

1 Deutsch Park and Botanical Gardens Charitable Trust Case No. 0451442

Attorney Gary G. Bagdasarian (for Petitioner Gloria Kosbie, Successor Trustee)

Probate Status Hearing Re: Proof of Bond, Filing of a Supplemental Accounting, and Proof of Asset Transfer

<p>Fred Deutsch DOD: 7/10/1980</p>	<p>GLORIA KOSBIE, CPA, Successor Trustee of the DEUTSCH PARK AND BOTANICAL GARDENS CHARITABLE TRUST (<i>Deutsch Park Trust</i>), filed a <i>Petition by Successor Trustee for Leave to Resign; for Appointment of Successor Trustee; for Acceptance of Accounting and Discharge of Prior Trustee</i> on 12/2/2015.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of \$85,000.00 bond from Successor Trustee, Gary L. Pigg.</p>
<p>Cont. from</p>	<p><i>Minute Order</i> dated 1/19/2016 from the hearing on the petition states [Attorney Jared] Marshall requests waiver of bond; the Court orders bond reduced to \$85,000.00. Status hearing regarding proof of bond, filing of a supplemental accounting, and proof of asset transfer is set on 3/22/2016.</p>	<p>Notes:</p> <ul style="list-style-type: none"> DEUTSCH PARK AND BOTANICAL GARDENS CHARITABLE TRUST Supplemental Accounting from 6/30/2015 to 1/31/2016 filed by Gloria Kosbie, former Successor Trustee, is set for hearing on 4/11/2016. <i>Receipt on Distribution</i> signed by Successor Trustee was filed 3/14/2016.
<p><input type="checkbox"/> Aff.Sub.Wit.</p>	<p>Declaration of Jared D. Marshall Re: Status Report filed 3/11/2016 states:</p>	
<p><input checked="" type="checkbox"/> Verified</p>	<ul style="list-style-type: none"> The present Status Hearing concerns the discharge of the prior Trustee, Gloria Kosbie, appointment of the successor Trustee, Gary L. Pigg, and the transfer of the assets of the Trust; The prior Trustee, Gloria Kosbie, has transferred the balance of the DEUTSCH PARK AND BOTANICAL GARDENS TRUST account to Gary L. Pigg, President and Successor Trustee; Mr. Pigg executed a copy of a <i>Receipt on Distribution</i>, which was forwarded to Ms. Kosbie's attorney, Gary Bagdasarian, on 3/2/2016; Ms. Kosbie has resigned as Successor Trustee, and Mr. Pigg has accepted the appointment; The Successor Trustee obtained an \$85,000.00 fiduciary bond, and proof of bond will be filed within the next 7 days; Mr. Pigg executed Preliminary Change of Ownership Report forwarded to him by Mr. Bagdasarian, and returned it to him on 3/2/2016. 	
<p><input type="checkbox"/> Inventory</p>		
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<p><input type="checkbox"/> Citation</p>		
<p><input type="checkbox"/> FTB Notice</p>		
		<p>Reviewed by: LEG</p>
		<p>Reviewed on: 3/16/16</p>
		<p>Updates: 3/17/16</p>
		<p>Recommendation:</p>
		<p>File 1- Deutsch</p>

Guardian Ramirez, Sandra (Pro Per – Maternal Aunt – Guardian)

Guardian Vildosola, Jose (Pro Per – Maternal Uncle – Co-Guardian)

Probate Status Hearing RE: Removal of Jose Vildosola as Co-Guardian

	SANDRA RAMIREZ and JOSE VILDOSOLA , Maternal Aunt and Uncle, were appointed Guardians on 3/30/09.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> As of 3/15/16, no written objections have been filed. <u>Note:</u> In the event that Mr. Vildosola is removed as Co-Guardian, Examiner has prepared an Amended Order Appointing Guardian and Letters of Guardianship reflecting Sandra Ramirez as sole Guardian.
	SALVADOR PULIDO SANCHEZ and LUCIA CORTEZ , Parents, filed an Amended Petition for Termination of Guardianship on 8/20/15, which was heard on 10/20/15, 12/8/15, and 2/2/16.	
	On 2/2/16, the Court denied the parents' petition and ordered supervised visitation.	
	Minute Order 2/2/16 reflects that the parties represent to the Court that the Co-Guardians Sandra Ramirez and Jos Vildosola are no longer together. The Court indicates removal of Mr. Vildosola as guardian should occur based on his representation that he only sees the minor once a month. Mr. Vildosola objects to removal and is to file/properly serve written objections no later than 3/7/16.	
	The Court set this status hearing re removal of Jose Vildosola as co-guardian.	
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Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 3/15/16
		Updates:
		Recommendation:
		File 2- Cortez

3 Gene Ray Chance (Estate)

Case No. 13CEPR00612

Attorney Standard, Donna M (for Walter Sherwood Chance – Petitioner - Executor)

Second Amended First Account and Report of Status of Administrator of Estate Gene Ray Chance

DOD: 10/16/2015		WALTER SHERWOOD CHANCE , Executor, with limited IAEA authority, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If the petition is granted a status hearing will be set as follows:</p> <ul style="list-style-type: none"> • Tuesday, 09/20/2016 at 9:00a.m. in Dept. 303 for the filing of the Petition for 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>
		Account period: 07/12/2013 - 07/30/2015	
Cont. from		Accounting - \$145,375.95	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$136,373.49	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$143,387.62	
<input checked="" type="checkbox"/>	Inventory	(\$8,387.62 is cash)	
<input checked="" type="checkbox"/>	PTC	Executor – Not requested at this time	
<input type="checkbox"/>	Not.Cred.	Attorney – Not requested at this time	
<input checked="" type="checkbox"/>	Notice of Hrg	Petitioner states: the estate is not in a condition to be closed at the present time until a sale of real property has occurred. At time of sale petitioner would request that upon confirmation of the sale and receipt of all proceeds from the sale of the real property that those funds be distributed pursuant to the Private Covenant/Contract which has been deemed the Last Will of Decedent, Gene Ray Chance.	
<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	11/26/13	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections	Petitioner requests: reimbursement for costs advanced in the amount of \$21,830.91 for payments of costs for the benefit of the estate after the sale of real property.	
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202	Wherefore:	
<input type="checkbox"/>	Order	1. Petitioner requests the Amended First Account and Report of Administrator be allowed and approved as filed;	
<input type="checkbox"/>	Aff. Posting	2. Petitioner requests he be reimbursed for \$21,830.91 for the payment of costs and expenses he has paid for and on behalf of the benefit of the estate.	
<input type="checkbox"/>	Status Rpt	3. The costs of this proceeding be ordered paid by the estate in portions determined by the Court at the time of closing the estate.	
<input type="checkbox"/>	UCCJEA	4. For such other and further order the Court may deem just and proper.	
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Order to Show Cause RE: Failure to File the Next Account

DOD:10/7/12	<p>PAUL T. CHAMBERS was appointed Practice Administrator on 10/16/13 pursuant to Probate Code §9764.</p> <p>Bond of \$47,000.00 was filed 3/17/14 pursuant to Probate Code §9764(d); however, may not have been renewed pursuant to Minute Order 3/3/15.</p> <p>The First Account of IOLTA Trust Funds by Court-Appointed Practice Administrator was settled on 2/3/15 and the Court set a status hearing for 2/9/16 for the filing of the next account.</p> <p>On 2/9/16, there were no appearances.</p> <p>Minute Order 2/9/16 states: NO APPEARANCES. The Court issues an Order to Show Cause to David Roberts as to why he should not be sanctioned for his failure to appear today. Mr. Roberts is ordered to be personally present in court or appear via CourtCall on 3/22/16.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Minute order 3/3/15 (status re bond renewal) states: Based on the circumstances, the Court is not inclined to require a bond. The Court notes that no probate is open, and there appears to be no assets in the estate. The request for no bond is granted, subject to change.</p> <p>Note: Requests for Special Notice have been filed by Attorney J. Patrick Sullivan and also by Walter Wentz.</p> <p>1. Need second/final account or current written status report pursuant to Local Rule 7.5.</p>
Aff.Sub.Wit.		
Verified		
Inventory		
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Notice of Hrg		
Aff.Mail		
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Sp.Ntc.		
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Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
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Order		
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Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: skc</p> <p>Reviewed on: 3/15/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4- St. Louis</p>	

