inventory and Appraisalment," instead of the court-ordered updated accounting (*note: per Declaration of Petitioner, filed 9/9/10, this Inventory filed by Respondent shows values for Decedent's property that are significantly less than the date of death values*); nearly a year has passed since the AGREEMENT was executed, and 7 months have passed since the Fresno court approved it;
- Respondent has failed to obtain the Arizona court's approval of the AGREEMENT, has failed to respond to objections filed in Arizona, and has failed to timely administer Decedent's estate, all in violation of the AGREEMENT and his fiduciary duties;
- Respondent's failure to secure Arizona court approval is due in part to D. McCarville's conflicts of interest and Respondent's failure to retain counsel without such conflicts;
 - Specifically, on 11/13/09, Respondent's attorney D. McCarville petitioned the Arizona court for instructions relating to several conflicts of interests, including:
 - D. McCarville's brother and in-laws have an ownership interest in estate assets;
 - Prior to Decedent's death, D. McCarville's brother took out a loan to improve the assets he apparently owns with the estate and is apparently owed money by the estate for this loan;
 - D. McCarville's father, T. McCarville, was previously a partner with the attorney who prepared Decedent's ante nuptial AGREEMENT and who now faces potential malpractice claims by the estate relating to the ante nuptial AGREEMENT; and
 - D. McCarville represents (in other matters) the fiduciary company, East Valley Fiduciary Services/James C. Clark, that has been appointed as guardian and conservator of Jeremy R. Little, who is Decedent's grandson and the only party objecting to the AGREEMENT with claims adverse to Executor and Petitioner.
 - The Arizona court never issued instructions on these conflicts of interests.
- D. McCarville is delaying Respondent from timely administering Decedent's estate, in part because of conflicts of interest;
- Due to the failures of Respondent and D. McCarville, Petitioner has received none of the property to which she is entitled;
- Petitioner has sought approval from the Arizona court through her counsel, but has been unsuccessful.

Petitioner Requests an order:

1. Removing Respondent as personal representative (Executor) and revoking Letters;
2. That Respondent file an accounting within 60 days of his removal as personal representative;
3. Denying appointment of Thomas McCarville as nominated Successor Executor;
4. Appointing Petitioner Norma Little as successor personal representative, or in the alternative, appointing a neutral third party as successor personal representative;
5. Surcharging Respondent's compensation as Executor pursuant to PrC 12205;
6. Enforcing the AGREEMENT by requiring Respondent or successor personal representative to vigorously prosecute the enforcement of the AGREEMENT in the Arizona court and defend objections thereto at the expense of Decedent's estate, requiring Respondent or successor personal representative to obtain counsel who does not represent a conflict of interest with regard to the estate, and by requiring that Respondent or successor personal representative to do all acts necessary to perform the obligations of the AGREEMENT without undue delay;
7. For attorneys' fees and costs and for such other orders as the Court deems proper.

Response to Petition, filed by Respondent Christopher Little on 9/27/10, states:

- The sole heirs under Decedent's Will are Decedent's son James D. Little and his grandson Jeremy Little;
- Petitioner Norma G. Little ("Petitioner") and Decedent entered into a written agreement prior to their marriage; included in this agreement was a waiver by Petitioner of any right to inherit property from Decedent's estate;
- Currently, the Arizona court has not approved the parties' 8/4/09 AGREEMENT; as such, there is no enforceable settlement of the matters and issues between Petitioner and Respondent in this Court, as the terms of the AGREEMENT are expressly conditioned upon the approval of the AGREEMENT's terms by both the Fresno Court and the Arizona Court and without both court's approval, the AGREEMENT has no force and effect.

SEE ATTACHED PAGE

1A

Dept. 303, 9:00 a.m., Wednesday, March 7, 2012

- On 10/5/09, the Arizona court held a status review hearing regarding the AGREEMENT; at that hearing, Petitioner, Jim Little, and the guardian of Jeremy Little stated their objections to the AGREEMENT; a further status review was scheduled for 11/16/09;
 - a. Between 11/16/09 and 4/19/10, the court held several status hearings on matters relating to the administration of the estate and petition to approve the AGREEMENT;
 - b. On 5/17/10, the Arizona court ordered Respondent to provide an updated accounting by 7/16/10, with objections to the AGREEMENT to be filed by 8/20/10, and responses to the objections filed by 9/17/10;
 - c. Respondent filed a 1st Supplemental Inventory with the Arizona court on 7/16/10; and thereafter filed a Petition for Approval of 1st Interim Accounting on 7/30/10;
 - d. On 8/9/10, counsel for Jim Little's conservator filed an objection to Respondent's petition to approve the AGREEMENT; objections were also filed by counsel for Jeremy Little's guardian on 8/19/10, to which Jim Little filed a joinder;
 - e. Jim and Jeremy Little's primary objections to the AGREEMENT focus on Petitioner's status as an omitted spouse and the reduced value of assets of Decedent's estate;
 - f. The Arizona court set a settlement conference for 10/19/10;
 - g. Petitioner also filed an MSJ in the Arizona court to compel the court to approve the AGREEMENT and the matter is currently before that court;
 - h. The Arizona court has also set a status review hearing on 11/1/10.
 - i. Petitioner has attended all proceedings before the Arizona court.
- Petitioner has a significant conflict of interest disqualifying her from serving as personal representative because she has pending creditor's claims and Petitions now pending before this court; though a settlement has been reached through the AGREEMENT, the AGREEMENT has not been approved by the Arizona court and the matter is currently pending;
- Petitioner has not filed a petition in the Arizona court for removal of Respondent as personal representative; as such, appointment of Petitioner in the Fresno court would provide an unworkable and inconsistent administration of the Decedent's estate, and only further delay the ultimate resolution of this case;
- Finally, the hearing on David McCarville's Petition for instructions on the conflicts of interest has been continued by the Arizona court each time, and Petitioner's attorney has not objected to any such continuance;
- **Respondent requests:** An evidentiary hearing; that Petitioner Norma Little's Petition be dismissed with prejudice, and that Petitioner be required to pay Respondent's reasonable attorneys' fees and the costs of this proceeding.

