

(1) Report of Administration of Administrator and Petition for Settlement thereof and (2) Allowance of Statutory Compensation for Administrator and Statutory and Extraordinary Attorney Fees and (3) for Final Distribution

DOD: 09/23/01		WAYNE BARRETT , Administrator, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS: CONTINUED FROM 04/07/14 As of 04/30/14, need amended Petition addressing the following:</p> <ol style="list-style-type: none"> 1. Inventory & Appraisal filed 04/07/14 states that the estate has no assets. The Petition refers to assets consisting of personal property stored within two storage sheds and \$11,825.48. Need Clarification. 2. The Petition does not include an accounting or statement that an accounting has been waived by the beneficiaries. Need accounting or waivers of account from Michael Barrett and Rodger Barrett. 3. The Petition requests statutory fees based on a fee base of \$11,825.48; however, the Petition does not sufficiently describe the property on hand, contain an accounting, and the inventory & appraisal filed 04/07/14 shows the value of the estate is zero. Therefore the statutory fee appears to be zero based on a no asset estate. 4. The petition is inconsistent regarding the request for fees. Item 3 of the prayer requests \$8,763.02 as the <u>total</u> fees and costs to be reimbursed to the attorney, while item 5 of the prayer asks for a statutory fee of \$473.02. Based on the Inventory & Appraisal filed 04/07/14, it does not appear that the attorney would be entitled to any statutory fee. The fee request in the Petition is inconsistent, need clarification. The proposed distribution also does not appear to be accurate taking into account the requested fees and costs.
		Account period – No Accounting provided	
Cont. from 021014, 040714			
<input type="checkbox"/>	Aff.Sub.Wit.	I &A - none filed	
<input checked="" type="checkbox"/>	Verified	POH -	
	Inventory	\$11,825.48??	
	PTC	Attorney - \$473.02	
<input checked="" type="checkbox"/>	Not.Cred.	(statutory)	
<input checked="" type="checkbox"/>	Notice of Hrg	Attorney x/o - \$4,763.50	
<input checked="" type="checkbox"/>	Aff.Mail	(67.5 hours \$150.00/hr. expended by attorney investigating fraudulent transfer of real property by Mary Frost; taking depositions, preparing for and participating in a two day trial; attorney has agreed to this 50% reduction of the total fee)	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters	06/10/03	
	Duties/Supp	Costs - \$3,999.50	
	Objections	(for payment of arrears on storage facility holding personal property assets of the estate, filing fees, publication, certified copies, handwriting expert fees)	
	Video Receipt		
	CI Report		
	9202	n/a	
<input checked="" type="checkbox"/>	Order	Distribution, pursuant intestate succession and subject to creditor's claim as follows:	
	Aff. Posting	Franchise Tax Board - \$844.02 (Creditor's Claim)	
	Status Rpt		
	UCCJEA		
	Citation	Rodger Barrett - \$655.21, plus ½ of the personal property (previously held in storage?) Michael Barrett - \$655.21, plus ½ of the personal property (previously held in storage?)	
	FTB Notice	n/a	

Reviewed by: JF
Reviewed on: 04/30/14
Updates:
Recommendation:
File 1 – Barrett

First Account and Report of Administrator and Petition for Its Settlement Thereof

DOD: 11-27-05		<p>ANITA CHOPERENA, Mother and Administrator with Limited IAEA with bond of \$106,000.00.</p> <p>First Account period: 11-27-05 through 12-31-13</p> <p>Accounting: \$ 2,274,542.15 Beginning POH: \$ 872,833.56 Ending POH: \$ 795,647.66 (Ending POH consists of \$4,852.34 cash plus real property, personal property, and various motor vehicles and equipment)</p> <p>Administrator requests payment of \$150,000.00 on her Creditor's Claim filed 6-20-06.</p> <p>Receipt for Costs filed 3-4-14 indicates that Anita Choperena has paid herself \$34,363.62 for costs advanced detailed in Attachment A including farm land loan interest payments, former attorney retainer fee, irrigation expenses, etc.</p> <p>Petitioner states several loans were made to the estate by the Administrator totaling \$345,505.00, of which \$332,500.00 has been paid, and \$13,005.00 remains owing per Exhibit B.</p> <p>Petitioner requests this Court order:</p> <ol style="list-style-type: none"> That the First Account and Report of Administrator be settled, allowed, and approved as filed; All reported acts and proceedings of Petitioner as Administrator be confirmed and approved; Petitioner be authorized and directed to Pay herself the total sum of \$150,000.00 plus accrued interest on the Creditor's Claim filed 6-20-06; and For such further orders as the Court considers proper. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 4-7-14</u></p> <p><u>SEE ADDITIONAL PAGES</u></p>	
Cont. from 040714				
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
✓	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail X			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters 2-24-06			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
N/A	FTB Notice			
				<p>Reviewed by: skc</p> <p>Reviewed on: 4-30-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2 – Choperena</p>

NEEDS/PROBLEMS/COMMENTS (CONTINUED):

The following issues remain noted:

1. **Petitioner was appointed as Administrator with Limited authority under IAEA over eight (8) years ago on 2-24-06.** There was no mention in the original petition for probate of the real property in Merced County or the decedent's apparent farming business. The only assets originally alleged were income of \$38,000 annually (source not indicated) and proceeds from the foreclosure of certain residential real property in Fresno. Bond appears to have been based on this estimate.

