

(1) Second Account and Report of Administrator and (2) Petition for Settlement and (3) Allowance of Extraordinary Compensation to Attorneys

DOD: 12/5/1999	DALE BOLDEN , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 6/18/2009 – 1/18/2012	<p>1. Attorney Bryan Pinion’s extraordinary fees declaration does not comply with California Rules of Court 7.702. Specifically 7.702(6).</p>
	Accounting - \$138,521.19	
	Beginning POH - \$119,148.19	
	Ending POH - \$118,609.99	
Cont. from	Attorney (Bryan Pinion) X/O - \$5,971.03 (per itemization in excess of 22 hrs @ \$250 - \$280/hr)	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Petitioner states the estate is not in a condition to close because of difficulties with the settlement of a real property dispute. From the very onset of this matter the Administrator has been coping with the congregation of the Ebenezer Church of God and Christ over ownership of “church properties”. The Church claimed ownership of the properties based on several theories and assertions. In October 2004 the Church entered into an agreement with Petitioner to settle their dispute. The Church did not honor the agreement. Petitioner on advice of counsel hired Bryan Pinion to initiate an action to for the Church to honor its obligations under the agreement. Mr. Pinion suggested that Petitioner file an unlawful detainer action, which was done in December 2007. The action was successful and the court issued a judgment in favor of the Administrator; the Church opted rather than being evicted to pay rent beginning January 2008. In late 2010 the Church stopped paying the rent and Mr. Pinion filed paperwork to have them evicted. The attorney for the Petitioner is in the process of preparing a petition requesting quiet title and a partition as to the real property in order to permit the administrator to sell the real property and that the court determine the apportioned interest of the various parties.	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
	<i>Please see additional page</i>	<p>Reviewed by: KT</p> <p>Reviewed on: 3/22/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 - Moultrie</p>

Petitioner prays for an Order:

1. The administration of the estate remain open in order to resolve the remaining issues;
2. The second account or Petitioner be settled, allowed and approved as filed;
3. All acts and proceedings of Petitioner as Administrator be confirmed and approved;
4. Petitioner be authorized to pay Bryan Pinion the sum of \$5,971.03 as compensation of services and reimbursement of costs advanced;
5. That the matter of ordinary compensation of Administrator and her attorney be reserved for determination at the time of the petition for final distribution.

Supplemental Account to First Account Current of Guardian and Petition for its Settlement

Age: 77 years DOB: 2/27/1935	<p>PUBLIC GUARDIAN, Conservator, is petitioner.</p> <p>Petitioner states there are several housekeeping issues that need to be addressed due to inadvertence and error; these matters were oversights and they need to be procedurally corrected in order for the accounts to be correct. The first omission was failure to report and include the rents and expenses on three rental properties in Southern California held by the Conservatee. The rental income was not reported in the first account previously approved by the court. Additionally, a bank account dealing with the rents was not inventoried into the estate. Lastly, there was an automobile owned by the conservatee which was not previously inventoried into the estate.</p> <p>Account period: 5/23/2007 – 7/23/2009</p> <p>Accounting - \$153,060.31 Beginning POH - \$ 12,861.02 Ending POH - \$ 51,023.52</p> <p>Petitioner prays for an Order approving and settling the Supplemental Account.</p>	NEEDS/PROBLEMS/COMMENTS:
Cont. from		
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
✓ Aff.Mail W/		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 3/22/12
		Updates:
		Recommendation:
		File 2B - Amelino

Amended Second Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney

Age: 77 years DOB: 2/27/1935	<p>PUBLIC GUARDIAN, Conservator, is petitioner.</p> <p>Account period: 7/24/09 – 7/31/11</p> <p>Accounting - \$2,255,830.23 Beginning POH - \$1,985,115.08 Ending POH - \$1,929,712.26 (\$195,812.00 is cash)</p> <p>Conservator - \$2,817.04 (11.69 Deputy hours @ \$96/hr and 22.30 Staff hours @ \$76/hr)</p> <p>Attorney (County Counsel)- \$1,380.00 (9.2 hours @ \$150/hr.) Attorney (Motsenbocker) - \$9,395.00 (27.8 hours attorney time @ 225/hr and 30.5 paralegal time @ \$90/hr)</p> <p>Bond fee - \$10,380.28 (o.k.)</p> <p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> 1. Approving, allowing and settling the second account; 2. Authorizing the conservator and attorney fees and commissions; 3. Payment of the bond fee. 	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from		
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
✓ Aff.Mail W/		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
✓ 2620(c)		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 3/22/12
		Updates:
		Recommendation:
		File 1 - Amelino

(1) First and Final Account and Report of Administration of Estate By Brenda J. Anderson as Executor, and (2) Petition for its Settlement, for (3) Approval of Statutory Compensation to Personal Representative and Attorney's Fees for Ordinary Services and for (4) Final Distribution (Prob. C. 1060 et seq., 10800, 10810 10830, 10900, et seq., 11640 & 12200, et seq., Prob. Rule 7.250)

DOD: 10-5-09		<p>BRENDA J. ANDERSON, Executor with Full IAEA without bond, is Petitioner.</p> <p>Account period: 10-5-09 through 1-31-12</p> <p>Accounting: \$966,676.09 Beginning POH: \$696,299.78 Ending POH: \$966,676.09 (cash)</p> <p>Executor (Statutory): \$23,333.52 Attorney (Statutory): \$23,333.52 Closing: \$2,500.00</p> <p>Distribution pursuant to Decedent's will:</p> <p>Brenda J. Anderson, as trustee, or her successors in trust, of the Guy B. and Dixie M. Welborn Trust, originally established by the settlors by Declaration of Trust dated 3-22-1993, and restated in its entirety by First Amendment and Agreement Restating Declaration of Trust dated 7-30-04: Entire estate</p>	NEEDS/PROBLEMS/COMMENTS:	
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
✓	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters			6-3-10
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
✓	FTB Notice			
		<p>Reviewed by: skc</p> <p>Reviewed on: 3-22-12</p> <p>Updates: 3-26-12</p> <p>Recommendation: SUBMITTED</p> <p>File 3 - Welborn</p>		

