

Order to Show Cause RE: Failure to Prepare a Court Order as Requested on 3/12/10

Age: 50 years	ARMENTA BURRIS , sister, was appointed conservator on 8/17/2005.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 03/05/15 Minute Order from 03/05/15 states: The Court notes that neither Ms. Ratzlaff nor Armenta Burris are present in court. The Court imposes sanctions in the amount of \$100.00 each as to Ms. Ratzlaff and Armenta Burris. Sanctions are ordered paid by no later than 04/30/15. Matter is continued to 04/30/15 for further status. The Court orders Ms. Ratzlaff and Armenta Burris to be personally present on 04/30/15.</p> <p>Subsequent to the matter being called, Armenta Burris appears via CourtCall. Ms. Burris advises the Court that the last time she spoke with Ms. Ratzlaff was mid-February. The Court notes that Ms. Ratzlaff has not prepared the order requested years ago and has not appeared. The Court will not transfer the case to Tulare County without verification that the money is still in the trust account. The Court vacates its order imposing sanctions as to Armenta Burris. Matter is continued to 04/30/15. All prior orders remain in full force and effect.</p> <p>Note: In reviewing the file for the 01/15/15 hearing, the examiner discovered that on 3/12/2010 the court approved a Petition for Authority to Deposit Sale Proceeds [from the sale of real property] into a Pooled Special Needs Trust with changes to the Master Trust that were agreed on the record by Ms. Ratzlaff. The order was to be signed ex parte. No order is in the file allowing the funds to be placed into a pooled special needs trust. There is a receipt filed on 7/29/2009 showing that the proceeds of the sale of the real property [\$54,793.10] were placed into Attorney Ratzlaff's Attorney-Client Trust account.</p> <p>Reviewed by: JF</p> <p>Reviewed on: 04/27/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 - Lee</p>
	Court Investigator Jennifer Young filed a Petition for Transfer on 11/25/14 to be heard on 01/15/15, requesting this proceeding be transferred to Tulare County because the conservatee has resided there for over five years.	
Cont. from 030515	Minute Order from hearing on 01/15/15 reflects that there were no appearances and set this hearing for an Order to Show Cause as to Ruth Ratzlaff and Armenta Burris for failure to appear and also ordered that both be present on 03/05/15. The Court further ordered that Ruth Ratzlaff is to report to the Court as to the status of the conservatorship funds. Ms. Burris may appear via CourtCall.	
Aff.Sub.Wit.	Clerk's Certificate of Mailing dated 01/15/15 states that a copy of the 01/15/15 minute order was mailed to Ruth Ratzlaff and Armenta Burris on 01/15/15.	
Verified	Declaration of J. Stanley Teixeira filed 04/20/15 states: On 03/10/15, Armenta Burris contacted him about representing her in this matter. On 03/18/15 a substitution of attorney was sent to Ruth Ratzlaff for her signature by certified mail. To date the signed substitution has not been received and there has been no communication from Ms. Ratzlaff. Mr. Teixeira requests that the Court accept this Declaration and its Exhibits as evidence of receipt by Ruth Ratzlaff of the Substitution of Attorney.	
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		

2 Nickole Celeste Pena (GUARD/P)

Case No. 05CEPR01052

Petitioner/mother: Guadalupe Garcia (pro per)

Guardian: Antonia C. Garcia (pro per)

Petition for Termination of Guardianship

		<p>GUADALUPE GARCIA, mother, is petitioner.</p> <p>Please see petition for details.</p> <p>Court Investigator Report filed on 4/22/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: <ol style="list-style-type: none"> a. Antonia C. Garcia (guardian/maternal grandmother) b. Tony Pena, Jr. (father) c. Maria Segura (paternal grandmother) 				
Cont. from							
<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 checked="" type="checkbox"/>			
<input type="checkbox"/>	Aff.Mail			<input checked="" type="checkbox"/>			
<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						
<table border="1"> <tr> <td>Reviewed by: KT</td> </tr> <tr> <td>Reviewed on: 4/27/15</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 2 - Pena</td> </tr> </table>			Reviewed by: KT	Reviewed on: 4/27/15	Updates:	Recommendation:	File 2 - Pena
Reviewed by: KT							
Reviewed on: 4/27/15							
Updates:							
Recommendation:							
File 2 - Pena							

Consideration of Termination of Probate as an Insolvent Estate.

DOD: 10/22/2005	<p>EDWIN L. PYLE was appointed executor with full IAEA and without bond on 7/11/06. Letters issues 7/11/06.</p> <p>Inventory and appraisal, partial no. 1 was filed on 5/9/07 showing a value of \$54.00. (Note, also listed but not appraised is collectable silver dollar coins and approximately \$45,000 to be received from the A.C. Hiebert Trust.)</p> <p>Inventory and Appraisal, final, filed on 8/19/14 showing a value of \$1,245.00.</p> <p>Corrected Inventory and Appraisal filed on 3/24/15 showing the estate valued at \$0.</p> <p>Minute Order dated 10/30/14 states the Court removed Mr. Pyle as Executor and Appoints the Public Administrator.</p> <p>Minute Order dated 3/26/15 states with the filing of the amended inventory and appraisal, the Court finds that there are no assets. Additionally, the Court finds there should be no surcharge against the former Administrator, and there are no assets from which to pay anyone for their time in this matter. The Court continued the matter for consideration of termination of probate as an insolvent estate.</p>	NEEDS/PROBLEMS/COMMENTS:				
Cont. from						
Aff.Sub.Wit.						
Verified						
Inventory						
PTC						
Not.Cred.						
Notice of Hrg						
Aff.Mail						
Aff.Pub.						
Sp.Ntc.						
Pers.Serv.						
Conf. Screen						
Letters						
Duties/Supp						
Objections						
Video Receipt						
CI Report						
9202						
Order						
Aff. Posting						
Status Rpt						
UCCJEA						
Citation						
FTB Notice						
	<table border="1"> <tr> <td>Reviewed by: KT</td> </tr> <tr> <td>Reviewed on: 4/28/15</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 3 - Hiebert</td> </tr> </table>	Reviewed by: KT	Reviewed on: 4/28/15	Updates:	Recommendation:	File 3 - Hiebert
Reviewed by: KT						
Reviewed on: 4/28/15						
Updates:						
Recommendation:						
File 3 - Hiebert						

