



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.

Atty **Teixeira, J. Stanley (for Petitioner John H. Colfer, Conservator)**

(1) Fourth Account and Report of Conservator of the Estate and (2) Petition for Allowance of Attorney Fees

		JOHN H. COLFER , spouse and Conservator of the Estate, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. <i>Summary of Account</i> lists charges as \$284,449.34, while credits are listed as \$283,641.49, resulting in an unexplained difference of \$807.85, causing the accounting not to balance. Charges must equal credits as provided by Probate Code § 1061(c). Need clarification and/or amended account pursuant to Probate Code § 1060 et seq.</p> <p>2. <i>Petition</i> does not but should address the current sufficiency of bond. Based on the property on hand and annual income, Court may increase bond to ~\$97,000.00.</p> <p>~Please see additional page~</p>
		Account period: 11/1/2012 - 10/31/2014	
Cont. from		Accounting - \$284,449.34? OR \$283,641.49?	
	Aff.Sub.Wit.	Beginning POH - \$253,003.52	
✓	Verified	Ending POH - \$254,946.29 <i>(consisting of real property; personal property; cash of \$123,746.64;)</i>	
	Inventory		
	PTC		
	Not.Cred.	Conservator - none requested	
✓	Notice of Hrg	Attorney - \$2,162.61 <i>(\$2,500.00 per Local Rule 7.16, less \$337.39 payment inadvertently received from Conservator prior to Attorney advising Conservator of need for court authorization;)</i>	
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen	Bond - \$85,000.00 <i>(insufficient; Court ordered the bond remain as set on 1/30/2013 based on most conservatorship assets remaining in blocked accounts; Petition does not address bond;)</i>	
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report	Petitioner prays for an Order:	
	9202	1. Approving, allowing and settling the Fourth Account; and	
✓	Order	2. Authorizing the attorney fees	
	Aff. Posting		
	Status Rpt	Court Investigator Jo Ann Morris' Report filed 9/26/2013 recommends the Conservatorship continue as is.	
	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: LEG	
		Reviewed on: 3/13/15	
		Updates:	
		Recommendation:	
		File 1 - Erwin	

NEEDS/PROBLEMS/COMMENTS, continued:

3. *Schedule C, Disbursements* shows the following automobile-related expenses; however, no automobile is listed on *Schedule E, Property on Hand*, as an asset of the Conservatorship estate, and the *Petition* contains no explanation for these disbursements, raising the question of the propriety of the Conservatee paying for automobile-related expenses:
- USAA on 11/7/2012 for auto and homeowners insurance of **\$137.62** (**Note:** total disbursements for USAA calculate as **~\$3,153.30**. The *Petition* and *Schedule C* do not but should indicate whether the payments are apportioned or adjusted to deduct charges for auto insurance, leaving only the homeowner's insurance portion as disbursements from the Conservatee's funds).
 - Sunnyside Auto Repair on 3/19/2013 of **\$299.10**.
 - Sunnyside Auto Repair on 9/23/2013 of **\$63.29**.
 - Wale & Eades on 10/4/2013 for re-upholstery of Buick auto of **\$492.19**.
 - Sunnyside Auto Repair on 2/11/2014 of **\$179.60**.

Note: Court will set status hearing as follows:

- **Thursday, December 15, 2016 at 9:00 a.m. in Dept. 303** for the next accounting.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

2 Francisco Alvarado (Estate)

Case No. 14CEPR00214

Atty Tomassian, Gerald M. (for Lorena Torres – Administrator – Petitioner)

(1) Waiver of Accounting and (2) Petition for Final Distribution and for (3) Allowance of Statutory Fees and Commissions

DOD: 10-23-13	LORENA TORRES , Sister and Administrator with Full IAEA with bond of \$500,000.00, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Accounting is waived.	
	I&A: \$277,891.29	
	POH: \$174,473.34 cash plus real property valued at \$65,000.00	
	Administrator: \$7,500.00 (less than statutory)	
	Attorney: \$8,977.83 (Statutory)	
	Closing: \$2,500.00	
	Distribution pursuant to intestate succession is to:	
	Shanna Alvarado: \$155,495.51 cash plus real property valued at \$65,000.00.	
<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/o	
<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	
		Reviewed by: skc
		Reviewed on: 3-13-15
		Updates:
		Recommendation: SUBMITTED
		File 2 - Alvarado

