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.

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

1 James J Dobbs (Estate) **Case No. 06CEPR00037**

Atty Moore, Susan L. (for James C. Dobbs, Executor – Petitioner)

(1) Petition for Settlement of Second and Final Account; (2) Petition for Final Distribution and (3) for Allowance of Compensation for Ordinary Services (Prob. C. 11640)

DOD: 1/3/05	
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

JAMES C. DOBBS, Executor, is Petitioner.

Account period: 1/1/10-1/27/12

Accounting	-	**$165,750.00**
Beginning POH	-	**$165,750.00**
Ending POH *(all cash)*	-	**$ 24,431.45**
Executor (statutory)	-	**$1,550.00**
Attorney (statutory)	-	**$1,550.00**
Costs advanced by Executor (2010 and 2011 Gas, Water & Electric, Property Insurance, Property Taxes)	-	**$3,423.74**
Closing Reserve	-	**$1,000.00**

Petitioner states the Estate is insolvent and that the remaining balance of the Estate will be distributed to the State of California – Department of Health Care Services (two claims filed in 6/2006, totaling $35,011.57.)

Petitioner prays for an order:

1. That the first account current and report be ratified, approved and confirmed;
2. That the remaining balance of the Estate be distributed to the Department of Health Care Services;
3. That any Estate property not now known or discovered should be distributed as follows: to the Department of Health Care Services in the amount necessary to satisfy its total claims, and the balance to be distributed 1/3 to James Dobbs, 1/3 to Donna Williamson and 1/3 to the Estate of Timothy Dobbs.

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: NRN

Reviewed on: 3/5/12

Updates:

Recommendation:

File 1 - Dobbs

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

2 Delmiro Barrera (Estate) **Case No. 10CEPR01021**

Atty Barrera, Leonor (pro per Administrator)

Probate Status Hearing Re: First Account or Final Distribution

DOD: 9/17/2010	**LEONOR BUEVARA DE BERRERA** was appointed Administrator with full IAEA and without bond on 1/16/11. Minute Order dated 3/1/11 amended the order to allow only LIMITED IAEA authority. I & A filed on 6/17/11 indicates the value of the estate is $98,000.00 First account or a petition for final distribution is now due.	NEEDS/PROBLEMS/COMMENTS: 1. **Need current status report, first account or petition for final distribution.**
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		Reviewed by: KT
Status Rpt		Reviewed on: 3/5/12
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 2 - Barrera

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

3 **Cesar Larios (Estate)** **Case No. 11CEPR00098**

Atty **Ramos, John R. (of Montebello, CA, for Maria R. Cabrera – Administrator)**

(1) First and Final Account and Report of Administrator, (2) Petition for Attorney Fees and (3) Final Distribution

DOD: 12-13-10		
Cont. from 021412		
	Aff.Sub.Wit.	
✔	**Verified**	
✔	**Inventory**	
✔	**PTC**	
✔	**Not.Cred.**	
✔	**Notice of Hrg**	
✔	**Aff.Mail**	W
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✔	**Letters**	5-5-11
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✔	**9202**	
	Order	X
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✔	**FTB Notice**	

MARIA R. CABRERA, Sister and Administrator with Limited IAEA with bond of $10,000.00, is Petitioner.

Accounting is waived.

I&A: $275,000.00
POH: $14,951.35 cash plus real property in Los Angeles County)

Administrator (Statutory): Waived

Attorney (Statutory): $8,500.00

Distribution pursuant to intestate succession:

Graciela F. Larios (Decedent's mother): 100% of the estate

NEEDS/PROBLEMS/COMMENTS:

OFF CALENDAR

(CALENDARED IN ERROR)

This matter was continued from 2-14-12 to 3-26-12 at Attorney Ramos' request on 2-9-12.

Reviewed by: skc

Reviewed on: 3-6-12

Updates:

Recommendation:

File 3 - Larios

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

4 Della Jane Johns (Estate) **Case No. 11CEPR00273**

Atty Rube, Melvin K. (for Petitioner/Executor Jacqueline J. Johns)

(1) First and Final Account and Report of Executor and Petition for Its Settlement, (2) for Allowance of Statutory Fees and Commissions and (3) for Final Distribution (Prob. C. 11002, 10800, 10810, 11640)

DOD: 12/1/2010		
Cont. from		
	Aff.Sub.Wit.	
✓	Verified	
✓	Inventory	
✓	PTC	
✓	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	Letters	6/6/2011
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	9202	
	Order	X
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✓	FTB Notice	

JACQUELINE J. JOHNS, Executor, is Petitioner.

Account period: 12/1/2010 – 12/15/2011

Accounting - **$110,108.80**
Beginning POH - **$110,000.00**
Ending POH - **$ 38,025.07**

Administrator (statutory) - **$3,164.35**
Administrator costs- **$4,970.38** (for upkeep on the real property, including taxes, insurance and maintenance.)

