

**(1) First Account Current and Report of Successor Conservator and (2) Petition for Allowance of Attorney's Fees and (3) for Reimbursement of Costs to Attorney**

<b>Age: 64</b>	<b>CHRIS WADE</b> , successor conservator, is Petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>Petitioner states that a blocked account remains in the name of the former conservator pending approval of the final accounting of the former conservator. The Final Account of the former conservator was approved on 03/04/13. Need receipt and acknowledgment of funds received by the successor trustee.</li> <li>Petitioner currently has a bond in the amount of \$70,000.00. This amount appears insufficient based on stated non-blocked assets in the amount of \$108,777.35 and annual income of \$54,504.00. It appears bond should be increased by \$109,607.29 (for a total bond amount of \$179,607.29) pursuant to California Rules of Court § 7.207. The court may require more information regarding the sufficiency of the bond.</li> </ol> <p><b>Note: If the petition is granted status hearings will be set as follows:</b></p> <ul style="list-style-type: none"> <li><b>Friday, 05/17/13 at 9:00a.m. in Dept. 303</b> for the receipt for blocked account; <b>and</b></li> <li><b>Friday, 03/21/14 at 9:00a.m. in Dept. 303</b> for the filing of the second account of successor conservator.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
	Account period: <b>01/13/12 – 12/31/12</b>	
<b>Cont. from</b>	Accounting - <b>\$239,924.57</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$185,531.72</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Ending POH - <b>\$210,738.92</b>	
<input type="checkbox"/> <b>Inventory</b>	Conservator - <b>waives</b>	
<input type="checkbox"/> <b>PTC</b>	Attorney - <b>\$6,575.00</b>	
<input type="checkbox"/> <b>Not.Cred.</b>	(Per itemization for 26.3 hours @ \$250/hr. for work performed in preparation of the petition for successor conservatorship, assisting the conservator in obtaining bond, and preparation of the accounting)	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	Costs - <b>\$435.00</b>	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> w/	<b>Petitioner prays for an Order:</b>	
<input type="checkbox"/> <b>Aff.Pub.</b>	1. Approving, allowing and settling the First Account Current of Successor Conservator; and	
<input type="checkbox"/> <b>Sp.Ntc.</b>	2. Authorizing attorneys' fees and costs.	
<input type="checkbox"/> <b>Pers.Serv.</b>	<b>Court Investigator Samantha Henson filed a report on 12/03/12.</b>	
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input checked="" type="checkbox"/> <b>CI Report</b>		
<input checked="" type="checkbox"/> <b>2620(c)</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
	<b>Reviewed by:</b> JF	
	<b>Reviewed on:</b> 03/08/13	
	<b>Updates:</b>	
	<b>Recommendation:</b>	
	<b>File 1A - Wade</b>	

**1B Ron C. Wade (CONS/PE)**

**Case No. 0226015**

**Atty Ratzlaff, Ruth E. (for Raymond Love – Former Conservator)**

**Atty Bagdasarian, Gary G. (for Chris Wade – Successor Trustee/Petitioner)**

**(Status Hearing Re: Filing of the First Account by Successor Conservator; Receipt of Blocked Account)**

<b>Age:</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b><u>OFF CALENDAR</u></b>
<b>DOD:</b>		
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
	<b>Reviewed by: JF</b>	
	<b>Reviewed on: 03/08/13</b>	
	<b>Updates:</b>	
	<b>Recommendation:</b>	
	<b>File 1B - Wade</b>	

**1B**

**(1) First and Final Account and Report of Administration of Executor and Petition for Settlement Thereof and (2) for Allowance of Statutory Executor's Compensation and Attorney's Fees and (3) For Extraordinary Attorney's Fees and (4) For Reimbursement of Costs Advanced and for (5) Final Distribution**