Petition to: (1) Approve Trustee's First and Final Account and Report; (2) Ratify Trustee's Actions as Trustee; (3) Determine Whether Beneficiary Complied With Condition of Inheritance; and (4) for Attorney's Fees

DOD: 05/07/11	STEVEN M. BOTELHO , Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. The Petition does not include the names and addresses of each person entitled to notice as required by Probate Code 17201. (See also, CA Rules of Court 7.902.)
	Account period: 03/28/14 – 12/19/14	
	Accounting - \$3,932,247.66	
	Beginning POH - \$3,600,000.00	
	Ending POH - \$3,627,530.85	
Cont. from	Trustee - waived	
<input type="checkbox"/> Aff.Sub.Wit.	Trustee costs - \$304,116.81 (to pay the Farmland Trust's liabilities and costs of administration including, payments for farming the land, loan payments, property taxes and legal services)	
<input checked="" type="checkbox"/> Verified	Background information:	
<input type="checkbox"/> Inventory	Testator Jerri L. Mendrin ("Jerri") died 05/07/11 and her estate was administered in Fresno County case 11CEPR00525, Jerri's surviving spouse, Kenneth Mendrin ("Kenneth") was appointed Executor. The terms of Jerri's will created a testamentary trust known as the Jerri L. Mendrin Farmland Trust ("The Farmland Trust") which was to be funded with 240 acres of farmland planted as a vineyard. Under the Farmland Trust, Kenneth was to be the income beneficiary of the Farmland Trust upon his acceptance of the Farmland Trust terms. Under the terms of the Farmland Trust, the Trustee was to hold and distribute the principal and net income of the trust estate to Kenneth during his lifetime with any accrued or undistributed income at Kenneth's death to be paid to his estate.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/o		
<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 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	Section 5.04(b) of the Farmland Trust states that the trustee is responsible for receiving the proceeds of the sale of all crops grown on the Trust property and apply the proceeds to various costs and expenses (loans, taxes, etc.) and that any remaining proceeds are to be distributed to Kenneth or his issue.	

Continue on Page 2

Jerri inherited the farmland from her father and the adjacent farmland was inherited by Jerri's sister, Judy Botelho, and is actively farmed by the Petitioner, Steven Botelho. As a result of his actively farming the adjacent land, Petitioner is aware of the condition of the farmland held in Jerri's estate. In January 2014, Petitioner was concerned because no pruning or tying had been done to the vines on Jerri's property and Petitioner feared a crop would not be raised for harvest without intervention. At this time Kenneth was ill and was apparently not able to farm the land. Petitioner raised these concerns with Kenneth and an agreement was reached whereby Petitioner would farm the land under a standard 80/20 crop share farm lease.

Unfortunately, a dispute arose of the interpretation of the Farmland Trust which provided that "any accrued by undistributed income at the death of [Kenneth] shall be paid to his estate." Kenneth took the position that income accrues when the crop is set, but Petitioner/Trustee disagreed because farmers, estates and trusts all operate on a cash basis (not accrual basis) and therefore, income would accrue when the crop was sold. To say income accrued when the crop is set made no sense – what if the crop was lost due to disease, weather or drought? The parties participated in a Mandatory Settlement Conference and ultimately resolved the issue of when income accrued so to avoid litigation in the year Kenneth died. Petitioner/Trustee and Kenneth agreed that having a farm lease made the most sense because Kenneth could not farm, the Trustee conceded the issue of when the crop accrued and agreed that Kenneth would be entitled to income in any year in which he was alive.

Pursuant to the this agreement, Kenneth's attorneys prepared the Farm Lease which terms states that if Kenneth died during 2014, or any subsequent renewal term, then his share of the 2014 (or subsequent year) crop proceeds shall be paid to his daughter, Kim Mendrin, or his estate. The payment of rent is described in section 8 of the Farm Lease and provides that the total rent is an undivided twenty percent (20%) share of the gross income payable after each year's crop is sold. Recital D of the Farm Lease makes it clear that Petitioner, would be the Lessor upon the funding of the Farmland Trust because he was Trustee of the Farmland Trust and was the Lessee in his individual capacity. Kenneth died at some time before November 2014. [See Farm Lease, Exhibit 4]

Pursuant to the terms of the Farm Lease, Petitioner, in his individual capacity, complied with the terms of the Farm Lease. Petitioner farmed the land, paid all farming costs associated therewith and cultivated the crop through harvest. The total gross for the crop was \$322,247.66 and was paid directly to the Trust as the owner of the farmland and Lessor. 80% was payable to Petitioner, in his individual capacity (\$265,798.13) and the remaining 20% was retained by the Farmland Trust (\$66,449.53).