Attorney (statutory) - **$3,164.35**

Closing reserve - **$500.00**

Distribution, pursuant to Decedent's Will, is to:

Miles Seward - **$26,358.03**

NEEDS/PROBLEMS/COMMENTS:

1. **Summary of Account incorrectly lists the property on hand as $38,025.07. It appears that the correct amount (as listed in the property on hand schedule) is $37,977.11.**
2. **Need Order**

Reviewed by: KT
Reviewed on: 3/5/12
Updates:
Recommendation:
File 4 - Johns

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

5 Barbara Dodd Anderson (Estate) Case No. 11CEPR00423

Atty **Docker, William F (for Petitioner/Executor John David Anderson)**

(1) First and Final Report of Executor of Decedent's Will and (2) Petition for its Settlement, for Statutory Fees Due Attorneys, and for (3) Final Distribution of Estat on Waiver of Accounting (Prob. C. 11600)

DOD: 11/26/2010		
Cont. from		
	Aff.Sub.Wit.	
✓	Verified	
✓	Inventory	
✓	PTC	
✓	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	W/O
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	Letters	6/29/11
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✓	FTB Notice	

JOHN DAVID ANDERSON, Executor, is petitioner.

Accounting is waived.

I & A	-	**$219,948.75**
POH	-	**$220,853.24**
Executor	-	**waives**
Attorney (statutory)	-	**$7,399.00**
Costs (filing fees, publication, certified copies)	-	**$1,225.00**

Distribution, pursuant to Decedent's Will, is to:

John David Anderson - $15,736.00 and the 2004 Volvo.

Edwin D. Huff as Trustee of the John S. and Barbara Dodd Anderson Revocable Trust - $186,993.24

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: KT

Reviewed on: 3/6/12

Updates:

Recommendation: SUBMITTED

File 5 - Anderson

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

6 Yvonne Barrick (Estate) **Case No. 11CEPR00664**

Atty Willoughby, Hugh W (for Petitioner/Executor Theresa M. Pierson)

(1) Petition for Final Distribution on Waiver of Account and (2) for Allowance of Compensation for Ordinary Services (Independent Administration)

DOD: 6/26/2011		
Cont. from		
	Aff.Sub.Wit.	
✓	Verified	
✓	Inventory	
✓	PTC	
✓	Not.Cred.	
	Notice of Hrg	N/A
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	Letters	9/20/11
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✓	FTB Notice	

THERESA M. PIERSON, Executor, is petitioner.

Accounting is waived.

I & A	-	**$165,000.00**
POH	-	**$165,000.00**
Executor	-	**waives**
Attorney (statutory)	-	**$5,950.00**
Closing	-	**$50.00**

Distribution, pursuant to Decedent's Will, is to:

Theresa M. Pierson - Real property located at 7615 N. Baird, Fresno.

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: KT

Reviewed on: 3/6/12

Updates:

Recommendation: SUBMITTED

File 6 - Barrick

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

7 Jean Errotabere Trust 4/29/1980 (Trust) Case No. 11CEPR01020

Atty **Owdom, Bruce A. (of Dietrich, Glasrud, Mallek & Aune, for Petitioners)**

Petition for Order Approving Modification of Trust

Continued from 1-18-12, 02-16-12

	Aff.Sub.Wit.	
✔	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✔	**Notice of Hrg**	
✔	**Aff.Mail**	W/O
	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	

GEORGIANNE H. ERROTABERE, Trustee and Beneficiary, and Beneficiaries **DANIEL DOMINGO ERROTABERE, JEAN EMILE ERROTABERE,** and **REMI PHILLIP ERROTABERE**, are Petitioners.

Petitioners state the Jean Errotabere Testamentary Trust was created by court order 4-29-1980 and amended by court order dated 6-6-1989.

Petitioner Georgianne H. Errotabere is the original and present trustee, and wishes to resign. The two named successor trustees, Donald Yraceburu and Wells Fargo Bank (successor to Crocker Bank), both indicate that they would decline to serve if appointed, and have both signed declinations (Exhibits B and C).

The trust does not provide mechanism for further appointment. Petitioners seek to modify the trust so that upon the resignation of Georgianne H. Errotabere, the three sons of the trustor and Georgianne H. Errotabere, Petitioners and Beneficiaries Daniel Errotabere, Jean Errotabere and Remi Errotabere are appointed successor co-trustees, with the survivors or survivor thereof serving as co-trustees or sole trustee. Upon the death or resignation of the proposed sole successor trustee, a successor trustee may be chose by the unanimous written consent of the adult beneficiaries and the parents or guardians of minor beneficiaries without court approval.