At no time did the Administrator petition the Court for authorization to continue operation of the Decedent's business under Probate Code §9760 or to borrow, loan, etc., under Probate Code §9800.

Need clarification as to how these acts and transactions of the Administrator were to the advantage of the estate in the best interest of the minor heirs.

Note: There is no schedule showing net income/loss pursuant to Probate Code §1062(c); however, the estate/business appears to be operating at a loss, as the overall Disbursements exceeded Receipts, including loans, by approx. \$77,185.90, although according to the Reappraisal, the value of the real property itself has increased some. However, Examiner also notes that there is a negative balance of cash noted in the Ending POH of -\$4,852.34.

Update: Petitioner has now filed a Petition for Order to Continue to Operate Decedent's Business and to Borrow Funds under Probate Code Sections 9760 and 9800. See Page 2B.

2. **The Administrator had a duty to apply for increased bond upon knowledge of the bond's insufficiency pursuant to Cal. Rules of Court 7.204.**

It appears from this accounting that the annual income of the estate (business?) was approx. \$132,000.00, not including the loans from the Administrator. Therefore, together with the cash and personal property assets as inventoried, bond should have been increased to at least \$224,833.56 as early as the Administrator was aware. At this time, based on the approx. annual income plus the POH, bond should be increased to at least \$152,647.66.

Update: Order to Increase Bond to \$150,000.00 was signed ex parte on 4-9-14. As of 4-30-14, the increased bond has not yet been filed.

SEE ADDITIONAL PAGES

NEEDS/PROBLEMS/COMMENTS (CONTINUED):

3. **Petitioner requests approval of payment of her Creditor's Claim filed 6-26-06 for \$150,000.00 plus accrued interest based on "Deed of Trust, Recorded on October 4, 1999."** However, there is no explanation regarding this transaction, including whether any payment schedule existed or payments were made prior to the decedent's death in 2005. Also, it appears interest has now been accruing for many years. Is there a reason the Administrator did not request allowance via proper channel previously (i.e., Allowance or Rejection form)? What is the current balance owing, and how was letting the interest accrue in the best interest of the estate and minor heirs?

Update: Petitioner has now submitted the Allowance or Rejection of Creditor's Claim Form DE-174 to the Court for consideration. Pursuant to Order dated 4-11-14, the matter will be set for hearing and considered along with this petition. See Page 2C.

4. Petitioner indicates that the Administrator has advanced costs to the estate totaling \$34,363.62. It appears that most of the "costs" listed appear to be business expenses, such as payment of wages and for machines, etc. Need clarification as to how these items are categorized as "costs" whereas it is known that the Administrator was also making "loans" to the estate for business purposes.

Update: See below re Declaration filed 4-9-14.

5. Petitioner's "costs" also includes payment of her former attorney Brian T. Austin's retainer in the amount of \$1,500.00. Please note that compensation has not been authorized to the attorney, nor is such authorization requested at this time.

Update: Declaration states the attorney was paid \$1,500.00 for costs incurred, rather than as a "retainer" or as an attorney's fee. Petitioner is informed and believes that there is a balance owing the estate for the unused portion of these funds of \$652.00.

6. This petition is filed as a "First Account;" however, it is far overdue and also does not indicate when the estate will be in a condition to close or request estimated additional time for administration.

Need verified declaration as to the condition of the estate, the reasons why the estate cannot be distributed and closed, and an estimate of the time needed to close the estate pursuant to Probate Code §12201.

Update: See below re Declaration filed 4-9-14.

Based on the above issues, the Court may strike any language confirming and approving the acts and transactions during the account period.

SEE ADDITIONAL PAGES

Declaration filed 4-9-14 states:

The principal asset of the estate is agricultural real property which is planted in almond trees. Since becoming Administrator, Petitioner has continued the decedent's business of growing and selling almonds. Initially, the debts of the estate exceeded the value of the assets, including the \$150,000.00 debt owed to Petitioner since before her son's death, and including the paper loss (mentioned above) in the amount of \$4,852.35. However, the last payment for the 2013 crop has come in that more than makes up for that amount.

Petitioner states there is also a lien against the amount payable for attorney's fees of \$2,073.28, but it is Petitioner's understanding that this does not reduce the value of the estate but is an issue to be worked out between Petitioner's current attorney and former attorney.

Regarding the \$150,000.00 promissory note owed to Petitioner: It bears an interest rate at 7% per annum. Petitioner has not been paying herself on this loan nor has she been paid any principal. The other loans she made to the estate for the farming operation have been interest-free even though this particular loan does bear interest. A copy of the note and deed of trust is attached to the Allowance or Rejection of Creditor's Claim filed herewith. (See Page 2C.)

Petitioner states the estate cannot be closed at this time because there is not enough cash in the estate to pay costs necessary to keep the almond trees productive and pay costs of administering the estate, including attorney's fees. Petitioner has listed the property for sale based upon the value determined in the Reappraisal for Sale; however, the value has been discounted by 20% based on this year's water shortage. Because of this discount, Petitioner is reluctant to let the property go for too small of an amount simply because prices are currently depressed. Petitioner would like to hold the asking price a little while longer to obtain the best price the market has to offer.

It is Petitioner's belief that it is in the best interest of the estate and in the best interest of her grandchildren, who are the heirs, that the court allow Petitioner to continue to operate the almond business with the assets of the estate until the property is sold.