<b>DOD: 1-28-11</b>	<b>GLORIA MAY</b> , Sister and Executor with Full IAEA without bond, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>1. DHS filed an <i>additional</i> Creditor's Claim in the amount of \$12,672.87 on 2-13-13 (after the filing of this petition).</b>  <b>Need Allowance or Rejection of DHS Creditor's Claim filed 2-13-13.</b>  <b>Also, depending on the disposition of this additional claim, an amended petition / distribution schedule may be necessary.</b>  <b>2. According to the Summary and Schedule E, POH is \$40,275.03. However, at #14, Petitioner states POH is \$48,198.40, and the proposed distribution is based on this higher amount.</b>  <b>Need clarification and/or amended schedules, including amended distribution schedule.</b>
	Account period: 4-26-11 through 1-11-13	
	Accounting: \$48,962.54 Beginning POH: \$48,962.25 Ending POH: \$40,275.03 (cash)	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Executor (Statutory): \$1,804.50	
<input checked="" type="checkbox"/> <b>Verified</b>	Attorney (Statutory): \$1,804.50	
<input checked="" type="checkbox"/> <b>Inventory</b>	Costs: \$1,362.00 (filing, publication, recording fees, probate referee)	
<input checked="" type="checkbox"/> <b>PTC</b>	Attorney (Extraordinary): \$4,720.00 (per declaration, re sale of real property)	
<input checked="" type="checkbox"/> <b>Not.Cred.</b>	Closing: \$1,003.98	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Petitioner states</b> the decedent left certain real property to the County of Mariposa based on certain conditions including the creation of a park on the property and payment of administration costs. However, the County declined to receive the property based on the conditions. Therefore, the gift lapsed and is part of the residue distributable to heirs.	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> w	<b>Payment of Creditor's Claims:</b>	
<b>Aff.Pub.</b>	1. Attorney Gary Bagdasarian for \$1,325.00 for legal services to the decedent prior to his death – Petitioner states the claim was <i>not filed</i> , but was presented by way of written demand for payment within four months after letters were issued, and the Personal Representative elects to treat the demand as a claim that was filed.	
<b>Sp.Ntc.</b>	2. Dept. of Health Care Service for \$2,358.42 filed 9-28-11	
<b>Pers.Serv.</b>	<b>Distribution pursuant to Decedent's will:</b> (See #2) Dawn Ollar: \$8,455.00 Karen Kehule: \$8,455.00 Mark Graham: \$8,455.00 Patricia Graham: \$8,455.00	
<b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b> 1-28-11		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<input checked="" type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<input checked="" type="checkbox"/> <b>FTB Notice</b>		

**Reviewed by:** skc

**Reviewed on:** 3-7-13

**Updates:**

**Recommendation:**

**File 2 - Graham**

(1) Petition for Settlement of First and Final Account and (2) Final Distribution and (3) Allowance of Statutory Compensation and Compensation for Extraordinary Services and (4) Costs of Administration (PC 1060-1064,010800, 10801, 10802, 10810-11, 10900, 11000, 11640)