No bond would be required of any trustee or successor trustee named in or appointed pursuant to the terms of the trust. No other trust provisions would be modified.

All present beneficiaries and all adult contingent beneficiaries consent to the modification pursuant to Probate Code §15403 and waive notice of hearing.

Petitioners also refer to Probate Code §15409 with respect to modification based on changed circumstances, and state that the trustor could not have known over 30 years ago that the two successor trustees would decline to serve.

Petitioners state that because the present trustee wishes to resign, modification of the trust is necessary to provide mechanism for appointment of successor trustees that is valid and not subject to question, challenge or delay.

NEEDS/PROBLEMS/COMMENTS:

OFF CALENDAR

Order signed 2-21-12.

Reviewed by: skc

Reviewed on: 3-6-12

Updates:

Recommendation:

File 7 - Errotabere

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

9 Julia L. Daniel (Estate) Case No. 12CEPR00092

Atty Janian, Paulette (for Petitioner Alfred Daniel)

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

DOD: 11/26/2011		
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	

ALFRED DANIEL, named executor without bond, is Petitioner.

Full IAEA – o.k.

Will dated: 9/29/1995

Residence: Fresno
Publication: Fresno Business Journal

Estimated value of the estate:

Personal property	-	$ 1,000.00
Real property	-	$19,105.00
Total	-	**$20,105.00**

Probate Referee: Steven Diebert

NEEDS/PROBLEMS/COMMENTS:

1. **#5a(7) or 5a(8) of the petition was not answered re: issue of predeceased child.**

Reviewed by: KT
Reviewed on: 3/6/12
Updates:
Recommendation:
File 9 - Daniel

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

10 Sharon Rutherford (Estate) **Case No. 12CEPR00101**

Atty LeVan, Nancy J. (for Petitioners Robert Jones and Denise Jones)

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

DOD: 10/11/11			**ROBERT JONES** and **DENISE JONES**, are petitioners and request appointment as Administrators without bond.
Cont. from			
	Aff.Sub.Wit.		Full IAEA – o.k.
✓	Verified		
	Inventory		Decedent died intestate
	PTC		
	Not.Cred.		Residence: Fresno Publication: Fresno Business Journal
	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		**Estimated value of the estate:**
	Sp.Ntc.		Personal property - $150,000.00
	Pers.Serv.		Real property - $ 45,000.00
	Conf. Screen		**Total - $195,000.00**
✓	Letters		
✓	Duties/Supp		**Probate Referee: RICK SMITH**
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

1. **Petition indicates all heirs waive bond. Need bond waivers from all heirs or bond set in the amount of $195,000.00**

Reviewed by: KT

Reviewed on: 3/7/12

Updates:

Recommendation:

File 10 - Rutherford

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

11 Steven R. Thomas (Estate) **Case No. 12CEPR00132**

Atty Salazar, Steven F (for Petitioner Steven R. Thomas II)

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

DOD: 1/19/12		
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	

STEVEN R. THOMAS, II, son, is petitioner and requests appointment as Executor without bond.

STEVEN R. THOMAS, II was appointed as Special Administrator. Letters of Special Administration expire on 3/14/12.

Full IAEA – o.k.

Will dated: 5/13/2003

Residence: Kingsburg
Publication: Kingsburg Recorder

Estimated value of the estate:

Personal property	-	$ 3,000.00
Real property	-	$123,000.00
Total		**$126,000.00**

Probate Referee: Steven Diebert

NEEDS/PROBLEMS/COMMENTS:

Note: Decedent's Will contains handwritten interlineations removing Steven R. Thomas, II and Carl E. Thomas as Executors and inserting Kristy Helm Thomas (daughter) in their place. Declaration of Petitioner filed on 2/9/12 states that based upon his experiences with the handwriting he believes the interlineations were done by someone other than the decedent.

Reviewed by: KT
Reviewed on: 3/7/12
Updates:
Recommendation:
File 11 - Thomas

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

12 **Elva Squires (CONS/PE)** **Case No. 07CEPR01335**

Atty **Feigel, Sheldon W. (for Lavonne Ilene Boland – Daughter – Conservator of the Estate)**

Probate Status Hearing Re: Failure to File Annual or Biennial Account

Age: 86		
DOB: 4-2-25		
Cont. from 011112		
	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	

LAVONNE ILENE BOLAND, Daughter, was appointed Conservator of the Person and Estate with additional powers under Probate Code §2590 with bond of $10,000.00 on 3-28-08. Bond was filed and Letters issued on 4-24-08.

I&A filed 8-27-08 reflected a total value of the conservatorship estate of $65,826.31, consisting of a one-half interest in real property in Squaw Valley, CA, a one-half interest in a mare registered as a National Show Horse, a one-half interest in two kilns, and various interests in other personal property.