Petitioner, as Trustee of the Farmland Trust, prepared the accounting presented above, and confirmed that the Trustee was prepared to distribute net income in the amount of \$27,530.85 to Kim Mendrin. Petitioner distributed, the net proceeds of \$27,530.85 to Kim and subsequently, through her attorney, Kim demanded payment of the full gross amount of \$66,449.53. Kim's attorney took the position that the Trust was not entitled to receive any of the income and that said income from the crop was not subject to costs of administration or any necessary costs of owning the Farmland (property taxes, payment of liabilities secured by the Farmland, etc.).

Petitioner/Trustee submits that Kim's position is meritless and the demand for the gross income is being made in bad faith.

Continued on page 3

By demanding payment of the gross income, Kim is taking the position that Trustee had no right to pay the costs of administration out of the income by the Farmland Trust. Petitioner asserts that such a position finds no basis in law and that the Probate Code makes clear costs of administration are born by the beneficiaries and not the trustee.

Kim's attorney seems to argue that the Farmland Trust was never created which is inconsistent with the Court Order and terms of the Farm Lease. Furthermore, the Farmland Trust was the record owner of the land upon recordation of the Order. Since there are no other income streams, the **only** way costs of administration can be paid out of the income received under the Farm Lease.

The Farm Lease itself provides that the Lessor is to pay the property taxes, thus the demand for full payment ignores the terms of the Farm Lease. If the Court accepts the demand at face value, it would require the Trustee (as Lessor) to breach the requirements of the Farm Lease.

In addition, the Farm Lease was prepared by Kim's attorney (who formerly represented Kenneth). Even if the Court finds that there is some ambiguity in the Farm Lease terms, such ambiguity must be construed against Kenneth, and now Kim, because the lease was prepared by their attorney. Civil Code § 1654; *Robert Marsh & Co. v. Temper* (1930) 210 Cal 572 ("Where language in contract is ambiguous, contract shall be interpreted most strongly against the party who prepared it.") It would be inequitable for Kenneth (and Kim's) attorney to prepare an ambiguous lease agreement and then pounce on such ambiguity to obtain a result that was never contemplated by the parties.

Petitioner prays for an Order:

1. Approving Trustee's First and Final Account;
2. Approving and ratifying the Trustee's actions;
3. Confirming the Trustee performed his obligations under the Farm Lease;
4. Finding that Kenneth, and now Kim, did not accept the terms of the Farmland Trust and are therefore not entitled to any income;
5. Ordering Kim to return the net income payment of \$27,530.85 to the Trustee;
6. Ordering Kim to pay the Trustee's reasonable attorney's fees and costs associated with bringing this Petitioner and defending his actions as Trustee; and
7. For all other orders the Court deems just and proper

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

DOD: 2-19-14	JOAN E. HERWALDT , Named Alternate Executor without bond, is Petitioner. (Named executor is deceased.)	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: The Court will set status hearings as follows:</p> <ul style="list-style-type: none"> • Wednesday, August 19, 2015 for filing the Inventory and Appraisal • Wednesday, June 15, 2016 for filing the first account or petition for final distribution <p>If the proper items are on file prior to the status hearing dates pursuant to local rules, the status hearings may be taken off calendar.</p>	
	Full IAEA – ok		
✓ Aff.Sub.Wit.	Will dated: April 29 (No year)		
✓ Verified	(Proof of Subscribing Witness Randall S. Walker indicates that the year was 1987.)		
Inventory			
PTC			
Not.Cred.	Residence: Fresno Publication: Business Journal		
✓ Notice of Hrg	Estimated value of estate:		
✓ Aff.Mail	Personal property: \$9,000.00		
✓ Aff.Pub.	Real property: \$242,000.00		
Sp.Ntc.	Probate Referee: Rick Smith		
Pers.Serv.			
Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: skc
			Reviewed on: 3-13-15
			Updates:
		Recommendation: SUBMITTED	
		File 5 - Harris	

