



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.

Eighth and Final Account and Report of the Trustee of the Alison Miller Special Needs Trust and Petition for Its Settlement, for Approval of Attorney Fees for Ordinary Services and for Final Distribution

DOD: 1/8/13	MATTHEW MILLER , Successor Trustee, is petitioner.	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Continued from 3/4/14. Minute order states Counsel to submit a declaration regarding the 45 hours exhausted to prepare the 8th Account.</p> <p>1. Need further declaration of attorney fees re: 8th Account.</p>
	Account period: 1/9/13 – 10/31/13	
	Accounting - \$771,179.29	
Cont. from 030414	Beginning POH - \$759,077.00	
Aff.Sub.Wit.	Ending POH - \$723,713.83	
<input checked="" type="checkbox"/> Verified	Trustee - waives	
Inventory	Attorney - \$16,137.50 (per itemization and declaration for 64.55 hours @ \$250.00 per hour for preparation of the 8 th account, reviewing DHCS claim and court appearance.)	
PTC	Petitioner states Allison Miller the Trust granted Allison Miller a power of appointment over the assets of the Trust. Pursuant to an Order for Substituted Judgment filed on 8/14/12, in this court, case no. 0437854	
Not.Cred.	Petitioner executed a power of appointment on Allison's behalf.	
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner states he has been served with a claim from the Department of Health Care Services in the amount of \$289,607.85 for reimbursement of medical claims paid on Alison's behalf prior to her death.	
<input checked="" type="checkbox"/> Aff.Mail W/	Petitioner prays for an order that:	
Aff.Pub.	1. The administration of the trust be brought to a close;	
Sp.Ntc.	2. The eighth and final account be settled, allowed and approved, and all acts and transactions of petitioner set forth in it or relating to the matters set forth in it, be ratified confirmed, and approved.	
Pers.Serv.	3. Payment of attorney fees in the sum of \$16,137.50.	
Conf. Screen	4. Distribution of the Trust to the Department of Health Care Services in the amount of \$289,607.85 with the remaining assets being distributed to Alison's brothers, Matthew Miller and Andrew Miller pursuant to the power of appointment.	
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Reviewed by: KT

Reviewed on: 3/20/14

Updates:

Recommendation:

File 1 – Miller

**(1) First Account Current, Report of Conservator and Petition for Its Settlement and
(2) Allowance of Attorneys' Fees and Costs**

Age: 39	<p>LISA MEGERDICHIAN, Conservator, is Petitioner.</p> <p>Account period: 02/27/13 – 12/31/13</p> <p>Accounting - \$147,251.26 Beginning POH - \$122,642.26 Ending POH - \$128,782.53</p> <p>Petitioner states that the conservatee receives government benefits on a debit card. The debit card is in possession of and used by the conservatee and monitored by the Petitioner for the appropriateness of the expenditures. The conservatee uses the debit card primarily for food, fuel to those who transport him, clothing, entertainment, and toiletries and supplies. Periodically, Petitioner transfers funds from the debit card account to the conservatorship account to cover bills and expenses. The debit card payments will discontinue in February 2014. Thereafter Petitioner intends to provide the conservatee with a separate debit card funded with \$500.00 at the beginning of each month and \$500.00 in the middle of each month. Petitioner believes providing the conservatee with access to these funds allows him a degree of independence that he desires. Petitioner intends to monitor the appropriateness of the expenditures.</p> <p>Petitioner has provided an accounting of the debit card activity for the period of 02/27/13 – 12/31/13 as follows:</p> <p>Accounting - \$36,167.61 Beginning POH - \$8,035.58 Ending POH - \$386.97</p> <p>Conservator - waived</p> <p>Attorney - \$6,289.50 (12.5 attorney hours (.2 @ \$415/hr; 1.8 @ \$315/hr and 10.3 @ \$250/hr.) and 22.7 paralegal hours @135/hr.)</p> <p>Costs - \$577.50 (probate referee, filing fees)</p> <p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> 1. Approving, allowing and settling the First Account and report of Conservator; and 2. Authorizing the attorney's fees and costs. <p>Court Investigator Julie Negrete filed a report on 02/14/14. The report states that the conservatorship appears to continue to be warranted and in the best interest of the conservatee.</p>	NEEDS/PROBLEMS/COMMENTS:
DOB: 09/18/74		
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 2620(c)		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
	<p>Reviewed by: JF</p> <p>Reviewed on: 03/21/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 – Assodourian</p>	

(1) Petition to Close and Distribute Estate on Waiver of Account and (2) to Approve Payment of Attorney's Statutory Fees