STATUS REPORT, FILED 10/25/10 BY ATTORNEY MILNES, STATES: A mediation was conducted on 10/19/10 and a complete settlement agreement was reached between all parties, and Atty Keeler has undertaken to reduce the settlement agreement to writing as recited on the record.

Status Report, filed 3/25/11 by Counsel for Norma Little, states:

- *The 10/19/10 mediation (as referenced above) resulted in a complete settlement of all matters existing between the parties; and was confirmed by the Pinal County, Arizona Superior Court ("the settlement agreement");*
- *A draft of the settlement agreement was originally prepared in 11/10 and since then the parties have been negotiating the agreement amongst themselves;*
- *At the last status conference on 2/16/11, the agreement was still being negotiated and the Court continued the matter to 3/10/11;*
- *To date, the parties have not been able to agree upon the agreement's provisions relating to primary jurisdiction of this matter; Norma Little contends that as Decedent died in Fresno County, jurisdiction is proper in Fresno County; respondents contend jurisdiction should be set in either Pinal County, AZ or a neighboring AZ county;*
- **THEREFORE, NORMA LITTLE REQUESTS A FURTHER CONTINUANCE TO ALLOW PARTIES ADD'L TIME TO AGREE ON A SETTLEMENT AGREEMENT AND/OR PETITION THE PINAL CTY SUPERIOR COURT FOR ENFORCEMENT OF THE 11/10 SETTLEMENT AGREEMENT.**

SEE ATTACHED PAGE

1A

Dept. 303, 9:00 a.m., Wednesday, March 7, 2012

Status Report, filed 9/13/11 by Attorney Michael Milnes (for Executor/Respondent Christopher Little) states:

- Disputes regarding the AZ Settlement are still ongoing;
- Attorney Milnes has not been involved in the AZ settlement discussions, as what is ultimately resolved in AZ will have to return to this Court for approval (AZ court minute orders attached to Status Report and shows the case's activity for the past 3 months);
- The personal representative has also recently filed an accounting of his activities in AZ and petitions for fees, to be heard in AZ on 10/3/11, and parties to this AZ probate case have until 9/23/11 to file their objections to the accounting and/or petitions for fees;
- As such, future AZ proceedings are dependent upon what occurs as a result of these filings;
- The AZ parties have agreed that Christopher Little shall remain as Executor in both the AZ and CA probate matters;
- Attorney Milnes suggests this matter be set for a further status hearing in 60-90 days.

Status Hearing Re: Exoneration of Bond and Dismissal

DOD: 7/4/08		<p><u>This Status Hearing was set by the Court on 1/11/12, on the Petition to Remove Executor (see Page 1A). Minute Order states: Ms. Berger-Hoang and James Clark are appearing via conference call as well as Ken Peace. Ms. Burnside informs the Court that a settlement was submitted to the court in Arizona.</u></p> <p><u>Need Proof of Exoneration of bond and Dismissal, or Status Report.</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of exoneration of bond and dismissal, or status report.</p>
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
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Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed on: 2/27/12	
		Updates:	
		Recommendation:	
		File 1B – Little	

