



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) Fourteenth and Final Account and Report of Conservator; (2) Petition for Fees, for Termination of Conservatorship Distribution of Assets of Estate and (3) Discharge of Conservator (Prob. C. 1860 & 2620)

DOD: 11-10-10		<p>CALIFORNIA DEPT. OF DEVELOPMENTAL SERVICES, Conservator, is Petitioner.</p> <p>Account period: 3-1-09 through 11-10-10 Accounting: \$34,377.72 Beginning POH: \$14,465.02 Ending POH: \$16,100.50</p> <p>Account period: 11-11-10 through 6-30-11 Accounting: \$18,405.01 Beginning POH: \$16,100.50 Ending POH: \$12,537.04</p> <p>(POH consists of cash in the amount of \$554.93 plus an undivided 1/3 interest of a 3/4 interest in real property, a stove, and an air conditioner)</p> <p>Conservator: \$125.00 Attorney: \$40.00</p> <p>Petitioner states there is a Medi-Cal claim in the amount of \$108,627.87 and requests that the court authorize payment of the remaining balance of the conservatorship estate on this claim.</p> <p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> 1. Approving, allowing and settling the final account; 2. Terminating the proceedings herein; 3. Authorizing payment of the conservator's and attorney's fees; 4. Authorizing payment of the remaining balance to the Dept. of Health Services as payment in full on the Medi-Cal claim; 5. Authorizing transfer of the house, stove and air conditioner to the Conservatee's sister; and 6. Discharge of Conservator. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 1-10-13: No appearances. The Court notes for the minute order that there have been numerous continuances and it believes proper notice has given to Bruce Beland. The Court removes the California Department of Developmental Services as the Petitioner and appoints the Public Guardian. Continued to 3/7/13</p> <p>Minute Order 1-10-13 (OSC): No appearances. The Court notes for the minute order that there have been numerous continuances and it believes proper notice has been given to Bruce Beland. As to Bruce Beland, the Court imposes sanctions in the amount of \$400.00 for failure to appear. Sanctions to be paid forthwith. The Court directs that the State Bar be notified.</p> <p>Order After Noticed Hearing Re Sanctions Pursuant to CCP 177.5 was filed 1-25-13; Clerk's Certificate of mailing reflects mailing to Attorney Bruce Beland.</p> <p>As of 3-1-13, the following issues remain: See Page 2</p>	
Cont. from 111711, 020212, 040512, 051712, 062812, 080212, 100412, 110112, 112912, 011013				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			X
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Reviewed by: skc				
Reviewed on: 3-1-13				
Updates:				
Recommendation:				
File 1A - Tortorella				

NEEDS/PROBLEMS/COMMENTS:

The following issues were noted regarding this petition:

1. Probate Code §§ 2631 and 13100 allow liquidation and distribution of personal property only in the manner requested. Real property, including undivided interests, is subject to Probate Code §13151, which requires the mandatory judicial council Petition to Determine Succession to Real Property Form DE-310, inventory and appraisal as of the date of death, and noticed hearing.
2. Petitioner also requests to distribute this asset when there is a Medi-Cal lien on the estate. Need authority.
3. The proposed order does not correspond to the prayer. Need clarification.
4. The proposed order does not comply with Local Rule 7.6.1.A. Monetary distributions must be stated in dollars. Need clarification as to the amount to be distributed on the Medi-Cal claim. (Examiner calculates \$389.93. Need verification.)
5. Petitioner originally stated that the Conservatorship Estate owned an "UNDIVIDED 1/3RD INTEREST OF 3/4TH INTEREST IN REAL PROPERTY." However, Petitioner now states the interest is a "1/2 (ONE-HALF)" interest.

