

Atty Brungess, Julia A.

Atty Jones, Julie C.

Petition for Termination

Age:			NEEDS/PROBLEMS/COMMENTS: <p style="text-align: center;"><u>CONTINUED TO 4-8-13</u> At Petitioner's request</p>
DOD:			
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: skc			
Reviewed on: 3-20-13			
Updates:			
Recommendation:			
File 1 - Haro			

Atty Pena, Elena K (pro per Petitioner/former guardian)

Atty Kruther, Heather (for the Public Guardian/current guardian)

Filing of Inventory & Appraisal

Age: 12 years	<p>ELENA PENA, sister, was appointed Guardian of the Person and Estate on 07/26/11 and Letters were issued on 07/28/11. Minute order dated 6/12/12 removed Elena Pena and appointed the Public Guardian.</p> <p>An Order to Deposit Money Into Blocked Account was signed 07/26/11 ordering all funds of the minor to be placed in a blocked account.</p> <p>Notice of Taking Possession or Control of an Asset of Minor or Conservatee filed 09/28/11 by Metlife Total Control Account reflects that the guardian, Elena Pena, has taken control of the minor's assets in the amount of \$211,865.50 from Metlife.</p> <p>Receipt for Blocked Account filed on 1/11/12. (Signed by the Guardian and not a bank official.)</p> <p>Inventory and Appraisal filed on 1/11/12 showing the estate valued at \$244,116.64.</p> <p>Minute order dated 6/12/12 states no appearances. The Court removes Elena Pena as Guardian of the Estate. The Public Guardian is appointed forthwith to pursue the status of the assets which includes MetLife.</p> <p style="text-align: center;">Please see additional page</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 022112, 050112, 061212, 081312, 100112, 012813</p> <p><u>Minute Order 10-1-12:</u> Counsel advises the Court that the Public Guardian has received a check from MetLife. The Court notes for the record that a blocked account is no longer needed given the appointment of the Public Guardian. The Court authorizes \$300 per month to the guardian for the benefit of the minor.</p> <p><u>Minute Order 1-28-13:</u> Matter continued to 4-2-13</p> <p>As of 3-20-13, nothing further has been filed.</p> <ol style="list-style-type: none"> 1. Need current status report including status of the Prudential Account valued at \$32,058.81. 2. First account is now due.
Cont. from 022112, 050112, 061212, 081312, 100112, 012813		
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: KT / skc</p> <p>Reviewed on: 3-20-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2 – Robinson-Cervantes</p>		

Status Report filed on 9/24/12 states on 9/4/12 Deputy Public Guardian Renee Garcia sent letters to MetLife and Prudential Annuities to notify them that the Public Guardian is now guardian of the estate. To date Deputy Garcia has not heard back from either MetLife or Prudential.

Deputy Garcia met with Ms. Pena on 9/19/12. Ms. Pena was relieved that the Public Guardian is now involved as guardian of the estate.

The Public Guardian requests clarification regarding the receipts. It is unclear whether it is Ms. Pena or the Public Guardian who should now obtain the receipts signed by the financial institutions. Furthermore, does the Court require an inventory and appraisal be filed in addition to the receipts that will be filed?

The Public Guardian's office requests the next status hearing be set out 90 days from the date of this hearing to allow time of the financial institutions to respond and for the Public Guardian's office to file an inventory and appraisal if needed.

Notice of Taking Possession or Control of an Asset of Minor or Conservatee filed on 9/24/12 showing the Public Guardian has taken control of the MetLife Total Control Account with a current balance of \$217,073.65.

Status Report filed 1-25-13 states the Public Guardian has still been unable to marshal the assets from Prudential. On 1-23-13, the representative said they did not receive the letter or it was not in the computer. A letter was sent via fax that day. Prudential said it would take 3-5 days to process the check and have it sent to the Public Guardian. Accordingly, Public Guardian requests that a new status hearing be set for at least 60 days from now for the account.

