

(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	SYLVIA GONZALES, sister, and GUADALUPE PENA, mother, are Co-Conservators.	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
	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)	
Cont. from 011812, 021512, 032812		
Aff.Sub.Wit.		
✓ Verified	Current bond: \$42,000.00 (ok)	
Inventory	Conservator Sylvia Gonzales: \$1,800.00 (120 hours @ \$15/hr)	
PTC	Conservator Guadalupe Pena: Not requested	
Not.Cred.	Attorney: \$2,000.00 (per local rule)	
Notice of Hrg	Petitioners pray for an order:	
Aff.Mail	1. Approving, allowing and settling the account; and	
Aff.Pub.	2. Authorizing payment of the conservator's and attorney's fees and commissions.	
Sp.Ntc.	Court Investigator Charlotte Bien filed a status review on 1-6-12.	
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
✓ 2620(c)		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

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	<p>TEMPORARY EXPIRED 3-7-12 – The temporary order was <u>not</u> extended at the 3-7-12 hearing.</p> <p>ADELA MAGANA, Paternal Grandmother, is Petitioner.</p> <p>Father: JESUS MAGANA Mother: NATHALIE MARQUEZ</p> <p>Paternal Grandfather: Jaime Magana Maternal Grandfather: Pauline Marquez Maternal Grandmother: Maria Duque</p> <p>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.</p> <p>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.</p> <p>Petitioner requests to be excused from giving notice to the maternal grandparents because the mother did not even know where her parents were residing.</p> <p>Court Investigator Jennifer Daniel filed a report on 2-22-12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><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.</p> <p><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.</p> <p><u>As of 4-24-12, nothing further has been filed. If this petition goes forward, the following issues exist:</u></p> <ol style="list-style-type: none"> 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: <ul style="list-style-type: none"> - 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: <ul style="list-style-type: none"> - 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. 	
Dulce Maria Magana (4) DOB: 8-23-07			
Manuel Magana (3) DOB: 12-11-08			
Cont. from 030712			
Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			X
Aff.Mail			X
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			X
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
<input checked="" type="checkbox"/> Order			
Aff. Posting			
Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
Citation			
FTB Notice			
Reviewed by: skc			
Reviewed on: 4-25-12			
Updates:			
Recommendation:			
File 2 - Magana			

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

Age:		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR.</u> Dismissal filed on 3/28/12.
DOD:		
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: 4/24/12
		Updates:
		Recommendation:
		File 3 - Koenig

Petition to Approve Non Pro Rata Distribution in Partial Termination of Trust [Prob.

C. 16246 & 17200(b)(4)]

		STEWART D. RANDALL, JR. , Trustee of the Randall Living Trust, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: A Petition to Remove trustee and Appoint Successor Trustee has been filed by Nancy Randall Boone and is set for hearing on 6/11/12.</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. Paula Randall Stark b. Nancy Randall Boone <p>For Objector:</p> <ol style="list-style-type: none"> 1. Objections are not verified. Probate Code §1021.
		Petitioner states:	
Cont. from		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.	
<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	X	
<input type="checkbox"/>	Aff.Mail	X	
<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 checked="" 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		
		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 Settlor, the residue of the Trust is to be divided into three equal shares for the Settlor's 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	
		Reviewed by: KT	
		Reviewed on: 4/25/12	
		Updates: 4/27/12	
		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.

Response and Objections to Petition to Approve Non Pro Rata Distribution in Partial Distribution of Trust filed by Nancy Randall Boone on 4/26/12. Objector states by way of his instant petition, Petitioner and Trustee Stewart Randall, Jr. (Petitioner) seeks to deprive objector and beneficiary Nancy Randall Boone of her interest in desirable beach property located in Santa Cruz ("the Santa Cruz Property"), resulting in multiple breaches of his fiduciary duty. Tellingly, Petitioner does not specify any facts that would justify a non pro rata distribution, but only offers conclusory allegations to mask the clear conflicts and breaches that would result or be affirmed through the granting of the Petition. Specifically, Petitioner's conflict arises in that he seeks to retain ownership interest in the Santa Cruz property for himself and Paula, while attempting to effectively buy-out Nancy's share based on an undervalued appraisal that does not account for market factors. Even if a non pro rata distribution is available under the terms of the Trust, Petitioner cannot exercise such distribution as doing so would result in or affirm multiple breaches of his fiduciary duties. Accordingly, the Petition must be denied.

Petitioner's attempt to keep the Santa Cruz property for himself and Paula constitutes a breach of several of Petitioner's fiduciary duties.

