



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.

Notice of Motion and Motion to be Relieved as Counsel

DOD: 07/13/10		<p>MARA ERLACH, attorney for Robert Acuna, Jr. and Desiree Acuna, Co-Administrators is Petitioner.</p> <p>ROBERT ACUNA, JR. and DESIREE ACUNA, were appointed as Co-Administrators on 02/18/11 and Letters were issued on 05/26/11.</p> <p>Petitioner states that it is necessary to withdraw as counsel of record because her clients have failed repeatedly to communicate or cooperate with her firm and has failed to return signed documents necessary to continue the probate administration. The Clients’ failure to communicate or cooperate with the Firm has made it unreasonably difficult to carry out their employment effectively.</p> <p>Petitioner further states that a Substitution of Attorney was sent to Robert Acuna, Jr. and Desiree Acuna on 12/09/11 with a letter explaining that her firm was terminating its representation and requesting that they obtain independent counsel and sign and return the substitution. Petitioner states that her clients have failed entirely to respond to the letter and asks the court to relieve them as counsel.</p>	NEEDS/PROBLEMS/COMMENTS:	
Cont. from				
<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/			
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<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
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<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			
				Reviewed by: JF
				Reviewed on: 03/13/12
		Updates:		
		Recommendation:		
		File 2 - Acuna		

(1) Petition for Final Distribution on Waiver of Accounting and (2) For Allowance of Statutory Commissions

DOD: 1/26/10		CARRIE MONTANEZ , daughter and Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. <i>Request for Special Notice</i> was filed 7/19/11 by Attorney Jeffrey B. Pape. Therefore, need proof of service of <i>Notice of Petition</i> and copy of <i>Petition</i> on Mr. Pape.
		Accounting is waived.	
Cont. from		I&A - \$61,500.00	
<input type="checkbox"/>	Aff.Sub.Wit.	POH - \$61,500.00 (no cash –	
<input checked="" type="checkbox"/>	Verified	all real property)	
<input checked="" type="checkbox"/>	Inventory	Administrator - waives (statutory)	
<input checked="" type="checkbox"/>	PTC	Attorney - \$2,460.00 (statutory)	
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/o	
	Aff.Pub.		
	Sp.Ntc.	X	
	Pers.Serv.		
	Conf. Screen		
	Letters	9/7/11	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
Petitioner requests distribution as follows: 100% of Decedent's Estate to Petitioner, Carrie Montanez (<i>per Declaration of Assignment, signed by Cathy Mayer (surviving spouse), Ms. Mayer has assigned her entire interest in Decedent's Estate to Petitioner.</i>)			
Reviewed by: NRN			
Reviewed on: 3/22/12			
Updates:			
Recommendation:			
File 3 - Mayer			

4A **Lucy M. Bosniak (CONS/PE)**
Atty **Knudson, David N. (for Andrew M. Bosniak – Son – Petitioner)**
Atty **Teixeira, J. Stanley (for Audrey Medina – Daughter – Objector and Competing Petitioner)**
Atty **LeVan, Nancy (Court-appointed for Lucy M. Bosniak)**
Atty **Kruthers, Heather H. (for Fresno County Public Guardian)**

