1 Rosa Linda Larssen (CONS/PE) Case No. 0321261

Atty Ratzlaff, Ruth E (for Sylvia Gonzales and Guadalupe Pena – Co-Conservators)

(1) Eleventh Account and Report of Co-Conservators and (2) Petition for Allowance of Fees to Co-Conservators and Attorney (Prob. C. 2620)

Age: 56
DOB: 5/3/1955

Cont. from 011812, 021512, 032812

	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**	
✔	**2620(c)**	
	Order	X
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

SYLVIA GONZALES, sister, and **GUADALUPE PENA**, mother, are Co-Conservators.

Account period: 5-1-08 through 4-30-10

Accounting: $232,943.72
Beginning POH: $191,840.99
Ending POH: $188,621.57
($39,060.25 is cash, $35,113.55 is blocked)

Current bond: $42,000.00 (ok)

Conservator Sylvia Gonzales: $1,800.00 (120 hours @ $15/hr)

Conservator Guadalupe Pena: Not requested

Attorney: $2,000.00 (per local rule)

Petitioners pray for an order:

1. Approving, allowing and settling the account; and

2. Authorizing payment of the conservator's and attorney's fees and commissions.

Court Investigator Charlotte Bien filed a status review on 1-6-12.

NEEDS/PROBLEMS/COMMENTS:

<u>Minute Order 1-18-12</u>: Counsel advises the Court that the money has been recovered. Counsel requests a continuance.

<u>Minute Order 2-15-12</u>: Counsel advises the Court that she is waiting on the bank statements. Counsel requests a continuance. Matter continued to 3-28-12 *(filed 2-15-12).*

<u>Minute Order 3-28-12</u>: Counsel advises the Court that she filed the remaining documents this morning except for the Notice of Hearing. She further advises that the house is unoccupied. Continued to 5-2-12. Additionally, a status for the next accounting is set for 8-1-12.

<u>As of 4-24-12, the following issues remain</u>:

1. **Need proof of service of Notice of Hearing on Conservatee Rosa Linda Larssen at least 15 days prior to the hearing per Probate Code §2621.**

2. **The Conservatee owns the house and lived there with her mother during this account period. Her adult son also lived there during part of this account period. The accounting indicates that Conservatee paid all household expenses, including water, sewer, garbage, power, phone, gardening, groceries, etc. The Court may require clarification: Did the other household members contribute to household expenses?**

3. **The Court Investigator's status review indicates that the Conservatee now lives in Redding, CA with her daughter. Therefore, need Post-Move Notice of Change of Residence with appropriate service.**

4. **Need Order.**

Reviewed by: skc

Reviewed on: 4-24-12

Updates:

Recommendation:

File 1 - Larssen

Dept. 303, 9:00 a.m. Wednesday, May 2, 2012

2 Jaime Jesus Magana, Dulce Maria Magana, and Manuel Magana (GUARD/P) Case No. 12CEPR00023

Atty Cervantes, Robert (for Adela Magana – Paternal Grandmother – Petitioner)

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

Jaime Jesus Magana (5) DOB: 6-22-06		
Dulce Maria Magana (4) DOB: 8-23-07		
Manuel Magana (3) DOB: 12-11-08		
Cont. from 030712		
	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 EXPIRED 3-7-12 – The temporary order was <u>not</u> extended at the 3-7-12 hearing.

ADELA MAGANA, Paternal Grandmother, is Petitioner.

Father: **JESUS MAGANA**
Mother: **NATHALIE MARQUEZ**

Paternal Grandfather: Jaime Magana
Maternal Grandfather: Pauline Marquez
Maternal Grandmother: Maria Duque

Petitioner states she has had the oldest, Jaime, in her care since he was two days old, but never applied for guardianship because Mother never attempted to take him. Mother and the other two children came to live with Petitioner in March 2010. Petitioner is the one who fed and took care of all of their needs. The mother is physically abusive toward the children and neglects their welfare. Dulce was not allowed to start school because she needed 8 shots and a physical. Petitioner went to school conferences because Mother refused to attend.

Mother took the children on 1-1-12 with the help of her uncle and went to Texas. Petitioner is concerned for their safety and states she would protect them from abuse.