Petition to Approve Waiver of Account, for Final Distribution, and for Allowance of Compensation for All Services Rendered

DOD: 2/7/14		ANTHONY ALCAZAR , Administrator with Full IAEA with bond of \$240,000.00, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Need withdrawal of claim by US Bank Trust, NA pursuant to Order Granting Petition for Approval of Settlement entered 3/7/16. Jesse S. Hernandez, Esq., attorney for US Bank Trust, filed a Request for Special Notice on 1/21/15. If the Request is not withdrawn along with the creditor's claim, need notice pursuant to Probate Code §1252. Petitioner states at Paragraph 7 on Page 6 that notice of administration was given to the Franchise Tax Board via facsimile; however, Probate Code §9202(c) requires that notice be mailed as provided in Probate Code §1215. The Court may require continuance for proper notice to the FTB. <p>Note: Declaration filed 3/16/16 states the FTB website provides for faxed notice. As set forth in the petition, all taxes has been paid. Because there is no outstanding tax liability of either the decedent or the estate, and because the attorney's office complied with the explicit direction of the FTB which authorized fax notice, it is respectfully requested that the Court waive mailing of further notice. See attached printouts.</p>
		Accounting is waived.	
	Aff.Sub.Wit.	I&A: \$240,000.00	
✓	Verified	POH: \$147,500.00 consisting of real property, vehicle, personal property, and \$7,500 cash from settlement as described below.	
✓	Inventory		
✓	PTC		
✓	Not.Cred.		
✓	Notice of Hrg	Petitioner states all creditor's claims were rejected and the time for filing suit expired, except for the claim filed 12/9/14 by secured creditor US Bank Trust, NA. On 1/25/16, claimant filed a petition for approval of a compromise of the claim, whereby the claim will be withdrawn and the estate's 50% interest in certain real property will be distributed to the claimant in exchange for payment of \$7,500 to the estate. When granted, US Bank Trust, NA, will pay the estate and withdraw its claim. (Examiner's Note: The petition was granted 3/7/16.)	
✓	Aff.Mail	w	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202	Administrator: \$2,000.00 (Petitioner waives \$3,425.00 of the statutory \$5,425.00)	
✓	Order	Attorney (Statutory): \$4,135 (Attorney waives \$1,290.00 of the statutory \$5,425.00)	
	Aff. Posting		
	Status Rpt	Costs: \$1,365.00 (filing, publication, certified copies, appraisal)	
	UCCJEA		
	Citation		
	FTB Notice	x Distribution pursuant to intestate succession: Adell Anderson, Jr.: Entire estate consisting of real property, vehicle, personal property	
			<p>Reviewed by: skc</p> <p>Reviewed on: 3/15/16</p> <p>Updates: 3/16/16</p> <p>Recommendation:</p> <p>File 5- Anderson</p>

6B Eugene & Evelyn Ford Family Trust

Case No. 14CEPR00485

Atty Keeler, William J. (for Susan Ford Frantzich – Beneficiary – Petitioner)

Atty Chielpegian, Mark E. (for Casey S. Rogers – Trustee – Respondent)

Amended Petition for Determination of Validity of Trust Amendment

Eugene M. Ford DOD: 4-25-93		SUSAN FORD FRANTZICH, Beneficiary, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Evelyn I. Ford DOD: 12-23-13			
Cont. from 110614, 111714, 091415, 110215, 120715, 022316		<p>Petitioner states she is the daughter of decedents Eugene M. Ford and Evelyn Irene Ford and is a beneficiary of the Eugene M. and Evelyn I. Ford Family Trust dated 1-7-91. (Exhibit A)</p> <p>Petitioner states Casey Scott Rogers has been acting as Successor Trustee since the death of Mrs. Ford on 12-23-13 pursuant to the Ninth Amendment to Declaration of Trust.</p> <p>The Fords had three children: Nancy Lee Ford of Cambria, CA, Susan Jean Frantzich of Clovis, CA, and Patricia Elaine Coffman of Sanger, CA. The original trust named Nancy, Susan, and Patricia as successor co-trustees.</p> <p>Petitioner states the trust property includes, <i>inter alia</i>, real property known as the Quail Oaks Ranch. Among other provisions, the trustee had the power to “apportion and allocate assets of the trust estate” at Section 8.08A. The trust also gave the surviving spouse the power to “amend, revoke, or terminate” the Survivor’s Trust at Section 2.03(D).</p>	<p><u>Minute Order 2/23/16 (Court Trial RE: Casey S. Rogers’ First Account):</u> Parties have settled; Counsel request 30 days to submit a settlement agreement. The Court orders that the two motions for discovery set for 2/24/16 be continued to 3/22/16. (See Page A.) Ms. Frantzich’s petition is continued to 3/22/16.</p> <p>Note: Pages B and C are discovery motions that appear to be filed in connection with this petition.</p>
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<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input checked="" type="checkbox"/>	Response		
<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		
<u>SEE ADDITIONAL PAGES</u>			<p>Reviewed by: skc</p> <p>Reviewed on: 3/15/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6B – Ford</p>

Page 2**Petitioner states:**

- On 12-1-92, Mr. and Mrs. Ford signed the 1st Amendment, which amended the trust to name A. Douglas Flint, in the alternative Michael S. Pistorosi, as successor trustees, among other changes. (Exhibit B)
- On 4-25-93, Mr. Ford died and Mrs. Ford became the sole trustee.
- On 6-21-96, Mrs. Ford signed the 2nd Amendment, which amended the trust to appoint the Survivor's Trust to her then-living daughters. (Exhibit C)
- On 1-16-03, Mrs. Ford signed the 3rd Amendment, revoking the 1st and 2nd Amendments and amending the trust to name Nancy, Susan and Patricia as successor co-trustees. (Exhibit D)
- On 6-12-03, Mrs. Ford signed the 4th Amendment, revoking the 3rd Amendment and appointing the Survivor's Trust to her then-living daughters. The 4th Amendment also amended the trust to name Robert G. Carter as successor trustee, then Nancy, Susan and Patricia as successor co-trustees. (Exhibit E)
- On 10-24-03, Mrs. Ford signed the 5th Amendment, appointing \$12,500 each to Ronald McKenzie, Joanne Stanion, and Samantha Cole. (Exhibit F)
- On 7-7-09, Mrs. Ford signed the 6th Amendment, revoking all previous amendments and appointing Casey Scott Rogers as successor trustee, then Nancy, Susan and Patricia as successor co-trustees. (Exhibit G)
- On 3-29-12, Mrs. Ford signed "a trust amendment" naming Petitioner Susan Frantzich as successor trustee. (Exhibit H)
- On 5-10-12, Mrs. Ford signed the 8th Amendment, revoking all prior amendments and appointing James M. Bell as successor trustee, then Nancy, Susan and Patricia as successor co-trustees. (Exhibit I)
- On 3-6-13, Mrs. Ford signed a document stating: "Upon my death, my daughter Susan Ford Frantzich will inherit the Quail Oaks Ranch 'barn compound,' and adjacent 40 acres." (Exhibit J)
- On 3-14-13, Mrs. Ford signed the 9th Amendment, purportedly revoking the 1st through 8th Amendments, and purportedly appointing Casey Scott Rogers as successor trustee, with James M. Bell as next successor trustee, then Nancy, Susan and Patricia as successor co-trustees. (Exhibit K)

SEE ADDITIONAL PAGES

Page 3

Petitioner states she has filed a Petition for Probate in this matter to ensure the Court has the power to enforce Mrs. Ford's intent as expressed in Exhibit J whether it is determined to have been expressed as a codicil or a trust instrument.

Petitioner states Mrs. Ford had the power to amend the Survivor's Trust, and frequently exercised that power before her death. She also had the power to allocate the assets of the trust, including the Quail Oaks Ranch property. Mrs. Ford handwrote the document to leave the Quail Oaks Ranch property "barn compound" and adjacent 40 acres to Petitioner. She had her caregiver, Hilda Ceballos, witness the document, showing the gravity and seriousness of her intent to make a change to the disposition of her estate plan. She satisfied the requirements of the trust for amendment by delivering a copy to herself as sole trustee. Petitioner requests that this Court order that the 3-6-13 document is a valid trust amendment.