	BRUCE BICKEL , a licensed fiduciary, was appointed Successor Trustee of the Trust on 8-10-11 with bond of \$3,600,000.00.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 11-8-11: The Court continues the matter to 1-18-12 and set further status hearing for 3-7-12 for the filing of the first account. The Court advises counsel that if the bond amount turns out to be adequate and the inventory and appraisal is filed by 1-18-12, the matter can be taken off calendar.</p> <p>Minute Order 1-18-12: Counsel requests a continuance. Matter continued to 3-7-12.</p> <p>As of 2-27-12, the following issue remains:</p> <ol style="list-style-type: none"> Bond of \$3,600,000.00 was filed 9-19-11; however, as of 2-27-12, there has been no documentation filed regarding adequacy of the bond. <p>Therefore, need Inventory and Appraisal or other sufficient documentation (declaration, etc).</p>
Cont. from 110811, 011812	The Court set this status hearing for review of the bond and to determine its adequacy pursuant to an Inventory and Appraisal to be filed prior to the hearing.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Bond of \$3,600,000.00 was filed 9-19-11.	
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	Status Report filed 1-13-12 states the trustee is in the process of obtaining values for the assets of the trust, including the cabin at Fish Camp. An appraisal has been forwarded to the Mariposa County Probate Referee by Fresno County Probate Referee Steven Diebert; however, there is apparently a holdup in obtaining this value.	
<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	The trustee requests at least 30 days to obtain a value and file an inventory and appraisal.	
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input checked="" type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 2-27-12
		Updates:
		Recommendation:
		File 4A - Johnson

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

DOD: 11-14-11	JACLYN OHMSTEAD, MEGAN BEARD and EMMA BEARD , children of Decedent, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
	40 days since DOD	
<input type="checkbox"/> Aff.Sub.Wit.	No other proceedings	
<input checked="" type="checkbox"/> Verified	I&A: \$75,000.00	
<input checked="" type="checkbox"/> Inventory	Will dated 2-15-11 devises the estate equally between Decedent's three children (Petitioners).	
<input checked="" 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.	Petitioners request Court determination that Decedent's 100% interest in certain real property in Fresno passes to them in undivided 1/3 interests each pursuant to Decedent's will.	
<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: 2-28-12
		Updates:
		Recommendation: SUBMITTED
		File 5 - Ritchie

DOD: 10/6/11		<p>RAMIRO J. YZAGUIRRE, brother and named executor without bond, is Petitioner.</p> <p>Will dated 9/5/11</p> <p>Full IAEA – o.k.</p> <p>Residence: Fresno Publication: Fresno Business Journal</p> <p>ESTIMATED VALUE OF ESTATE:</p> <table> <tr> <td>Personal Property</td> <td>0</td> </tr> <tr> <td>Annual Income</td> <td>0</td> </tr> <tr> <td>Real Property</td> <td>\$160,000.00</td> </tr> <tr> <td>Total:</td> <td>\$160,000.00</td> </tr> </table> <p>PROBATE REFEREE: RICK SMITH</p>	Personal Property	0	Annual Income	0	Real Property	\$160,000.00	Total:	\$160,000.00	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Personal Property	0										
Annual Income	0										
Real Property	\$160,000.00										
Total:	\$160,000.00										
Cont. from											
<input type="checkbox"/>	Aff.Sub.Wit. s/p										
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		Reviewed by: NRN									
		Reviewed on: 2/28/12									
		Updates:									
		Recommendation: SUBMITTED									
		File 6 - Yzaguirre									

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

DOD: 12/21/11		<p>PEARL POPIN, sister and named executor without bond, is Petitioner.</p> <p>Will dated 1/23/85</p> <p>Full IAEA – o.k.</p> <p>Residence – Kerman, Fresno County Publication – The Kerman News</p> <p>Estimated value of estate: Personal property \$238,000.00 Annual income Real property \$475,000.00 <hr/> Total: \$713,000.00</p> <p>PROBATE REFEREE: RICK SMITH</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Attorney Blum’s <i>Declaration Regarding Diligence in Efforts to Ascertain Address of Missing Heir</i>, filed 2/27/12, details Mr. Blum’s many efforts in locating Decedent’s brother, Bill Samarin. Per the <i>Declaration</i>, Decedent’s family has had no contact with Bill Samarin since 1984, and Bill Samarin’s former wife has had no contact with him since before 2000 (their marriage ended 24 years ago). Numerous searches for a phone number, personal and property tax records were fruitless. Mr. Blum therefore requests, pursuant to CRC 7.52, that the Court either 1) prescribe an alternate form of notice, or alternatively and based upon the fact that Bill Samarin is not a named beneficiary in Decedent’s will 2) dispense with notice to Bill Samarin.</p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
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<input checked="" type="checkbox"/>	Order			
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<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Reviewed by: NRN		
		Reviewed on: 2/28/12		
		Updates:		
		Recommendation:		
		File 7 - Samarin		

Atty LeVan, Nancy J. (for Petitioner Charles Hudiburgh, Successor Conservator)
 Atty Sanoian, Joanne (Court-appointed for Conservatee)

