

**(1) First and Final Account and Report of Executor and Petition for Its Settlement,
 (2) for Allowance of Compensation for Attorney's Fees, and (3) for Final
 Distribution [Prob. C. 10951, 10810 & 11640]**

DOD: 2/11/2011		FRANK E. GILSTRAP II , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting period: 4/5/12 – 1/31/13	
Cont. from		Accounting - \$177,393.34	
Aff.Sub.Wit.		Beginning POH - \$174,393.34	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$164,432.29 (\$129,232.29 is cash)	
<input checked="" type="checkbox"/>	Inventory	Executor - waives	
<input checked="" type="checkbox"/>	PTC	Attorney - \$6,231.80 (statutory)	
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Distribution, pursuant to Decedent's Will, and agreement of devisee's, is to:	
<input checked="" type="checkbox"/>	Aff.Mail	Frank E. Gilstrap II - 2003 Chevy Astro Van, 2007 Toyota FJ Cruiser, 1971 Tirium 12' travel trailer, 25% interest in household furniture, furnishings and personal effects and \$30,750.12.	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	Marilyn McLaughlin - 25% interest in household furniture, furnishings and personal effects and \$30,750.12.	
	Duties/Supp		
	Objections		
	Video Receipt	Carilyn Weber - 25% interest in household furniture, furnishings and personal effects and \$30,750.12.	
	CI Report		
<input checked="" type="checkbox"/>	9202	Debra Paul - 25% interest in household furniture, furnishings and personal effects and \$30,750.12.	
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 3/18/13
			Updates: 3/19/13
			Recommendation: SUBMITTED
			File 1 - Gilstrap

Age: 16		TEMP EXPIRES 3-26-13	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Letters signed by both petitioners.</p>
		<p>MARY PEREZ and ALBERTO PEREZ, JR., Paternal Grandparents, are Petitioners.</p> <p>Father: CIRIACO EDWARD MORA - Consents and waives notice</p> <p>Mother: JENNIFER CASTENDADA - Consents and waives notice</p> <p>Maternal Grandfather: Dan Flores - Personally served 1-25-13</p> <p>Maternal Grandmother: Lydia - Notice dispensed 12-13-12</p> <p>Siblings: Ciera Mora, Jessie Castenada, Matthew Cavaso, Jada Mora (ages not provided)</p> <p>Petitioners state Alexis is autistic and needs special care which Petitioners have provided since 2003. When the mother had her third child, she did not believe her child was safe around Alexis. The mother has had sporadic visitation. Petitioners have cared for her since elementary school. She is now a junior in high school.</p> <p>Court Investigator Jo Ann Morris filed reports on 12-6-12 and 3-14-13.</p>	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w	
	Aff.Pub.		
	Sp.Ntc.		
N/A	Pers.Serv.		
✓	Conf. Screen		
	Letters	X	
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			<p>Reviewed by: skc</p> <p>Reviewed on: 3-15-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3 - Mora</p>

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

DOD: 8/8/2012		<p>LINDA RACHELL RICHARSON, Successor Co-Trustee of the Fairy Lataine Manfredi Living Trust dated 8/4/2012, is petitioner.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>Will dated 8/4/2012 devises entire estate to the Fairy Lataine Manfredi Living Trust.</p> <p>I & A - \$150,000.00</p> <p>Petitioner requests court determination that Decedent's 100% interest in real property located at 1891 20th Street in Kingsburg passes to her as Successor Co-Trustee of the Fairy Lataine Manfredi Living Trust dated 8/4/2012.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. #9a(3) of the petition was not answered re: issue of predeceased child.</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail <input type="checkbox"/> W/O		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: KT	
		Reviewed on: 3/18/13	
		Updates:	
		Recommendation:	
		File 5 - Manfredi	

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

DOD: 6/29/2011	KIRK KAYAJANIAN , named 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"> Friday, May 16, 2014 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p> <p>Note: Inventory and Appraisal has already been filed.</p>
	All heirs waive bond.	
	Full IAEA – o.k.	
Cont. from	Will dated: 8/10/2010	
<input type="checkbox"/> Aff.Sub.Wit.	S/P	
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Residence: Fresno	
<input type="checkbox"/> Not.Cred.	Publication: Fresno Business Journal	
<input 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	Probate Referee: Steven Diebert	
<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: KT
		Reviewed on: 3/18/13
		Updates:
		Recommendation: SUBMITTED
		File 6 - Kayajanian

