



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.

Atty Urbatsch, Kevin, of Myers Urbatsch, San Francisco (for Petitioner Wells Fargo Bank, Trustee)

Third Account & Report of Trustee of the 2009 Sandy Moua Special Needs Trust; Petition to Settle Account; to Confirm Trustee Fees, and to Fix and Allow Attorney Fees and Costs

		WELLS FARGO BANK , Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 12/1/2012 – 11/30/2014	Continued from 2/18/2015.
		Accounting - \$2,367,734.81	<i>Minute Order</i> states counsel requests 30 days.
		Beginning POH - \$2,046,096.74	
		Ending POH - \$2,121,160.68	
		(\$158,399.60 is cash)	
Cont. from 021815			
	Aff.Sub.Wit.		
✓	Verified	Trustee - \$66,947.47 (paid)	<i>Note: Second Additional Page contains Needs/Problems/Comments prepared for the 2/18/2015 hearing, retained for the Court's reference in considering the information provided by the Declaration of Kevin Urbatsh in Support of Third Account and Report filed 3/13/2015, denoted by highlighted text.</i>
	Inventory	(Per Exhibit B, Trustee's Fee Schedule; standard annual fee for administration of SNT is 1.50% of the market value on the first 2 million, and 1.05% on next million;)	
	PTC		
	Not.Cred.		
✓	Notice of Hrg	Attorney - [\$3,830.50]	
✓	Aff.Mail	(for services [2/18/2013] through 1/5/2015; \$265.00 to \$450.00 per hour attorney rates, \$150.00 to \$175.00 per hour paralegal rates; includes \$435.00 filing fee [reduced to \$200.00 as actually paid on 1/7/2015])	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen	Rent to SNT - \$43,505.33 (paid)	
	Letters	(paid to the SNT by the Beneficiary's parents for period 12/11/2012 to 8/7/2013 @ \$2,350.00 per month, and from 9/10/2013 to 11/10/2014 @ \$1,500.00 per month;)	
	Duties/Supp		
	Objections		
	Video Receipt	Caregivers - \$82,875.44 (paid)	
	CI Report	(paid to Risk Management Strategies, the payroll service for the caregivers (parents); for 24 months from the period 12/6/2012 to 11/26/2014; monthly rate varies;)	
✓	2620		
✓	Order		
	Aff. Posting	Petitioner prays for an Order:	Reviewed by: LEG
	Status Rpt	1. Approving, allowing and settling the Third Account and Report of the Trustee; and	Reviewed on: 3/26/15
	UCCJEA	2. Confirming payment of the Trustee fees; and	Updates:
	Citation	3. Authorizing payment of the Attorney fees and costs.	Recommendation:
	FTB Notice		File 1 – Moua

Background, taken in most part from the Petition Requesting Reduction of Court-Ordered Rent filed by the Trustee on 7/19/2013:

- The **2009 SANDY MOUA SPECIAL NEEDS TRUST (SNT)** was established pursuant to *Order for Approval of Minor's Compromise* in Fresno County Superior Court Case No. 07CECG01886 dated 1/5/2010 (*per Law and Motion Minute Order dated 1/5/2010*); pursuant to an *Order Authorizing Discretionary Distributions from Special Needs Trust* dated 8/18/2010, the Court authorized Petitioner to purchase a residence with SNT funds; the residence is owned by the SNT;
- Sandy's mother is her primary care provider; however, Sandy's siblings also care for her **~20%** of the time; Sandy has several disabilities, including significant cognitive impairment and spastic quadriparesis as a result of brain injury that occurred when she was hit by a car while crossing the street, and she is unable to walk on her own for more than a few steps, requiring a wheelchair for mobility as well as other special equipment. (Note: This information was taken from Paragraph 4 of the *Petition Requesting Reduction of Court-Ordered Rent* filed 7/19/2013, which does not mention that Leng Moua, Sandy's father, is a care provider for Sandy, only that he lost his job at that time.)
- Sandy's parents, **LENG S. MOUA** and **ZOUA YANG**, were ordered (by *Order Authorizing Discretionary Distributions from Special Needs Trust* filed 8/18/2010) to pay a monthly rent of **\$2,350.00** to the SNT starting 9/1/2010; with this Court's authorization, Petitioner purchased a **~4,048** square foot residence located on Vermont Avenue in Clovis for **\$465,000.00**, and the entire family (consisting of Sandy, her parents and her seven brothers and sisters) lives there together as is the custom in Hmong culture; Sandy's parents paid the court-ordered rental amount of **\$2,350.00** since September of 2010, as well as all utilities other than trash and water, which are paid by the SNT directly to the City of Clovis.
- **Minute Order dated 8/18/2010 from the Amended Petition for Authorization of Discretionary Distributions from Special Needs Trust states:**
 - The court finds that \$2,350.00 per month is the fair market rental value that should be paid and approves \$1,300.00 per month for caregiver expenses** [emphasis added]. The court allows the purchase of a vehicle, the cost of which shall not exceed **\$45,000.00**, and orders that any funds left over from the purchase not be spent. The court also allows the attorney fees and costs as prayed. The court finds reasonable an hourly fee of **\$150.00** for the services of Jim Hyuck [Advocate/consultant from Navigating the Regional Center System] and deems appropriate **1.3** hours of service in this matter for a total of **\$195.00**. There are to be no further services provided by Mr. Hyuck without the court's permission. **The court orders that Wells Fargo shall file quarterly declarations with the court verifying that the monthly rental fee is being received** [emphasis added; Note: Court records show no such declarations by the Trustee have been filed with the Court.] Said payments are to begin 9/1/10. If any one payment is made later than five days, Wells Fargo is to take immediate steps to evict or collect and notify the Court. The first of these quarterly reports is due by 12/01/10. The order is signed as amended on the record.
- **Order on Petition Requesting Reduction of Court-Ordered Rent to Special Needs Trust filed 8/27/2013 finds the** Trustee is authorized to amend the lease between the SNT and Sandy's parents, **LENG MOUA** and **ZOUA YANG**, to reduce the rent to **\$1,500.00** per month; the Order includes a finding that the Probate Status Hearing for filing of the third account remains set for **1/23/2015**, at which time the **Court will reconsider the rent reduction and potential rent readjustment**; however, the 1/23/2015 hearing was taken off calendar by the Court upon the filing of the instant *Third Account*, thus the Court did not reconsider the rent reduction and potential rent readjustment at that time.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS, continued:

1. *Schedule C, Disbursements* shows the following payments totaling **\$2,956.90** to **JAMES HUYCK**, "Public Benefits Cons.," in direct violation of this Court's 8/18/2010 *Minute Order* and *Order Authorizing Discretionary Distributions from Special Needs Trust*, finding as reasonable an hourly fee of **\$150.00** for the services of Jim Huyck [*Advocate/consultant from Navigating the Regional Center System*] and that there are to be no further services provided by Mr. Huyck without the Court's permission:
 - **\$977.40** on 3/1/2013;
 - **\$195.00** on 4/11/2013;
 - **\$1,346.15** on 5/10/2013
 - **\$165.75** on 6/17/2013;
 - **\$273.00** on 2/18/2014.