Petitioner states she has, during the course of the administration, loaned money to the estate for the farming operation in order to fund cash flow. As Administrator, Petitioner would like the authority to loan and borrow funds if necessary, to continue to operate the business. It is anticipated that she would be the lender and the term of the loan would be until either the property is sold or the crop is harvested and sold, whichever comes first, as has been the case with all the loans made to the estate. The loan(s) would not have interest.

Allowance or Rejection of Creditor's Claim

DOD: 11-27-05		<p>ANITA CHOPERENA was appointed as Administrator on 2-21-06 with Limited IAEA and bond of \$106,000.00.</p> <p>On 6-26-06, Ms. Choperena filed a Creditor's Claim against the estate in the amount of \$150,000.00 with reference to a deed of trust recorded 10-4-99 (not attached).</p> <p>On 12-20-13, the Court reviewed the estate and, noting that there had been no activity since 2007, set the matter for status hearing. In response, the Administrator filed her First Account (Page 2A) in which she requested payment of her claim.</p> <p>The Administrator has now submitted for the Court's consideration the Allowance or Rejection of Creditor's Claim form DE-174 with copies of the Deed of Trust with Assignment of Rents as Additional Security recorded 10-4-99 and the Promissory Note dated 9-3-99.</p> <p>The Deed of Trust and Promissory Note indicate that in 1999, prior to the decedent's death, Ms. Choperena loaned the decedent \$150,000.00 at 7% per annum, payable in annual installments of "\$10,000.00 or more, plus interest." The loan was secured by the decedent's agricultural real property in Merced County.</p> <p>Ms. Choperena states in her Declaration filed 4-9-14 that she has not been paying herself any interest on this loan nor has she been paid any of the principal.</p> <p>Therefore, the Administrator requests that the Court allow her creditor's claim.</p>	NEEDS/PROBLEMS/COMMENTS:
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters	2-24-06		
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: skc</p> <p>Reviewed on: 4-30-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2B – Choperena</p>	

Petitioner states it is in the best interest of the trust and the beneficiaries that the 2004 Trust be terminated once a Trustee is appointed for the Kenneth Jeffrey Foster Subtrust, as all other beneficiaries have received their complete distribution under the trust.

Wherefore, petitioner requests this court to order that:

1. The court appoint **Ellen Stoneburg** as Trustee of the **Kenneth Jeffrey Foster Subtrust to the Kenneth Eugene Foster and Claire Ellen Foster 2004 Trust**, to serve without bond.
2. The court authorize and direct **Bruce Bickel**, Trustee of the **Kenneth Eugene Foster and Claire Ellen Foster 2004 Trust** to distribute to **Ellen Stoneburg**, as Trustee of the **Kenneth Jeffrey Foster Subtrust to the Kenneth Eugene Foster and Claire Ellen Foster 2004 Trust**, **Kenneth Jeffrey Foster's** share of the 2004 Trust;
3. The Court Terminate the **Kenneth Eugene Foster and Claire Ellen Foster 2004** Trust;
4. All the acts of Trustee, Bruce Bickel be confirmed and approved.
5. The Court discharge Bruce Bickel as Trustee of the **Kenneth Eugene Foster and Claire Ellen Foster 2004 Trust** and his fiduciary bond be released.

Declaration of Trustee Bruce Bickel filed on 3/17/14 states he has read the petition and is in agreement that the Trust terminate and that he be discharged as Trustee of said trust. There is no longer any need for the trust to remain open as all but one of the beneficiaries have received their complete distribution under the trust and have consented to the termination of the trust and approved the second and final accounting. After the court appoints a trustee for the Kenneth Jeffery Foster Subtrust, that Trustee can accept his distributive share and approve the second and final accounting. Mr. Bickel declines to be the trustee for the Kenneth Jeffrey Foster Subtrust.

4A Paul Harvey Wallace (Estate)

Case No. 08CEPR00294

Atty Donaldson, Larry A. (pro per – former Executor)

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

Amended Trust Accounting for 2007, 2008, 2009, 2010, 2011, 2012 and Partial Accounting 2013

DOD: 06/22/07	<p>LARRY A. DONALDSON, friend, was appointed as Executor without bond on 05/27/08 and Letters were issued on 06/18/08.</p> <p>The Court accepted Mr. Donaldson's withdrawal as executor on 7/26/1 and appointed the Public Administrator. Letters of Administration were issued to the Public Administrator on 08/01/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 04/07/14</p> <p>1. The accounting does not comply with the Probate Code, specifically the format for accountings outlined in Probate Code §1060. In addition the accounting appears to be for the Paul Harvey Wallace Trust. The Paul Harvey Wallace Trust is not before the court. Mr. Donaldson needs to file an accounting for the Estate of Paul Harvey Wallace.</p>
Cont. from 040714		
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: JF
		Reviewed on: 04/30/14
		Updates:
		Recommendation:
		File 4A – Wallace

4A

Order to Show Cause Re: Failure to Appear; Imposition of Sanctions in the Amount of \$600.00

