1 **Darlene V. Mairena (CONS/PE)** **Case No. 06CEPR01043**

Atty **Downing, Marcella**

(1) Petition for Third Account and Report of Conservator, (2) Petition for Attorney's Fees, and (3) Petition to Dispense with Further Accounting (Prob. C. 2620, 2628(a), 2642)

Age:			NEEDS/PROBLEMS/COMMENTS:
DOB:			**CONTINUED TO 5-31-12**
			Per request of Attorney Downing.
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		Reviewed by: skc
	Status Rpt		Reviewed on:
	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notice		File 1A - Mairena

Dept. 303, 9:00 a.m. Tuesday, May 1, 2012

2 **Quirina U. Diaz (Estate)** **Case No. 07CEPR00578**

Atty **Coleman, William H. (for Juanita Harlan – Administrator)**

Status Conference

DOD: 12/23/06		
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	

JUANITA HARLAN, daughter, was appointed Administrator with full IAEA without bond on 8/28/07 and Letters issued on 11/21/07.

Inventory and Appraisal filed 11/2/07 valued the property at $225,000.00 as of 12/23/06.

On 4/27/11, the court set a status hearing for failure to file a first account or petition for final distribution.

Status Report filed 7/21/11 states the Administrator executed a new listing agreement for sale of the sole asset of the estate, real property located in Coalinga. The listing price is $120,000.00 and the agreement is effective from July 15, 2011, through January 31, 2012. The Administrator is not yet in a position to file a petition for final distribution. The Administrator estimates that it will take approximately six months to sell the property and close the estate.

Status Report filed on 3/28/12 states the original appraisal value of the property was $225,000.00. The property has been listed for sale at $120,000.00. An offer to purchase the property at $50,000.00 was made on 8/29/11. This offer is $70,000.00 below the listing price. The Administrator's cousin has expressed an interest in purchasing the property for $70,000.00. Administrator is in discussions with her cousin for this purpose. The family member is no longer interested in purchasing the property for $70,000.00 Administrator estimates that it will take approximately an additional 6 months for the residential real estate market to improve in order to find a bona fide purchaser and further to close the estate.

Minute Order dated 04/03/12 set this matter for hearing and states: Court orders Mr. McComas to provide a declaration from broker stating how the sale price of property was established.

NEEDS/PROBLEMS/COMMENTS:

As of 04/23/12, no new documents have been filed.

1. **Need declaration from broker stating how sale price was established and/or status update.**

Reviewed by: JF

Reviewed on: 04/23/12

Updates:

Recommendation:

File 2 - Diaz

Dept. 303, 9:00 a.m. Tuesday, May 1, 2012

Atty Sharon, Randolph M., sole practitioner of Agoura Hills (for Petitioner Wells Fargo Bank, Trustee)

Petition for Orders Regarding Trustee's Fees

Age: 6 years		
DOB: 2/25/2006		
Cont. from 031312		
	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	

WELLS FARGO BANK, Trustee of the **ISAAC GAMEZ SPECIAL NEEDS TRUST**, is Petitioner.

Petitioner respectfully requests that the Court authorize it to take interim fees on account in accordance with its normal published fee schedule, based upon the following:

- The *Order Approving Creation of Special Needs Trust* signed 4/15/2008 provides:
  - "The Trustee is entitled to just and reasonable compensation to be determined by the Court, but the Trustee is authorized to make periodic payments on account to itself in the amount specified in its special needs trust fee schedule in existence from time to time, save and except for the following:
    - (A) Payments on account to the Trustee shall be limited to **.75%** of the fair market value of the Trust assets. This does not limit the Trustee's ability to request payments pursuant to the fee schedule agreed upon by Isaac Gamez' Guardian Ad Litem [Jose Manuel Gamez, Cindy Gamez, and Bruce G. Fagel, APC, per *Order Approving Compromise of Disputed Claim* dated 10/4/2007], as set forth in the *Petition*;
    - The Trustee is not authorized to charge any minimum fee."
- The Trustee's normal published fee schedule *(attached as Exhibit A)* indicates the Trustee's normal published fee is 1.5% on the first **$2,000,000.00**; 1.05% on the next **$3,000,000.00**; .85% on assets over **$5,000,000.00**;

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS:

Continued from 3/13/2012. *Minute Order* states Mr. Sharon is appearing via conference call.

Note: Proposed order finds the Trustee is authorized to take interim fees on account in accordance with its normal published fee schedule (1.5%); a proposed order for the alternative of Trustee resignation and successor appointment was not submitted.

Reviewed by:	LEG
Reviewed on:	4/23/12
Updates:	
Recommendation:	
File 3 - Gamez	

Bases of Petitioner's request for interim fees on account per fee schedule, continued:

- Pursuant to the *Order [on the First] Account Current of Trustee for the Period of April 1, 2008 to March 31/2009; Approval of Trustee's Fees; Approval of Attorney of Attorney's Fees* dated 3/8/2010, the Court authorized the Trustee to pay itself additional sums, which when added to the sums already received by the Trustee, total the Trustee's normal published fee.
- Pursuant to the *Order for Approval of Second Account Current of Trustee for the Period of April 1, 2008 to March 31, 2009; Approval of Trustee's Fees; Approval of Attorney of Attorney's Fees* dated 7/25/2011 *[signed by Judge Hamilton]*, the Court did not allow any additional fees for services rendered during the period of the Second Account;
- Petitioner respectfully requests that the Court authorize it to take interim fees on account in accordance with its normal published fee schedule, and requests the Court consider the following Trustees' statement concerning the eight factors of **CA Rule of Court 7.776** in determining or approving compensation to the Trustee:
  1. **The gross income of the Trust estate –** During the [Second] Account period, the gross receipts were **$160,224.82** and the gains totaled **$55,294.96**; this was the result of 350 individual transactions that the Trustee was responsible for verifying, receiving and investing.
  2. **The success or failure of the Trustee's administration –** The administration of the Trust during the period of the [Second] Account was successful; Paragraph C (at pages 1 and 2) of the Trust provides that "the intent and purpose of this trust is to provide a discretionary, spendthrift trust, to supplement public resources and benefits when such resources and benefits are unavailable or insufficient to provide for the Special Needs of the Beneficiary." Petitioner respectfully submits that it complied with the said intent and purpose of the Trust by investing the Trust assets, and distributing such assets for the special needs of the Beneficiary.
  3. **Any unusual skill, expertise, or experience brought to the Trustee's work –** The administration of a trust for the benefit of a disabled minor beneficiary requires special skill; the trust officers in charge of this matter have over 30 years' experience in connection with the administration of special needs trusts.
  4. **The fidelity or disloyalty shown by the Trustee –** The Trustee had administered this Trust with fidelity and loyalty to the Beneficiary.
  5. **The amount of risk and responsibility assumed by the Trustee –** The Trust has assets of over **$1,000,000.00**. State and Federal Bank regulating authorities require that a corporate fiduciary set appropriate investment objectives based upon the needs of the Beneficiary; Petitioner has complied with said requirements; Petitioner was responsible for the investment of the Trust assets, as well as insuring that all necessary and appropriate disbursements have been made according to the terms of the Trust; in addition, Petitioner was responsible for federal and state fiduciary income tax returns and the subject accounting to the court; Petitioner maintains a computer system, which provides daily investment balances for each account and which list the transactions occurring daily; the Petitioner's administrator reviews each report to determine if action needs to be taken; Petitioner maintains files for correspondence, bills and receipts, tax, investments and legal documents.
  6. **The time spent in the performance of the Trustee's duties –** Petitioner does not keep time records of its time spent on this matter; Petitioner believes that virtually all of the corporate Trustees of Special Needs Trusts or Settlement Trusts receive their fees on a percentage of the assets under management; none of these institutions charge on an hourly basis for their regular trust services, and if required to do so, would most likely resign; by charging a percentage of the assets, this frees the Beneficiary and his family from concerns regarding being assessed a fee charged to the Trust every time a call or request is made.

~Please see additional page~

Bases of Petitioner's request for interim fees on account per fee schedule, continued:

7. **The custom in the community where the court is located regarding compensation authorized by settlors, compensation allowed by the court, or charges or corporate trustees for trusts of similar size and complexity –** The published fee schedules related to the administration of trusts of **Westamerica Bank** *[1.50% on the First $1,000,000.00; 1.25% on the Next $1,000,000.00; 1.00% on asset values above $2,000,000.00]*; **Bank of the West** *[1.30% on the First $1,000,000.00; 1.15% on the Next $1,000,000.00; .90% the Next $3,000,000.00; .70% on the Next $5,000,000.00; negotiated balances for greater than $10,000,000.00]*; **US Bank** *[1.35% on the First $1,000,000.00; .85% on the Next $2,000,000.00; .70% the Next $2,000,000.00; .60% on the balance of assets;*]; **Citizens Business Bank** *[1.50% annual fee based on market value; annual minimum fee is $7,500.00];* **Merrill Lynch** *[1.25% on the First $1,000,000.00; 1.00% on the Next $1,000,000.00; .80% the Next $2,000,000.00; .70% on the Next $6,000,000.00; .60% on more than $10,000,000.00];* **City National Bank** *[1.20% on the First $1,000,000.00; 1.00% on the Next $4,000,000.00; .65% the Next $5,000,000.00; .50% in excess of $10,000,000.00;]* and **Northern Trust** *[1.85% on the First $1,000,000.00; 1.65% on the Next $2,000,000.00; 1.50% the Next $2,000,000.00; accounts over $5,000,000.00 will be priced on a negotiated basis] (attached as Exhibit B)* show clearly that it is the custom of the community to charge percentage compensation; and that the amount charged by the Petitioner is what is typically charged by other financial institutions;
8. **Whether the work performed was routine, or required more than ordinary skill or judgment –** Petitioner believes that the administration of trusts for the benefit of disabled beneficiaries are generally far more complex and involve substantially more time than other inter vivos or testamentary trusts.

- For all of the above reasons, Petitioner respectfully requests that the Court allow the Trustee to pay itself fees on account in accordance with its normal published fee schedule;
- Petitioner is unwilling to continue to serve as Trustee based on a Trustee fee of .75%, which Petitioner respectfully submits is an inadequate fee;
- Petitioner respectfully submits that if the Court were to appoint a private professional fiduciary, the cost of bond (which is not required where a bank is serving as Trustee) and the investment fee (which is typically in excess of 1.0%) is likely to exceed the Trustee's normal published fee, without even taking into account the amount charged by the private professional fiduciary;
- If the Court is unwilling to increase the Trustee's fee to its normal published fee, Petitioner tenders its resignation and requests that the Court accept its resignation and appoint a successor trustee.

Petitioner prays for an Order of the Court:

1. That the Trustee is authorized to take interim fees on account in accordance with its normal published fee schedule; or in the alternative
2. That the Court accepts the Petitioner's resignation as Trustee and appoints a successor trustee.

4 Martin Metkovich (Estate) **Case No. 08CEPR01119**

Atty **Helon, Marvin T., of Helon & Manfredo (for Marlene Metkovich-Cotton, Executor)**

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

DOD: 10/16/2008		
Cont. from 100611, 040312		
	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	

MARLENE METKOVICH-COTTON, daughter, was appointed Executor without bond on 12/18/2008 and *Letters* issued on that date.

Judgment Settling First Account Current and Report of Executor, Authorizing Payment of Claim, Allowing Compensation and Reimbursement of Costs, and for Preliminary Distribution was signed on 4/7/20011, showing the estate on hand consists of real and personal property valued at **$952,996.80**.

Minute Order dated 4/7/2011 from the hearing on the *First Account* set this status hearing for the filing of the final account and petition for final distribution.