Case No. 11CEPR01074

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

Age: 85	Andrew Bosniak's Temporary Conservatorship of the Person and Estate (no letters issued) was terminated at hearing 2-9-12 and the PUBLIC GUARDIAN was appointed Temporary Conservator of the PERSON and ESTATE with medical consent powers – exp. 3-22-12.	NEEDS/PROBLEMS/COMMENTS:
DOB: 12-25-26		<u>Page 4A – Andrew Bosniak's Petition</u>
		<u>Page 4B – Audrey Medina's Petition</u>
		<u>Page 4C – Andrew Bosniak's Ex Parte Petition to Recover Property and Revoke Durable Power of Attorney</u>
Cont. from 010912, 020912	ANDREW M. BOSNIAK, Son, is Petitioner and requests appointment as Probate Conservator of the Person and Estate with medical consent powers and with bond.	Court Investigator advised rights on 12-19-11.
Aff.Sub.Wit.		<u>Voting rights affected</u>
<input checked="" type="checkbox"/> Verified		<u>- Need minute order</u>
Inventory	Estimated Value of Estate:	<i>Note: Objector Audrey Medina was formerly represented by Attorney Julie Hicks. References in prior minute orders to "Ms. Hicks" refer to Objector's counsel.</i>
PTC	Personal property: \$3,000.00	<u>Minute Order 12-19-11 (hearing on temporary petition):</u> Mr. Knudson informs the Court that the Kaiser Medical Insurance has been reinstated; however, Lucy Bosniak is currently on Medicare. The Court orders Andrew Bosniak to authorize the release of Lucy Bosniak's medical records to Mr. Knudson. Mr. Knudson is ordered to provide a copy of the medical records to Ms. Hicks and the Court upon receipt. Mr. Knudson is directed to prepare the authorization and the order. <u>The temporary of the person is extended to 1/9/12.</u>
Not.Cred.	Annual income: \$48,000.00 (pension, Social Security)	<u>Minute Order 1-9-12:</u> Ms. Hicks requests continuance. The Court on its own motion grants temporary conservatorship of the estate in favor of Andrew Bosniak for the limited purpose of him paying the bills to expire 2-9-12. The temporary conservatorship of the person is extended to 2-9-12. The Court orders that court investigator Charlotte Bien contact Ms. LeVan regarding the concerns. The Court further orders that all the children and grandchildren have visitation at the California Armenian Home consistent with the rules of the facility. Continued to 2-9-12.
<input checked="" type="checkbox"/> Notice of Hrg	Real property: \$80,000.00	<u>As of 3-14-12, if this petition goes forward, the following issues remain:</u>
<input checked="" type="checkbox"/> Aff.Mail W	A Capacity Declaration was filed 12-21-11. Declaration filed 1-6-12 attaches a faxed copy of an updated Capacity Declaration.	<u>SEE PAGE 3</u>
Aff.Pub.	Petitioner states his mother suffered a ruptured cerebral aneurism on or about 11-13-11 in conjunction with a stroke. She was taken to Fresno Community Hospital on 11-17-11 and had an angiogram to stop the cranial bleeding and has been a patient there since then, and was transferred to a "step-down" unit on 12-4-11. She is bedridden and has a tracheotomy to assist with breathing and a feeding tube. She requires assistance and is not able to move her left side.	Reviewed by: skc
Sp.Ntc.	Mrs. Bosniak is unable to manage her finances or property or pay bills related to her residence. Petitioner and his family reside with her in her residence and it is necessary that the bills be paid to keep the household functioning.	Reviewed on: 3-15-12
Pers.Serv.	Petitioner states his mother had let her health insurance lapse and temporary conservatorship of the person only was granted, including the power to reinstate the policy could be reinstated so that she could be discharged to a local sub-acute care facility.	Updates:
<input checked="" type="checkbox"/> Conf. Screen	Audrey Medina, daughter, filed an Objection on 12-16-11 and a competing petition on 2-3-12 (Page 4B).	Recommendation:
<input checked="" type="checkbox"/> Letters		File 4A - Bosniak
<input checked="" type="checkbox"/> Duties/Supp		
<input checked="" type="checkbox"/> Objections		
Video Receipt		
CI Report		
9202		
Order X		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

4A

SUMMARY (Continued):

Audrey Medina's Objection states she cared for the proposed conservatee in her home in Bakersfield from 2008, after she had a fall at home, through May of 2009. When Mrs. Bosniak came to reside with Objector, her hip was injured from the fall, she was blind, and she had severe dental problems. Objector cared for her until her hip was healed and assured that she had cataract surgery to restore as much vision as possible and addressed the dental problems.

When she lived with Objector, her social security and pension income were deposited into accounts in her own name in Bakersfield. Objector states that Petitioner often asked Mrs. Bosniak for money during this time, and in May 2009, he came to Objector's house and stated he wanted to have lunch with the proposed conservatee. He took her to the bank, closed her accounts, and took her to Fresno.

Objector's access to any kind of contact with her mother has been very limited since that date. When she has tried to visit, Petitioner and his family are hostile, and at times would not even unlock the gate. Petitioner and his family live in the proposed conservatee's house in Fresno, and the house has been allowed to fall into disrepair.

When Mrs. Bosniak was admitted to the hospital in November, Objector is informed that she was dehydrated and in very poor physical condition, with bed sores and severe gingivitis. Objector is concerned about her physical well-being in Petitioner's care, and is concerned that he is using her funds for his own purposes and is neglecting her needs, including the need for health insurance. Objector is investigating health insurance options for her mother; however, it is now very expensive due to her physical condition.