DOD: 06/22/07	<p>LARRY A. DONALDSON, friend, was appointed as Executor without bond on 05/27/08 and Letters were issued on 06/18/08.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 04/17/14</u></p>
<p>Cont. from 010214, 013014, 022014, 041714</p>		
Aff.Sub.Wit.	<p>On 07/26/13, LARRY DONALDSON resigned as Executor and the PUBLIC ADMINISTRATOR, was appointed as Administrator. Letters of Administration were issued to the Public Administrator on 08/01/13.</p>	
Verified		
Inventory	<p>Minute order from 12/05/13 set this matter for an Order to Show Cause and states: The Court sets the matter for an Order to Show Cause on 01/02/14 regarding Larry Donaldson's failure to appear and imposition of sanctions in the amount of \$600.00. The Court sets a further Order to Show Cause on 01/02/14 regarding Larry Donaldson's failure to provide information to the successor administrator timely and imposition of sanctions in the amount of \$800.00. Larry Donaldson is ordered to be personally present on 01/02/14.</p>	
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: 04/30/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4B – Wallace</p>

Order to Show Cause Re: Failure to Provide Information to the Successor Administrator Timely; Imposition of Sanctions in the Amount of \$800.00

DOD: 06/22/07	<p>LARRY A. DONALDSON, friend, was appointed as Executor without bond on 05/27/08 and Letters were issued on 06/18/08.</p> <p>On 07/26/13, LARRY DONALDSON resigned as Executor and the PUBLIC ADMINISTRATOR, was appointed as Administrator. Letters of Administration were issued to the Public Administrator on 08/01/13.</p> <p>Minute order from 12/05/13 set this matter for an Order to Show Cause and states: The Court sets the matter for an Order to Show Cause on 01/02/14 regarding Larry Donaldson's failure to appear and imposition of sanctions in the amount of \$600.00. The Court sets a further Order to Show Cause on 01/02/14 regarding Larry Donaldson's failure to provide information to the successor administrator timely and imposition of sanctions in the amount of \$800.00. Larry Donaldson is ordered to be personally present on 01/02/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 04/17/14</u></p>
Cont. from 010214, 013014, 022014		
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: JF
		Reviewed on: 04/30/14
		Updates:
		Recommendation:
		File 4C – Wallace

Probate Status Hearing Re: Failure to File First Account or Petition for Final Distribution

DOD: 06/22/07	LARRY A. DONALDSON , friend, was appointed as Executor without bond on 05/27/08 and Letters were issued on 06/18/08.	NEEDS/PROBLEMS/COMMENTS:
		CONTINUED FROM 04/17/14
Cont. from	Notice of Status Hearing filed 11/28/12 set this matter for status. Clerk's Certificate of Mailing states that the Notice of Status Hearing was mailed to Larry A. Donaldson on 10/19/12.	Note: Minute order from 07/26/13 states: Mr. Donaldson advises the Court that he filed a status statement yesterday. He further advises that the accounting is being done however he may have a conflict which may require another attorney to complete the work in this matter. The Court on its own motion accepts Mr. Donaldson's withdrawal as Executor in this matter and appoints the Public Administrator. Mr. Donaldson is directed to contact Ms. Kruthers.
Aff.Sub.Wit.		Note: Letters of Administration were issued to the Public Administrator on 08/01/13.
Verified		As of 10/01/13, the following remains outstanding:
Inventory		1. Need Final Inventory & Appraisal.
PTC		2. Need Accounting and/or Petition for Final Distribution.
Not.Cred.		
Notice of Hrg	Declaration of Beneficiary Laura Leonard re Probate Status Hearing – Failure to File First Account or Petition for Final Distribution filed 01/13/11 states: she and her brother (both beneficiaries of the estate) have made many written and verbal requests to Mr. Donaldson requesting an accounting and for their father's estate be brought to a close. Ms. Leonard states that Mr. Donaldson has ignored their requests and repeatedly failed to communicate with them regarding the estate. Ms. Leonard and her brother had an attorney, Frederick Borges, contact Mr. Donaldson on their behalf to request that he move forward with the estate. Mr. Donaldson responded that he would move forward, but has failed to do so. Ms. Leonard states that she and her brother have also made a complaint to the state bar of California regarding Mr. Donaldson's failure to act. Ms. Leonard states that after all of these efforts, Mr. Donaldson recently provided them with a sloppy, incomplete "accounting", however several years' worth of information is absent and many of the transactions are questionable. Declarant further states that she and her brother were supposed to receive a distribution in early January, but have not received anything.	
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: 04/30/14
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice	Inventory & Appraisal, partial no. 1 filed 07/24/13 - \$1,619,273.76	File 4D – Wallace
	Clerk's Certificate of Mailing filed 10/08/13 states that a copy of the Minute Order from 10/04/13 was mailed to Larry Donaldson on 10/08/13.	
	Continued on Page 2	

Report Regarding Status of Estate filed 11/27/13 states: At a hearing on 07/26/13, the Court accepted Larry Donaldson's resignation as Administrator and appointed the Public Administrator. According to the 07/26/13 minute order, Mr. Donaldson advised that the accounting was being done, however a conflict that may require another attorney to complete the work has come up. No accounting has been filed. Mr. Donaldson was not returning calls to the Public Administrator, who called him weekly on Wednesdays. He finally answered a call made from a personal cell phone. At a hearing on 10/04/13, Judge Hamilton ordered Mr. Donaldson to be present at the continued hearing on 10/25/13. Mr. Donaldson did not appear on 10/25/13. The Public Administrator advised the Court that all estate assets had been liquidated and rolled into a trust, of which Mr. Donaldson is the trustee. Despite requests by the Public Administrator, a copy of the trust has not been provided. The Public Administrator is concerned about the assets considering they have not yet been accounted for in the estate.