Petitioner requests that the Court order the following:

1. **Declare the document signed on 6-3-13 is a valid trust amendment;**
2. **For costs herein; and**
3. **For such other orders as the Court may deem proper.**

Response filed 10-8-14 by Casey S. Rogers, Trustee, states the handwritten document does not constitute a valid amendment to the Survivor's Trust. Mr. Rogers believes he is authorized and directed to oppose the petition, as it has been informally raised whether his opposition would constitute a breach of his fiduciary duties (impartiality) to petitioner as a beneficiary.

In light of the conflict issue raised by Petitioner, Mr. Rogers intends to file a separate petition for instructions as to whether he is authorized and empowered to object to and oppose this petition.

Respondent requests this Court order that:

1. **The petition be continued pending the determination of Respondent's anticipated petition for instructions; and**
2. **Such further order be made as this Court may deem proper.**

Note: Respondent's Petition for Instructions was heard 11/17/14. The Court's Order thereon was entered on 2/12/15.

	<p>CASEY S. ROGERS, Trustee and Respondent, moves for an Order from this Court compelling Petitioner Susan Ford Frantzich to provide further verified responses to Respondent's first set of special interrogatories and first set of document requests and to produce documents in response thereto.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 2/23/16 (Court Trial RE: Casey S. Rogers' First Account):</u> Parties have settled; Counsel request 30 days to submit a settlement agreement. The Court orders that the two motions for discovery set for 2/24/16 be continued to 3/22/16.</p>
<p>Cont. from 010616, 022416</p>	<p>Respondent makes this motion on the grounds that Petitioner did not and has not provided full and complete responses to certain discovery requests. Petitioner has continued in her refusal to properly respond to Respondent's written discovery, despite efforts on the part of Respondent's counsel to meet and confer on the matter.</p>	
<p>Aff.Sub.Wit.</p>	<p>This motion is made pursuant to Probate Code § 1000 and CCP §§ 2023.010, 2030.300, and 2031.310.</p>	<p>Reviewed by: skc</p>
<p>Verified</p>	<p>See also Memorandum of Points and Authorities, Declaration of Mark E. Chielpegian in Support of Motion to Compel Further Responses to Discovery, and Separate Statement of Discovery Responses in Dispute in Support of Motion to Compel Further Responses to Discovery.</p>	<p>Reviewed on: 3/15/16</p>
<p>Inventory</p>	<p>SUSAN FRANTZICH, Beneficiary and Petitioner, filed a Response on 12/22/15. Petitioner states her responses were adequate and complete. Most of the discovery requests for which Respondent seeks supplemental responses either beg the question of the allocation of the subtrusts or require Respondent to provide an opinion on her mother's intent. Others are simply disagreements with the answers provided. See Response for details.</p>	<p>Updates:</p>
<p>PTC</p>	<p>Separate Statement of Discovery Responses in Dispute in Reply to Susan Frantzich's Opposition to Motion was filed 12/29/15 by Casey S. Rogers.</p>	<p>Recommendation:</p>
<p>Not.Cred.</p>		<p>File 6C- Ford</p>
<p>Notice of Hrg</p>		
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<p>Conf. Screen</p>		
<p>Letters</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>		
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>		

Notice of Motion and Motion to Compel Further Responses to Discovery and Request for Sanctions; Memorandum of Points and Authorities

	<p>CASEY S. ROGERS, Trustee and Respondent, moves for an Order from this Court compelling Petitioner Susan Ford Frantzich to provide further verified responses to Respondent's second set of special interrogatories.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont. from 010616, 022416</p>	<p>In addition, Respondent seeks the imposition of monetary sanctions against Petitioner and/or her counsel in the amount of \$1,795.00 for their misuses of the discovery process.</p>	<p>Minute Order 2/23/16 (Court Trial RE: Casey S. Rogers' First Account):</p>
<p>Aff.Sub.Wit.</p>	<p>Respondent makes this motion on the grounds that Petitioner did not and has not provided full and complete responses to certain discovery requests. Petitioner has continued in her refusal to properly respond to Respondent's written discovery, despite efforts on the part of Respondent's counsel to meet and confer on the matter.</p>	<p>Parties have settled; Counsel request 30 days to submit a settlement agreement. The Court orders that the two motions for discovery set for 2/24/16 be continued to 3/22/16.</p>
<p>Verified</p>		
<p>Inventory</p>		
<p>PTC</p>		
<p>Not.Cred.</p>		
<p>Notice of Hrg</p>		
<p>Aff.Mail</p>		
<p>Aff.Pub.</p>		
<p>Sp.Ntc.</p>		
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p>Letters</p>		
<p>Duties/Supp</p>	<p>This motion is made pursuant to Probate Code §1000 and CCP §§ 2023.010, 2030.300, and 2031.310.</p>	
<p>Objections</p>	<p>See also Memorandum of Points and Authorities, attached requests, responses, communications.</p>	
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>	<p>SUSAN FRANTZICH, Beneficiary and Petitioner, filed a Response on 12/22/15. Petitioner states her objections were made in good faith and are well supported by law and requests the Court deny the motion in its entirety. See authority cited in Response.</p>	<p>Reviewed by: skc</p>
<p>Status Rpt</p>		<p>Reviewed on: 3/15/16</p>
<p>UCCJEA</p>		<p>Updates:</p>
<p>Citation</p>		<p>Recommendation:</p>
<p>FTB Notice</p>	<p>Separate Statement of Discovery Responses in Dispute in Reply to Susan Frantzich's Opposition to Motion was filed 12/29/15 by Casey S. Rogers.</p>	<p>File 6D- Ford</p>

	MARIA GUADALUPE VALENCIA , Mother, was appointed Guardian of the Estate with \$12,000.00 to be placed into a blocked account on 01/12/2015.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR.</u> <u>First Account filed</u> <u>03/18/2016. Hearing set for</u> <u>04/28/2016.</u></p> <p>Minute Order of 02/22/2016: Counsel represents that she was in trial last week and needs additional time. No appearance is necessary at the status hearing if the petition is filed at least two court days prior.</p> <p>1. Need First Account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
	Letters issued on 01/13/2015.	
Cont. from 022216	Receipt for Blocked Account filed 07/01/2015 shows \$12,633.55 was deposited into United Security Bank.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	Minute Order of 01/12/2015 set this Status Hearing for the filing of the First Account.	
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>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR.</u> <u>Order settling First and Final Account filed 03/14/2016.</u></p>
Cont. from		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
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<input 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 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: LV
		Reviewed on: 03/15/2016
		Updates:
		Recommendation:
		File 8- Montero

Attorney: Gary G. Bagdasarian (for Conservatee)

Attorney: Heather H. Kruthers (for temporary Conservator Public Guardian)

Attorney: Theresa B. Petty-Jones (for Anna Lisa Young)

Attorney: David Huynh (for Petitioner H.F. Rick Leas)

Petition for Appointment of Probate Conservator

		TEMPORARY (PUBLIC GUARDIAN)	NEEDS/PROBLEMS/COMMENTS:
		EXPIRES 3/22/16.	
		H.F. RICK LEAS , private professional fiduciary, is petitioner.	Notice of Withdrawal of Petition for Appointment of Probate Conservator filed by Petitioner H.F. Rick Leas on 3/14/16. – Note to Attorney: The proper way to dismiss a petition in probate is to file a Request for Dismissal.
		Please see petition for details.	
Cont. from 022416		Court Investigator Report filed on 2/18/16	Court Investigator Advised Rights on 2/17/16.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		<ol style="list-style-type: none"> 1. Petition request bond not be required. Petitioner is a private professional fiduciary. Private professional fiduciaries are not exempt from the bond requirements. Therefore, bond should be set at \$639,600.00 2. Copy of the Confidential Capacity Declaration filed by the Public Guardian is attached to the Petition. Confidential documents should not be included on documents that are not filed confidentially. 3. Need Video Viewing Receipt. 4. Order is on an outdated form. Need Order on current updated form.
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		<p>Reviewed by: KT</p> <p>Reviewed on: 3/16/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 9A- Pirie</p>
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt	X	
<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		