<b>DOD: 11-28-11</b>		<p><b>TOSHIYE YONEMITSU SALAZAR</b>, Executor with Full IAEA without bond, is Petitioner.</p> <p><b>Account period: 12-6-11 through 1-31-13</b></p> <p>Accounting: \$ 175,345.60 Beginning POH: \$ 166,995.70 Ending POH: \$ 38,527.17 (\$22,627.17 cash plus various personal property inventory items)</p> <p>Executor (Statutory): \$5,675.37 Executor (Extraordinary): \$350.00 (26.75 hours @ \$10-20/hr)</p> <p>Executor (Reimburse Costs): \$6,301.11 Petitioner states that at the onset of the special administration, the decedent was facing an impending foreclosure deadline, a mortgage which exceeded the value, a lack of access to available funds, and due to a substantial amount of personal property within the residence and lack of able family members, Executor hired Attorney Steven Salazar and her children and other friends of the decedent for assistance providing the necessary physical labor for packing, sorting, loading, moving, etc. Declaration itemizes charges including funeral expenses, packing supplies, storage, truck rental, gas, labor @ \$10/hr for assistance, notary fees for escrow documents, tax preparation, etc.</p> <p>Attorney (Statutory): \$5,675.37 Attorney (Extraordinary): \$725.00 Costs: \$1,508.93 (filing, publication re administration, certified letters, process service, publication re auction, copies) Closing: \$1,500.00</p> <p><b>Distribution pursuant to Decedent's will:</b> <b>Brian Bathurst:</b> The George E. Engstrom Patent for a Load Bearing Collapsible Steel Stud Wall <b>Wanda Colleen Shipman Kennedy or successor to Robert Clifton Kennedy:</b> Various inventory items (guns) <b>Legion of Valor Museum:</b> Various inventory items (Japanese rifle, sword) <b>Charles Leal:</b> Various vehicles and personal property items per Will, and residue, including \$891.39 cash</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Attorney requests reimbursement for certain items that may be considered by the Court to be costs of doing business and not reimbursable pursuant to Local Rule 7.17. The Court may require clarification regarding the following items, or a revised order reducing the costs by these amounts: Copy fees \$7.50, Publication for auction \$63.00, Service fee for personal service to Michael Dowling \$25.00 (<i>personal service is not required for request for special notice</i>).</p> <p>2. Decedent's will makes specific devise of various guns to his friend Robert Clifton Kennedy. Mr. Kennedy post-deceased the decedent on 10-10-12. Petitioner proposes to distribute the guns to his estate pursuant to a declaration under §13107.</p> <p>However, the Court may require clarification regarding the request to pass this specific gift pursuant to the estate per Probate Code §11801, as opposed to the gift lapsing to residue pursuant to Probate Code §§ 21104, 21109, 21111(a)(2).</p> <p>If the property is to pass as requested, need declaration.</p> <p><b>Note to Judge:</b> Unlike general devises, specific gifts typically lapse if the transferee does not survive the administration. Here, it appears Petitioner may be requiring the heir's widow to receive guns that this decedent wanted his friend to have. Is that appropriate? Alternatively, the guns would go to Mr. Leal per the will re residue. Or perhaps the Court may wish inquire about whether the museum might be more appropriate if the parties agree. However, if there are no objections, Examiner does not mean to make an issue of it.</p>	
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input checked="" type="checkbox"/>	PTC			
<input checked="" type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input 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 checked="" type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input checked="" type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input checked="" type="checkbox"/>	FTB Notice			
<b>Reviewed by:</b> skc				
<b>Reviewed on:</b> 3-7-13				
<b>Updates:</b>				
<b>Recommendation:</b>				
<b>File 3 - Engstrom</b>				

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

<b>Age: 6 years</b>		<u><b>Temporary EXPIRES 03/14/2013</b></u>		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Minute Order of 02/22/2013:</b> The Court notes for the minute order that mother, Erica Leanos, is now in custody on a felony warrant after this matter was trailed for a brief moment. Counsel informs the Court that the child has been with the mother since Christmas. The Court finds that it would be detrimental for the child to remain only with Mr. Leanos. The Court on its own motion, grants a temporary guardianship in favor of Julie Leanos. The temporary expires 03/14/2013. The Court orders that the child continue attending Temperance-Kutner Elementary School and that the child be provided services deemed appropriate. The Court Investigator is ordered to provide the Court a report as to what services are or can be provided to the child. In addition, the Court Investigator is ordered to conduct a further investigation into the home in which the child is staying as well as follow-up on any current CPS allegations.  <b>Reviewed by:</b> LV <b>Reviewed on:</b> 03/11/2013 <b>Updates:</b> <b>Recommendation:</b> File 4 - Leanos
		<p><b>JULIE A. LEANOS</b>, paternal grandmother, is petitioner.</p> <p>Father: <b>PHILLIP LEANOS</b></p> <p>Mother: <b>ERICA HELMUTH</b></p> <p>Paternal grandfather: Phillip Leanos – consents and waives notice.                  Maternal grandparents: Deceased.</p> <p><b>Petitioner states:</b> she has had the minor residing with her since June 2012. The mother and father are unable and unwilling to care for the minor. The mother is facing a two year sentence for welfare fraud and the father is a severe alcoholic and homeless.</p> <p>Petitioner states that the child has been residing with her on and off since the child was 2 ½, she states the most recent time the child came to live with her he only weighed 39 lbs. He was grossly underweight and malnourished. The child initially went to live with the petitioner because the parents did not have any running water or utilities, this was the second time in a year that the child went to live with the petitioner for this reason.</p> <p>Petitioner states that the child has confessed to her that his half-brother is verbally and physically abusive towards him and that he fears being left alone with him. Eric, the half-brother, would make crude gestures, force him to watch pornography and shove his dirty sock in the child's mouth. On one occasion, Eric, forced the child into a dark basement, he had to sit in the dark, alone, with no food or water for hours. The child would tell his mother about the treatment he was receiving from his half-brother, Eric, however the mother would do nothing to prevent further behavior.</p>		
<b>Cont. from 022113</b>				
	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>			
	<b>Inventory</b>			
	<b>PTC</b>			
	<b>Not.Cred.</b>			
	<b>Notice of Hrg</b>		x	
	<b>Aff.Mail</b>		n/a	
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>		x	
✓	<b>Conf. Screen</b>			
✓	<b>Letters</b>			
✓	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
✓	<b>CI Report</b>			
	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
✓	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			
<u><b>Continued on the following page</b></u>				

