

1 **Ronald E. Marden (Estate)**

Case No. 12CEPR01157

Atty Schorling, Douglas D. (for Co-Administrators and Petitioners Robert Shaw, Gayden L. Schorling, and Douglas D. Schorling)

Atty Woodward, Laura (for Kemp & Associates – Assignee)

Amended First and Final Account and Report of Special Co-Administrators and Co-Administrators, and Petition for its Settlement, for Approval of Right to Compensation for Services as Attorney/Co-Administrator, Allowance of Compensation to Co-Administrators and Attorney for Ordinary Services, for Allowance of Compensation to Attorney for Extraordinary Services, and for Final Distribution

DOD: 12-21-12	ROBERT SHAW, GAYDEN L. SCHORLING, and DOUGLAS D. SCHORLING , Co-Administrators with Limited IAEA without bond, are Petitioners.	NEEDS/PROBLEMS/COMMENTS: <u>SEE PAGE 2</u>
	Account period: 12-21-12 through 3-18-15 Accounting: \$668,595.78 Beginning POH: \$653,863.51 Ending POH: \$519,176.61 (\$516,126.61 cash plus a vehicle, misc. personal property, and two firearms)	
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		
<input checked="" type="checkbox"/> Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
<input checked="" type="checkbox"/> Letters 12/26/12		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
<input checked="" type="checkbox"/> FTB Notice		
	Co-Administrators Robert Shaw and Gayden L. Schorling (Statutory): \$16,131.92 Attorney/Co-Administrator Douglas D. Schorling (Statutory): \$16,131.92 Petitioners request that the Court authorize Co-Administrators Robert Shaw and Gayden L. Schorling to equally share the statutory personal representative's compensation and authorize Attorney/Co-Administrator Douglas D. Schorling to receive the entire amount of statutory attorney compensation as attorney for the Co-Administrators. Attorney (Extraordinary): \$13,970.00 Declaration filed 3-18-15 indicates 91.9 hours at \$150/hour for legal services including Petition to Determine Entitlement and Petition for Payment of Family Allowance, Unlawful Detainer, and Small Claims, and Court confirmed sale of real property totaling \$13,970.00. Closing: \$10,000.00 (for anticipated expenses including estate income taxes and Decedent's personal income taxes) Petitioners request to distribute the estate pursuant to intestate succession as follows: The estate, after donating the remaining vehicle and misc. personal property and sale of the firearms, is to be divided into 17 shares representing the 17 first cousins of the decedent, and distributed to the 27 heirs as set forth in the petition. Petitioners state each of the paternal heirs has executed an Assignment in favor of Kemp & Associates, Inc., which is authorized to receive and process distributions on behalf of the paternal heirs. Accordingly, Petitioners will send Attorney Laura Woodward a check for the total amount of distribution to the paternal heirs to further process those distributions in accordance with the terms of its assignments.	
	Reviewed by: skc	
	Reviewed: 3-26-15	
	Updates:	
	Recommendation:	
	File 1 - Marden	

Page 2

NEEDS/PROBLEMS/COMMENTS:

1. Cal. Rules of Court 7.706(a) states:

(a) Personal representative's compensation only

Notwithstanding the provisions of the decedent's will, a personal representative who is an attorney may receive the personal representative's compensation but may not receive compensation for legal services as the attorney for the personal representative unless the court approves the right to compensation for legal services in advance and finds the arrangement is to the advantage, benefit, and best interest of the decedent's estate.

Petitioners request that the Co-Administrators' statutory compensation be split between two of the Co-Administrators, Robert Shaw and Gayden D. Schorling, and that Attorney Douglas D. Schorling, who is the third Co-Administrator, but is also the attorney for the Co-Administrators, receive the entire amount of statutory compensation as attorney.

Examiner Notes published in connection with the prior petition filed 10-7-14 noted that this arrangement may not be allowable under Cal. Rules of Court 7.706(a), as it was not approved in advance. This amended petition now includes a specific request to approve this compensation arrangement. The petition at #32 describes the benefit to the estate.

Examiner notes at this time that Mr. Schorling's statutory compensation may be limited to a one-third share of the Co-Administrators' statutory compensation, instead of the two other Co-Administrators splitting it half each.

Note: Consistent with the Court's recent practice, if the Court determines that an informal accounting of the closing reserve is warranted, the court will set a status hearing as follows:

- **Thursday, August 4, 2015 at 9:00 am in Dept. 303 for Status Re: Informal Accounting of the \$10,000.00 Closing Reserve.**

Pursuant to Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required. The filing of the Informal Accounting of Closing Reserve will not generate a new hearing date.

(1) First and Final Report of Administrator on Waiver of Account and Petition for its Settlement; (2) for Allowance of Statutory and Extraordinary Fees to Attorney for Services; and (3) for Order for Final Distribution Pursuant to Probate Code 3600 et seq.

