

**First and Final Account and Report of Successor Trustee; Petition for Allowance of Compensation to Successor Trustee and his Attorney; and for Distribution [Prob. C. 15688; 16062; 16063]**

<p><b>Marjorie C. Hudson</b>  <b>Resigned: 10-19-04</b>  <b>DOD: 7-27-12</b></p>	<p><b>PUBLIC GUARDIAN</b>, Successor Trustee, is Petitioner.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
	<p>Account period: 4-5-11 through 2-11-13  Accounting: \$ 135,008.41  Beginning POH: \$ 135,000.00  Ending POH: \$ 81,760.24 (cash)</p>	<p><b>1. Pursuant to Order After Hearing filed 4-11-13 and Disclaimer of Interest in Trust, Phillip Hudson disclaims and renounces all interest as a beneficiary. Therefore, need revised proposed distribution and order.</b></p>
<p><input type="checkbox"/> <b>Aff.Sub.Wit.</b></p>	<p>Trustee: \$2,553.84 (for 12.59 Deputy hours @ \$96/hr and 17.70 Staff hours @ \$76/hr, per itemization)</p>	
<p><input checked="" type="checkbox"/> <b>Verified</b></p>		
<p><input type="checkbox"/> <b>Inventory</b></p>	<p>Attorney: \$2,500.00 (per local rule regarding conservatorship estates, which previously also referred to trusts)</p>	
<p><input type="checkbox"/> <b>PTC</b></p>		
<p><input type="checkbox"/> <b>Not.Cred.</b></p>		
<p><input checked="" type="checkbox"/> <b>Notice of Hrg</b></p>		
<p><input checked="" type="checkbox"/> <b>Aff.Mail</b> <span style="float:right">w</span></p>	<p>Bond fee: \$374.88</p>	
<p><input type="checkbox"/> <b>Aff.Pub.</b></p>		
<p><input type="checkbox"/> <b>Sp.Ntc.</b></p>	<p>Costs: \$435 filing fee</p>	
<p><input type="checkbox"/> <b>Pers.Serv.</b></p>		
<p><input type="checkbox"/> <b>Conf. Screen</b></p>	<p><b>Petitioner states</b> that, depending on the outcome of the former trustees' accounting, which may affect Phillip Hudson's distribution here, Petitioner proposes to distribute the remaining \$75,896.52 in equal shares, \$25,298.84 each to Savilla Anne Hudson, Gale Dean Hudson, and Phillip Glenn Hudson.</p>	
<p><input type="checkbox"/> <b>Letters</b></p>		
<p><input type="checkbox"/> <b>Duties/Supp</b></p>		
<p><input type="checkbox"/> <b>Objections</b></p>		
<p><input type="checkbox"/> <b>Video Receipt</b></p>		
<p><input type="checkbox"/> <b>CI Report</b></p>		
<p><input type="checkbox"/> <b>9202</b></p>	<p><b>Petitioner prays for an order:</b></p>	
<p><input checked="" type="checkbox"/> <b>Order</b></p>	<ol style="list-style-type: none"> <li>1. Approving, allowing and settling the account of trustee;</li> <li>2. Authorizing payment of the trustee and attorney;</li> <li>3. Authorizing payment of the bond fee and costs;</li> <li>4. Authorizing distribution of the balance as set forth above, or as determined;</li> <li>5. In the event the whereabouts of heirs are not known, authorization to deposit any remaining funds with the Fresno County Treasury pursuant to Probate Code §11850(a) and;</li> <li>6. Any other orders the Court deems proper.</li> </ol>	
<p><input type="checkbox"/> <b>Aff. Posting</b></p>		<p><b>Reviewed by:</b> skc</p>
<p><input type="checkbox"/> <b>Status Rpt</b></p>		<p><b>Reviewed on:</b> 4-17-13</p>
<p><input type="checkbox"/> <b>UCCJEA</b></p>		<p><b>Updates:</b></p>
<p><input type="checkbox"/> <b>Citation</b></p>		<p><b>Recommendation:</b></p>
<p><input type="checkbox"/> <b>FTB Notice</b></p>		<p><b>File 1 – Hudson</b></p>