Attorney: Gary G. Bagdasarian (for Conservatee)

Attorney: Heather H. Kruthers (for temporary Conservator Public Guardian)

Attorney: Theresa B. Petty-Jones (for Anna Lisa Young)

Attorney: David Huynh (for Petitioner H.F. Rick Leas)

Notice of Motion and Motion to Consolidate Actions, Declaration in Support of Motion, and Proposed Order

		<p>H.F. RICK LEAS filed a motion to consolidate the Public Guardian's petition and his competing petition to be appointed as Mr. Pirie's conservator.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This Motion appears moot based on the Notice of Withdrawal of H.F. Rick Leas Petition for Appointment of Probate Conservator filed on 3/14/16.</p>	
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: KT
				Reviewed on: 3/16/16
				Updates:
		Recommendation:		
		File 9B- Pirie		

10A In Re: Gramenz Family Living Trust Agreement Case No. 15CEPR00398

Attorney: Steven S. Picone, (for Objectors Daniel Caballero & Baldermar Martinez)

Attorney: Lisa Horton (for Petitioner Rande L Gramenz)

Amended First Account and Report of Trustee and Petition for its Settlement

		RANDE L. GRAMENZ , Successor Trustee, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 1/19/16. Minute order states Ms. Horton represents that additional time is needed to work out terms of settlement.</p>
		Petitioner states settlor, Opal E. Gramenz, died on 12/28/12.	
Cont. from 090115, 101315, 011916		Account period: 12/29/12 – 6/30/15	
	Aff.Sub.Wit.		
✓	Verified	Accounting - \$1,575,344.83	
	Inventory	Beginning POH - \$1,432,128.43	
	PTC	Ending POH - \$1,334,752.81	
	Not.Cred.	Petition states pursuant to Article V section 1 of the trust he has paid his attorney \$5,000.00. Pursuant to Probate Code §15681 he is entitled to reasonable compensation from the Trust. Trust funds totaling \$14,850.00 have been used to pay Trustee's reasonable compensation for his services. This figure was derived from 1% of the total sale price (\$1,485,000) of the duplex.	
✓	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen	Petitioner states the decedent has a bank account at Chase with Kenneth Caballero for the purpose of having someone available to sign checks. Kenneth Caballero was a joint owner but never signed a check, deposited or withdrew funds from the account while the Decedent was alive. All of the funds in the account on Decedent's date of death were hers. After Decedent's death, Kenneth Caballero used some of the funds to pay for funeral expenses, but kept the remaining funds. Trustee demanded the funds so that they could be deposited into the trust account but Kenneth Caballero refused. Since Kenneth Caballero kept those funds, then in the sum of those funds (\$59,494.49, after the payment of funeral expenses) will be counted as a preliminary distribution and taken from Kenneth Caballero's distributive share.	
	Letters		
	Duties/Supp		
✓	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice	Petitioner prays that the Trustee's first account and report be settled, allowed and approved as filed.	
			Reviewed by: KT
			Reviewed on: 3/16/16
			Updates:
			Recommendation:
			File 10A - Gramenz

10A In Re: Gramenz Family Living Trust Agreement Case No. 15CEPR00398

Objections to Amended First Account and Report filed by Daniel Caballero and Baldemar Martinez on 8/31/15. Objectors object to the Accounting with respect to Petitioner Trustee's assertion that the joint checking account titled in the name of Kenneth Caballero and Opal Gramenz was a Trust asset and that Kenneth Caballero's beneficial interest in the Trust should be reduced by the amounts left in the joint account at the date of Opal Gramenz's death.

Petitioner's assertion that the funds in the Chase Bank joint account are trust assets and should be counted against Kenneth Caballero's share is flatly wrong as a matter of law. As such the accounting should be revised.

Probate Code §5302 (a) establishes in pertinent part that:

"Sums remaining on deposit at the death of a party to a joint account belong to the surviving party or parties as against the estate of the decedent unless there is clear and convincing evidence of a different intent. . ."

Petitioner has not alleged, let alone proven, that Opal Gramenz and Kenneth Caballero intended for the money held in the Chase joint checking account to be distributed in a different manner other than that provided for by law.

Wherefore, Objectors pray as follows:

1. That the Petition to Approve the Amended Account be denied;
2. That Rande L. Gramenz be ordered to file and serve a code compliant amended accounting of the Trust within 45 days of issuance of the order;
3. For costs, and for such other and further relief as the Court deems just and proper.

10B In Re: Gramenz Family Living Trust Agreement Case No. 15CEPR00398

Attorney: Steven S. Picone, (for Objectors Daniel Caballero & Baldermar Martinez)

Attorney: Lisa Horton (for Petitioner Rande L Gramenz)

Probate Status Hearing: Resolution

	RANDE L. GRAMENZ , Successor Trustee, filed an Amended First and Final Account and Report of Trustee.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 1/19/16. Minute order states Ms. Horton represents that additional time is needed to work out terms of settlement.</p> <p>1. Need current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from 011916		
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: KT
		Reviewed on: 3/16/16
		Updates:
		Recommendation:
		File 10B- Gramenz

**Petition for Approval of Preliminary Distribution and Further Payment
of Attorney's; Executor's Statutory Fees**

DOD: 04/17/2015	ANITA LEAL-IRDOGO , Executor, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If the petition is granted a status hearing will be set as follows:</p> <ul style="list-style-type: none"> • Tuesday, 09/20/2016 at 9:00a.m. in Dept. 303 for the filing of the Petition for 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>
	Executor - \$8,650.00 (Executor was allowed \$17,072.00 which is 50% of the statutory compensation, pursuant to the first account filed 12/17/2015)	
Cont. from	Attorney - \$8,650.00 (Attorney was allowed \$17,072.00 which is 50% of the statutory compensation, pursuant to the first account filed 12/17/2015)	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner requests that she and her attorney receive approximately 75% of the Statutory fees and reserves the right to request approval of payment of fees for extraordinary services and the balance of the statutory fees at the time of filing of the Petition for Final Distribution.	
<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 checked="" type="checkbox"/> Letters 08/13/15	Assets on Hand remaining for Final Distribution:	
<input type="checkbox"/> Duties/Supp	<ul style="list-style-type: none"> • Cash in the amount of \$57,577.12 • Various Securities in Merrill Lynch Brokerage Account No. XXX-15372 • Residential Real Property located in Fresno County (\$225,000) • 2004 Lexus ES330 (\$9,000) • Jewelry – (\$7,000) 	
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting	Petitioner requests distribution as follows:	
<input type="checkbox"/> Status Rpt	Alfred Leal - various securities from Merrill Lynch Brokerage Account	
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice	Anita Leal-Idrogo –various securities from Merrill Lynch Brokerage Account.	
		Reviewed by: LV
		Reviewed on: 03/16/2016
		Updates:
		Recommendation:
		File 11- Haney

12A Benny Markarian (Estate)

Case No. 15CEPR00668

Attorney Harris, Richard A. (for Pamela Milam – Petitioner – Daughter)

Attorney Nahigian, Eliot (for Ronald Markarian - Son)

Petition for Probate of Will and for Letters Testamentary with IAEA

DOD: 05/15/2015	PAMELA MILAM , daughter/named executor without bond is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued to 05/03/2016 per Stipulation and Order filed 03/15/2016.</u></p> <p>Page 12B is the Status Hearing for the filing of a Will Contest/Competing Petition.</p> <p>1. Proposed personal representative is a resident of Florida. Probate Code 8571 states notwithstanding a waiver of bond, the court in its discretion may require a nonresident personal representative to give a bond in an amount determined by the court.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Tuesday, 04/19/2016 at 9:00a.m. in Dept. 303 for the filing of the Bond if required and • Tuesday, 08/23/2016 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Tuesday, 05/23/2017 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> <p>Reviewed by: LV</p> <p>Reviewed on: 03/16/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12A – Markarian</p>
	Petitioner is a resident of Miramar Beach, Florida.	
Cont. from 081815, 092915, 120815	Full IAEA – o.k.	
<input type="checkbox"/> Aff.Sub.Wit.	Will dated: 02/20/2008	
<input checked="" type="checkbox"/> Verified	Residence: Fresno	
<input type="checkbox"/> Inventory	Publication: The Business Journal	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Estimated Value of the Estate:	
<input checked="" type="checkbox"/> Aff.Mail	Personal property - \$129,300.00	
<input checked="" type="checkbox"/> Aff.Pub.	Real Property - \$160,000.00	
<input type="checkbox"/> Sp.Ntc.	Total - \$289,300.00	
<input type="checkbox"/> Pers.Serv.	Probate Referee: Steven Diebert	
<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		