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

Age: 7 years		<p style="text-align: center;">THERE IS NO TEMPORARY No temporary was requested</p> <p>JENNIFER SANCHEZ, maternal aunt, is petitioner and requests appointment as guardian of the estate without bond.</p> <p>Estimated value of the estate: \$25,000.00 (consisting of a car, furniture and furnishings and bank accounts)</p> <p>Father: TONY NAVARRO – personally served on 2/25/13</p> <p>Mother: DECEASED</p> <p>Paternal grandfather: Jose Navarro – served by mail on 2/25/13 Paternal grandmother: Alicia Navarro – served by mail on 2/25/13. Maternal grandparents: Deceased.</p> <p>Petitioner states the minor's mother died on 12/13/12. Her revocable trust contains assets to be held for the benefit for the minor. Her estate contains assets that are separate from trust assets. These assets include a car, furniture and furnishings and bank accounts. The exact value of these assets is unknown at this time. Petitioner was nominated as Guardian of the estate of the minor in mother's will dated 1/22/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The copy of the will attached to the petition is unsigned.</p> <p>Note: there is no record that the original will has been deposited with the court as required. Probate Code §8200 states the custodian of a will shall, within 30 days after having knowledge of the death of the testator, . . . (1) Deliver the will to the clerk of the superior court of the county in which the estate of the decedent may be administered.</p> <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, July 26, 2013 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. • Friday, May 23, 2014 at 9:00 a.m. in Department 303, for the filing of the first account. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set, the status hearing will come off calendar and no appearance will be required.</p> <p>Reviewed by: KT</p> <p>Reviewed on: 3/18/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8 - Navarro</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail W/		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv. W/		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report N/A		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA N/A		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Atty Ruth-Heffelbower, Duane (pro per Petitioner/Guardian/paternal grandfather)

Atty Ruth-Heffelbower, Clare Ann (pro per Petitioner/Guardian/paternal grandmother)

Atty Petty, Cheryl (pro per maternal grandmother)

Petition for Termination of Guardianship

Age: 12 years	<p>DUANE RUTH-HEFFELBOWER and CLARE ANN RUTH-HEFFELBOWER, guardians/paternal grandparents, are petitioners.</p> <p>DUANE RUTH-HEFFELBOWER and CLARE ANN RUTH-HEFFELBOWER were appointed guardians on 5/15/12.</p> <p>Father: ANDREW RUTH-HEFFELBOWER – served by mail on 1/16/13</p> <p>Mother: JAYE RUTH-HEFFELBOWER – consents and waives notice.</p> <p>Maternal grandfather: Donn Petty – consents and waives notice.</p> <p>Maternal grandmother: Cheryl Petty – consents and waives notice.</p> <p>Petitioners state Cheryl Petty, Autumn's maternal grandmother was Autumn's guardian for many years. Autumn wants to return to her care and Cheryl has agreed to file a petition for successor guardianship.</p> <p>Court Investigator Charlotte Bien's Report filed on 3/15/13</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of service on Autumn Petty (minor)</p>	
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail			W/
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters			
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input 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 type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 3/19/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 9A - Petty</p>	

9B Autumn Petty (GUARD/P)

Case No. 04CEPR00502

Atty Ruth-Heffelbower, Duane (pro per Guardian/paternal grandfather)

Atty Ruth-Heffelbower, Clare Ann (pro per Guardian/paternal grandmother)

Atty Petty, Cheryl (pro per Petitioner/maternal grandmother)

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

Age: 12 years	CHERYL PETTY , maternal grandmother, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of <u>personal</u> service of the Notice of Hearing along with a copy of the Petition or consent and waiver of notice on:</p> <p>a. Andrew Ruth-Heffelbower (father)</p> <p>b. Autumn Petty (minor)</p> <p>Note: Cheryl Petty filed a proof of service showing she served Anthony Ruth-Heffelbower by mail on 3/8/13. A party to the action cannot serve the documents. In addition Probate Code §1511 requires that the father be personally served.</p>
Cont. from	DUANE RUTH-HEFFELBOWER and CLARE ANN RUTH-HEFFELBOWER were appointed guardians on 5/15/12. – Both guardians consent and waive notice.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Father: ANDREW RUTH-HEFFELBOWER	
<input type="checkbox"/> Inventory	Mother: JAYE RUTH-HEFFELBOWER – consents and waives notice.	
<input type="checkbox"/> PTC	Maternal grandfather: Donn Petty – consents and waives notice.	
<input type="checkbox"/> Not.Cred.	Petitioner states: granting the guardianship is in the best interest of the minor. The guardians agree.	
<input checked="" type="checkbox"/> Notice of Hrg	Court Investigator Charlotte Bien's Report filed on 3/15/13.	
<input type="checkbox"/> Aff.Mail		
<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		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 3/19/13
		Updates: 3/20/13
		Recommendation:
		File 9B - Petty