**(Continued from previous page)**

Petitioner states that the child suffers from Asthma and that she had requested that the mother bring the child's nebulizer however when the mother finally got around to bringing it she would not show the petitioner how to use it.

Petitioner alleges that the mother is addicted to prescription drugs and often times she calls the petitioner while completely incoherent and disoriented. Petitioner also alleges that the mother sells drugs and prescription pills from her home and may be engaging in prostitution.

Petitioner states the child has witnessed domestic violence while living with his parents. The child has seen the parents physically fight with one another and has been caught in the cross fire of items being thrown.

Petitioner alleges that the father of the child is currently unemployed and has been battling alcoholism since he was 19 years old (he is currently 39). Petitioner has denied the father visitation within the last six months due to the father being visibly drunk. Petitioner states that she has given the father money to get the child food and snacks but the father has spent the money on alcohol instead.

Petitioner states that she received a call from the child's teacher stating that he was grossly behind academically. The teacher informed the petitioner that the child would have to be transferred to a class for students with special needs. The school evaluation revealed that the child missed too much of kindergarten and that he could only read at kindergarten level. The child's school counselor and psychologist has confirmed the child has been traumatized and has some behavioral issues.

**Court Investigator Samantha Henson's report filed 02/14/2013.**

**Declaration of Attorney Crystal B. Johnson filed on 03/04/2013** states on February 21, 2013 the Court granted the petitioner, Julie A. Leanos, temporary guardianship of the minor, Joshua I. Leanos. It was noted, during the hearing, that the mother, Erica Helmuth was taken into custody. On February 21, 2013 at approximately 12 pm Attorney Johnson called Temperance-Kutner Elementary and spoke with the Registrar, Cathy O'Neil that there had been a change in custody and that petitioner would be picking up the child from school that day. The Registrar informed the attorney that the child's "step-dad" had removed the minor child from school five minutes prior. Attorney Johnson informed the Registrar that the mother, Erica Helmuth, was not married and that the minor did not have a stepfather. The Registrar stated that the mother authorized Eddie Bulgara to remove the child from school. Attorney Johnson and the Petitioner went to the mother's residence to see if the child had been taken there but the residence was vacant. The whereabouts of the child was unknown and it was becoming apparent to the Attorney and to the petitioner that it was the mother's intent to hide the child.

**Please see additional page**

Contact was made with Mr. Eddie Bulgara who stated to Attorney Johnson that he was instructed by the mother to remove the child from school and to "hang on to him." Law enforcement was contacted and the child was exchanged at 8pm the evening of February 21, 2013 at a Denny's located at 530 S. Clovis Ave.

Attorney Johnson states that upon information and belief, prior to being placed in handcuffs, Ms. Helmuth placed a call to Mr. Bulgara and asked that he remove the child from school and instructed that they not return to her residence. It is the belief of Attorney Johnson that with full knowledge, it was Ms. Helmuth's intent to have Mr. Bulgara hide the minor child so that the petitioner could not take custody of the minor.

**Needs/ Problems/Comments**

1. Need Notice of Hearing.
2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:
  - Phillip Leanos (Father)
  - Erica Helmuth (Mother)

Court Investigator Samantha Henson to provide Supplemental Report.

