

(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

Age: 64	CHRIS WADE , successor conservator, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. 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.</p> <p>2. 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.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 05/17/13 at 9:00a.m. in Dept. 303 for the receipt for blocked account; and • Friday, 03/21/14 at 9:00a.m. in Dept. 303 for the filing of the second account of successor conservator. <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: 01/13/12 – 12/31/12	
Cont. from	Accounting - \$239,924.57	
Aff.Sub.Wit.	Beginning POH - \$185,531.72	
✓ Verified	Ending POH - \$210,738.92	
Inventory	Conservator - waives	
PTC	Attorney - \$6,575.00 (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)	
Not.Cred.	Costs - \$435.00	
✓ Notice of Hrg	Petitioner prays for an Order:	
✓ Aff.Mail w/	1. Approving, allowing and settling the First Account Current of Successor Conservator; and	
Aff.Pub.	2. Authorizing attorneys' fees and costs.	
Sp.Ntc.	Court Investigator Samantha Henson filed a report on 12/03/12.	
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
✓ 2620(c)		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	Reviewed by: JF	
	Reviewed on: 03/08/13	
	Updates:	
	Recommendation:	
	File 1A - Wade	

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)

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

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

DOD: 1-28-11		<p>GLORIA MAY, Sister and Executor with Full IAEA without bond, is Petitioner.</p> <p>Account period: 4-26-11 through 2-12-13</p> <p>Accounting: \$48,962.54 Beginning POH: \$48,962.25 Ending POH: \$40,200.16 (cash)</p> <p>Executor (Statutory): \$1,804.50</p> <p>Attorney (Statutory): \$1,804.50</p> <p>Costs: \$1,362.00 (filing, publication, recording fees, probate referee)</p> <p>Attorney (Extraordinary): \$4,720.00 (per declaration, re sale of real property)</p> <p>Closing: \$1,098.74</p> <p>Petitioner states 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.</p> <p>Payment of Creditor's Claims:</p> <p>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.</p> <p>2. Dept. of Health Care Service for \$2,358.42 filed 9-28-11</p> <p>Distribution pursuant to Decedent's will: Dawn Ollar: \$6,425.00 Karen Kehule: \$6,425.00 Mark Graham: \$6,425.00 Patricia Graham: \$6,425.00</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Declaration filed 3-12-13 adjusts the account period and distribution amounts. The Court may require additional time for notice to the heirs, as they will be receive less than originally contemplated. 2. Need revised order. 3. Mr. Bagdasarian's creditor's claim of \$1,325.00 requires prior Court authorization pursuant to Probate Code §10501(a)(8). Need Allowance or Rejection of Creditor's Claim (DE-174).
<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	1-28-11		
<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			

Reviewed by: skc
Reviewed on: 3-7-13
Updates: 3-12-13, 3-13-13
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)

DOD: 11-28-11	TOSHIYE YONEMITSU SALAZAR , Executor with Full IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 12-6-11 through 1-31-13	Note: Decedent's will made a specific devise of various guns to his friend Robert Clifton Kennedy. Mr. Kennedy post-deceased the decedent on 10-10-12. The petition originally proposed to distribute the guns to Mr. Kennedy's estate pursuant to a declaration under §13107 and stated that Petitioner has been in contact with Mrs. Kennedy.
	Accounting: \$ 175,345.60	Examiner Notes previously noted that the Court may require clarification regarding the request to pass a 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).
	Beginning POH: \$ 166,995.70	Update: Revised order submitted 3-13-13 passes the guns to Mr. Leal, as having lapsed. The Court may require clarification per above, and confirmation or disclaimer from Mr. Kennedy's estate.
	Ending POH: \$ 38,527.17	
	(\$22,627.17 cash plus various personal property inventory items)	
<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	
	Executor (Statutory): \$5,675.37	
	Executor (Extraordinary): \$350.00 (26.75 hours @ \$10-20/hr)	
	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.	
	Attorney (Statutory): \$5,675.37	
	Attorney (Extraordinary): \$725.00	
	Costs: \$1,413.43 (filing, publication re administration, certified letters)	
	Closing: \$1,500.00	
	Distribution pursuant to Decedent's will:	
	Brian Bathurst: The George E. Engstrom Patent for a Load Bearing Collapsible Steel Stud Wall	
	Wanda Colleen Shipman Kennedy or successor to Robert Clifton Kennedy: Various inventory items (guns)	
	Legion of Valor Museum: Various inventory items (Japanese rifle, sword)	
	Charles Leal: Various vehicles and personal property items per Will, and residue, including \$891.39 cash, <u>and various inventory items (guns) as lapsed specific gift</u>	
	Reviewed by: skc	
	Reviewed on: 3-7-13	
	Updates: 3-13-13	
	Recommendation:	
	File 3 - Engstrom	