Probate Status Hearing Re: Filing of Second Account

Age: 81 years	<p>CHARLES HUDIBURGH, son, was appointed Successor Conservator of the Estate on 6/11/2008.</p> <p><i>Order Approving First Amended First Account and Report of Successor Conservator; Petition for Allowance of Fees for Attorney</i> was filed on 5/16/2011.</p> <p>First account period was 6/11/2008 through 12/22/2009.</p> <p>Second account for the period beginning 12/23/2009 is currently due.</p> <p><i>Notice of Status Hearing filed 1/4/2012</i> set this status hearing for failure to file the second account. <i>Clerk's Certificate of Mailing</i> shows notice was mailed to Charles Hudiburgh and to Attorney Nancy LeVan on 1/4/2012.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need second account or current status report pursuant to Local Rule 7.5(B).</p>
DOB: 10/3/1930		
Cont. from		
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Status Rpt		
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FTB Notice		
	Reviewed by: LEG	
	Reviewed on: 2/28/12	
	Updates:	
	Recommendation:	
	File 8 - Hudiburgh	

Atty Palmer, Donna (pro per Conservator)
 Atty LeVan, Nancy J. (court appointed for the Conservatee)

Status Hearing Re: Proof of Conservatorship in Michigan

Age: 23 years DOB: 3/20/1988	<p>DONNA PALMER, non-relative, was appointed as conservator of the person on 2/1/08.</p> <p>On 5/27/11 Conservator filed a Petition to Fix the Residence of the Conservatee Outside the State of California to Detroit Michigan.</p> <p>In her petition, Conservator stated the move was necessary because the Conservator needed to help care for her elderly parents and that she needed to alleviate economic hardship.</p> <p>On 8/4/11 the Court granted the petition and ordered a conservatorship or its equivalent to be commenced in the State of the new residence within four months.</p> <p>This status hearing was set for the status of commencing a conservatorship in Michigan.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 1/4/12.</p> <p>1. Need current status report.</p>
Cont. from 010412		
Aff.Sub.Wit.		
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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:	
	Recommendation:	
	File 9 - Garrido	

10 Tiffany Lynn Johnson (CONS/P)

Case No. 09CEPR00664

Atty Palmer, Donna (pro per Conservator)

Atty Palmer, Emanuel (pro per Conservator)

Atty LeVan, Nancy J. (Court appointed for Conservatee)

Status Hearing Re: Proof of Conservatorship in Michigan

Age: 20 years DOB: 2/1/1991	<p>DONNA PALMER and EMANUEL PALMER, non-relatives, were appointed as conservator of the person on 9/22/09.</p> <p>On 5/27/11 Conservator filed a Petition to Fix the Residence of the Conservatee Outside the State of California to Detroit Michigan.</p> <p>In her petition, Conservator stated the move was necessary because the Conservator needed to help care for her elderly parents and that she needed to alleviate economic hardship.</p> <p>On 8/4/11 the Court granted the petition and ordered a conservatorship or its equivalent to be commenced in the State of the new residence within four months.</p> <p>This status hearing was set for the status of commencing a conservatorship in Michigan.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 1/4/12.</p> <p>1. Need Current Status Report</p>
Cont. from 010412		
Aff.Sub.Wit.		
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Video Receipt		
CI Report		
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Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	Reviewed by: KT	
	Reviewed on: 2/28/12	
	Updates:	
	Recommendation:	
	File 10 - Johnson	

11 **Cozette Snowden (CONS/P)**
 Atty Palmer, Donna (pro per Conservator)
 Atty Palmer, Emanuel (pro per Conservator)
 Atty LeVan, Nancy J. (Court Appointed for Conservatee)

Case No. 10CEPR00801

Status Hearing Re: Proof of Conservatorship in Michigan

Age: 19 years DOB: 8/28/1992	DONNA PALMER and EMANUEL PALMER , non-relatives, were appointed as conservator of the person on 10/14/10.	NEEDS/PROBLEMS/COMMENTS:
	On 5/27/11 Conservator filed a Petition to Fix the Residence of the Conservatee Outside the State of California to Detroit Michigan.	Continued from 1/4/12.
Cont. from 010412	In her petition, Conservator stated the move was necessary because the Conservator needed to help care for her elderly parents and that she needed to alleviate economic hardship.	1. Need Current Status Report
<input type="checkbox"/> Aff.Sub.Wit.	On 8/4/11 the Court granted the petition and ordered a conservatorship or its equivalent to be commenced in the State of the new residence within four months.	
<input type="checkbox"/> Verified	This status hearing was set for the status of commencing a conservatorship in Michigan.	Reviewed by: KT
<input type="checkbox"/> Inventory		Reviewed on: 2/28/12
<input type="checkbox"/> PTC		Updates:
<input type="checkbox"/> Not.Cred.		Recommendation:
<input type="checkbox"/> Notice of Hrg		File 11 – Snowden
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

Probate Status Hearing Re: Filing of Inventory and Appraisal

	<p>MYRNA M. BOWMAN was appointed as conservator of the person and estate without bond on 9/28/11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need inventory and appraisal or current status report.</p>
	<p>Letters issued on 10/7/11.</p>	
Cont. from	<p>Inventory and appraisal was due on 1/7/12.</p>	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: KT
Status Rpt		Reviewed on: 2/28/12
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 12 - Robbins