(1) First and Final Report Current on Waiver of Account, for (2) Settlement Thereof, for Statutory Attorney Fees and Reimbursement of Costs, and for (3) Final Judgment of Distribution

DOD: 5/4/2010		<p>JAROL F. DUERKSEN, Administrator, is petitioner.</p> <p>Accounting is waived.</p> <p>I & A - \$34,500.00 POH - \$34,500.00</p> <p>Administrator - waives</p> <p>Attorney - \$1,380.00 (statutory, \$330.00 has already been paid, leaving a balance of \$1,050.00)</p> <p>Costs - \$915.53 (filing fees, publication)</p> <p>Distribution, pursuant to intestate succession, is to:</p> <p>Jarol F. Duerksen - 1/2 interest in decedent's 1/3 interest in real property located in Dinuba, California.</p> <p>Rowena L. Jensen - 1/2 interest in decedent's 1/3 interest in real property located in Dinuba, California.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued to 4/26/12 at the request of the attorney.</p> <p>1. Petition does not indicate that notice to the Franchise Tax Board was performed, as required by Probate Code 9202(c)(1). – Proof of Service filed on 3/26/12 indicates the Franchise Tax Board was mailed notice on March 23, 2012.</p>	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
✓	Not.Cred.			
✓	Notice of Hrg			W/
✓	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters			11/18/11
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
✓	FTB Notice			

Reviewed by: KT
Reviewed on: 3/22/12
Updates:
Recommendation:
File 4 - Guinn

(1) Report of Executors and Petition for Allowance of Statutory and Extraordinary Fees and (2) Reimbursement of Costs, and (3) for Final Distribution on Waiver of Accounting (Prob. C. 10831, 10954 and 11640)

DOD: 6/2/2011	FRANCIS RONALD ORFF and TIMOTHY G. ORFF , Executors, are petitioners.	NEEDS/PROBLEMS/COMMENTS:
	Accounting is waived.	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.	I & A - \$7,499,243.70	
<input checked="" type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory	Executors - \$87,992.44 (statutory)	
<input checked="" type="checkbox"/> PTC	Attorney - \$87,922.44 (statutory)	
<input checked="" type="checkbox"/> Not.Cred.	Attorney X/O - \$2,000.00 (o.k. per Local Rule for preparation of Federal tax return)	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.	Costs - \$2,581.81	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	Closing - \$25,000.00	
<input type="checkbox"/> Conf. Screen	Distribution, pursuant to Decedent's Will, is to:	
<input checked="" type="checkbox"/> Letters 6/2/11	Francis Ronald Orff - Real property located in Fresno, 2003 Ford Pick-Up, 1989 Lincoln Town Car, 2008 Chevy Pick-Up and ½ of the securities in the Wells Fargo Advisors Account, Westamerica Bank stock, and misc. furniture, furnishings and personal effects.	
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report	Timothy G. Orff - \$150,151.10, ½ of the securities in the Wells Fargo Advisors Account, Westamerica Bank stock, and misc. furniture, furnishings and personal effects.	
<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: 3/22/12
		Updates:
		Recommendation:
		File 5 - Orff

Petition for Attorney Fees

Age:	CURTIS D. RINDLISBACHER,		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. \$105.00 of the costs requesting to reimbursed are for a runner service. Per Local Rule 7.17B, runner service expenses are considered by the court as part of the cost of doing business and are not reimbursable.</p>
DOD:	Petitioner, was Court appointed to represent the Conservatee on 10/24/11.		
	David J. St. Louis was appointed Conservator of the Person on 10/21/11.		
Cont. from	Petitioner requests fees in connection with the representation of Conservatee for the Petition to appoint a conservator.		
<input type="checkbox"/> Aff.Sub.Wit.	Petitioner asks that he be paid from the Conservatee's trust estate for 26.00 hours @ \$300.00/hr. and 2.7 paralegal hours @ \$85.00/hr. for a total of \$8,112.50 as well as costs in the amount of \$109.00 .		
<input checked="" type="checkbox"/> Verified	Services are itemized by date and include review of documents; visits with client; telephone conferences with caregivers, conservator, and other involved attorneys; and court appearances.		
<input type="checkbox"/> Inventory	Cost requested include payment to attorney service and for copies of court order.		
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	w/		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters			
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed on: 03/22/12
			Updates:
			Recommendation:
			File 6 - Bingham

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

Age: 86	TEMPORARY EXPIRES 3-29-12	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Court Investigator advised rights on 1-24-12.</u></p> <p><u>Voting rights affected - Need Minute Order</u></p> <p><u>Minute Order 2-16-12:</u> Jess Quemada informs the Court that he intends to hire counsel. The Court on its own motion grants temporary conservatorship of the person and estate in favor of Nancy Quemada Lau. The Court grants medical powers. Dementia powers are not granted. The temporary expires on 3/29/12. Ms. Lind is directed to prepare the order. Parties are ordered not to speak ill of one another around the conservatee Sally Quemada. Continued to: 3/29/12.</p> <p><u>Note:</u> As of 3-22-12, nothing further has been filed by either party. It is not known if Objector Jess Quemada has obtained counsel.</p> <p><u>Note:</u> If Petitioner's fee waiver is revoked based on additional information, filing fees of \$435.00 are due. See Page 7B.</p> <p><u>Please see Page 2 for additional NEEDS/PROBLEMS/COMMENTS re this petition.</u></p> <p style="text-align: center;">SEE PAGE 2</p> <p>Reviewed by: skc</p> <p>Reviewed on: 3-22-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7A - Quemada</p>
DOB: 9-17-25	NANCY QUEMADA LAU , Daughter, is Petitioner and requests appointment as Conservator of the Person with medical consent powers and dementia medication and placement powers, and as Conservator of the Estate without bond.	
Cont. from 021612	Voting rights affected	
<input type="checkbox"/> Aff.Sub.Wit.	Estimated Value of Estate: Personal property: \$7,650.00 Annual income: \$21,984.00	
<input checked="" type="checkbox"/> Verified	A Capacity Declaration was filed 1-5-12.	
<input type="checkbox"/> Inventory	Petitioner states her mother is diagnosed with Alzheimer's and dementia and suffers from heart problems and anxiety. She was living in her home in Los Angeles County with one of her 15 children, Mr. Jess Quemada ; however, in November 2008, Petitioner brought her to live with her in Clovis because Mr. Quemada was not properly caring for her. In addition, Petitioner states he was keeping her money and had influenced her to obtain a \$40,000.00 loan on one of her homes. An incident (described in the Petition) where an ambulance was called and the driver threatened to contact Adult Protective Services led to the decision to bring her here in 2008. The proposed conservatee has lived with Petitioner in Clovis since 2008 and it is in her best interest to remain so.	
<input type="checkbox"/> PTC	Jess Quemada recently filed for conservatorship in Los Angeles and failed to disclose in his petition that the proposed conservatee has not lived in that county since 2008.	
<input type="checkbox"/> Not.Cred.	Petitioner states her mother is not able to manage her finances and Petitioner has been handling her money since she came to live with her. She receives Social Security and rental income from one of two homes that she owns. One home is occupied by Jess Quemada, who does not pay rent and claims the house is his.	
<input checked="" type="checkbox"/> Notice of Hrg	The proposed conservatee had a personal attorney in Pasadena, Patrick Hanrahan, who prepared her estate-planning paperwork. Petitioner and another sibling, Yolanda Quemada , currently have power of attorney (attached POA is dated 9-2-09).	
<input checked="" type="checkbox"/> Aff.Mail	Petitioner states her mother told her that if she could not care for herself, she wanted Petitioner to care for her. Petitioner states that other than the two homes, the estate is minimal.	
<input type="checkbox"/> Aff.Pub.	SEE PAGE 2	
<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 checked="" type="checkbox"/> Objections		
<input checked="" 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 checked="" type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