(1) First and Final Account and Report of Status of Administration of Co-Executors and Petition for Settlement Thereof; (2) for Allowance of Statutory Attorney's Fees; (3) for Extraordinary Attorney's Fees; (4) for Reimbursement of Costs Advanced and (5) for Final Distribution [Prob. C. et seq., 10800, 10810, 10811, 10951, & 11600]

DOD: 7/3/2010		JENNIFER KENNEDY BRYSON and JAMES KENNEDY , Co-Executors, are petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 2/14/13. Minute order states Mr. Kennedy objects to the petition. The Court directs Mr. Kennedy to file his objections by 3/7/13 and meet with Mr. Bagdasarian regarding his concerns.</p>
		Account period: 9/28/10 – 9/28/12	
Cont. from 012413, 021413		Accounting - \$154,632.31	
		Beginning POH- \$148,313.19	
		Ending POH - \$ 80,775.46	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory	Executors (statutory) - \$4,781.64	
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.	Attorney (statutory) - \$4,781.64	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	Attorney x/o - \$18,940.00 (\$2,580 for unlawful detainer; \$6,200 for TRO & Prelim Injunction; \$960 for vehicle in possession of another; \$9,200 for sale of real property)	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen	Attorney Hrdlicka x/o - \$3,100.00 (for unlawful detainer action w/trial)	
<input checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp	Attorney costs - \$520.00 (filing fee, probate referee)	
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt	Closing reserve - \$1,007.28	
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202	Distribution, pursuant to decedent's will, is to:	
<input checked="" type="checkbox"/>	Order	Jennifer Kennedy Bryson - \$15,700.00	
<input type="checkbox"/>	Aff. Posting	James Kennedy - \$15,700.00	
<input type="checkbox"/>	Status Rpt	Jennifer Kennedy Bryson & James Kennedy, in Trust, for the benefit of Jon David Kennedy, II- \$10,500.00	
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 3/4/13
			Updates:
			Recommendation:
			File 4 - Kennedy

Katie, 4	<u>TEMPORARY EXPIRES 03/07/13</u>		NEEDS/PROBLEMS/COMMENTS:
Abigail, 8	GEORGE FICKENWORTH, maternal grandfather, is petitioner.		CONTINUED FROM 01/03/13
	Father: MICHAEL JAY MCGILL		Minute Order from 01/03/13 states: The Court notes for the minute order that it has received information that attempts have been made to serve Michael McGill. The Court finds that Michael McGill is evading service. The Court authorizes substituted service for the purposes of serving Michael McGill in this guardianship matter. Based on information and records of the court, the Court finds that it would be detrimental to have the children remain with their father Michael McGill or some other person. The Court orders that the children be turned over to George Fickenworth. The Court extends the temporary to 03/07/13. Counsel is directed to prepare the order. Michelle Harris provides contact information.
	Mother: MICHELLE DAWN HARRIS		
Cont. from 110512, 010313	Paternal Grandparents: UNKNOWN		
Aff.Sub.Wit.	Maternal Grandmother: KARRI FRANKS		
✓ Verified	Petitioner alleges: Mother has abandoned the children after CPS placed them in petitioner's care. The father is believed to be in jail pending domestic violence charges.		
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	X	Court Investigator Samantha Henson filed a report on 10/31/12.	
Aff.Mail	X		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.	X		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 or Consent & Waiver of Notice or Declaration of Due Diligence</i> for: - Michael Jay McGill (father)* Note: Substituted service was authorized on 01/03/13 - Michelle Dawn Harris (mother)* It is noted that she was present in court on 01/03/13
✓ Conf. Screen			
Letters	X		2. Need proof of service by mail 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 or Consent & Waiver of Notice or Declaration of Due Diligence</i> for: - Paternal grandparents (unknown) - Kari Franks (maternal grandmother)
✓ Duties/Supp			
Objections			3. Need Order & Letters.
Video Receipt			
✓ CI Report			
9202			
Order	X		
Aff. Posting			Reviewed by: JF
Status Rpt			Reviewed on: 03/04/13
✓ UCCJEA			Updates:
Citation			Recommendation:
FTB Notice			File 6 - McGill