Objector believes the proposed conservatee would be safer and her finances more appropriately managed under her care. She is not estranged from her mother through her own doing. Objector's primary goal is her mother's health and safety, and proper management of her financial affairs.

Objector requests that:

1. The petition for conservatorship by Andrew Bosniak be denied;
2. Objector be allowed to petition for conservatorship; and
3. Other relief the Court considers proper.

Objector filed a competing petition (Page 4B).

Court Investigator Charlotte Bien filed a report on 12-22-11.

On 2-8-12, Attorney Nancy LeVan, Court-appointed counsel for the proposed conservatee Lucy Bosniak, filed a report. The report states that it is her opinion based on interview of parties, medical records, hospital staff, and the Court Investigator that Andrew Bosniak's temporary appointment should be allowed to expire and that the Public Guardian be appointed as temporary conservator until Audrey Medina's petition can be heard on 3-15-12. Attorney LeVan states there is sufficient evidence of lack of cooperation in Lucy Bosniak's care and ability to have realistic ideas of her recovery to recommend that Andrew Bosniak NOT be appointed Conservator.

Attorney LeVan states that Andrew, his wife and his daughter have been living in Lucy's home without paying rent and reimbursing her for other costs of the home brings up red flags that there may also be some financial abuse happening.

Attorney LeVan spoke with Attorney Knudson on 2-7-12, and also informed him that she is holding \$2,900.00 received from Audrey Medina in her trust account, and objects to Attorney Knudson's petition being heard ex parte or on this date with this petition. Attorney LeVan states it greatly concerned her that Attorney Knudson and Andrew attempted to procure a Power of Attorney from Lucy on 12-7-11 while she was in the hospital and unable to speak or make decisions. She believes that had hospital staff not stepped in, Andrew would have had no problems presenting this as the latest POA.

Attorney LeVan states the funds in the trust account will be released to the Public Guardian if appointed. If the Court does not appoint the Public Guardian, Attorney LeVan believes having Andrew Bosniak's letters terminate and appointing Public Guardian as Temporary Conservator until Audrey Medina's petition can be heard is in the best interest of the Conservatee.

Filed confidentially along with the report are certain medical records supporting the declaration.

NEEDS/PROBLEMS/COMMENTS: If this Petition goes forward, the following issues remain:

1. Need original Capacity Declaration of Dr. Sidhu.
2. Bond should be at least \$56,100.00 based on the estimated values and income provided in the Petition (not including real property).

Atty Knudson, David N. (for Andrew M. Bosniak – Son – Petitioner)
 Atty Teixeira, J. Stanley (for Audrey Medina – Daughter – Objector and Competing Petitioner)
 Atty LeVan, Nancy (Court-appointed for Lucy M. Bosniak)
 Atty Kruthers, Heather H. (for Fresno County Public Guardian)

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

Age: 85	<p>Andrew Bosniak's Temporary Conservatorship of the Person and Estate (no letters issued) was terminated at hearing 2-9-12 and the PUBLIC GUARDIAN was appointed Temporary Conservator of the PERSON and ESTATE with medical consent powers – exp. 3-22-12.</p> <p>AUDREY MEDINA, Daughter, is Competing Petitioner and requests appointment as Conservator of the Person with medical consent powers and as Conservator of the Estate with bond of \$56,100.00.</p> <p>Estimated Value of Estate: Personal property: \$3,000.00 Annual income: \$48,000.00 (pension, Social Security) Real property: \$80,000.00</p> <p>Voting rights affected.</p> <p>Need Capacity Declaration.</p> <p>Petitioner states the proposed conservatee suffered a ruptured cerebral aneurism on 11-13-11 in conjunction with a stroke. Although she is recovering, she is unable to attend to her own care and requires assistance. She is currently at California Armenian Home receiving nursing assistance. She has difficulty communicating. Petitioner believes the doctor's capacity declaration will provide sufficient indications that she cannot care for herself or make medical decisions on her own. Because of her condition, she is also unable to manage her finances or property. Even prior to the events of 11-13-11, Petitioner believes she was susceptible to undue influence and fraud in the management of her financial affairs.</p> <p>Court Investigator Charlotte Bien filed a report on 3-9-12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Page 4A – Andrew Bosniak's Petition</u> <u>Page 4B – Audrey Medina's Petition</u> <u>Page 4C – Andrew Bosniak's Ex Parte Petition to Recover Property and Revoke Durable Power of Attorney</u></p> <p><u>Court Investigator advised rights on 2-28-12.</u></p> <p><u>Voting rights affected</u> - <u>Need minute order</u></p> <p>1. Need Capacity Declaration in support of medical consent powers.</p> <p><i>Petitioner Andrew Bosniak submitted a faxed copy of a capacity declaration in connection with his petition; however, as noted on Page 4A, no original has been filed.</i></p>	
DOB: 12-25-26			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail			W
Aff.Pub.			
Sp.Ntc.			
✓ Pers.Serv.			
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
✓ Citation			
FTB Notice			