On 2-11-09, the Court authorized Conservator to fix Conservatee's residence outside the State of California. Post-Move Notice of Change of Residence reflects a new address in Bend, OR.

On 8-12-09, the first account was settled.

On 9-22-09, revised Letters were issued reflecting only Conservatorship of the Estate, as the equivalent of a Conservatorship of the Person was obtained in Oregon, and this Court retained jurisdiction over the estate.

The next account is now due. The Court set this status hearing and sent notice to Conservator and Attorney Feigel on 11-3-11.

NEEDS/PROBLEMS/COMMENTS:

<u>Minute Order 1-11-12</u>: Counsel informs the Court that his client is trying to put things together and there are no more assets in the estate. Counsel requests a continuance. Counsel is informed that there is an outstanding fee of $860.00 that needs to be paid.

<u>As of 3-6-12, nothing further has been filed and fees have not been paid. The following issues remain</u>:

1. **Need Second Account Current.**
2. **Outstanding fees of $860.00 are due to the Court Investigator's Office for prior investigations.**

Reviewed by: skc

Reviewed on: 3-6-12

Updates:

Recommendation:

File 12 - Squires

13 Mildred P. Rancilio (Estate) **Case No. 08CEPR01160**

Atty Feigel, Sheldon W. (for Diane Pickering – Executor)

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution (Prob. C. 12200, et seq.)

DOD: 8-29-08	**DIANE PICKERING** was appointed Executor with Full IAEA without bond and Letters issued on 1-13-09. **On 1-26-12**, the Court set this status hearing for failure to file a First Account or Petition for Final Distribution.	**NEEDS/PROBLEMS/COMMENTS:** **1. Need Inventory and Appraisal.** **2. Need First Account Current or Petition for Final Distribution pursuant to Probate Code §12200.** **<u>Note</u>: The original petition indicated an estimated estate value of $130,000.00 in personal property.** **<u>Note</u>: Decedent's will devises the entire estate to The Mildred Pearl Rancilio Living Trust.**
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:** skc
Status Rpt	X	**Reviewed on:** 3-6-12
UCCJEA		**Updates:**
Citation		**Recommendation:**
FTB Notice		**File 13 - Rancilio**

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

14 **Kaitlyn Combs, Sierra Combs and Cienna Combs (GUARD/P)** **Case No. 09CEPR00613**

Atty **Combs, Zachary W. (Pro Per – Father – Petitioner)**
Atty **Crisp, Renee Gail (Pro Per – Maternal Grandmother – Guardian)**

Petition for Termination of Guardianship

Kaitlyn Madison Combs (4) **DOB: 3-9-07**		
Sierra Lindsay Combs (3) **DOB: 12-26-08**		
Sienna Renee Combs (3) **DOB: 12-26-08**		
Cont. from 011112		
	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**	
✔	**Clearances**	
✔	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

ZACHARY COMBS, Father, is Petitioner.

RENEE GAIL CRISP, Maternal Grandmother, was appointed Guardian on 10-1-09.

Mother: **BRITNEY CRISP**
Maternal Grandfather: John Thomas Hall
Paternal Grandfather: Jamie Combs
Paternal Grandmother: Pamela Loman

Petitioner states he feels his children have been neglected and abused, and subject to a violent environment with possible drug use and sexual and physical abuse. Petitioner attaches "Social Work Progress Notes" from Children's Hospital dated 11-1-11 describing that Father received a call on 10-26-11 from a relative alleging sexual and physical abuse and neglect. Father and his sister picked them up and brought them to the hospital. The report describes that the children were visibly dirty, and Kaitlyn recounted an incident of sexual abuse.

Court Investigator Jo Ann Morris filed a report on 1-3-12.

NEEDS/PROBLEMS/ COMMENTS:

Minute Order 1-11-12: The Court orders Guardian Renee Crisp submit herself for testing today at Global Testing. The Court further orders that a urine and hair follicle test be conducted for Methamphetamines and Cannabis. Additionally, the Court orders that Taylor Rogers not have any unsupervised contact with the minors. The minors are not to be in any vehicle unless the driver is licensed and insured. The Court orders the Court Investigator conduct further investigation as to where Father is living, and Guardian's relationship with her significant other with respect to the domestic violence and restraining order issues.

Note: Brittney Crisp (Mother) filed a new Petition for Termination of Guardianship on 1-26-12 that is set for hearing on 3-28-12.