DOD: 2/19/2012		<p>YOSHIKO UMANMIZUKO, Executor, is petitioner.</p> <p>Accounting is waived.</p> <p>I & A - \$197,027.00 POH - ???</p> <p>Executor - waived.</p> <p>Attorney (statutory) - \$6,910.00</p> <p>Distribution, pursuant to Decedent's Will, is to:</p> <p>Yoshiko Umanmizuko - ????</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR. Amended Petition filed and set for hearing on 4/29/13.</p> <ol style="list-style-type: none"> Petition does not include a property on hand schedule. California Rules of Court 7.550(b)(4). Order does not comply with Local Rule 7.6.1A. Need new order. 	
Cont. from 022613				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input checked="" type="checkbox"/>	PTC			
<input checked="" type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			W/
<input checked="" 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 checked="" type="checkbox"/>	Letters			6/19/12
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input checked="" type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input checked="" type="checkbox"/>	FTB Notice			

Reviewed by: KT
Reviewed on: 3/21/13
Updates:
Recommendation:
File 3 - Yamaguchi

Petition to Compel Trustee to Account; for Accounting by Attorney in Fact; for Further Accounting; for Elder Fiduciary Abuse; for Constructive Trust, and for Damages [Prob. C. 17200 et seq, 4500 et seq; 16000-16006; 16040; 16060; 16062-16063; 16400; 16420 and 16440 et seq; W&I C. 15657, 15610.30]

		<p>CYNTHIA F. HILL and LEWIS C. SLAYTON are Petitioners.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
		<p>Petitioners allege: On 7/29/2009 the Slayton Family Grantor Trust was created. The grantor of the Trust was Jesse C. Slayton; the Trustee of the Trust was Jesse's niece, Debbie Slayton.</p>	<p>Continued from 2/27/13. Minute order states Court directs Mr. Knudson to submit something in writing setting forth why all matters should be heard together and not separate. As of 3/26/13 the following issues remain:</p>
Cont. from 110112		<p>The Slayton Family Grantor Trust was actually established on behalf of Jesse by Debbie Slayton who executed the Trust document as Jesse's attorney-in-fact. Jesse had previously executed a durable power of attorney on 5/3/2005.</p>	<p>1. Petition also requests relief for the Jesse C. Slayton and Martha Jane Slayton Revocable Living Trust dated June 1, 2005. The Jesse C. Slayton and Martha Jane Slayton Revocable Living Trust is not before the court and therefore the court cannot make orders with regard to said trust. A separate action will need to be commenced regarding issues involving the Jesse C. Slayton and Martha Jane Slayton Revocable Trust.</p>
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	<p>By its terms, the Trust was irrevocable upon formation. Its stated purpose is to preserve the financial resources for the use, benefit and enjoyment of the primary beneficiaries. The primary beneficiaries of the Trust were Jesse during his lifetime and upon his death, the assets are to be distributed to the children of Jesse, namely Cynthia F. Hill, Lewis ("Rusty") C. Slayton and Shirley Alexander.</p>	<p>2. Page 2, line 9 & 10 of the Petition states trust assets are distributable to Cynthia F. Hill, Lewis ("Rusty") C. Slayton, and Shirley Alexander. However, page 2, line 12 states the assets are distributable to Cynthia F. Hill, Jesse C. Slayton, Jr. and Shirley Alexander. The court may require clarification.</p>
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	<p>Jesse died on 10/2/2010. Pursuant to the terms of the Trust the assets are distributable to Cynthia F. Hill, Lewis ("Rusty") C. Slayton, and Shirley Alexander.</p>	<p>Reviewed by: KT</p>
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	<p>Petitioner is informed that following the death of Jesse, the Trustee sold the Trust's real property to Bobby Slayton and Joyce Slayton, for consideration of \$180,000.00.</p>	<p>Reviewed on: 3/26/13</p>
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.	<p>Please see additional page</p>	<p>Updates:</p>
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	<p>Recommended:</p>	<p>File 4A - Slayton</p>
<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		

The sale was made to a related party without a broker. Bobby Slayton is the brother of the settlor, Jesse C. Slayton, and Joyce Slayton is the wife of Bobby Slayton. Bobby Slayton and Joyce Slayton are the parents Debbie Slayton, the Trustee.

Petitioners were advised of the sale and are informed and believe that the consideration for the sale of the residence was not unreasonable notwithstanding the relationship between the Trustee and the purchasers of the property.

Following the sale, the Trustee distributed cash in the amount of \$65,000 to each of the three beneficiaries. The Trustee indicated that each of the beneficiaries were to receive at least \$20,000.00 more; however no additional funds have been distributed to the beneficiaries, nor has any additional information been provided to the beneficiaries.