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

Age: 6 years		Temporary EXPIRES 03/14/2013		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 02/22/2013: 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.</p>
		<p>JULIE A. LEANOS, paternal grandmother, is petitioner.</p>		
		<p>Father: PHILLIP LEANOS</p>		
Cont. from 022113		<p>Mother: ERICA HELMUTH</p>		
<input type="checkbox"/>	Aff.Sub.Wit.		<p>Paternal grandfather: Phillip Leanos – consents and waives notice. Maternal grandparents: Deceased.</p>	
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg	x		
<input type="checkbox"/>	Aff.Mail	n/a		
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.	x		
<input checked="" type="checkbox"/>	Conf. Screen		<p>Petitioner states: 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>	
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Continued on the following page				

Reviewed by: LV
Reviewed on: 03/11/2013
Updates: 03/13/2013
Recommendation:
File 4 - Leanos

(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 he has been traumatized and has some behavioral issues.

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

Court Investigator Samantha Henson's Supplemental Report filed 03/13/2013.

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.

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.

Please see additional page

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 hid 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)

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

Age: 65	NO TEMP REQUESTED	NEEDS/PROBLEMS/COMMENTS:
	JOYCE V. DAVIS , Sister, is Petitioner and requests appointment as Conservator of the Person and Estate with medical consent powers.	<u>Court Investigator advised rights on 2-22-13.</u>
	Voting rights affected	<u>Voting rights affected – need minute order</u>
<input type="checkbox"/> Aff.Sub.Wit.	A Capacity Declaration was filed 2-4-13.	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.
<input checked="" type="checkbox"/> Verified	Estimated Value of Estate Personal property: \$250,000.00 Real property: \$380,000.00	Regardless, bond is required for every conservator of the estate pursuant to Cal. Rules of Court 7.207 and Probate Code §2320(c)(4).
<input type="checkbox"/> Inventory	Petitioner states 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.	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.
<input type="checkbox"/> PTC	Court Investigator Julie Negrete filed a report on 3-8-13.	<u>However</u> , 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.
<input type="checkbox"/> Not.Cred.		<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>
<input checked="" type="checkbox"/> Notice of Hrg		It appears that Petitioner has already filed an Inventory and Appraisal, however, it does not include all of these assets.
<input checked="" type="checkbox"/> Aff.Mail w		The Court may require clarification and adjust bond as appropriate.
<input type="checkbox"/> Aff.Pub.		Note: The Court will set status hearings as follows:
<input type="checkbox"/> Sp.Ntc.		<ul style="list-style-type: none"> • Friday 5-17-13 for filing of bond • Friday 7-12-13 for filing of Supplemental Inventory and Appraisal, if required. • Friday 7-11-14 for filing of the first account.
<input checked="" type="checkbox"/> Pers.Serv. w		If the necessary items are on file, the status hearings may come off calendar.
<input type="checkbox"/> Conf. Screen		Reviewed by: skc
<input checked="" type="checkbox"/> Letters		Reviewed on: 3-8-13
<input checked="" type="checkbox"/> Duties/Supp		Updates:
<input type="checkbox"/> Objections		Recommendation:
<input checked="" type="checkbox"/> Video Receipt		File 5 - Thomas
<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		

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

Age: 86	NO TEMP REQUESTED	NEEDS/PROBLEMS/COMMENTS:
	RUSSELL BASYE and SUSAN J. LOPES , 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>
	Voting rights affected	<u>Voting rights affected – need minute order</u>
<input type="checkbox"/> Aff.Sub.Wit.	A Capacity Declaration was filed 2-5-13.	1. Need Dementia Attachment GC-335A to Capacity Declaration from Dr. Sams regarding the request for dementia medication and placement powers.
<input checked="" type="checkbox"/> Verified	Petitioners state 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.	2. Need video receipt from Petitioner Russell Basye. Local Rule 7.15.8.A.
<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 <small>W</small>		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv. <small>W</small>		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections	Court Investigator Jennifer Daniel filed a report on 3-5-13.	
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input checked="" type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 3-8-13
		Updates:
		Recommendation:
		File 6 - Wallace