If this matter goes forward, the following issues exist:

SEE PAGE 2

Reviewed by: skc
Reviewed on: 3-6-12
Updates:
Recommendation:
File 14 - Combs

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

14 Kaitlyn Combs, Sierra Combs and Cienna Combs (GUARD/P) **Case No. 09CEPR00613**

Atty Combs, Zachary W. (Pro Per – Father – Petitioner)
Atty Crisp, Renee Gail (Pro Per – Maternal Grandmother – Guardian)
Petition for Termination of Guardianship

NEEDS/PROBLEMS/COMMENTS (Continued):

If this matter goes forward, the following issues exist:

1. **Need Notice of Hearing.**

2. **Need proof of service of Notice of Hearing at least 15 days prior to the hearing or consent and waiver of notice or declaration of due diligence on:**
   - **Renee Gail Crisp (Guardian)**
   - **Britney Crisp (Mother)**
   - **Thomas Hall (Maternal grandfather)**
   - **Jamie Combs (Paternal Grandfather)**
   - **Pamela Loman (Paternal Grandmother)**

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

15 **Naomi Park Beyer (Estate)** **Case No. 10CEPR00720**

Atty **Beyer, Jonathan (Pro Per – Administrator)**

Status Hearing Re: Filing of the First Account or Petition for Final Distribution

DOD: 7/11/10		
	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	

JONATHAN BEYER was appointed Administrator with full IAEA without bond on 9/15/10.

Inventory and Appraisal filed 2/28/11 reflects a total estate value of $353,473.00, including $67,773.00 cash, real properties, a vehicle, furnishings and personal effects, and a sole proprietorship ("Boxcar Cafe").

On 9/15/11, the court set a status hearing for filing of the first account or petition for final distribution for 11/9/11.

Minute Order from 11/9/2011 states there were no appearances at the status hearing. The court set the matter for Order to Show Cause and ordered Jonathan Beyer to be present on 1/25/12 and have the first account filed.

Minute Order from 1/25/12 state the Court dispenses with the Order to Show Cause. Mr. Beyer is directed to file a first account or petition for final distribution.

NEEDS/PROBLEMS/COMMENTS:

<u>As of 3-6-12, nothing further has been filed.</u>

1. **Need first account current or petition for final distribution.**

Reviewed by: skc
Reviewed on: 3-6-12
Updates:
Recommendation:
File 15 - Beyer

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

16 Marsha Ann Highly (Estate) **Case No. 11CEPR00186**

Atty Miguel, Cheryl Lynn (Pro Per – Administrator – Petitioner)

(1) Petition for Settlement of First and Final Account and (2) for Final Distribution and (3) Fixing and Allowing Compensation

DOD: 11-13-10		
	Aff.Sub.Wit.	
✓	Verified	
✓	Inventory	
✓	PTC	
✓	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	W
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	Letters	8-17-11
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	X
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	X

CHERYL LYNN MIGUEL, Administrator with Limited IAEA without bond, is Petitioner.

Account period: 11-13-10 through 1-15-12

Accounting: $187,809.70
Beginning POH: $182,071.03
Ending POH: $137,012.89

Administrator (Statutory): $6,611.21

Closing: $250.00

Distribution pursuant to intestate succession:

Renee Lucille Austin: $38,474.13
Cheryl Lynn Miguel: $38,474.13
Charlie Joseph Miguel: $38,474.13

NEEDS/PROBLEMS/COMMENTS:

1. **Petitioner states notice was not given to the California Department of Health Care Services Recovery Section because "petitioner believed that the decedent did not receive health care paid for by the state."**

   Probate Code §9202(a) requires notice if the administrator "knows or has reason to know that the decedent received health care…or was the surviving spouse of a person who received that health care."

   Examiner notes that the decedent did have a predeceased spouse. The Court may require clarification on the record or further written declaration regarding compliance with this section.

2. **Petitioner does not make a statement regarding whether notice was required or given pursuant to Probate Code §9202(b) (notice to the California Victim Compensation and Government Claims Board).**

3. **Petitioner does not state whether notice was sent to the Franchise Tax Board pursuant to Probate Code §9202(c).**

SEE PAGES 2-3

Reviewed by: skc
Reviewed on: 3-6-12
Updates:
Recommendation:
File 16 – Highly

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

NEEDS/PROBLEMS/COMMENTS (Continued):

4. Petitioner states there were no Creditor's Claims received; however, two Creditor's Claims were filed:

- American Infosource as agent for Bank of America filed 3-28-11 for $1,385.00
- DCM Services for GE Money Bank JC Penney Consumer filed 4-4-11 for $1,161.55

Examiner notes that the Disbursements Schedule indicates payment directly to JC Penney and Bank of America in amounts similar to the claim amounts, but does not reference the Creditor's Claims that were filed, and does not address whether payment or notice was made to the *agents* that filed the claims.

Therefore, need:

- Allowance or Rejection of Creditor's Claims for the above claims with proof of service on the appropriate parties

and

- Clarification as to whether the payments made were appropriate.