Pursuant to California law, the Trustee is required to account to the beneficiaries of the Trust. On February 23, 2011, counsel for Petitioners served a demand for an accounting on the Trustee, Debbie Slayton.

To date, an accounting has not been received from the Trustee.

Wherefore, Petitioners request this court to order the Trustee to render an accounting of the administration of the Trust, in the form and manner prescribed by law.

Petitioner further requests a review of the acts of the attorney-in-fact and for further accounting by attorney-in-fact.

Petitioner alleges Jesse C. Slayton was married to Martha Jane Slayton for more than 49 years. Martha died in July 2008. Petitioners believe that Jesse and Martha previously established a Revocable Living Trust Agreement known as the "**Jesse C. Slayton and Martha Jane Slayton Revocable Living**" dated June 1, 2005 (the Jesse and Martha Trust). A page entitled "Overview of pertinent Information" is attached as Exhibit F; the document indicates that the Jesse and Martha Trust may have been established by Jesse C. Slayton individually, and acting as Attorney-in-Fact for his wife, Martha. Petitioners have been unable to obtain a copy of the Jesse and Martha Trust.

Petitioners further believe, based on statements made by Jesse C. Slayton that prior to the establishment of the Jesse and Martha Trust, he had cash assets in excess of \$400,000.00.

Petitioners believe that at some time prior to July 29, 2009, Debbie Slayton became trustee of the Jesse and Martha Trust. On July 29, 2009, Debbie Slayton signed an "Affidavit of Change of Trustee," declaring that the former Trustee, Jesse C. Slayton was incapacitated, and that she has succeeded to the position of trustee.

Please see additional page

On 11/29/2009, a deed was recorded transferring Jesse's residence from Debbie Slayton as Trustee of the Jesse and Martha trust to Jesse C. Slayton, a married man. On that same day, there as a recorded deed transferring the residence from Jesse C. Slayton, a married man, to Debbie Slayton, Trustee of the Slayton Family Grantor Trust dated July 29, 2009.

Petitioners believe that following Martha's death, Jesse was the primary beneficiary of the Jesse and Martha Trust.

Petitioners believe that Debbie Slayton, as successor Trustee of the Jesse and Martha Trust and/or as attorney in fact for Jesse Slayton, transferred and/or dissipated assets of the Trust, or assets belonging to Jesse Slayton to and for her own benefit and/or transferred same to third parties, the identities of whom is unknown to Petitioners.

Petitioners allege that Debbie Slayton regularly used Jesse's credit card for her personal benefit. After Jesse's death, a family member observed that Debbie "like[d] spending your uncle Charlie's money" (referring to Jesse C. Slayton, who was known as "Uncle Charlie" to some family members).

Wherefore, Petitioners request that Debbie Slayton account for her actions as attorney in fact of Jesse C. Slayton from 5/3/2009, and any and all actions taken as trustee of the Jesse and Martha Trust, in the manner prescribed by law.

Petitioners allege that in administering the Trust after the death of Jesse C. Slayton, the Trustee Debbie Slayton breached one or more fiduciary duties owing to the beneficiaries of the Slayton Family Trust, including without limitation, the duty to administer the trust solely in the interest of the beneficiaries; the duty to preserve trust property; and the duty to make trust property productive. As a result of the Trustee's actions, Petitioners have been damaged by the loss of their beneficial interest in the trust, in an amount according to proof. That as a result of the Trustee's actions, petitioners have been further damaged in that Petitioners have been required to retain an attorney and incur attorney's fees to assert their rights to trust property, and against the Trustee, in an amount according to proof. That the actions of the Trustee were outrageous and intentional and as such the Trustee's conduct should be punished by an award of exemplary damages against the Trustee and in favor of the beneficiaries.

At all times alleged in this petition, Jesse C. Slayton was elderly and over the age of 65 years old. For a number of years prior to his death, commencing in 2004 or early 2005, Debbie Slayton lived in Jesse's residence under an agreement that she would provide for his need and would receive room and board and a monetary stipend. She occupied the position of care custodian until approximately 2008 when Jesse's declining health required that he move into Sierra Villa, a care facility.

Please see additional page

Petitioners allege, for some years prior to his death, Jesse was suffering from diminished mental capacity, was subjected to being taken advantage of by the Respondents. Respondents exercised complete dominion and control over Jesse's assets and gained knowledge of his assets and property.