Age: 15 DOB: 12/04/96	MARIA ARACELI CHAVEZ, Guardian of the Estate, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Parties are Spanish speaking.
	Account period: 03/29/10 – 11/30/11	
	Accounting - \$77,507.32	
	Beginning POH - \$77,336.67	
	Ending POH - \$52,239.82	
Cont. from	Guardian - Not addressed	
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		
✓ 2620(c)		
Order		x
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 02/28/12
		Updates:
		Recommendation:
		File 13 - Mendez

Age: 8 DOB: 05/19/03	MARIA ARACELI CHAVEZ, Guardian of the Estate, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Parties are Spanish speaking. 4. Need Order. 5. Need <i>Notice of Hearing</i> . 6. Need proof of service by mail at least 15 days before the hearing of the <i>Notice of Hearing</i> on: - Ruby Isela Mendez Chavez (minor)
	Account period: 03/29/10 – 11/30/11	
	Accounting - \$77,507.32	
	Beginning POH - \$77,336.67	
	Ending POH - \$52,239.82	
Cont. from	Guardian - Not addressed	
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.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
<input checked="" type="checkbox"/> 2620(c)		
Order		x
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 02/28/12
		Updates:
		Recommendation:
		File 14 - Chavez

Atty Rodriguez, Rigoberto (pro per Petitioner/paternal grandfather)

Atty De Rodriguez, Araceli Morales (pro per Petitioner/paternal grandmother)

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

Age: 12 years DOB: 6/20/1999	<u>Temporary Expires 3/7/2012</u>	NEEDS/PROBLEMS/COMMENTS:
	RIGOBERTO RODRIGUEZ and ARACELI MORALES DE RODRIGUEZ , paternal grandparents, are Petitioners.	<p>1. Need proof of service of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian</i>, or <i>Consent to Appointment of Guardian and Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i>, for:</p> <p>a. Maternal grandfather b. Sofia Ramos (maternal grandmother)</p>
Cont. from	Father: SAID RODRIGUEZ – <i>consents and waives notice.</i>	
<input type="checkbox"/> Aff.Sub.Wit.	Mother: JUDITH RAMOS -- <i>Proof of Personal Service showing service made to the mother in Palm Springs on 1/11/2012 Consent and Waiver of Notice filed 1/17/2012</i>	
<input checked="" type="checkbox"/> Verified	Maternal grandfather: <i>Not listed</i>	
<input type="checkbox"/> Inventory	Maternal grandmother: Sofia Ramos	
<input type="checkbox"/> PTC	Minor: Isaiah Rodriguez – <i>consents and waives notice.</i>	
<input type="checkbox"/> Not.Cred.	Petitioners state the mother has three children from three different men. She recently absconded with the minor out of the county without the knowledge of the family. The mother has not been stable. The mother abuses medications and drinks. Mother is living with a felon who was paroled to Riverside County.	
<input checked="" type="checkbox"/> Notice of Hrg	Court Investigator Jennifer Daniel's Report filed on 2/29/12.	
<input checked="" 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 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: 2/29/12
		Updates: 3/2/12
		Recommendation:
		File 15 - Rodriguez

Age:	<u>TEMPORARY EXPIRES 03/07/12</u>		NEEDS/PROBLEMS/COMMENTS:
DOD:	<p>KENNETH ROBERTS and YOUNGAE ROBERTS, maternal grandparents, are Petitioners.</p> <p>Father (Saede): MARCOS GALVAN Father (Jaeden): OSIRIS PULIDO</p> <p>Mother: SARAH ROBERTS – deceased</p> <p>Paternal grandparents: UNKNOWN</p> <p>Petitioners state that the children’s mother was murdered 01/01/12. Neither child’s father has been involved in the children’s lives. The Petitioners state that they have an ongoing loving relationship with the children and the children are familiar and comfortable in their home. Petitioners state that Jaeden’s father agrees that it is best for Jaeden to be with them during this difficult time, but Saede’s father removed her from their home. Petitioners state that Saede does not know her father as he has had no contact with her for over two years. Petitioners state that Saede expressed fear and discomfort at having to leave Petitioners home.</p> <p>Objection of Marcos Galvan, Saede’s Father, was filed 01/17/12 and states: The assertion in the Petition that Mr. Galvan had not seen his daughter for two years is untrue. Mr. Galvan admits that he has not been in his daughter’s life for the past year, but states that this was at the mother’s and her family’s insistence. Mr. Galvan states that he had consulted an attorney about custody prior to the tragic death of the mother, but had not initiated proceedings yet. Now that his daughter’s mother has been killed, Mr. Galvan states that he wants to care for Saede as a father should and felt that he had to take her from the maternal grandparents because they appeared to be trying to obtain custody. Mr. Galvan further states that he does not have a criminal record other than a DUI in 2007 and he does not pose any threat to Saede. Mr. Galvan points out that there must be clear and convincing evidence that an award of custody to a parent would be detrimental to the child and that the award to a non-parent is in the child’s best interest. Mr. Galvan states that the Petitioners cannot provide any evidence that the child is in danger if he were awarded custody. He state he has adequate housing, a stable job, strong family ties, and is a loving father. He further states that since the court granted the Petition Ex Parte, the maternal relatives have not allowed his to visit with his daughter. He prays that the Temporary Guardianship is denied.</p>		
Cont. from	<input type="checkbox"/>		Reviewed by: JF
Aff.Sub.Wit.	<input type="checkbox"/>		Reviewed on: 02/28/12
<input checked="" type="checkbox"/> Verified	<input type="checkbox"/>		Updates: 03/01/12
Inventory	<input type="checkbox"/>		Recommendation:
PTC	<input type="checkbox"/>		File 16 – Galvan & Roberts
Not.Cred.	<input type="checkbox"/>		
Notice of Hrg	<input checked="" type="checkbox"/>	x	
Aff.Mail	<input checked="" type="checkbox"/>	x	
Aff.Pub.	<input type="checkbox"/>		
Sp.Ntc.	<input type="checkbox"/>		
Pers.Serv.	<input checked="" type="checkbox"/>	x	
<input checked="" type="checkbox"/> Conf. Screen	<input type="checkbox"/>		
Letters	<input checked="" type="checkbox"/>	x	
<input checked="" type="checkbox"/> Duties/Supp	<input type="checkbox"/>		
Objections	<input type="checkbox"/>		
Video Receipt	<input type="checkbox"/>		
<input checked="" type="checkbox"/> CI Report	<input type="checkbox"/>		
9202	<input type="checkbox"/>		
Order	<input checked="" type="checkbox"/>	x	
Aff. Posting	<input type="checkbox"/>		
Status Rpt	<input type="checkbox"/>		
<input checked="" type="checkbox"/> UCCJEA	<input type="checkbox"/>		
Citation	<input type="checkbox"/>		
FTB Notice	<input type="checkbox"/>		