DOD: 3/31/10	JOSEPH WILLIAM MARTIN , Administrator, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 2/19/15. Minute order states Counsel intends to file an amended petition.</p> <p>As of 3/26/15 the following issues remain:</p> <ol style="list-style-type: none"> 1. It appears that the Joseph W. Martin Irrevocable Trust established on 1/16/14 is not a valid "special needs" trust. The requirements for creation of a special needs trust are that the beneficiary must be under the age of 65 at the time of the trust's creation. Mr. Martin is 86. (Title 42 United States Code section 1396p(d)(4)(A)). 2. Petition requests the distribution to the Joseph W. Martin Irrevocable Special Needs Trust, dated 1/16/14. The trust attached to the petition is entitled the Joseph W. Martin Irrevocable Trust established on 1/16/14 with no mention of a special needs trust. <p>Please see additional page</p>
	Accounting is waived.	
Cont. from 082514 090814, 102014	I & A - \$125,873.74 POH - \$127,424.94	
<input type="checkbox"/> Aff.Sub.Wit.	Administrator - waives	
<input checked="" type="checkbox"/> Verified	Attorney (statutory) - \$4,776.22	
<input checked="" type="checkbox"/> Inventory	Attorney x/o - \$9,100.00 (40.75 hours @ \$100 – 250/hr for services in connection with the civil litigation and creation of the special needs trust)	
<input checked="" type="checkbox"/> PTC		
<input checked="" type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Costs - \$1,304.32 (probate Referee, publication, certified copies)	
<input checked="" type="checkbox"/> Aff.Mail	Petitioner states he established the JOSEPH W. MARTIN IRREVOCABLE SPECIAL NEEDS TRUST , ("SNT") dated 1/16/14, Donald Fischer, trustee. The SNT currently contains proceeds from the settlement of the civil litigation by order of the Honorable Kristi Culver-Kapetan in the matter entitled <i>Joseph W. Martin v. Mary Quin, et. al</i> , case no. 12CECG03130 filed on 4/2/14.	
<input type="checkbox"/> Aff.Pub.	Petitioner requests the court take judicial notice of the order.	
<input type="checkbox"/> Sp.Ntc.	Please see additional page	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters	4/2/13	
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 3/26/15
		Updates:
		Recommendation:
		File 2 - Martin

Petitioner request the assets of the estate be distributed to Donald E. Fischer, Trustee of the Joseph W. Martin Irrevocable Special Needs Trust dated 1/16/14.

NEEDS/PROBLEMS/COMMENTS (cont.):

3. Extra ordinary fee requests appear to include attorney services that benefited the administrator, Joseph Martin, personally and not the estate. For instance, Mr. McCloskey states he assisted Mr. Martin in a civil case for financial elder abuse against his daughter, Mary J. Quin entitled *Joseph W. Martin v Mary J. Quin*, case no. 12CECG03130. The action sought to recover assets Mr. Martin alleged were fraudulently taken by his daughter, Mary J. Quin. Mr. Martin was represented by Attorney Babette Fischer in the civil matter and not Mr. McCloskey. Mr. McCloskey also states he assisted in the creation of the Special Needs Trust for Mr. Martin. The special needs trust would be solely for the benefit of Mr. Martin and not for the benefit of the estate. In addition, there are questions regarding the validity of the Special Needs Trust. It appears any attorney fees incurred by the civil case or for Mr. Martin personally should be recovered from Mr. Martin personally outside of the estate. California Rules of Court, Rule 7.702(3) requires the declarant to show the benefit of the services to the estate. - **Declaration of Attorney Daniel T. McCloskey filed on 8/15/14 states** he feels the extraordinary fees are justified due to the unusual circumstances presented by the case, including but not limited to; preparation, filing and related actions to create the Special Needs Trust; preparation and filing and prosecution of the Petition to Determine Title; protracted civil litigation regarding the Petition to Determine Title and Petitioner's physical incapacity and mobility issues after his fall requiring travel to and from the convalescent home and hospital; that the misconduct alleged by his daughter occurred in 2010 and that it was his only daughter, a licensed attorney, who aggressively defended against the complaint and petition.

Status Report filed on 10/10/14

Status Report filed on 2/11/15

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 05/17/2013	LOUISE BAKER , was appointed Executor with full IAEA authority without bond on 01/27/2014.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 2/19/15: No appearances. The Court issues an Order to Show Cause to Ronald Calhoun and Louise Baker as to why they should not be sanctioned and why Ms. Baker should not be removed as Executor for failure to appear and failure to file the Inventory and Appraisal or a Status Report. Both parties are ordered to be personally present in Court on 4/2/15.</p> <p>Page B is Status Re: Filing the First Account or Petition for Final Distribution.</p> <p>Page C is the OSC Re: Failure to Appear and Failure to file the Inventory and Appraisal.</p> <p>1. Need Inventory and Appraisal 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.</p>
	Letters issued on 01/28/2014.	
Cont. from 060614, 070114, 081915, 021915	Minute Order of 01/06/2014 set this status hearing for the filing of the Inventory and Appraisal.	
Aff.Sub.Wit.		
Verified		
Inventory	Former Status Report filed 08/11/2014 states Attorney Calhoun failed to transfer over the hearing of 07/01/2014 due to a change in his calendaring. He and the executrix, Louise Baker, have done an extensive search and found that the estate has no property. However, on review of the events leading up to and during the investigation, it was determined that an individual had changed the beneficiary of the decedent's life insurance three days before her death. The case number of the probate has been used in discovery attempts to determine how such action was taken. As can be seen by the decedent's death certificate, Ms. Ello was in the hospital, and had been for over a month prior to her death. Therefore, with the changing of her beneficiary, it does not appear proper.	
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 / skc
		Reviewed on: 3/26/15
		Updates:
		Recommendation:
		File 3A - Ello