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

Objection filed 2-14-12 by Jess P. Quemada, son, states the main reason for his objection is to return his mother to her home in Los Angeles. Mr. Quemada alleges Nancy Lau has made false statements against Mr. Quemada for her own financial gain. Nancy Lau and another sister Yolanda Quemada forged and made statements to remove him from the family living trust. Mr. Quemada states he has cared for his mother for 10 years and has never had any problems. He states his mother wants to come home. Objector attaches the following items:

1. "Revocation of Executor and or Power of Attorney of Sally Villagran Quemada that Objector states contains a forged signature dated 9-3-09;
2. Page 5 of what appears to be a will document reflecting Objector as personal representative
3. Page 15-2 of what appear to be a trust document reflecting Objector as first successor trustee
4. Page 2 of a letter (handwritten title: "Lawyer meeting with Sally letter!") indicating that Sally Villagran Quemada had indicated to the lawyer that she wanted to live in her house and have her children to take turns living with her so as not to demonstrate any favoritism.

Court Investigator Julie Negrete filed a report on 2-8-12.

NEEDS/PROBLEMS/COMMENTS (Cont'd):

1. **Petitioner requests appointment without bond; however, pursuant to Cal. Rule of Court 7.207, except as otherwise provided by statute, every conservator of the estate must furnish bond including a reasonable amount for the cost of recovery to collect the bond under Probate Code 2320(c)(4). Bond should be \$32,597.40.**
2. **Petitioner requests the Court waive the Inventory and Appraisal and also waive accountings as long as the estate meets the requirements of Probate Code §2628; however:**
 - **Inventory and Appraisal is required by Probate Code §2610**
 - **A first accounting (*at least*) is required by Probate Code §2620(a)**
 - **Probate Code §2628(c) requires accounting to show that income was spent for the benefit of the Conservatee.**
 - **Examiner notes that the proposed conservatee owns two houses (not just her own residence) and receives rental and pension income. Based on this information, it does not appear that the estate would qualify for waiver under Probate Code §2628, as the value of the estate may exceed the statutory limit for waiver.**

Notice to Appear for Reconsideration of Fee Waiver

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>CONFIDENTIAL</u></p>
Cont. from 022112		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: NRN / skc
		Reviewed on: 3-22-12
		Updates:
		Recommendation:
		File 7B - Quemada

7B

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

DOD: 01/15/06		<p>PATRICIA BERTELLI, surviving spouse, is Petitioner.</p> <p>No other proceedings.</p> <p>Will dated 08/19/94 devises entire estate to spouse, Patricia Bertelli.</p> <p>Petitioner states that the decedent owns an undivided one-fourth $\frac{1}{4}$ interest in real property located at 12390 E. Kamm, Kingsburg, CA as his sole and separate property. By terms of decedent's will dated 08/19/94, his entire interest in this property is bequeathed to his surviving spouse, Petitioner.</p> <p>Petitioner requests Court confirmation that decedent's $\frac{1}{4}$ interest in real property located at 12390 E. Kamm, Kingsburg, CA passes to her.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w/o
	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: JF		
		Reviewed on: 03/22/12		
		Updates:		
		Recommendation: SUBMITTED		
		File 8 - Bertelli		

9 Boyden Lavelle Walter (Estate)

Case No. 0453686

Atty Walter, Scott (pro per – Co-Executor)

Atty Potter, Kathryn (pro per – Co-Executor)

Atty Saccheri, James L (no longer eligible to practice law in California - former attorney for Scott Walter and Kathryn Potter)

Probate Status Hearing Re: Failure to File Inventory and Appraisal; Failure to File First Account or Petition for Final Distribution (Prob. C. §12200, et seq.)