The Andrew J. Reyes Trust Case No. 07CEPR00126

Attorney Urbatsch, Kevin, of San Francisco, for Petitioner Wells Fargo Bank, Trustee

Fifth Account and Report of Trustee of the Andrew J. Reyes Trust; Petition to Settle Account; to Confirm Trustee Fees, and to Fix and Allow Attorney Fees and Costs

	WELLS FARGO BANK, N.A. , Trustee, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Exhibit C1 itemizing Attorney fees shows an entry on 2/7/2013 for .40 paralegal hours for review of examiner notes in detail for a \$70.00 charge, and an entry on 2/11/2013 for .40 attorney hours for review of examiner notes for a \$160.00 charge, totaling \$230.00, which charges appear to be duplicative.</p> <p>Note: Attorney requests reimbursement of \$200.00 for costs for the Court filing fee for the instant <i>Fifth Account</i>; however, the correct filing fee actually paid on 2/27/2015 was \$435.00, resulting in an undercharge of \$235.00 for reimbursement of costs advanced.</p> <p>Note: If <i>Petition</i> is granted, Court will set a Status Hearing as follows:</p> <ul style="list-style-type: none"> • Thursday, April 28, 2016 at 9:00 a.m. in Dept. 303 for filing of the Sixth and Final Account. <p>Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the dates listed, the hearing will be taken off calendar and no appearance will be required.</p> <p>Reviewed by: LEG</p> <p>Reviewed on: 4/27/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 - Reyes</p>
	Account period: 11/1/2012 – 10/31/2014	
	Accounting - \$390,940.30	
	Beginning POH - \$339,804.74	
	Ending POH - \$356,644.33 <i>(investment account and \$13,335.07 cash)</i>	
Cont. from	Trustee - \$10,782.82 (paid) <i>(1.5% of the fair market value of the assets per year for the first 2 million; per Special Needs Trust fee schedule at Exhibit B; 1.5% trustee fee first authorized @ 4th account; fee authorized of 1.35% @ 3rd account settled 3/10/2011;)</i>	
Aff.Sub.Wit.	Attorney - \$4,310.00 <i>(Per itemization at Exhibit C; for 5.6 paralegal hours @ \$175.00/hr, 9.3 paralegal hours @ \$150.00/hr, and 4.7 attorney hours @ \$400.00/hr; includes \$200.00 costs;)</i>	
✓ Verified	Petitioner prays for an order:	
Inventory	1. The Court make an order approving, allowing and settling the <i>Fifth Account</i> as filed;	
PTC	2. The Court confirm payment of the Trustee's fees, and authorize and direct Petitioner to pay Attorney's fees and costs as requested for services rendered.	
Not.Cred.		
✓ Notice of Hrg		
✓ Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
✓ 2620		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

(1) Second and Final Account and Report of Conservator; (2) Petition for Allowance of Compensation to Conservator and Attorney; and (3) Distribution.

DOD: 8/22/14		PUBLIC GUARDIAN , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 10/2/12 – 8/22/14 Accounting: \$130,406.97 Beginning POH: \$78,134.32 Ending POH: \$12,318.82	1. Need Declaration pursuant to Probate Code §13100 from Kathleen Carlton, Successor Trustee of the Family Trust of Elmer M. Herman and Esther F. Herman.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Account period: 8/23/14 – 9/30/14 Accounting: \$14,208.26 Beginning POH: \$12,318.82 Ending POH: \$ 9,312.90 (\$7,903.37 cash plus personal property items)	2. Need Declaration re trust from Kathleen Carlton, Successor Trustee, pursuant to Local Rule 7.12.5.
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Conservator: \$4,852.92 (for 36.04 Deputy hours @ \$96/hr and 18.33 Staff hours @ \$76/hr, itemized at Exhibit C)	3. Need original will pursuant to Probate Code §8200.
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Attorney: \$1,250.00 (Less than local rule)	
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.	Bond fee: \$50.00 (minimum – ok)	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	Costs: \$435.00	
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters	Petitioner states the Decedent's will is a pour-over will to her trust, so her assets consisting of \$1,315.45 plus personal property items should be distributed to the successor trustee, Kathleen Carlton. Copies of will and trust attached.	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	2620		
<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: 4/27/15
			Updates:
			Recommendation:
			File 5 - Herman