Petitioner requests to be excused from giving notice to the maternal grandparents because the mother did not even know where her parents were residing.

Court Investigator Jennifer Daniel filed a report on 2-22-12.

NEEDS/PROBLEMS/COMMENTS:

<u>Minute Order 1-24-12 (temporary hearing)</u>: Court employee Petra Ramos is sworn and interprets for the parties. Petitioner informs the Court that she does not know the whereabouts of the children. The Court excuses notice to the mother. The Court grants the petition. Temporary expires 3-7-12. General hearing remains set for 3-7-12.

<u>Minute Order 3-7-12</u>: The Court continues the matter to 5-2-12. Counsel to provide information at the next hearing in support of his position that this Court has jurisdiction. Temporary not extended.

<u>As of 4-24-12, nothing further has been filed. If this petition goes forward, the following issues exist</u>:

1. **If notice is not excused, need proof of personal service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per Probate Code §1511 on:**
   - Jesus Magana (Father)
   - Nathalie Marquez (Mother)
2. **If notice is not excused, need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per Probate Code §1511 on:**
   - Jaime Magana (Paternal Grandfather)
   - Pauline Marquez (Maternal Grandfather)
   - Maria Duque (Maternal Grandmother)
3. **Petitioner answered "Yes" to #4 on the UCCJEA regarding other cases involving custody of the children. Need clarification.**

Reviewed by: skc

Reviewed on: 4-25-12

Updates:

Recommendation:

File 2 - Magana

Dept. 303, 9:00 a.m. Wednesday, May 2, 2012

3 **Charisma Jade Linares Koenig (GUARD/P)** **Case No. 12CEPR00210**

Atty **Cipolla, Julie A**

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

Age:				**NEEDS/PROBLEMS/COMMENTS:**
DOD:				**<u>OFF CALENDAR.</u> Dismissal filed on 3/28/12.**
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:** KT
	Status Rpt			**Reviewed on:** 4/24/12
	UCCJEA			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 3 - Koenig**

Dept. 303, 9:00 a.m. Wednesday, May 2, 2012

4 **Randall Living Trust dated 7-19-1989** **Case No. 12CEPR00234**

Atty **Keeler, William J. (for Petitioner/Trustee Stewart D. Randall, Jr.)**

Petition to Approve Non Pro Rata Distribution in Partial Termination of Trust [Prob. C. 16246 & 17200(b)(4)]

Cont. from		
	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	

STEWART D. RANDALL, JR., Trustee of the Randall Living Trust, is petitioner.

Petitioner states:

The Randall Living Trust was created on 7/19/89 by Stewart D. Randall and Carolin A. Randall and was amended on 11/27/89.

Stewart A. Randall died on 12/29/2009.

Carolin A. Randall died on 9/25/2010.

The Trust is now revocable.

Petitioner states the Trust provided that for the creation of an Exemption Trust, and a Marital Trust and a Survivor's Trust upon the death of the first settlor to die. Because the settlors died within months of each other the separate trusts were not funded.

Pursuant to the Trust, terms upon the death of the survivor of the Settlors, the residue of the Trust is to be divided into three equal shares for the Settlors' three children: Stewart D. Randall, Jr., Paula Randall Stark and Nancy Randall Boone and distributed to them free of trust.

The Trust currently has liquid assets in excess of a million dollars and owns a parcel of real property in Santa Cruz. The Trustee sought and received appraisals of the Santa Cruz real property. On 12/29/2009 the property appraised at $800,000.00; on 9/25/2010 at $1,250,000.00 and on 11/4/2011 at $1,175,000.00. The Trustee believes the increase in the value of the real property is the result of repairs and renovations to the property paid for by the Trust and not as a result of market factors.

Please see additional page

NEEDS/PROBLEMS/COMMENTS:

1. **Need *Notice of Hearing.***
2. **Need proof of service of the *Notice of Hearing* on:**
   a. **Paula Randall Stark**
   b. **Nancy Randall Boone**

Reviewed by: KT
Reviewed on: 4/25/12
Updates:
Recommendation:
File 4 - Randall

The Trustee believes that distribution of the real property to the three beneficiaries of undivided interest will reduce the value of the property, any lead to an action for partition and sale by one or more of the beneficiaries and can present difficulties to the beneficiaries because of their respective approaches to the use and maintenance of the real property, Petitioner seeks authority to make a non pro rata distribution of the Trust assets so that the real property, at its latest appraised value is distributed to himself as a beneficiary and Paula Randall Stark and that distribution of an equivalent value of the liquid assets be made to Nancy Randall Boone. This authority is explicitly granted in the Trust instrument at Article Fourteen, Section 14.18, as well as by Probate Code §16246.