DOD: 11/03/91	<p>SCOTT WALTER and KATHRYN POTTER, son and daughter, were appointed as Co-Executors on 02/18/92 with bond set at \$70,000.00.</p> <p>KATHRYN POTTER filed at bond on 02/18/92 and Letters were issued on 02/18/92.</p> <p>On 02/18/92, the Co-Executors filed a Notice of Proposed Action to sell real property of the estate.</p> <p>On 02/18/92, Marshall Walter, son of decedent filed a waiver of right to notice re the sale of the estate real property.</p> <p>No other documents were filed in this matter.</p> <p>On 02/03/12 a Notice of Status Hearing was mailed to Co-Executors setting this matter for status.</p> <p>Declaration of Kathryn Potter filed 03/16/12 states that she and her brother, Co-Executor, Scott Walter, were verbally told by attorney James Saccheri that the probate of their father’s estate was completed and received a document showing how the assets were distributed among the three beneficiaries. In December of 2011, Ms. Potter states that she received a premium notice from CNA Surety for the \$70,000.00 bond posted in the decedent’s estate. Ms. Potter states that this was the first time in the 20 years since the bond was issued that she received such a notice. Ms. Potter states that the bond was purchased by Mr. Saccheri in 1992 and the cost of the bond was reimbursed to him. Ms. Potter states that CNA Surety is now threatening to send her to collections for the unpaid bond premium. Ms. Potter states that her brother, Co-Executor, Scott Walter, came to Fresno Superior Court to look into the matter and it was discovered that the estate had never been closed and this status hearing was set. Ms. Potter states that for the last 20 years, she and her brother have been totally unaware that their father’s estate was not closed or that there was a problem and they have few records left. Ms. Potter requests that the court close this file due to the length of time and provide her with a Release of Probate Bond form that she needs to satisfy CNA Surety.</p>	NEEDS/PROBLEMS/COMMENTS:
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: JF
		Reviewed on: 03/22/12
		Updates:
		Recommendation:
		File 9 - Walter

Age: 74	TEMPORARY SIGNED EX PARTE ON 2-21-12 EXPIRES 3-29-12	NEEDS/PROBLEMS/COMMENTS:
DOB: 7-17-37	appoints Petitioners as Temporary Co-Conservators of the Person with authority to change the Conservatee's residence, and appoints BRUCE BICKEL as Temporary Conservator of the Estate with bond of \$124,000.00 (filed 2-29-12) and additional powers under Probate Code §2591.	<u>Court Investigator advised rights on 3-16-12.</u>
		<u>Voting rights affected - need minute order</u>
Aff.Sub.Wit.		<u>Court Investigator to provide report.</u>
✓ Verified	KATE SINGH, niece, and HUBERT MITCHELL, brother, are Petitioners and request appointment as Co-Conservators if the Person with medical consent powers and dementia medication and placement powers.	
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg	Petitioner also request appointment of BRUCE BICKEL as Conservator of the Estate with additional powers under Probate Code §2591.	
✓ Aff.Mail	W	
Aff.Pub.		
Sp.Ntc.		
✓ Pers.Serv.	W	
✓ Conf. Screen		
✓ Letters		
✓ Duties/Supp		
Objections		
✓ Video Receipt	X	
✓ CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
✓ Citation		
FTB Notice		
	<p>Voting rights affected</p> <p>Capacity Declaration was filed 2-22-12.</p> <p>Estimated Value of Conservatorship Estate: Personal Property: \$ 15,000.00 Annual Income from real and personal property and pensions: \$ 97,456.00 Total: \$ 112,456.00 <i>Plus Cost of Recovery:</i> \$ 11,245.00 Total: \$ 123,701.60</p> <p>Petitioners state Mr. Mitchell has no immediate family other than his siblings. He was found in June/July 2011 wandering lost near his residence in Los Angeles and was placed on a hold until his brother, Petitioner Hubert Mitchell, arrived. Petitioner Kate Singh, his niece, later traveled from Fresno to check on him and discovered that his home was extremely poor condition (refuse in the living areas, Mr. Mitchell soiled and unbathed, etc.). In addition, a former girlfriend appeared demanding money and claimed that they were going to get married. Mr. Mitchell admitted to giving her money on many occasions. LAPD assisted in asking the former girlfriend to leave, but could not permit Mr. Mitchell to stay in the residence, so Ms. Singh moved him to the Fresno area where she lives (and attends Fresno State). At filing of the Petition, he was residing in a care home in Clovis and has since been moved to a secured facility in Fresno. (See Order</p> <p style="text-align: center;">SEE PAGE 2</p>	<p>1. Need Conservatorship Video Receipt from Petitioner Hubert Mitchell per Local Rule 7.15.8.</p> <p>Reviewed by: skc</p> <p>Reviewed on: 3-22-12</p> <p>Updates: 3-27-12</p> <p>Recommendation: File 10A - Mitchell</p>

SUMMARY (Cont'd):

Mr. Mitchell was checked into Kaiser Hospital in Fresno to stabilize an undiagnosed and unmedicated psychosis, and has been diagnosed with dementia and psychosis due to medical condition. The doctor noted significant deficits in the executive function, though organization, memory, attention and calculation. She concluded that he is unable to perform activities of daily living independently, and noted that he has episodes of agitation, anger and combativeness especially around attempts to aid with his daily activities, and also has delusional thoughts, "believing he is restoring cars when he is not," and believing that thoughts from magazines are being put into his head. After stabilization, Petitioners arranged for placement in a supervised care home, and Ms. Singh has been supervising his appointments.

With respect to Mr. Mitchell's financial affairs: Mr. Mitchell was not able to provide details of his financial affairs, but after relocation, Petitioners arranged for his mail to be forwarded to Ms. Singh's address. From his mail and discussions with others (as privacy permitted), Petitioners have slowly gained an understanding of his complex financial picture.

A monthly pension from Mr. Mitchell's retirement from LA Dept. of Water and Power is automatically deposited to his checking account, and he has Kaiser health coverage that allows him no or low cost access to medical care. His monthly board and care costs consume the majority of his net pension income.

Thus far, Petitioners have been able to confirm that Mr. Mitchell owns three (3) unimproved parcels of real property in Los Angeles County, two (2) unimproved parcels in Kern County, and two (2) improved parcels in Los Angeles County – a duplex and a ten-unit apartment complex with two or three tenants. He had been residing in one of the units in the duplex.

Petitioners believe the properties need improvement to prepare them for eventual sale. Additionally, there appear to be two (2) mortgages on the duplex and one (1) mortgage on the apartment complex. One mortgage is being serviced by direct debit from Mr. Mitchell's checking account, but Petitioners have received a Notice of Foreclosure with respect to the second lender on the duplex. They were previously unaware of this second lender. Petitioners have also received notices from the Franchise Tax Board and IRS indicating that Mr. Mitchell has failed to file and/or pay income taxes since 2008. Petitioners also discovered that Mr. Mitchell owns various stocks estimated value \$7-10,000.00. Due to concerns about the complexity of Mr. Mitchell's estate, Petitioners sought professional assistance by Bruce Bickel.