DOD: 4-28-01	MAY ISSA LORAH , Executor with Full IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Petitioner states:	<u>Continued from 1/23/14. As of 4/27/15, nothing further has been filed.</u>
	<ul style="list-style-type: none"> Letters Testamentary were issued 4-2-12. Two Requests for Special Notice have been filed. Executor is authorized to act under IAEA; however, at this time, no action has been taken. The beneficiary of the estate is the Issa Family Trust dated 6-24-99. 	Note: If granted, the Court will set a status hearing for filing of the petition for final distribution as appropriate.
Cont from 012314	Co-Trustees: May Issa Lora and Marwan Mark Issa	Note: Petitioner states further case management conference on the petition transferred to San Diego County was continued to 12/9/13. The Court may require an update as to the outcome of that hearing and any future hearing dates on that matter.
Aff.Sub.Wit.	Beneficiaries: Murched Mike Issa (spouse, now deceased - Jane R. Lorenz, Special Administrator of the Estate); Mona Wilcox (daughter); May Issa Lora (daughter); Maher Issa (son); and Marwan Mark Issa (son)	
<input checked="" type="checkbox"/> Verified	Petitioner states the estate is not in a position to close.	
Inventory	Petitioner filed a Petition by Executor to Determine Ownership of Estate Property and Directing the Transfer of Estate Property to Claimant in this estate (Olivia T. Issa, DOD 4-28-01, resident of Prather, Fresno County). The petition was served on all interested parties, and in particular, Jane Lorenz, the Special Administrator of the Estate of Murched Mike Issa, this decedent's surviving spouse, who died on 11-12-10.	
PTC	Mr. Issa's probate proceedings are being administered in the County of San Diego under Case No. 37-2011-00150022-PR-LS-NC.	
Not.Cred.	Ms. Lorenz' counsel filed motion for transfer of that petition to San Diego County Superior Court where the estate of Murched Mike Issa was being administered. On 10-29-12, Judge Oliver ordered that the petition and pertinent documents agreed to between the parties be transferred to San Diego County Superior Court.	
Notice of Hrg	The San Diego County Superior Court set the petition for hearing 5-21-13. Objections were filed the day of the hearing by Jane Lorenz and the matter was continued to 7-29-13 for a case management conference. On 7-29-13, this matter was again continued to 12-9-13. The matter is presently pending and it is unknown when it will be resolved.	
Aff.Mail	Accordingly, it is requested that the administration of this estate continue until 4-30-15 and if not concluded by said date, Petitioner submit a new Report of Status of Administration.	
Aff.Pub.	Petitioner prays that this Court order that the administration of the estate may continue until 4/30/15 and if not concluded by said date, that petitioner submit a new Report of Status of Administration; and such other and further orders as the Court deems proper.	
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
<input checked="" type="checkbox"/> Letters 4/2/12		Reviewed by: skc
Duties/Supp		Reviewed on: 4-27-15
Objections		Updates:
Video Receipt		Recommendation:
CI Report		File 6 – Issa
9202		
Order X		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

7 Adrian Rivera, Adriana Rivera, Francisco Rivera, Aracelie Rivera, Adolfo Rivera, Anthony Rivera (GUARD/P) Case No. 12CEPR00571
 Petitioner Larios, Lidia (pro per – non-relative)

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

Adrian, 13	<u>TEMPORARY EXPIRES 04/30/15</u>		NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> or <i>Consent & Waiver of Notice</i> or <i>Declaration of Due Diligence</i> for: a. Angie Valdovinos (mother) – <i>personal service required</i> b. Father(s) – <i>personal service required; unless diligence is found</i> c. Paternal grandparents – <i>service by mail sufficient; unless diligence is found</i> d. Maternal grandparents – <i>service by mail sufficient</i> Note: Proof of service filed 04/02/15 indicates that Cirilio Valdovinos Moreno and Rosa Delia Cervantes Amezcua were served by mail on 04/02/15, however, their relationships to the minors is not stated.
Adriana, 12	LIDIA LARIOS, non-relative, is Petitioner.		
Francisco, 11	Father: UNKNOWN – <i>Declarations of Due Diligence</i> filed 04/02/15 states all fathers and paternal relatives are unknown		
Aracelie, 8			
Adolfo, 7	Mother: ANGIE VALDOVINOS		
Anthony, 5	Paternal grandparents: UNKNOWN - <i>Declarations of Due Diligence</i> filed 04/02/15 states all fathers and paternal relatives are unknown		
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC	Maternal grandfather: UNKNOWN Maternal grandmother: GLORIA		
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner states [see Petition for Details].		
<input checked="" type="checkbox"/> Aff.Mail	w/		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.	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 checked="" type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: JF
			Reviewed on: 04/27/15
			Updates:
			Recommendation:
			File 7 – Rivera

Atty Hiyama, Dean; Molsenbocker, 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 Molsenbocker, 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. Counsel requests 30 days. If there is written confirmation of new counsel and an agreed upon trial date, then no appearance is necessary on 4/30/2015.</p> <p>Note for background: <i>Minute Order</i> dated 3/5/2015 from the previous status hearing states 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.</p> <p>1. Need written confirmation of new counsel and agreed upon Court Trial date to be submitted to the Court.</p>	
Cont. from 030515, 040215			
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: 4/28/15	
		Updates:	
		Recommendation:	
		File 9 – Nessel	

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**;
- 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;
- When he was informed of Mr. Motsenbocker's worsened 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 discovery 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.

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

- 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;
- **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 was 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;

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.