5. Disbursements Schedule indicates that Petitioner made preliminary distributions of $20,080.46, which was the amount identified in a CD account at Balboa Thrift & Loan per the Inventory and Appraisal.

Petitioner did not seek or receive Court approval for preliminary distribution per Probate Code §11623.

Need receipts from Petitioner and the other two heirs, Renee Lucille Austin and Charles Joseph Miguel, indicating the amount received from this preliminary distribution.

6. Petitioner states the I&A item #2 on Attachment #2 (304.36117 shares AST PIMCO Total Return Bond valued at $5,559.60) was sold, but does not provide the sale price or whether there was gain or loss on the sale. Need clarification.

7. Petitioner does not provide the disposition of the 13.918 shares Fidelity ADV Dividend Growth FD-CL T valued at $158.94 (I&A #4 on Attachment #2).

(Disbursements Schedule line item dated 8-18-11 titled "Fidelity ADV" states "Remove asset not owned by decedent" and indicates disbursement of $158.94. Need clarification.)

8. Petitioner states the mobile home was sold, but does not state provide the sale price, whether there was a gain or loss, or include the proceeds from the sale in the Receipts Schedule.

Note that Examiner is unable to confirm whether the Administrator's statutory fee calculation is appropriate based on the foregoing items.

SEE PAGE 3

16 Marsha Ann Highly (Estate) Case No. 11CEPR00186

Atty Miguel, Cheryl Lynn (Pro Per – Administrator – Petitioner)

(1) Petition for Settlement of First and Final Account and (2) for Final Distribution and (3) Fixing and Allowing Compensation

NEEDS/PROBLEMS/COMMENTS (Continued):

9. Petitioner includes the "Note Receivable" valued at $14,729.30 as Property On Hand, but does not address how this item is being handled or distributed among the heirs. Examiner notes that the estate did receive payments on the note during administration.

<u>Need clarification</u>. If the heirs are to receive undivided interests in the "Note Receivable" the Court may require written consent pursuant to Local Rule 7.12.3.

10. Disbursements Schedule and Notes to Disbursements Schedule reflect various items that the Court may require additional clarification for:

- 11-14-10 – Post Office – Change of address - $6.99
- 12-9-10 – La Quinta Inn – Hotel - $133.28
- 3-5-11 – Pack Ship & More – Mail probate papers - $4.80
- 4-27-11 – Office Depot – Fax acceptance – home sale - $17.39
- 5-13-11 – Just Answer – Legal advice - $30.00
- 5-18-11 – Postal Plus – Certified mail - $20.10
- 5-31-11 – Pack Ship & More – Notary/Overnight mail - $39.94
- 7-27-11 – Pack Ship & More – Copies/mail final tax returns $5.06
- 8-10-11 – Pack Ship & More – Overnight mail/copies - $31.81
- 8-22-11 – Cheryl Miguel – Stamps - $8.80
- 8-26-11 – Postal Plus – Notary/Certified mail - $37.65
- 8-26-11 – Charlie Miguel – Notary - $30.00
- 8-26-11 – Renee Austin – Notary - $30.00
- 11-2-11 – Pack Ship & More – Overnight/Copies - $39.10
- 1-7-12 – Juris Documents – Pleading forms - $40.00
- 1-12-12 – Pack Ship & More – Mail fiduciary returns - $7.10

11. Need new order in compliance with Local Rule 7.6.1.F. (Some portion of the contents of the order must appear on the page upon which the judge's signature is affixed.)

17 Lina Lynn Longboy (GUARD/P) **Case No. 11CEPR00786**

Atty Gonzalez, Josphina (pro per Petitioner/maternal grandmother)

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

Age: 8 years **DOB: 4/28/2003**			**Temporary Expires 3/14/12**
			JOSEPHINA GONZALEZ, maternal grandmother, is Petitioner.
Cont. from 110211, 020112			Father: **RICHARD LONGBOY** – *personally served on 9/27/11*.
	Aff.Sub.Wit.		
✓	**Verified**		Mother: **GRACIE CAMARILLO** – *court dispensed with notice by minute order dated 9/15/11*.
	Inventory		
	PTC		
	Not.Cred.		
✓	**Notice of Hrg**		
✓	**Aff.Mail**	W/O	Paternal grandfather: *Not listed* Paternal grandmother: *Not listed* Maternal grandfather: *Not listed*
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
✓	**Conf. Screen**		**Petitioner states** the child needs a guardian because her father is incarcerated, her mother is unstable and has not been in the child's life for two years, and the child has no home. Petitioner states the child's father wishes that the child live with the Petitioner.
✓	**Letters**		
✓	**Duties/Supp**		
	Objections		
	Video Receipt		
✓	**CI Report**		
	9202		
✓	**Order**		**Court Investigator Dina Calvillo's Report filed on 10/18/11.**
	Aff. Posting		
	Status Rpt		
✓	**UCCJEA**		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