Petitioners request additional powers under Probate Code §§ 2591(a), 2591(i) and 2591(l) to manage the Conservatee's rental properties and business and sell real property, subject to Court confirmation. This property is necessary because the properties are encumbered by mortgages for which limited liquidity exists to service the indebtedness. Sale may be the exclusive manner of preserving the Conservatee's equity interest in the property.

Court Investigator Jennifer Young filed a report on 3-22-12.

Atty Johnson, Summer A. (for Kate Singh and Hubert Mitchell – Temporary Co-Conservators of the Person)
 Atty Bickel, Bruce (Pro Per – Temporary Conservator of the Estate)

Report of Sale and Petition for Order Confirming Sale of Real Property (2485 Venice Blvd. Property)

Age: 74	<p>KATE A. SINGH and HUBERT MITCHELL, Temporary Co-Conservators of the Person, and BRUCE BICKEL, Temporary Conservator of the Estate with additional powers under Probate Code §2591, are Petitioners.</p> <p>Sale Price: \$ 955,000.00 (cash) Overbid: \$ 1,045,250.00</p> <p>Appraisal: <u>Need appraisal</u></p> <p>Property: 2485 Venice Blvd. Los Angeles, CA 90019</p> <p>Buyer: Dan Zuckerman</p> <p>Broker: \$59,700 (6%) to Hassana & Hady Chahine / Re/Max Execs. – Beach Cities (agent for both Buyer and Seller)</p> <p>Terms: Property to be sold “as is” and buyer agrees to inherit all issues with tenants. Buyer has until 3-28-12 to remove all contingencies in writing. Buyer has received Housing Authority failed items inspection report and information. Escrow and title charges (Peninsula Escrow of Manhattan Beach, CA) to be allocated between buyer and seller as is customary in Los Angeles County.</p> <p>Bond: Bruce Bickel, Temporary Conservator of the Estate, is currently bonded for \$124,000.00. Estimated net proceeds from this sale are \$683,770.00. Estimated net proceeds from the sale of the Packard property (Page 10C) are \$158,200.00.</p> <p>Therefore, the current bond should be increased by \$842,000.00 for a total bond amount of \$966,000.00.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> This petition does not meet requirements for Court confirmation of sale on this shortened hearing.</p> <p><u>Note:</u> Attachment 12 details the reasons for the sales and Mr. Bickel’s determination that the sales are in the best interest of the conservatorship estate.</p> <p style="text-align: center;"><u>SEE PAGE 2</u></p>
DOB: 7-17-37		
Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg X		
Aff.Mail X		
Aff.Pub. X		
Sp.Ntc.	<p>Reviewed by: skc</p> <p>Reviewed on: 3-28-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10B - Mitchell</p>	
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
<input checked="" type="checkbox"/> Aff. Posting X		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Report of Sale and Petition for Order Confirming Sale of Real Property (2485 Venice Blvd. Property)

NEEDS/PROBLEMS/COMMENTS:

1. Need publication pursuant to Probate Code §10300(a) (publishing required) and §10304 (required contents of Notice of Sale).
Petitioner states publication is not required because Petitioner has power of sale under Probate Code §2591; however, for Court confirmation of sale, power of sale does not negate the publication requirement.
2. Probate Code §10302 does not allow the Court to shorten the time of notice of sale to less than five (5) days.
On 3-27-12, the Court granted Order Shortening Time for Notice of Hearing on Report of Sale that shortened notice to three (3) days with service to be made by facsimile and/or overnight mail.
However: Probate Code §10302 does not allow the Court to shorten the time of notice of sale (publishing) to less than five (5) days.
3. Need proof of service of Notice of Hearing on all applicable parties and the buyer at least five (5) days prior to the hearing per Order 3-27-12 and #2 above (Probate Code §§ 10302, 10308, 1220, 1230).
4. Need amended posting with corrected hearing date pursuant to Probate Code §§ 10308(c) and 1230. Affidavit of Posting by the Probate Clerk reflects the original assigned hearing date of 5-7-12.
5. Need appraisal of Probate Referee.
Note: The sale price must be at least 90% of the appraised value pursuant to Probate Code §§ 2543 and 10309.
6. Bond calculation does not take into account the cost of recovery into account pursuant to Probate Code §2320(c)(4) and Cal. Rule of Court 7.207 and the decrease in income from these properties.
If both sales are approved, Examiner calculates that the bond should be increased by \$901,357.12 for a total bond of \$1,025,357.12.
7. Need Order.

Atty Johnson, Summer A. (for Kate Singh and Hubert Mitchell – Temporary Co-Conservators of the Person)
 Atty Bickel, Bruce (Pro Per – Temporary Conservator of the Estate)

Report of Sale and Petition for Order Confirming Sale of Real Property (5219 Packard Street Property)

Age: 74	<p>KATE A. SINGH and HUBERT MITCHELL, Temporary Co-Conservators of the Person, and BRUCE BICKEL, Temporary Conservator of the Estate with additional powers under Probate Code §2591, are Petitioners.</p> <p>Sale Price: \$ 530,000.00 (cash)</p> <p>Overbid: \$ 557,000.00</p> <p>Appraisal: <u>Need appraisal</u></p> <p>Property: 5219 Packard Street Los Angeles, CA 90019</p> <p>Buyer: Goren Properties, LLC</p> <p>Broker: \$31,800 (6%) to Hassana & Hady Chahine / Re/Max Execs. – Beach Cities (agent for both Buyer and Seller)</p> <p>Terms: Property to be sold “as is.” Buyer has until 3-28-12 to remove all contingencies in writing. Buyer has received Housing Authority failed items inspection report and information. Escrow and title charges (Peninsula Escrow of Manhattan Beach, CA) to be allocated between buyer and seller as is customary in Los Angeles County.</p> <p>Bond: Bruce Bickel, Temporary Conservator of the Estate, is currently bonded for \$124,000.00. Estimated net proceeds from this sale are \$158,200.00. Estimated net proceeds from the sale of the Venice property (Page 10C) are \$683,770.00.</p> <p>Therefore, the current bond should be increased by \$842,000.00 for a total bond amount of \$966,000.00.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: This petition does not meet requirements for Court confirmation of sale on this shortened hearing.</p> <p>Note: Attachment 12 details the reasons for the sales and Mr. Bickel’s determination that the sales are in the best interest of the conservatorship estate.</p> <p style="text-align: center;"><u>SEE PAGE 2</u></p>
DOB: 7-17-37		
Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg <input type="checkbox"/>		
Aff.Mail <input type="checkbox"/>		
Aff.Pub. <input type="checkbox"/>		
Sp.Ntc.	<p>Reviewed by:</p> <p>Reviewed on:</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10C – Mitchell</p>	
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order <input type="checkbox"/>		
<input checked="" type="checkbox"/> Aff. Posting <input type="checkbox"/>		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Report of Sale and Petition for Order Confirming Sale of Real Property (5219 Packard Street Property)**NEEDS/PROBLEMS/COMMENTS:**