Trust funds in the approximate amount of $321,062.55 were expended on repairs and refurbishing, as well as ongoing maintenance, utilities and property taxes for the real property. The Trustee believes that the real property increased in value by more than those expenditures therefore there is no disproportionate benefit to Petitioner and Paula Randall Stark. Moreover, by allocating liquid assets to Nancy Randall Boone equivalent to the *undiscounted* value of the real property there is an additional benefit to Ms. Boone under the proposed distribution.

Wherefore, Petitioner requests an order from this Court approving the proposed non pro rata distribution of the Santa Cruz real property to Petitioner and Paula Randal Stark in undivided interests and authority to distribute liquid assets with equivalent value to Nancy Randall Boone and for such other relief as the Court deems just and proper.

5 **Sally Leach Latimer (Det Succ)** **Case No. 12CEPR00291**

Atty **Renge, Lawson K. (for Petitioner Franklin Leach Latimer)**

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

DOD: 12/25/2011		
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	

FRANKLIN ALLEN LATIMER, son, is Petitioner.

40 days since DOD.

No other proceedings.

Will dated 10/18/2003 devises entire estate to son, Franklin Allen Latimer.

I & A - **$110,000.00**

Petitioner requests Court determination that Decedent's 100% interest in real property located at 3795 E. Swift in Fresno passes to him pursuant to Decedent's Will.

NEEDS/PROBLEMS/COMMENTS:

1. **Need Order**

Reviewed by: KT
Reviewed on: 4/24/12
Updates:
Recommendation:
File 5 - Latimer

Dept. 303, 9:00 a.m. Wednesday, May 2, 2012

6 Anna R. Estrada (CONS/PE) **Case No. 07CEPR00756**

Atty Motsenbocker, Gary L

Probate Status Hearing Re: Filing of the Next Account

Age:				NEEDS/PROBLEMS/COMMENTS:
DOD:				
				OFF CALENDAR. First Account approved on 12/13/10.
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: KT
	Status Rpt			Reviewed on: 4/24/12
	UCCJEA			Updates:
	Citation			Recommendation:
	FTB Notice			File 6 - Estrada

Dept. 303, 9:00 a.m. Wednesday, May 2, 2012

7 **Elva Squires (CONS/PE)** **Case No. 07CEPR01335**

Atty **Feigel, Sheldon W. (for Lavonne Ilene Boland – Daughter – Conservator of the Estate)**

Probate Status Hearing Re: Failure to File Annual or Biennial Account

Age: 86		
DOB: 4-2-25		
Cont. from 011112, 031412		
	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	

LAVONNE ILENE BOLAND, Daughter, was appointed Conservator of the Person and Estate with additional powers under Probate Code §2590 with bond of $10,000.00 on 3-28-08. Bond was filed and Letters issued on 4-24-08.

I&A filed 8-27-08 reflected a total value of the conservatorship estate of $65,826.31, consisting of a one-half interest in real property in Squaw Valley, CA, a one-half interest in a mare registered as a National Show Horse, a one-half interest in two kilns, and various interests in other personal property.

On 2-11-09, the Court authorized Conservator to fix Conservatee's residence outside the State of California. Post-Move Notice of Change of Residence reflects a new address in Bend, OR.

On 8-12-09, the first account was settled.

On 9-22-09, revised Letters were issued reflecting only Conservatorship of the Estate, as the equivalent of a Conservatorship of the Person was obtained in Oregon, and this Court retained jurisdiction over the estate.

The next account is now due. The Court set this status hearing for 1-11-12 and sent notice to Conservator and Attorney Feigel on 11-3-11. It has been continued twice to this hearing date.

As of 4-24-12, no accounting has been filed.