Petition to Recover Property and Revoke Durable Power of Attorney

Age: 85	ANDREW BOSNIAK is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> This petition was filed while Andrew Bosniak was still the temporary conservator. It is unclear if the petitioner intends to pursue this matter now that the Public Guardian is Temporary Conservator and is recommended as permanent Conservator.</p> <p><u>Note:</u> Attorney LeVan's declaration filed 2-8-12 states she spoke with Attorney Knudson on 2-7-12 and informed him that she is holding funds received from Audrey Medina in her trust account.</p> <p><u>Note:</u> Petitioner requests attorney fees in connection with this petition. Need appropriate documentation.</p> <p>Reviewed by: skc</p> <p>Reviewed on: 3-15-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4C - Bosniak</p>
DOB: 12-25-26	Petitioner has been unable to bond as temporary conservator and believes the bonding company that had agreed to issue a bond has declined due to the perfunctory objections raised by Audrey Medina.	
Aff.Sub.Wit.	Petitioner states that bills have not been paid from the conservatee's funds and certain bills have been paid from Petitioner's personal funds, for which Petitioner will seek reimbursement as soon as funds are available. Unpaid bills total \$3,395.53.	
<input checked="" type="checkbox"/> Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	X	
<input checked="" type="checkbox"/> Aff.Mail		
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		

Petition for Attorney Fees (Prob. C. 1470)

Age: 89 DOB: 11/05/92	<p>CURTIS RINDLISBACHER, Petitioner, was Court appointed to represent the Conservatee on 12/30/11.</p> <p>JOYCE F. BIGLIONE and SHARON SHIELDS, were appointed Co-Conservators of the Person and Estate on 02/07/12.</p> <p>Petitioner requests fees in connection with the representation of the Conservatee for BIGLIONE/SHIELDS petition to appoint a Conservator.</p> <p>Petitioner asks that he be paid from the conservatorship estate for 10.80 attorney hours @ \$310.00/hour and 1.00 paralegal hour @ \$85.00/hour for a total of \$3,433.00.</p> <p>Services are itemized by date and include review of documents, visits with client, and court appearances.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input 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		
		Reviewed by: JF
		Reviewed on: 03/14/12
		Updates:
		Recommendation:
		File 5 - Johansen

Spousal or Domestic Partner Property Petition (Prob. C. 13650)

DOD: 6/10/11		<p>FAY STONE, surviving spouse, is Petitioner.</p> <p>No other proceedings</p> <p>Will dated 2/22/00.</p> <p>Petitioner states that the real property at issue, 4130 W. Fremont in Fresno (“Real Property”), was acquired during Petitioner and Decedent’s marriage, with community property funds and while domiciled in California (deed attached to <i>Petition</i>).</p> <p>Petitioner requests court confirmation that ½ interest in the Real Property belongs to her and that ½ interest in the Real Property passes to her.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
Cont. from 021512				
<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/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			
<p>Reviewed by: NRN</p> <p>Reviewed on: 3/13/12</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 6 – Stone</p>				