Declaration of Kevin Urbatsh in Support of Third Account and Report filed 3/13/2015 states he was not aware of the [8/18/2010] *Minute Order*; Mr. Huyck's services were utilized in the Second Account and Report without issue, so they were surprised to see the minute order from 2010; he had to go to the Court's website to download through the Docket of Entries to obtain the minute order; there were no hard copies in the file; he was not the attorney for the Trustee in 2010 in this matter so was personally unaware of the minute order; when they examined the signed order in their file, no limitation against Mr. Huyck's services was mentioned; they apologize for the oversight; utilizing Ms. Huyck's services was essential in this case because Sandy Moua's public benefits were at risk and Mr. Huyck was able to advocate and save Sandy's benefits and recover her SSI payments; without his assistance, Sandy would have lost tens of thousands of dollars in financial and health care public benefits (*copy of Mr. Huyck's time spent on the matter and description of services attached as **Exhibit D.***)

2. It appears reconsideration by the Court is warranted for the following payments:

- **Rent paid to the SNT:** *Order Authorizing Discretionary Distributions from Special Needs Trust* filed 8/18/2010, and the *Minute Order* dated 8/18/2010 from the *Amended Petition for Authorization of Discretionary Distributions from Special Needs Trust* state, in pertinent part, that the court finds that **\$2,350.00** per month is the fair market rental value that should be paid starting 9/1/2010. Rent estimate from zillow.com obtained on 2/11/2015 (*printout contained on left side of case file*) shows the fair market value of rent to the SNT should be **~\$2,345.00** per month. Paragraph 4 of the *Petition Requesting Reduction of Court-Ordered Rent* filed 7/19/2013 states that Leng Moua, Sandy's father, lost his job at that time (~ July 2013), and that without Mr. Moua's income the family is unable to continue to pay the ordered rental amount, such that if the rent cannot be reduced, the Moua family will be forced to find another place to live which would constitute an extreme hardship to Sandy. *Order on Petition Requesting Reduction of Court-Ordered Rent to Special Needs Trust* filed 8/27/2013 finds the Trustee is authorized to amend the lease between the SNT and Sandy's parents, **LENG MOUA** and **ZOUA YANG**, to reduce the rent to **\$1,500.00** per month; the *Order* includes a finding that the Probate Status Hearing for filing of the third account remains set for **1/23/2015**, at which time the Court will reconsider the rent reduction and potential rent readjustment, though reconsideration of rent was not made at that time.

~Please see additional page~

It appears reconsideration by the Court is warranted for the following payments, continued:

Rent paid to the SNT:

Declaration of Kevin Urbatsh in Support of Third Account and Report filed 3/13/2015 states the Trustee agrees that rent should be reconsidered; pursuant to this Court's Order dated 8/27/2013, the Mouas [parents] are to pay rent of **\$1,500.00** per month; the Mouas have consistently paid rent in full on time each and every month; the parents have not asked for any rent reduction, but the Trustee believes it is in Sandy's best interest to reduce the rent and allow the parents to continue to provide 24-hour per day, 7-day a week care for Sandy; the Trustee believes that if the parents are required to earn more to pay rent, one (or both of them) will be required to find jobs outside the home; the Trustee will lose their steeply discounted caregiving services and be required to hire outside caregivers to provide care at a much higher rate that will rapidly deplete trust assets; the professional caregivers will also likely provide far inferior service than Sandy's parents because the parents know her so well they can anticipate her needs. Trustee believes the rent should be reduced by an additional \$500.00 for a total of \$1,000.00 per month, as follows:

- Mr. and Mrs. Moua (Sandy's parents) are living off of a combined income of **\$2,500.00** per month (Mr. Moua ~ **\$1,500.00**; Mrs. Moua ~ **\$1,000.00**) before taxes;
- The Mouas are paid by Risk Management Strategies for some of the caregiving services provided to Sandy; the parents provide 24-hour per day, 7-day a week care and supervision over Sandy due to her disability; despite their low monthly income, Sandy's parents still pay for all utilities in the home (including Sandy's share) and pay for their own health care insurance;
- Currently, Mr. Moua is still unemployed though he is still looking for a new job; he previously worked for the school district acting as a liaison for the Indonesian population; he is a recent immigrant with limited skills, preventing him from finding a new job.

It appears reconsideration by the Court is warranted for the following payments, continued:

- **Caregiver expenses paid from the SNT:** *Order Authorizing Discretionary Distributions from Special Needs Trust* filed 8/18/2010 does not address monthly caregiver expenses authorized by the Court. *Minute Order* dated 8/18/2010 from the *Amended Petition for Authorization of Discretionary Distributions from Special Needs Trust* states, in pertinent part, that the court approves **\$1,300.00** per month for caregiver expenses. That court-authorized monthly caregiver expense calculates as **\$31,200.00** for **24** months. *Disbursements, Schedule C, Conservatee's Caregiver Expenses* shows disbursements for the period 12/6/2012 to 11/26/2014 (**24** months) shows caregiver's expenses paid from the SNT totaled **\$82,875.44**. By way of illustration, the payment to Risk Management Strategies (payroll provider) from the SNT for December 2012 totals **\$3,161.06**, and the payment for January 2013 totals **\$4,414.11**; the last caregiver payment reflected is for November 2014 totaling **\$3,259.41**. It appears the Court's order authorizing **\$1,300.00** per month may have been construed to mean authorization of **\$1,300.00** per month per caregiver, Leng S. Moug, father, and Zoua Yang, mother. Paragraph 4 of the *Petition Requesting Reduction of Court-Ordered Rent* filed on 7/19/2013 does not mention that Leng Moua, Sandy's father, is a care provider for Sandy, only that Sandy's mother is her primary care provider with Sandy's siblings proving care **~20%** of the time. Notwithstanding the potential misconstruction of the Court's 8/18/2010 Order, reconsideration of the monthly caregiver fees appears warranted under the circumstances, particularly if monthly rent payments to the SNT from the parents will remain at **\$1,500.00**.