According to the Inventory & Appraisal filed by Mr. Donaldson on 06/24/13, the estate's value was \$1,619,273.76. The Public Administrator has not been able to access the Bank of America or Security First Bank accounts. He filed and was granted an ex parte order directing financial institutions to provide access to and information regarding all accounts held by the estate or trust of the decedent. The Public Administrator has made several attempts to locate a company whereby "Person Education Publication Royalties" are paid. According to attachment 2 to the Inventory & Appraisal, future royalties will be paid to the estate. There are two timeshares listed, and the Public Administrator has asked Chicago Title to determine the status of these properties. The real property, valued at \$750,000.00 was reportedly sold for \$600,000 and the proceeds placed into a Bank of America bank account. The Public Administrator believes that Mr. Donaldson should once again be ordered to appear before this Court to account for all assets listed on the Inventory & Appraisal that he filed. He should also be ordered to provide a copy of the Trust and an accounting of those assets to the Public Administrator.

Status Conference Statement filed 01/17/14 by Larry Donaldson, former Executor, states:

1. He retained an accounting firm to prepare an accounting for the estate in August 2013.
2. The accounting firm has indicated that they believe the accounting can be completed by 01/28/14.
3. Several months ago, he provided the beneficiaries a bank ledger showing all income and expenditures for both the Bank of America and Security First Bank accounts pending the filing of an official accounting.
4. He has provided original estate documents to the accounting firm and therefore does not have personal possession of the documents in order to be able to prepare an accounting himself.
5. He requests a short continuance to allow him to file an accounting, he believes he should be able to have it filed on or before 01/31/14.

DOD: 3-8-06	ARACELI SOTO GOMEZ Executor with full IAEA without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 12-10-13, 1-28-14, 3-2-14</p> <p>Minute orders reflect continuance, but no other information is noted.</p> <p>As of 4-30-14, nothing further has been filed. The following issue remains:</p> <p>1. According to Attorney Cross' status report filed 12-12-12, it was learned that there was a title issue stemming from Decedent's divorce in 1983 wherein the Decedent was awarded the residence, but the judgment did not contain the complete legal description of the property, so the assessor had no record of transfer to her alone. Attorney Cross anticipated filing an application to the Family Court in the old dissolution case 0274152-8 to modify the judgment or sign a deed conveying the property.</p> <p>In this petition, Petitioner states the correction is expected to be completed before the hearing (on 10-10-13); however, Court records do not reflect any activity in that case (0274152-8).</p> <p>Was the title issue corrected? Is the estate is in a position to close? Need clarification.</p>
	Accounting is waived.	
Cont. from 121013, 012814, 030214	I&A: \$68,035.00 POH: \$68,035.00	
Aff.Sub.Wit.	(Decedent's one-third interest in real property plus personal property)	
<input checked="" type="checkbox"/> Verified	Executor (Statutory): Waived	
<input checked="" type="checkbox"/> Inventory	Attorney (Statutory): Waived	
<input checked="" type="checkbox"/> PTC	Costs: \$1,090.00 (to be paid by Executor outside of probate estate)	
<input checked="" type="checkbox"/> Not.Cred.	Distribution pursuant to Decedent's will:	
<input checked="" type="checkbox"/> Notice of Hrg	Araceli Soto Gomez: \$67,285 (Decedent's one-third interest in real property plus personal property)	
<input checked="" type="checkbox"/> Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
<input checked="" type="checkbox"/> Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
<input checked="" type="checkbox"/> FTB Notice		
	Reviewed by: skc	
	Reviewed on: 4-30-14	
	Updates:	
	Recommendation:	
	File 2 – Soto	

(1) First and Final Account and Report of Executor and Petition for Settlement; (2) for Allowance of Compensation to Executor for Ordinary Services and Attorney for Ordinary and Extraordinary Services; and (3) for Final Distribution

DOD: 07/09/12		MICHELLE CODDE, Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 07/09/12 – 02/13/14	
		Accounting - \$235,584.88	
		Beginning POH - \$215,177.17	
		Ending POH - \$166,852.16 (\$153,295.16 is cash)	
Cont. from		Executor - waived	
<input type="checkbox"/>	Aff.Sub.Wit.	Executor stipend (authorized by will) - \$3,000.00	
<input checked="" type="checkbox"/>	Verified	(total stipend amount is \$4,500.00 less \$1,500.00 already paid to Executor)	
<input checked="" type="checkbox"/>	Inventory	Attorney - \$7,676.94 (statutory)	
<input checked="" type="checkbox"/>	PTC	Attorney x/o - \$2,172.50 (itemized by date for the sale of real property and unlawful detainer action)	
<input checked="" type="checkbox"/>	Not.Cred.	Reserve - \$10,000.00 (for preparation and payment of tax returns)	
<input checked="" type="checkbox"/>	Notice of Hrg	Distribution, pursuant to Decedent's will, is to:	
<input checked="" type="checkbox"/>	Aff.Mail	Gregory James Osha - \$28,992.16 cash, plus miscellaneous fishing, hunting & Camping equipment, Ducks Unlimited pictures and guns valued at \$4,092.00	
	Aff.Pub.	Brittini Nicole Osha - \$11,906.40 cash, plus a vehicle, Haviland China, personal belongings and household furnishings valued at \$9,465.00	
	Sp.Ntc.	Deborah Lee Schramm - \$29,849.06 cash	
	Pers.Serv.	Susan Jo Ostemeyer Osha - \$29,849.05 cash	
	Conf. Screen	Michelle Anne Codde - \$29,849.05 cash	
<input type="checkbox"/>	Letter s		
	Duties/Support		
	Objections		
	Video Receipt		
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: JF
			Reviewed on: 05/02/14
			Updates:
			Recommendation:
			File 6 - osha