		<p>JANET SORENSEN and HARRIET SATTERBERG, Co-Conservators of the Estate with bond of \$8,800.00, are Petitioners.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Petition for Termination of Conservatorship Estate filed 3/18/15 is Page B of this calendar.</p> <p><u>Note:</u> A Special Needs Trust was established for this Conservatee 3/17/14 in 14CEPR00393. The only remaining asset of the conservatorship estate, a vehicle, was authorized to be sold for \$7,300.00 pursuant to Ex Parte Order Approving Sale of Personal Property filed 4/8/15. If a final account is required, the Court will set a status hearing as appropriate.</p>
Cont. from 040815		Account period: 1/28/14 – 12/31/14	
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory	Accounting: \$16,035.42 Beginning POH: \$7,500.00 (vehicle) Ending POH: \$1,716.63 plus vehicle	
	PTC		
	Not.Cred.		
✓	Notice of Hrg	Co-Conservators waive compensation	
✓	Aff.Mail		w
	Aff.Pub.		
	Sp.Ntc.	Attorney: \$2,522.50 (for 8.45 attorney hours @ \$250-265/hr and 2.60 paralegal hours @ \$130/hr, per declaration)	
	Pers.Serv.		
	Conf. Screen		
✓	Letters	Costs: \$435.00 (filing fee)	
	Duties/Supp		
	Objections	Petitioners request an order:	
	Video Receipt	1. Approving, allowing, and settling the attached account and report as filed;	
✓	CI Report	2. Authorizing the attorney's fees and costs; and	
✓	2620	3. For such other relief as the Court considers proper.	
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 4/27/15
			Updates:
			Recommendation:
			File 10A – Satterberg

		<p>JANET SORENSEN and HARRIET SATTERBERG, Co-Conservators of the Estate with bond of \$8,800.00, are Petitioners.</p> <p>Petitioners state the Conservatee resides at Eureka Rehabilitation and Wellness Center in Eureka, CA. He was moved to this facility in November 2014 following the closing of his previous residence, Wish-I-Ah Healthcare & Wellness Center in Auberry, CA. Conservatorship of the estate is no longer required in that the estate has been exhausted as follows: On 3/17/14, the Court entered its Order Authorizing Proposed Action to Exclude Funds from Conservatee's Estate and Establishing Special Needs Trust. Said order established the George W. Satterberg, Jr. Special Needs Trust and appointed Janet Sorensen and Harriet Satterberg as Co-Trustees. Thereafter, on 6/17/14, the Court entered its Order Establsihing Court Supervision of Special Needs Trust in 14CEPR00393. With the Court's establishment of the special needs trust, all of the Conservatee's assets were transferred to and are currently held by the Co-Trustees of the special needs trust. The only asset not held in the special needs trust is an automobile of nominal value, listed in the Co-Conservator's First Account filed 2/20/15. All income not otherwise received by the Special Needs Trust is received by the Conservatee's Social Security payee. Therefore, Petitioners assert the assets of the conservatorship estate have been exhausted and the conservatorship of the estate should be terminated.</p> <p>Petitioners pray for termination of the conservatorship of the estate of George William Satterberg, Jr., and for such other and further orders as the Court may deem proper.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: A Special Needs Trust was established for this Conservatee 3/17/14 in 14CEPR00393. The only remaining asset of the conservatorship estate, a vehicle, was authorized to be sold for \$7,300.00 pursuant to Ex Parte Order Approving Sale of Personal Property filed 4/8/15. If a final account is required, the Court will set a status hearing as appropriate.</p>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
		<p>Reviewed by: skc</p> <p>Reviewed on: 4/27/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10B - Satterburg</p>		

Attorney Amador, Catherine A. (for Petitioner John Perekoduk, Conservator)
 Attorney Boyett, Deborah K. (Court-appointed for Conservatee)

1) First Account and Report of Conservator; 2) Petition for Allowance of Fees to Attorney for Conservator

		JOHN PEREHODUK, brother and Conservator of the Person and Estate, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. <i>Petition</i> does not address sufficiency of bond. <i>Corrected Inventory and Appraisal</i> filed 3/24/2015 lists in Item 7 that bond is filed in the amount of \$27,750.00 , which is an incorrect sum, as the <i>Proof of Bond</i> filed 2/26/2014 shows bond posted of \$20,750.00 . Proposed order also lists the sum of bond incorrectly as \$27,750.00 , with the statement that the bond currently in place is deemed adequate, subject to review at the time of the next account. Need declaration in support of the <i>First Account</i> regarding the accurate sum of bond and the basis upon which Petitioner asserts that the Court deem the sum of \$20,750.00 adequate to protect the Conservatee's portion of the credit line assets from the reverse mortgage. ~Please see additional page~
		Account period: <u>2/1/2014 -2/28/2015</u>	
Cont. from		~Please see Petition for details~	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	~Please see additional page~	
<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/	
<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 checked="" type="checkbox"/>	2620		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: LEG	
		Reviewed on: 4/28/15	
		Updates:	
		Recommendation:	
		File 11 - Perekoduk	

Petitioner prays for an order:

1. Approving, allowing, and settling the First Account;
2. Finding bond currently in place is deemed adequate, subject to review at time of the next account; and
3. Directing the Conservator to pay the Attorney fees and costs advanced.

Court Investigator Charlotte Bien's Report was filed on 2/9/2015.

NEEDS/PROBLEMS/COMMENTS, continued:

2. *Declaration of Catherine A. Amador in Support of Allowance of Attorney's Fees* filed 3/24/2015 includes in the request for reimbursement of costs an entry on 2/28/2014 for Lexis Nexis Research Fee of **\$26.62**, which is not a reimbursable cost pursuant to Local Rule 7.17(B)(3). Further, proposed order is inconsistent with the *Declaration*, as the proposed order directs payment of **\$896.00** for costs advanced while Paragraph 6 of the *Declaration* requests **\$1,095.62** for costs, and proposed order directs payment of **\$4,500.00** for attorney fees, while Paragraph 6 of the *Declaration* requests attorney fees of **\$5,000.00**. Need clarification of attorney fee and cost reimbursement requests, and revised proposed order.