~Please see additional page~

It appears reconsideration by the Court is warranted for the following payments, continued:

Caregiver expenses paid from the SNT:

Declaration of Kevin Urbatsh in Support of Third Account and Report filed 3/13/2015 states:

- The Trustee has full discretionary authority to decide how much should be paid in caregiving expenses for the care of the Beneficiary; while the Court has pre-authorized **\$1,300.00** per month, this amount does not limit the Trustee's discretion to pay more for caregiving services;
- The Trustee properly exercised its discretion in paying additional funds for caregiving expenses; Sandy requires 24-hour per day, 7-days a week care and supervision; she has several severe disabilities [see *Paragraph 4 of the Petition Requesting Reduction of Court-Ordered Rent filed 7/19/2013 for reiterated description*];
- The payment of caregiving services was increased due to the time it takes to provide for the beneficiary's substantial needs;
- The Trustee calculated caregiver employee income rates using California reports; according to the California May 2013 State Occupational Employment and Wage Estimates Report, the median income for a Licensed Practical and Licensed Vocational Nurse is **\$51,800.00** for a Home Health Aide the median income is **\$25,770.00**, and for Nursing Assistants the median income is **\$29,910.00**; the median income for most caregivers is also not based on being available 24-hour per day, 7-days a week that is necessary for Sandy's care and support;
- Using the data from the national averages, over a 2-year period, the Trustee disbursed only \$20,718.86 to Risk Management Services per year per caregiver;
- If Trustee is not allowed to pay the Mouas for these caregiving services, it will be required to hire professional caregivers at a rate of almost twice the amount the Trust is doing now;
- Sandy's parents know her on a more personal level and provide her better care than any other caregiver can; Trustee properly exercised its discretion to pay this amount to Sandy's parents.

It appears reconsideration by the Court is warranted for the following payments, continued:

- **Trustee's Fees paid from the SNT:** Paragraph 16 of the *Petition* states per Court order dated 3/17/2011 [to wit, the *Order Settling First Report and Account of Trustee and Allowing Compensation to Trustee and Attorneys filed on 3/17/2011*], permission was granted to Wells Fargo Bank to pay itself interim Trustee fees based on its current fee schedule as set forth [on *Exhibit B*]. Said *Order* filed 3/17/2011 authorized payment of Trustee fees of **\$3,677.70** at that time, and states, verbatim: "The trustee is authorized, subject to the requirements of Probate Code Section 2643 and Rule 7.755 of the California Rules of Court, to continue to receive periodic payment of reasonable compensation on account for services rendered to the Trust pursuant to its fee schedule and published from time to time, and the trustee is authorized to deduct the same, as well as all other expenses and costs of administration, from the funds in its hands. *Exhibit D* to the *First Account* shows the *Special Needs Trust Fee Schedule* allows a standard annual rate for administration of **1.50%** of the market value on the first \$2 million, and **1.05%** on next \$3 million. *Exhibit B* to the instant *Third Account* shows the *Special Needs Trust Fee Schedule* is currently the same (as it was for the *Second Account*.) The resultant fees court-confirmed for the *Second Account* settled on 4/22/2013 were **\$55,385.04**, and the requested fees to be court-confirmed for the instant *Third Account* are **\$66,947.46**, an increase of **\$11,562.42** from the second to the third account. *Schedule B, Gains on Sales* reports gains of **\$158,275.83** and *Schedule D, Losses on Sales* reports losses of **\$59,940.83** during this account period, resulting in a total "gain" of **\$98,335.00**, which benefits the Trustee as much as the SNT Beneficiary. Court may reconsider the Trustee's current fee schedule for determination of whether Trustee fees should coincide more closely to this Court's historically typical practice of allowing **0.75%** of the value of the trust assets for Trustee fees.

It appears reconsideration by the Court is warranted for the following payments, continued:**Trustee's Fees paid from the SNT:****Declaration of Kevin Urbatsh in Support of Third Account and Report filed 3/13/2015 states:**

- In his law practice, he specializes in assisting persons with disabilities in their estate and settlement planning needs [refer to Pages 7 to 8 for curriculum vitae];
- There is only a very short list of corporate fiduciaries he would feel comfortable naming as trustee of a special needs trust that he helped in establishing; Wells Fargo Bank is one of those corporate fiduciaries; they have several trust officers whose only responsibility is managing special needs trusts; he feels comfortable knowing that Wells Fargo has the requisite expertise;
- Wells Fargo's fees are paid under its current fee schedule that provides for 1.5% of fees for trusts holding less than \$2 million in assets; as discussed in Court, Wells Fargo's fees schedule had not been modified since 2004, when in 2012 it was modified from 1.35% up to 1.5%; the change in fee was implemented in order to provide its clients with a more professional, consistent and streamlined client experience;
- There are some corporate trustee that will charge only .75% on an annual basis, but that is usually based on a professional care advisor being a part of the trust (a company called IBAR) that also charges .75%; this is a different model than Wells Fargo and most banks do not follow this model;
- [Refer to Pages 9 to 10 for narrative of benefits to having corporate fiduciary familiar with the administration of special needs trusts serve as trustee in California];
- If the beneficiary were to move out of state, she would be able to comply with multiple states' benefits requirements due to the national presence of the Trustee; other corporate or individual fiduciaries would need to retain outside experts to manage these types of accounts;
- While Wells Fargo is probably not the cheapest corporate fiduciary rate, its rates are competitive with other corporate fiduciaries, it has a national presence, it has an excellent background in special needs trust administration, and he recommends it as one of the very short list of corporate fiduciaries that he would agree can handle special needs trust administration cases.

Note: The issue raised regarding reconsideration of Trustee fees was not directed at replacing Wells Fargo as Trustee, but rather directed at the Court's reconsideration of the Trustee's rate as applied to this 19-year-old Beneficiary, given that she may be in greater need of her trust assets as the years progress, and given that the majority of the expenditures from her special needs trust are characterized as Trustee fees, Attorney fees, and caregiver expense salaries, with little evidence outside of caregiver salaries to her parents that expenditures are made to directly address the special needs of Sandy Moua.

Note: Court will set Status Hearings as follows:

- **Tuesday, September 1, 2015 at 9:00 a.m. in Dept. 303** for the filing by the Trustee of the quarterly declaration verifying receipt by the SNT of the monthly rental fee, per *Minute Order* dated 8/18/2010; and
- **Thursday, January 19, 2017 at 9:00 a.m. in Dept. 303** for filing of the fourth account of the SNT.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearing will be taken off calendar and no appearance will be required.

