



## 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.

**1 Jasmin Briannah Gayer McCray-Guardianship Case No. 00CEPR10317**

**Petitioner Gayer, Melissa (Pro Per – Mother – Petitioner)**

**Guardian Gayer (Rouse), Debra A. (Pro Per – Maternal Grandmother – Guardian)**

**Petition for Termination of Guardianship**

		See petition for details.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Note:</u> This petition was originally filed ex parte; however, the Court set the matter for hearing, with notice to be provided by Petitioner. The Order setting hearing was mailed to Ms. Gayer on 2/26/16.</p> <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing per Probate Code §1460(b)(5) on: <ul style="list-style-type: none"> <li>- Jasmin McCray (Minor)</li> <li>- Debra Gayer (Rouse) (Guardian)</li> <li>- Anton McCray (Father)</li> <li>- Paternal Grandfather</li> <li>- Paternal Grandmother</li> <li>- Maternal Grandfather</li> <li>- Siblings age 12 and older</li> </ul> </li> </ol>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			x
	Aff.Mail			x
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 3/17/16	
			Updates:	
			Recommendation:	
			File 1- McCray	

**Probate Status Hearing RE: Filing First/Final Account**

<b>DOD: 3/4/14</b>	<p><b>MARIA GUADALUPE WARREN aka MARY GUADALUPE LEWIS</b>, Daughter, was appointed Executor with Full IAEA without bond on 9/16/14.</p> <p>At the hearing on 9/16/14, the Court set this status hearing for the filing of the first account or petition for final distribution.</p> <p>Final I&amp;A filed 3/26/15 indicates \$986.60 cash plus three parcels of real property and minimal furniture/furnishings for a total value of \$201,086.60.</p> <p><b>Status Report filed 11/18/15 states</b> the personal representative was required to commence two separate actions for unlawful detainer of two parcels to evict the occupants of the property. Such occupants have been evicted and possession has been restored to the personal representative.</p> <p>Among the assets of the estate is certain real property in Hidalgo County, Texas. The personal representative is in the process of engaging local counsel to assist with administration of the estate in Texas with respect to the Texas property. There are not sufficient liquid assets subject to administration in California to pay all expenses of administration, so the Texas property will need to be sold to pay such expenses.</p> <p>The personal representative respectfully requests continuance of this status hearing for four (4) months to allow time for the Texas real property to be administered and for the personal representative to file a petition for final distribution.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>1. Need petition for final distribution. See Probate Code §12200 or current written status report per Local Rule 7.5.</b></p>
<b>Cont. from 111915</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
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<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 3/17/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 7 - Reyes</b></p>

Attorney Burnside, Leigh W. (for Petitioners DeeAnn Doyle Summers and John Doyle)  
 Attorney Jaech, Jeffrey A. (for Respondent Christina Fishinghawk)

Order to Show Cause RE: Failure to File an Accounting as to Richard Doyle and Thomas Borchardt

	DEEANN DOYLE SUMMMERS and JOHN DOYLE, Daughter and Son, filed <b>Petition to Compel Attorney to Account and Report; for Immediate Suspension of Authority to Act; for Revocation of Power of Attorney; and for Surcharge</b> on 10/27/15.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note:</b> Page B is Ms. Fishinghawk's Account and Report of Attorney In Fact.  1. Need account or written status report per Local Rule 7.5 from Richard Doyle and Thomas Borchardt.
Aff.Sub.Wit.		
Verified	CHRISTINA FISHINGHAWK, Daughter, filed <b>Response</b> on 11/30/15.	
Inventory		
PTC		
Not.Cred.	<b>Minute Order 12/10/15 states</b> parties agree to an accounting that goes back to 2009. No appearance is necessary at the status hearing if the petition is filed at least two court days prior.	
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.	See also <b>Order Granting Petition</b> filed 12/16/15. The order requires account from Ms. Fishinghawk, Richard Doyle, and Thomas Borchardt.	
Pers.Serv.		
Conf. Screen		
Letters	<b>Status Report filed 2/1/16 by Attorney Burnside (attorney for Deeann Doyle Summers and John Doyle) states</b> to date she has not received an account and report from Respondent. She did receive an informal account of Richard Doyle and Thomas Borchardt's administration of the A. James Doyle, Jr., Trust, but no account or report of their activities as Mr. Doyle's attorneys-in-fact.	
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt	<b>At the hearing on 2/4/16, the Court issued this Order to Show Cause to Richard Doyle and Thomas Borchardt as to why they should not be sanctioned and any other appropriate orders made for their failure to file an accounting by 2/4/16. Richard Doyle and Thomas Borchardt are both ordered to be personally present in court or appear via CourtCall on 3/24/16.</b>	
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 3/17/16
		Updates:
		Recommendation:
		File 12A- Doyle

15

Jalexis Howell (CONS/P)

Case No. 16CEPR00013

Petitioner Howell, Calvin John, Sr. (Pro Per – Father – Petitioner)

Petitioner Howell, Alvena (Pro Per – Mother – Petitioner)

Petition for Appointment of Probate Conservator of the Person

		See petition for details.	<b>NEEDS/PROBLEMS/COMMENTS:</b> <u>Court Investigator advised rights on 2/9/16</u> Continued from 2/18/16. Nothing further has been filed. The following issues remain noted: <ol style="list-style-type: none"> <li>1. The petition is blank at #3g re whether conservatorship has been filed in another jurisdiction.</li> <li>2. The petition is blank at #4a re whether the proposed Conservatee is a patient in or on leave of absence from a state institution.</li> <li>3. The petition at #11 lists Petitioners (parents) as Jalexis' only relatives. Need complete list of all relatives within the second degree, which includes siblings and grandparents. If deceased, please so state and provide dates of death per Local Rule 7.1.1.D.</li> <li>4. Need Citation.</li> <li>5. Need proof of personal service of Citation with a copy of the petition at least 15 days prior to the hearing per Probate Code §1824 on Proposed Conservatee Jalexis Howell.</li> </ol>	
Cont. from 021816				
<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 type="checkbox"/>	Notice of Hrg			X
<input type="checkbox"/>	Aff.Mail			X
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			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			X
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
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<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation	X		
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<b>SEE ADDITIONAL PAGES</b>				
Reviewed by: skc				
Reviewed on: 3/17/16				
Updates:				
Recommendation:				
File 15- Howell				