Continued on Page 2

Reply to Objection of Marcos Galvan filed 02/17/12 states that it is in Saede's best interest that the Petitioners be appointed as her guardian. Petitioners state that Mr. Galvan's objection is deficient, contains misstatements, and is misleading. For instance, Mr. Galvan states that he has had only one criminal incident in the past, however, Petitioners allege that he has a lengthy criminal history and is believed to be a Bulldog gang member as he has the word "BULLDOG" tattooed on his stomach. Further, Petitioners allege that Mr. Galvan did not have a relationship with Saede's mother until Saede was 4, but rather the two stopped seeing each other when Saede was 3, because of Mr. Galvan's lies about other women in his life. Petitioners further state that while Mr. Galvan did attend Saede's 4th birthday party in November 2010, he made no effort to contact Saede or her mother after that. Petitioners state that their phone number has always been the same so Mr. Galvan could have contacted Saede at any time, but chose not to. Petitioners also allege that Mr. Galvan has another child with another woman and that two restraining orders have been issued against Mr. Galvan to protect the mother of his other child. Further, Petitioners allege that Mr. Galvan has a history of domestic violence and their daughter told them that Mr. Galvan choked her and spit in her face sometime between November 2005 and May 2006. Petitioners also state that Saede is not adjusting well to the visits with her father and has expressed that she is scared to go with him and cries hysterically when she has to go with him. Saede has also reported that she had to sleep in the same bed with Mr. Galvan and another man on one of her visits; further Saede stated that she was crying and asked to call the Petitioners, but Mr. Galvan told her to "shut up" and did not allow her to call. In addition, Petitioners state that they received a call from the Social Security Administration stating that Mr. Galvan applied for social security benefits for Saede. Petitioners state that they informed the SSA that they were Saede's temporary guardians and that she lived with them. Petitioners are concerned that Mr. Galvan intended to collect the benefits for his own use. Petitioners also state that they believe Mr. Galvan may be trying to sway Saede and uses lies to control her.

Court Investigator Dina Calvillo's report was filed 03/01/12.

17 Jaime Jesus Magana, Dulce Maria Magana, and Manuel Magana (GUARD/P) Case No. 12CEPR00023

Atty Magana, Adela (Pro Per – Paternal Grandmother – Petitioner)