In addition, Debbie Slayton sequestered and prevented Jesse from having contact with other family members, including Petitioner, Cynthia F. Hill, specifically stating that Cynthia was not to be permitted to visit with Jesse, her father, unless Debbie was present.

The conduct of Respondents and each of them, resulted in the deprivation of Jesse's assets, which were necessary for his care and ongoing maintenance.

The above-described conduct constitutes financial abuse under Welfare and Institutions Code section 15657 and 15610.30.

Respondents, and each of them are guilty of recklessness, oppression and fraud; respondents and each of them acted with malice against Jesse in the commission of the above described abuse.

Pursuant to Welfare and Institutions Code 15657(a) Respondents and each of them are liable for reasonable attorney's fees and costs necessarily incurred in bringing an prosecuting this claim.

Petitioners believe that Respondents and each of them have wrongfully taken, transferred, concealed and otherwise deprived Jesse of property belonging to the Slayton Family Trust and/or the Jesse and Martha Trust and/or Jesse C. Slayton. Said Respondents may include, without limitation, **Debbie Slayton**, **Bobby Slayton**, her father, and/or **Joyce Slayton**, her mother.

Bobby Slayton died on 5/13/2012. To Petitioner's knowledge no probate proceedings have been commenced.

Petitioners believe that at the time the property or assets of Jesse C. Slayton and/or the trusts were transferred, the transferees knew the property were assets of the Slayton Family Trust, the Jesse and Martha Trust or Jesse C. Slayton.

As a result of such transfer, the transferees received and held the property or assets as Constructive Trustee for and on behalf of the beneficiaries of the Trust, namely Cindy Hill, Lewis Slayton and Shirley Alexander. Respondents, and each of them, should be ordered to surrender and deliver said property to Petitioners.

Petitioners are unaware of the beneficiaries of the Jesse C. Slayton and Martha Jane Slayton Revocable Living Trust dated June 1, 2005.

Please see additional page

Wherefore, Petitioners pray:

- 1. That Debbie Slayton be ordered to account and report:
 - a. For her actions as Trustee of the Slayton Family Trust from July 29, 2009;**
 - b. For her actions as Trustee or Successor Trustee of the Jesse C. Slayton and Martha Jane Slayton Revocable Living Trust dated June 1, 2005;**
 - c. For any and all actions taken as attorney-in-fact for Jesse C. Slayton, pursuant to power of attorney executed May 3, 2005;****
- 2. For damages in an amount according to proof;**
- 3. For exemplary damages in an amount according to proof;**
- 4. For damages assessed on account of acts of elder abuse, including but not limited to actual damages, exemplary and punitive damages, and attorney's fees and costs;**
- 5. For imposition of a constructive trust on Respondents who received assets belonging to or attributable to Jesse C. Slayton, the Jesse C. Slayton and Martha Jane Slayton Revocable Living Trust and/or the Slayton Family Trust;**
- 6. For attorney's fees and costs incurred in bringing this action; and**
- 7. For such other and further relief as the court may deem proper.**

Atty Knudson, David N. (for Beneficiaries, Cynthia F. Hill and Lewis C. Slayton)

Atty Pimentel, Paul (for Petitioner/ Trustee, Debbie Slayton)

First and Final Account and Report of Trustee and Petition for Its Settlement

	DEBBIE SLAYTON , Trustee, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 5/3/05 – 12/31/10	
	Accounting - \$695,755.03	1. Accounting includes both the Jesse C. Slayton and Martha Jane Slayton Revocable Living Trust dated June 1, 2005. The Jesse C. Slayton and Martha Jane Slayton Revocable Living Trust is not before the court and therefore the court cannot make orders with regard to said trust. A separate accounting (in a separate case file) will need to be filed for the Jesse C. Slayton and Martha Jane Slayton Revocable Trust. Need amended accounting to include only the Slayton Family Grantor Trust.
Cont. from	Beginning POH- \$437,253.98	
<input type="checkbox"/> Aff.Sub.Wit.	Ending POH - \$ 13,959.48	
<input checked="" type="checkbox"/> Verified	Petitioner prays for an Order:	
<input type="checkbox"/> Inventory	1. The first and final account and report be approved, allowed and settled;	
<input type="checkbox"/> PTC	2. All acts and transactions of the Successor Trustee during the period covered by this account and report be ratified and confirmed;	
<input type="checkbox"/> Not.Cred.	3. Such further orders be made as the Court considers proper.	
<input type="checkbox"/> Notice of Hrg		2. Need Notice of Hearing
<input type="checkbox"/> Aff.Mail		3. Need proof of service of the Notice of Hearing on: a. Cynthia F. Hill b. Lewis C. Slayton c. Shirley Alexander d. David Knudson
<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		Please see additional page
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: KT
<input type="checkbox"/> Status Rpt		Reviewed on: 3/26/13
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 4B - Slayton