DOD: 5-17-13	<p>LOUISE BAKER, Mother, was appointed Executor with Full IAEA without bond on 1-27-14. Letters issued 1-28-14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Inventory and Appraisal pursuant to Probate Code §8800. 2. Need first account or petition for final distribution pursuant to Probate Code §12200 or verified written status report pursuant to Local Rule 7.5. <p>Note: The original petition estimated the estate to contain personal property valued at \$500,000.00.</p> <p>Note: Louise Baker is the sole heir pursuant to the decedent's will dated 12-21-84; however, Letters issued on 1-28-14 and two creditor's claims have been filed totaling \$1,983.54. The estate must be properly closed by noticed petition. See Probate Code §§ 10950 et seq., 11000, 12200.</p>					
	<p>At hearing on 1-27-14, the Court set this status hearing for the filing of the first account or petition for final distribution.</p>						
Cont. from 030615							
Aff.Sub.Wit.		<table border="1"> <tr> <td>Reviewed by: skc</td> </tr> <tr> <td>Reviewed on: 3-3-15</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 3B - Ello</td> </tr> </table>	Reviewed by: skc	Reviewed on: 3-3-15	Updates:	Recommendation:	File 3B - Ello
Reviewed by: skc							
Reviewed on: 3-3-15							
Updates:							
Recommendation:							
File 3B - Ello							
Verified							
Inventory							
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Letters							
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Video Receipt							
CI Report							
9202							
Order							
Aff. Posting							
Status Rpt							
UCCJEA							
Citation							
FTB Notice							

Order to Show Cause RE: Failure to Appear and Failure to File the Inventory and Appraisal

DOD: 5-17-13	<p>LOUISE BAKER, Mother, was appointed Executor with Full IAEA without bond 1-27-14. Letters issued 1-28-14.</p> <p>At hearing on 1-27-14, the Court set status hearings for the filing of the inventory and appraisal and the filing of the first account or petition for final distribution.</p> <p>The status hearing for the filing of the inventory and appraisal was continued from 6-6-14 to 7-1-14, then 8-19-15 and 2-19-15.</p> <p>On 2-19-15, there were no appearances. The Court issued this Order to Show Cause as to why they should not be sanctioned and why Ms. Baker should not be removed as Executor for failure to appear and failure to file the inventory and appraisal or a status report. Both Executor and Attorney Calhoun are ordered to be personally present.</p> <p>Declaration of Ronald L. Calhoun Re Order to Show Cause filed 3-27-15 states the Executrix and the attorney have done extensive search and found that the estate has no property. However, on review of the events leading up to and during our investigation, it was determined that an individual had changed the beneficiary of the decedent's life insurance policy three days before her death. The case number of the probate has been used in discovery attempts to determine how such action was taken, as Ms. Ello was in the hospital for over a month prior to her death. Therefore, the changing of the beneficiary does not appear proper. Ms. Baker is confined to a wheelchair and leaves her house to go to the doctor only. Her mobility is severely limited. It is anticipated that a civil matter will be filed shortly.</p>	NEEDS/PROBLEMS/COMMENTS:
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: 3-27-15
Recommendation:
File 3C - Ello

DOD: 04/29/88	EVELYN SUE DICKENS, granddaughter, is Petitioner, and requests appointment as Administrator with full IAEA and with bond set at \$60,000.00.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 03/05/15</u> Minute Order from 03/05/15 states: The Court will not require further notice from here to the next hearing.</p> <p>1. Declaration of Evelyn Dickens Regarding Diligent Search for Beneficiaries indicates that Kelly Marie Daniels is the only daughter of post-deceased heir Ralene Anderson Mejia; however, Kelly is not listed in item 8 of the Petition. Further, Petitioner states that Kelly's whereabouts are unknown and notice of these proceedings have not been provided to her. The Court may require more information and/or efforts to locate Ms. Daniels.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Thursday, 08/06/15 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Thursday, 05/05/16 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 030515	Full IAEA – OK	
<input type="checkbox"/> Aff.Sub.Wit.	Decedent died intestate.	
<input checked="" type="checkbox"/> Verified	Residence: Laton	
<input type="checkbox"/> Inventory	Publication: The Business Journal	
<input type="checkbox"/> PTC	Estimated Value of the Estate:	
<input type="checkbox"/> Not.Cred.	Real property - \$50,000.00	
<input checked="" type="checkbox"/> Notice of Hrg	Probate Referee: RICK SMITH	
<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: JF		
Reviewed on: 03/27/15		
Updates:		
Recommendation:		
File 4 - Anderson		