First Amended Petition for Appointment of Successor Co-Trustees

DOD: 01/04/08	KIRK HAGOPIAN and GLORIA HAGOPIAN , are Petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u> Petition was granted on 02/20/13</p>
Cont. from 010213, 022013	Petitioners state:	
<input type="checkbox"/> Aff.Sub.Wit.	1. The DOLORES MILANO TRUST (the "Trust") was created on 08/15/96. Dolores Milano served as the initial trustee until her death on 01/04/08. Cheryl A. Smart was the only successor trustee named in the Trust. She served as successor trustee until her death on 12/06/11. Ms. Smart did not name a successor trustee.	
<input checked="" type="checkbox"/> Verified	2. The sole beneficiary of the Trust was Cheryl Smart.	
<input type="checkbox"/> Inventory	3. Petitioner Kirk Hagopian is the Administrator of the Estate of Cheryl A. Smart, currently being administered in Fresno Superior Court Case 12CEPR00468. Petitioner Gloria Hagopian is Kirk Hagopian's mother and was a first cousin of Cheryl A. Smart.	
<input type="checkbox"/> PTC	4. Petitioners believe that Kirk Hagopian has a superior claim to all other persons to be appointed the next successor trustee because Cheryl A. Smart's estate is the successor beneficiary of the Trust.	
<input type="checkbox"/> Not.Cred.	5. Petitioners have been nominated by two of the beneficiaries of Cheryl A. Smart's estate to serve as successor co-trustees.	
<input checked="" type="checkbox"/> Notice of Hrg	6. All assets of the Trust are in Fresno County.	
<input checked="" type="checkbox"/> Aff.Mail w/	Petitioners pray for an Order:	
<input type="checkbox"/> Aff.Pub.	1. Appointing Kirk Hagopian and Gloria Hagopian as successor co-trustees of the Dolores H. Milano Trust.	
<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 x		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		<p>Reviewed by: JF</p> <p>Reviewed on: 03/04/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 - Milano</p>