12B Benny Markarian (Estate) Case No. 15CEPR00668

Attorney Harris, Richard A. (for Pamela Milam – Petitioner – Daughter)

Attorney Nahigian, Eliot (for Ronald Markarian - Son)

Probate Status Hearing RE: Filing of a Will Contest/Competing Petition

	PAMELA MILAM, daughter, filed a Petition for Probate of Will and for Letters Testamentary with IAEA on 08/18/2015.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued to 05/03/2016 per Stipulation and Order filed 03/15/2016.</u></p> <p>As of 12/02/2015 no Will Contest/Competing Petition have been filed.</p>
	Minute Order of 09/29/2015 set this Status Hearing for the filing of a Will Contest/Competing Petition.	
Cont. from 120815		
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: LV
		Reviewed on: 03/16/2016
		Updates:
		Recommendation:
		File 12B – Markarian

Petitioner Hickingbottom, Sarah (pro per – paternal aunt/Petitioner)

Petition for Appointment of Guardian of the Person

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 2/9/16:</u> Continued for service as to Peter Villarrial, Sr., and Richard Houston.</p> <p>As of 3/15/16, nothing further has been filed. The following issue remains noted:</p> <ol style="list-style-type: none"> 1. Need proof of service of Notice of Hearing with a copy of the Petition <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: - Richard Houston (Maternal grandfather) 2. Notice of Heraing filed 10/2/15 does not reflect that Peter Villarrial, Sr. (Paternal Grandfather) was served with a copy of the petition along with the notice. 	
Cont. from 100515, 020916				
<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 checked="" type="checkbox"/>	Pers.Serv.			w/
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input checked="" 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			
		Reviewed by: JF/skc		
		Reviewed on: 3/15/16		
		Updates:		
		Recommendation:		
		File 13 – Villarrial		

Guardian Bonni Cabrera (Pro Per)

Probate Status Hearing Re: Psychologist for Counseling and Visitation

	BONNI CABRERA , half-sister, was appointed Guardian on 2/23/2016; Letters issued 2/24/2016.	NEEDS/PROBLEMS/COMMENTS:
Cont. from	<p>Minute Order dated 2/23/2016 from the hearing on the petition for appointment of guardian states the petition is granted as to Bonni Cabrera only and denied as to Ricardo Cabrera. The Court orders Bonni Cabrera to contact a psychologist that can provide counseling for the minors and facilitate therapeutic visits with Anita Brown [mother]. Ms. Cabrera is to bring information regarding the psychologist, including when a meeting with Anita Brown can occur, to the status hearing on 3/22/2016.</p>	
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 on: 3/16/16
		Updates:
		Recommendation:
		File 14- Martin/ Brown

Petitioner Castillo, Valerie (pro per – maternal aunt)

Petition for Appointment of Guardian of the Person

		TEMPORARY EXPIRES 01/26/16; extended to 3/22/2016	NEEDS/PROBLEMS/COMMENTS:
		VALERIE CASTILLO , maternal aunt, is Petitioner.	Continued from 2/2/2016. Minute Order states Petitioner requests a continuance to cure the notice defects. The Court orders that all visits are to be supervised by Valerie Castillo.
Cont. from 120115, 020216		~Please see <i>Petition for details</i> ~	The following defects from the last hearing remain:
<input type="checkbox"/>	Aff.Sub.Wit.		1. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person or Consent & Waiver of Notice or Declaration of Due Diligence</i> for:
<input checked="" type="checkbox"/>	Verified	Objection to Guardianship filed 10/22/15 by Patricia Castillo.	a. Keanna Tokumoto (minor) – <i>personal service needed</i>
<input type="checkbox"/>	Inventory	Court Investigator filed a report on 11/23/15.	b. Byron Tokumoto (Keanna's father) – <i>personal service needed</i>
<input type="checkbox"/>	PTC	Court Investigator Supplemental Report filed 11/24/2915.	c. Keanna's paternal grandfather – <i>service by mail ok</i>
<input type="checkbox"/>	Not.Cred.	Declaration of Patricia Castillo (mother) filed 11/25/15.	d. Hiroko Tokumoto (Keanna's paternal grandmother) – <i>service by mail ok</i>
<input checked="" type="checkbox"/>	Notice of Hrg		e. Will Bailey (Zoe's father) – <i>personal service needed</i>
<input checked="" type="checkbox"/>	Aff.Mail	w/	f. Zoe's paternal grandparents – <i>service by mail ok</i>
<input type="checkbox"/>	Aff.Pub.		g. Shawn McNeely (Ryan's father) – <i>personal service needed</i>
<input type="checkbox"/>	Sp.Ntc.		h. Ryan's paternal grandparents – <i>service by mail ok.</i>
<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 checked="" 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		Reviewed by: JF / LEG
<input type="checkbox"/>	Status Rpt		Reviewed on: 3/17/16
<input checked="" type="checkbox"/>	UCCJEA		Updates:
<input type="checkbox"/>	Citation		Recommendation:
<input type="checkbox"/>	FTB Notice		File 15 – Tokumoto/Bailey/Castillo

16 Mya Licon (GUARD/P) Case No. 15CEPR01014

Petitioner Abarca, Michelle Sally (Pro Per – Maternal Aunt)

Petition for Appointment of Guardian of the Person

		<u>TEMPORARY EXPIRES 03/22/2016</u>	NEEDS/PROBLEMS/COMMENTS:
		MICHELLE SALLY ABARCA , maternal aunt, is petitioner.	Minute Order of 02/09/2016: Examiner notes and clinic information provided in open Court.
		<u>Please see petition for details</u>	As of this Examiner's review the following issues remain:
Cont. from 121515, 020916			1. Need Notice of Hearing.
<input type="checkbox"/>	Aff.Sub.Wit.		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:
<input checked="" type="checkbox"/>	Verified		<ul style="list-style-type: none"> • Victor Licon (Father) – Unless the Court dispenses with notice
<input type="checkbox"/>	Inventory		Note: Declaration of Due Diligence filed 10/13/2015 states the father moved to Chicago, Illinois.
<input type="checkbox"/>	PTC		3. Need proof of 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:
<input type="checkbox"/>	Not.Cred.		<ul style="list-style-type: none"> • Paternal Grandfather (Unknown) • Maternal Grandfather (Unknown) • Oralia Abarca (Maternal Grandmother)
<input type="checkbox"/>	Notice of Hrg	x	4. UCCJEA is incomplete as it does not provide the period of time the minor child resided at each address provided for the past five years.
<input type="checkbox"/>	Aff.Mail	x	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	x	
<input checked="" 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 checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		Reviewed by: LV
<input type="checkbox"/>	Status Rpt		Reviewed on: 03/15/2016
<input checked="" type="checkbox"/>	UCCJEA		Updates:
<input type="checkbox"/>	Citation		Recommendation:
<input type="checkbox"/>	FTB Notice		File 16 - Licon

Attorney Andrew A. Magwood (for Petitioner Joshua Smith)

Verified Petition to Suspend and Remove Trustee and Appointment of Successor Trustee; for Other Relief for Breach of Trust; for an Accounting