8. Need publication pursuant to Probate Code §10300(a) (publishing required) and §10304 (required contents of Notice of Sale).
Petitioner states publication is not required because Petitioner has power of sale under Probate Code §2591; however, for Court confirmation of sale, power of sale does not negate the publication requirement.
9. Probate Code §10302 does not allow the Court to shorten the time of notice of sale to less than five (5) days.
On 3-27-12, the Court granted Order Shortening Time for Notice of Hearing on Report of Sale that shortened notice to three (3) days with service to be made by facsimile and/or overnight mail.
However: Probate Code §10302 does not allow the Court to shorten the time of notice of sale (publishing) to less than five (5) days.
10. Need proof of service of Notice of Hearing on all applicable parties and the buyer at least five (5) days prior to the hearing per Order 3-27-12 and #2 above (Probate Code §§ 10302, 10308, 1220, 1230).
11. Need amended posting with corrected hearing date pursuant to Probate Code §§ 10308(c) and 1230. Affidavit of Posting by the Probate Clerk reflects the original assigned hearing date of 5-7-12.
12. Need appraisal of Probate Referee.
Note: The sale price must be at least 90% of the appraised value pursuant to Probate Code §§ 2543 and 10309.
13. Bond calculation does not take into account the cost of recovery into account pursuant to Probate Code §2320(c)(4) and Cal. Rule of Court 7.207 and the decrease in income from these properties.
If both sales are approved, Examiner calculates that the bond should be increased by \$901,357.12 for a total bond of \$1,025,357.12.
14. Need Order.

Petition for Termination of Guardianship

Age: 17 years DOB: 10/12/1994	<p>JOE GONZALEZ and ALICE GONZALEZ, guardian/non-relatives, are petitioners.</p> <p>Petitioners were appointed as guardians on 7/26/2011.</p> <p>Father: Not Listed (ROBERT VARELA, Sr. per Petition for Appointment)</p> <p>Mother: Not listed (ABIGAIL ROSALES per Petition for Appointment)</p> <p>Paternal grandfather: Not Listed (Luis Varela per Petition for Appointment)</p> <p>Paternal grandmother: Not Listed (Simona Varela per Petition for Appointment)</p> <p>Maternal grandparents: Not listed.</p> <p>Petitioners state the minor refuses to listen to anyone including the authorities. He has continuously gotten into trouble with the law, breaking curfew, sneaking out, drinking and smoking. Petitioners state they are just too old to be taking care of him this way.</p> <p>Court Investigator Julie Negrete's report filed 3/22/12</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Petition does not include the names and current addresses of all relative within the 2nd degree. Need <i>Notice of Hearing</i>. Need proof of service of the <i>Notice of Hearing</i> on: <ol style="list-style-type: none"> Robert J. Varela, Jr. (minor) Robert Varela, Sr. (father) Abigail Rosales (mother) Luis Varela (paternal grandfather) Simona Varela (paternal grandmother) Maternal grandparents 	
Cont. from			
Aff.Sub.Wit.			
<input checked="" type="checkbox"/> 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			
<input checked="" type="checkbox"/> CI Report			
9202			
<input checked="" type="checkbox"/> Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: KT	
		Reviewed on: 3/23/12	
		Updates:	
		Recommendation:	
		File 11 - Varela	

Atty Carbral, Mary Helen (Pro Per – Maternal Grandmother – Petitioner)

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

Sage Marie Rubi (7) DOB: 9-28-04	<p>NO TEMPORARY – none requested</p> <p>MARY HELEN CARBRAL, Maternal Grandmother, is Petitioner.</p> <p>Father: MARCELINO RUBI - Consent and Waiver of Notice filed 10-28-11</p> <p>Mother: JOANNA WELLS - Consent and Waiver of Notice filed 10-28-11</p> <p>Paternal grandfather: Not listed Paternal grandmother: Mary R. Rubi Maternal grandfather: Howard E. Wells, Jr.</p> <p>Petitioner states she can provide a home, clothing, and the love the children need.</p> <p>UCCJEA indicates the children lived with their parents until 10-4-11 when they came to live with Petitioner.</p> <p>Court Investigator Jennifer Young filed a report on 12-29-11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note: Certified mail receipts indicate ICWA notice was received by all appropriate parties / agencies as of 1-31-12. No response has been filed by White Mountain Apache Tribe.</u></p> <p><u>As of 3-21-12, the following issues remain:</u></p> <ol style="list-style-type: none"> 1. Need attachment Petitioner’s Confidential Guardian Screening Form explaining the answer “yes” to #6. 2. Need Notice of Hearing and proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per Probate Code §1511 or consent and waiver of notice or declaration of due diligence on: <ul style="list-style-type: none"> - Maternal grandfather Howard E. Wells, Jr. - Paternal grandmother Mary R. Rubi - Paternal grandfather (not listed)
Marley Angelique Rubi (3) DOB: 3-5-08		
Violet Jodie Rubi (23 mo.) DOB: 1-22-10		
Laura Sincere Rubi (2 mo.) DOB: 10-1-11		
Cont. from 010912		
Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg X		
Aff.Mail X		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv. N/A		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
Objections		
Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> Clearances		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
Citation		
FTB Notice		