***Status Report of Administration* filed by Executor, Marlene Metkovich-Cotton, on 3/26/2012 states:**

- Executor filed her first account current and report and petition for preliminary distribution on 2/23/2011, and the Court entered its *Judgment* on 4/7/2011; *[Receipt on Distribution signed by distributees Patsy Beal and Marlene Metkovich-Cotton showing receipt of preliminary distributions were filed on 5/3/2011]*;
- Although the administration was substantially complete at the time of the filing of the first account, the estate was not then in a condition to be closed and distribution made, as the Executor still needed to conclude a sale of the Decedent's residence and arrange for the sale or future farming of estate real property;
- Since the filing of the *First Account*, Decedent's residence has been sold pursuant to *Notice of Proposed Action* filed 7/13/2011, and the sale of the residence has closed;
- The Executor has not been able to close the sale of the estate's remaining farm property consisting of ~12 acres, but has made arrangements for the future farming of the property and will now distribute it in kind;
- A second and final account through 1/30/2012 has been prepared and a petition to present the accounting is being prepared and should be filed within the next 30 days;
- **Executor requests the Court continue the status hearing for ~30 to 60 days to allow preparation and filing of a petition for final distribution.**

NEEDS/PROBLEMS/COMMENTS:

OFF CALENDAR

***Second and Final Account and Report of Executor and Petition for its Settlement, etc.*, was filed on 4/9/2012 and is set for hearing on 5/22/2012.**

Reviewed by: LEG	
Reviewed on: 4/23/12	
Updates:	
Recommendation:	
File 4- Metkovich	

5 Frances H. Vasquez (Estate) Case No. 09CEPR01028

Atty **Hemb, Richard E. (for Monica Abasolo – Sister – Petitioner)**

Petition to Determine Title to and Require Transfer of Property to Estate [Prob. C. 850(a)(2)(C)]

DOD: 10-20-09		
Cont. from 021412, 032712		
	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	

MONICA ABASOLO, Sister and Executor with Full IAEA without bond, is Petitioner.

Petitioner states that prior to executing her Will dated 10-11-09, Decedent executed a revocable inter vivos trust dated 5-16-00 and executed a grant deed for her real property to the trust.

Prior to her death, Decedent decided that she did not want to leave any of her property to her son Benjamin Vasquez or have him serve in a fiduciary capacity. After direct and private consultation with Attorney James Arnold in San Jose, CA, Decedent executed the Will dated 10-11-09 (that appointed Petitioner as Executor) along with a Revocation of Trust that was signed and notarized by Attorney Arnold (attached).

However, Decedent never executed a new grant deed to convey title back from the trust to her individually. Petitioner states Decedent no doubt believed the revocation of trust was sufficient, and may have been advised that the trust declaration, although revoked, could be reinstated in the future with appropriate changes to her successor trustee and distribution clauses. A letter from Attorney Arnold is attached that explained options to Decedent.

Petitioner is informed and believes that Decedent did not understand that a new grant deed would be required and believed that all action on her part was completed.

Petitioner has recently obtained possession of the premises by use of unlawful detainer action against tenants in both units of the duplex and has completed extensive cleanup. Petitioner states sale of the property is necessary as part of estate administration and requests that the Court determine pursuant to Probate Code §850(a)(2)(C)that by Decedent's action to revoke her inter vivos trust, she intended that her last will dated 10-11-09 control disposition of the real property.

Petitioner prays for an order determining that the real property belongs to the estate, and that title is rightfully in Petitioner as Executor.

NEEDS/PROBLEMS/COMMENTS:

<u>Minute Order 2-14-12</u>: The petition was approved when the matter was initially called on the record. Subsequent to Mr. Hemb's appearance and departure from the courtroom, Benjamine Vasquez and Lynetta Thomas appeared and requested to be heard. The Court recalled the matter and rescinded its previous order approving the petition and continued the matter to 3-27-12. *(A copy of the minute order was mailed to Attorney Hemb.)*

<u>Minute Order 3-27-12</u>: Attorney Nancy Levan advises the Court that she has just been retained by Benjamin Vasquez and will be filing a Substitution of Attorney this morning. Ms. LeVan requests a continuance.

<u>Note</u>: No Substitution of Attorney was filed.

<u>Note: A new order was submitted by Attorney Hemb, along with a Memorandum of Points and Authorities in Support of the Petition and proof of service on Attorney LeVan, on 4-24-12</u>.

The following items were noted previously:

<u>Note</u>: Petitioner was appointed Executor pursuant to the Will dated 10-11-09 after trial and will contest by Decedent's son Benjamin Vasquez. See Minute Order dated 2-15-11.

<u>Note</u>: The real property at issue has been inventoried as an asset of the estate. See Inventory and Appraisal filed 11-28-11.

Reviewed by: skc

Reviewed on: 4-24-12

Updates:

Recommendation:

File 5 - Vasquez

Dept. 303, 9:00 a.m. Tuesday, May 1, 2012

6 **Marguerite Amelia Nabors (Estate)** **Case No. 09CEPR01054**

Atty **Sanoian, Joanne (for Administrator April C. Roberts)**

Status Hearing Re: Filing of Proof of Funds in Blocked Account or Increased Bond

DOD: 9/21/2006		
Cont. from 040312		
	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	

APRIL C. ROBERTS was appointed as Administrator on 5/11/11.

On 2/14/12 the Court confirmed the sale of real property and ordered the proceeds into a blocked account.

Minute Order dated 2/14/12 set this status hearing for the filing of a receipt for blocked account.

NEEDS/PROBLEMS/COMMENTS:

OFF CALENDAR

***Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account* was filed on 4/19/2012.**

1. **Need receipt for blocked account or current status report.**

Reviewed by: KT / LEG
Reviewed on: 4/24/12
Updates:
Recommendation:
File 6 - Nabors

7 Irene F. Schroer 2002 Trust **Case No. 12CEPR00241**

Atty Kruthers, Heather H. (for – Public Administrator/Petitioner)

Petition for Appointment of Public Administrator as Successor Trustee [Prob. C. 15660(d)]

DOD: 08/11/03		
Cont. from		
	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	

PUBLIC ADMINISTRATOR, is Petitioner and requests appointment as successor Trustee of the IRENE F. SCHROER 2002 TRUST

Petitioner states:

1. Irene F. Schroer, Trustor, died August 11, 2003. She is survived by her daughter, Deborah Ann Schroer. Her son, Dean Scott Schroer, died May 18, 2009.
2. Irene F. Schroer established the IRENE F. SHROER 2002 TRUST on March 05, 2002 and served as Trustee of the Trust until her death.
3. Cheri Smith and Irene Rosato are nominated in the Trust as first and second successor trustees. Both women have declined to act, and agree with the appointment of the Public Administrator to act as successor trustee. Both women will receive notice of this Petition.
4. The Public Administrator has spoken with decedent's daughter, Deborah Ann Schroer, who is the beneficiary of the Trust. Deborah Schroer states that she has no objection to the Public Administrator's appointment as successor trustee. Deborah Schroer will receive notice of this Petition.
5. The Public Administrator requests that his appointment as successor trustee be granted with all the power set forth in the Trust that the Trustor would have.