Please see additional page

1. **Petitioner's breach of the duty of loyalty.** Probate Code §16002(a) codifies a trustee's duty of loyalty and that a trustee has a duty to administer the trust solely in the interest of the beneficiaries. Here, Petitioner wishes to distribute ownership to himself and Paula while attempting to effectively buy-out Nancy's share based on an undervalued appraisal amount that does not account for market factors.
2. **Petitioner's breach of his duty to avoid self-dealing and attempt to usurp the financial opportunity of a beneficiary.** Probate Code §16004(a) provides that a trustee has a duty not to use or deal with trust property for the trustee's own profit or for any other purpose unconnected with the trust, nor to take part in any transaction in which the trustee has an interest averse to the beneficiary. Petitioner's contention that the increase in price to the Santa Cruz property derived from the repairs and refurbishing in excess of \$300,000.00 only demonstrates that he wishes to have his cake and eat it too. Specifically, Petitioners seeks to enjoy both the value of the repairs and refurbishing done while keeping for himself and Paula the increased value of the Santa Cruz property that was a result of market factors, through his continued insistence that market factors in a beach town did not contribute to an increase in property value. This is simply not true.
3. **Petitioner's breach of his duty of impartiality.** Here, Petitioner has already violated his duty to act impartially toward Nancy. Specifically, Nancy had made multiple requests to use the Santa Cruz property for Easter. Petitioner denied Nancy's request, expressly stating that "No one will be using the Santa Cruz house until the distribution is worked out." However, Nancy subsequently discovered that Paula was permitted to use the Santa Cruz property over the Easter holiday. Thus, it is apparent that Petitioner's representation that no one would be permitted to use the Santa Cruz Property during the Easter holiday was false.
4. **Petitioner's breach of his duty of disclosure.** Petitioner owes a duty to provide the fullest disclosure of all material facts. Petitioner breached that duty when he lied to Nancy that no one would be allowed to use the Santa Cruz property over Easter, only to allow Paula to use the property during that time. As to the repairs and refurbishing on the property, petitioner also conveyed to Nancy that trust funds would only be used for new fixtures, carpet, and new paint. Contrary to that representation, Petitioner went on to use in excess of \$300,000.00 to obtain hardwood floors, radiant heat, new hot water heater, to take down one-half of a wall, to redo the entire kitchen, obtain new appliances, purchase new furniture, dishes and wallpaper. Nancy was not informed that Petitioner would use trust funds in this matter, and therefore, did not provide full disclosure with respect to the repairs and refurbishing, constituting a breach of is duty to disclose such facts.

For the foregoing reasons, Nancy Randall Boone respectfully requests that this Court deny the Petition Approve Non Pro Rata Distribution in Partial Termination of Trust by Stewart Randall, Jr. in its entirety.

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

DOD: 12/25/2011		<p>FRANKLIN ALLEN LATIMER, son, is Petitioner.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>Will dated 10/18/2003 devises entire estate to son, Franklin Allen Latimer.</p> <p>I & A - \$110,000.00</p> <p>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.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Order</p>	
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 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 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: 4/24/12		
		Updates:		
		Recommendation:		
		File 5 - Latimer		

Atty Motsenbocker, Gary L

Probate Status Hearing Re: Filing of the Next Account

Age:		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR.</u> First Account approved on 12/13/10.
DOD:		
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: 4/24/12
		Updates:
		Recommendation:
		File 6 - Estrada

Age: 86	<p>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.</p> <p>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.</p> <p>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.</p> <p>On 8-12-09, the first account was settled.</p> <p>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.</p> <p>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.</p> <p>As of 4-24-12, no accounting has been filed.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 1-11-12: 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.</p> <p>Minute Order 3-14-12: Counsel advises the Court that they are still proceeding; however, the estate has no money. Counsel requests a continuance.</p> <p>As of 4-24-12, nothing further has been filed and fees have not been paid. The following issues remain:</p> <ol style="list-style-type: none"> 1. Need Second Account Current. 2. Outstanding fees of \$860.00 are due to the Court Investigator’s Office for prior investigations.
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		
<p>Reviewed by: skc</p> <p>Reviewed on: 4-24-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 - Squires</p>		