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

Age: 65		<b>NO TEMP REQUESTED</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Court Investigator advised rights on 2-22-13.</u>  <u>Voting rights affected – need minute order</u>  <b>1. Petitioner requests appointment as conservator of the estate without bond because the proposed Conservatee is still able to give her consent. However, no consent or nomination is included.</b>  Regardless, bond is required for every conservator of the estate pursuant to Cal. Rules of Court 7.207 and Probate Code §2320(c)(4).  Based on petitioner's estate value estimate and Inventory and Appraisal (already filed), bond of \$275,000.00, which covers the value of the 401k asset plus cost of recovery, would be required.  <u>However, the Court Investigator's report indicates that the proposed Conservatee also has a monthly income including retirement and Social Security, and may have additional assets including a car and savings account(s). Appropriate bond calculation would need to take these times into account.</u>  <u>Based on the investigator's report, bond should be at least \$333,638.09, but this doesn't include personal property or accounts.</u>  It appears that Petitioner has already filed an Inventory and Appraisal, however, it does not include all of these assets.  The Court may require clarification and adjust bond as appropriate.  <b>Note: The Court will set status hearings as follows:</b> <ul style="list-style-type: none"> <li>• Friday 5-17-13 for filing of bond</li> <li>• Friday 7-12-13 for filing of Supplemental Inventory and Appraisal, if required.</li> <li>• Friday 7-11-14 for filing of the first account.</li> </ul> If the necessary items are on file, the status hearings may come off calendar.
		<b>JOYCE V. DAVIS</b> , Sister, is Petitioner and requests appointment as Conservator of the Person and Estate with medical consent powers.  <b>Voting rights affected</b>  <b>A Capacity Declaration was filed 2-4-13.</b>  <b>Estimated Value of Estate</b> Personal property: \$250,000.00 Real property: \$380,000.00  <b>Petitioner states</b> the proposed Conservatee suffers from Progressive Dementia, Alzheimer's type and needs help in all her basic needs. She is unable to make informed decisions regarding her financial affairs. Conservatorship is necessary to provide the proper care for her and to protect her assets.  <b>Court Investigator Julie Negrete filed a report on 3-8-13.</b>	
<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 checked="" type="checkbox"/>	Pers.Serv.	W	
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input checked="" type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report	X	
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input checked="" type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Reviewed by: skc			
Reviewed on: 3-8-13			
Updates:			
Recommendation:			
File 5 - Thomas			

Atty Bagdasarian, Gary G. (for Russell Basye and Susan J. Lopes – Petitioners)

Atty Rindlisbacher, Curtis D. (Court-appointed for Proposed Conservatee Ruth Wallace)

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

Age: 86	<b>NO TEMP REQUESTED</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>RUSSELL BASYE and SUSAN J. LOPES</b> , Son and Daughter, are Petitioners and request appointment as Co-Conservators of the Person with medical consent powers and dementia medication and placement powers.	<u>Court Investigator advised rights on 2-15-13</u>
	<b>Voting rights affected</b>	<u>Voting rights affected – need minute order</u>
Aff.Sub.Wit.		1. <b>Need Dementia Attachment GC-335A to Capacity Declaration from Dr. Sams regarding the request for dementia medication and placement powers.</b>
✓ Verified		2. <b>Need video receipt from Petitioner Russell Basye. Local Rule 7.15.8.A.</b>
Inventory		
PTC	<b>A Capacity Declaration was filed 2-5-13.</b>	
Not.Cred.		
✓ Notice of Hrg	<b>Petitioners state</b> the proposed Conservatee is 86 and suffers from dementia. She is unable to live alone and currently resides at Sierra Vista Healthcare Center. She requires assistance in walking and various other necessities of life.	
✓ Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
✓ Pers.Serv.		
Conf. Screen	<b>Court Investigator Jennifer Daniel filed a report on 3-5-13.</b>	
✓ Letters		
✓ Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
9202		
✓ Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 3-8-13
UCCJEA		Updates:
✓ Citation		Recommendation:
FTB Notice		File 6 - Wallace

<b>DOD: 09/20/2009</b>		<p><b>HARRY RONALD SAWL</b>, son/named executor without bond, is petitioner.</p> <p>Full IAEA - ?</p> <p>Will Dated: 03/05/1992</p> <p>Residence: Fresno Publication: Needed</p> <p><b>Estimated Value of the Estate:</b> Real property - \$750,000.00</p> <p><b>Probate Referee: Steven Diebert</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need Letters.</p> <p>2. Need Affidavit of Publication.</p> <p><b>Note: If the petition is granted status hearings will be set as follows:</b></p> <ul style="list-style-type: none"> <li>• <b>Friday, 07/12/2013 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <b>and</b></li> <li>• <b>Friday, 04/11/2014 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit. s/p		
<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. x		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters x		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p><b>Reviewed by:</b> LV</p> <p><b>Reviewed on:</b> 03/08/2013</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 7 - Sawl</b></p>	