Dept. 303, 9:00 a.m. Wednesday, April 1, 2015

Order to Show Cause RE: Failure to Appear and Failure to File the Account or a Status Report

	<p>BETTY ANN BIANCHI and ROBERT W. BIANCHI, were appointed co-trustees on 12/04/2009.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>			
<p>Cont. from</p>	<p>Minute Order of 02/18/2015 set this Order to Show Cause Re: Failure to Appear and Failure to File the Account or a Status Report. Minute Order states: No Appearances – The Court issues an Order to Show Cause to Jeff Jaech, Betty Ann Bianchi and Robert W. Bianchi as to why sanctions should not be imposed for failure to appear and failure to file the accounting or a status report. Mr. Jaech and the Co-Trustees are each ordered to be personally present in court on 04/01/2015.</p>	<p>Note: Fifth Account and Report of Co-Trustees and Petition for Its Settlement and for Allowance of Attorney’s Fees filed 03/23/2015. Hearing is set for 05/06/2015.</p>			
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<table border="1"> <tr> <td data-bbox="110 657 293 695">Notice of Hrg</td> <td data-bbox="293 657 342 695"></td> </tr> </table>	Notice of Hrg		<p>Response to Order to Show Cause for Failure to Appear at Status Hearing filed 03/23/2015 states on 07/21/2014, Mr. Jaech appeared at a hearing on this matter on the Fourth Account. The Probate Examiner’s notes for this matter prepared on 07/17/2014 said that a status hearing would be held on 02/18/2015 for the “fourth” account. After the hearing, Mr. Jaech was uncertain of the date set for a status hearing and had two different dates in his notes. Upon returning to his office he requested that his secretary check the court docket to determine the hearing date. He was told when she checked the court docket, she did not see a minute order with a status hearing date. Mr. Jaech states he should have followed up, but through oversight he did not, so he has no record of receiving a notice of a status hearing by mail for the fifth account. No hearing was scheduled on his calendar. The accountings for this matter are filed on a yearly basis with a fiscal year end of December 31. Typically, the accountings are prepared in March or April after the previous year’s statements have been received. It was calendared for that time frame – after the February 18 hearing date. Therefore, work had not been started on this before the February 18th hearing.</p>		
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<table border="1"> <tr> <td data-bbox="110 1148 293 1186">Aff. Posting</td> <td data-bbox="293 1148 342 1186"></td> </tr> </table>	Aff. Posting		<p>Mr. Jaech respectfully requests that Betty Ann Bianchi be relieved from personal appearance at this hearing because she lives in an assisted living facility in Southern California, and it is difficult for her to travel. She also has difficulty with telephone conversations. Mr. Jaech respectfully requests that Robert W. Bianchi be relieved from personal appearance at this hearing because he is an accountant based in Hollister, and the April 1 status hearing is at the height of this busy tax season. He will appear by telephone.</p>		
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<table border="1"> <tr> <td data-bbox="110 1299 293 1337">FTB Notice</td> <td data-bbox="293 1299 342 1337"></td> </tr> </table>	FTB Notice		<p>Mr. Jaech states he became aware of the missed status hearing when he received the Probate Minute Order of 02/18/2015. He recognizes that his failure to appear at the status hearing was an inconvenience for the Court, and he apologizes for the failure to appear.</p>	<table border="1"> <tr> <td data-bbox="1224 1299 1508 1337">Recommendation:</td> </tr> </table>	Recommendation:
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Order to Show Cause RE: Failure to Appear and Failure to File the Account or a Status Report

	<p>BETTY ANN BIANCHI and ROBERT W. BIANCHI are Co-Trustees.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont. from</p>	<p>Minute Order of 02/18/2015 set this Order to Show Cause Re:</p>	
<p>Aff.Sub.Wit.</p>	<p>Failure to Appear and Failure to File the Account or a Status Report. Minute Order states: No Appearances – The Court issues an Order to Show Cause to Jeff Jaech, Betty Ann Bianchi and Robert W. Bianchi as to why sanctions should not be imposed for failure to appear and failure to file the accounting or a status report. Mr. Jaech and the Co-Trustees are each ordered to be personally present in court on 04/01/2015.</p>	<p>Note: Fifth Account and Report of Co-Trustees and Petition for Its Settlement and for Allowance of Attorney's Fees filed 03/23/2015. Hearing is set for 05/06/2015.</p>
<p>Verified</p>		
<p>Inventory</p>		
<p>PTC</p>		
<p>Not.Cred.</p>	<p>Response to Order to Show Cause for Failure to Appear at Status Hearing filed 03/23/2015 states on 07/21/2014, Mr. Jaech appeared at a hearing on this matter on the Fourth Account. The Probate Examiner's notes for this matter prepared on 07/17/2014 said that a status hearing would be held on 02/18/2015 for the "fourth" account. After the hearing, Mr. Jaech was uncertain of the date set for a status hearing and had two different dates in his notes. Upon returning to his office he requested that his secretary check the court docket to determine the hearing date. He was told when she checked the court docket, she did not see a minute order with a status hearing date. Mr. Jaech states he should have followed up, but through oversight he did not, so he has no record of receiving a notice of a status hearing by mail for the fifth account. No hearing was scheduled on his calendar. The accountings for this matter are filed on a yearly basis with a fiscal year end of December 31. Typically, the accountings are prepared in March or April after the previous year's statements have been received. It was calendared for that time frame – after the February 18 hearing date. Therefore, work had not been started on this before the February 18th hearing.</p>	
<p>Notice of Hrg</p>		
<p>Aff.Mail</p>		
<p>Aff.Pub.</p>		
<p>Sp.Ntc.</p>		
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p>Letters</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>		
<p>UCCJEA</p>	<p>Mr. Jaech respectfully requests that Betty Ann Bianchi be relieved from personal appearance at this hearing because she lives in an assisted living facility in Southern California, and it is difficult for her to travel. She also has difficulty with telephone conversations. Mr. Jaech respectfully requests that Robert W. Bianchi be relieved from personal appearance at this hearing because he is an accountant based in Hollister, and the April 1 status hearing is at the height of this busy tax season. He will appear by telephone.</p>	<p>Reviewed by: LV</p>
<p>Citation</p>		<p>Reviewed on: 03/26/2015</p>
<p>FTB Notice</p>	<p>Mr. Jaech states he became aware of the missed status hearing when he received the Probate Minute Order of 02/18/2015. He recognizes that his failure to appear at the status hearing was an inconvenience for the Court, and he apologizes for the failure to appear.</p>	<p>Updates:</p>
<p></p>		<p>Recommendation:</p>
<p></p>		<p>File 3 – Silberstein</p>