**(1) First and Final Account and Petition for Settlement of First and Final Account and (2) Final Account and Final Distribution and For (3) for Allowance of Compensation for Ordinary Services for Petitioner and Petitioner's Attorney**

<b>DOD: 3/15/2011</b>	<b>RUBY LEE OLDHAM</b> , Administrator, is petitioner.		<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Account period: 3/15/2011 – 3/8/2013		
<b>Cont. from</b>	Accounting	- \$101,864.46	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Beginning POH	- \$101,433.44	
<input checked="" type="checkbox"/> <b>Verified</b>	Ending POH	- \$101,864.46	
<input checked="" type="checkbox"/> <b>Inventory</b>	Administrator	- waives	
<input checked="" type="checkbox"/> <b>PTC</b>	Attorney	- \$4,055.93	
<input checked="" type="checkbox"/> <b>Not.Cred.</b>	(statutory)		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>			
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	W/		
<input type="checkbox"/> <b>Aff.Pub.</b>	<b>Distribution, pursuant to intestate succession, is to:</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>			
<input type="checkbox"/> <b>Pers.Serv.</b>			
<input type="checkbox"/> <b>Conf. Screen</b>	Ruby Lee Oldham	- \$97,808.53	
<input checked="" type="checkbox"/> <b>Letters</b>	12/15/11		
<input type="checkbox"/> <b>Duties/Supp</b>			
<input type="checkbox"/> <b>Objections</b>			
<input type="checkbox"/> <b>Video Receipt</b>			
<input type="checkbox"/> <b>CI Report</b>			
<input checked="" type="checkbox"/> <b>9202</b>			
<input checked="" type="checkbox"/> <b>Order</b>			
<input type="checkbox"/> <b>Aff. Posting</b>			
<input type="checkbox"/> <b>Status Rpt</b>			
<input type="checkbox"/> <b>UCCJEA</b>			
<input type="checkbox"/> <b>Citation</b>			
<input checked="" type="checkbox"/> <b>FTB Notice</b>			
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 4/18/2013</b>
			<b>Updates:</b>
			<b>Recommendation: SUBMITTED</b>
			<b>File 2 - Oldham</b>

<b>DOD: 1-2-07</b>	<b>HARRIS HAYS</b> , Son of Settlor and Co-Trustee, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>Petitioner states:</b> The asset included in the trust was real property located at 747 E. Magill, Fresno. In addition, the decedent also had investments and a bank account. None of these items are listed in the Schedule A, however, the items have not been subject to any probate and therefore may be subject to the trust.	<b>Minute Order 3-25-13: Counsel requests a continuance.</b>
<b>Cont. from 032513</b>	Petitioner states that as a result of disagreement between the Co-Trustees, several years passed before trust assets could be divided or distributed. The Co-Trustees could not agree regarding sale of the home, only that Petitioner's son could reside there and take care of the maintenance.	<b>As of 4-17-13, nothing further has been filed.</b>
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		<b>SEE PAGE 2</b>
<input checked="" type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	w	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input type="checkbox"/> <b>Order</b>	x	
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
	After several years, the Co-Trustees secured the services of Stanley Teixeira to assist in a mediated settlement to assist in closing the trust. After settlement, Petitioner spent several months investing his time, effort and unreimbursed expenses in renovating the home. Thomas Allen Hays lives out of county and was not involved in the process.	
	The home sold in April 2012. Petitioner worked with the bank and title company to have two equal checks provided to Petitioner and Thomas Allen Hays as the bank would not allow for an additional trust account to be opened after Thomas Allen Hays previously closed the trust account without notice to Petitioner.	
	Petitioner states the final trust asset that needed to be disposed of was a bank account held at Chase Bank with a balance of \$43,340.28 as of June 2012. On 6-13-12, Thomas Allen Hays withdrew all funds without noticing Petitioner. Petitioner did not receive notice until receiving the bank statement the following month (attached).	
	<b>Petitioner requests the Court enter an order that:</b>	
	<ol style="list-style-type: none"> <li>1. Elizabeth H. Hays established the Elizabeth H. Hays Living Trust, an irrevocable trust, on or about 7-16-89;</li> <li>2. The trust was established for a lawful purpose;</li> <li>3. The Co-Trustees are Harris H. Hays and Thomas Allen Hays;</li> <li>4. The beneficiaries are Harris H. Hays and Thomas Allen Hays;</li> <li>5. It was the intent of the Settlor that the trust assets be distributed 50/50 to her children Harris H. Hays and Thomas Allen Hays;</li> <li>6. The funds removed from the Chase Bank Account on 6-13-12 by Thomas Allen Hays be returned until further distribution determination;</li> <li>7. Distribution of the remaining trust estate is to occur and the trust is terminated;</li> <li>8. For all other proper relief as the Court deems proper under the circumstances.</li> </ol>	
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 4-17-13
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 3 - Hays</b>