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.	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.
Cont. from 031412	On 1-26-12 , the Court set this status hearing for failure to file a First Account or Petition for Final Distribution.	<u>As of 4-24-12</u> , nothing further has been filed. The following issues remain:
Aff.Sub.Wit.		1. Need Inventory and Appraisal.
Verified		2. Need First Account Current or Petition for Final Distribution pursuant to Probate Code §12200.
Inventory		<u>Note</u> : The original petition indicated an estimated estate value of \$130,000.00 in personal property.
PTC		<u>Note</u> : Decedent’s will devises the entire estate to The Mildred Pearl Rancilio Living Trust.
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	X	Reviewed on: 4-24-12
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 8 - Rancilio

Petition for Termination of Guardianship

Sabrina age: 17 yrs DOB: 10/6/1994	<p>CLAUDIA BERLANGA, mother, is petitioner.</p> <p>DORA HERNANDEZ, maternal grandmother, was appointed guardian on 6/28/2007. <i>Dora Hernandez consents and waives notice.</i></p> <p>Father: Not listed</p> <p>Paternal grandparents: not listed Maternal grandfather: not listed</p> <p>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.</p> <p>Court Investigator Jennifer Daniel's Report filed on 4/16/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Pursuant to the Court Investigator, Petitioner no longer wishes to go forward with the termination petition.</p> <ol style="list-style-type: none"> 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.
Samantha age: 13 yrs DOB: 8/9/1998		
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 type="checkbox"/> Aff.Mail		
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<input type="checkbox"/> Pers.Serv.		
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<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 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: 4/24/12
		Updates:
		Recommendation:
		File 9 – Hernandez & Garcia

Status Hearing Re: Deed

<p>Age: 15 DOB: 12/04/96</p>	<p>MARIA ARACELI CHAVEZ, mother, was appointed Guardian of the Estate on 01/26/10.</p> <p>Final I & A filed 04/06/10 - \$77,336.67</p> <p>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.</p> <p>The Court set the matter for a noticed hearing on 07/07/11.</p> <p>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.</p> <p>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.</p> <p>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.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Parties are Spanish Speaking</u></p> <p>As of 04/24/12, no additional documentation has been filed.</p> <p>1. Need status update or proof that minor has been added to Deed.</p>																																																				
<table border="1" style="width: 100%;"> <tr><td colspan="2">Cont. from</td></tr> <tr><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td>Verified</td><td></td></tr> <tr><td>Inventory</td><td></td></tr> <tr><td>PTC</td><td></td></tr> <tr><td>Not.Cred.</td><td></td></tr> <tr><td>Notice of Hrg</td><td></td></tr> <tr><td>Aff.Mail</td><td></td></tr> <tr><td>Aff.Pub.</td><td></td></tr> <tr><td>Sp.Ntc.</td><td></td></tr> <tr><td>Pers.Serv.</td><td></td></tr> <tr><td>Conf. Screen</td><td></td></tr> <tr><td>Letters</td><td></td></tr> <tr><td>Duties/Supp</td><td></td></tr> <tr><td>Objections</td><td></td></tr> <tr><td>Video Receipt</td><td></td></tr> <tr><td>CI Report</td><td></td></tr> <tr><td>9202</td><td></td></tr> <tr><td>Order</td><td></td></tr> <tr><td>Aff. Posting</td><td></td></tr> <tr><td>Status Rpt</td><td></td></tr> <tr><td>UCCJEA</td><td></td></tr> <tr><td>Citation</td><td></td></tr> <tr><td>FTB Notice</td><td></td></tr> </table>	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" style="width: 100%;"> <tr><td>Reviewed by: JF</td></tr> <tr><td>Reviewed on: 04/24/12</td></tr> <tr><td>Updates:</td></tr> <tr><td>Recommendation:</td></tr> <tr><td>File 10 - Mendez</td></tr> </table>	Reviewed by: JF	Reviewed on: 04/24/12	Updates:	Recommendation:	File 10 - Mendez
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File 10 - Mendez																																																						