NEEDS/PROBLEMS/COMMENTS:

<u>Minute Order 1-11-12</u>: Counsel informs the Court that his client is trying to put things together and there are no more assets in the estate. Counsel requests a continuance. Counsel is informed that there is an outstanding fee of $860.00 that needs to be paid.

<u>Minute Order 3-14-12</u>: Counsel advises the Court that they are still proceeding; however, the estate has no money. Counsel requests a continuance.

<u>As of 4-24-12, nothing further has been filed and fees have not been paid. The following issues remain</u>:

1. **Need Second Account Current.**
2. **Outstanding fees of $860.00 are due to the Court Investigator's Office for prior investigations.**

Reviewed by: skc

Reviewed on: 4-24-12

Updates:

Recommendation:

File 7 - Squires

8 **Mildred P. Rancilio (Estate)** **Case No. 08CEPR01160**

Atty **Feigel, Sheldon W. (for Diane Pickering – Executor)**

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution (Prob. C. 12200, et seq.)

DOD: 8-29-08	**DIANE PICKERING** was appointed Executor with Full IAEA without bond and Letters issued on 1-13-09. **On 1-26-12**, the Court set this status hearing for failure to file a First Account or Petition for Final Distribution.	**NEEDS/PROBLEMS/COMMENTS:** **<u>Minute Order 3-14-12</u>: Counsel advises the Court that there is an insurance issue that he is trying to resolve.** **<u>As of 4-24-12</u>, nothing further has been filed. The following issues remain:** **1. Need Inventory and Appraisal.** **2. Need First Account Current or Petition for Final Distribution pursuant to Probate Code §12200.** **<u>Note</u>: The original petition indicated an estimated estate value of $130,000.00 in personal property.** **<u>Note</u>: Decedent's will devises the entire estate to The Mildred Pearl Rancilio Living Trust.**
		Reviewed by: skc
		Reviewed on: 4-24-12
		Updates:
		Recommendation:
		File 8 - Rancilio

Cont. from 031412		
	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	

Dept. 303, 9:00 a.m. Wednesday, May 2, 2012

9 Sabina Hernandez and Samantha Garcia **Case No. 07CEPR00270**

Atty Berlanga, Claudia (pro per Petitioner/mother)

Petition for Termination of Guardianship

Sabrina age: 17 yrs DOB: 10/6/1994	
Samantha age: 13 yrs DOB: 8/9/1998	
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

CLAUDIA BERLANGA, mother, is petitioner.

DORA HERNANDEZ, maternal grandmother, was appointed guardian on 6/28/2007. *Dora Hernandez consents and waives notice*.

Father: Not listed

Paternal grandparents: not listed
Maternal grandfather: not listed

Petitioner states it is in the best interest of the children to move back with their mother. Mom states she has gained stable employment and is able to provide a stable home for the kids.

Court Investigator Jennifer Daniel's Report filed on 4/16/12.

NEEDS/PROBLEMS/COMMENTS:

<u>Note:</u> Pursuant to the Court Investigator, Petitioner no longer wishes to go forward with the termination petition.

1. **Petition is incomplete at item #9. It does not include the names and addresses of the guardian and all relatives within the 2nd degree.**
2. **Need Notice of Hearing.**
3. **Need proof of service of the Notice of Hearing on all relatives within the 2nd degree who have not waived notice.**

Reviewed by: KT
Reviewed on: 4/24/12
Updates:
Recommendation:
File 9 – Hernandez & Garcia

Dept. 303, 9:00 a.m. Wednesday, May 2, 2012

10 Esmeralda B. Mendez (GUARD/E) **Case No. 09CEPR00717**

Atty Chavez, Maria Araceli (pro per – mother/guardian of the estate/Petitioner)

Status Hearing Re: Deed

Age: 15 **DOB: 12/04/96**		
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	

MARIA ARACELI CHAVEZ, mother, was appointed Guardian of the Estate on 01/26/10.

Final I & A filed 04/06/10 - $77,336.67

Petitioner filed **an Ex Parte Petition for Withdrawal of Funds from Blocked Account** on 04/28/11 requesting to withdraw $25,000.00 from this minor's account [and also filed a request to withdraw $25,000.00 from the related case] for the purpose of purchasing a home for the family to live in.

The Court set the matter for a noticed hearing on 07/07/11.