## NEEDS/PROBLEMS/COMMENTS:

1. Examiner notes the following circumstances according to the petition and attached documents:

- The trust specifically includes only the residence (in the body of the trust document), and attaches only a quitclaim deed. There is no Schedule A, nor reference to any Schedule A, or the possibility of future addition of assets to the trust. It appears to be specifically created for the residence only. Need clarification, as it does not appear that the decedent intended to include any other assets in the trust other than the residence.
- The decedent's will is not a pour-over will. The will devises the decedent's assets equally to her two sons outright. Even though the will was created on the same day as the trust, 7-16-98, and by the same attorney (Charles L. Reed), there is no mention of the trust whatsoever in the will. Need clarification, as it does not appear that the decedent intended for any other assets, other than the residence, to be included in the trust.
- The settlement agreement refers to a "trust bank account" at Chase, but does not provide identifying information.
- Petitioner does not allege that the subject account contained funds from the sale of the residence, which was a trust asset. Rather, Petitioner alleges that the funds from the sale were distributed outright since the "trust account" had been closed. Need clarification as to how the subject account was or became a "trust account."
- The bank account that Petitioner attaches does not indicate ownership by the trust. Rather, it indicates joint ownership between the decedent and Petitioner. Need clarification. If this was a joint account, then it would pass via joint tenancy, unless circumstances warrant probate distribution or other action.

2. **Petitioner states:** "In addition to the property located at Magill Ave., the decedent had investments and a bank account. None of these items are listed in the Schedule A; however, the items have not been subject to any probate proceedings and therefore **may** be subject property to the trust."

**Examiner notes that it does not appear per the documentation and circumstances presented that this bank account was a trust asset. Petitioner may wish to consider whether this action would be more appropriately filed as a civil matter between the brothers, or other probate action, such as a probate of the decedent's estate.**

If this matter goes forward:

3. The petition does not contain the address of Co-Trustee Thomas Hays (states: to be provided via declaration). **Need verified declaration with address pursuant to Probate Code §17201.**
4. Petitioner states venue is proper in Fresno as the principals reside in Fresno County, is situs of the real property, and residence of the trustor and trustee; however, the Petition states at #11 that the Co-Trustee lives out of county and notice was sent to Co-Trustee Thomas Hays at an address in San Jose, CA. **Need clarification regarding proper venue with reference to Probate Code §17005 (principal place of administration).**