Reviewed by: skc
Reviewed on: 3-21-12
Updates:
Recommendation:
File 12 - Rubi

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

Age: 12 years DOB: 10/4/1999	<p>THERE IS NO TEMPORARY. No temporary was requested.</p> <p>KIMISHA MICHELE, sister, is petitioner.</p> <p>Father: JESSIE OUTERBRIDGE – <i>consents and waives notice.</i></p> <p>Mother: KIMBERLY WASHINGTON – <i>consents and waives notice.</i></p> <p>Paternal grandparents – <i>deceased</i> Maternal grandparents – <i>deceased</i></p> <p>Petitioner states the guardianship is necessary because the mother is going through several health issues. The child needs to be cared for because she is disabled.</p> <p>Court Investigator Jennifer Daniel's Report filed on 3/16/12</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing.</i> 2. Need proof of service of the <i>Notice of Hearing</i> along with a copy of the Petition or Consent and Waiver of Notice on: <ol style="list-style-type: none"> a. Yazmeen Outerbridge (minor, age 12) 	
Cont. from			
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: KT
 Reviewed on: 3/23/12
 Updates:
 Recommendation:
 File 13 - Outerbridge

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

Age: 2	<p>TEMPORARY EXPIRES 3-29-12</p> <p>NORMA JEFFERY, Maternal Great-Grandmother, is Petitioner.</p> <p>Father: ROBERTO GARCIA Mother: BRIANNA JEAN SHAW</p> <p>Paternal Grandfather: Unknown Paternal Grandmother: Unknown</p> <p>Maternal Grandfather: Unknown Maternal Grandmother: Christine Shaw</p> <p>Sibling: Christina Rose Brielle Garcia</p> <p>Petitioner states guardianship is necessary for the protection, safety and proper care, and to have a loving upbringing in a drug-free stable home. Mother is currently on parole. She admitted to using meth and is now in violation of parole Petitioner has been told by Mother’s parole officer that an arrest warrant has been issued.</p> <p>Petitioner states Mother and her two daughters resided with her from Sept. 2011-Dec. 2, 2011 to help her get away from her husband Robert Garcia, who is a registered Bulldog gang member and drug user. During this time, Petitioner realized Mother was incapable of caring for either of her children. Mother signed over “guardianship” of Aaliyah to Petitioner on 12-3-11 and of the other child (Christina Garcia) to her mother Christine Shaw, who lives in Tampa, Florida.</p> <p style="text-align: center;"><u>SEE PAGE 2</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Petitioner had a temporary restraining order protecting herself and the child from the mother, Brianna Jean Shaw Garcia, in 12CEFL00455; however, Court records indicate that there were no appearances at the hearing on 3-14-12 and the <u>TRO was terminated</u>.</p> <p><u>Note:</u> Petitioner filed an ex parte request to keep her address confidential. The request was denied per Court order 3-8-12.</p> <p><u>Minute Order 2-9-12:</u> The Court excuses service to the mother for this hearing only. The Court extends the temporary to 3-29-12.</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 temporary petition at least 15 days prior to the hearing per Probate Code §1511 or consent and waiver of notice or declaration of due diligence on: <ul style="list-style-type: none"> - Brianna Jean Shaw (Mother) - Roberto Garcia (Father) <p><u>Note:</u> Petitioner states the father is unknown and refers to Robert Garcia only as Mother’s husband, but according to the Court Investigator’s report, the couple was married when Aaliyah was born and Roberto Garcia is the Father.</p> 3. Need proof of service of Notice of Hearing with a copy of the temporary petition at least 15 days prior to the hearing per Probate Code §1511 or consent and waiver of notice or declaration of due diligence on: <ul style="list-style-type: none"> - Maternal Grandmother (Christine Shaw) - Maternal Grandfather - Paternal Grandmother - Paternal Grandfather
DOB: 2-20-10		
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		
✓ Clearances		
✓ Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 3-22-12
✓ UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 14 - Garcia

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

Petitioner states incidents that substantiate the need for immediate guardianship include not being able to stay awake while the children are up, severe diaper rashes, infrequent bathing, not fed on a consistent basis, keeping the child in a highchair for long periods of time, not dressing her appropriately for the weather, leaving her in the bathtub unattended, leaving sharp knife within child's reach, not having enough food, formula, diapers, etc.

Petitioner states on 1-20-12, Brianna (Mother) and Robert (Mother's husband) came to Petitioner's home to take Aaliyah. Petitioner refused and put Aaliyah in her car seat to leave. They then said the police were on their way and stood behind the car so she could not leave. Petitioner called the police from her car. This incident resulted in a temporary restraining order. Petitioner requests guardianship to protect the child.

Mother filed an Objection on 3-22-12. The objection states that she is being admitted into the Spirit of Woman program to access substance abuse counseling and mental health services. This program offers the privilege of having your kids live with you and also has a great parenting program. Mother feels she is capable of caring for her daughter while receiving the help she needs to better herself for a more positive future for her and her children.

Mother asks that if she is not yet in the program as of this hearing due to being incarcerated to take care of her legal problems that the Court extend the hearing to give her more time to settle in and attain any advocates or recommendations from the program that will verify the children being able to live with her and that it is in the child's best interest. Mother believes this will help her grow more mature and responsible as a parent.

Court Investigator Samantha Henson filed a report on 3-22-12.

Petitioner filed additional declarations of due diligence and non-service. Petitioner states she spoke to Mother's parole agent and Mother has turned herself in to a drug rehab and is avoiding service, but is well-aware of the petition. Petitioner also filed a letter in support of guardianship by her daughter Michelle Bugg (aunt of Aaliyah).

Examiner notes that Petitioner mentions speaking to Robert Garcia (Father), but has not provided proof of service per Note #2 above.