Continued from 2/1/12. ***As of 3/5/12 the following issues remain:***

1. **Petition does not include the names and addresses of the paternal grandparents or the maternal grandfather.**
2. **Need proof of service of the *Notice of Hearing* and a copy of the *Petition or Consent to Appointment of Guardian and Waiver of Notice*, or a *Declaration of Due Diligence* for:**
   a. **Paternal grandparents**
   b. **Maternal grandfather**
3. ***UCCJEA* form filed on 9/2/2011 does not provide residence information for the last 5 years as required.**

Reviewed by: KT
Reviewed on: 3/5/12
Updates:
Recommendation:
File 17 - Longboy

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

18 Lorenzo D. Leavy (GUARD/P) **Case No. 11CEPR00870**

Atty Leavy, Tamia M. (Pro Per – Sister – Petitioner)

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

Age: 12		
DOB: 11-20-99		
Cont. from 113011, 020112		
	Aff.Sub.Wit.	
✔	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	X
	Aff.Mail	X
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	X
	Conf. Screen	X
	Letters	X
	Duties/Supp	X
	Objections	
	Video Receipt	
✔	**CI Report**	
✔	**Clearances**	
	Order	X
	Aff. Posting	
	Status Rpt	
✔	**UCCJEA**	
	Citation	
	FTB Notice	

NO TEMPORARY – none requested

TAMIA M. LEAVY, Sister, is Petitioner.

Father: **Deceased**
Mother: **Deceased**

Paternal Grandfather: Not listed
Paternal Grandmother: Not listed

Maternal Grandfather: Not listed
Maternal Grandmother: Austrila Vines

Siblings: Dewayne Gaster, Tehada Hale (ages not listed)

Petitioner states she is the only thing close to a mother that he has and requests to let him stay close to home. She loves her brother and has taken care of him his whole life and knows he wants to succeed in life.

UCCJEA indicates Lorenzo has lived with Petitioner since July 2008.

Court Investigator Samantha Henson filed a report on 11-22-11.

NEEDS/PROBLEMS/COMMENTS:

Minute Order 11-30-11: Examiner Notes provided to Petitioner. Petitioner is directed to cure the defects. The Court continues the matter to 2-1-12. The Court orders that a Court Investigator contact CPS to follow up on the Petitioner's participation in the programs she was directed to attend during the TDM.

Minute Order 2-1-12: No appearances. The Court continues the matter to 3-14-12. A copy of the minute order was mailed to Petitioner on 2-3-12.

As of 3-6-12, nothing further has been filed.

Guardianship cannot go forward without the following mandatory items:

1. **Need Confidential Guardianship Screening Form (GC-212).**
2. **Need Duties of Guardian (GC-248)**
3. **Need Notice of Hearing.**
4. **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 or consent and waiver of notice on Lorenzo D. Leavy (age 12).**
5. **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 or consent and waiver of notice or declaration of due diligence on:**
   - **Paternal Grandfather**
   - **Paternal Grandmother**
   - **Maternal Grandfather**
   - **Maternal Grandmother**
   - **Tehada Hale (Sibling age 35)**
   - **Shaniea Easter (Sibling age 30)**
   - **Dewayne Easter (Sibling age 29)**
   - **Hosea Leavy (Sibling age 21)**
   - **Latifah Leavy (Sibling age 19)**
   - **Marquise Leavy (Sibling age 15)**
   - **Parent/Guardian of Marquise**
   - **Any other siblings age 12 or older, and parent or guardian, if still a minor**

Reviewed by: skc

Reviewed on: 3-6-12

Updates:

Recommendation:

File 18 - Leavy

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

19 Jordan Halford, Guage Liscano & Arturo Vargas (GUARD/P)

Case No. 11CEPR00876

Atty Liscano, Lorie (pro per – maternal grandmother/Petitioner)

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

Age: 2 months		
DOB: 11/05/11		
Cont. from 020112		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
	Aff.Mail	n/a
	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	

TEMPORARY EXPIRES 03/14/12

LORIE LISCANO, maternal grandmother, is Petitioner.

Father: **MARIO VARGAS** – *personally served 01/27/12*

Mother: **MARYANN LISCANO** – *personally served 02/02/12*

Paternal grandparents: UNKNOWN – *declaration of due diligence filed 02/28/12*

Maternal grandfather: RUDY LISCANO – *personally served 02/27/12; consent & waiver of notice filed 02/28/12*

Petitioner states that the mother has a history of drug abuse. Petitioner has cared for all children since birth. Petitioner was appointed as guardian of Jordan and Guage on 12/01/11, however, Arturo was not included in the Petition because he was not born until after the Petition was filed. Petitioner is now seeking guardianship of Arturo also. Petitioner states that he is a newborn and needs to be properly cared for and his mother knows that she is not able to properly care for any of her children.