**Petition for Order Confirming Trust Assets [Prob. C. 850(a)(3)]**

		<b>SANDRA L. SILVA</b> , Trustee, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Petitioner states</b> she is the current acting Trustee of the Thomas W. Silva Revocable Trust dated May 6, 2004.	
<b>Cont. from</b>		Thomas Silva was the original settlor and trustee of the Trust. He died on January 20, 2013.	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	At the time of the execution of the Trust, Thomas W. Silva owned real property in Sacramento.	
<input checked="" type="checkbox"/>	<b>Verified</b>	On May 6, 2004, Thomas W. Silva executed a Grant Deed, transferring the Sacramento property to the Trust.	
<input type="checkbox"/>	<b>Inventory</b>	Before his death, Thomas W. Silva had refinanced the mortgage on his homes. For this purpose only, he transferred the real property out of the Trust and into his own name.	
<input type="checkbox"/>	<b>PTC</b>	Thomas W. Silva did not transfer the property back into the name of the Trust prior to his death.	
<input type="checkbox"/>	<b>Not.Cred.</b>	Petitioner relies on the principles set for the in the Estate of Heggstad, in which the court held that the settlor's written declaration stating that he holds his property as Trustee was sufficient to create a trust in the subject property without the requirement that the settlor/trustee execute a separate writing.	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	<b>Petitioner requests</b> the court confirm that the real property is an asset subject to the Trust, and under the control of Sandra S. Silva, Trustee of The Thomas W. Silva 2004 Revocable Trust.	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 4/18/2013</b>
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 4 – Silva</b>

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

<b>DOD:12-31-12</b>	<b>TERRY ANGELA PEREZ, MATTHEW TORRES, DAVID ANTHONY TORRES, LEANORA LOUISE YBARRA and LEONARD MICHAEL TORRES,</b> adult children of the Decedent, are Petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>1. The Inventory and Appraisal is not verified by any of the petitioners. Need verification as to the declarations at #1-5 of the I&amp;A.</b>
	40 days since DOD	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<input checked="" type="checkbox"/> <b>Inventory</b>	X No other proceedings	
<b>PTC</b>	I&A: \$40,000.00	
<b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	Decedent died intestate	
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	w Petitioners request court determination that Decedent's 100% fee simple interest in real property located at 418 "L" Street, Sanger, CA, 93657 passes to them pursuant to intestate succession in undivided 20% interests each.	
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 4-18-13
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 5 - Torres</b>

<b>Age: 19</b>		<b>NO TEMP REQUESTED</b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p style="text-align: center;"><b><u>CONTINUED TO 5-30-13</u></b> Per attorney request</p> <p><u>Court Investigator advised rights on 4-9-13</u></p> <p><u>Voting rights affected – need minute order</u></p> <ol style="list-style-type: none"> <li>1. Need proof of service of Notice of Hearing with a copy of the petition at least 30 days prior to the hearing on CVRC per Probate Code §1822(e).</li> <li>2. The Capacity Declaration is incomplete at many of the sections, which may be necessary for the Court to make the necessary determination under Probate Code §1881. The Court may require a more complete evaluation.</li> </ol>
		<p><b>BRIAN D. LONG and ROSA E. LONG</b>, Parents, are Petitioners and request appointment as Conservators of the Person with medical consent powers .</p> <p><b>Voting rights affected</b></p> <p><b>Capacity Declaration was filed 4-8-13.</b></p> <p><b>Petitioners state</b> the proposed Conservatee is autistic.</p> <p><b>Court Investigator Jennifer Young filed a report on 4-16-13.</b></p>	
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>	W	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
✓	<b>Pers.Serv.</b>	W	
	<b>Conf. Screen</b>		
✓	<b>Letters</b>		
✓	<b>Duties/Supp</b>		
	<b>Objections</b>		
✓	<b>Video Receipt</b>		
✓	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
✓	<b>Citation</b>		
	<b>FTB Notice</b>		
			<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 4-18-13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 6 – Long</b></p>