Minute Order 7-7-11 states: The Court grants the petition on the condition that Ms. Chavez maintain the dwelling and pay all the expenses including, but not limited to the taxes and insurance. In addition, Ms. Chavez is to execute a will whereby the dwelling/ property will vest in the minor. The Court further orders that the account be unblocked for the limited purpose of obtaining the maximum allowable funds by the Court of $25,000 as to this case.

On 7-11-11, the court signed orders to transfer up to $25,000.00 from each minor's account to an unblocked account "for the limited purpose of obtaining funds to purchase a home, subject to court hearing regarding vesting of ownership prior to the close of escrow.

Minute Order from 03/07/12 hearing on the First Accounting set this matter for status and states: Trina Mendez is sworn and interprets for the Petitioner. The Petitioner informs the Court that there is no money owing on the house. The Petitioner is ordered to add the name of the minor on the title to the house.

NEEDS/PROBLEMS/COMMENTS:

Parties are Spanish Speaking

As of 04/24/12, no additional documentation has been filed.

1. **Need status update or proof that minor has been added to Deed.**

Reviewed by: JF

Reviewed on: 04/24/12

Updates:

Recommendation:

File 10 - Mendez

11 Ruby Isela Mendez Chavez (GUARD/E) Case No. 09CEPR00895
Atty Chavez, Maria Araceli (pro per – mother/guardian of the estate/Petitioner)

Status Hearing Re: Deed

Age: 8 **DOB: 05/19/03**	**MARIA ARACELI CHAVEZ,** mother, was appointed Guardian of the Estate on 01/26/10. Final I & A filed 04/06/10 - $77,336.67 Petitioner filed **an Ex Parte Petition for Withdrawal of Funds from Blocked Account** on 04/28/11 requesting to withdraw $25,000.00 from this minor's account [and also filed a request to withdraw $25,000.00 from the related case] for the purpose of purchasing a home for the family to live in. The Court set the matter for a noticed hearing on 07/07/11. **Minute Order 7-7-11 states:** The Court grants the petition on the condition that Ms. Chavez maintain the dwelling and pay all the expenses including, but not limited to the taxes and insurance. In addition, Ms. Chavez is to execute a will whereby the dwelling/ property will vest in the minor. The Court further orders that the account be unblocked for the limited purpose of obtaining the maximum allowable funds by the Court of $25,000 as to this case. **On 7-11-11**, the court signed orders to transfer up to $25,000.00 from each minor's account to an unblocked account "for the limited purpose of obtaining funds to purchase a home, subject to court hearing regarding vesting of ownership prior to the close of escrow. **Minute Order from 03/07/12 hearing on the First Accounting** set this matter for status and states: Trina Mendez is sworn and interprets for the Petitioner. The Petitioner informs the Court that there is no money owing on the house. The Petitioner is ordered to add the name of the minor on the title to the house.	**NEEDS/PROBLEMS/COMMENTS:** **<u>Parties are Spanish Speaking</u>** **As of 04/24/12, no additional documentation has been filed.** **1. Need status update or proof that minor has been added to Deed.**
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:** JF
Status Rpt		**Reviewed on:** 04/24/12
UCCJEA		**Updates:**
Citation		**Recommendation:**
FTB Notice		**File 11 - Chavez**

12 Windell Lightle, Jr., Windaisha Lightle and Daveeon Colter (GUARD/P) Case No.11CEPR00843

Atty Lambert, Arthur (pro per – maternal great-uncle/Petitioner)

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

Windell, 12
DOB: 3/2/00

Windaisah, 9
DOB: 3/21/03

Daveeon, 4
DOB: 6/26/07

Cont. from 112111, 012312, 022212

	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 05/02/12

ARTHUR LAMBERT, maternal great-uncle, is petitioner.