Note: Court will set a status hearing as follows:

- **Thursday, April 27, 2017 at 9:00 a.m. in Dept. 303** for the filing of the Second Account.

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

DOD: 02/18/14	<p>DIANNE E. COOLIDGE, surviving spouse, was appointed Administrator of the Estate with Limited IAEA and with bond set at \$27,000.00 on 09/20/14. Letters of Administration were issued on 10/14/14.</p> <p>On 03/09/15, Administrator's Petition for Order Confirming Sale of Real Property was approved with proceeds of sale to be deposited into Blocked Account.</p> <p>Minute Order from 03/09/15 set this status hearing for Receipt of Deposit of Money Into Blocked Account.</p> <p>On 03/17/15, Administrator's Ex Parte Application to Deposit Money Into Blocked Account was Approved and Order to Deposit Money Into Blocked Account was signed on 03/17/15.</p> <p>Status Report Regarding Receipt of Funds in Blocked Account filed 04/28/15 states: After the hearing on 03/09/15, an escrow was opened, a sale agreement was signed and the parties were prepared to close. With the wiring of the funds being the only remaining task in order to close escrow, the buyer withdrew his offer citing "family emergency" and escrow was terminated. The property was relisted and a new offer has been received. The Administrator is preparing a Petition to Vacate the Order Confirming Sale and Confirming Sale to a new high bidder and will file it this week.</p>	NEEDS/PROBLEMS/COMMENTS:
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: JF</p> <p>Reviewed on: 04/28/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 - Coolidge</p>	

Guardian: Rachel Lewis (pro per)

Confidential Matter

		NEEDS/PROBLEMS/COMMENTS:
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 4/28/15
		Updates:
		Recommendation:
		File 13 – Prescott-Means & Thomas

Atty Jaech, Jeffrey A. (for Dustin C. Reynolds, Administrator)

Status Hearing Re: Filing Proof of Bond

DOD: 1/15/2015	<p>DUSTIN C. REYNOLDS, son, was appointed Administrator with Limited IAEA with bond of \$20,000.00 on 3/27/2015, per Amended Order for Probate.</p> <p>Minute Order dated 3/3/2015 from the hearing on the petition for letters of administration set the matter for a Status Hearing on 4/6/2015 for filing of the proof of bond.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR</p> <p><i>Proof of bond filed 4/22/2015.</i></p>
Cont. from 040615		
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: 4/28/15
		Updates:
		Recommendation:
		File 14 – Reynolds

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 04/02/15</u></p> <p><u>Note: Status hearings will be set as follows:</u></p> <ul style="list-style-type: none"> • Thursday, 09/24/15 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Thursday, 06/30/16 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>
	Full IAEA – OK	
Cont. from 030515, 040215	Decedent died intestate.	
<input type="checkbox"/> Aff.Sub.Wit.	Residence: Laton	
<input checked="" type="checkbox"/> Verified	Publication: The Business Journal	
<input type="checkbox"/> Inventory	Estimated Value of the Estate:	
<input type="checkbox"/> PTC	Real property - \$50,000.00	
<input type="checkbox"/> Not.Cred.	Probate Referee: RICK SMITH	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail		
<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: 04/27/15
		Updates:
		Recommendation: SUBMITTED
		File 15 - Anderson

DOD: 06/21/99	MARTHA HUERTA , daughter, was appointed as Administrator with full IAEA and with bond set at \$110,000.00 on 04/02/15.	NEEDS/PROBLEMS/COMMENTS:					
	Minute Order from 04/02/15 set this hearing for status regarding Proof of Bond.	<p>Note: Waivers of Bond have been filed by all living heirs. However, there are 3 post-deceased heirs, Frank Garcia, Beatrice Resendez, and Gilbert Resendez that are unable to waive bond.</p> <p>1. Need Bond of \$110,000.00.</p>					
Cont. from							
Aff.Sub.Wit.		<table border="1" style="width: 100%;"> <tr> <td>Reviewed by: JF</td> </tr> <tr> <td>Reviewed on: 04/28/15</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 17 - Garcia</td> </tr> </table>	Reviewed by: JF	Reviewed on: 04/28/15	Updates:	Recommendation:	File 17 - Garcia
Reviewed by: JF							
Reviewed on: 04/28/15							
Updates:							
Recommendation:							
File 17 - Garcia							
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							

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

DOD: 10/21/14		<p>CATHRYN J. CUMMINGS, daughter, is petitioner and requests appointment as Administrator with Will Annexed and with bond set at \$176,000.</p> <p>Full IAEA – o.k.</p> <p>Lost Will dated: 6/30/2005</p> <p>Residence: Fresno Publication: Fresno Business Journal</p> <p>Estimated value of the estate: Personal property - \$160,000.00</p> <p>Probate Referee: Steven Diebert.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> #5a(3) or 5a(4) of the petition was not answered re: registered domestic partner. Petition does not allege any facts to rebut the presumption that the will was not destroyed with the intent to revoke. Probate Code §6124. If the petition is granted, the provisions of the will must be set forth in the order admitting the will to probate. Probate Code §8223. – Need new order. <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> Wednesday, June 3, 2015 at 9:00 a.m. in Department 303, for the filing of the bond. Wednesday, September 30, 2015 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, June 29, 2016 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit. S/P		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail W/		
<input checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Reviewed by: KT			
Reviewed on: 4/28/15			
Updates:			
Recommendation:			
File 18 - Chester			