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

DOD: 09/06/2013	MARY JANE SUNAMOTO, niece/named executor without bond is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Confidential Supplement to Duties & Liabilities of Personal Representative.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Monday, 10/09/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Monday, 07/06/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
	Full IAEA – o.k.	
Cont. from	Will dated: 03/24/2007	
<input type="checkbox"/> Aff.Sub.Wit.	s/p	
<input checked="" type="checkbox"/> Verified	Residence: Reedley Publication: The Reedley Exponent	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Estimated value of the Estate:	
<input checked="" type="checkbox"/> Notice of Hrg	Personal Property - \$265,719.60	
<input checked="" type="checkbox"/> Aff.Mail	Probate Referee: Steven Diebert	
<input checked="" type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LV
		Reviewed on: 04/30/2014
		Updates:
		Recommendation:
		File 7 - Luna

DOD: 12/13/2013	KATIE PERRY and STELLA LOPEZ , siblings are petitioners and request appointment as Administrators without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Monday, 10/06/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Monday, 07/06/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Cont. from	All heirs nominate petitioners and waive bond	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Full IAEA – o.k.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Decedent died intestate	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Residence: Fresno Publication: The Business Journal	
<input checked="" type="checkbox"/> Aff.Mail	w/	
<input checked="" type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Estimated value of the Estate:	
<input type="checkbox"/> Pers.Serv.	Personal property - \$185,660.00	
<input type="checkbox"/> Conf. Screen	Real property - \$24,000.00	
<input checked="" type="checkbox"/> Letters	Total - \$209,660.00	
<input type="checkbox"/> Duties/Supp	Probate Referee: Steven Diebert	
<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: LV
		Reviewed on: 04/30/2014
		Updates:
		Recommendation: Submitted
		File 8 - Maldonado

DOD: 08/28/2013	DAVID LORIN VAUGHAN and KAREN LOUISE LOPEZ , siblings are petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Attachment 11 does not provide the decedent's interest in the real property. Need to know if Lorraine A. Vaughan, disclaiming sibling has issue. <p>Note: Since Lorraine A. Vaughan, sibling of the decedent has disclaimed her interest in the decedent's estate the issue of Lorraine A. Vaughan, if any, would now be intestate heirs pursuant to intestate succession.</p>
	40 days since DOD	
	No other proceedings	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	I&A - \$149,600.00	
<input type="checkbox"/> Inventory	Decedent died intestate	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Petitioners requests Court	
<input checked="" type="checkbox"/> Notice of Hrg	determination that decedent's interest in real property located at 4035 W. Brown Fresno, Ca., the 2001 Saturn Automobile, general household items, Fresno County Credit Union Checking Account, Fresno County Credit Union Savings Account and Great Western Retirement Services Plan, pass 1/2 to David Lorin Vaughan and 1/2 to Karen Louise Lopez pursuant to intestate succession.	
<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: LV
		Reviewed on: 04/30/2014
		Updates:
		Recommendation:
		File 9 - Vaughan

DOD: 10/22/10	LEANNE WALKER GRANT , niece, was appointed Administrator with bond fixed at \$7,000,000.00 on 03/12/12. Letters of Administration were issued on 05/16/12.	NEEDS/PROBLEMS/COMMENTS:
		CONTINUED FROM 02/03/14 As of 04/30/14, nothing further has been filed in this matter.
Cont. from 110513, 020314	First Report of Personal Representative and Petition for its Settlement; Petition to Determine Entitlement to Estate Distribution and to Allow Administration of Estate to Continue filed 06/13/13 and approved on 07/15/13.	1. Need Status Update report and/or Petition for Preliminary Distribution.
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	Minute Order from 07/15/13 set this matter status regarding preliminary distribution on 11/05/13.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.	Inventory & Appraisal, partial No. 1 filed 09/20/13 - \$202,328.21	
Pers.Serv.		
Conf. Screen	Inventory & Appraisal, partial No. 2/Final filed 09/20/13 - \$6,763,876.49	
Letters		
Duties/Supp	Status Report of Personal Representative filed 01/31/14 states: The administration of this estate is complicated by a number of factors, as more fully set forth in the First Report of Personal Representative and Petition for its Settlement, etc. filed 06/28/13. The Court entered it order regarding that Petition on 07/15/13 and, among other things, determined the persons who are the heirs of the decedent, and ordered that the administration continue until the estate is in a condition to be closed. The Administrator intends to file a petition for significant distribution as soon as possible. A continuance of 90 days is requested.	
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: JF
Status Rpt		Reviewed on: 04/30/14
UCCJEA		Updates: 05/02/14
Citation		Recommendation:
FTB Notice		File 10 – Lowery

Atty Lucich, Jr., Nicholas L., of Helon & Manfredo (for Executor Steven D. Hall)