Windell and Windaisha's father: **WINDELL LIGHTLE, SR.** – *declaration of due diligence filed 12/20/11* – ***Objection filed 02/22/12 (See Page 2)***

Daveeon's father: **KENNETH COLTER** – *declaration of due diligence filed 12/20/11* ***- Objection filed 1-20-12 (See Page 2)***

Mother: **JACQUELLA ELEY** - *deceased*

Windell & Windaisha's paternal grandparents: UNKNOWN
Daveeon's paternal grandfather: UNKNOWN
Daveeon's paternal grandmother: JOYCE THOMAS – *declaration of due diligence filed 12/20/11*
Maternal grandfather: DENNIS ELEY – *declaration of due diligence filed 12/20/11*
Maternal grandmother: DECEASED

Petitioner states on 8/14/11 the children's mother called him and asked if he could become the guardian of her children in the event she died. Mom died on 8/21/11. The father of the youngest child was incarcerated when he was born and is currently on parole. The youngest child's father has a mental disability and is on SSI and may not be able to take care of the child. The older children have not seen their father for the last 6-7 years. Neither of the fathers has financially supported the children.

Court Investigator Samantha Henson's filed a report on 11/10/11.

Court Investigator Samantha Henson's filed a report on 01/17/12.

NEEDS/PROBLEMS/COMMENTS:

PETITION WAS DENIED AND DISMISSED AS TO DAVEEON ON 02/22/12.

CONTINUED FROM 02/22/12
Minute order from 02/22/12 states: Father Windell Lightle, Sr. objects to the Petition. The Court denies and dismisses the petition as to Daveeon. The Court continues the petition as to Windell, Jr. and Windaisha to 05/02/12. The Court orders that father Windell Lightle, Sr. and the paternal grandmother Olia Lathan may contact Windell, Jr. and Windaisha by telephone on Wednesdays between 6:00 and 8:00 pm at the guardian's home. The duration of the telephone contact is to be no more than 30 minutes for each child. The guardian is to ensure that the children are at home and available to receive the calls. Parties are ordered not to speak ill of one another around the children. The Court orders that a court investigator look into the possibility of any CPS or police reports regarding an assault on Windaisha.

As of 02/09/12, the following remains outstanding:
1. **Need *Notice of Hearing.***
2. **Need proof of personal service of *Notice of Hearing* with a copy of the *Petition* at least 15 days before the hearing or Consent and Waiver of Notice for:**
   - Windell Lightle, Sr. (father of Windell & Windaisha)
   - Kenneth Colter (father of Daveoon)
   Note: Mr. Colter was at the hearing on 01/23/12
3. **Need proof of service by mail of *Notice of Hearing* with a copy of the *Petition* at least 15 days before the hearing or Consent and Waiver of Notice or Declaration of Due Diligence for:**
   - Paternal grandparents (unknown)
   - Dennis Eley (maternal grandfather)
   Declarations of due diligence filed 12/20/11 state that the Petitioner has been unable to locate contact information for Joyce Thomas (Daveeon's paternal grandmother), and that the maternal grandfather, Dennis Eley, resides out of state and the Petitioner has not had contact with him.

2. **Need CI report as requested by the Court at the 02/22/12 hearing.**

Reviewed by: JF

Reviewed on: 04/24/12

Updates:

Recommendation:

File 12 – Lightle & Colter

Dept. 303, 9:00 a.m. Wednesday, May 2, 2012

12 Windell Lightle, Jr., Windaisha Lightle and Daveeon Colter (GUARD/P)

Objection filed 1-20-12 by Kenneth Colter (Daveeon's father) states he feels he can provide a stable and healthy living environment for Daveeon because he is his father.

Mr. Colter also provided a declaration attaching letters in support:

A letter from his parole agent indicating that he is currently enrolled at a college to become a welder, and has no violations since his release. He has been compliant with the conditions of his parole, including monthly drug testing (all negative), and his parole adjustment has been satisfactory.

A letter from the director of Daveeon's pre-school details his enrollment by his father and his punctual attendance and pickup, and states the sudden change for this family seems to be going well for father and son.

A letter from Daveeon's teacher details Daveeon's participation and interaction with the school and his father.

The declaration also provides Mr. Colter's class schedule.

Objection filed 02/22/12 by Windell Lightle, Sr. states: that Mr. Lambert states that he was not informed that Mr. Lambert was going to pick up the children in North Carolina when their mother passed away. He states that Mr. Lambert went and got the children and filed for guardianship without acknowledging that he is the childrens father. Mr. Lightle states that he loves and cares for his children. He states that he spoke to the children's mother three days before she died and she told him that she was very ill and told him to get the children's birth certificates. Mr. Lightle is requesting that his children be placed with his mother, Olia Lathon, or sister, Shanice Lacy, until he is stable enough to be a full-time provider for the children. Mr. Lightle states that he lives in the bay area. He states that Mr. Lambert is a truck driver and is rarely home. Mr. Lightle states that he Mr. Lambert makes it extremely difficult to communicate with the children.