Correen Peterson DOD: 4-23-11	ROBERT R. PETERSON , Settlor and sole Successor Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Petitioner states he and Correen B. Peterson established the Robert R. Peterson and Correen B. Peterson Revocable Living Trust dated 4-20-93 . Correen died 4-23-11.	1. Need clarification re: Fresno County as proper venue.
		Petitioner, Settlor and sole trustee, resides in Florence, OR, as did the deceased settlor/co-trustee Correen B. Peterson, per death certificate.
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	On 6-19-06, Diane Madge Fisher Mytych , as successor trustee for an unrelated trust, recorded a Corrective Deed to convey an undivided 50% interest in certain real property to herself, "a married woman, as her sole and separate property, and CORREEN M. PETERSON, a married woman, as her sole and separate property, as tenants in common." Both the Corrective Deed (2006) and the original Trustee Deed (2001) are attached.	
<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		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Petitioner believes Correen intended to transfer the real property to be held as part of the trust estate and administered and distributed under the terms of the trust.	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections	Under the trust, on the death of a settlor, the surviving settlor becomes the sole beneficiary of the trust estate, and all property of the trust estate thereafter becomes the surviving settlor's separate property. On the death of both settlors, the beneficiary is Bradley A. Maggy , Correen's child from a prior marriage.	
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order	On 9-4-12, Petitioner quitclaimed his interest in the real property to Bradley. If the Court grants this petition, Petitioner intends to record another quitclaim deed transferring all of the trust's interest in the real property to Bradley. Petitioner has no interest in owning the real property and is only filing this petition to clear title and effectuate the transfer to Bradley.	
	Petitioner notes that Correen has a simple pour-over will (attached) which bequeaths all property apart from some personal effects to the trust. Petitioner states he is not aware of any party who would allege that the property should be included in Correen's estate and not treated as a trust asset. Bradley has been advised of the contents of this petition and consents (see Exhibit G).	
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		Reviewed by: skc
<input type="checkbox"/> UCCJEA		Reviewed on: 3-27-15
<input type="checkbox"/> Citation	Petitioner prays for an order that the real property is subject to the management and control of Petitioner, the successor Trustee of the Trust, and Correen's interest in such real property shall be and hereby is confirmed and transferred to the trust.	Updates:
<input type="checkbox"/> FTB Notice		Recommendation:
		File 7 – Robert & Correen

DOD: 11/05/2013		RUTH HARDIN , surviving spouse, is petitioner and requests appointment as Administrator without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Wednesday, 08/05/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Wednesday, 06/01/2016 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>
		Letters of Special Administration shall expire on 04/01/2015	
Cont. from		All heirs nominate petitioner and waive bond	
<input type="checkbox"/>	Aff.Sub.Wit.	Limited Authority – o.k.	
<input checked="" type="checkbox"/>	Verified	Decedent died intestate	
<input type="checkbox"/>	Inventory	Residence: Fresno	
<input type="checkbox"/>	PTC	Publication: The Business Journal	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Estimate value of the Estate	
<input checked="" type="checkbox"/>	Aff.Mail w/	Personal property - \$0	
<input type="checkbox"/>	Aff.Pub.	Real property - \$0	
<input type="checkbox"/>	Sp.Ntc.	Probate Referee: Rick Smith	
<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: 03/26/2015
			Updates:
			Recommendation: Submitted
			File 8 – Hardin

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 11/29/2014	DEBRA GIUFFRIDA , daughter is petitioner and requests appointment as Administrator without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Petition to Administer Estate. 2. Need proof of service of the Notice of Petition to Administer Estate on Guy Edwin Jurgins pursuant to Probate Code §8110. <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Wednesday, 08/05/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Wednesday, 06/01/2016 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>
	All heirs waive bond	
Cont. from	Full IAEA – o.k.	
<input type="checkbox"/> Aff.Sub.Wit.	Decedent died intestate	
<input checked="" type="checkbox"/> Verified	Residence: Fresno	
<input type="checkbox"/> Inventory	Publication: The Business Journal	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	Estimated value of the Estate	
<input type="checkbox"/> Aff.Mail	Personal property - \$66,978.00	
<input checked="" type="checkbox"/> Aff.Pub.	Real property - \$125,000.00	
<input type="checkbox"/> Sp.Ntc.	Less encumbrances - \$74,318.04	
<input type="checkbox"/> Pers.Serv.	Total - \$117,659.96	
<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: LV
		Reviewed on: 03/26/2015
		Updates:
		Recommendation:
		File 9 – Couch

Status Hearing Re: Receipt of Transfer

Age: 60 years DOB: 10/14/1954	BRIAN JENSEN was appointed conservator on 4/1/2009.	NEEDS/PROBLEMS/COMMENTS: Receipt of Transfer has not been received by Los Angeles County the court may wish to continue this matter to for six months in order to allow time for the receipt of transfer to be received.
	The Court Investigator filed a Petition to transfer the proceedings to Los Angeles County because the conservatee has resided there since 11/12/2010.	
Cont. from 021815	On 11/19/14 the Court granted the petition to transfer the proceedings to Los Angeles. This status hearing was set for the receipt of transfer.	
Aff.Sub.Wit.		
Verified	The file was sent to Los Angeles County on 12/9/14 by certified mail.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 03/26/2015
		Updates:
		Recommendation:
		File 10- Jensen

Status Hearing Re: Filing of the Seventh Account

	ESTELA CRUZ, Mother, is Conservator.	NEEDS/PROBLEMS/COMMENTS: Continued from 2-6-15 1. Need Seventh Account or written status report pursuant to local rules.
	The Conservator's Sixth Account was settled on 5-14-13, and at the hearing on 5-14-13, the Court set this status hearing for the filing of the Seventh Account.	
Cont. from 020615	Status Hearing Report filed 2-2-15 by Attorney Lisa Horton states she met with her client on 2-2-15, and she provided the final bank statements needed for the accounting. There are over 20 blocked bank accounts at several financial institutions. The account period ended 12-31-14, so the last bank statement was just received. Due to the volume of information, the attorney request a 60 day continuance to complete and file the Seventh Account.	
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: skc
		Reviewed on: 3-26-15
		Updates:
		Recommendation:
		File 11 - Cruz

Probate Status Hearing for Failure to File a First Account or Petition for Final Distribution