DOD: 4/21/2014	JOSHUA SMITH, sole beneficiary, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Petitioner states:	<u>Page 17B</u> is the Order to Show Cause.
	<ul style="list-style-type: none"> Settlor WILLARD E. SMITH executed the WILLARD E. SMITH TRUST AGREEMENT on 10/18/2012, which was amended on 4/16/2014 (copy of Trust and Amendment attached as Exhibit A); SHERRI RENE' FINN (Respondent) is a relative of Petitioner and Decedent and was named successor trustee of the Trust in the original and amended documents; Trust terms provide [<i>in sum, that upon the death of the Settlor, the Trustee shall distribute the Trust estate to Petitioner after he attains age 30</i>]; Petitioner is 30 years old or older and thus entitled to complete and outright distribution of all Trust property; nevertheless, Respondent has attempted to, and in fact does, exercise control over the Trust assets; At the time of Decedent's death he owned two parcels of real property, various personal property, and ~\$50,000.00 in cash, all of which was Trust property; Petitioner has been given possession of one of the real properties, and from time to time, he has been given money from the cash by Respondent; 	Continued from 2/2/2016. The following issues from the last hearing remain:
Cont. from 020216		<ol style="list-style-type: none"> Need <i>Notice of Hearing</i> and proof of mailed service of 30 days' notice pursuant to Probate Code §§ 851(b) and 17203 for all of the following persons: <ul style="list-style-type: none"> SHERRI RENE' FINN, Trustee; ROGER SMITH, son. <i>Petition</i> states in paragraph 8 that the Trust provides the distribution of Trust assets may be held in trust in a separate share for the benefit of a beneficiary who is under age 30, and states in paragraph 9 that Petitioner is 30 years old or older and thus entitled to complete and outright distribution of all Trust property. However, the <i>First Amendment</i> to the Trust appears to have changed the term to provide that when the beneficiary attains the age of 35 the beneficiary's Trust share shall be distributed to him free of trust. It is unclear from the statement in the <i>Petition</i> whether Petitioner has attained the age of 35 which would allow him to receive distribution of Trust property. ~Please see additional page~
Aff.Sub.Wit.		Reviewed by: LEG
✓ Verified		Reviewed on: 3/17/16
Inventory		Updates:
PTC		Recommendation:
Not.Cred.		File 17A-Smith
Notice of Hrg	X	
Aff.Mail	X	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order	X	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

~Please see additional page~

Petitioner states, continued:

- Petitioner has orally requested status of the cash balance, but Respondent has failed to provide an accounting based on the oral request, except to say that when the cash runs out she will sell the other house;
- Petitioner has sought to rent the second house to generate income, but it is in need of repairs and Respondent refuses to rent the house; if rented, the second house would generate about **\$800.00** per month net in Trust income;
- Respondent has failed to pay income taxes and property taxes on the real property, failed to pay loans which encumber the real property, placing these Trust assets at risk (*copies of IRS notices for past due taxes and copies of Assessor notices for unpaid property taxes are attached as Exhibits B and C*);
- Respondent has allowed the second house to fall into disrepair such that it has now become subject to anti-blight ordinances from the City and/or County of Fresno (*copies of notices attached as Exhibit D*);
- Respondent has sought to force Petitioner to enter into a rental agreement for possession of the first house (*copy of purported lease attached as Exhibit E*); the purported lease provides Respondent is the "owner" of the real property owned by the Trust and acknowledges receipt of **\$42,000.00** as "rent;"
- The amount acknowledged as received is similar to an amount received by Respondent in Trust property;
- On 6/11/2015, Petitioner's attorney mailed a letter to Respondent demanding an accounting, but Respondent has made no response (*copy of letter to Respondent attached as Exhibit F*);
- Respondent has failed to pay taxes and loans which impair the property rights of the Trust (*copies of Bank of America notices for unpaid loans attached as Exhibit G*);
- Respondent has asserted personal control and ownership of Trust assets as if she is the owner of Trust assets;
- As the Trust assets are required to be distributed to Petitioner outright, and Respondent has failed and refused to relinquish control of said assets, Respondent has misappropriated Trust assets'
- Pursuant to Probate Code § 15642, the Court may remove the trustee if it is shown the trustee has committed a breach of trust; where the trustee is insolvent or otherwise unfit to administer the trust; where the trustee fails or declines to act; or for other good cause;
- Respondent should be removed because of her various acts and omissions as they relate to the Trust;
- **Removal is warranted because Petitioner is thirty years old and entitled to outright distribution at this time:** The Trust provides for outright distribution to Petitioner when he has attained age 30; he has attained age 30 and is now entitled to outright distribution; [*Please refer to issue re age 35*];
- **Removal is warranted because Respondent has failed to protect Trust assets:** Trust assets consist of cash in an account controlled by Respondent and real property consisting to 2 houses on Second Street in Fresno (hereafter 5255 and 5237); Petitioner has lived in the house at 5255 since prior to Decedent's death and has continued to reside there at the present time; the house at 5237 has sat vacant since Decedent's death, and the property taxes have not been paid by Respondent, the house has fallen into disrepair and is subject to the blighted vacant building ordinance; there is one or more loans encumbering both of the houses, and one or more payments have not been made by respondent, and Respondent has not made required payments of unpaid federal taxes on the estate which may impair other Trust property;

~Please see additional page~

Dept. 303, 9:00 a.m. Tuesday, March 22, 2016

Petitioner states, continued:

- **Removal is warranted because Respondent has wasted Trust assets and property:** the house at 5237 has a fair rental value of at least **\$800.00** monthly and would be added to the Trust and benefit Petitioner, who has had several opportunities to rent the house and has made requests to Respondent to rent the house and she has failed and refused to do so, which constitutes a waste of Trust assets and deprives the Trust of rental income;
- **Removal is warranted because Respondent has mismanaged or misdirected Trust assets for her own personal gain:** Petitioner resides at 5255 and Respondent received cash from the Trust and converted it for her own personal use, labeling it as "rent" for the house;
- **Petitioner is entitled to an accounting of Trust assets** pursuant to Probate Code § 16063; Petitioner has orally and in writing requested an accounting, and to date, Respondent has never provided Petitioner with an account of the Trust; Petitioner requests the Court order Respondent to file an accounting with the Court detailing *[her acts as Trustee]*;
- **The Court should surcharge Respondent** as Petitioner is the sole beneficiary of the Trust entitled to the benefits of the Trust, and under the circumstances described in the Petition, the Court should surcharge Respondent for loss and depreciation in value of the Trust estate, plus interest, caused by Respondent's breach of fiduciary duty;
- **Respondent should be immediately suspended as Trustee:** The Trust instrument does not appoint a successor trustee other than Respondent; Petitioner requests the Court appoint either Petitioner **JOSHUA SMITH**, or **DANIEL WADE**, *[a family friend who knew Decedent and has known Petitioner his entire life and lives down the street from Petitioner in Fresno]*, as successor trustee, without bond required for either of them *(consent to serve of Daniel Wade is attached as Exhibit H)*;

Petitioner prays for an Order of the Court:

1. Removing **SHERRI RENE' FINN** as Trustee of the Trust, and appoint either Petitioner **JOSHUA SMITH**, or **DANIEL WADE** as successor trustee without bond;
2. Ordering **SHERRI RENE' FINN** to file an accounting with the Court detailing her acts as Trustee;
3. For Court filing fees for this petition, for attorney fees, and for costs incurred by Petitioner.

NEEDS/PROBLEMS/COMMENTS, continued:

3. Prayer of the *Petition* is inconsistent with the requested relief in the *Petition*, as the prayer does not include surcharge of Respondent **SHERRI RENE' FINN** for loss and depreciation in value of the Trust estate, plus interest, caused by breach of fiduciary duty.
4. Need proposed order pursuant to Local Rule 7.1 which provides a proposed order shall be submitted with all pleadings that request relief.

Attorney Deborah K. Boyett (for Petitioners Ricardo Castaneda and Francisco Castaneda, Jr.)