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

		TEMPORARY EXPIRES 4/2/15.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Notice of Hearing filed on 3/15/15 lists the attorney, Douglas L. Gordon as the filing party. The filing party is Jocelyn Lisseth Castillo Valle. 2. Petition states the names and addresses of the paternal grandparents are unknown. Need declaration of due diligence. 3. Need proof of service of the Notice of Hearing along with a copy of the Petition on the paternal grandparents, unless the Court dispenses with notice. 4. Petition alleges that the minor's mother disappeared when the minor was 11 years old. Proof of service indicates the mother was personally served on 2/8/15. Need clarification.
		<p>JOCELYN LISSETH CASTILLO VALLE, minor, is petitioner and requests appointment of PAULA VALLE GUEVARA, maternal aunt, as guardian.</p> <p>Please see petition for details.</p> <p>Court Investigator filed on 3/24/15.</p>	
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail		
	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: KT
			Reviewed on: 3/26/15
			Updates:
			Recommendation:
			File 5B - Valle

Motion for Specific Factual Findings Regarding "Special Immigrant Juvenile" Status

			<p>JOCELYN LISSETH CASTILLO VALLE, minor, is petitioner.</p> <p>Please see petition for details.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The proposed order is incomplete. The order indicates at #5 that additional findings about the minor are provided in Attachment 5; however, there is no Attachment 5.</p>
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail			
	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: KT	
			Reviewed on: 3/26/15	
			Updates:	
			Recommendation:	
			File 5B - Valle	

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

DOD: 11/6/12		<p>BYRDEAN C. FLAHERTY, spouse, JAY M. FLAHERTY, TIMOTHY P. FLAHERTY, ROBERT S. FLAHERTY and KELLIE ANN FLAHERTY HELM, children, are petitioners.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>Testate/Intestate?</p> <p>I & A \$60,000.00</p> <p>Petitioners requests Court determination that Decedent's 50% interest in grazing land located in Fresno County pass 1/3 to spouse, Byrdean C. Flaherty and 1/4 of 2/3 each to Jay M. Flaherty, Timothy P. Flaherty, Robert S. Flaherty and Kellie Ann Flaherty.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> #5 of the petition does not indicate whether or not the decedent died testate or intestate. #9a(3) of the petition was not answered re: issue of a predeceased child. #9b of the petition was not answered re: Survived by step or foster child.
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" 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/O		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: KT</p> <p>Reviewed on: 3/27/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6 - Flaherty</p>	

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

DOD: 06/21/1999	MARTHA HUERTA , daughter is petitioner and requests appointment as Administrator without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Waiver of Bond from the following:</p> <ul style="list-style-type: none"> • Joseph Huerta • George Garcia • Virginia Garcia • Richard Garcia • Anna Waldrop <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Thursday, 08/06/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Thursday, 06/02/2016 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>	
	Full IAEA – o.k.		
Cont. from	Decedent died intestate		
<input type="checkbox"/> Aff.Sub.Wit.	Residence: Fresno		
<input checked="" type="checkbox"/> Verified	Publication: The Business Journal		
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.	Estimated value of the Estate		
<input checked="" type="checkbox"/> Notice of Hrg	Personal property - \$0		
<input checked="" type="checkbox"/> Aff.Mail w/	Real property - \$110,000.00		
<input checked="" type="checkbox"/> Aff.Pub.	Total - \$110,000.00		
<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:	
		File 7 - Garcia	

DOD: 12/23/14		MARIANNE K. BAKER and JAMES R. OSTEGAARD, II , are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
		40 days since DOD.	
Cont. from		No other proceedings.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Will dated: July 20, 1998 devises the residue in equal shares to petitioners.	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	I & A - \$140,000.00	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Petitioners request Court determination that decedent's 100% interest in real property located in Fresno County pass to them in equal shares pursuant to decedent's Will.	
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 3/27/15
			Updates:
			Recommendation: SUBMITTED
			File 8 - Ostergaard

DOD: 9-4-14	DEBRA VANDERVOORT , Daughter, and RANDAL P. FATIUS , Son, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
	40 days since DOD	
	No other proceedings	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	I&A: \$78,000.00 (Real property plus a manufactured home)	
<input checked="" type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Decedent died intestate	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Petitioners request Court determination that the decedent's 100% interest in the real property and manufactured home passes to them, each as to a one-half undivided interest.	
<input checked="" type="checkbox"/> Aff.Mail	w	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 3-27-15
		Updates:
		Recommendation: SUBMITTED
		File 9 - Fatius