<p>DOD: 06/02/2011</p>	<p>TONI RICHARDSON, daughter, was appointed Administrator with Limited Authority, without bond, on 02/16/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont. from 111214, 121714, 021815</p>	<p>Letters issued on 02/22/12.</p>	<p>Minute Order of 02/18/2015:</p>
<p>Aff.Sub.Wit.</p>	<p>Partial No. 1 Inventory and Appraisal filed 04/16/2013 shows an estate valued at \$175,500.00.</p>	<p>Counsel requests a continuance, representing that the petition is done and just awaiting verification by her client. If the petition is not filed by 03/30/2015, then Ms. Durost and Toni Richardson are both ordered to be personally present in court on 04/01/2015.</p>
<p>Verified</p>	<p>Inventory and Appraisal filed 05/14/2013 shows the estate reappraised at \$170,000.00</p>	
<p>Inventory</p>	<p>Corrected Inventory and Appraisal filed 02/10/2015 shows an estate at \$2,550.00.</p>	
<p>PTC</p>	<p>Order Confirming Sale of Real Property was filed 05/21/13.</p>	
<p>Not.Cred.</p>	<p>Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked account filed 09/20/2013 indicates \$105,594.07 was received.</p>	
<p>Notice of Hrg</p>	<p>Notice of Status Hearing filed 09/15/2014 set this matter for hearing.</p>	
<p>Aff.Mail</p>	<p>Notice was mailed to Toni Richardson and Attorney Warren Felger on 09/15/2014.</p>	
<p>Aff.Pub.</p>	<p>Former Status Conference Statement filed 12/11/2014 states petitioner originally filed documents in this matter pro per however became overwhelmed by the requirements of the Court regarding preparation and filing of documents, she retained attorney Warren Felger to assist her. Mr. Felger filed many of the documents prepared in this matter, and advised her what to do as Administrator. Due to the Administrator's inability to reach Mr. Felger, who had been her attorney on several other matters for her, she terminated Mr. Felger's services and retained Linda K. Durost, Esq. to assist them in preparing and filing the last item to be filed, an Account and Petition for Final Distribution. Ms. Durost was retained on or about 10/07/2014. From the date of retention, Ms. Durost has made several attempts to contact Mr. Felger. On the fifth attempt, Mr. Felger returned the call and signed the prepared Substitution. It took approximately 1.5 weeks to get his file. The file was in disarray, and attorney Durost took a great deal of time to go through the history, as well as numerous accounting, bank account statements, and many other very confusing documents. The accounting is quite complicated due to advice given to the Administrator regarding how and what she needed to do for the estate and records to keep. Attorney Durost must prepare and refile a corrected Inventory and Appraisal to remove a sum from the probate assets that are not a part of the probate distribution. Administrator therefore requests that a continuance of this matter be given to allow the tax returns to be filed, a corrected Inventory and Appraisal to be prepared and filed, and address any further issues. A 60-day continuance is requested.</p>	
<p>Sp.Ntc.</p>		
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p>Letters</p>		<p>Minute Order of 12/17/2014: Counsel's request for continuance is granted.</p>
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>		
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>		

DOD: 12/19/12	<p>MANUEL ROJAS, brother, was appointed as Administrator of the Estate with Full IAEA and without bond on 02/14/13. Letters of Administration were issued on 02/20/13.</p> <p>Order on Ex Parte Petition to Amend Petition for Probate filed 07/23/13 ordered that Manuel Rojas file a bond in the amount of \$315,000.00. Bond was later increased to \$400,000.00 by Ex Parte Order to Increase Bond filed 08/16/13.</p> <p>Bond was filed 08/26/13 and new Letters of Administration were issued to Manuel Rojas on 08/28/13.</p> <p>Administrator Manuel Rojas died on 12/08/13. Pat Hernandez, sister, was appointed as successor Administrator with bond in the amount of \$400,000.00 on 03/19/14. Bond was filed 03/25/14 and Letters of Administration were issued to Pat Hernandez on 03/25/14.</p> <p>Minute Order from hearing appointing Manuel Rojas as Administrator on 02/14/13 set this matter for status regarding filing of the First Account/Petition for Distribution.</p> <p>Status Conference Statement filed 12/11/14 states: The accounting of this estate was complicated by the death of the first administrator. His records were not easily obtainable from his records after his death. He paid bills with money orders instead of keeping a checkbook and did not keep all copies of the money orders. An accounting is now being compiled and it is planned to be filed within the next 30 days. A 60 day continuance is requested.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 02/18/15</u></p> <p>1. Need First Account and/or Petition for Final Distribution <u>or</u> current written status report.</p> <p>Note: Petition for Attorney's Fees and Costs of Daniel McCloskey has been continued to 04/23/15.</p>
Cont. from 041814 071814, 101614, 121614, 021815		
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		
	<p>Reviewed by: JF</p> <p>Reviewed on: 03/27/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14 – Sanchez</p>	

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>I&A filed 3-16-15</p>
Cont from 111214, 120314, 012815, 021815		
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: skc
		Reviewed on: 3-26-15
		Updates:
		Recommendation:
		File 15 – Pace

Order to Show Cause RE: Failure to Appear and Failure to File the Account

Age: 18 years DOB: 4/4/1996	<p>MICHELLE SULLIVAN, mother was appointed guardian of the estate on 11/18/1999.</p> <p>Letters issued 11/18/1999.</p> <p>Minute Order of 12/16/2014 set status hearing for 2/18/15 for the filing of the Final Account or Report of the Guardian. The balance on the blocked account as of the 12/16/2014 hearing appears to be \$52,240.25.</p> <p>On 2/18/15, there were no appearances and the Court set this Order to Show Cause and ordered Ms. Sullivan to be personally present.</p> <p>Status Report filed 3/24/15 by Attorney Judith A. Wright states the Second and Final Account has been filed, and hearing is set for 3/4/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Although Judith A. Wright is attorney of record, Ms. Sullivan has been filing in pro per since 2002, and other counsel appeared on her behalf at the hearing on 12/16/14. A Second and Final Account has now been filed by Ms. Wright's office, which is set for hearing on 5/4/15.</p>
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed on: 3-27-15
		Updates:
		Recommendation:
		File 16 - Sullivan

17 Samantha F. Stone, Christopher O. Stone, Case No. 12CEPR00110
 Alexander J. Stone, David M. J. Stone, and Xavier D. Stone (GUARD/P)
 Atty Wilson, Janet Marie (Pro Per – Maternal Grandmother – Petitioner)
 Atty Mehall, Richard Martin (Pro Per – Maternal Step-Grandfather – Petitioner)
 Atty Carranza, Maurilio D. (Pro Per – Father – Objector)
 Petition for Appointment of Guardian of the Person (Prob. C. 1510)

See petition for details.

NEEDS/PROBLEMS/COMMENTS:

Note: This petition is for Xavier only. Petitioners were appointed Guardians of the other four minors on 4-5-12.

Cont from 111314,
121714, 021115

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: skc

Reviewed on: 3-26-15

Updates:

Recommendation:

File 17 – Stone

17

18 Edward Hawkins, III, Emmanuel Hawkins, John Hawkins, and

Adam Hawkins (GUARD/P)

Case No. 13CEPR00624

Atty Manjarrez, Yvette (Pro Per – Mother – Petitioner)

Atty Flores, April (Pro Per – Paternal Grandmother – Guardian)

Atty Sarabia, Jacinto (Pro Per – Paternal Grandfather – Guardian)

Petition for Termination of Guardianship

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on all relatives pursuant to Probate Code §1460(b)(5), including: - Edward Hawkins (Father) - Maternal Grandfather - Maternal Grandmother	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail			X
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 3-27-15	
			Updates:	
			Recommendation:	
			File 18 - Hawkins	