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 7/13/10	<p>ROBERT ACUNA, JR. and DESIREE ACUNA, were appointed as Co-Administrators without bond on 02/18/11 and Letters were issued on 05/26/11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>		
	<p>Inventory and Appraisal was due on 9/26/11.</p>	<p>Continued from 1/7/13. Minute Order states Ms. Kruthers requests a 60 day continuance. The Court notes for the minute order that Robert Acuna, Jr. and Desiree Acuna are not present in court. The Court sets and Order to Show Cause on 3/7/13 regarding Robert Acuna, Jr. and Desiree Acuna's failure to appear; failure to provide information, and the imposition of sanctions in the amount of \$500.00. Robert Acuna, Jr. and Desiree Acuna are ordered to be personally present. Please see page 10B for OSC hearing.</p>		
<p>Cont. from 082712, 112612, 010713</p>	<p>On 3/22/12 the Court signed an order granting attorney Mara Erlach's Motion to be Relieved as Counsel.</p>	<p>Reviewed by: KT</p>		
<table border="1"> <tr><td>Aff.Sub.Wit.</td><td></td></tr> </table>	Aff.Sub.Wit.		<p>At the hearing on 3/22/12 the Court set an Order to Show Cause hearing and Ordered both Robert Acuna, Jr. and Desiree Acuna to be present.</p>	<p>Reviewed on: 3/4/13</p>
Aff.Sub.Wit.				
<table border="1"> <tr><td>Verified</td><td></td></tr> </table>	Verified		<p>Order to Show Cause and Minute Order were mailed to both Robert Acuna, Jr. and Desiree Acuna on 3/23/12.</p>	<p>Updates:</p>
Verified				
<table border="1"> <tr><td>Inventory</td><td></td></tr> </table>	Inventory		<p>Minute order from 4/26/12 indicates there were no appearances. The court removed Robert Acuna Jr., and Desiree Acuna. The court appointed the Public Administrator as administrator without bond.</p>	<p>Recommendation:</p>
Inventory				
<table border="1"> <tr><td>PTC</td><td></td></tr> </table>	PTC		<p>The Public Administrator's Letters were issued on 6/27/12.</p>	<p>File 10A - Acuna</p>
PTC				
<table border="1"> <tr><td>Not.Cred.</td><td></td></tr> </table>	Not.Cred.		<p>Status Report filed on 2/28/13 states based on their investigations, the Public Administrator and his Attorney question whether administration of this estate should continue. According to the original petition for probate, there was 10,000 in personal property and \$100,00 in real property. The only beneficiaries are the former administrators. The only creditors are the State of California Franchise Tax Board (\$2,020.41) and the Fresno County Tax Collector (\$263.99). If the former administrator paid those two creditors, the Public Administrator believes the estate could be closed without approving the acts of the former administrator.</p>	
Not.Cred.				
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<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			
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<table border="1"> <tr><td>Letters</td><td></td></tr> </table>	Letters			
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<table border="1"> <tr><td>Duties/Supp</td><td></td></tr> </table>	Duties/Supp			
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<table border="1"> <tr><td>Objections</td><td></td></tr> </table>	Objections			
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<table border="1"> <tr><td>Video Receipt</td><td></td></tr> </table>	Video Receipt			
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<table border="1"> <tr><td>CI Report</td><td></td></tr> </table>	CI Report			
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<table border="1"> <tr><td>9202</td><td></td></tr> </table>	9202			
9202				
<table border="1"> <tr><td>Order</td><td></td></tr> </table>	Order			
Order				
<table border="1"> <tr><td>Aff. Posting</td><td></td></tr> </table>	Aff. Posting			
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<table border="1"> <tr><td>Status Rpt</td><td></td></tr> </table>	Status Rpt			
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<table border="1"> <tr><td>UCCJEA</td><td></td></tr> </table>	UCCJEA			
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Citation				
<table border="1"> <tr><td>FTB Notice</td><td></td></tr> </table>	FTB Notice			
FTB Notice				

Order to Show Cause Re: Failure to Appear; Failure to Provide Information; Imposition of Sanctions in the Amount of \$500.00

DOD: 7/13/10	ROBERT ACUNA, JR. and DESIREE ACUNA , were appointed as Co-Administrators without bond on 02/18/11 and Letters were issued on 05/26/11.	NEEDS/PROBLEMS/COMMENTS:
	Inventory and Appraisal was due on 9/26/11.	
Cont. from	On 3/22/12 the Court signed an order granting attorney Mara Erlach's Motion to be Relieved as Counsel.	
<input type="checkbox"/> Aff.Sub.Wit.	At the hearing on 3/22/12 the Court set an Order to Show Cause hearing and Ordered both Robert Acuna, Jr. and Desiree Acuna to be present.	
<input type="checkbox"/> Verified	Order to Show Cause and Minute Order were mailed to both Robert Acuna, Jr. and Desiree Acuna on 3/23/12.	
<input type="checkbox"/> Inventory	Minute order from 4/26/12 indicates there were no appearances. The court removed Robert Acuna Jr., and Desiree Acuna. The court appointed the Public Administrator as administrator without bond.	
<input type="checkbox"/> PTC	The Public Administrator's Letters were issued on 6/27/12.	
<input type="checkbox"/> Not.Cred.	Status Report of the Public Administrator filed on 1/3/13 indicated the Public Administrator reported that former Administrators Robert Acuna, Jr. and Desiree Acuna were not cooperating with the Public Administrator in order for the Public Administrator to prepare the inventory and close the estate.	
<input type="checkbox"/> Notice of Hrg	Minute order dated 1/7/13 set this Order to Show Cause on 3/7/13 regarding Robert Acuna, Jr. and Desiree Acuna's failure to appear; failure to provide information, and the imposition of sanctions in the amount of \$500.00. Robert Acuna, Jr. and Desiree Acuna are ordered to be personally present. A copy of the Order to Show Cause was mailed to Robert Acuna, Jr. and Desiree Acuna on 1/8/13.	
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: KT Reviewed on: 3/4/13 Updates: Recommendation: File 10B - Acuna