Additional NEEDS/PROBLEMS/COMMENTS:

4. Signatures on the accounting including the verification are all copies and not original.
5. Schedule E – Distribution to Beneficiaries indicates \$195,000 was distributed to beneficiaries but does not state the names of the beneficiaries and the amount distributed to each.
6. Exhibit A – Persons Entitled to Notice is blank.
7. Petition does not request distribution of the remaining assets to the beneficiaries.
8. Order does not comply with Local Rule 7.6.1C – Orders distributing property and orders settling accounts shall contain a statement as to the balance of the estate on hand, specifically noting the amount of cash in the balance.

Jacob Kizirian DOD: 2-24-06	DONALD KIZIRIAN and NORMAN KIZIRIAN, Successor Trustees, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
Virginia Kizirian DOD: 6-21-05	Petitioners state they the Settlor transferred the real property located at 2690 E. Adams in Fresno to be held as part of the trust estate pursuant to quitclaim deed in 1994.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	However, in 2004, the Settlor executed a Deed of Trust for a Home Equity Line of Credit against the property for a \$315,000.00 loan from GreenPoint Mortgage Funding, Inc. In 2005, the Settlor executed a Deed of Trust to secure a \$432,000.00 loan from GreenPoint Mortgage Funding, Inc., as well as another Deed of Trust for further equity (\$50,000.00).	
<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"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	In order to secure the loans, the lender required the property be deeded to the Settlor individually through grant deed, which was executed 5-10-04 and recorded 5-19-04.	
<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	After recording the new grant deed and securing the loans through the deeds of trust, the Settlor inadvertently failed to transfer the real property back to the trust as originally intended.	
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA	Petitioners request the Court confirm and declare that the real property is an asset of the Trust held by Petitioners as Successor Trustees pursuant to Probate Code §850(a)(3)(B).	
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 3-20-13
		Updates:
		Recommendation:
		File 5 - Kizirian

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

DOD: 1-13-13	KENNETH W. PRICE , Son, is Petitioner and requests appointment as Administrator with Full IAEA with bond of \$80,000.00.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If petition is granted, Court will set status hearings as follows:</p> <ul style="list-style-type: none"> • Friday, 6-14-13 at 9:00 a.m. in Dept. 303 for filing of bond • Friday, 9-6-13 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and • Friday, 9-5-14 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution. <p>Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.</p>
	Full IAEA – ok	
	Decedent died intestate	
<input type="checkbox"/> Aff.Sub.Wit.	Residence: Fresno	
<input checked="" type="checkbox"/> Verified	Publication: Fresno Business Journal	
<input type="checkbox"/> Inventory	Estimated value of estate:	
<input type="checkbox"/> PTC	Real property: \$77,400.00	
<input type="checkbox"/> Not.Cred.	Probate Referee: Steven Diebert	
<input checked="" type="checkbox"/> Notice of Hrg		
<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		
		Reviewed by: skc
		Reviewed on: 3-20-13
		Updates: 3-27-13
		Recommendation: SUBMITTED
		File 6 - Straight

Atty Wall, Jeffrey L., sole practitioner (for Petitioner Jenny Aster)