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

<table border="1"> <tr> <td colspan="2">Jaime Jesus Magana (5) DOB: 6-22-06</td> </tr> <tr> <td colspan="2">Dulce Maria Magana (4) DOB: 8-23-07</td> </tr> <tr> <td colspan="2">Manuel Magana (3) DOB: 12-11-08</td> </tr> <tr> <td colspan="2"> </td> </tr> <tr> <td colspan="2"> </td> </tr> <tr> <td>Aff.Sub.Wit.</td> <td> </td> </tr> <tr> <td>✓ Verified</td> <td> </td> </tr> <tr> <td>Inventory</td> <td> </td> </tr> <tr> <td>PTC</td> <td> </td> </tr> <tr> <td>Not.Cred.</td> <td> </td> </tr> <tr> <td>Notice of Hrg</td> <td>X</td> </tr> <tr> <td>Aff.Mail</td> <td>X</td> </tr> <tr> <td>Aff.Pub.</td> <td> </td> </tr> <tr> <td>Sp.Ntc.</td> <td> </td> </tr> <tr> <td>Pers.Serv.</td> <td>X</td> </tr> <tr> <td>✓ Conf. Screen</td> <td> </td> </tr> <tr> <td>✓ Letters</td> <td> </td> </tr> <tr> <td>✓ Duties/Supp</td> <td> </td> </tr> <tr> <td>Objections</td> <td> </td> </tr> <tr> <td>Video Receipt</td> <td> </td> </tr> <tr> <td>CI Report</td> <td> </td> </tr> <tr> <td>9202</td> <td> </td> </tr> <tr> <td>✓ Order</td> <td> </td> </tr> <tr> <td>Aff. Posting</td> <td> </td> </tr> <tr> <td>Status Rpt</td> <td> </td> </tr> <tr> <td>✓ UCCJEA</td> <td> </td> </tr> <tr> <td>Citation</td> <td> </td> </tr> <tr> <td>FTB Notice</td> <td> </td> </tr> </table>	Jaime Jesus Magana (5) DOB: 6-22-06		Dulce Maria Magana (4) DOB: 8-23-07		Manuel Magana (3) DOB: 12-11-08						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		<p>TEMPORARY EXPIRES 3-7-12</p> <p>ADELA MAGANA, Paternal Grandmother, is Petitioner.</p> <p>Father: JESUS MAGANA Mother: NATHALIE MARQUEZ</p> <p>Paternal Grandfather: Jaime Magana Maternal Grandfather: Pauline Marquez Maternal Grandmother: Maria Duque</p> <p>Petitioner states she has had the oldest, Jaime, in her care since he was two days old, but never applied for guardianship because Mother never attempted to take him. Mother and the other two children came to live with Petitioner in March 2010. Petitioner is the one who fed and took care of all of their needs. The mother is physically abusive toward the children and neglects their welfare. Dulce was not allowed to start school because she needed 8 shots and a physical. Petitioner went to school conferences because Mother refused to attend.</p> <p>Mother took the children on 1-1-12 with the help of her uncle and went to Texas. Petitioner is concerned for their safety and states she would protect them from abuse.</p> <p>Petitioner requests to be excused from giving notice to the maternal grandparents because the mother did not even know where her parents were residing.</p> <p>Court Investigator Jennifer Daniel filed a report on 2-22-12.</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p><u>Minute Order 1-24-12 (temporary hearing):</u> Court employee Petra Ramos is sworn and interprets for the parties. The Petitioner informs the Court that she does not know the whereabouts of the children. The Court excuses notice to the mother. The Court grants the petition. The temporary expires 3-7-12. The general hearing remains set for 3-7-12.</p> <p><u>If this petition goes forward, the following issues exist:</u></p> <ol style="list-style-type: none"> 1. If notice is not excused, need proof of personal service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per Probate Code §1511 on: - Jesus Magana (Father) - Nathalie Marquez (Mother) 2. If notice is not excused, need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per Probate Code §1511 on: - Jaime Magana (Paternal Grandfather) - Pauline Marquez (Maternal Grandfather) - Maria Duque (Maternal Grandmother) 3. Petitioner answered “Yes” to #4 on the UCCJEA regarding other cases involving custody of the children. Need clarification. <p>Reviewed by: skc</p> <p>Reviewed on: 2-28-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 17 - Magana</p>
Jaime Jesus Magana (5) DOB: 6-22-06																																																										
Dulce Maria Magana (4) DOB: 8-23-07																																																										
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Pro Per Halford, Linda Faye (Pro Per Petitioner, mother)

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

Age: 25 years	<p style="text-align: center;">NO TEMPORARY REQUESTED</p> <p>LINDA FAYE HALFORD, mother, is Petitioner and requests appointment as Conservator of the Person with medical consent powers.</p> <p><i>Need Capacity Declaration.</i></p> <p>Voting rights affected.</p> <p>Petitioner states the proposed Conservatee suffers from post-traumatic stress disorder, she is deaf and developmentally delayed, and she has been physically and sexually abused, as a result of which she experiences flashbacks. Petitioner states the proposed Conservatee also suffers from a loss of memory, paranoia and hopelessness, and is unable to clearly communicate and recognize certain people and circumstances. Petitioner states the proposed Conservatee tends to wander due to her flashbacks and is vulnerable to being coerced and making unthinkable decisions, and she cannot be left alone because she becomes paranoid and very scared.</p> <p>Court Investigator Charlotte Bien's Report was filed on 2/28/2012.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Advised Rights on 2/8/2012.</p> <p>Voting Rights Affected – Need <i>Minute Order</i>.</p> <p>1. <i>Petition</i> states at Item 5(f) that the proposed Conservatee is not developmentally disabled as defined in Probate Code § 1420. However, Petitioner includes <i>Attachment 5(f)</i> to the <i>Petition</i> which indicates the proposed Conservatee <u>is</u> developmentally disabled. Need clarification for the Court to determine whether the proposed Conservatee meets the Probate Code definition, including any involvement of the proposed Conservatee with the local regional center. If Court finds the proposed Conservatee is developmentally disabled as defined in Probate Code § 1420, need proof of mailed service of the <i>Notice of Hearing</i> with a copy of the <i>Petition</i> for the regional center pursuant to Probate Code § 1822(e).</p> <p>2. Need <i>Medical Capacity Declaration</i> in support of petitioner's request for medical treatment consent powers.</p>	
DOD: 7/5/1986			
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Cap. Decl.			X
✓ Notice of Hrg			
✓ Aff.Mail			W/
Aff.Pub.			
Sp.Ntc.			
✓ Pers.Serv.			W/
✓ Conf. Screen			
Aff. Posting			
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
✓ Adv. Rights			
✓ Order			
Letters			
Status Rpt			
UCCJEA			
✓ Citation			
FTB Notice			
Reviewed by: LEG			
Reviewed on: 2/28/12			
Updates: 3/1/12			
Recommendation:			
File 18 – Martinez			