Petition to Determine Succession to Real Property

<p>DOD: 8/16/2009</p>	<p>RICARDO CASTANEDA and FRANCISCO CASTANEDA, JR., sons, are Petitioners.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont. from 021616, 030116</p>	<p>40 days since DOD.</p>	<p>Continued from 3/1/2016.</p>
<p>Aff.Sub.Wit.</p>	<p>No other proceedings.</p>	<p><i>Minute Order</i> states counsel will submit points and authorities regarding the issue of time on disclaimers; said memorandum is to be filed no later than 3/15/2016.</p>
<p>✓ Verified</p>	<p>I & A - \$25,000.00</p>	<p>~Please see additional page~</p>
<p>Inventory</p>	<p>Lost Will dated: [unknown month]/30/2001 devises the residue of the estate to Petitioner RICARDO CASTANEDA.</p>	
<p>PTC</p>		
<p>Not.Cred.</p>		
<p>✓ Notice of Hrg</p>	<p>Petitioner requests Court determination that Decedent's 1/3 interest in real property located at 780 S. 11th Street, Kerman, passes to the Petitioners RICARDO CASTANEDA and FRANCISCO CASTANEDA, JR. at 1/6th interest each pursuant to intestate succession and the <i>Disclaimers of Interest</i> filed 12/30/2015.</p>	
<p>✓ Aff.Mail W/</p>		
<p>Aff.Pub.</p>		
<p>Sp.Ntc.</p>		
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>	<p>Memorandum of Points and Authorities in Support of Petition to Determine Succession to Real Property and Request that Disclaimers Filed Herein be Found Void; Supplemental Declaration of Deborah K. Boyett in Support was filed 3/15/2016; Petitioners submit points and authorities in support of their request, made in open court, that two disclaimers filed in this matter be found not effective and void;</p>	
<p>Letters</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>	<p>Summary of argument states, in brief sum:</p>	
<p>CI Report</p>	<ul style="list-style-type: none"> Two disclaimers of interest were filed in Decedent's estate for the purpose of transferring to Petitioners the respective interests of the 2 disclaiming individuals; 	
<p>9202</p>	<ul style="list-style-type: none"> The disclaimers were signed in December 2015 and filed on 12/30/2015, more than 6 years after Decedent's date of death of 8/16/2009; 	
<p>✓ Order</p>	<p>~Please see additional page~</p>	
<p>Aff. Posting</p>		<p>Reviewed by: LEG</p>
<p>Status Rpt</p>		<p>Reviewed on: 3/17/16</p>
<p>UCCJEA</p>		<p>Updates:</p>
<p>Citation</p>		<p>Recommendation:</p>
<p>FTB Notice</p>		<p>File 18- Castaneda</p>

18 Additional Page, Juanita Castaneda (Det. Succ) Case No. 15CEPR01244

Memorandum of Points and Authorities summary of argument, continued:

- Petitioners assert said disclaimers are not effective disclaimers as they were not filed within a reasonable time after the persons able to disclaim acquired knowledge of the interest (Probate Code § 279(a));
- Therefore, as the disclaimers are not effective disclaimers, the Court should rule the disclaimers are void;
- Decedent's children understood following the death of Decedent, an interest in Decedent's assets was acquired by them; the children's actions of taking, removing, or disposing of Decedent's tangible personal property establish that the children knew at the time of Decedent's death they had "acquired" an interest in Decedent's estate;
- If there were any questions or issues as to the interest acquired by them, Decedent's children would surely have sought the assistance of the Court long before now;
- As Decedent's children knew of their respective interests in Decedent's estate at the time of her death, an effective disclaimer must have been filed within a reasonable time following Decedent's death; under Probate Code § 279, a reasonable time will be presumed if the disclaimer is filed within 9 months after date of death; here, the disclaimers were filed more than 6 years after date of death; the difference between 9 months and 6 years is substantial;
- Under the circumstances, 6 years is not a reasonable time for the filing of the disclaimers; neither Maria's disclaimer nor Esmeralda's disclaimer is effective because neither was filed within a reasonable time after Maria and Esmeralda became aware of their interest in Decedent's estate;
- Because the disclaimers were not filed until more than 6 years after Decedent's death, they are not "effective" and as such Petitioners assert the disclaimers are void;
- At the time of Decedent's death in 2009, Maria and Esmeralda knew and understood Decedent's desire was that Petitioners receive Decedent's 1/3 interest in the residence after Decedent's death; such knowledge on the part of Maria and Esmeralda is demonstrated by their voluntary signing of the Assignments;
- By signing an Assignment of Interest in Decedent's estate, Maria and Esmeralda have both evidenced their belief that Decedent intended to leave Decedent's 1/3 interest in the residence to Petitioners;
- The fact that the disclaimers were signed first and filed was due to mistake; the Assignments, rather than the Disclaimers, actually express the true intent of Maria and Esmeralda.

Supplemental Declaration of Deborah K. Boyett in Support of Points and Authorities Re: Ineffective Disclaimers states:

- She makes this supplemental declaration in support of the Petition to *Determine Succession to Real Property* and Petitioner's request that 2 disclaimers of interest in the Decedent's estate filed in these proceedings on 12/30/2015 be found to be ineffective disclaimers;
- The Decedent died on 8/16/2009 (*copy of death certificate is attached as Exhibit A*);
- Decedent had 4 children all of whom survived her: **RICARDO CASTANEDA, FRANCISCO J. CASTANEDA, MARIA A. CASTANEDA, ESMERALDA GARCIA;**
- At the time of Decedent's death, and for many years prior, Decedent lived in a residence commonly known as 780 South 11th Street, Kerman;
- Other than Decedent's 1/3 interest in the residence, Decedent's estate at the time of her death was very modest and consisted largely of her fixtures, furnishings, and other household items, plus her personal effects such as clothing; she had no vehicle or assets of any significant market value;
- Decedent's children took, removed or otherwise disposed of the tangible personal assets included in Decedent's estate following her death;

~Please see additional page~

18 Additional Page, Juanita Castaneda (Det. Succ) Case No. 15CEPR01244

Supplemental Declaration of Deborah K. Boyett in Support, continued:

- After Decedent's husband's death, she executed a Grant Deed dated 1/30/2001 and recorded 2/13/2001, whereby she transferred **2/3** interest in the residence to Petitioners (her 2 sons), with each Petitioner receiving a **1/3** interest in the residence; (copy of recorded Grant Deed attached as Exhibit B);
- In signing a disclaimer of interest in Decedent's estate, Maria and Esmeralda both believed (albeit mistakenly) they were assigning to Petitioners, and only to Petitioners, any and all interest they had in the Decedent's 1/3 interest in the residence; they signed the disclaimers after meeting and discussing with her;
- Maria and Esmeralda signed an *Assignment of Interest* for the specific purpose of accomplishing the transfer of the Decedent's 1/3 interest in the residence to Petitioners, and additionally, the correct the unintended result of the disclaimers;
- Other than the 1/3 interest in the residence, there are no assets remaining to be distributed from Decedent's estate;
- In an abundance of caution, and for the purpose of providing the Court with full and complete information regarding the Petition, an *Assignment of Interest in Decedent's [Estate]* for each of the following grandchildren of Decedent has been filed with the Court: **JENNIFER MAGAÑA**, granddaughter (daughter of Esmeralda Garcia), filed 3/15/2016; **RICHARD D. GARCIA**, grandson (son of Esmeralda Garcia), filed 3/15/2016; **GABRIEL GARCIA**, grandson (son of Esmeralda Garcia), filed 3/15/2016; **ANTHONY GARCIA**, grandson (son of Esmeralda Garcia), filed 3/15/2016; [**ADRIAN GARCIA**, grandson (son of Maria A. Castaneda), filed 3/16/2016]; [**ANDREW GARCIA**, grandson (son of Maria A. Castaneda), filed 3/16/2016].