Atty LeVan, Nancy J., sole practitioner (for Petitioners Ronald Webb and Jeanine Luttrell)

Petition for Appointment of Temporary Conservatorship of the Person and Estate

Age: 83 years	TEMPORARY GRANTED EX PARTE EXPIRES 3/26/2013	NEEDS/PROBLEMS/COMMENTS: Court Investigator Advised Rights on 3/14/2013. Note: Order Appointing Temporary Conservator of the Person and Estate filed 3/13/2013 based upon the granting ex parte of the temporary petition fixes bond in the amount of \$150,784.15 . Court records show that <i>Letters of Temporary Conservatorship</i> have not issued as of 3/20/2013.
	<u>GENERAL HEARING SET FOR 4/23/2013</u>	
	RONALD WEBB , son, and JEANINE LUTTRELL , daughter, are Petitioners and request appointment as Co-Conservators of the Person and Estate with bond set at \$150,784.15 .	
Cont. from	Estimated Value of the Estate:	
<input type="checkbox"/> Aff.Sub.Wit.	Personal property - \$125,000.00	
<input checked="" type="checkbox"/> Verified	Annual income - \$11,820.00	
<input type="checkbox"/> Inventory	Total - \$136,820.00	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Petitioners state the proposed Conservatee was recently taken to Sherman Oaks Hospital [in Ojai] and found to be unable to care for herself, and she was placed on a 30-day hold after a Riese hearing. Petitioners describe several instances of the proposed Conservatee feeling paranoid, engaging in odd behaviors due to her fears and illusions, and state that she is a hoarder. Petitioners state proposed Conservatee's finances are in complete disarray as she has not taken care of her affairs since 2006, and her ranch property is in danger of foreclosure because of past due taxes. Petitioners state two persons are taking advantage of the proposed Conservatee, one by trying to get her to sign over her ranch property to him, and the other by living rent-free on the ranch and boarding horses there rent-free.	
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv.		
<input checked="" type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/S		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report	Petitioners request the proposed Conservatee's residence be changed to the home of Petitioner Ronald Webb, as the hospital is willing to discharge her to the Petitioners' custody as her nominated conservators. (Nomination of the Petitioners filed on 3/12/2013.)	
<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	Court Investigator Jennifer Daniel's Report was filed on 3/19/2013.	
Reviewed by: LEG		
Reviewed on: 3/18/13		
Updates: 3/19/13; 3/20/13		
Recommendation:		
File 10 - Webb		

Petition for Appointment of Temporary Conservatorship

Age: 85	<u>TEMPORARY GRANTED EX PARTE;</u> <u>EXPIRES 03/26/13</u>		NEEDS/PROBLEMS/COMMENTS: Court Investigator advised rights on 03/15/13. 1. Need proof of personal service at least 5 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Temporary Petition</i> on proposed conservatee.	
	<u>GENERAL HEARING 04/18/13</u>			
Cont. from	PUBLIC GUARDIAN , is Petitioner and requests appointment as Temporary Conservator of the Person & Estate. Estimated Value of the Estate: Personal property - \$ 2,500.00 Annual income - 29,000.00 Total - \$31,500.00 Petitioner states that the Public Guardian received a referral from Adult Protective Services regarding Mr. Simpson. An investigation has revealed that he has fallen prey to a telephone scam and has overextended a large credit line on his home, has fallen behind on his payments and has failed to pay his property taxes. Mr. Simpson is also thin and frail, his home is falling into disrepair and he lacks food. He stated that he has not seen a doctor in many years and appears to be confused about normal life conditions. Petitioner states that a conservatorship is necessary to ensure that Mr. Simpson's finances are managed frugally, to stop the financial exploitation, and to ensure proper personal medical care and food. Court Investigator Samantha Henson filed a report on 03/20/13.			
Aff.Sub.Wit.				
✓ Verified				
Inventory				
PTC				
Not.Cred.				
✓ Notice of Hrg				
✓ Aff.Mail			w/	
Aff.Pub.				
Sp.Ntc.				
Pers.Serv.			x	
Conf. Screen			n/a	
Letters			x	
Duties/Supp			n/a	
Objections				
Video Receipt				
✓ CI Report				
✓ PG Report				
Order			x	
Aff. Posting				
Status Rpt				
UCCJEA				
Citation				
FTB Notice				
			Reviewed by: JF Reviewed on: 03/18/13 Updates: 03/20/13 Recommendation: File 11 - Simpson	