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

Age: 5 months DOB: 09/21/11	<p><u>TEMPORARY GRANTED EX PARTE;</u> <u>EXPIRES 03/07/12</u></p> <p><u>GENERAL HEARING 04/25/12</u></p> <p>DEVONA GARCIA, maternal aunt, is Petitioner.</p> <p>Father: UNKNOWN – <i>declaration of due diligence filed 02/22/12</i></p> <p>Mother: VALERIE GARCIA</p> <p>Paternal grandparents: UNKNOWN</p> <p>Maternal grandfather: JOHN B. GARCIA Maternal grandmother: TERESA GARCIA</p> <p>Siblings: NATHANIEL MENA (11), JULIAN SALVADOR (5), JAYLAH SALVADOR (3)</p> <p>Petitioner states that the mother is addicted to drugs and is unstable and unable to properly care for Sadie. Sadie has lived with the Petitioner since December 2011.</p> <p>Petitioner states temporary guardianship is necessary because Sadie is behind on her immunizations and she is unable to take her to the doctor without guardianship. Also, Petitioner states that she is afraid that the mother will try to take Sadie from her home in order to obtain aid. Petitioner states the mother does not have a stable or safe place to live. Petitioner states that the mother also has three older children that have been removed by CPS and placed with other family members.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Temporary Guardianship or Consent and Waiver of Notice or Declaration of Due Diligence</i> for: <ul style="list-style-type: none"> - Valerie Garcia (mother) - Unknown father (unless diligence is found) 	
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			x
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			x
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
Reviewed by: JF			
Reviewed on: 02/28/12			
Updates:			
Recommendation:			
File 19 - Garcia			

Petition for Appointment of Temporary Guardianship of the Person

Dallas, 1 DOB: 02/05/11		<p align="center"><u>GENERAL HEARING 04/26/12</u></p> <p>STEPHEN COOK and ELYSE COOK, maternal grandparents, are Petitioners.</p> <p>Father (Dallas): WILLIAM (KIMO) JAMES Father (Summer): STEVEN SOTO</p> <p>Mother: JAMIE MICHELLE COOK</p> <p>Paternal grandparents (Dallas): NOT LISTED</p> <p>Paternal grandfather (Summer): JOEL SOTO Paternal grandmother (Summer): CAROL SOTO</p> <p>Siblings: CHLOE SANDERS</p> <p>Petitioners state that the mother has returned to an abusive relationship with Dallas' father (William "Kimo" James) and taken the children. Petitioners state that the mother and children moved in with them in December 2011 after she was physically abused by Kimo James. Petitioners state that during the time the mother lived with them she received numerous phone calls and text messages every day from Mr. James. Most of the calls ended up in a shouting match. Further, there were two incidents of Mr. James stalking the mother while she lived with them. The mother obtained a restraining order against Mr. James on 02/10/12; however, the mother left their home for a visit with Mr. James on 02/17/12 and did not return. Petitioners left several messages for the mother and finally on 02/21 the mother came to their house and picked up all of her and the girls' things and returned to living with Mr. James. Petitioners state that they believe Mr. James badgered her into returning to him. Petitioners state that they expressed to the mother that they felt that she was endangering the children by staying with Mr. James, but she didn't seem to care. Petitioners state that they contacted CPS and were advised to file for temporary guardianship ASAP. Petitioners state that they fear for the children's physical and mental well-being.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Temporary Guardianship or Consent and Waiver of Notice or Declaration of Due Diligence</i> for: <ul style="list-style-type: none"> - William "Kimo" James (Dallas' father) - Steven Soto (Summer's father) - Jamie Cook (mother) 	
Summer, 4 DOB: 07/04/07				
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			x
<input type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			x
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input 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: 02/28/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 20 – James & Soto</p>