Petitioner prays for an order:

1. Finding that a vacancy exists for the position of successor trustee of the IRENE F. SCHROER 2002 TRUST, because of Ms. Schroer's death and declinations to serve by the nominated trustees;
2. Finding that there are no other persons willing or suitable to act as successor trustee;
3. Finding good cause and so appoint the Public Administrator as successor trustee; and
4. Granting the Public Administrator all the powers set forth in the Trust.

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: JF

Reviewed on: 04/24/12

Updates:

Recommendation:

File 7 - Schroer

Dept. 303, 9:00 a.m. Tuesday, May 1, 2012

8 **Brenton Robert Smith (Estate)** **Case No. 12CEPR00281**

Atty **Fike, David A. (for Linda L. Smith – spouse/Petitioner)**

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

DOD: 02/27/12			**LINDA L. SMITH,** surviving spouse, is Petitioner, and requests appointment as Administrator without bond.
Cont. from			
	Aff.Sub.Wit.		Full IAEA – OK
✓	**Verified**		
	Inventory		All heirs waive bond.
	PTC		
	Not.Cred.		Decedent died intestate.
✓	**Notice of Hrg**		Residence: Riverdale
✓	**Aff.Mail**	w/	Publication: The Business Journal
✓	**Aff.Pub.**		
	Sp.Ntc.		**<u>Estimated Value of the Estate:</u>**
	Pers.Serv.		Personal property - $3,050,000.00
	Conf. Screen		
✓	**Letters**		Probate Referee: **RICK SMITH**
✓	**Duties/Supp**		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

1. **Letters are not signed by Petitioner.**

Reviewed by: JF

Reviewed on: 04/23/12

Updates: 04/26/12

Recommendation:

File 8 - Smith

Dept. 303, 9:00 a.m. Tuesday, May 1, 2012

9 **Mary Johanna Cormier (CONS/PE)** **Case No. 02CEPR00107**

Atty **Feigel, Sheldon W. (of Sanger, for Norma M. Karmann, Conservator)**

Probate Status Hearing Re: Termination of Proceeding for Deceased Conservatee (Prob. C. § 1860, et seq.)

DOD: 1-8-09		
Cont. from 082311, 092711, 110111, 011712, 032712		
	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	X
	UCCJEA	
	Citation	
	FTB Notice	

NORMA M. KARMANN was appointed Conservator of the Person and Estate and Letters issued on 3-21-02.

On 8-20-08, bond was set at $40,000.00.

The Third Account was settled 8-20-08.

On 7-24-09, the court set a status hearing for termination of the proceeding for deceased conservatee.

A status hearing filed 8-27-09 indicated that additional assets had been discovered, and that a Fourth Account would be filed. The Amended Fourth Account covering the period 9-22-08 through 1-8-09 (date of death) was settled on 8-13-10.

On 6-28-11, the court set status hearing for 8-23-11 for termination of the proceeding for deceased conservatee and filing of the final account.

On 8-23-11, Counsel advised the Court that the bond has not been paid, but he is now in the position to prepare and file the final accounting.

On 9-27-11, Attorney Feigel informed the Court that he has a meeting next week with the Conservator for a signature on the accounting. The matter was continued to 11-1-11. If accounting is filed, no appearance is necessary.

On 11-1-11, the Court continued the matter to 1-17-12.

On 1-17-12, Counsel advised the Court that the conservator has discovered some stock certificates and they are trying to determine if they have any value.

As of 4-24-12, a final account has not been filed.

NEEDS/PROBLEMS/COMMENTS:

<u>Minute Order 3-27-12</u>: No appearances. The Court notes for the record that the accounting filed on 3-26-12 does not appear to be a final accounting as required by PC 2620(b). Therefore, a separate final accounting subsequent to death is required.

1. **Need final account and petition for termination/ distribution per Probate Code §2620(b) or a verified status report (served on all necessary parties per Local Rule 7.5.)**

   <u>Note: This is the 6th status hearing regarding this matter</u>. Examiner notes that it appears from the 9-27-11 minute order that a petition was completed and was only pending a signature; however, nothing has been filed.

<u>Note</u>: A document titled "Fourth Account and Report of Conservator; Petition for Compensation of Attorney's Fees and Costs" was filed 3-26-12 and has been set for hearing on 5-24-12; <u>however, this document indicates the same account period as the Amended Fourth Account that was settled on 8-13-10</u> and does not appear to be a final account. Probate Code §2620(b) requires a separate (final) accounting for the period subsequent to the date of death.

Examiner notes that at the date of death, the Property On Hand totaled $65,782.01 in cash and non-cash assets.