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

DOD: 2/11/15		<p>CHRISTIAN VON BEVERFOERDE, named executor without bond, is petitioner.</p> <p>Full IAEA – o.k.</p> <p>Will dated: 2/28/12</p> <p>Residence: Shaver Lake Publication: Fresno Business Journal</p> <p>Estimated value of the estate:</p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$ 2,500.00</td> </tr> <tr> <td>Annual Income</td> <td>-</td> <td>\$ 10,800.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$300,000.00</td> </tr> <tr> <td>Total</td> <td>-</td> <td>\$313,300.00</td> </tr> </table> <p>Probate Referee: Rick Smith</p>	Personal property	-	\$ 2,500.00	Annual Income	-	\$ 10,800.00	Real property	-	\$300,000.00	Total	-	\$313,300.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. A copy of the Will was not attached to the Petition as required by Probate Code §8002 (b)(1). 2. Susan Von Beverfoerde, named alternate executor was not listed at #8 of the petition. 3. Need proof of service of the Notice of Petition to Administer the Estate on Susan Von Beverfoerde. Probate Code §8110(b). <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Wednesday, September 30, 2015 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. • Wednesday, June 29, 2016 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.
Personal property	-		\$ 2,500.00												
Annual Income	-		\$ 10,800.00												
Real property	-		\$300,000.00												
Total	-		\$313,300.00												
Cont. from															
<input type="checkbox"/>	Aff.Sub.Wit.		S/P												
<input checked="" type="checkbox"/>	Verified														
<input type="checkbox"/>	Inventory														
<input type="checkbox"/>	PTC														
<input type="checkbox"/>	Not.Cred.														
<input type="checkbox"/>	Notice of Hrg														
<input checked="" type="checkbox"/>	Aff.Mail	W/													
<input checked="" type="checkbox"/>	Aff.Pub.														
<input type="checkbox"/>	Sp.Ntc.														
<input type="checkbox"/>	Pers.Serv.														
<input type="checkbox"/>	Conf. Screen														
<input checked="" type="checkbox"/>	Letters														
<input checked="" type="checkbox"/>	Duties/Supp														
<input type="checkbox"/>	Objections														
<input type="checkbox"/>	Video Receipt														
<input type="checkbox"/>	CI Report														
<input type="checkbox"/>	9202														
<input checked="" type="checkbox"/>	Order														
<input type="checkbox"/>	Aff. Posting														
<input type="checkbox"/>	Status Rpt														
<input type="checkbox"/>	UCCJEA														
<input type="checkbox"/>	Citation														
<input type="checkbox"/>	FTB Notice														
		Reviewed by: KT													
		Reviewed on: 4/28/15													
		Updates:													
		Recommendation:													
		File 19 – Von Beverfoerde													

Pro Per Petitioner Maria Saldana (spouse)

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

DOD: 1/18/2014	MARIA SALDANA , spouse, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Item 13 of the <i>Petition</i> requests the property be distributed to Petitioner at 50% and to KATRINA SALDANA, Decedent's daughter, at 50%. Need amended <i>Petition</i> signed by both Petitioner and KATRINA SALDANA as Petitioners since each of them claim an interest in the property. Item 12 of the <i>Petition</i> states Petitioner requests determination of personal property in addition to real property. <i>Attachment 11</i> to the <i>Petition</i> must contain a description of the personal property, and an inventory and appraisal of the personal property is required (<i>Note: Inventory and Appraisal filed 3/19/2015 includes only real property.</i>) <i>Attachment 11</i> to the <i>Petition</i> does not state the amount of the Decedent's interest in the real and personal property as required per Item 11 of the <i>Petition</i>. Item 9a of the <i>Petition</i> is incomplete as to (7) or (8) re: issue of a predeceased child. Need proposed <i>Order Determining Succession to Real Property</i> [Judicial Council form DE-315] containing the legal description of the real and personal property and specifying the percentage of the property interest passing to Petitioner (and to Katrina Saldana.)
	40 days since DOD	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.	No other proceedings	
<input checked="" type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory	I & A - \$68,000.00	
PTC		
Not.Cred.		
Notice of Hrg	X Decedent died intestate.	
Aff.Mail	X	
Aff.Pub.		
Sp.Ntc.	Petitioner requests Court	
Pers.Serv.	determination that Decedent's	
Conf. Screen	[unspecified % interest] in real	
Letters	property located on E. Madison	
Duties/Supp	in Fresno passes to the Petitioner	
Objections	and KATRINA SALDANA pursuant	
Video Receipt	to intestate succession.	
CI Report		
9202		
Order	X	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
Reviewed by: LEG		
Reviewed on: 4/28/15		
Updates:		
Recommendation:		
File 20 - Saldana		