Status Hearing Re: Deed

<p>Age: 8 DOB: 05/19/03</p>	<p>MARIA ARACELI CHAVEZ, mother, was appointed Guardian of the Estate on 01/26/10.</p> <p>Final I & A filed 04/06/10 - \$77,336.67</p> <p>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.</p> <p>The Court set the matter for a noticed hearing on 07/07/11.</p> <p>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.</p> <p>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.</p> <p>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.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Parties are Spanish Speaking</u></p> <p>As of 04/24/12, no additional documentation has been filed.</p> <p>1. Need status update or proof that minor has been added to Deed.</p>																																													
<p>Cont. from</p> <table border="1" style="width: 100%;"> <tr><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td>Verified</td><td></td></tr> <tr><td>Inventory</td><td></td></tr> <tr><td>PTC</td><td></td></tr> <tr><td>Not.Cred.</td><td></td></tr> <tr><td>Notice of Hrg</td><td></td></tr> <tr><td>Aff.Mail</td><td></td></tr> <tr><td>Aff.Pub.</td><td></td></tr> <tr><td>Sp.Ntc.</td><td></td></tr> <tr><td>Pers.Serv.</td><td></td></tr> <tr><td>Conf. Screen</td><td></td></tr> <tr><td>Letters</td><td></td></tr> <tr><td>Duties/Supp</td><td></td></tr> <tr><td>Objections</td><td></td></tr> <tr><td>Video Receipt</td><td></td></tr> <tr><td>CI Report</td><td></td></tr> <tr><td>9202</td><td></td></tr> <tr><td>Order</td><td></td></tr> <tr><td>Aff. Posting</td><td></td></tr> <tr><td>Status Rpt</td><td></td></tr> <tr><td>UCCJEA</td><td></td></tr> <tr><td>Citation</td><td></td></tr> <tr><td>FTB Notice</td><td></td></tr> </table>	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: 04/24/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 - Chavez</p>
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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	<p align="center"><u>TEMPORARY EXPIRES 05/02/12</u></p> <p>ARTHUR LAMBERT, maternal great-uncle, is petitioner.</p> <p>Windell and Windaisha's father: WINDELL LIGHTLE, SR. – <i>declaration of due diligence filed 12/20/11 – Objection filed 02/22/12 (See Page 2)</i></p> <p>Daveeon's father: KENNETH COLTER – <i>declaration of due diligence filed 12/20/11 - Objection filed 1-20-12 (See Page 2)</i></p> <p>Mother: JACQUELLA ELEY - <i>deceased</i></p> <p>Windell & Windaisha's paternal grandparents: UNKNOWN Daveeon's paternal grandfather: UNKNOWN Daveeon's paternal grandmother: JOYCE THOMAS – <i>declaration of due diligence filed 12/20/11</i> Maternal grandfather: DENNIS ELEY – <i>declaration of due diligence filed 12/20/11</i> Maternal grandmother: DECEASED</p> <p>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.</p> <p>Court Investigator Samantha Henson's filed a report on 11/10/11.</p> <p>Court Investigator Samantha Henson's filed a report on 01/17/12.</p>	NEEDS/PROBLEMS/COMMENTS:	
Windaisha, 9 DOB: 3/21/03		<p>PETITION WAS DENIED AND DISMISSED AS TO DAVEEON ON 02/22/12.</p> <p><u>CONTINUED FROM 02/22/12</u> 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.</p> <p>As of 02/09/12, the following remains outstanding:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of personal service of <i>Notice of Hearing</i> with a copy of the <i>Petition</i> at least 15 days before the hearing <u>or</u> Consent and Waiver of Notice for: <ul style="list-style-type: none"> - Windell Lightle, Sr. (father of Windell & Windaisha) - Kenneth Colter (father of Daveeon) <i>Note: Mr. Colter was at the hearing on 01/23/12</i> 3. Need proof of service by mail of <i>Notice of Hearing</i> with a copy of the <i>Petition</i> at least 15 days before the hearing <u>or</u> Consent and Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ul style="list-style-type: none"> - Paternal grandparents (unknown) - Dennis Eley (maternal grandfather) <i>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.</i> <p>2. Need CI report as requested by the Court at the 02/22/12 hearing. See Page 2 for Notes to Judge</p>	
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			
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Citation			
FTB Notice			
		Reviewed by: JF	
		Reviewed on: 04/24/12	
		Updates:	
		Recommendation:	
		File 12 – Lightle & Colter	

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 children's 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.

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

Age: 6 DOB: 06/21/05	<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 04/04/12</u> 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 <i>Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person or Consent and Waiver of Notice</i> 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.
	CYNTHIA WILLIAMS, paternal grandmother, is Petitioner.	
	Father: DARRIS HAYES – <i>consent and waiver of notice filed 02/02/12</i>	
Cont. from 040412	Mother: ALICIA SALINAS – <i>served by mail on 03/16/12; consent & waiver of notice filed 04/02/12</i>	
Aff.Sub.Wit.	Paternal grandfather: EMERY HAYES – <i>declaration of due diligence filed 02/02/12</i>	
✓ Verified	Maternal grandfather: UNKNOWN – <i>declaration of due diligence filed 02/02/12</i>	
Inventory	Maternal grandmother: MERCY MORENO – <i>consent and waiver of notice filed 02/02/12</i>	
PTC	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.	
Not.Cred.	Petitioner states that she would like to provide him with a loving, stable home.	
✓ Notice of Hrg	Court Investigator Charlotte Bien's report was filed 03/16/12.	
✓ Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	n/a	
✓ Conf. Screen		
✓ Letters		
✓ Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
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✓ Order		
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✓ UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 04/24/12
		Updates:
		Recommendation:
		File 13 – Salinas-Mora