Updates:
Contacts: Reviewed 4-24-12
Recommendation:
Reviewed by: skc
File 9 - Cormier

Dept. 303, 9:00 a.m. Tuesday, May 1, 2012

10 Lydia Peters (CONS/PE) **Case No. 10CEPR00167**

Atty Watson, Dennis L. (for Conservator Marguerite S. Hughes)

Status Hearing re: Filing of the Inventory and Appraisal and for the Filing of the First Account

Age: 88 years **DOB: 9/26/22**	**MARGUERITE S. HUGHES** was appointed as conservator of the person and estate on 5/17/10 with bond set at $412,500.00 Bond of $412.500 was filed on 8/12/10 and Letters issued on 9/15/10. Inventory and appraisal was due 12/15/10. First account is now due. A status hearing was set for the filing of the inventory and appraisal and for the filing of the first account. Minute Order dated 9/6/11 states Dennis Watson appeared by Court Call and stated a personal emergency had occurred. He is close to filing an accounting, pending a life insurance letter. The status hearing was continued to 10/11/11. At the Status Hearing on 10/11/11 there were no appearances and an Order to Show Cause Hearing was set. At the OSC hearing Mr. Watson appeared by Court call and this status hearing was set.	**NEEDS/PROBLEMS/COMMENTS:** **Continued from 3/20/12. Minute Order states Mr. Watson appearing via conference call. Mr. Watson informs the Court that he has the accounting ready and only needs to insert the numbers. The matter is continued to 5/1/12. The Court directs Mr. Watson to file the inventory and appraisal and first account by 5/1/12.** *As of 4/24/12 the following issues remain:* **1. Need Inventory and Appraisal.** **2. Need First Account.**
Cont. from 121311, 020712, 032012		
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		**Reviewed by: KT**
Status Rpt		**Reviewed on: 4/24/12**
UCCJEA		**Updates:**
Citation		**Recommendation:**
FTB Notice		**File 10 - Peters**

Dept. 303, 9:00 a.m. Tuesday, May 1, 2012

11 Robert Alexander Casey (Estate) **Case No. 10CEPR00486**

Atty Barrus, John (for Yolanda Casey, Administrator)

Probate Status Hearing Re: Filing of the Petition for Final Distribution

DOD: 3/6/10		
Cont. from 090811, 120111		
	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	x
	UCCJEA	
	Citation	
	FTB Notice	

YOLANDA CASEY was appointed as Administrator with Limited IAEA authority and without bond on 7/8/10.

I & A was filed on 6/15/10 showing and estate valued at $210,000.

This status hearing was set for the filing of a petition for final distribution.

***Status Conference Statement*, filed 11/21/11, states:**

The sole asset of the estate is real property, which has no equity value and is now in foreclosure and scheduled to be sold on 3/30/12; two creditors' claims have been filed in the estate, however no action has been taken by the Administrator to allow or reject either claim; the Final *I&A* was filed 6/15/10; Administrator has no cash in her possession. Administrator's counsel requests a status conference be set for at least 30 days after 3/30/12, to allow time for the foreclosure sale to be completed and the Administrator to prepare her first and final account and petition to terminate the estate.

NEEDS/PROBLEMS/COMMENTS:

Continued from 12/01/11

As of 04/23/12, no additional documents have been filed.

1. **Need Status report or Petition for Final Distribution.**

Reviewed by: JF	
Reviewed on: 04/23/12	
Updates:	
Recommendation:	
File 11- Casey	

Dept. 303, 9:00 a.m. Tuesday, May 1, 2012

12 Angel Anthony Chapa (GUARD/P) **Case No. 08CEPR00438**

Atty Weinberg, Michael S. (for Michelle Willard – Paternal grandmother/Guardian/Petitioner and Terry Willard – paternal step-grandfather/Petitioner)

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

Age: 5
DOB: 08/07/06

Cont. from

	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	x
	Aff.Mail	x
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	x
✓	Conf. Screen	
✓	Letters	
✓	Duties/Supp	
	Objections	
	Video Receipt	
✓	CI Report	
	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
✓	UCCJEA	
	Citation	
	FTB Notice	

TEMPORARY EXPIRES 05/01/12

MICHELLE WILLARD, paternal grandmother, and **TERRY WILLARD,** paternal step-grandfather, are Petitioners.

MICHELLE WILLARD, paternal grandmother, was appointed Guardian of the Person and Letters were issued on 09/08/08.

Father: **ANTHONY CHAPA**

Mother: **MARIBEL REBOLLEDO**

Paternal grandfather: NOT LISTED

Maternal grandparents: NOT LISTED

Petitioners state that Michelle Willard was appointed guardian of Angel on 09/08/08. It is now necessary for the continued care and upbringing of Angel that her husband, Terry Willard, be appointed as temporary co-guardian pending his permanent appointment as co-guardian.

Declarations of Attorney Michael Weinberg filed 03/06/12 and 03/09/12 state that the current whereabouts of both of the parents is unknown; but both parents previously consented to the appointment of the Guardian, Michelle Willard when they knew the child would be living with the Guardian and Co-Petitioner, Terry Willard; therefore, it is reasonable to assume that would not now object to the appointment of Mr. Willard as co-guardian. Mr. Weinberg requests that notice to both parents be dispensed with.

Court Investigator Julie Negrete's report was filed 04/23/12.

NEEDS/PROBLEMS/COMMENTS:

1. **Need *Notice of Hearing.***
2. **Need proof of personal service of *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian of the Person* at least 15 days before the hearing or Consent and Waiver of Notice or Declaration of Due Diligence for:**
   - Anthony Chapa (father)
   - Maribel Rebolledo (mother)
3. **Need proof of service by mail of *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian of the Person* at least 15 days before the hearing or Consent and Waiver of Notice or Declaration of Due Diligence for:**
   - Paternal grandfather
   - Maternal grandfather
   - Maternal grandmother

Reviewed by: JF

Reviewed on: 04/23/12

Updates:

Recommendation:

File 12 - Chapa

Dept. 303, 9:00 a.m. Tuesday, May 1, 2012

13 Randi Taylour Robinson-Cervantes (GUARD/P) Case No. 10CEPR00724

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

Filing of Receipt for Blocked Account and Inventory & Appraisal

Age: 11 years **DOB: 10/31/2000**	**ELENA PENA,** sister, was appointed Guardian of the Person and Estate on 07/26/11 and Letters were issued on 07/28/11. An **Order to Deposit Money Into Blocked Account** was signed 07/26/11 ordering all funds of the minor to be placed in a blocked account. **Notice of Taking Possession or Control of an Asset of Minor or Conservatee filed 09/28/11 by Metlife Total Control Account** reflects that the guardian, Elena Pena, has taken control of the minor's assets in the amount of $211,865.50 from Metlife. **Receipt for Blocked Account filed on 1/11/12.** (Signed by the Guardian and not a bank official.) Inventory and Appraisal filed on 1/11/12 showing the estate valued at $244,116.64.	**NEEDS/PROBLEMS/COMMENTS:** 1. **Receipt for Blocked Account for the funds held at Prudential Annuities was signed by the Guardian, Elena Pena and not the representative of Prudential Annuities as required. Need Amended Receipt for Blocked Account that is signed by the representative of Prudential Annuities.** 2. **Receipt for Blocked Account for the funds held at MetLife was signed by the Guardian, Elena Pena and not the representative of MetLife as required. Need Amended Receipt for Blocked Account that is signed by the representative of MetLife.**
		Reviewed by: KT
		Reviewed on: 4/24/12
		Updates:
		Recommendation:
		File 13 – Robinson-Cervantes