Atty LeVan, Nancy J. (for Lorena Garcia – Daughter – Administrator)

Atty Emerzian, David L (for Omega Ochoa Garcia – Surviving Spouse)

## Further Status Hearing

DOD: 2-7-07	LORENA GARCIA, Daughter is Administrator with limited IAEA without bond.	NEEDS/PROBLEMS/COMMENTS:
		<u>Continued from 12-6-11, 3-13-12, 9-13-12</u>
	<b>Letters issued 7-21-08.</b>	<u>Minute Order 9-13-12:</u> Ms. LeVan advises the Court that an appellate brief was filed on 8/21/12. She further advises that they are waiting on the assets to come from the award however, they will have to wait on the appeal. Matter continued to 3/14/13. Counsel is directed to submit a written status report. Continued to 3/14/13
Cont. from 120611, 031312, 091312	On 7-14-09, the Court approved a settlement agreement between Administrator (daughter) and Omega Ochoa Garcia (surviving spouse) and allowed continuation of estate administration pending certain issues:	<u>As of 3-7-13, nothing further has been filed.</u>
Aff.Sub.Wit.	1) Retrial of the damages portion of Civil Case # 04CECG03607 Garcia v. Roberts; and	<u>Note:</u> Examiner Notes from the 10-4-11 status hearing with a brief chronology of this case are in the file for reference.
Verified	2) Receipt of proceeds due from an eminent domain matter	1. <u>Need account or current status report.</u>
Inventory	On 10-4-11 (the 7 <sup>th</sup> status hearing regarding retrial of the damages issue), Attorney Emerzian advised the Court that a motion for a new trial was denied and an appeal has been filed, and that deposits need to be made. The Court set this hearing for further status.	Examiner notes that Letters issued <u>over 5 years ago</u> and the Court approved continuation of estate administration <u>over 4 years ago</u> .
PTC	<b>Status Report filed 12-1-11 by Attorney LeVan states</b> that Attorney Ty Kharazi filed a Notice of Appeal on behalf of his clients, the Roberts'. The Fifth District Court of Appeal has set a mediation for the parties on 12-12-11. Attorney LeVan requests to set a status hearing in March 2012 to follow the progress of the appeal.	At recent hearings, status was provided regarding the <u>civil matter</u> ; however, account current or status of <u>this estate</u> is needed if the estate is not in a position to be closed ( <u>Probate Code §12200</u> ).
Not.Cred.		At hearing on 7-26-11, the Court was advised that the estate was awarded \$184,798.00, but a new trial may affect that award. The I&A value of the estate as of the date of death was \$5,125.00; however, it is unknown if other amounts have been recovered or received, etc.
Notice of Hrg		For example, at this point, what is the property on hand, and how is it held, etc.?
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
	<b>Minute Order 12-6-12:</b> No appearances. Matter continued to 3-13-12.	
	<b>Minute Order 3-13-12:</b> Counsel informs the Court that the case has been appealed.	
	<b>As of 3-7-13, nothing further has been filed.</b>	
Aff. Posting		Reviewed by: skc
Status Rpt	X	Reviewed on: 3-7-13
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 8 - Garcia

**Petition for Termination of Guardianship**

Lloyd, 4	<p><b>LLOYD MACKLIN</b> and <b>DEBORRAH MACKLIN</b>, parents, are Petitioners.</p> <p><b>DEBORRAH SMITH</b>, maternal grandmother, was appointed guardian on 02/01/12. – Served by mail on 1/28/13.</p> <p>Paternal grandfather: Lloyd Macklin          Paternal grandmother: Joyce Frierson</p> <p>Maternal grandfather: Ronnie Green</p> <p><b>Petitioners state:</b> It is in the best interest of the minors to terminate the guardianship because the parents would like to have full rights to their children.</p> <p><b>Court Investigator Dina Calvillo filed a report on 1/9/13</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need proof of service of <i>Notice of Hearing</i> for:</p> <ul style="list-style-type: none"> <li>a. Lloyd Macklin (paternal grandfather)</li> <li>b. Joyce Frierson (paternal grandmother)</li> <li>c. Ronnie Green (maternal grandfather)</li> </ul>	
Kayveon, 3			
<b>Cont. from 011713, 021413</b>			
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			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p><b>Reviewed by:</b> KT</p> <p><b>Reviewed on:</b> 3/11/13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 9 - Macklin</b></p>	