Page 2 – NEEDS/PROBLEMS/COMMENTS (Cont'd):

6. Need Notice of Hearing.
7. Need proof of service of Notice of Hearing with a copy of the petition at least 30 days prior to the hearing per Probate Code §1822(e) on CVRC.
8. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1822 on all relatives within the second degree (per #3 above).
9. The petition does not request medical consent powers under Probate Code §2355; however, the Court Investigator's report indicates that Petitioners wish to request these powers. The Court may require amended petition and/or additional service to ensure that this request is included with the service on the proposed Conservatee and all relatives.
10. If medical consent powers under Probate Code §2355 are requested, need Capacity Declaration (GC-335) pursuant to Probate Code §§ 1881, 1890.
11. Need video receipt per Local Rule 7.15.8.A.

Petitioner Pineda, Raquel (Pro Per – Daughter – Petitioner)

Attorney Horton, Lisa (Court-appointed attorney for Proposed Conservatee)

Petition for Appointment of Probate Conservator of the Person and Estate

		TEMP EXPIRES 3/24/16 (Note: Bond was never filed; therefore, Temp Letters have not issued.)	NEEDS/PROBLEMS/COMMENTS:
		See petition for details.	<p><u>Court Investigator advised rights on 2/9/16.</u></p> <p><u>Minute Order 2/18/16:</u> The Court orders Temporary Conservatorship to Raquel Pineda over her mother without 2590 powers, capacity or medical decision powers. Bond required in the amount of \$23,000. Examiner notes given.</p> <p>The following issues remain noted regarding this petition:</p> <p style="text-align: center;"><u>SEE PAGE 2.</u></p>
Cont. from 021816			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
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	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: 3/17/16
			Updates:
			Recommendation:
			File 16- Pineda

Page 2

**NEEDS/PROBLEMS/COMMENTS:**

**Note:** Petitioner's declaration filed 3/1/16 states she is not seeking 2590 or specific additional powers under §§ 1873, 1901, as initially indicated in the petition.

1. Need Capacity Declaration (GC-335) in support of medical consent and dementia powers.
2. Notice of Hearing filed 3/1/16 does not indicate that a copy of the petition was included with the service per Probate Code §1822 on the relatives listed, and notice was not given to minor relatives per Cal. Rule of Court 7.51. The Court may require clarification as to whether this was a clerical error in checking the box at #5 if a copy was actually included, or may require further service on all relatives.
3. Need bond of \$23,000.00, based on the conservatee's income only, with cost of recovery pursuant to Probate Code §2320(c)(4) and Cal. Rule of Court 7.207. (**Note:** If there is actually \$100,000 in personal property, bond should be \$132,793.76; however, it appears this was a clerical error and this amount may refer to real property.)

**Note:** If granted, the Court will set status hearings as follows:

- Thursday, May 12, 2016 for the filing of bond
- Thursday, July 21, 2016 for the filing of the Inventory and Appraisal
- Thursday, May 25, 2017 for the filing of the first account

Petitioner: Sokunthim Ngeth (pro per)

Petition to Establish Fact of Birth

		<b>SOKUNTHIM NGETH</b> , father, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 2/11/16. Minute order indicates examiner notes were provided in open court.</b></p> <p><b>Health and Safety Code §103450 (a) states</b> a verified petition may be filed by any beneficially interested person with the clerk of the superior court in and for (1) the county in which the birth, death, or marriage is alleged to have occurred, (2) the county of residence of the person whose birth or marriage it is sought to establish, or (3) the county in which the person was domiciled at the date of death for an order to judicially establish the fact of, and the time and place of, <b>a birth, death, or marriage that is not registered or for which a certified copy is not obtainable.</b></p> <p>It appears that the petitioner is not trying to establish the fact of birth that was not registered or for which a certified copy is not obtainable but is attempting to correct the date of birth on the documents once Milineam Mgeth entered the United States. The purpose of a petition to establish the fact of birth under the Health and Safety Code is to establish a record that does not exist or for which a certified copy is not available.</p>
		Petitioner states <b>MILINEAM NGETH</b> was born in Cambodia on September 8, 1996 in the county of Sangkrat Prek Pra, Mean Chey District.	
<b>Cont. from 021116</b>			
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>	Included in the Declaration in Support of Petition to Establish the Fact of Birth includes copies of the following documents:	
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
	<b>Notice of Hrg</b>	1. Cambodian birth certificate of MILINEAM NEGTH showing his birth date as September 8, 1996.	
	<b>Aff.Mail</b>		
	<b>Aff.Pub.</b>	2. Certificate of United States Citizenship for MILINEAM NEGTH showing his birth date as September 8, 1999.	
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>	3. Dissolution Judgment of Sokunthim Ngeth and Sreynoun Ly listing a child of the marriage MILINEAM NEGTH with a date of birth of September 8, 1999.	
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>	The proposed order states that Milineam Ngeth was born in Cambodia and his certificate of birth shows he was born on September 8, 1996, but once he entered the United States his birth date is shown as September 8, 1999.	
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
			<b>Reviewed by:</b> KT
			<b>Reviewed on:</b> 3/17/16
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 17- Ngeth</b>