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

DOD: 4/30/2001		<p><b>JERRY GHIDELLI, DEBORAH DANIEL, LINDA RUSS, GLORIA HAMILTON and BRENDA MACIEL,</b> children of the decedent, are petitioners.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>Decedent died intestate.</p> <p>I &amp; A - <b>\$90,261.00</b></p> <p><b>Petitioners request</b> Court determination that Decedent's 2/15 interest in real property pass to them in equal shares pursuant to intestate succession.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. The inventory and appraisal is incomplete. It does not state whether or not this is all or a portion of the estate.</li> <li>2. Need property tax certificate.</li> <li>3. Petitioners state the decedent's spouse died in 2008 and that her 1/15<sup>th</sup> interest in the assets was disposed of by Order recorded 11/20/12 doc #2012-0168160. Since the decedent's spouse survived the decedent her estate would be entitled to an intestate share of decedent's 2/15<sup>th</sup> portion of the real property. Probate Code §6401.</li> <li>4. Attachment 9b to the order does not include each petitioner's name and specific property interest.</li> </ol>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			X
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
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<input type="checkbox"/>	Aff.Pub.			
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<input type="checkbox"/>	Letters			
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<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
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<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Reviewed by: <b>KT</b>		
		Reviewed on: <b>4/18/2013</b>		
		Updates:		
		Recommendation:		
		File 7 - Ghidelli		

**Atty Nauk, Nuon (pro per Guardian/maternal aunt)**

**Atty Contreras, Jose (pro per Petitioner/father)**

**Petition for Visitation**

<b>Thaila age: 8</b>	<b>JOSE CONTRERAS</b> , father, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
<b>Thaivon age: 4</b>			
<b>Cont. from</b>	<b>NUON NAUK</b> , maternal grandmother, was appointed guardian on 7/7/2010.	<ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of service of the Notice of Hearing on:                     <ol style="list-style-type: none"> <li>a. Nuon Nauk (guardian)</li> <li>b. Shantha Sorm (mother)</li> </ol> </li> </ol>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/> <b>Verified</b>	<p>Minute order from the hearing on the appointment of a guardian stated the Court orders supervised visitation for Mr. Contreras every Sunday from 10 a.m. to 12 p.m. at the McDonalds on Cedar and Dakota. Nuon Nauk must be present and supervise the entire time. Parties may not increase or decrease the amount of visits without a court order. If Mr. Contreras is more than 15 minutes late, he loses that day's visit. Mr. Contreras's mother may attend the visits.</p> <p>Mother: <b>CHANTHA SORM</b></p> <p><b>Petitioner states</b> he would like to have more time with his kids. He would like visits on Fridays and Saturdays from 4 p.m. to 10 p.m. Mr. Contreras states the guardian is not bringing the kids to McDonalds. They ask him to go to their house to see his daughter. Mr. Contreras states he would also like to pick up his daughter on his days off work at school and take her home around 9 or 10 p.m.</p>		
<input type="checkbox"/> <b>Inventory</b>			
<input type="checkbox"/> <b>PTC</b>			
<input type="checkbox"/> <b>Not.Cred.</b>			
<input type="checkbox"/> <b>Notice of Hrg</b>			X
<input type="checkbox"/> <b>Aff.Mail</b>			X
<input type="checkbox"/> <b>Aff.Pub.</b>			
<input type="checkbox"/> <b>Sp.Ntc.</b>			
<input type="checkbox"/> <b>Pers.Serv.</b>			
<input type="checkbox"/> <b>Conf. Screen</b>			
<input type="checkbox"/> <b>Letters</b>			
<input type="checkbox"/> <b>Duties/Supp</b>			
<input type="checkbox"/> <b>Objections</b>			
<input type="checkbox"/> <b>Video Receipt</b>			
<input type="checkbox"/> <b>CI Report</b>			
<input type="checkbox"/> <b>9202</b>			
<input type="checkbox"/> <b>Order</b>	X		
<input type="checkbox"/> <b>Aff. Posting</b>			
<input type="checkbox"/> <b>Status Rpt</b>			
<input type="checkbox"/> <b>UCCJEA</b>			
<input type="checkbox"/> <b>Citation</b>			
<input type="checkbox"/> <b>FTB Notice</b>			
		<b>Reviewed by: KT</b>	
		<b>Reviewed on: 4/18/13</b>	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 8 – Sorm &amp; Nauk</b>	

Pro Per Lovejoy, Raymond (Pro Per Petitioner)

(1) Final Account and Report [on Waiver of Account] and (2) Petition for Final Distribution