DOD: 11-17-12		JANIS G. HOWARD, Daughter and Named Executor without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Full IAEA – ok	1. The petition does not include the name and date of death of the decedent's deceased spouse at #8 of the petition pursuant to #8 and Local Rule 7.1.1.D.
	Aff.Sub.Wit.	S/P	Will dated 12-10-96
✓	Verified		
	Inventory		Residence: Fresno Publication: Business Journal
	PTC		
	Not.Cred.		Estimated value of estate: Personal property: \$300.00 Real property: \$98,000.00
✓	Notice of Hrg		
✓	Aff.Mail	w	Probate Referee: Steven Diebert
✓	Aff.Pub.		
	Sp.Ntc.		<p>Note: If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> Wednesday, August 19, 2015 for filing the Inventory and Appraisal Wednesday, June 15, 2016 for filing the first account or petition for final distribution
	Pers.Serv.		
	Conf. Screen		If the proper items are on file prior to the status hearing dates pursuant to local rules, the status hearings may be taken off calendar.
✓	Letters		
✓	Duties/Supp		Reviewed by: skc
	Objections		Reviewed on: 3-13-15
	Video Receipt		Updates:
	CI Report		Recommendation:
	9202		File 6 - Ingram
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Atty Rindlisbacher, Curtis D., of Perkins, Mann & Everett (for Kenneth Wall, Administrator)

Status Hearing

DOD: 12/8/1988	<p>KENNETH WALL, son, was appointed Administrator with full IAEA authority without bond on 7/8/2008; <i>Letters</i> issued on 7/8/2008.</p> <p>Background:</p> <ul style="list-style-type: none"> • <i>First and Final Report of Administrator and Petition for Settlement of Account, for Allowance of Compensation to Administrator and Attorneys for Ordinary Services; and for Final Distribution and Reimbursement of Costs</i> filed 10/30/2014 sought to distribute a share of the <i>Estate of Camille Dolores Smith</i> totaling \$35,188.40 in cash to MAXIMILANO GODINEZ, Administrator of the <i>Estate of Kelli Michelle Godinez (Decedent's daughter)</i>, Case 07CEPR01353; • Court records show MAXIMILANO GODINEZ, JR., who was represented by SHELDON FEIGEL (now prohibited from practicing law in California effective 1/8/2015) was appointed Successor Administrator on 10/23/2008 with a bond of \$250,000.00 to be posted, which was not posted and <i>Letters of Administration</i> never issued to him; • Therefore, the <i>Estate of Kelli Michelle Godinez</i> is not in a position to receive assets from the <i>Estate of Camille Dolores Smith</i>, which of necessity delays completion of final distribution of the <i>Estate of Camille Dolores Smith</i>. <p>Minute Order dated 12/17/2014 [Judge Cardoza] from the hearing on the first and final account in the <i>Estate of Camille Dolores Smith</i> set this <i>Status Hearing</i> on 1/21/2015 for the failure to proceed with administration in the <i>Estate of Kelli Michelle Godinez</i>, Case 07CEPR01353, ordering as follows:</p> <ul style="list-style-type: none"> • The Court orders that the \$35,188.40 be held by the Petitioner [KENNETH WALL] on behalf of the estate until an administrator is qualified to receive the funds in case 07CEPR01353. <p>Clerk's Certificate of Mailing filed 12/11/2014 shows a copy of the <i>Notice of Status Hearing</i> was mailed to Sheldon Feigel and Maximilano Godinez, Jr., on 12/11/2014.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page 16 is a Status Hearing for the related <i>Estate of Kelli Michelle Godinez</i>, Case 07CEPR01353.</p> <p>Continued from 1/21/2015. <i>Minute Order</i> states Mr. Rindlisbacher is still awaiting the closure of the Kelli Michelle Godinez Estate, 07CEPR01353.</p> <p>1. Need verified Status Report and proof of service of the Status Report pursuant to Local Rule 7.5(B).</p>
Cont. from 012115		
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		
	<p>Reviewed by: LEG</p> <p>Reviewed on: 3/12/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 - Smith</p>	