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

DOD: 09/20/2009		<p>HARRY RONALD SAWL, son/named executor without bond, is petitioner.</p> <p>Full IAEA – o.k.</p> <p>Will Dated: 03/05/1992</p> <p>Residence: Fresno Publication: The Business Journal</p> <p>Estimated Value of the Estate: Real property - \$750,000.00</p> <p>Probate Referee: Steven Diebert</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Letters.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 07/12/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Friday, 04/11/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <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 checked="" type="checkbox"/>	Aff.Pub.		
<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>Reviewed by: LV</p> <p>Reviewed on: 03/08/2013</p> <p>Updates: 03/12/2013</p> <p>Recommendation: Submitted</p> <p>File 7 - Sawl</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	<p>LORENA GARCIA, Daughter is Administrator with limited IAEA without bond.</p> <p>Letters issued 7-21-08.</p> <p>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:</p> <p>1) Retrial of the damages portion of Civil Case # 04CECG03607 Garcia v. Roberts; and</p> <p>2) Receipt of proceeds due from an eminent domain matter</p> <p>On 10-4-11 (the 7th 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.</p> <p>Status Report filed 12-1-11 by Attorney LeVan states 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.</p> <p>Minute Order 12-6-12: No appearances. Matter continued to 3-13-12.</p> <p>Minute Order 3-13-12: Counsel informs the Court that the case has been appealed.</p> <p>As of 3-7-13, nothing further has been filed.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 12-6-11, 3-13-12, 9-13-12</u></p> <p><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</p> <p><u>As of 3-7-13, nothing further has been filed.</u></p> <p>Note: Examiner Notes from the 10-4-11 status hearing with a brief chronology of this case are in the file for reference.</p> <p>1. <u>Need account or current status report.</u></p> <p>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></p> <p>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>).</p> <p>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.</p> <p>For example, at this point, what is the property on hand, and how is it held, etc.?</p>
Cont. from 120611, 031312, 091312		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt	X	
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 3-7-13
		Updates:
		Recommendation:
		File 8 - Garcia

9 Lloyd C Macklin III & Kayveon D Macklin
 Atty Smith, Deborah (pro per Guardian/maternal grandmother)
 Atty Macklin, Lloyd C. (pro per Petitioner/father)
 Atty Macklin, Deborah (pro per Petitioner/mother)

Case No. 11CEPR00512

Petition for Termination of Guardianship

Lloyd, 4	LLOYD MACKLIN and DEBORRAH MACKLIN , parents, are Petitioners.		NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service of <i>Notice of Hearing</i> for: a. Lloyd Macklin (paternal grandfather) b. Joyce Frierson (paternal grandmother) c. Ronnie Green (maternal grandfather)
Kayveon, 3			
	DEBORRAH SMITH , maternal grandmother, was appointed guardian on 02/01/12. – Served by mail on 1/28/13.		
	Paternal grandfather: Lloyd Macklin Paternal grandmother: Joyce Frierson		
	Maternal grandfather: Ronnie Green		
Cont. from 011713, 021413	Petitioners state: 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.		
Aff.Sub.Wit.		Court Investigator Dina Calvillo filed a report on 1/9/13	
✓ 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			
Reviewed by: KT			
Reviewed on: 3/11/13			
Updates:			
Recommendation:			
File 9 - Macklin			

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

DOD: 10/23/2011		ANNA F. WILLIAMS , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>Continued to 4/10/13</u> at the request of the Petitioner 1. The inventory and appraisal is incomplete. <ul style="list-style-type: none"> #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. #4 probate referee #5 – the property tax certificate Verification was not dated. 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.	
Cont. from 021413		I & A - \$280,765.25	
<input type="checkbox"/>	Aff.Sub.Wit.	POH - \$280,765.25	
<input checked="" type="checkbox"/>	Verified	Executor - waives	
<input checked="" type="checkbox"/>	Inventory	Closing reserve- \$2,000.00	
<input type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Distribution, pursuant to Decedent's Will, is to:	
<input checked="" type="checkbox"/>	Aff.Mail	Anna F. Williams -	
	w/o	\$16,635.62 and ½ interest in household furniture and furnishings and real property located in Fresno County.	
<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	Sula Zaninovich -	
	4/16/12	\$16,635.62 and ½ interest in household furniture and furnishings and real property located in Fresno County.	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202	X	
<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	X	
Reviewed by: KT			
Reviewed on: 3/11/13			
Updates: 3/12/13			
Recommendation:			
File 10 - Turner			

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. 40 days since DOD. No other proceedings. I & A - Need Decedent died intestate.	NEEDS/PROBLEMS/COMMENTS: Continued from 3/7/2013. Minute Order states counsel requests a continuance. The following issues remain from the last hearing: 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.) 2. Need <i>Final Inventory and Appraisal</i> [DE-160, 161] pursuant to Probate Code § 13152(b). 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. 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.	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			X
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			X
<input type="checkbox"/>	Aff.Mail			X
<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	X		
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Petitioner states he seeks the Court's order determining that the real property passes to him as the surviving heir to Decedent's estate as he has been residing on the property, and he now suffers from a medical condition requiring him to sell the property; escrow has been opened to sell the property for \$44,000.00 (copy of <i>Residential Purchase Agreement</i> attached), in order to use the proceeds to assist in his medical recovery.				
Petitioner requests Court determination that Decedent's ? % interest in real property located at 2338 E. Brown, Fresno , passes to the Petitioner pursuant to intestate succession.				
Reviewed by: LEG				
Reviewed on: 3/11/13				
Updates:				
Recommendation:				
File 11 - Coon				