Petition for Final Distribution on Waiver of Accounting

DOD: 7-22-14	JULIE BORQUEZ , Daughter And Administrator with Full IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Accounting is waived.	
Aff.Sub.Wit.	I&A: \$163,500.00	
✓ Verified	POH: \$7,327.11 cash plus real property, two motorcycles, a firearm, and misc. household furniture/effects	
✓ Inventory		
✓ PTC		
✓ Not.Cred.	Administrator (Statutory): Waived	
✓ Notice of Hrg	Costs: \$435.00 (filing fee for this petition)	
✓ Aff.Mail		
Aff.Pub.	Distribution pursuant to Agreement Among Heirs:	
Sp.Ntc.		
Pers.Serv.	Julie Borquez: A one-third interest in the residence plus \$2,297.70	
Conf. Screen		
✓ Letters 9-15-14	John Borquez: A one-third interest in the residence plus \$2,297.70 and the 1998 Yamaha	
Duties/Supp		
Objections		
Video Receipt	Matthew Borquez: A one-third interest in the residence plus \$2,297.70 and the firearm	
CI Report		
✓ 9202		
✓ Order	Travis Borquez: The 1996 Harley Davidson and the household furniture/effects	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
✓ FTB Notice		
		Reviewed by: skc
		Reviewed on: 3-27-15
		Updates:
		Recommendation: SUBMITTED
		File 19 - Borquez

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

Percy, 15	TEMPORARY EXPIRES 04/01/15		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 03/11/15 Minute Order from 03/11/15 states: Ms. Haro represents that notice was sent to Danny McGuinness at the last known address via certified mail on Monday. The Court directs Ms. Haro to send out new notice of the 04/01/15 hearing date.</p> <p>As of 03/27/15, nothing further has been filed (other than extended temporary letters).</p>
Jeremiah, 13	<p>IRENE HARO, maternal second cousin, is Petitioner.</p> <p>Father: UNKNOWN – Court dispensed with notice on 01/14/15</p> <p>Mother: PATRICIA MCGUINNESS – deceased</p> <p>Paternal grandparents: UNKNOWN – Court dispensed with notice on 01/14/15</p> <p>Maternal grandfather: DANNY MCGUINNESS – Per 03/11/15 minute order, was mailed 03/09/15</p> <p>Maternal grandmother: JESSIE CARDENAS – served by mail on 09/24/14</p> <p>Siblings: RIGO ALANIS, JR. (25), ANGELINA ALANIS (12) – Rigo served by mail on 09/24/14; Angelina served by mail on 12/03/14</p> <p>Petitioner states the mother is deceased and the father has never been involved in their lives. Petitioner states that she is providing a loving, safe environment and the children want to remain in her care.</p> <p>Court Investigator Julie Negrete filed a report on 11/06/14.</p>		
Cont. from 111914, 011415, 031115			
<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 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: JF
			Reviewed on: 03/27/15
			Updates:
			Recommendation:
			File 20 – Elebere & Samuels

21 Aiden Lucas Mendoza-Wallace (GUARD/P)

Case No. 14CEPR01132

Atty Zambrano, Della Ann (Pro Per – Maternal Grandmother – Petitioner)

Atty Mendoza, Alyssa A. (Pro Per – Non-relative – Petitioner)

Atty Gonzalez, Edward D., Jr. (Pro Per – Father – Objector)

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

		See petition and objections for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>If this petition goes forward, the following issues exist:</p> <ol style="list-style-type: none"> 1. Need Court Investigation (and/or DSS Investigation), clearances. 2. Need clarification: Petitioner Della Ann Zambrano states she is the maternal grandmother, but Rosa Zambrano Aguilera of West Monroe, LA, is listed as the maternal grandmother on the Child Information Attachment. What is Petitioner Della Ann Zambrano's relationship to the minor? 3. Need Notice of Hearing <u>plus a copy of the petition served on all relatives pursuant to Probate Code §1511.</u> 	
Cont. from 021815				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w/o
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			w
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
✓	Objections			
	Video Receipt			
	CI Report			x
	Clearances			x
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 3-27-15	
			Updates:	
			Recommendation:	
			File 21 – Mendoza-Wallace	

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

DOD: 9-20-08		AIDA VARELDJIAN and AMALIA VARELDJIAN are Petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>Amended petition filed 3-23-15 is set for hearing on 5-11-15.</p> <p>The following remain noted for reference only:</p> <ol style="list-style-type: none"> The petition is blank at #9a(1) and (2). Was the decedent survived by a spouse, or no spouse, and if no spouse, was the decedent divorced or never married, or is the spouse deceased? The petition is blank at #9a(7) and (8). Was the decedent survived by issue of a predeceased child? Need Attachment 11, which should contain a legal description of the real property passing to Petitioners and state the decedent's interest in the real property. Need Attachment 14, which should state the names and relationships to the decedent of all heirs, including Petitioners. <p><u>Note:</u> Petitioners provide a status dissolution judgment from 1999 between the decedent and Nunik Aslanyan and an interspousal grant deed from 2004 where Nunik Aslanyan conveyed the real property to the decedent; however, the decedent's death certificate in 2008 indicates that the informant was "Nunik Aslanyan, Wife."</p> <p><u>Note:</u> Petitioners do not state their relationship to the decedent.</p> <p><u>Note:</u> If other relatives/heirs are listed, need Notice of Hearing pursuant to Probate Code §13153.</p> <p>Reviewed by: skc</p> <p>Reviewed on: 3-27-15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 22 - Varedjian</p>
		40 days since DOD	
Cont. from 021815		No other proceedings	
	Aff.Sub.Wit.		
✓	Verified	I&A: \$145,000.00 (real property located at 3012 W. San Jose in Fresno)	
✓	Inventory		
	PTC		
	Not.Cred.	Decedent died intestate	
	Notice of Hrg	x Petitioners request Court determination that the decedent's real property passes to them in one-half undivided interests each.	
	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		

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

DOD: 12-24-13		<p>KELLEY NELSON, Son and named executor without bond, is Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
		<p>Full IAEA – ok</p>	<p>1. Petitioner did not provide a copy of the will with the petition pursuant to #3e(2) and Probate Code §8002(b).</p> <p>Note: Declaration filed 3-20-15 states the original will was deposited with the Court; however, a copy of the will is required to be attached to the petition for reference. See #3e(2) and Probate Code §8002(b). Petitioner still has not provided a copy of the will for purposes of this petition.</p> <p>Note: If granted, the Court will set a status hearing for the filing of the petition for final distribution for <u>August 3, 2016</u> pursuant to Probate Code §12200. If the petition is filed pursuant to Local Rule 7.5.C, the status hearing may be taken off calendar.</p> <p>Note: A status hearing for the filing of the I&A is not included since the petitioner has already filed the I&A concurrently with this petition. However, Examiner notes that the I&A as filed includes a negative balance for an IRA account. The Court may require clarification.</p>
Cont. from 021815		<p>Will dated 8-12-09</p>	
<input type="checkbox"/>	Aff.Sub.Wit.	S/P	
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Petition to Administer Estate		
<input checked="" type="checkbox"/>	Aff.Mail	w	
<input checked="" type="checkbox"/>	Aff.Pub.		
<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		
<p>Residence: Clovis, CA Publication: Business Journal</p> <p>Estimated value of estate: \$120,208.55</p> <p><i>Note: Petitioner filed a Final Inventory and Appraisal indicating an estate value of \$170,208.55; however, Petitioner indicates that the real property is encumbered.</i></p> <p>Probate Referee: Steven Diebert</p> <p><i>Note: This matter would have been assigned to Probate Referee Rick Smith pursuant to Probate Court practices; however, I&A filed concurrently with the petition was prepared by Probate Referee Steven Diebert.</i></p>			
<p>Reviewed by: skc</p>			
<p>Reviewed on: 3-27-15</p>			
<p>Updates:</p>			
<p>Recommendation:</p>			
<p>File 23 - Nelson</p>			