<b>DOD: 7/13/2011</b>		<p><b>RAYMOND LOVEJOY</b>, son and Executor, is Petitioner.</p> <p>Accounting is waived? (need waivers of account)</p> <p>I &amp; A — <b>\$215,650.00</b> POH — <b>\$215,650.00</b></p> <p>Executor — <b>waives</b></p> <p><b>Distribution pursuant to Decedent's Will is to:</b></p> <ul style="list-style-type: none"> <li>• <b>RAYMOND LOVEJOY</b> – dresser, costume jewelry and entire interest in real property;</li> <li>• <b>RUTH ANN HARDY</b> – bed and costume jewelry;</li> <li>• <b>LINDA WHITE</b> – costume jewelry and Betty Boop items;</li> <li>• <b>WILLIAM LOVEJOY</b> – costume jewelry and Betty Boop items;</li> <li>• <b>SALLY LOVEJOY</b> – costume jewelry and Betty Boop items;</li> <li>• <b>JOHN LOVEJOY</b> – costume jewelry and Betty Boop items.</li> </ul>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 3/13/2013.</b> Minute Order states examiner notes are provided to the Petitioner. The Petitioner is directed to cure the defects. Matter continued to 4/24/2013.</p> <p><b>Note:</b> Proof of Service by Mail filed 3/28/2013 shows notice was sent to the Franchise Tax Board on 3/28/2013.</p> <p>The following issue from the last hearing remains:</p> <p>1. Need signed Waiver of Accounting from the following devisees:</p> <ul style="list-style-type: none"> <li>• William Lovejoy, son;</li> <li>• John Lovejoy, son.</li> </ul> <p><b>Note:</b> Petitioner filed on 4/9/2013 an undated, verified Declaration of Raymond Lovejoy stating he declares that on three occasions a Waiver of Account was sent to William Lovejoy and John Lovejoy, and that the Waivers have never been signed or returned.</p> <p style="text-align: center;"><b>Please see additional page</b></p>
<b>Cont. from 011613, 031313</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input checked="" type="checkbox"/>	<b>PTC</b>		
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> W/O		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b> 101311		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
<b>Reviewed by:</b> LEG		<p><b>Reviewed on:</b> 4/22/13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 9 – Lovejoy</b></p>	
<b>Reviewed on:</b> 4/22/13			
<b>Updates:</b>			
<b>Recommendation:</b>			

**Note:** Petitioner filed on 4/12/2013 signed and verified *Declaration of Ruth Ann Hardy* and *Declaration of Sally Lovejoy*, both containing the same form and substance, as follows: "I, the undersigned,... , declare that I acknowledge that the estate of the above decedent is of minimal value, consisting of a bed, dresser, Betty Boop Collection and Costume Jewelry. The property was deeded to Raymond Lovejoy in the decedent's will. I accept the distribution of the estate."