DOD: 11-25-13		BARBARA J. NAJIMIAN , Surviving Spouse, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> The original will has not been deposited pursuant to Probate Code §8200. Need original will. Need original Inventory and Appraisal. The document attached to the petition is a copy. <p>Note: Attorney is reminded to tumble double-sided forms pursuant to Cal. Rule of Court 2.134(b), and to always provide a signature line on the order following the last attachment pursuant to Local Rule 7.6.1.B.</p>
		40 days since DOD	
		No other proceedings	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	I&A: \$33,500.00 (various real property interests)	
<input checked="" type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	Will dated 4-24-97 devises the entire estate to Petitioner.	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	Petitioner requests Court determination that the decedent's various interests in real property passes to her pursuant to the Decedent's will.	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: skc
			Reviewed on: 3-27-15
			Updates:
			Recommendation:
			File 11 - Najimian

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 08/21/2012	<p>GILDA N. WALKER, daughter, was appointed Administrator with limited IAEA authority without bond on 08/16/2013. \$75,700.00 ordered to be placed in a Blocked account.</p> <p>Letters issued on 08/30/2013.</p> <p>Receipt for Blocked account in the amount of \$75,700.00 was filed on 09/24/2013.</p> <p>Inventory & Appraisal filed 10/30/2013 showing a value of \$191,350.00.</p> <p>Minute Order of 07/18/2013 set this status hearing for the filing of the First Account and/or Petition for Final Distribution.</p> <p>Status Report filed 03/18/2015 states on 02/06/2015, a new Probate Listing Agreement was executed by the Administratrix with Masiello Real Estate. On 02/06/2015, an off for \$107,000.00 was received from EVC Homes, LLC, along with a \$1,000.00 deposit. On 02/09/2015, the Seller presented a Counter Offer as to certain of the terms of sale which was accepted by the buyer on 02/11/2015. On or about 03/03/2015, an escrow was opened at Chicago Title Company. A reappraisal for Sale was prepared and mailed to the Administratrix for signature on 03/05/2015. The Administratrix has limited authority for the sale of the real property. A Report of Sale and Petition for Order confirming Sale will be filed and set for hearing, and a Notice of Sale will be published. When the Court has issued an Order Confirming Sale, the escrow will proceed to closing. A 60 day continuance is requested to allow time for the hearing on the Report of Sale, and the closing of escrow.</p> <p style="text-align: center;">Please see additional page</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 01/08/2015: The Court needs information regarding the amounts of the offers that have been made on the real property.</p> <p>1. Need First Account or Petition for Final Distribution.</p>
Cont. from 091914, 100214, 010815		
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: LV</p> <p>Reviewed on: 03/26/2015</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 - Miles</p>

Status Report filed 01/27/2015 states on 05/16/2014, the personal representative executed a Probate Listing Agreement with Guarantee Real Estate for the sale of the real property situate at 1523 W. Cambridge, Fresno Ca. 93705, for the sum of \$122,000.00. Said Listing was to expire on 08/16/2014. No offers were received during the Listing period.

On 08/15/2014, the Probate Listing Agreement was extended to 11/16/2014. During that period, the following offers were received:

10/11/2014 Offer \$80,000 Kelley Green Investment Grp (Rejected)
10/21/2014 Offer \$55,000 Corporate America Lending ISOA
10/30/2014 Counter \$92,000 By Administratrix
10/31/2014 Counter \$56,000 Corporate America (Rejected)

10/27/2014 Offer \$80,000 JMK Property Investors, Inc.
12/16/2014 Counter \$95,000 by Administratrix

11/15/2014 Offer \$95,000 Fridoon Alvand (FHA)
Counter \$108,500 By Administratrix

On 11/18/2014, the Probate Listing Agreement was extended to 12/31/2014. During that period, the following offers were received:

11/30/2014 Offer \$50,000 Jose M. and Dina Thomas-Virueta (Rejected)
12/01/2014 Offer \$50,000 Tower Property Solutions (Rejected)
12/08/2014 Offer \$81,500 JMK Property Investors, LLC (Rejected)

Pursuant to the Probate Code, 90% of the appraised value would be \$103,500. Due to the condition of the property, which needs some repairs, painting, and yard maintenance, no offers of 90% of the appraised value were received. It has been estimated that it would take \$15,000 to \$25,000 to rehab the property to obtain a better offer.

Atty LeVan, Nancy J. (for Julie Castillo and Connie Martinez)

Atty Kruthers, Heather H (for Public Guardian/conservator of the estate)

Probate Status Hearing RE: Filing Inventory & Appraisal

	PUBLIC GUARDIAN was appointed conservator of the estate on 9/16/14.	NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR.
	Order appointing the Public Guardian as conservator of the estate was signed on 11/4/14.	
Cont. from	Letters issued on 9/17/14.	
Aff.Sub.Wit.	Minute order dated 9/16/14 appointed the Public Guardian as Conservator of the estate and set this status hearing for the filing of the inventory and appraisal.	
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: KT
		Reviewed on: 3/26/15
		Updates:
		Recommendation:
		File 13A - Reyna

13 Rosie Reyna (CONS/PE)

Case No. 13CEPR00908

Atty LeVan, Nancy J. (for Julie Castillo and Connie Martinez)
 Atty Kruthers, Heather H (for Public Guardian/conservator of the estate)
 Atty Reyna, Joseph (pro per son)