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

DOD: 2-1-10	FELICIA GARCIA , Spouse, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Petitioner originally filed a Spousal Property Petition in 10CEPR00279. Examiner Notes noted that there is no provision for disclaimers of interest in this type of summary proceeding. The matter was continued for Attorney Shekoyan to research the issue per minute order 7-22-10. Additional continuances were granted on 8-30-10, 11-8-10, 2-7-11, 5-9-11, and 8-1-11. At the 7th hearing on 9-12-11, nothing further had been filed since the 7-22-10 hearing and the petition was denied and dismissed.</p> <ol style="list-style-type: none"> Like the previous Spousal Property Petition, this Petition to Determine Succession is a summary proceeding. As such, and as previously noted, there is no provision for disclaimers of interest. Need authority. Petitioner refers to original documents filed in a case that has been dismissed and requests to incorporate them by reference. If this matter goes forward, the Court may require original documents with reference to <u>this</u> petition.
	40 days since DOD	
	No other proceedings	
Cont. from 030812	I&A: \$45,000.00	
<input type="checkbox"/> Aff.Sub.Wit.	Decedent died intestate	
<input checked="" type="checkbox"/> Verified	Petitioner states Decedent inherited certain real property in Orange Cove, CA from his father in 1994 and at his death owned a 100% sole and separate interest in the property.	
<input checked="" type="checkbox"/> Inventory	Petitioner and Decedent began living together in 1982 and were married in 1995. Monica Rodriguez, Stephanie Ann Garcia, Elizabeth R. Garcia and Ezekial Garcia Jr., are the natural born children of Petitioner and Decedent and Decedent did not have any other children, living or deceased.	
<input checked="" type="checkbox"/> PTC	All four children have signed Disclaimers of Interest in the real property, which were filed as attachments to the Amended Spousal Property petition filed 6-14-10 and incorporated by reference.	
<input type="checkbox"/> Not.Cred.	As a consequence of the disclaimers, the entire interest in the real property is distributable to Decedent's wife (Petitioner).	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input 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: skc	
	Reviewed on: 2-29-12	
	Updates:	
	Recommendation:	
	File 7 - Garcia	

Petition for Probate of Will and for Letters Testamentary (Prob. C. 8002, 10450)

DOD: 11/28/11		<p>ANDY PETER WARMERDAM, son, is Petitioner and requests appointment as Executor without bond.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Petition indicates that Andy Warmerdam is the named Executor without bond in decedent's Will; however, no copy of the Will is attached to the Petition, therefore Examiner is unable to verify. Need copy of the Will. 2. Need <i>Notice of Petition to Administer Estate</i>. 3. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing to Administer Estate</i> for: - Joanne Lasalle (daughter) 4. Need <i>Duties and Liabilities of Personal Representative</i>. 5. Need <i>Confidential Supplement to Duties and Liabilities of Personal Representative</i>. 6. Need Order. 7. Need Letters.
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	x		
Aff.Mail	x		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters	x		
Duties/Supp	x		
Objections			
Video Receipt			
CI Report			
9202			
Order	x		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
<p>Full IAEA – OK</p> <p>Will dated 12/27/02</p> <p>Residence: Fresno</p> <p>Publication: The Business Journal</p> <p>Estimated Value of the Estate: Personal property - \$650,000.00 Real property - 650,000.00 Total - \$1,300,000.00</p> <p>Probate Referee: RICK SMITH</p>			
Reviewed by: JF			
Reviewed on: 03/14/12			
Updates:			
Recommendation:			
File 8 - Warmerdam			

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

DOD: 03/22/1	JOE GARCIA, II , son, is Petitioner and requests appointment as Administrator without bond.	NEEDS/PROBLEMS/COMMENTS: 1. Petitioner requests appointment as Administrator without bond. Need waivers of the requirement of bond from: - Joe Garcia (spouse) - Crystal Garcia (daughter) - Fernando Garcia (son)
Cont. from	Limited IAEA – OK	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Decedent died intestate	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Residence: Fresno	
<input type="checkbox"/> Not.Cred.	Publication: The Business Journal	
<input checked="" type="checkbox"/> Notice of Hrg	<u>Estimated Value of the Estate:</u>	
<input checked="" type="checkbox"/> Aff.Mail	Real property - \$30,000.00	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Probate Referee: STEVEN DIEBERT	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<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		
		Reviewed by: JF
		Reviewed on: 03/14/12
		Updates:
		Recommendation:
		File 9A - Garcia

Petition for Letters of Special Administration with General Powers (Prob. C. 8002, 10450)