NEEDS/PROBLEMS/COMMENTS: The following issues remain noted from the last hearing:

1. Probate Code § 281 provides that a disclaimer, when effective, is irrevocable and binding upon the beneficiary and all persons claiming by, through, or under the beneficiary, including creditors of the beneficiary. Probate Code § 282(a) provides unless the creator of the interest [Decedent] provides for a specific disposition of the interest in the event of a disclaimer, the interest disclaimed shall descend, go, be distributed, or continued to be held, as to a present interest, as if the disclaimant had predeceased the creator of the interest. *Disclaimer of Interest in Decedent's Estate* filed 12/30/2015 by **MARIA A. CASTANEDA** and by **ESMERALDA GARCIA** appear to result in potentially passing their interests in the property to the issue of each of them, if any. Decedent's Lost Will distributes the real property only to **RICARDO CASTANEDA**. It appears the disclaimants intended to have the property pass to **RICARDO CASTANEDA**, and **FRANCISCO J. CASTANEDA**; however, the effect of their disclaimers (rather than having executed assignments of interest) may result in the property passing to **RICARDO CASTANEDA** and to **FRANCISCO J. CASTANEDA** and to the issue of **MARIA A. CASTANEDA** and **ESMERALDA GARCIA**. The disclaimants cannot disclaim the right to the potential property interest of their issue, despite stating so in the executed *Disclaimer of Interest*.
2. *Assignment of Interest in Decedent's Estate* was filed 2/22/2016, signed by **ESMERALDA GARCIA**, **MARIA A. CASTANEDA**, **RICARDO CASTANEDA**, and **FRANCISCO J. CASTANEDA**, purporting to assign all right, title, and interest in an expectancy to the estate of Decedent to **RICARDO CASTANEDA** and **FRANCISCO J. CASTANEDA**, including Decedent's undivided 1/3 interest in real property located on 11th Street in Kerman. **ESMERALDA GARCIA** and **MARIA A. CASTANEDA** cannot now assign their interests subsequent to having executed the *Disclaimer of Interest in Decedent's Estate* filed 12/30/2015, as they no longer have any interest in the estate pursuant to Probate Code § 281, which provides a disclaimer, when effective, is irrevocable and binding upon the beneficiary and all persons claiming by, through, or under the beneficiary, including creditors of the beneficiary. It appears by executing the *Assignment of Interest in Decedent's Estate* filed 2/22/2016, no change was effected and the estate distribution remains that all property of the estate passes to **RICARDO CASTANEDA** and to **FRANCISCO J. CASTANEDA** and to the issue of **MARIA A. CASTANEDA** and **ESMERALDA GARCIA**.

Dept. 303, 9:00 a.m. Tuesday, March 22, 2016

Petitioner Romero, Eloy, Sr. (Pro Per – Paternal Grandfather – Petitioner)

Petition for Appointment of Guardian of the Person

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 2/3/16 (Temp):</u> Patricia Romero represents that she has never used any illegal drugs, including marijuana, and that her daughter is on methadone due only to prescribed opiates. Eloy Romero, Sr., reports that Ms. Romero picked the minor Ethan up from his school yesterday. The Court orders Mr. Romero to pick the minor Ethan up from the childcare center downstairs forthwith. The Court orders supervised visits only, by mutual agreement.</p>	
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	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 3/15/16	
			Updates:	
			Recommendation:	
			File 19- Pallares-Romero	

Petition for Appointment of Guardian of the Person (Initial)

		NO TEMPORARY	<p>Temporary petition dismissed due to no appearances at 2/4/2016 hearing</p> <p>ELAINE POOL, sister, is petitioner</p> <p>See petition for details.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: UCCJEA indicates that minor is living with father and she has been since 2010.</p> <ol style="list-style-type: none"> 1. Need proof of service 15 days prior to the hearing of the <i>Notice of Hearing</i> with a copy of the petition <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence for: <ol style="list-style-type: none"> a. Johnny Martinez (maternal grandfather) 2. Petition lists Darren Pool as a brother to Minor. If sibling is 12 years or older, need proof of service 15 days prior to the hearing of the <i>Notice of Hearing</i> with a copy of the petition <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence for: <ol style="list-style-type: none"> a. Darren Pool (brother) 3. <i>Notice of Hearing</i> filed 2/4/2016 lists hearing date of 2/4/2016 (temporary hearing), but also has an additional <i>Notice of Hearing</i> attached behind it listing the hearing date of 3/22/2016 (general hearing). Court may require corrected notice.
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	Citation			
	FTB Notice			
			<p>Reviewed by: SEF</p> <p>Reviewed on: 3/16/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 20- Pool</p>	

Spousal or Domestic Partner Property Petition

DOD: 1/1/2010		<p>JADINE DUFF, surviving spouse, is petitioner.</p> <p>No other proceedings</p> <p>Decedent died intestate</p> <p>Petitioner states she and decedent were married 8/20/1966. They purchased their home in 1982 and took title in their joint names as community property. They resided in their home until decedent's death on 1/1/2010.</p> <p>All of the property in the petition was paid for using community funds.</p> <p>Petitioner requests court confirmation that ½ interest in real property belongs to her and that ½ interest passes to her.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
Cont. from				
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			<p>Reviewed by: SEF</p> <p>Reviewed on: 3/16/2016</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 21- Duff</p>	

Petition for Letters of Administration. Authorization to Administer Under the Independent Administration of Estates Act

DOD: 12/5/2015		<p>KENNY H. SEELY, son, is petitioner and requests Fresno County Public Administrator be appointed as administrator without bond.</p> <p>Petitioner states decedent had filed for dissolution of his marriage prior to his death (15CEFL00512) and judgment was signed on 12/11/2015. Petitioner believes it is best that administration of decedent's estate be handled by a non-interested third party.</p> <p>Full IAEA – <i>need</i></p> <p>Decedent died intestate</p> <p>Residence: Sanger, CA Publication: <i>need</i></p> <p>Estimated value of Estate:</p> <table> <tr> <td>Personal property</td> <td>\$</td> <td>70,000.00</td> </tr> <tr> <td>Annual gross income:</td> <td>\$</td> <td>0.00</td> </tr> <tr> <td>Real property:</td> <td>\$</td> <td>100,000.00</td> </tr> <tr> <td>Total:</td> <td>\$</td> <td>170,000.00</td> </tr> </table> <p>Probate Referee: Steven Diebert</p>	Personal property	\$	70,000.00	Annual gross income:	\$	0.00	Real property:	\$	100,000.00	Total:	\$	170,000.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need proof of publication. 2. Petitioner nominates the Fresno County Public Administrator as Administrator of the estate. There is nothing on file in the case that shows the Public Administrator consents to the appointment. 3. Need <i>Letters</i>. <p>Note: If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> • Tuesday, August 23, 2016 for filing Inventory and Appraisal • Tuesday, May 23, 2017 for filing the first account or petition for final distribution
Personal property	\$		70,000.00												
Annual gross income:	\$		0.00												
Real property:	\$		100,000.00												
Total:	\$		170,000.00												
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		<p>Reviewed by: SEF</p> <p>Reviewed on: 3/16/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 22- Seely</p>													

Petitioner Salazar, Alfonsa Angelica (Pro Per – Mother – Petitioner)

Petitioner Salazar, Diana Angelica (Pro Per – Sister – Petitioner)

Petition for Appointment of Probate Conservator

See petition for details.			<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator advised rights on 3/9/16</p> <p>Voting rights affected, need minute order.</p> <ol style="list-style-type: none"> 1. Need Capacity Declaration in support of the request for medical consent powers. 2. Need Video Receipt from both petitioners per Local Rule 7.15.8.A.
	Aff.Sub.Wit.		
✓	Verified		
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✓	Pers.Serv.	W	
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✓	Letters		
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	Objections		
	Video Receipt	X	
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✓	Order		
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	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 3/15/16
			Updates:
			Recommendation:
			File 23- Salazar

Petition for Appointment of Temporary Guardian of the Person

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. If diligence is not found, 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) <u>or</u> consent and waiver of notice <u>or</u> further diligence on: - Unknown Father</p>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail			
	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: 3/16/16	
			Updates:	
			Recommendation:	
			File 24- Humphrey	

Petition for Appointment of Temporary Guardian of the Person

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 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) <u>or</u> consent and waiver of notice on: - Carol Secoy (Mother) 	
	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			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 3/16/16	
			Updates:	
			Recommendation:	
			File 25- Secoy	

Petition for Appointment of Temporary Conservator of the Person

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of Notice of Hearing with a copy of the petition at least five court days prior to the hearing per Probate Code §2250(e) on Proposed Conservatee Bessie Lee Woods Grant. 3. Need proof of service of Notice of Hearing with a copy of the petition at least five court days prior to the hearing per Probate Code §2250(e) on all relatives listed at #11: <ul style="list-style-type: none"> - Sandra Fusion (Daughter) - Winifred Parks (Daughter) - Latrisha Fuston (relationship not provided) 	
	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			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 3/16/16	
			Updates:	
			Recommendation:	
			File 26- Grant	