Court Investigator Julie Negrete's report was filed 02/27/12.

NEEDS/PROBLEMS/COMMENTS:

CONTINUED FROM 02/01/12

This Petition is for Arturo Vargas only. Petitioner was appointed as Guardian of Jordan and Guage on 12/01/11.

1. **Declaration of Due Diligence filed 02/28/12 states that the Paternal Grandparents are unknown and Petitioner does not know their names. If Diligence is not found, need proof of service by mail at least 15 days before the hearing of *Notice of Hearing* with a copy of the *Petition for Guardianship* or Consent and Waiver of Notice for:**
   - Paternal grandparents (unknown)

Reviewed by: JF
Reviewed on: 03/06/12
Updates:
Recommendation:
File 19 – Halford & Liscano

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

20 **Barbara Smith (Det Succ)** **Case No. 12CEPR00086**

Atty **Smith, Douglas (Pro Per Petitioner)**

Petition to Determine Succession to Real Property

DOD: 11-5-05			**DOUGLAS SMITH**, unspecified relationship, is Petitioner. 40 days since DOD No other proceedings I&A - $47,600.00 Decedent died intestate Petitioner requests court determination that decedent's 100% interest in certain real and personal property passes to him pursuant to intestate succession.	**NEEDS/PROBLEMS/COMMENTS:** **OFF CALENDAR** **Order signed 3-7-12.**
	Aff.Sub.Wit.			
✔	**Verified**			
✔	**Inventory**			
	PTC			
	Not.Cred.			
N/A	**Notice of Hrg**			
N/A	**Aff.Mail**			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✔	**Order**			
	Aff. Posting			**Reviewed by:** skc
	Status Rpt			**Reviewed on:** 3-7-12
	UCCJEA			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 20 – Smith**

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

21 Linda K. Anderson (Estate) **Case No. 12CEPR00097**

Atty Dyer, Elizabeth (pro per, daughter – Petitioner)
Atty Davis, Karen (pro per, daughter – Petitioner)

Petition for Letters of Administration (Prob. C. 8002, 10450)

DOD: 11/10/11		
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	

ELIZABETH DYER AND KAREN DAVIS, Decedent's daughters, are Petitioners.

Decedent died intestate.

All heirs waive bond.

Residence – Fresno
Publication – Fresno Business Journal

Estimated value of estate:

Personal property	-	$ 10,000.00
Annual income	-	228,000.00
Real property	-	50,000.00
Total		**$288,000.00**

Probate Referee: Rick Smith

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: NRN
Reviewed on: 3/6/12
Updates:
Recommendation:
File 21 – Anderson

Dept. 303, 9:00 a.m. Wednesday, March 14, 2012

22 Bobby M. Bigby Living Trust 11/3/2009 (Trust) Case No. 12CEPR00104

Atty **Helon, Marvin T (for Petitioner Ruth Gambrell)**

Petition for Determination of Property Subject to Trust (Probate Code 850 and 17200) Points and Authorities in Support of Petition

Cont. from 030112		
	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	

RUTH GAMBRELL, Successor Trustee, is petitioner.

Petitioner states **BOBBY MERRILL BIGBY** created the **BOBBY M. BIGBY LIVING TRUST**, dated 11/3/2009.

On 12/6/2010, Bobby Merrill Bigby died.

Section 1.01 of the Trust provides that the Trustor has assigned and transferred to the Trust all property described in Exhibit "A" to the Trust. Exhibit "A" of the Trust identifies initial trust property and includes among other property the following described property:

> "7. Any and all personal checking, savings or other bank and/or financial accounts in the name of the Settlor."
>
> "8. All personal property, including any and all vehicles, in possession of the settlor."

The following accounts with Bank of America and personal property were titled in the name of Bobby Merrill Bigby as of the date of the Trust and were still held at the date of the death of the Trustor/Settlor, Bobby M. Bigby, without reference to the Trust:

a. Bank of America Growth Cash Maximizer;
b. Bank of America checking account;
c. 2000 Toyota
d. 1965 Chevrolet Pickup.

Petitioner states the Court should confirm that the forgoing property is property of the Trust and trust estate.

Wherefore, Petitioner prays for an order of this Court:

1. Confirming and determining the foregoing described property and/or accounts is property of the Trust and Trust estate, and should be held, administered and distributed by Petitioner in trust as Trustee, subject to the terms of the Trust.

NEEDS/PROBLEMS/COMMENTS:
Reviewed by: KT
Reviewed on: 3/5/12
Updates:
Recommendation:
File 22 - Bigby