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

DOD: 04/10/12	MARIA G. RESENDES , Executor, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;">OFF CALENDAR Amended Accounting filed 03/18/13 and set for hearing on 04/30/13</p> <ol style="list-style-type: none"> The Petition indicates that some of the beneficiaries named in the will are deceased; however, their dates of death were not indicated in the Petition for Probate as required by Local Rule 7.1.1D. Need dates of death for: <ul style="list-style-type: none"> - Rafael Resendes - Marta G. Fields - Caridad G. Capote The Petition proposes to distribute the entire estate to Maria G. Resendes and states that she is the sole beneficiary; however, the Codicil to the Will dated 12/04/03 appears to devise the decedent's residence to his niece Dr. Mariela Resendes. Therefore, it appears that the residence should be distributed to Mariela Resendes. Need clarification. A waiver of accounting has been filed by Maria Resendes, but it appears that Dr. Mariela Resendes is also a beneficiary of the estate and therefore a waiver of accounting is needed from her or an accounting will be needed. Need clarification. The Petition does not address whether the notice required under Probate Code § 9202(b) to the Victims Compensation Board is needed. <p>Reviewed by: JF Reviewed on: 03/18/13 Updates: 03/20/13 Recommendation: File 12 - Fields</p>
	Accounting is waived.	
	I &A - \$178,280.53	
	POH - \$178,280.53	
	(\$38,280.53 is cash)	
Cont. from 03/12/13	Executor - waived	
<input type="checkbox"/> Aff.Sub.Wit.	Attorney - \$6,348.41 (statutory)	
<input checked="" type="checkbox"/> Verified	Distribution, pursuant to Decedent's will is to:	
<input checked="" type="checkbox"/> Inventory	Maria G. Resendes - \$38,280.53	
<input checked="" type="checkbox"/> PTC	cash plus real property	
<input checked="" type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters 10/05/12		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202 x		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
<input checked="" type="checkbox"/> FTB Notice		

Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)

Age: 5		<u>GENERAL HEARING 05/01/2013</u>		NEEDS/PROBLEMS/COMMENTS:	
		CHARLOTTE ASHLEY , paternal grandmother, is petitioner.		1. Need Notice of Hearing.	
		Father: JERMAINE WILLIAMS		2. Need proof of personal service five (5) 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:	
Cont. from		Mother: LEJEANA RAMSEY		<ul style="list-style-type: none"> • Jermaine Williams (Father) • Lejeana Ramsey (Mother) 	
<input type="checkbox"/>	Aff.Sub.Wit.				
<input checked="" type="checkbox"/>	Verified	Paternal Grandfather: Jhonin Williams		3. UCCJEA does not provide the child's residence for the past five years as required.	
<input type="checkbox"/>	Inventory	Maternal Grandfather: Mark Ramsey			
<input type="checkbox"/>	PTC	Maternal Grandmother: Denise Ramsey			
<input type="checkbox"/>	Not.Cred.				
<input type="checkbox"/>	Notice of Hrg	Petitioner states: The child has been residing with the petitioner for the past year. Petitioner alleges that the child does not get the care from his mother he needs. The father is prison. Petitioner alleges that on 02/01 the mother grabbed the child out of the car and wanted to the fight the petitioner. 911 was called and a report was made.			
<input 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 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	
				Reviewed on: 03/18/13	
				Updates:	
				Recommendation:	
				File 13 - Williams	

1A
Atty
Atty
Atty

Zachary Filgas (GUARD/P)

Kilpatrick, Patricia (Pro Per – Maternal Grandmother – Petitioner)
 Attashian, Zepure (for Elaine Thomas – Paternal Grandmother – Temporary Guardian)
 Hopper, Cindy J. (for Rachel Stauffer – Mother) (formerly represented by Atty Jennifer Walters)
 Ex Parte Petition for Grandparents Visitations (fam. Code 3104) and Petition to Join
 as Party to Guardianship Hearings of Zachary Filga