Pro Per Petitioner Juanita J. Rivas, paternal aunt

Petition for Appointment of Temporary Guardian

		<u>General Hearing set for 6/16/2015</u>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i> and proof of five (5) court days' notice by personal service of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Guardian</i>, or <i>Consent to Appointment of Guardian and Waiver of Notice</i>, for: <ul style="list-style-type: none"> • Raven Farley, mother (<i>if Court does not find due diligence.</i>) 2. Need proposed order. 3. Need proposed letters signed by Petitioner.
		JUANITA J. RIVAS , paternal aunt, is Petitioner.	
		Father: GEORGE LUIS RIVAS ; <i>consents and waives notice.</i>	
Cont. from		Mother: RAVEN FARLEY ; <i>Declaration of Due Diligence filed 4/17/2015.</i>	
<input type="checkbox"/>	Aff.Sub.Wit.	Paternal grandfather: George Rivas	
<input checked="" type="checkbox"/>	Verified	Paternal grandmother: Juanita Soto; <i>Deceased</i>	
<input type="checkbox"/>	Inventory	Maternal grandfather: Unknown	
<input type="checkbox"/>	PTC	Maternal grandmother: Unknown	
<input type="checkbox"/>	Not.Cred.	~Please see Petition for details~	
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: LEG	
		Reviewed on: 4/28/15	
		Updates:	
		Recommendation:	
		File 22 - Rivas	

Petitioner
Petitioner

Terry Delacruz-Lillian (Pro Per – Maternal Grandmother – Petitioner)
Ronald Claude Lillian (Pro Per – Maternal Step-Grandfather – Petitioner)
Petition - Appoint Temporary Guardian

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need 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), Cal. Rule of Court 7.51.D. <u>or</u> consent and waiver of notice on: - Faith Delacruz (Minor) 2. If diligence not found, need 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) on David Chavez (Faith's father). 	
	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: skc	
			Reviewed on: 4/28/15	
			Updates:	
			Recommendation:	
			File 23 - Delacruz	

24 Mara Tahira (GUARD/P) Case No. 15CEPR00416

Petitioner Woolley , Kent Alan (pro per – maternal step-grandfather)

Petitioner Woolley, Judith Marie (pro per – maternal grandmother)

Petition - Appoint Temporary Guardian

Age: 9	<u>GENERAL HEARING: 06/24/15</u>	NEEDS/PROBLEMS/COMMENTS:
	JUDITH WOOLLEY and KENT WOOLLEY, maternal grandmother and step-grandfather, are Petitioners.	1. Need <i>Notice of Hearing</i> for the 04/30/15 hearing.
Cont. from	Father: CRAIG TAHIRA	2. Need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Guardian of the Person or Consent & Waiver of Notice or Declaration of Due Diligence</i> for:
<input type="checkbox"/> Aff.Sub.Wit.	Mother: LINDA KROELL	a. Craig Tahira (father)
<input checked="" type="checkbox"/> Verified	Paternal grandfather: UNKNOWN	b. Linda Kroell (mother)
<input type="checkbox"/> Inventory	Paternal grandmother: DECEASED	
<input type="checkbox"/> PTC	Maternal grandfather: DECEASED	
<input type="checkbox"/> Not.Cred.	Petitioners state [see Petition for details].	
<input type="checkbox"/> Notice of Hrg x		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv. x		
<input checked="" type="checkbox"/> Conf. Screen		
<input 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		Reviewed by: JF
<input type="checkbox"/> Status Rpt		Reviewed on: 04/28/15
<input checked="" type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 24 - Tahira

Attorney Rindlisbacher, Curtis D., for Petitioner Moises Russell Ruiz, son

Petition for Appointment Temporary Conservator of the Person and Estate

		TEMPORARY GRANTED EX PARTE EXPIRES 4/30/2015	NEEDS/PROBLEMS/COMMENTS: Court Investigator Advised Rights on 4/22/2015. Note: File does not contain proposed temporary order for signature, nor proposed temporary letters, as they were used to grant the temporary petition ex parte; if Petitioner seeks a signed order, Attorney must submit a proposed temporary order. Extended Letters of Temporary Conservatorship shall not issue until the Petitioner posts the \$146,300.00 bond.
		<u>GENERAL HEARING SET FOR 6/3/2015</u>	
Cont. from		MOISES RUSSELL "RUSS" RUIZ , son is Petitioner and requests appointment as Conservator of the Person and Estate with \$146,300.00 bond.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	~Please see Petition for details~	
<input type="checkbox"/>	Inventory	Court Investigator's Report was filed on 4/24/2015 .	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail W/		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input checked="" type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input 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: LEG	
		Reviewed on: 4/28/15	
		Updates:	
		Recommendation:	
		File 25 - Ruiz	

Attorney Renge, Lawson K. (for Petitioner Ryan Missakian, Administrator)

Petition for Preliminary Distribution and Petition for Order Confirming Sale of Real Property to Personal Representative (Prob. C. 9881, 9883, 11600, 11620)