DOD: 6/11/13		CHARLES O. PHILLIPS , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	
		I & A - \$151,423.23	
Cont. from		POH - \$142,256.96	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Executor - waives	
<input checked="" type="checkbox"/>	Inventory	Attorney - \$5,542.70 (statutory)	
<input checked="" type="checkbox"/>	PTC	Distribution, pursuant to Decedent's Will, is to:	
<input checked="" type="checkbox"/>	Not.Cred.	Charles O. Phillips - \$20,857.08 and ½ interest in real property.	
<input checked="" type="checkbox"/>	Notice of Hrg	Bernice L. Phillips - \$20,857.08 and ½ interest in real property.	
<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	8/19/13	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 3/21/14
			Updates:
			Recommendation: SUBMITTED
			File 7 – Phillips

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

DOD: 08/11/2013		<p>KENNETH MEME, son/named executor without bond, is petitioner.</p> <p>Full IAEA - ok</p> <p>Will Dated: 12/01/1989</p> <p>Residence: Fowler Publication: The Fresno Bee</p> <p>Estimated value of the Estate: Personal property - \$19,508.00 Real property - \$180,000.00 Total: - \$199,508.00</p> <p>Probate Referee: Steven Diebert</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Affidavit of Publication in the correct newspaper pursuant to Local Rule 7.9A. Petition indicates decedent's residence at the time of death was Fowler, California, therefore the correct publication should be The Fowler Ensign. Petitioner published in the Fresno Bee.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 08/29/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 05/29/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>	
Cont. from 022514				
<input type="checkbox"/>	Aff.Sub.Wit.			x
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input type="checkbox"/>	Aff.Pub.			x
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Reviewed by:		LV		
Reviewed on:		03/20/2014		
Updates:				
Recommendation:				
File 9 – Meme				

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

Age: 12 years		<u>Temporary Expires on 3/25/14</u>		NEEDS/PROBLEMS/COMMENTS: 1. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice on: a. Raymond Guiba III (minor, age 12)
		LYDIA GAYTAN , paternal grandmother, is petitioner.		
		Father: RAYMOND GUIBA – consents and waives notice.		
Cont. from		Mother: MARIE TORREZ – consents and waives notice.		
	Aff.Sub.Wit.		Paternal grandfather: Raymon Guiba – consents and waives notice.	
✓	Verified		Maternal grandfather: Steve Torrez – mailed notice on 1/29/14.	
	Inventory		Maternal grandmother: Margaret Marin – mailed notice on 1/29/14.	
	PTC		Petitioner states the mother has not been involved in the minor's life. Father is joining the military and therefore a guardianship is necessary.	
	Not.Cred.			
✓	Notice of Hrg		Court Investigator Jennifer Young's Report filed on 3/18/14.	
✓	Aff.Mail	W/		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
				Reviewed by: KT
				Reviewed on: 3/21/14
				Updates:
				Recommendation:
				File 11 – Guiba

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

Alex age: 4	TEMPORARY EXPIRES: 3/25/14	NEEDS/PROBLEMS/COMMENTS:
Julian age: 2	CARESS GUTIERREZ , maternal aunt, is petitioner.	1. Father, Alex Ortiz is currently (as of 3/21/14) incarcerated in the Fresno County Jail. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice on: <ul style="list-style-type: none"> • Alex Ortiz (father)
Cont. from	Father: ALEX ORTIZ – Court dispensed with notice per minute order dated 2/6/14 (unless his whereabouts became known, it appears that Mr. Ortiz is currently incarcerated in the Fresno County Jail).	2. Need Notice of Hearing.
<input type="checkbox"/> Aff.Sub.Wit.	Mother: SELINA GUTIERREZ – consents, per minute order dated 2/6/14.	3. Petition does not include the name and address of the paternal grandfather and the maternal grandfather.
<input checked="" type="checkbox"/> Verified	Paternal grandfather: Not listed Paternal grandmother: Norma Leyva Maternal grandfather: Not listed Maternal grandmother: Loretta Gutierrez	4. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: <ul style="list-style-type: none"> • Paternal grandfather • Norma Leyva (paternal grandmother) • Maternal grandfather • Loretta Gutierrez (maternal grandmother)
<input type="checkbox"/> Inventory	Petitioner states she needs guardianship to care for the minors, take them to school, and obtain medical care.	
<input type="checkbox"/> PTC	Court Investigator Samantha Henson's Report filed on 3/18/14.	
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input 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		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 3/21/14
		Updates:
		Recommendation:
		File 12 – Ortiz