11 Mariangela Straight (Estate)

Case No. 13CEPR00164

Atty Molsenbocker, Gary L. (for Administrator Kenneth W. Price)

Probate Status Hearing Re: Filing First Account or Final Distribution

DOD: 1-13-13	<p>KENNETH W. PRICE was appointed Administrator with Full IAEA with bond of \$80,000.00 on 4-2-13.</p> <p>At the hearing on 4-2-13, the Court set this status hearing for the filing of the first account.</p> <p>Bond was filed and Letters issued on 4-16-13.</p> <p>I&A includes \$33,358.26 cash, real property valued at \$95,000.00, and \$295,413.95 in stock (total \$423,772.21).</p> <p>Status Report filed 8-28-14 states the Administrator is also the Administrator of the Estate of Madeline Scheppner 13CEPR00872, which contains property that will be distributed to this estate. The Administrator is in the process of filing the petition to distribute in that estate. Therefore it is requested that this petition be continued for at least 90 days to allow distribution to this estate.</p> <p>Status Report filed 12-5-14 states since the last status report, the administrator of the Scheppner case has listed and sold the real property, which was the only asset. The administrator and his attorney anticipate filing a final account within the next 10 days. After distribution to this estate, Mr. Price can file his first and final account. 90 days is requested.</p> <p>Supplemental Status Report filed 12-12-14 states an Order on Ex Parte Application to Increase Bond was filed 10-29-14. The increased bond was requested; however, on 12-10-14 it was discovered that the increased bond still had not issued. The bonding company was contacted and agreed to issue the additional bond immediately.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED TO 5-13-15</u></p> <p>Note: Increased bond totaling \$386,500 was filed 12-17-14.</p> <p>1. Need first account or petition for final distribution pursuant to Probate Code §12200 or verified written status report pursuant to local rule.</p>
Cont from 090514, 121814		
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		
	<p>Reviewed by: skc</p> <p>Reviewed on: 3-12-15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 - Straight</p>	

Pro Per Gonzalez, Adam (Pro Per Petitioner, father)

Petition for Termination of Guardianship

	ADAM GONZALEZ , father, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: The related <i>Petition for Appointment of Guardian of Jasmine Gonzalez</i> (sibling of Adam and Makayla Gonzalez) filed by Miroslava Ibarra, maternal grandmother, is set for hearing on 4/20/2015.</p> <p>Continued from 2/4/2015. Minute Order states examiner notes handed in open court. Mr. Gonzalez represents that his mother is deceased. Matter continued for the remaining defects to be cured.</p> <p>The following defects from the last hearing remain:</p> <ol style="list-style-type: none"> 1. <i>Order on Court Fee Waiver</i> filed on 12/5/2014 shows Petitioner's fee waiver request was denied. Therefore, Petitioner owes the \$60.00 filing fee for the petition for termination, which Court records indicate has not been paid to date, and Petitioner does not appear to have requested reconsideration of the fee waiver order. 2. Need <i>Notice of Hearing</i> and proof of service by mail of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Termination of Guardianship</i>, or <i>Consent to Termination and Waiver of Notice</i> for: <ul style="list-style-type: none"> • Evelyn D. Chavez, mother; • Adam Gonzalez, Ward; • paternal grandfather; • Miroslava Ibarra, maternal grandmother; • TOHONO O'ODHAM INDIAN NATION, the ICWA Tribe of the wards identified in the initial <i>Petition for Guardianship</i> filed 10/12/2005.
	ALFRED CHAVEZ , maternal grandfather, was appointed Guardian on 4/17/2006.	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Guardian was personally served on 1/6/2015.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Mother: EVELYN D. CHAVEZ ; incarcerated.	
<input checked="" type="checkbox"/> Notice of Hrg	Paternal grandfather: <i>Not listed</i> Paternal grandmother: <i>Deceased</i> .	
<input type="checkbox"/> Aff.Mail	X	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Maternal grandmother: Miroslava Ibarra	
<input checked="" type="checkbox"/> Pers.Serv.	~Please see <i>Petition for details</i> ~	
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp	Court Investigator' Report was filed 1/27/2015.	
<input checked="" type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt	Declaration in Opposition to Termination of Guardianship filed by ALFRED CHAVEZ , Guardian, on 2/2/2015.	
<input checked="" type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> Clearances		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LEG
		Reviewed on: 3/12/15
		Updates:
		Recommendation:
		File 14 - Gonzalez