DOD: 10/3/2013		<p>RYAN MISSAKIAN, son and Administrator, is Petitioner.</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> • Petitioner caused notice to creditors to be published in the manner and for the time period prescribed by law; more than 4 months have elapsed since the first publication of said notice and the time for filing or presenting claims has expired; • A creditor's claim from DCM Services of \$353.99 was presented to the estate and said claim was paid, with a <i>Satisfaction and Release</i> filed 9/19/2014; no other creditor's claim has been presented to the estate; • An <i>Inventory and Appraisal, Partial No.1</i> was filed on 9/15/2014, identifying residential property of the Decedent located on Columbia Drive, appraised at \$375,000.00; • A second <i>Inventory and Appraisal, Partial No. 2</i> was filed on 3/12/2015, identifying decedent's 25% property interest in agricultural land, appraised at \$350,000.00, and a motor vehicle appraised at \$20,000.00; • During the pendency of this probate proceeding, due to the failure to keep current the monthly mortgage payments in the sum of ~\$2,338.69 a month, the lender initiated foreclosure proceedings against the Decedent's residence on S. Columbia Drive; • In order to avoid foreclosure sale of said residence on 10/15/2014, Petitioner Ryan Missakian, Decedent's son and estate beneficiary, agreed to purchase the ½ interest of HAROLD A. MISSAKIAN, Decedent's son and estate beneficiary, in said residence; • Ryan Missakian and Harold A. Missakian are the only beneficiaries who are entitled to receive a share of Decedent's estate, each to receive a ½ interest in the estate; <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p align="center">OFF CALENDAR</p> <p>—Consent of Harold A. Missakian Re Sale of Real Property and Preliminary Distribution was filed 4/29/2015.</p> <p>Continued from 4/29/2015.</p> <p>1. Pursuant to Probate Code § 9881 (a) and (b), need signed written consent to the purchase by HAROLD A. MISSAKIAN, son, to be filed with the Court.</p> <p>Note Re Future Dates: Status Hearings for this case are currently set as follows:</p> <ul style="list-style-type: none"> • Tuesday, 7/28/2015 for filing of the final inventory and appraisal; and • Wednesday, 9/16/2015 for filing of the first and final account.
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<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 072214		
<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: LEG			
Reviewed on: 4/29/15			
Updates: 4/29/15			
Recommendation:			
File 25 - Missakian			

Petitioner states, continued:

- Ryan Missakian, who is the personal representative and a beneficiary of the estate, purchases the interest of Harold A. Missakian on or about 9/18/2014;
- Said purchase was conducted pursuant to the authority given the personal representative under the Independent Administration of Estates Act;
- Petitioner respectfully represents that the sale of Decedent's residence was conducted in accordance with the requirements of the Probate Code, and that he and Harold A. Missakian, who sold his ½ interest in Decedent's residence, are all of the known heirs or devisees of Decedent's estate and have consented to said sale by entering into an agreement for sale of the residence to Ryan Missakain, Administrator;
- At the time of the agreement to purchase the subject property, it was in foreclosure and due to the imminent loss of the property, Ryan Missakian, agreed to "save" the property by paying a reinstatement amount of **\$31,660.22** from his own assets on 9/30/2014;
- Harold A. Missakian did not contribute to the reinstatement sum due and owing to the lender, and agreed to sell his ½ interest in the residence to Ryan Missakian as part of the consideration given by Ryan Missakian to Harold A. Missakian concerning said purchase;
- Additionally, Ryan Missakian agreed with Harold A. Missakian to continue making the mortgage payments on the property and accept all future liability, including but not limited to payment of real property taxes and insurance on the property;
- As part of the sale, Ryan Missakain requires that the property be refinanced to obtain a lower monthly mortgage rate, and for said purpose he petitions this Court for an order confirming sale and authorizing his purchase of the property pursuant Probate Code §§ 9881 and 9883;
- Ryan Missakian and Harold A. Missakian are the only heirs and devisees whose interest in the estate would be affected by the purchase and both have agreed to the purchase of the property;
- There are no other persons required to consent to this transaction;
- The purchase is an advantage to the estate because it avoided foreclosure of the property by the lender, thereby preserving the property for the benefit of both beneficiaries to the estate;
- To the best of Petitioner's knowledge, the majority of Decedent's property, real and personal, have been identified in the filed inventory and appraisals;
- The estate is not in a condition to be closed because Petitioner believes Decedent may have a partnership interest in a family partnership, that is un-appraised to date and Petitioner is still trying to collect information on said partnership, if any;
- According to the laws of intestate succession, the only heirs entitled to share in Decedent's estate are Harold A. Missakin and Ryan Missakin, each entitled to **50%**;
- Petitioner requests Court confirmation of the sale and that the sale constitutes a preliminary distribution to Ryan Missakian of the real property;
- The estate property remaining to be distributed after the preliminary distribution to Ryan Missakian is: real property on Golden State Blvd., Selma (**25%**), and an automobile appraised at **\$20,000.00**;
- The value of the estate remaining on hand after the preliminary distribution of the Decedent's residential real property is more than adequate and sufficient to pay creditor's claims, if any, all commissions, fees and costs of administration.

Petitioner prays for an Order:

1. Confirming the sale of real property located on Columbia Drive South in Fresno, with Harold A. Missakian [as seller of ½ interest] and Ryan Missakian, [as buyer of ½ interest]; and
2. Confirming that Ryan Missakian is sole owner of the real property located on Columbia Drive South in Fresno, pursuant to a preliminary distribution of said property.

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

		THERE IS NO TEMPORARY. Temporary was denied.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>This matter will be heard in Dept. 72 at 8:30 a.m.</u></p> <ol style="list-style-type: none"> 1. Notice of Hearing is incomplete at #1. It does not state who filed the documents or what documents were filed. 2. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: <ol style="list-style-type: none"> a. Donald Hughitt (paternal grandfather) b. Kathy Hughitt (paternal grandmother) 3. Need Order and Letters. 4. Objections were not verified. Probate Code §1021.
		DENISE PARKS OYLER , maternal grandmother, is petitioner.	
Cont. from		Please see petition for details.	
<input type="checkbox"/>	Aff.Sub.Wit.	Objection to Petition for Appointment of Guardian filed by father, Phillip Hughitt on 4/24/15.	
<input checked="" type="checkbox"/>	Verified	Court Investigator Jennifer Young's Report filed on 4/23/15.	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters	X	
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order	X	
<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: KT			
Reviewed on: 4/28/15			
Updates:			
Recommendation:			
File 1 - Hughitt			