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

Age: 2	<u>Temporary Expires 04/24/2013</u>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  Minute Order of 03/20/2013: Jennifer Young is sworn and testifies. Ms. Gonzales is not in favor of the guardianship. The Court orders that Robert Ochoa is not to reside in the home where the child lives. The Court also orders that Mr. Ochoa is not to have unsupervised visits with child. The Court Investigator is ordered to visit the mother's home and submit a report to the Court.  Minute Order of 01/30/2013: The Court orders that Robert Ochoa vacate the Petitioner's residence within 30 days. The Court Investigator is ordered to conduct a further investigation after 30 days to ensure that Robert Ochoa is no longer residing in the Petitioner's home. Veronica Gonzales is directed to provide the investigator copies of any restraining orders or documents she wishes the Court to consider at the next hearing.  Minute Order of 01/09/2013: Mother, Veronica Gonzales, objects to the petition. Mother is directed to meet with Court Investigator Jennifer Young forthwith.
	<b>LUCY L. OCHOA</b> , Paternal Grandmother, is Petitioner.	
Cont. from 010913, 013013, 032013	Father: <b>ROBERT OCHOA</b> , Consents and Waives Notice	
Aff.Sub.Wit.	Mother: <b>VERONICA GONZALES</b> , Declaration of Due Diligence filed 11/13/2012	
✓ Verified	Paternal Grandfather: Reynoldo Ochoa	
Inventory	Maternal Grandfather: Steven Gonzales	
PTC	Maternal Grandmother: Peggy Sue Jimenez	
Not.Cred.	<b>Petitioner states</b> the father is currently incarcerated and the mother is in and out of the child's life. She has been gone over 5½ months. Petitioner states she has cared for and supported the minor since she was born. The mother abuses drugs and has been arrested three times in the last few months.	
Notice of Hrg	Declarations from various relatives in support of proposed guardian's petition filed on 01/25/2013.	
Aff.Mail	<b>Court Investigator Jennifer Young's report filed 01/02/2013.</b>	
Aff.Pub.	<b>Court Investigator Jennifer Young's Supplemental Report filed 01/25/2013.</b>	
Sp.Ntc.	<b>Court Investigator Jennifer Young's Supplemental Report filed 03/14/2013.</b>	
Pers.Serv.	<b>Court Investigator Jennifer Young's Supplemental Report filed 04/18/2013.</b>	
✓ Conf. Screen		
✓ Letters		
✓ Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
✓ UCCJEA		
Citation		
FTB Notice		
<u>Please see additional page</u>		
Reviewed by: LV		
Reviewed on: 04/22/2013		
Updates:		
Recommendation:		
File 11 - Ochoa		

**Needs/Problems/Comments**

**The following issues still remain.**

1. Need Notice of Hearing.
2. Need proof of personal 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 for:
  - Veronica Gonzales (Mother)

**Note:** Declaration of Due Diligence filed 11/13/2012 states unable to locate mother by phone and address.

3. 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 or declaration of due diligence for:
  - Steven Gonzales (Maternal Grandfather)
  - Peggy Sue Jimenez (Maternal Grandmother)

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

Age: 18	<b><u>NO TEMPORARY REQUESTED</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>DIANA GARDUQUE</b> , mother, is Petitioner and requests appointment as Conservator of the Person with Medical Consent powers.	<b><u>CONTINUED FROM 03/13/13</u></b> Minute order from 03/13/13 states: No appearances. The Court continues the matter to 04/24/13. The Court directs that a copy that a copy of the examiner notes be sent to Diana Garduque.
Cont. from 013013, 031313	Declaration of Lydia Favor, M.D. – <b>NEED COMPLETED DECLARATION</b>	Voting rights affected. Need minute order. Court Investigator advised rights on 01/15/13.
Aff.Sub.Wit.		<b>As of 04/18/13, nothing further has been filed in this matter and the following problems remain:</b>
✓ Verified		1. The Capacity Declaration filed 12/07/12 is incomplete. Need completed capacity declaration.
Inventory		2. The Petition is incomplete at item 11. The names, residence addresses, and relationships to the proposed conservatee of all second degree relatives (parents, grandparents, children, grandchildren, and siblings) are to be listed.
PTC		3. Need Citation and proof of personal service at least 15 days before the hearing of the <i>Citation</i> along with a <i>Notice of Hearing</i> and copy of the <i>Petition for Appointment of Probate Conservator</i> on the proposed conservatee.
Not.Cred.		4. Need Notice of Hearing.
Notice of Hrg	x	5. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Probate Conservator</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:
Aff.Mail	x	- All second degree relatives (to be listed in item 11 of the Petition)
Aff.Pub.		6. Need Order.
Sp.Ntc.		
Pers.Serv.	x	
✓ Conf. Screen		
✓ Letters		
✓ Duties/Supp		
Objections		
✓ Video Receipt		
✓ CI Report		
9202		
Order	x	
Aff. Posting		<b>Reviewed by:</b> JF
Status Rpt		<b>Reviewed on:</b> 04/18/13
UCCJEA		<b>Updates:</b>
Citation	x	<b>Recommendation:</b>
FTB Notice		<b>File 12 - Garduque</b>





**(1) First and Final Account and Report of Successor Trustee and (2) Petition for Allowance of Compensation to Trustee and Attorney and (3) for Distribution**