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

Age: 13 DOB: 04/20/99	<u>TEMPORARY EXPIRES 05/02/12</u>	NEEDS/PROBLEMS/COMMENTS:
	BEATRIX CASTANON , maternal aunt, is Petitioner.	1. Need Child Information Attachment (Form GC-210(CA)), this is a required attachment to the Petition for Appointment of Guardian.
	Father: RUDOLPHUSLEE MONIANCI – <i>incarcerated, personally served 04/02/12</i>	2. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent and Waiver of Notice <u>or</u> Declaration of Due Diligence for: - John Boers (maternal grandfather)
Cont. from	Mother: JENNIFER BOERS – <i>deceased</i>	
<input type="checkbox"/> Aff.Sub.Wit.	Paternal grandfather: MICHAEL MONIANCI – <i>served by mail on 03/15/12</i>	
<input checked="" type="checkbox"/> Verified	Paternal grandmother: RONDA ROBY – <i>served by mail on 03/15/12</i>	
<input type="checkbox"/> Inventory	Maternal grandfather: JOHN BOERS	
<input type="checkbox"/> PTC	Maternal grandmother: VIRGINIA LEE YAMATO – <i>served by mail on 03/15/12</i>	
<input type="checkbox"/> Not.Cred.	Half-Siblings: JAQULYN SHORTER (21); JADE SHORTER (18) – <i>both served by mail on 03/06/12</i>	
<input checked="" type="checkbox"/> Notice of Hrg	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.	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.
<input checked="" 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 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	Court Investigator Dina Cavillo filed a report on 04/23/12.	
		Reviewed by: JF
		Reviewed on: 04/25/12
		Updates:
		Recommendation:
		File 14 - Monianci

(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		<p>LINDA LEMOS, Executor, is petitioner.</p> <p>Account period: 8/12/06 – 1/31/12</p> <p>Accounting - \$194,865.95 Beginning POH- \$178,333.00 Ending POH - \$127,436.73</p> <p>Executor - waives</p> <p>Attorney - \$6,845.99 (in excess of statutory)</p> <p>Distribution, pursuant to Decedent's Will, is to:</p> <p>Linda Lemos, Trustee of the Guevara Living Trust - Real property</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Need Amended Accounting.</p> <p>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.</p> <p>2. In this account the statutory fees were calculated incorrectly. The fee base failed to deduct the losses on sale and includes the value of real property that was not subject to administration in this estate.</p>
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		
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<input checked="" type="checkbox"/>	Letters 1/23/07		
<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 type="checkbox"/>	FTB Notice N/A		
		<p>Reviewed by: KT</p> <p>Reviewed on: 4/25/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15 - Guevara</p>	

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

Age: 13 years DOB: 6/15/1998	<p style="text-align: center;">THERE IS NO TEMPORARY. No temporary was requested.</p> <p>ANNIE JANET BOONMY, sister, is petitioner.</p> <p>Father: VENTHY CHAN - <i>Consents and waives notice.</i></p> <p>Mother: SOPHIN DAMLONG – <i>Consents and waives notice.</i></p> <p>Paternal grandfather: Deceased Paternal grandmother: Samon Khin – <i>Consents and waives notice.</i> Maternal grandfather: Ken Damlong – <i>consents and waives notice.</i> Maternal grandmother: Prom Damlong – <i>consents and waives notice.</i></p> <p>Minor: Austin Chan - <i>Consents and waives notice.</i></p> <p>Petitioner states the child needs a guardian due to the fact that neither parent can provide a stable home, medical, dental, etc.</p> <p>Court Investigator Jennifer Daniel's Report filed on 4/6/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>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.)</p> <p>Note to Judge: Petitioner is in the Navy stationed in Japan. If the guardianship is granted she plans to move the minor to Japan with her.</p>	
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			
		<p>Reviewed by: KT</p> <p>Reviewed on: 4/24/12</p> <p>Updates: 4/27/12</p> <p>Recommendation:</p> <p>File 16 - Chan</p>	