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

DOD: 11/22/2012		<p>STEVEN D. HALL, son, was appointed Executor with Full IAEA authority without bond on 3/5/2013.</p> <p>Letters issued on 3/7/2013.</p> <p>Pursuant to Probate Code § 8800(b), <i>Final Inventory and Appraisal</i> was filed 6/12/2013 showing an estate value of \$509,278.61.</p> <p>Pursuant to Probate Code § 12200, first account and/or petition for final distribution was due 3/7/2014.</p> <p>Minute Order dated 3/5/2013 set this status hearing on 5/5/2014 for filing of the first account and/or petition for final distribution.</p> <p>Status Report of Administration of Estate filed 4/17/2014 states:</p> <ul style="list-style-type: none"> All claims filed against the estate have been approved and paid; the claims filed and their disposition are set forth on <i>Exhibit A</i>; Pursuant to Executor's full authority under IAEA, the Executor has taken the following actions: <ol style="list-style-type: none"> Sale on behalf of the estate of Decedent's real property in Amador County California for \$125,000.00 pursuant to Notice of Proposed Action on 7/3/2013, with net proceeds payable to the estate of \$117,289.79; <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Status Report filed 4/17/2014 states receipts and Agreements to Distribution in Undivided Interests for the Decedent's household furniture, furnishings and personal belongings will be filed with the Status Report; Court records do not show these documents have been filed.</p> <p>Note: Court may continue this status hearing as follows:</p> <ul style="list-style-type: none"> Monday, December 8, 2014 at 9:00 a.m. in Dept. 303 for the filing of the first and final account and petition for final distribution. <p>Pursuant Local Rule 7.5, if the document stated above is filed 10 days prior to date listed, the hearing will be taken off calendar and no appearance will be required.</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		
<input checked="" type="checkbox"/>	Aff.Mail W/		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input checked="" type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
		<p>Reviewed by: LEG</p> <p>Reviewed on: 4/30/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 - Hall</p>	

Status Report of Administration of Estate filed 4/17/2014, continued:

2. Sale on behalf of the estate of Decedent's real property on Paul Avenue in Fresno County for **\$185,000.00** pursuant to *Notice of Proposed Action* filed 10/1/2013, with an attachment to the *Notice* indicating the sale was a "short sale" resulting in satisfaction in full of Decedent's Note secured by Deed of Trust to Wells Fargo; no proceeds were payable to the estate;
 3. Sales of Decedent's personal property items pursuant to Probate Code § 10252 was made without notice, including an airplane, sport utility vehicle, pickup truck, and boat; sales were made to in order to avoid loss and storage charges;
 4. Pursuant to Probate Code § 10520 and the Consents to Proposed Action filed on 4/1/2014, Petitioner has distributed Decedent's household furniture, furnishings and personal belongings to the beneficiaries entitled thereto under Decedent's Will; receipts and *Agreements to Distribution in Undivided Interests* for the Decedent's household furniture, furnishings and personal belongings will be filed with the *Status Report*;
- The assets on hand in the estate as of the date of the [*Status Report, 4/15/2014*] consist of the following:
 - A. Motor home;
 - B. Real property in Piru, Ventura County, CA containing 160 acres; and
 - C. Cash in the sum of **\$126,110.64**;
 - The Executor's attorneys have advanced costs of **\$978.00** on behalf of the estate for which they have not been reimbursed, for filing fees, deposit of Will, certified copies, and recorder fees;
 - The estate's real property in Piru, Ventura County, has not yet been sold; the Executor has listed the property for sale and anticipates a sale within **6 months**, and will file an accounting and petition for distribution and to close the estate at that time.

Executor prays as follows:

1. The Executor be authorized to continue to administer the estate and continue efforts to sell the Decedent's remaining real estate; and
2. The Executor be authorized to reimburse his attorneys Helon & Mandredo for costs advanced of **\$978.00**.

Status Hearing

DOD: 3/12/2010	<p>JOHN R. PANZAK, JR., son, served as Trustee of the JOHN ROBERT PANZAK LIVING TRUST dated 11/27/2000 since the Decedent's death in March 2010.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 4/3/2014. Minute Order states the Court notes that Mr. Shekoyan is unavailable today due to surgery. Matter continued to 5/5/2014.</p> <p>Notes Re Related Estate of John R. Panzak, Sr. Case #10CEPR00505:</p> <ul style="list-style-type: none"> The Panzak, Sr. Estate is a related matter in which the Public Administrator was appointed Administrator of the Estate by Minute Order dated 4/29/2013. Order Settling First and Final Account and Report of Deceased Personal Representative was filed on 3/13/2014 in the Panzak, Sr. Estate, representing the final account of JOHN R. PANZAK, JR. (DOD 2/15/2013) as personal representative of the Panzak, Sr. estate.
	Beneficiaries of the Decedent's Will are John R. Panzak, Jr., Gordon Panzak, and the JOHN ROBERT PANZAK LIVING TRUST ; beneficiaries of the JOHN ROBERT PANZAK LIVING TRUST are John R. Panzak, Jr., and Gordon Panzak.	
Cont. from 070813, 080513, 100713, 110613, 010814, 022014, 040314		
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>Petition for Appointment of Successor Trustee was filed 3/11/2013 by SHARON PANZAK, spouse, stating the Successor Trustee, JOHN R. PANZAK, JR., died on 2/15/2013, and requesting she be appointed successor trustee.</p> <p>Objections to and Opposition to Sharon Panzak's Petition for Appointment of Successor Trustee was filed 4/24/2013 by GORDON PANZAK, claiming the position of successor trustee vested in him no later than 3/18/2013 as the second named successor trustee of the Trust.</p> <p>Minute Order dated 4/29/2013 from the hearing on Sharon Panzak's petition for appointment of successor trustee states: "The petition is denied as to Sharon Panzak and the Court appoints the PUBLIC ADMINISTRATOR as successor trustee. <i>Order Appointing Public Administrator as Successor Trustee</i> was filed 5/22/2013.</p> <p>Minute Orders dated 7/8/2013, 8/5/2013, 10/7/2013, 11/6/2013, 1/8/2014, 2/20/2014 and 4/3/2014 state only continuation dates of the Status Hearing, ending with the continuance to 5/5/2014.</p>	
		<p>Reviewed by: LEG</p> <p>Reviewed on: 4/30/14</p> <p>Updates: 5/1/14</p> <p>Recommendation:</p> <p>File 12 – Panzak</p>