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

Harlee DeCambra (5) DOB: 10-20-06	GENERAL HEARING 5-21-12	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: A Domestic Violence Temporary Restraining Order in Fresno Superior Court Case #12CEFL01511 was granted on 3-14-12. The DVTRO protects Mother and both children from Father and provides sole legal and physical custody to Mother with no visitation to Father. The DVTRO and temporary custody order expire at hearing on 4-4-12.</p> <p>1. Need Notice of Hearing.</p> <p>2. Need proof of personal service of Notice of Hearing with a copy of the temporary petition at least five court days prior to the hearing per Probate Code §2250(e) or consent and waiver of notice on:</p> <ul style="list-style-type: none"> - Alan DeCambra (Father) - Heather Van Patten (Mother)
Gerald DeCambra (2) DOB: 2-27-10	MARYLOU MOORE , Maternal Grandmother, is Petitioner.	
	Father: ALAN DECAMBRA	
	Mother: HEATHER VAN PATTEN	
Aff.Sub.Wit.	Paternal Grandfather: Robert DeCambra	
✓ Verified	Paternal Grandmother: Pam DeCambra	
Inventory	Maternal Grandfather: Ricky Moore	
PTC	Sibling: Shawn Moore (age not provided)	
Not.Cred.	Petitioner states there is domestic abuse and drug use in the home. Mother’s mood changes from day to night in minutes and she has a “short fuse.” Petitioner states that even after Mother was warned by CPS that she would lose the children she returned back to the house with the abuser. Mother has no income, no vehicle and no place to live. She is mentally unstable. Father is not allowed to see the kids because of the restraining order.	
Notice of Hrg	X	
Aff.Mail	UCCJEA indicates the children have always lived with their parents.	
Aff.Pub.	Temporary Restraining Order dated 3-14-12 attached to the UCCJEA indicates that Mother and the children are protected from Father and gives Mother sole legal and physical custody with no visits to Father.	
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: 3-23-12
Updates:
Recommendation:
File 15 - DeCambra

Ex Parte Request to Terminate Visitation

Age: 5 years DOB: 11/17/2006	<p style="text-align: center;">TEMPORARY EXPIRES 5/4/12.</p> <p style="text-align: center;">TRIAL ON THE GENERAL HEARING SET FOR 5/4/12</p> <p>KENNETH ROBERTS and YOUNGAE ROBERTS, maternal grandparents and temporary guardians, are petitioners.</p> <p>Father: MARCOS GALVAN</p> <p>Mother: SARAH ROBERTS – deceased.</p> <p>Petitioner filed an Ex Parte Request to Terminate Visitation on 3/21/12. In their petition petitioners allege that on 3/17 and 3/18 petitioner Kenneth Roberts surreptitiously shot video in front the home where the father, Mr. Galvan, resides. Petitioner states the video shows the father drinking from a bottle of what appears to be beer. Father is then seen getting into the driver’s seat of the vehicle and exiting the driveway. Petitioners states Saede has made statements to them that are consistent with such activity by the father. Saede has stated to Petitioners that her father drives her in his car while drinking a beer. Mr. Galvan has at least one prior DUI. Pursuant to Court Order Mr. Galvan is allowed visitation every weekend from Friday at 5:00 p.m. to Sunday at 5:00 p.m. Petitioners requested immediate termination of visitation between Mr. Galvan and Saede, pending further order of the court.</p> <p>Order on Ex Parte Request to Terminate Visitation filed on 3/23/12 the court ordered that visitation between Marco Galvan and Saede Galvan is terminated. The Court further ordered until further hearing on 3/29/12 at 9:00 a.m. in Dept. 303 any party who has good faith reason to believe that the prior order of the court has been violated, or that any person subject to the order is violating any law or ordinance and/or otherwise putting any child at risk shall be present to present any evidence at the hearing and to provide opposing counsel with said evidence planned to be presented for judicial review. Moving party to provide notice to opposing party by noon on 3/26/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of service of the <i>Notice of Hearing</i> on: <ol style="list-style-type: none"> a. Marcos Galvan
Cont. from		
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg X		
Aff.Mail X		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order X		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Reviewed by: **KT**
 Reviewed on: **3/26/12**
 Updates:
 Recommendation:
 File **16 – Galvan & Roberts**

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

DOD: 2-1-10	<p>FELICIA GARCIA, Spouse, is Petitioner.</p> <p>40 days since DOD</p> <p>No other proceedings</p> <p>I&A: \$45,000.00</p> <p>Decedent died intestate</p> <p>Petitioner states Decedent inherited certain real property in Orange Cove, CA from his father in 1994 and at his death owned a 100% sole and separate interest in the property.</p> <p>Petitioner and Decedent began living together in 1982 and were married in 1995. Monica Rodriguez, Stephanie Ann Garcia, Elizabeth R. Garcia and Ezekial Garcia Jr., are the natural born children of Petitioner and Decedent and Decedent did not have any other children, living or deceased.</p> <p>All four children have signed Disclaimers of Interest in the real property, which were filed as attachments to the Amended Spousal Property petition filed 6-14-10 and incorporated by reference.</p> <p>As a consequence of the disclaimers, the entire interest in the real property is distributable to Decedent’s wife (Petitioner).</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 3-22-12</u>: The Court asks Mr. Shekoyan to speak with the County with regards to the foreclosure/loan. The Court will entertain an Order Shortening Time, and continues this matter to March 29, 2012 in order for Mr. Shekoyan to report on his contact, or conversation, with the County.</p> <p><u>Note</u>: Petitioner originally filed a Spousal Property Petition in 10CEPR00279. Examiner Notes noted that there is no provision for disclaimers of interest in this type of summary proceeding. The matter was continued for Attorney Shekoyan to research the issue per minute order 7-22-10. Additional continuances were granted on 8-30-10, 11-8-10, 2-7-11, 5-9-11, and 8-1-11. At the 7th hearing on 9-12-11, nothing further had been filed since the 7-22-10 hearing and the petition was denied and dismissed.</p> <ol style="list-style-type: none"> Like the previous Spousal Property Petition, this Petition to Determine Succession is a summary proceeding. As such, and as previously noted, there is no provision for disclaimers of interest. Need authority. Petitioner refers to original documents filed in a case that has been dismissed and requests to incorporate them by reference. If this matter goes forward, the Court may require original documents with reference to <u>this</u> petition.
Cont. from 030812, 032212		
Aff.Sub.Wit.		
✓ Verified		
✓ Inventory		
✓ PTC		
Not.Cred.		
✓ Notice of Hrg		
✓ Aff.Mail	W	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 3-26-12
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 17 - Garcia