Case No. 10CEPR00914

Age: 2	TEMPORARY GUARDIANSHIP EXPIRES 3-26-13	NEEDS/PROBLEMS/COMMENTS:
	PATRICIA KILPATRICK , Maternal Grandmother, is Petitioner.	<u>Continued from 10-30-12, 1-22-13.</u> <u>Trial is also set for 3-26-13.</u>
	ELAINE THOMAS , Paternal Grandmother, is Temporary Guardian.	Minute Order 10-30-12: Ms. Attashian is also appearing specially for Attorney Martin Gamulin who is representing the father. Ms. Attashian informs the Court that the father was not provided notice. Matter continued to 1/22/13 due to lack of notice to the father. The Court directs Ms. Attashian to advise Mr. Gamulin that he is to be present at the next hearing on 1/22/13. Continued to 1/22/13.
Cont. from 103012, 012213	Petitioner's Ex Parte Petition states she has been active in Zachary's life since he was born; however, she has been denied visits since the 7-19-12 settlement agreement between the temporary guardian and the mother. Petitioner was present at that hearing, but no one discussed her visitation rights. Petitioner previously had unsupervised overnight visits, and both she and Zachary enjoyed them. He did not cry when being left with her. The visits were separate from Rachel's visits because Rachel wants to see Zachary by herself.	Minute Order 1-22-13: Matter set for Court Trial on 3/26/13 with a half day estimate. The Court directs both counsel to exchange witness lists and submit trial briefs by 3/22/13. The temporary is extended to 3/26/13. Parties agree to participate in mediation regarding the issues of visitation and guardianship on 1/29/13 at 2:00 p.m. Set on 3/26/13 @ 1:30 p.m. Dept. 303 for: Court Trial Temporary extended to 3/26/13
Aff.Sub.Wit.	Petitioner states Elaine previously told her that all she had to do was call to see Zachary, but when she requested to see him on 8-19-12, she did not respond. She sent follow up emails (attached), and received a message that she couldn't see him because someone else was visiting that day. Instead, she offered a day that she knew Petitioner could not visit because she was returning to San Jose.	Per Order After Hearing filed 7-31-12, Mother (Rachel Stauffer) to have unsupervised visitation every Saturday for three months, and overnight visits thereafter. The order also contains provisions for various holidays and states the father's visitation must be supervised. The trial date was vacated, and a review hearing was scheduled for 1-22-13.
Verified	Petitioner states she is now retired and is available through the week to see Zachary. To prevent future problems with her right to visit, Petitioner proposes a schedule including visits on Zachary's birthday, and December, and monthly 3-day visits, with makeup visits if cancellation occurs. <i>See Petition for details.</i> Exchanges to take place at Janet Appleton's residence or mutually agreed place. Temporary Guardian to provide medical care information in case of emergency.	Note: Petitioner (Maternal Grandmother) resides in San Jose, CA.
Inventory		SEE PAGE 2
PTC		Reviewed by: skc
Not.Cred.		Reviewed on: 3-19-13
Notice of Hrg		Updates:
Aff.Mail		Recommendation:
Aff.Pub.		File 1A - Filgas
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	The Court set the Petition for hearing. Petitioner to provide appropriate notice to interested parties.	
	SEE ADDITIONAL PAGES	

1A

Janet Appleton filed a supporting declaration indicating that her home is open for visits.

Petitioner filed a supplemental declaration on 10-19-12 indicating that since her petition, she has been refused visits unless they are with the mother. Zepure Attashian, attorney for the temporary guardian, told her the reason her visits are being refused is because Petitioner intimidated the temporary guardian by saying she was having her followed. This accusation is not true.

Petitioner states the temporary guardian knows that Rachel (Mother) will not allow Petitioner to see Zachary during her visits because she is upset that Petitioner supported the petition for guardianship, and feels that if Petitioner is there, Zachary will not bond with her. The temporary guardian's refusal to let Petitioner see Zachary appears to stem from the fact that she was told by Janet Appleton that Petitioner was retiring and planned to move to Fresno to see her daughter and grandson more frequently. Ms. Appleton thought the temporary guardian would be pleased to hear that, but instead was distressed.

Petitioner states she has never been a threat to Zachary or to Elaine Thomas (temporary guardian).

Petitioner proposes a revised visitation schedule. See Declaration.

Mother filed a Declaration on 2-1-13 provides information and requests the temporary guardianship be terminated.

Note: Per Substitution of Attorney filed 2-15-13, the mother is now represented by Attorney Cindy Hopper.

NEEDS/PROBLEMS/COMMENTS (Continued):

1. **Petitioner filed "Proof of Personal Service" showing service on the attorneys for Temporary Guardian and Mother, but the parties were not served directly with a Notice of Hearing.**

The Court may require continuance for direct service pursuant to Cal. Rules of Court 7.51 and Probate Code §§ 1220, 1214.