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

DOD: 2/4/2013	JENNY ASTER , daughter, is Petitioner and requests appointment as Administrator without bond. <i>(All heirs nominate Petitioner and waive bond.)</i>	NEEDS/PROBLEMS/COMMENTS: 1. Need Affidavit of Publication pursuant to Probate Code §§ 8120 – 8124, and Local Rule 7.9. 2. Item 5(a)(2)(b) of the <i>Petition</i> states Decedent's spouse is deceased. Item 8 of the <i>Petition</i> does not include the name and date of death of deceased spouse pursuant to Local Rule 7.1.1 (D). Note: If petition is granted, Court will set status hearings as follows: <ul style="list-style-type: none"> Friday, September 6, 2013 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and Friday, June 6, 2014 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution. Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.
Cont. from	Full IAEA — ?	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Decedent died intestate.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Residence — Fresno	
<input checked="" type="checkbox"/> Notice of Hrg	Publication — Need	
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input type="checkbox"/> Aff.Pub.	X	
<input type="checkbox"/> Sp.Ntc.	Estimated value of the Estate:	
<input type="checkbox"/> Pers.Serv.	Personal property - \$500,000.00	
<input type="checkbox"/> Conf. Screen	Real property - \$ 98,000.00	
<input type="checkbox"/> Aff. Posting	Total - \$598,000.00	
<input checked="" type="checkbox"/> Duties/Supp	Probate Referee: Steven Diebert	
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input checked="" type="checkbox"/> Letters		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
Reviewed by: LEG		
Reviewed on: 3/20/13		
Updates:		
Recommendation:		
File 7 - Staggs		

"Bella" Age: 10		<p>TEMP DENIED 1-30-13</p> <p>CATHY LOU ROMERO, Paternal Grandmother, is Petitioner.</p> <p>Father: ROMALDO NANEZ, JR. - Nominates, consents and waives notice</p> <p>Mother: GUADALUPE HERRERA - Consents and waives notice</p> <p>Paternal Grandfather: Romaldo Nanez, Sr. - Consents and waives notice</p> <p>Maternal Grandfather: John Herrera - Consents and waives notice</p> <p>Maternal Grandmother: Irene Moncada - Consents and waives notice</p> <p>Siblings: Raymond Martinez, Jr., Jeramiah Martinez, Olivia Martinez, Michael Herrera, Seasen Nanez (ages not provided)</p> <p>Petitioner states pursuant to TDM held by CPS, the child will be placed with Petitioner due to general neglect and emotional abuse.</p> <p>Court Investigator Samantha Henson filed a report on 3-26-13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. If any of the siblings are age 12 or older, need proof of service pursuant to Probate Code §1511 and Cal. Rules of Court 7.51 on the siblings and the adult with whom they reside.</p>
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	Clearances		
<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		

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

Age: 98		NO TEMPORARY REQUESTED		NEEDS/PROBLEMS/COMMENTS:	
		<p>MONTIE S. DAY, son, is Petitioner and requests appointment as Conservator of the Person and Conservator of the Estate without bond and with Probate Code § 2590 powers.</p>		<p>Court Investigator advised rights on 03/15/13.</p>	
Cont. from		<p>Estimated Value of the Estate Personal property - \$10,000.00 Annual income- 13,600.00 Total - \$23,600.00</p>		<ol style="list-style-type: none"> 1. Need Duties of Conservator. 2. Need Receipt for viewing conservatorship video. 3. Need Citation for Conservatorship. 4. Need Notice of Hearing. 5. Need proof of personal service at least 15 days before the hearing of the Citation for Conservatorship with Notice of Hearing and a copy of the Petition for Conservatorship on the proposed conservatee. 6. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Conservatorship on: <ul style="list-style-type: none"> - Nicole Anne Day - Derrell O. Day - Mary Ankrom - Lavern Heasty 7. Need Order and Letters. 8. It is unclear whether the Petitioner is requesting medical consent powers. The Petition is not marked at item 1(f) re: lack of capacity, but is marked at item 9 of the Petition stating that the proposed conservatee lacks capacity. Further, the Petition requests that the court take judicial notice of the capacity declarations that have been filed in connection with the proposed conservatee's trust matter. Need clarification. 9. Petitioner requests appointment without bond; however, effective 1/1/2008, pursuant to CRC 7.207, except as otherwise provided by statute, every conservator or guardian of the estate appointed after 12/31/2007, must furnish a bond, including a reasonable amount for the cost of recovery to collect the bond under Probate Code 2320(c)(4)). Per information provided in the Petition, bond should be set at \$25,960.00. Bond calculation worksheet in the file for reference. 10. Petitioners are requesting the court grant powers under Probate Code § 2590, which powers are outlined in § 2591; however, pursuant to Local Rule 7.15.2 - it is the policy of the court to grant a guardian or conservator only those independent powers necessary in each case to administer the estate. A request for all powers described in Probate Code § 2591 will not be granted by the court. Each independent power requested must be justified by, and narrowly tailored to the specific circumstances of that case. Any powers so granted must be specified in the order and in the Letters of Guardianship or Conservatorship. 	
		<p>Petitioner alleges that Ms. Day suffers from dementia and Alzheimer's disease and has since before 2008. She has been incompetent to both manage her finances and/or resist fraud/undue influence since 2008. Ms. Day is currently residing in a care facility and requires total care. The management of Ms. Day's trust is currently being adjudicated in case 10CEPR00998 and Petitioner asks that the court take judicial notice of two physician's certificates attesting to Ms. Day's incompetence in that matter. Petitioner is requesting the power to sell personal or real property (other than the personal residence of the conservatee) of the estate without court confirmation and the power to pay, collect, compromise, or otherwise adjust claims, debts, or demands upon the conservatorship as described in subdivision (a) of § 2501, 2502 or 2504, or to arbitrate any dispute described in § 2406. Petitioner is requesting to be appointed without bond and states that in 1993, while competent, Ms. Day nominated him to serve as successor trustee of her trust and to serve without bond.</p>			
		<p>Court Investigator Jennifer Daniel filed a report on 03/26/13.</p>			
Aff.Sub.Wit.				Reviewed by: JF	
<input checked="" type="checkbox"/> Verified				Reviewed on: 03/21/13	
Inventory				Updates: 03/27/13	
PTC				Recommendation:	
Not.Cred.				File 10 - Day	
Notice of Hrg x					
Aff.Mail x					
Aff.Pub.					
Sp.Ntc.					
Pers.Serv. x					
<input checked="" type="checkbox"/> Conf. Screen					
Letters x					
Duties/Supp x					
Objections					
Video Receipt x					
<input checked="" type="checkbox"/> CI Report					
9202					
Order x					
Aff. Posting					
Status Rpt					
UCCJEA					
Citation x					
FTB Notice					