Probate Status Hearing RE: Status on Agreement

Age: 80 years	JULIE CASTILLO and CONNIE MARTINEZ , daughters, petitioned the court requesting appointment as Co-Conservators of the person and estate of their mother.	NEEDS/PROBLEMS/COMMENTS:
DOB: 8/30/1930		
Cont. from	Son, JOSEPH REYNA filed objections to the appointment of Julie Castillo and Connie Martinez as conservators of the person and estate. The court set the matter for trial. On the date set for trial (9/16/14) counsel for the parties stated they had come to an agreement. The court appointed the Public Guardian and set this status hearing re: Status on Agreement. The PUBLIC GUARDIAN was appointed conservator of the estate on 9/16/14. The PUBLIC GUARDIAN was appointed temporary conservator of the person on 2/25/15.	1. Need 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.
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: KT
		Reviewed on: 3/26/15
		Updates:
		Recommendation:
		File 13 - Reyna

Probate Status Hearing RE: Filing of the Inventory and Appraisal

	SHELIA STEARNS was appointed Conservator of the Person and Estate with bond of \$50,000.00 and \$425,000.00 to be placed into blocked accounts pursuant to Evidentiary/Settlement Conference Minute Order dated 2-25-14. The Order was signed on 3-5-14.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Inventory & Appraisal.</p>
Cont. from	Ms. Stearns was formerly represented by Attorney Sheldon Feigel, who is no longer eligible to practice law. Mr. Rindlisbacher appeared for the conservator on 7-21-14.	
Aff.Sub.Wit.		
Verified		
Inventory	On 8-13-14, bond of \$50,000.00 was filed. Thereafter, Letters were issued on 8-25-14.	
PTC		
Not.Cred.	At a Status Hearing on 01/29/15, the Court set this matter for a status hearing regarding filing of the Inventory & Appraisal.	
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 03/27/15
		Updates:
		Recommendation:
		File 14 - Cook

Atty Hiyama, Dean; Motsenbocker, Gary (for Petitioners Victor G. Romley and Tony Romley)
 Atty Burnside, Leigh W.; Marshall, Jared C. (for Respondent Laura Palos, Successor Trustee)

Probate Status Hearing Re: Obtaining New Co-Counsel

DOD: 1/18/2013	<p>VICTOR G. ROMLEY and TONY ROMLEY, Petitioners, filed on 1/20/2015 an <i>Ex Parte Motion to Continue Trial</i>, moving for an order continuing the trial set for 2/23/2015 and re-opening discovery until 30 days prior to the new trial date, stating that the motion is made on the grounds that the Petitioners' attorney, Gary Motsenbocker, was unavailable due to a medical illness and substantial discovery remains to be completed, and that the Petitioners are unable to adequately prepare this case for trial whether through new counsel or as self-represented litigants in the time remaining.</p> <p>Minute Order dated 1/29/2015 [Judge Sanderson] from the hearing on the Motion states the Court does not feel that the requested 6-month continuance is appropriate. Mr. Hiyama is admonished to find new co-counsel forthwith. The matter is set for a status update, and parties are directed to be prepared on 3/5/2015 to give a new trial date not more than 3 months out from 3/5/2015. The 2/24/2015 trial date is vacated. Mr. Marshall objects for the record. Discovery dates are also continued.</p> <p style="text-align: center;">~Please see additional page~</p>	NEEDS/PROBLEMS/COMMENTS:	
		<p>Continued from 3/5/2015. The Court continues the matter to 4/2/2015 for further status as to whether Mr. Paloutzian has been retained. In the event that Mr. Paloutzian is retained, all counsel are to communicate with one another and agree upon a trial date. The trial date shall be on a Tuesday at 8:30 a.m. The Court will require the agreed upon date to be submitted to the court in writing. If the Court receives confirmation of said date, no appearance will be necessary on 4/2/2015.</p> <p>1. Need written confirmation of Court Trial date to be submitted to the Court per <i>Minute Order</i> dated 3/5/2015.</p>	
Cont. from 030515			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Fax			
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: LEG	
		Reviewed on: 3/27/15	
		Updates:	
		Recommendation:	
		File 15 – Nettle	

For the Court's reference, a portion of the notes prepared for the hearing on 1/29/2015 for the Ex Parte Motion to Continue Trial are set forth below:

Declaration of Dean Hiyama in Support of Motion to Continue filed 1/20/2015 states:

- He is co-counsel of record for Petitioners, **VICTOR G. ROMLEY** and **TONY ROMLEY**, and Attorney Gary Motsenbocker is also co-counsel in this action for Petitioners, and is the trial counsel for this case, due to his experience and knowledge in the Probate law and procedure;
- He is a civil law attorney, but he has not conducted a Probate trial in his experience as an attorney;
- Mr. Motsenbocker developed a serious illness on or about February 2014 and due to that illness, Respondent's attorney Leigh Burnside of Dowling Aaron was informed, and the parties stipulated to continue the trial date of October 2014 to the current trial date of 2/24/2015;
- Mr. Motsenbocker was recovering and beginning to practice when about early December 2014 he suffered a relapse and required additional medical treatments preventing him from being able to attend and represent petitioners at trial;
- When he was informed of Mr. Motsenbocker's condition in mid-December 2014, he immediately contacted Respondent's attorney Leigh Burnside and informed her of Mr. Motsenbocker's change in condition and informed her that we would have to continue the trial and discover so that substitute counsel could be found to replace Mr. Motsenbocker;
- Ms. Burnside recommended that they proceed to Mandatory Settlement Conference set for 1/6/2015, because she felt that there was a good chance that they could come to some agreement and settle the case and avoid trial;
- The parties attended the Mandatory Settlement Conference [on 1/6/2015] at which he [Mr. Hiyama] appeared for the Petitioners, but unfortunately a settlement was not reached and the parties were at considerable differences apart;
- He contacted Ms. Burnside a few days after the Mandatory Settlement Conference and requested that they stipulate to continue the trial and discovery, due to Mr. Motsenbocker's continuing illness and that they were not able to settle this matter;
- Ms. Burnside informed him that she could not stipulate to continue the trial and discovery in this case;
- His office and Mr. Motsenbocker's office immediately began to contact other Probate counsel to seek an immediate replacement for Mr. Motsenbocker, but several counsels were unavailable; one counsel was interested in taking on the case, but only if the trial and discovery was continue to allow their office to become prepared for trial;
- Petitioners will not be prejudiced by a continuance of the subject cause until a later date.

Declaration of Gary Motsenbocker in Support of Motion to Continue filed 1/20/2015 states:

- He is co-counsel of record for Petitioners, **VICTOR G. ROMLEY** and **TONY ROMLEY**, and Attorney Dean Hiyama is also co-counsel in this action for Petitioners;
- He and is the trial counsel for this case, due to his experience and knowledge in the Probate law and procedure;
- He developed a serious illness on or about February 2014 and due to that illness, Respondent's attorney Leigh Burnside of Dowling Aaron was informed, and the parties stipulated to continue the trial date of October 2014 to the current trial date of 2/24/2015;
- He was recovering from his illness and began to return to his practice when on or about early December 2014, he suffered a relapse and required additional medical treatments preventing him from being able to attend and represent the Petitioners at trial.

~Please see additional page~

Respondent's Opposition to Ex Parte Motion to Continue Trial filed by Attorney Leigh Burnside for LAURA PALOS on 1/26/2015 states:

- Counsel for Petitioners seeks a 6-month continuance of the trial dated because co-counsel has fallen ill;
- Counsel fails to present good cause for the continuance because: (1) co-counsel has been ill and uninvolved in the case since its inception; (2) Dean Hiyama, counsel for Petitioners, has been competently handling the case for its duration and is an experienced trial attorney; (3) discovery has been completed with the exception of 2 upcoming depositions; and (4) counsel presents no other justification for a 6-month continuance;
- As such, the Court should deny the motion on the ground that it fails to support a finding of good cause;
- **Background:** At the time the underlying petition was filed on 11/12/2014, counsel of record for Petitioners was Dean Hiyama and Gary Motsenbocker; Mr. Motsenbocker became ill at or around the time the underlying petition was filed; Mr. Hiyama, as the lead counsel of record, represented Petitioners at all hearings, depositions, and during all settlement negotiations; *[summary omitted]*;
- **Law and Argument:** *[omitted with the exception of the captions]*:
 - Mr. Motsenbocker has been ill since the onset of litigation;
 - Mr. Hiyama is an experienced trial attorney;
 - Even if a continuance is granted, it should not be for 6 months and should not impact the existing discovery deadlines;

Conclusion: Mr. Hiyama has decided he will not represent Petitioners at trial without the presence of Mr. Motsenbocker, who has not appeared in this proceeding except in the signing of certain pleadings; for the duration of this case, this matter has been competently handled by Mr. Hiyama, and experienced trial lawyer with over 30 years of experience, and he offers no reason for the continuance other than Mr. Motsenbocker's illness and his own lack of comfort with the Probate Code; despite the fact that Mr. Motsenbocker has been seriously ill for quite some time, Mr. Hiyama delayed in finding a substitution and moving to continue the trial date until a month before trial was set to begin; even if the Court is inclined to grant a continuance, the Court should not grant a 6-month continuance and should not order the extension of discovery deadlines; Petitioners presented no evidence or argument supporting why 6 months should be an appropriate length of time or why discovery should be continued at all.

For the foregoing reasons, the Court should deny the motion.

Declaration of Jared C. Marshall in Support of Respondent's Opposition to Ex Parte Motion to Continue Trial filed on 1/26/2015 states:

- To date, 6 depositions have been taken in this matter and Mr. Hiyama attended each one and conducted the examination and cross examination of the deponent;
- The depositions *[at which]* Mr. Hiyama represented the Petitioners are as follows:
 - Tony Romley on 5/8/2014;
 - Victor Romley on 5/8/2014;
 - Kathleen Phillips on 7/7/201 *[sic]*;
 - Tino Jaramillo on 8/26/2014;
 - Laura Palos on 8/26/2014; and
 - Linda Plancarte on 9/9/2014;
- No other attorney except for Mr. Hiyama has acted on behalf of the Petitioners at the depositions.