DOD: 02/06/09	ROBERT PETERSON,	NEEDS/PROBLEMS/COMMENTS: <ol style="list-style-type: none"> 1. Need Affidavit of Publication. 2. Need Notice of Petition to Administer Estate. 3. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Petition to Administer Estate</i> for: - Mario Manganiello (son) 4. Need Letters. 5. Need Order.
	brother/named Executor is Petitioner and requests appointment as Special Administrator with general powers without bond.	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Full IAEA – NEED	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Will dated 08/10/07	
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	Residence: Clovis	
<input type="checkbox"/> Aff.Mail	Publication: NEED	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Estimated Value of the Estate:	
<input type="checkbox"/> Pers.Serv.	\$0.00	
<input type="checkbox"/> Conf. Screen	Petitioner states that it is necessary	
<input type="checkbox"/> Letters	that he be appointed as Special Administrator with General Powers in	
<input checked="" type="checkbox"/> Duties/Supp	order to continue with a law suit, case no. CIV 501098 in San Mateo County	
<input type="checkbox"/> Objections	against the decedent's former employer for insurance monies owed	
<input type="checkbox"/> Video Receipt	to the decedent's estate.	
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 03/14/12
		Updates:
		Recommendation:
		File 10 - Peterson

Keeler, William J. (court-appointed attorney for the Conservatee on 11/8/99)

Guajardo, Elizabeth (pro per, Petitioner/daughter)

Mathis, Robin (pro per, Petitioner/daughter)

Probate Status Hearing Re: Possible Termination of Conservatorship as Not Being the Least Restrictive Alternative

Age: 54 years old	<p>MARY GUZMAN, 54 years old, is Conservatee. She has been under conservatorship in Fresno County since 1985.</p> <p>ELIZABETH GUAJARDO, daughter, and ROBIN MATHIS, daughter, are the current Co-Conservators with medical consent powers.</p> <p>PATRICIA BAGDA, a non-relative, was appointed conservator on 2/28/1985; she filed a resignation of conservator on 5/20/10.</p> <p>Court Investigator Dina Calvillo's Report, filed 2/8/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
DOB: 2/7/58		
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		
	<p>Reviewed by: NRN</p> <p>Reviewed on: 3/14/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 - Guzman</p>	

Age: 59 years	<p>DIANE M. SMALL and FORREST BRIAN FLEMING were appointed Co-Conservators of the person and estate on 10/17/11.</p> <p>Minute order from 10/17/11 set this status hearing for the filing of the inventory and appraisal.</p> <p><u>Final Inventory & Appraisal, filed 3/5/12.</u></p> <p><u><i>A Status Hearing Re: 1st Account is currently scheduled for 12/18/12.</i></u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF-CALENDAR; FINAL INVENTORY & APPRAISAL FILED 3/5/12</u></p> <p><u><i>A Status Hearing Re: 1st Account is currently scheduled for 12/18/12.</i></u></p>
DOB: 2/3/1953		
Cont. from 021612		
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: NRN	
	Reviewed on: 3/14/12	
	Updates:	
	Recommendation:	
	File 12 - Fleming	

Atty Ferraro, Serena (Pro Per – Mother – Petitioner)
 Atty Mekhitarian, Karney Mark (for Julie Ann Weber – Maternal Great-Aunt – Guardian)