Age: 19	ELVEDA HERRERA , Maternal Grandmother and Adoptive Mother, and DARLENE SCOTT , Maternal Aunt and Adoptive Sister, are Petitioners and request appointment as Co-Conservators of the Person with medical consent powers.	NEEDS/PROBLEMS/COMMENTS:
		<u>Court Investigator advised rights on 3-11-13</u>
		<u>Voting rights affected – need minute order</u>
<input type="checkbox"/> Aff.Sub.Wit.	Voting rights affected	
<input checked="" type="checkbox"/> Verified	Capacity Declaration was filed 2-21-13.	
<input type="checkbox"/> Inventory	Petitioners state the proposed Conservatee suffers from Retts Syndrome. She is completely nonverbal and has the cognitive ability of about an 18-month old child. She is able to walk but requires assistance with all other tasks from dressing and eating to personal hygiene matters, and requires constant care and supervision. She used to talk, but lost the ability as her disease progressed. She attends Reedley Monta Vista. She graduated in 2012, but will continue to attend school daily for two years.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail W		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv. W		
<input checked="" type="checkbox"/> Conf. Screen	Court Investigator Jo Ann Morris filed a report on 3-15-13.	
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input 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		Reviewed by: skc
<input type="checkbox"/> Status Rpt		Reviewed on: 3-20-13
<input type="checkbox"/> UCCJEA		Updates:
<input checked="" type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 11 - Alvarado

First Amended Petition for Probate of Will and for Letters Testamentary,
 Authorization to Administer Under Independent Administration Estates Act

DOD: 1-27-13		<p>MARI ANN BASINGER, Daughter and <i>Named Alternate Executor</i>, is Petitioner and requests that KATHY SOPHIA SCHEIDT, Daughter and <i>Named Executor without bond</i>, be appointed as Executor with Full IAEA without bond.</p> <p>Full IAEA – <i>Need publication</i></p> <p>Will dated 1-11-13</p> <p>Residence: Fresno Publication: <i>Need publication</i></p> <p>Estimated value of estate: Personal property: \$ 9,000.00 Real property: \$60,000.00 Total: \$69,000.00</p> <p>Probate Referee: Rick Smith</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Need Duties and Liabilities of Personal Representative (DE-147) and Confidential Supplement (DE-147S) from Kathy Sophia Scheidt. Need proof of publication pursuant to §8120. Need order. Need letters signed by Kathy Sophia Scheidt. <p>Note: If petition is granted, Court will set status hearings as follows:</p> <ul style="list-style-type: none"> Friday, 9-6-13 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and Friday, 9-5-14 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution. <p>Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.</p>
<input type="checkbox"/>	Aff.Sub.Wit. S/P		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail W		
<input type="checkbox"/>	Aff.Pub. X		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters X		
<input type="checkbox"/>	Duties/Supp X		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order X		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: skc</p> <p>Reviewed on: 3-20-13</p> <p>Updates: 3-27-13</p> <p>Recommendation:</p> <p>File 13B - Collins</p>	