Atty Feigel, Sheldon W. (prohibited from practicing law in California effective 1/8/2015)
 Pro Per Godinez, Jr., Maximilano (Pro Per Successor Administrator)

Probate Status Hearing for Failure to File Bond and have Letters Issue, Failure to File an Inventory and Appraisal and Failure to File a First Account or Petition for Final Distribution

DOD: 8/27/2007	MAXIMILLANO GODINEZ, JR. , step-son, was appointed Successor Administrator with full IAEA authority with bond of \$250,000.00 on 10/23/2008.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page 10 is a Status Hearing for the related <i>Estate of Camille Dolores Smith</i>, Case 08CEPR00560.</p> <p>Continued from 1/21/2015. Minute Order states Maximilano Godinez states his desire to remain and act as Successor Administrator of this estate. The Court admonishes Mr. Godinez with regard to posting the bond and getting his Letters of Administration issued. Examiner notes handed; matter continue to allow time for the defects to be cured.</p> <p>The following defects from the last hearing remain:</p> <ol style="list-style-type: none"> 1. Need proof of \$250,000.00 bond to be filed with the Court. 2. Need <i>Final Inventory and Appraisal</i> pursuant to Probate Code § 8800(b), 3. Need first account and/or petition for final distribution 	
Cont. from 012115	Bond was not posted and Letters of Administration never issued.		
Aff.Sub.Wit.			
Verified			
Inventory	X		
Bond	X		
Not.Cred.			
Notice of Hrg	Notice of Status Hearing filed 12/11/2014 set this Status Hearing on 1/21/2015 for failure to file bond, failure of issuance of Letters, failure to file an inventory and appraisal, and failure to file a first account and/or petition for final distribution.		
Aff.Mail			
Aff.Pub.			
Sp.Ntc.	Clerk's Certificate of Mailing filed 12/11/2014 shows a copy of the <i>Notice of Status Hearing</i> was mailed to Sheldon Feigel and Maximilano Godinez, Jr., on 12/11/2014. A courtesy copy of the <i>Notice of Status Hearing</i> was mailed to Attorney Curtis Rindlisbacher on 12/11/2014.		
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: LEG
			Reviewed on: 3/12/15
			Updates:
		Recommendation:	
		File 16 – Godinez	

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> This petition pertains to the minor <u>Makayla Colombero only.</u></p> <p><u>Note:</u> Pursuant to Probate Code §2352(d), Petitioners shall cause a guardianship or equivalent proceeding to be commenced in the new state of residence, if longer than four months. Therefore, if granted, the Court will set a status hearing as follows for proof of establishment of a guardianship there:</p> <ul style="list-style-type: none"> • Wednesday, July 22, 2015 <p>If proof of establishment of guardianship is filed prior to the status hearing date, the status hearing may be taken off calendar.</p>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
	Conf. Screen			
✓	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 3-13-15	
			Updates:	
			Recommendation:	
			File 19 – Santos & Colombero	

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of personal service of Notice of Hearing with a copy of the temp petition at least five court days prior to the hearing per Probate Code §2250(e) on: - Marcus Bravo (Father) - Alexandra Zepeda (Mother) 3. Need current UCCJEA (GC-120), which provides the minor's residence information since birth and additional information regarding related cases involving the minor. (Note: Petitioner previously filed a UCCJEA in connection with her prior petition on 5-15-14; however, a new one was not filed with this new petition.)	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			x
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			x
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA	x		
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 3-13-15	
			Updates:	
			Recommendation:	
			File 20 - Bravo	

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

DOD: 7-26-14	Petitioners are Decedent's 11 children as follows:	NEEDS/PROBLEMS/COMMENTS:
	<ul style="list-style-type: none"> • SANTIAGO LOPEZ, JR. • RAMON LOPEZ • IRMA OLGUIN • OLGA CORTEZ • MARTA NORA LOPEZ • RICHARD LOPEZ • IA TERESA LOPEZ SOLIS • AGAPITO LOPEZ • JESUS LOPEZ • DIEGO LOPEZ • ABRAHAM LOPEZ 	
Aff.Sub.Wit.		
✓ Verified		
✓ Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg	40 days since DOD	
✓ Aff.Mail	w	
Aff.Pub.	No other proceedings	
Sp.Ntc.		
Pers.Serv.	I&A: \$140,000.00 (real property located at 7220 W. Springfield in Raisin City, CA)	
Conf. Screen	Decedent died intestate	
Letters		
Duties/Supp	Petitioners request Court determination that Decedent's 100% interest in the real property located at 7220 W. Springfield in Raisin City, CA, passes to them in 1/11 interests each.	
Objections		
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 3-13-15
		Updates:
		Recommendation: SUBMITTED
		File 21A – Lopez