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

<b>DOD: 10/23/2011</b>	<b>ANNA F. WILLIAMS</b> , Executor, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Continued to 4/10/13 at the request of the Petitioner</b>  1. The inventory and appraisal is incomplete. <ul style="list-style-type: none"> <li>#3 was not answered re: whether or not the property listed is all or a portion of the property that has come into the Executor's knowledge or possession.</li> <li>#4 probate referee</li> <li>#5 – the property tax certificate</li> <li>Verification was not dated.</li> </ul> 2. Petition does not contain a statement regarding Probate Code §216 and 9202(b) re: notice to the Director of Victims Compensation and Government Claims Board.         3. Petition does not contain a statement that notice to the Franchise Tax Board was performed, as required by Probate Code 9202(c)(1).         4. Petition requests the property be distributed to each beneficiary in Joint Tenancy. Each beneficiary is entitled to an undivided interest. Therefore, the property should be distributed as Tenants in Common.         5. Proof of service of the Notice of Hearing shows that it was served by Anna F. Williams. Ms. Williams is a party to the action therefore cannot serve the notice.         6. Order does not comply with Local Rule 7.6C. All order distributing property must contain a statement as to the balance of the estate on hand, specifically noting the amount of cash in the balance.
	Accounting is waived.	
<b>Cont. from 021413</b>	I & A - <b>\$280,765.25</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	POH - <b>\$280,765.25</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Executor - <b>waives</b>	
<input checked="" type="checkbox"/> <b>Inventory</b>	Closing reserve- <b>\$2,000.00</b>	
<input type="checkbox"/> <b>PTC</b>		
<input checked="" type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Distribution, pursuant to Decedent's Will, is to:</b>	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> w/o	<b>Anna F. Williams</b> - \$16,635.62 and ½ interest in household furniture and furnishings and real property located in Fresno County.	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b> 4/16/12	<b>Sula Zaninovich</b> - \$16,635.62 and ½ interest in household furniture and furnishings and real property located in Fresno County.	
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>	X	
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>	X	
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 3/11/13</b>
		<b>Updates: 3/12/13</b>
		<b>Recommendation:</b>
		<b>File 10 - Turner</b>

Atty Leath, Charles A., sole practitioner (for Petitioner Ken Coon)

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

DOD: 8/6/1999	KEN COON, son, is Petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 3/7/2013.</b> Minute Order states counsel requests a continuance.</p> <p>The following issues remain from the last hearing:</p> <ol style="list-style-type: none"> <li>1. Pursuant to Probate Code § 13153, need proof of mailed service of <i>Notice of Hearing</i> for all persons required to be served with notice pursuant to Probate Code § 13152(a)(7). (Note: Item 14 of Petition does not list any persons; Petitioner should state if he is the sole person entitled to notice.)</li> <li>2. Need <i>Final Inventory and Appraisal</i> [DE-160, 161] pursuant to Probate Code § 13152(b).</li> <li>3. Need Attachment 11 to the <i>Petition</i> containing the legal description of the real property and its Assessor's Parcel Number (APN) pursuant to Probate Code § 13152(a)(3), and specifying the percentage of Decedent's interest in the property.</li> <li>4. Need proposed <i>Order Determining Succession to Real Property</i> [DE-315] containing the legal description of the real property and specifying the percentage of the Petitioner's property interest.</li> </ol>
	40 days since DOD.	
Cont. from	No other proceedings.	
Aff.Sub.Wit.		
✓ Verified		
Inventory	X	
PTC		
Not.Cred.		
Notice of Hrg	X	
Aff.Mail	X	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order	X	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		