			<b>PUBLIC ADMINISTRATOR</b> , Trustee, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 4/17/2013.</b></p> <p>1. Petition proposes to distribute 100% of the property on hand to the Deborah Ann Schroer Special Needs Trust. However the Trust Instrument devises 80% of the proceeds from the sale of the real property to the Settlor's son, Dean Scott Schroer, if he survives. Settlor died on August 11, 2003 and her son, Dean died on May 18, 2009. Because Dean survived the Settlor his estate would be entitled to 80% of the property on hand. – <b>Declaration of Deborah Schroer filed on 4/12/13</b> states when her brother Dean died in 2009, he was 54 years old. For most of his life he was chronically unemployed or under employed due to his mental health issues. He never married and he never had any children. Ms. Schroer states to her knowledge her brother never qualified for social security disability or for MediCal.</p> <p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 4/22/13</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 15 - Schroer</b></p>
			Account period: 5/1/12 – 10/19/12	
<b>Cont. from 032013, 041713</b>			Accounting - <b>\$90,000.00</b>	
			Beginning POH - <b>\$90,000.00</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>			Ending POH - <b>\$73,776.74</b>	
<input checked="" type="checkbox"/> <b>Verified</b>			Trustee - <b>\$3,600.00</b> (statutory)	
<input type="checkbox"/> <b>Inventory</b>			Trustee x/o - <b>\$1,248.00</b> (for sale of real property and preparation of taxes)	
<input type="checkbox"/> <b>PTC</b>			Attorney - <b>\$3,600.00</b> (statutory)	
<input type="checkbox"/> <b>Not.Cred.</b>			Bond - <b>\$112.50</b> (o.k.)	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>			Court fees - <b>\$395.00</b> (filing fee)	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> W/			<b>Petitioner prays for an Order:</b>	
<input type="checkbox"/> <b>Aff.Pub.</b>			1. Approving, allowing and settling the first and final account;	
<input type="checkbox"/> <b>Sp.Ntc.</b>			2. Authorizing Petitioner and his attorney \$3,600.00 each as compensation for their services;	
<input type="checkbox"/> <b>Pers.Serv.</b>			3. Petitioner be allowed extraordinary commissions of \$1,248.00;	
<input type="checkbox"/> <b>Conf. Screen</b>			4. Authorizing bond fee of \$112.50 and filing fee of \$395.00	
<input type="checkbox"/> <b>Letters</b>			5. Authorizing distribution of the remaining property on hand consisting of \$64,386.24 to Bruce Bickel as Trustee of the Deborah Ann Schroer Special Needs Trust.	
<input type="checkbox"/> <b>Duties/Supp</b>				
<input type="checkbox"/> <b>Objections</b>				
<input type="checkbox"/> <b>Video Receipt</b>				
<input type="checkbox"/> <b>CI Report</b>				
<input type="checkbox"/> <b>9202</b>				
<input checked="" type="checkbox"/> <b>Order</b>				
<input type="checkbox"/> <b>Aff. Posting</b>				
<input type="checkbox"/> <b>Status Rpt</b>				
<input type="checkbox"/> <b>UCCJEA</b>				
<input type="checkbox"/> <b>Citation</b>				
<input type="checkbox"/> <b>FTB Notice</b>				

2. Need declaration of trustee, Bruce Bickel, pursuant to Local Rule 7.12.5. – **Declaration of Deborah Ann Schroer** nominating Bruce Bickel as Trustee filed on 4/12/13. - It is unclear if the Special Needs Trust for the benefit of Deborah is currently in existence or if the terms of this trust establishes the SNT upon distribution. If SNT is in existence will need the information required by Local Rule 7.12.5 such as the establishment date of the trust, the tax ID number, that the trust is in full force and effect and that the Trustee has a copy of the Trust in his/her possession. If this Trust is creating the Special Needs Trust for the benefit of Deborah Ann Schroer then the terms of the trust should be included in the order. In addition will need an acceptance by Bruce Bickel to act as trustee of the Trust.