Petition for Visitation

Age: 2	SERENA FERRARO, Mother, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> This is the 3rd hearing on this Petition for Visitation without notice to the Guardian.</p> <p><u>Minute Order 12-1-11:</u> Petitioner requests a continuance. Examiner notes provided to Petitioner. Petitioner is directed to cure the defects.</p> <p><u>Minute Order 1-12-12:</u> Petitioner requests a continuance to allow her to give notice to the guardian. Matter continued to 2-16-12.</p> <p><u>Minute Order 2-16-12:</u> The Court advises Petitioner that the guardian needs to be served. Petitioner requests a continuance. Matter continued to 3-22-12.</p> <p><u>Note:</u> This is the 4th hearing on this petition without notice to the guardian or any other parties.</p> <p><u>As of 3-14-12, nothing further has been filed by Petitioner. The following issues remain:</u></p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on: <ul style="list-style-type: none"> - Julie Ann Weber (Guardian) - Kyle Huffstutler (Father) - Brian Huffstutler (Paternal Grandfather) - Kathy Huffstutler (Paternal Grandmother) - Joseph Ferraro (Maternal Grandmother) - Sherri Thompson (Maternal Grandmother) <p><u>Note:</u> Petitioner submitted a proposed Order; however, if granted, the Court may use minute order only for visitation.</p> <p><u>Note:</u> Father has supervised visitation four hrs/ week at an agency. The order does not specify the dates/times. The Court may require clarification of this order so that visitation orders do not conflict.</p> <p><u>Note:</u> There is a Domestic Violence Restraining Order protecting Mother from Father in 09CEFL07447 that expires 5-25-14. Family Court yielded custody and visitation matters between the parents to this Probate Guardianship case until further order of the Court.</p> <hr/> <p>Reviewed by: skc</p> <hr/> <p>Reviewed on: 2-8-12</p> <hr/> <p>Updates:</p> <hr/> <p>Recommendation:</p> <hr/> <p>File 13 - Huffstutler</p>
DOB: 1-29-09	JULIE ANN WEBER, Maternal Great-Aunt, was appointed Guardian on 6-30-11.	
Cont. from 120111, 011212, 021612	Father: Kyle Huffstutler	
Aff.Sub.Wit.	Paternal Grandfather: Brian Huffstutler	
<input checked="" type="checkbox"/> Verified	Paternal Grandmother: Kathy Huffstutler	
Inventory	Maternal Grandfather: Joseph Ferraro	
PTC	Maternal Grandmother: Sherri Thompson	
Not.Cred.	Petitioner requests visitation twice a week for four hours on Wednesdays and Sundays and the ability to speak to the child by phone twice per day for no less than 15 minutes – before the child starts her day and at bedtime at the end of each day.	
Notice of Hrg X		
Aff.Mail X		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp	Petitioner states Guardian does not answer calls and texts and is ultimately denying her contact with the child because she asked not to pry into her personal life on matters that in no way, shape or form pertain to the child or have any negative effect on the child’s safety or well-being.	
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order	Petitioner requests to spend much-needed time and continue to be a part of her child’s life in a stable and consistent scheduled manner, and thanks the Court for its time.	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

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

Age: 31 years DOB: 3/12/1981	THERE IS NO TEMPORARY. No Temporary was requested.		NEEDS/PROBLEMS/COMMENTS: 1. Need written report of the regional center pursuant to Probate Code §1827.5(a) for assessment of the proposed limited conservatee. 2. Proof of service shows that Central Valley Regional Center was mailed notice on March 7, 2012, 15 days prior to the hearing. Probate Code §1822(e) requires the <i>Notice of Hearing</i> to be served 30 days prior to the hearing. Court Investigator Samantha Henson to provide: 1. Court Investigator's Report 2. Advisement of Rights
	ANA FUENTAS, sister, and MARISA ALONSO, niece, are petitioners and request appointment as LIMITED conservator of the person with medical consent powers.		
Cont. from	Declaration of Carlos L. Cordoba, M.D. 12/20/11 support the request for medical consent powers.		
<input type="checkbox"/> Aff.Sub.Wit.	Petitioners state the proposed conservatee is developmentally disabled with Down's Syndrome. She is not able to be left alone because she cannot care for personal needs. She cannot bathe without assistance and keep a clean living environment. She also cannot communicate verbally or appreciate danger around her.		
<input checked="" type="checkbox"/> Verified	Petitioners request the following powers over the proposed limited conservatee:		
<input type="checkbox"/> Inventory	1. To fix the residence of the limited conservatee;		
<input type="checkbox"/> PTC	2. To have access to confidential records and papers of the limited conservatee;		
<input type="checkbox"/> Not.Cred.	3. To consent or withhold consent to the marriage or entrance into a registered domestic partnership of the limited conservatee;		
<input checked="" type="checkbox"/> Notice of Hrg	4. To control the right of the limited conservatee to contract;		
<input checked="" type="checkbox"/> Aff.Mail	5. To have exclusive authority to give or withhold consent for medical treatment for the limited conservatee;		
<input type="checkbox"/> Aff.Pub.	6. To control the limited conservatee's social and sexual contacts and relationships;		
<input type="checkbox"/> Sp.Ntc.	7. To make all decisions on the limited conservatee's education.		
<input checked="" type="checkbox"/> Pers.Serv. W/			
<input checked="" 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: KT
			Reviewed on: 3/15/12
			Updates:
			Recommendation:
			File 15 - Pena