Cont. from 022112		
	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	

14A Aleyna C. Gonzales and Amelia G. Gonzales (GUARD/P) Case No. 11CEPR00835
Atty Gonzales, Andy R. and Rebecca (Pro Per – Paternal Uncle and Aunt – Guardians)
Atty Gonzales, Tammy L. (Pro Per – Mother)
Guardians' Petition to Modify Visitation

Aleyna Celine Gonzales
Age: 14
DOB: 7-31-97

Amelia Grace Gonzales
Age: 12
DOB: 11-22-99

	Aff.Sub.Wit.	
✔	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	X
	Aff.Mail	X
	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	

ANDY R. and REBECCA GONZALES, Guardians (Paternal Uncle and Aunt), are Petitioners.

Petitioners were appointed Guardians on 1-26-12

Father: **LARRY GONZALES**

Mother: **TAMMY GONZALES**

Paternal Grandfather: Ascencion Gonzales *(Deceased)*
Paternal Grandmother: Lupe R. Ybarra

Maternal Grandfather: Carol Carson Cruz *(Deceased)*
Maternal Grandmother: Julio Cruz

Sibling: Larry Gonzales, Jr. (17)

Current visitation per Minute Order 1-26-12:

- Larry Gonzales, Jr. (these minors' sibling who resides with the father) may visit Mondays and Thursdays from 7-9pm.
- Tammy Gonzales (Mother) may have supervised visitation every Saturday from 9am-noon unless the girls are engaged in a legitimate activity. Visitation to be supervised by Andy Gonzales at the guardians' residence or place mutually agreed by the parties. If the girls are engaged in a legitimate activity, Andy Gonzales is to notify the mother by Friday 5pm.
- Visitation with the father to be determined among the parties

Petitioners are asking the Court to cancel the visits with both Tammy Gonzales (Mother) and Larry Gonzales, Sr. (Father). Petitioners state Tammy lets Larry Sr. know where and when her visits are, and he then shows up and causes conflicts and altercations with Andy Gonzales (Guardian). Petitioners state they have several event numbers. Also, Tammy's phone number has been disconnected. Petitioners have called several times to talk to Larry Sr., for visits with his daughters, and every time they try to talk with him or Tammy, they cuss or hang up and won't talk reasonably.

SEE PAGE 2

NEEDS/PROBLEMS/COMMENTS:

14A – Guadians' Petition
14B – Mother's Petition

1. **Need Notice of Hearing.**
2. **Need proof of service of Notice of Hearing at least 15 days prior to the hearing on:**
   - Tammy Gonzales (Mother)
   - Larry Gonzales, Sr. (Father)
   - Larry Gonzales, Jr. (Brother, age 17)
   - Aleyna Gonzales (Minor, age 14)
   - Amelia Gonzales (Minor, age 12)
   - Lupe R. Ybarra (Paternal Grandmother)
   - Julio Cruz (Maternal Grandmother)

Reviewed by: skc
Reviewed on: 4-24-12
Updates:
Recommendation:
File 14A - Gonzales

Dept. 303, 9:00 a.m. Tuesday, May 1, 2012

14A Aleyna C. Gonzales and Amelia G. Gonzales (GUARD/P) Case No. 11CEPR00835

Atty Gonzales, Andy R. and Rebecca (Pro Per – Paternal Uncle and Aunt – Guardians)
Atty Gonzales, Tammy L. (Pro Per – Mother)
Guardians' Petition to Modify Visitation

Summary (Continued):

The girls wish to visit with their brother, but since 1-26-12, he has only come over once. The parents call people at the church and ask personal questions, and on 3-25-12, the girls came home from a visit and said they felt like their parents are stalking them. They are scared of their parents causing more altercations. Petitioners state the girls want to live in peace, and since they have been with them, they are doing very good emotionally, mentally and physically. Petitioners want them to have visits with their brother. Petitioners thank the Court for taking this situation seriously so that no more altercations occur.

Note: Guardians filed Declarations of Due Diligence for both the mother and the father stating that they refused service.

Mother filed a Petition for Visitation in response to this Petition. See Page 14B.

14B Gonzales Minors (GUARD/P) Case No. 11CEPR00835

Atty Gonzales, Andy R. and Rebecca (Pro Per – Paternal Uncle and Aunt – Guardians)
Atty Gonzales, Tammy L. (Pro Per – Mother)

Mother's Petition for Visitation

Aleyna Celine Gonzales
Age: 14
DOB: 7-31-97

Amelia Grace Gonzales
Age: 12
DOB: 11-22-99

	Aff.Sub.Wit.	
✔	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	X
	Aff.Mail	X
	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	

TAMMY GONZALES, Mother, is Petitioner.

ANDY R. and REBECCA GONZALES, Paternal Uncle and Aunt, were appointed Guardians of Aleyna and Amelia on 1-26-12.