Note:
As of 04/24/12, no competing petition has been filed for guardianship of Windell and Windaisha.

13 Keanu Salinas-Mora (GUARD/P) **Case No. 12CEPR00111**
Atty Williams, Cynthia (pro per – Paternal grandmother/Petitioner)

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

Age: 6		
DOB: 06/21/05		
Cont. from 040412		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	
	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

CYNTHIA WILLIAMS, paternal grandmother, is Petitioner.

Father: **DARRIS HAYES** – *consent and waiver of notice filed 02/02/12*

Mother: **ALICIA SALINAS** – *served by mail on 03/16/12; consent & waiver of notice filed 04/02/12*

Paternal grandfather: **EMERY HAYES** – *declaration of due diligence filed 02/02/12*

Maternal grandfather: UNKNOWN – *declaration of due diligence filed 02/02/12*
Maternal grandmother: MERCY MORENO – *consent and waiver of notice filed 02/02/12*

Petitioner states that the mother is unable to care for the minor. At a SDM Safety Plan meeting, CPS placed the minor in the Petitioners care. Petitioner states that she would like to provide him with a loving, stable home.

Court Investigator Charlotte Bien's report was filed 03/16/12.

NEEDS/PROBLEMS/COMMENTS:

CONTINUED FROM 04/04/12
Minute Order from 04/04/12 states: The court orders no unsupervised contact with Keanu and his father.

As of 04/24/12, the following remains outstanding:
1. **Need proof of service by mail at least 15 days before the hearing of *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian of the Person* or *Consent and Waiver of Notice* for:**
   - Emery Hayes (paternal grandfather)
   - Maternal grandfather (unknown)
   Note: Declarations of Due Diligence have been filed for both grandfathers stating that their identity and/or whereabouts are unknown.

Reviewed by: JF
Reviewed on: 04/24/12
Updates:
Recommendation:
File 13 – Salinas-Mora

Dept. 303, 9:00 a.m. Wednesday, May 2, 2012

14 Anthony Lee Monianci (GUARD/P) **Case No. 12CEPR00212**

Atty Castanon, Beatrix Antonia (pro per – maternal aunt/Petitioner)

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

Age: 13		
DOB: 04/20/99		
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	

TEMPORARY EXPIRES 05/02/12

BEATRIX CASTANON, maternal aunt, is Petitioner.

Father: **RUDOLPHUSLEE MONIANCI –** *incarcerated, personally served 04/02/12*

Mother: **JENNIFER BOERS –** *deceased*

Paternal grandfather: MICHAEL MONIANCI – *served by mail on 03/15/12*
Paternalgrandmother: RONDA ROBY – *served by mail on 03/15/12*

Maternal grandfather: JOHN BOERS
Maternal grandmother: VIRGINIA LEE YAMATO – *served by mail on 03/15/12*

Half-Siblings: JAQULYN SHORTER (21); JADE SHORTER (18) – *both served by mail on 03/06/12*

Petitioner states that temporary guardianship is necessary because the minor's mother died in November 2011 and his father is incarcerated. Petitioner states that the mother's will nominates her to be appointed as guardian of mother's minor children. Petitioner states that the minor is currently living with his sisters and their father and states that she plans for him to remain living there.

Court Investigator Dina Cavillo filed a report on 04/23/12.

NEEDS/PROBLEMS/COMMENTS:

1. **Need Child Information Attachment (Form GC-210(CA)), this is a required attachment to the Petition for Appointment of Guardian.**
2. **Need proof of service by mail at least 15 days before the hearing of *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian of the Person* or Consent and Waiver of Notice or Declaration of Due Diligence for:**
   - John Boers (maternal grandfather)

Note:
Petitioner has indicated that the child may have Indian ancestry. A Notice of Child Custody Proceeding for Indian Child was mailed to the necessary parties on 04/18/12. As of 04/25/12, the Court has not received any return receipts.