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 7/13/10	ROBERT ACUNA, JR. and DESIREE ACUNA , were appointed as Co-Administrators without bond on 02/18/11 and Letters were issued on 05/26/11.	NEEDS/PROBLEMS/COMMENTS:
	Inventory and Appraisal was due on 9/26/11.	
	On 3/22/12 the Court signed an order granting attorney Mara Erlach's Motion to be Relieved as Counsel.	<p>1. Continued from 1/7/13. Minute Order states Ms. Kruthers requests a 60 day continuance. The Court notes for the minute order that Robert Acuna, Jr. and Desiree Acuna are not present in court. The Court sets and Order to Show Cause on 3/7/13 regarding Robert Acuna, Jr. and Desiree Acuna's failure to appear; failure to provide information, and the imposition of sanctions in the amount of \$500.00. Robert Acuna, Jr. and Desiree Acuna are ordered to be personally present. Please see page 11B for OSC hearing.</p>
Cont. from 082712, 112612, 010713	At the hearing on 3/22/12 the Court set an Order to Show Cause hearing and Ordered both Robert Acuna, Jr. and Desiree Acuna to be present.	
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Inventory	The Public Administrator's Letters were issued on 6/27/12.	
PTC	Status Report filed on 2/28/13 states based on their investigations, the Public Administrator and his Attorney question whether administration of this estate should continue. According to the original petition for probate, there was 10,000 in personal property and \$100,00 in real property. The only beneficiaries are the former administrators. The only creditors are the State of California Franchise Tax Board (\$2,020.41) and the Fresno County Tax Collector (\$263.99). If the former administrator paid those two creditors, the Public Administrator believes the estate could be closed without approving the acts of the former administrator.	
Not.Cred.		
Notice of Hrg		
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Conf. Screen		
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Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT Reviewed on: 3/4/13 Updates: Recommendation: File 11A - Acuna

Order to Show Cause Re: Failure to Appear; Failure to Provide Information;
 Imposition of Sanctions in the Amount of \$500.00

DOD: 7/13/10	ROBERT ACUNA, JR. and DESIREE ACUNA , were	NEEDS/PROBLEMS/COMMENTS:
	appointed as Co-Administrators without bond on 02/18/11 and Letters were issued on 05/26/11.	
	Inventory and Appraisal was due on 9/26/11.	
	On 3/22/12 the Court signed an order granting attorney Mara Erlach's Motion to be Relieved as Counsel.	
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	The Public Administrator's Letters were issued on 6/27/12.	
	Status Report of the Public Administrator filed on 1/3/13 indicated the Public Administrator reported that former Administrators Robert Acuna, Jr. and Desiree Acuna were not cooperating with the Public Administrator in order for the Public Administrator to prepare the inventory and close the estate.	
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Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 3/4/13
		Updates:
		Recommendation:
		File 11B - Acuna

Petition for Visitation

Age: 3	JAMES CRUZ, father, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 02/14/13</u> As of 03/04/13, nothing further has been filed. 1. Proof of service re personal service on the guardian, Christina Barbosa, does not state the address where she was served. Need amended proof of service stating address/location where Ms. Barbosa was served.
	CHRISTINA CABRERA BARBOSA, maternal grandmother, was appointed guardian on 11/08/11 – Personally served on 01/31/13.	
	Mother: CHRISTINA PADILLA	
Cont. from 021413	Petitioner requests visitation twice per week at the convenience of the guardian.	
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
Aff.Mail	X	
Aff.Pub.		
Sp.Ntc.		
✓ Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order	X	
Aff. Posting		Reviewed by: JF
Status Rpt		Reviewed on: 03/04/13
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 14 - Cruz