Father: **LARRY GONZALES, Sr.**

Mother: **TAMMY GONZALES**

Paternal Grandfather: Ascencion Gonzales *(Deceased)*
Paternal Grandmother: Lupe R. Ybarra

Maternal Grandfather: Carol Carson Cruz *(Deceased)*
Maternal Grandmother: Julio Cruz

Sibling: Larry Gonzales, Jr. (17)

Current visitation per Minute Order 1-26-12:

- Larry Gonzales, Jr. (these minors' sibling who resides with the father) may visit Mondays and Thursdays from 7-9pm.
- Tammy Gonzales (Mother) may have supervised visitation every Saturday from 9am-noon unless the girls are engaged in a legitimate activity. Visitation to be supervised by Andy Gonzales at the guardians' residence or place mutually agreed by the parties. If the girls are engaged in a legitimate activity, Andy Gonzales is to notify the mother by Friday 5pm.
- Visitation with the father to be determined among the parties

Mother is requesting more visitation because this is a very sensitive and important time in their teenage lives. They need the comfort and closeness more from their biological mother. They would all be happy with more time together. Her daughters have told her that they want more time with her – they would love to go to the mall for the day, have lunch, do what mothers and daughters do - what they used to do. Mother states she and the father raised them with a strong church background and the girls are faithful to their church. She is concerned about their emotional stability and the distance and separation between them has caused strain on the whole family. Mother noticed that they have fear of the Guardians, so she doesn't think mediation is appropriate. Her visits have been wonderful, but there have been some serious issues.

Mother states Andy (Guardian) is not following the court order.

SEE PAGE 2

NEEDS/PROBLEMS/COMMENTS:

3. **Need Notice of Hearing.**
4. **Need proof of service of Notice of Hearing at least 15 days prior to the hearing on:**
   - Andy R. Gonzales (Guardian)
   - Rebecca Gonzales (Guardian)
   - Larry Gonzales, Sr. (Father)
   - Larry Gonzales, Jr. (Brother, age 17)
   - Aleyna Gonzales (Minor, age 14)
   - Amelia Gonzales (Minor, age 12)
   - Lupe R. Ybarra (Paternal Grandmother)
   - Julio Cruz (Maternal Grandmother)

Reviewed by: skc
Reviewed on: 4-24-12
Updates:
Recommendation:
File 14A - Gonzales

Dept. 303, 9:00 a.m. Tuesday, May 1, 2012

14B Gonzales Minors (GUARD/P) Case No. 11CEPR00835

Atty Gonzales, Andy R. and Rebecca (Pro Per – Paternal Uncle and Aunt – Guardians)

Atty Gonzales, Tammy L. (Pro Per – Mother)

Mother's Petition for Visitation

Summary (Continued):

Mother states Andy (Guardian) is not following the court order. On 2-25-12 the girls had a wedding, but it didn't start until 1pm. Both the girls and the mother wanted at least 2 hours, but Andy cancelled it completely.

On 3-12-12 another visit was cancelled because Andy said Mother didn't call by 5. The order states he is to call by five, not her.

On 3-24-12 was the worst – another visit cancelled. Mother went, but Andy cancelled it after 20 minutes because Larry Sr., walked by and gave the girls a hug and kiss. So Andy told the girls "let's go." Larry Sr., asked what his problem was, then Andy got him in a headlock, kicked him, and caused Mother and the girls to cry. This was an emotional and hostile environment for the girls.

On 3-31-12 her visit was cancelled due to a non-legitimate reason –Andy said the girls' cousins were visiting.

Today (4-3-12) Mother hasn't seen or talked to the girls in 3 weeks. They can't have a private conversation on the phone.

The judge clearly told the guardians to be reasonable, and it has not been that way. With all this going on, the guardians do not have the best interest of the girls at heart. Andy's personal dislike for her should not be taken out on the girls. Mother asks the Court to please review the facts and grant her more time with the girls. Mother feels there is no need for supervision. If it is gradual, that is fine, but her goal is to obtain custody again. Please consider their best interests.

Dept. 303, 9:00 a.m. Tuesday, May 1, 2012

15 Kevin Rice (Det Succ) **Case No. 12CEPR00116**

Atty Rice, Teresa (pro per – surviving spouse/Petitioner)

Amended Petition to Determine Succession to Real Property

DOD: 12/19/11		
Cont. from		
	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	

THERESA RICE, surviving spouse, is Petitioner.

40 days since DOD.

No other proceedings.

I & A - $132,417.57

Decedent died intestate.

Petitioner requests Court determination that decedent's 100% interest in real property located at 1488 Ashcroft Avenue, Clovis, securities held in USB Investment Account, and a 1997 Dodge Caravan pass to her pursuant to intestate succession.

NEEDS/PROBLEMS/COMMENTS:

1. **Petitioner has provided a copy of a grant deed that states that the real property seeking to be passed with this Petition was the sole and separate property of the decedent. Pursuant to Probate Code § 6401(c) Petitioner would only be entitled to ½ of the decedent's separate property because the decedent was also survived by a son (who is a minor). It is unclear from the information provided whether the USB Investment account and the 1997 Dodge Caravan are community property or were the separate property of the decedent. However, even if the USB Investment Account and the Dodge Caravan are community property, they cannot be passed to the Petitioner with this Petition because any transfer of property under a Petition to Determine Succession must include real property.**
   It is recommended that the Petitioner seek legal advice as to how to proceed.

Reviewed by: JF
Reviewed on: 04/23/12
Updates:
Recommendation:
File 15 - Rice

Dept. 303, 9:00 a.m. Tuesday, May 1, 2012

16 Jaelyn Elizabeth Henson (GUARD/P) **Case No. 12CEPR00199**

Atty Figueroa, Jesse (pro per – maternal great uncle/Petitioner)

Atty Figueroa, Rosemary (pro per – maternal great aunt/Petitioner)

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

Age: 3		
DOB: 03/06/09		
Cont. from		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	x
	Aff.Mail	x
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	n/a
✓	**Conf. Screen**	
✓	**Letters**	
✓	**Duties/Supp**	
	Objections	
	Video Receipt	
✓	**CI Report**	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
✓	**UCCJEA**	
	Citation	
	FTB Notice	

NO TEMPORARY REQUESTED

JESSE FIGUEROA and **ROSEMARY FIGUEROA,** maternal uncle and aunt, are Petitioners.