Probate Status Hearing Re: Filing Inventory and Appraisal

DOD: 3/4/14	MARIA GUADALUPE WARREN was appointed executor with full IAEA authority and without bond on 9/16/14.	NEEDS/PROBLEMS/COMMENTS:
	Letters issued on 9/19/14.	1. Need inventory and appraisal 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.
Cont. from 012915	Minute order dated 9/16/14 set this status hearing for the filing of the inventory and appraisal.	
Aff.Sub.Wit.	Unverified Status Report filed on 1/26/15.	
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		Reviewed by: KT
Status Rpt		Reviewed on: 3/26/15
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 16- Reyes

		NEEDS/PROBLEMS/COMMENTS: <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>Receipt and Acknowledgment of Order for the Deposit of Money into Blocked Account (MC-356) filed 4-1-15 reflects that a deposit of \$21,195.04 was made to a blocked account at EECU on 3-15-15.</p>
Cont. from 022615		
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: 4-1-15
		Recommendation:
		File 17 - Laing

Atty Shehadey, Vanessa L. (for Craig Costi, Administrator)

Probate Status Hearing RE: Filing of the Bond

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;">OFF CALENDAR</p> <p style="text-align: center;"><i>Proof of Bond filed 1/26/2015.</i></p>
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: LEG
		Reviewed on: 3/27/15
		Updates:
		Recommendation:
		File 19 - Costi

NEEDS/PROBLEMS/COMMENTS continued:

2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:
 - Michael Todd (Paternal Grandfather) – Unless the Court dispenses with notice
Note: Declaration of Due Diligence filed 02/18/2015 states a google internet search resulted in a picture and a full name displayed with last known address and also stated he was a registered sex offender. Petitioner states she doesn't personally know Michael Todd and have only information that she found on the internet.
 - Dorthea Ross (Paternal Grandmother) –
Note: A Notice of Hearing was filed on 02/18/2015 showing service on Dorthea Pellum however it is unclear if this is the same person as Dorthea Ross. Dorthea was personally served on 02/16/2015 only 8 days prior to the hearing and not the 15 days prior to the hearing as required.
 - Willie Lee Harris (Maternal Grandfather)
 - Benona Gardner (Maternal Grandmother)
 - Siblings over 12 years of age
3. Page #5 of the Guardianship Petition – Child Information Attachment (GC 210(CA)) which pertains to whether the child has Native American Ancestry was not completed. Need declaration with page #5 attached.

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

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</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 temp petition at least five court days prior to the hearing pursuant to Probate Code §2250(e) <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ul style="list-style-type: none"> - Claudia Villareal (Mother) 3. Need proof of service of Notice of Hearing with a copy of the temp petition at least five court days prior to the hearing pursuant to Probate Code §2250(e) <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ul style="list-style-type: none"> - Michael Tompkins (Paternal Grandfather) - Valarie Tompkins (Paternal Grandmother) - Maternal Grandfather - Maternal Grandmother 	
	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 21 - Tompkins	

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

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need clarification: Where the minor is currently residing? Petitioner indicates the minor has been with her (address on Fountain Way), but lists the father's address on Pontiac Ave., as the minor's current address. Is the minor currently residing with the father? 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 pursuant to Probate Code §2250(e) <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ul style="list-style-type: none"> - Skyler Yoakum (Father) - Laraina Alcantar (Mother) 	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			x
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			x
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 3-30-15	
			Updates:	
			Recommendation:	
			File 22 - Yoakum	

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

Emma Age 10	<p><u>TEMPORARY EXPIRES 04/02/2015</u></p> <p><u>GENERAL HEARING 05/13/2015</u></p> <p><u>Please see petition for details</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 03/26/2015: Matter is short-set for proof of notice to the parents.</p>
Addison Age: 6		
Cont. from 040215		
<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"/> X		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv. <input type="checkbox"/> X		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input 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: LV
		Reviewed on: 03/27/2015
		Updates:
		Recommendation:
		File 23 – Springer

Atty Herold, Kim M. (for Petitioners Ronald Dicken, Patricia Dicken and Karen Steele, Co-Trustees)

First Report and Account of Trustee; Petition for Its Settlement and Allowance of Trustee and Attorneys Fees

Age: 19 years	RONALD DICKEN, PATRICIA DICKEN, and KAREN STEELE, private professional fiduciaries, are Co-Trustees.	NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR <i>Per Court authorization by Minute Order dated 3/26/2015 based upon Declaration to Clarify Status Hearing filed 3/30/2015.</i>	
Cont. from 031215			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			W/O
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
	Reviewed by: LEG		
	Reviewed on: 3/30/15		
	Updates:		
	Recommendation:		
	File 24 - Yang		

Dept. 303, 9:00 a.m. Thursday, April 2, 2015