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

Age: 5 months		TEMP GRANTED EX PARTE EXPIRES 4-2-13	NEEDS/PROBLEMS/COMMENTS: 1. Need clarification as to the spelling of the mother's last name and minor's last name. It appears two ways in the documents: <u>Kichener</u> or <u>Kitchener</u> ? 2. Need Notice of Hearing. 3. Need proof of personal service of Notice of Hearing with a copy of the Temp Petition at least five court days prior to the hearing per Probate Code §2250(e) on: - Joshua Arron Edward Robertson (Father) - Domanique Nichole Kitchener (Mother)	
		STEPHANIE ROBERTSON, Paternal Aunt, is Petitioner.		
		Father: JOSHUA ARRON EDWARD ROBERTSON		
		Mother: DOMANIQUE NICHOLE KITCHENER		
		Paternal Grandfather: Orval Dean Robertson		
		Paternal Grandmother: Denise Diane Fannon		
		Maternal Grandfather: Unknown		
		Maternal Grandmother: Unknown		
<input type="checkbox"/>	Aff.Sub.Wit.	Petitioner states the mother is a sex offender who violated parole. The police found her with her baby and drugs around the minor. The mother was arrested and is currently in Madera County Jail. She has a hearing on 4-9-13 with possibility of release. CPS Worker visited the mother in jail and the mother told her that when she is released she plans to come to Petitioner's home and take Serenity. Petitioner states the mother's older child resides with the father out of state. The father is currently in the Fresno County Jail.		
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			X
<input type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			X
<input checked="" type="checkbox"/>	Conf. Screen			
<input 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 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: skc	
			Reviewed on: 3-21-13	
			Updates:	
			Recommendation:	
			File 14 – Robertson-Kichener	

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

Age: 2	TEMP GRANTED EX PARTE EXPIRES 4-2-13	NEEDS/PROBLEMS/COMMENTS:
	MONICA CHRISTINA ROSAS , Maternal Aunt, is Petitioner.	<u>Note:</u> This Probate Court does not have jurisdiction to make orders regarding this child as there is an <u>active</u> family law case with orders as of 3-11-13 and a continued hearing date of 3-26-13. Petitioner may be instructed to seek joinder to the family law action per Local Rule 7.15.7.
	Father: ROBERT GILBERT GOMEZ Mother: SHARYN ELIZONDO - Consents and waives notice	
<input type="checkbox"/> Aff.Sub.Wit.	Paternal Grandfather: Sebastian Gilbert Gomez	
<input type="checkbox"/> Verified	Paternal Grandmother: Deceased	
<input type="checkbox"/> Inventory	Maternal Grandfather: Richard Elizondo - Consents and waives notice	
<input type="checkbox"/> PTC	Maternal Grandmother: Deceased	
<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.	Petitioner states both parents are unsuitable to care for the minor. Both have criminal histories and Petitioner believes the father continues to use illegal drugs. Petitioner states the father has sole custody and the mother has supervised visits, however, on 2-16-13, the father went to stay with the mother because he did not have a place to stay, and on 2-19-13, left the minor unsupervised with the mother. The mother, fearing she would be in trouble for having been left alone with the baby, reported herself to CPS. CPS came to the home and determined that the father had abandoned the minor, and placed the minor in Petitioner's care. Later, the father broke into the mother's home and stole several items, which were found on him later by law enforcement (police report attached). He was arrested.	
<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 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	Petitioner state she attended a family law hearing with the mother on 3-11-13 and realized that the minor will not be safe with either parent because the mother needs help, and the father came to court either high on drugs or coming off drugs. He does not have a home and moves around.	
		1. Need Notice of Hearing. 2. Need proof of personal service of Notice of Hearing at least five Court days prior to the hearing per Probate Code §2250(e) on: - Robert Gilbert Gomez (father)
		Reviewed by: skc
		Reviewed on: 3-21-13
		Updates:
		Recommendation:
		File 15 - Gomez