24 **Iyendae Smith, Nevaeh Smith and Saniyijah Smith (GUARD/P)**

Case No. 15CEPR00090

Atty Bass, Verna L. (Pro Per – Maternal Grandmother – Petitioner)

Atty Bass, Eddie (Pro Per – Maternal Step-Grandfather – Petitioner)

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

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Petitioners filed declarations of due diligence for the fathers of Iyendae and Nevaeh, and also for the paternal grandparents of all three minors. If diligence is not found, need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1511 on:</p> <ul style="list-style-type: none"> - Roland Florez (Iyendae's father) - Jaquice Narvas (Nevaeh's father) - Paternal Grandparents of all three minors <p><u>Note:</u> Demetrius Moore, Saniyijah's father, signed the consent form. If he is available, Petitioners may be able to identify and locate Saniyijah's paternal grandparents for service.</p>	
	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			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 3-27-15	
			Updates:	
			Recommendation:	
			File 24 - Smith	

Atty Nagi, Alma (Pro Per – Maternal Grandmother – Petitioner)

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

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 2-10-15</u>: The Court is not excusing notice to the fathers. Attempts must be made to locate them and have them served.</p> <p>As of 3-27-15, nothing further has been filed.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> further diligence on: <ul style="list-style-type: none"> - Jose Gomez (Kaylay's father) - Saul Ramirez (Ryan's father) - Samuel Delgado (Isabella's father) 3. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ul style="list-style-type: none"> - Maternal Grandfather Armando Robles - Paternal Grandparents of all minors. 	
	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			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 3-27-15	
			Updates:	
			Recommendation:	
			File 25 – Robles & Ramirez	

DOD: 1-12-89	MARY ELLEN RODRIGUEZ and DOLORES TRUJILLO , Daughters, were appointed as Co-Administrators without IAEA and with bond of \$8,000.00 on 1-16-1990.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 081414, 100214, 110614, 121814, 020215, 022315, 032515	Bond was filed and Letters issued on 1-17-1990.	Note: On 2-23-15, the Court confirmed the sale of real property and set status hearing for receipt of the proceeds into a blocked account (Page B). Please see status report filed in connection with the receipt summarized at Page B.
Aff.Sub.Wit.	Nothing further was filed.	1. Need Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Verified		
Inventory	The open estate was discovered and the Court set this status hearing.	
PTC		
Not.Cred.		
Notice of Hrg	The I & A was filed 10-1-14, showing the estate value at \$30,000.00.	
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: skc
		Reviewed on: 3-27-15
		Updates:
		Recommendation:
		File 29A – Rodriguez

Probate Status Hearing RE: Receipt for Net Funds in Blocked Account

DOD: 1-12-89	DOLORES TRUJILLO , Daughter, is the sole remaining Administrators without IAEA and with bond of \$8,000.00.	NEEDS/PROBLEMS/ COMMENTS: 1. Need receipt for blocked account (MC-356).
	On 2-23-15, the Court confirmed the sale of real property and ordered the net proceeds of \$12,000.00 to be deposited into a blocked account.	
Cont. from 032515	The Court set this status hearing for the filing of the receipt for blocked account.	
<input type="checkbox"/> Aff.Sub.Wit.	Status Report filed 3-24-15 states the petitioner has attempted to open the blocked account. The first time, she was incorrectly informed by a teller that she could not open one under these circumstances. After the attorney personally contacted the branch manager, he determined there was a miscommunication and assured the attorney that he would personally assist the petitioner when she returned. When she returned, she was informed that they would not open the account without a certified copy of the death certificate. Petitioner then proceeding to obtain a certified copy of the death certificate and returned to the bank the following week. However, without consulting Counsel, Petitioner intended to have the buyer wire funds into the account and did not have a check in hand at the bank. The bank informed Petitioner that the money had to be deposited when the account was opened. Petitioner has no vehicle and the buyer has been taking time from work to transport to the bank for this transaction. As such, Petitioner has not yet returned to the bank.	
<input type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report	As the procedure at Chase Bank is to allow the legal department a minimum of 7-10 business days to review a Receipt and Acknowledgment form, an additional 30 days is respectfully requested to allow Petitioner to schedule another trip to the bank with the buyer and to allow the bank to review and file the receipt.	
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input checked="" type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA	The First and Final Account and Petition for Final Distribution is ready for filing as soon as the funds are deposited. Counsel respectfully requests an additional 30 days for the filing of this petition as well.	
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

Reviewed by: skc
Reviewed on: 3-27-15
Updates:
Recommendation:
File 29B - Rodriguez

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 06/23/2015	CHRISTOPHER B. DAVIS , son, is petitioner and requests appointment as Administrator without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 03/25/2015: Counsel reports that he received a declaration from Kerman regarding publication. A copy of the document is shown to the Court. Matter is continued to 04/01/2015. Counsel is advised that the Court will be prepared to grant the petition if everything is in order. Counsel is further advised that a bond will be required.</p> <p>1. Need Affidavit of Publication in the correct newspaper pursuant to Local Rule 7.9A. Note: Copy of Affidavit of Publication is in the file. Need Original to be filed.</p> <p>2. Proposed personal representative is a resident of Arizona. Probate Code 8571 states notwithstanding a waiver of bond, the court in its discretion may require a nonresident personal representative to give a bond in an amount determined by the court.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Wednesday, 05/06/2015 at 9:00a.m. in Dept. 303 for the filing of the bond and Wednesday, 07/22/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Wednesday, 05/25/2016 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 040115	Sole heir waives bond	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Petitioner is a residence of Dewey, Arizona.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Full IAEA - ?	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Decedent died intestate	
<input checked="" type="checkbox"/> Aff.Mail	Residence: Kerman Publication: Need	
<input type="checkbox"/> Aff.Pub.	X	
<input type="checkbox"/> Sp.Ntc.	Estimated value of the Estate: Real property \$482,000.00	
<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: LV
		Reviewed on: 03/27/2015
		Updates:
		Recommendation:
		File 30 - Davis