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

DOD: 11/25/2014		ROBERT R. VASQUEZ, son and named Executor without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR</p> <p>Request for Dismissal entered as requested on 3/13/2015.</p> <p>The following defects remain:</p> <ol style="list-style-type: none"> A copy of Decedent's Will is not attached as required to the following documents: <ul style="list-style-type: none"> <i>Petition for Probate</i> filed 12/23/2014; copy of Will should be Attachment 3(e)(2); <i>Proof of Subscribing Witness</i> signed by Kenneth Butler filed 12/23/2014; copy of Will should be Attachment 1; <i>Proof of Subscribing Witness</i> signed by Yvonne Moffat filed 12/23/2014; copy of Will should be Attachment 1. Need <i>Affidavit of Publication</i> from the <i>Fresno Bee</i> or <i>Business Journal</i> pursuant to Probate Code §§ 8120 – 8124, and Local Rule 7.9. <i>Inventory and Appraisal</i> filed 1/14/2015 is not due until 4 months after <i>Letters</i> issue to a general personal representative. However, the document has been preliminarily reviewed for the benefit of the Petitioner, and is found <u>not satisfactory</u> for the administration of this estate due to the following defects: <ul style="list-style-type: none"> Caption does not indicate whether it is partial or final inventory and appraisal; Item 5 is incomplete re: property tax certificate. <i>Statement About the Bond</i> is not signed and dated. <i>Declaration of Probate Referee</i> is blank. <i>Attachment 1</i> contains real property in the inventory list (must be on Attachment 2 and appraised by probate referee.) No <i>Attachment 2</i> is attached, required for estates containing real property, with probate referee appraisal value. <p>Reviewed by: LEG</p> <p>Reviewed on: 3/12/15</p> <p>Updates: 3/13/15</p> <p>Recommendation:</p> <p>File 22 – Vasquez</p>
		Full IAEA – Need publication	
Cont. from 020415			
✓	Aff.Sub.Wit.	Will Dated: 5/7/2014	
✓	Verified		
	Inventory	Residence: Fresno	
	PTC	Publication: Need	
	Not.Cred.		
✓	Notice of Hrg	Estimated value of the Estate:	
✓	Aff.Mail	Real property - \$125,000.00	
		Personal property - \$320,000.00	
		Annual income-PP - \$ 3,000.00	
	Aff.Pub.	Total - \$448,000.00	
	Sp.Ntc.		
	Pers.Serv.	Probate Referee: Steven Diebert	
	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

23 Angel Estrada, Serena Estrada & Serenity Estrada (GUARD/P)

Case No. 15CEPR00045

Pro Per Estrada, Estrella (Pro Per Petitioner, half-sister)
 Pro Per Aguayo, Beatriz (Pro Per Petitioner, non-relative)

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

		NO TEMPORARY REQUESTED	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i> and proof of personal service of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian</i>, or <i>Consent to Appointment of Guardian</i> and <i>Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i>, for: <ul style="list-style-type: none"> • Jose Estrada, father; • Christina Rios, if Court does not find diligence per <i>Declaration of Due Diligence</i> filed 1/13/2015. 2. Need proof of service by mail of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian</i>, or <i>Consent to Appointment of Guardian</i> and <i>Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i>: <ul style="list-style-type: none"> • Angelica Estrada, half-sister (age 16); • Isabel [last name not stated], half-sister (if age 12 or older); • maternal grandmother.
		<p>ESTRELLA ESTRADA, half-sister, and BEATRIZ AGUAYO, non-relative, are Petitioners.</p> <p style="text-align: center;">~Please see Petition for details~</p> <p>Court Investigator's Report was filed on 3/10/2015.</p>	
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 3/13/15
			Updates:
			Recommendation:
			File 23 - Estrada