Father: **JASON HENSON** – *consent &waiver of notice filed 02/29/12*

Mother: **EVELYN GONZALES** – *deceased*

Paternal grandfather: NOT LISTED
Paternal grandmother: NOT LISTED

Maternal grandfather: VICTOR GONZALES – *consent & waiver of notice filed 04/17/12*
Maternal grandmother: ELIZABETH MANZO - *deceased*

Siblings: NEHRI GONZALES (17)

Petitioner states ???? (blank)

Court Investigator Dina Calvillo's report was filed 04/23/12.

NEEDS/PROBLEMS/COMMENTS:

1. **Need *Notice of Hearing.***
2. **Need proof of service by mail of *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian of the Person* at least 15 days before the hearing or Consent and Waiver of Notice or Declaration of Due Diligence for:**
   - Paternal grandfather
   - Paternal grandmother
   - Nehri Gonzales (sister)

Reviewed by: JF	
Reviewed on: 04/24/12	
Updates:	
Recommendation:	
File 16 - Henson	

Dept. 303, 9:00 a.m. Tuesday, May 1, 2012

17 Rhianna Bell & Ricki Resendez (GUARD/P) Case No. 12CEPR00205

Atty Resendez, Yolanda (pro per – paternal grandmother/Petitioner)

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

Rhianna, 2 months DOB: 02/04/12		
Ricki, 14 months DOB: 02/22/11		
Cont. from		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	x
	Aff.Mail	x
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	x
✓	**Conf. Screen**	
✓	**Letters**	
✓	**Duties/Supp**	
	Objections	
	Video Receipt	
✓	**CI Report**	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
✓	**UCCJEA**	
	Citation	
	FTB Notice	

NO TEMPORARY REQUESTED

YOLANDA RESENDEZ, paternal grandmother, is Petitioner.

Father: **RICARDO RESENDEZ**

Mother: **VALERIE BELL**

Paternal grandfather: EPITACIO RESENDEZ

Maternal grandfather: RAMON BELL
Maternal grandmother: TAMMY GARCIA

Half-Siblings: RICARDO RESENDEZ (9), DENISE RESENDEZ (11), YOLANDA RESENDEZ (6), ISAIAH (10), SUMMER (6), AUTUMN (5)

Petitioner states that Rhianna was born on 02/04/12 and tested positive for meth at birth. CPS intervened and advised that Rhianna could be released to the Petitioner when released from the hospital. Ricki is currently in the Petitioner's care. The parents are both drug addicts and have criminal charges pending against them. Both parents were living with Petitioner, however, she has informed them that they must move from the home when Rhianna is released from the hospital.

Court Investigator Jennifer Young's report was filed 04/23/12.

NEEDS/PROBLEMS/COMMENTS:

1. **Need *Notice of Hearing.***
2. **Need proof of personal service of *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian of the Person* at least 15 days before the hearing or Consent and Waiver of Notice or Declaration of Due Diligence for:**
   - Ricardo Resendez (father)
   - Valerie Bell (mother)
3. **Need proof of service by mail of *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian of the Person* at least 15 days before the hearing or Consent and Waiver of Notice or Declaration of Due Diligence for:**
   - Epitacio Resendez (paternal grandfather)
   - Ramon Bell (maternal grandfather)
   - Tammy Garcia (maternal grandmother)

Reviewed by: JF	
Reviewed on: 04/24/12	
Updates:	
Recommendation:	
File 17 - Resendez	

Dept. 303, 9:00 a.m. Tuesday, May 1, 2012

18 Cheryl L. Trigloff aka Cheryl A. Crisp (Det Succ) Case No. 12CEPR00247
Atty Barrus, John E (pro per – trustee of the Cheryl L. Crisp Trust, dated 05/06/93/Petitioner)

Petition to Determine Succession to Real Property

DOD: 10/29/11		
Cont. from		
	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	

JOHN E. BARRUS, Trustee of the Cheryl L. Crisp Trust, dated May 6, 1993, is Petitioner.

40 days since DOD.

No other proceedings.

I &A - $125,000.00

Will dated 05/06/1993 devises entire estate to the acting Trustee of The Cheryl L. Crisp Trust.

Petitioner requests Court determination that decedent's 100% interest in real property located at 3534 Mayfair Drive South, Fresno, CA passes to him pursuant to decedent's will.

NEEDS/PROBLEMS/COMMENTS:

Note:
A Creditor's Claim was filed by Asset Acceptance on 04/19/12; however, there is no provision for Creditor's Claims in summary proceedings.

Reviewed by: JF
Reviewed on: 04/24/12
Updates:
Recommendation: SUBMITTED
File 18 - Trigloff

Dept. 303, 9:00 a.m. Tuesday, May 1, 2012

19 Lyric Diamond Nobles (GUARD/P) **Case No. 12CEPR00280**

Atty Cammon, Demetria (pro per Petitioner/maternal aunt)

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

Age: 3 months DOB: 2/12/12		
Cont. from		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	X
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	X
✓	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
✓	UCCJEA	
	Citation	
	FTB Notice	

Temporary Granted Ex Parte on 5/23/12.
Temporary Expires 5/1/12

GENERAL HEARING 5/29/12

DEMETRIA MARIE CAMMON, maternal aunt, is petitioner.

Father: **Not listed**

Mother: **NAOMI NOBLES** – *consents and waives notice.*

Paternal grandparents: Not listed
Maternal grandparents: Not listed

Petitioner states the mother has abandoned her child and CPS got involved and asked that Petitioner request that the Judge rush granting the guardianship because the mother has new cases of abandonment and child endangerment. Petitioner fears the mother will call the police and report the child as kidnapped.

NEEDS/PROBLEMS/COMMENTS:

1. **Need *Notice of Hearing.***
2. **Need proof of personal service of the *Notice of Hearing* along with a copy of the *temporary petition* or *Consent and Waiver of Notice* or *Declaration of Due Diligence* on:**
   a. **Father**
3. **UCCJEA is incomplete. Need the minor's residence information from 2/12/12 (birth) to 3/18/12.**

Reviewed by: KT
Reviewed on: 4/24/12
Updates:
Recommendation:
File 19 - Nobles

Dept. 303, 9:00 a.m. Tuesday, May 1, 2012