Reviewed by: JF	
Reviewed on: 04/25/12	
Updates:	
Recommendation:	
File 14 - Monianci	

Dept. 303, 9:00 a.m. Wednesday, May 2, 2012

15 Frank G. Guevara (Estate) **Case No. 06CEPR01343**

Atty Willoughby, Hugh W (for Petitioner/Executor

(1) Final Account and Report and (2) Petition for Final Distribution and for (3) Allowance of Compensation for Ordinary Services (Independent Administration) [Prob. C 10400 et seq, 10951 & 11600 et seq]

DOD: 8/12/2006		
Cont. from		
	Aff.Sub.Wit.	
✓	**Verified**	
✓	**Inventory**	
✓	**PTC**	
✓	**Not.Cred.**	
	Notice of Hrg	X
	Aff.Mail	X
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	**Letters**	1/23/07
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	**9202**	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	N/A

LINDA LEMOS, Executor, is petitioner.

Account period: 8/12/06 – 1/31/12

Accounting - **$194,865.95**
Beginning POH- **$178,333.00**
Ending POH - **$127,436.73**

Executor - **waives**

Attorney - **$6,845.99** (in excess of statutory)

Distribution, pursuant to Decedent's Will, is to:

Linda Lemos, Trustee of the Guevara Living Trust - Real property

NEEDS/PROBLEMS/COMMENTS:

Need Amended Accounting.

1. **Petitioner has included a 1/3 interest in real property located at 2415 Nebraska Avenue in Selma valued at $58,333.00. This property was owed 100% by the decedent's pre-deceased spouse, Carmen Guevara. Carmen died in 1996 and her estate was probated (case no. 06CEPR01343). The property was sold during the administration of Carmen's Estate. Pursuant to the Order for Distribution in Carmen's estate, this estate was to receive $5,146.23 and not any portion of the real property. Therefore it appears that this accounting must be amended to exclude the real property located at 2415 Nebraska and to only include the funds that were received from Carmen's estate.**

2. **Need *Notice of Hearing.***

3. **Need proof of service of the *Notice of Hearing* on all interested parties.**

4. **In this account the statutory fees were calculated incorrectly. The fee base failed to deduct the losses on sale.**

Reviewed by: KT
Reviewed on: 4/25/12
Updates:
Recommendation:
File 15 - Guevara

Dept. 303, 9:00 a.m. Wednesday, May 2, 2012

16 Austin Chan (GUARD/P) **Case No. 12CEPR00140**

Atty Boonmy, Annie (pro per Petitioner/sister)

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

Age: 13 years DOB: 6/15/1998		
Cont. from 041612		
	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	

THERE IS NO TEMPORARY.
No temporary was requested.

ANNIE JANET BOONMY, sister, is petitioner.

Father: **VENTHY CHAN**

Mother: **SOPHIN DAMLONG** – *nominates.*

Paternal grandparents: not listed
Maternal grandfather: Ken Damlong – *consents and waives notice.*
Maternal grandmother: Prom Damlong – *consents and waives notice.*

Petitioner states the child needs a guardian due to the fact that neither parent can provide a stable home, medical, dental, etc.

Court Investigator Jennifer Daniel's Report filed on 4/6/12.

NEEDS/PROBLEMS/COMMENTS:

Continued from 4/16/12 (Judge Nunez). Minute Order states the court continues the matter to 5/7/12. The Petitioner is directed to contact the Probate Clerk's Office for an earlier hearing date if she is unable to get her commanding officer to approve time off for her to attend the 5/7/12 hearing. (Note: Petitioner contacted the Clerk's Office and the hearing was advanced to 5/2/12.) *As of 4/24/12 the following issues remain:*

1. **Need *Notice of Hearing*.**
2. **Need proof of personal 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:**
   a. **Austin Chan (minor, age 13)**
   b. **Venthy Chan (father)**
   c. **Sophin Damlong (mother)** Note: mother has nominated the petitioner but has not signed a waiver of notice.
3. **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:**
   a. **Paternal grandparents**
4. **Petition does not list the names and addresses of the paternal grandparents.**

Reviewed by: KT
Reviewed on: 4/24/12
Updates:
Recommendation:
File 16 - Chan

Dept. 303, 9:00 a.m. Wednesday, May 2, 2012