Pro Per Carrasco, Susan McCall (Pro Per Petitioner, sister)

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

Age: 44 years		<p>SUSAN McCALL CARRASCO, sister, is Petitioner and requests appointment as Successor Co-Conservator of the Person with medical consent powers.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Court records show the Conservatee's middle name is spelled with a letter "e" at the end (from the inception of the Conservatorship), while the <i>Petition</i> and proposed order omit the "e" from her middle name. Proposed order and letters have not been altered by the examiner to reflect the "e" so that the middle name is "Anne" in case the omission was intentional, although that could be done if Petitioner so requests.</p> <p>Court Investigator Advised Rights on 4/11/2014.</p> <p>Voting Rights Affected – Need Minute Order.</p> <ol style="list-style-type: none"> 1. Need proof of 15 days' service by mail of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Successor Conservator</i> for the Conservatee pursuant to Probate Code §§ 2683 and 1460(b)(2). 2. Need proof of 15 days' service by mail of the <i>Notice of Hearing</i>, accompanied by a copy of the <i>Petition for Appointment of Successor Conservator</i>, for the following relatives named in the <i>Petition</i> pursuant to Probate Code § 2683(b), or waiver of such notice: <ul style="list-style-type: none"> • Jason B. McCall, nephew.
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
Aff.Mail	X		
Aff.Pub.			
Sp.Ntc.			
✓ Pers.Serv.	CVRC		
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
✓ Video Receipt			
✓ CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>EDWARD A. JAMES and V. JOAN JAMES, parents, were appointed Co-Conservators with medical consent powers on 5/14/1993. Co-Conservator Joan James passed away in October of 2009.</p> <p>Capacity Declaration of Alex Habibi, M.D., filed 4/29/2014 <u>may not</u> support request for dementia powers and medical consent powers, due to the lack of physician's initials at Item 7(b). However, Medical Declaration filed 5/6/1993 of John P. Conrad, Jr., M.D., <u>supports</u> request for medical consent powers, and the Conservatee's incapacity to consent to any form of medical treatment was determined by Order filed in this matter on 5/14/1993.</p> <p>Petitioner states the Conservatee is an adult with Down syndrome and a child of surviving parent [<i>and Co-Conservator</i>], Edward A. James, age 88. Petitioner states she is the adult sister of the Conservatee and lives with the Conservatee and her father. Petitioner requests she be appointed Co-Conservator with her father, with the intent of becoming permanent and sole Conservator upon his passing so that this transition is as seamless and uneventful as possible. Petitioner states this has always been their family plan, and she recently began taking over the process of taking over the Conservatee's care.</p> <p>Court Investigator Jo Ann Morris' Report was filed on 4/23/2014.</p>	
		<p>Reviewed by: LEG</p> <p>Reviewed on: 5/1/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13 - James</p>	

Petition for Termination of Guardianship

Age: 16 years	MICHELLE COOKS , maternal aunt/Guardian, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: <ol style="list-style-type: none"> a. Travian Ball (minor) b. Bruce Ball (father) c. Kristine Ball (mother) d. Jimmy Ball (paternal grandfather) e. Vivian Brewer (paternal grandmother) f. Shirley Ciolkosz (maternal grandmother) g. Michael Ciolkosz (maternal grandfather) h. Jelisa Ball (sibling) i. Tayler Ball (sibling)
	Father: BRUCE BALL	
	Mother: KRISTINE BALL	
Cont. from	Paternal grandfather: Jimmy Ball	
Aff.Sub.Wit.	Paternal grandmother: Vivian Brewer	
<input checked="" type="checkbox"/> Verified	Maternal grandmother: Shirley Ciolkosz	
Inventory	Maternal grandfather: Michael Ciolkosz	
PTC		
Not.Cred.		
Notice of Hrg	<input checked="" type="checkbox"/> Petitioner states the minor is currently serving time at the Juvenile Justice Center for a crime and may be made a ward of the State.	
Aff.Mail	<input checked="" type="checkbox"/>	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	Court Investigator Dina Calvillo's Report filed on 4/30/14.	
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 5/1/14
		Updates:
		Recommendation:
		File 14 - Ball

Age: 83		<p>CHARLOTTE A. YOUNG, Daughter and Conservator without bond, is Petitioner.</p> <p>Account period: 4-4-13 through 2-28-14</p> <p>Accounting: ?? Beginning POH: \$593 Distributions: \$15,671.45 Ending POH: \$593</p> <p>Conservator: Waived</p> <p>No prayer or request for authorization is included.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. <u>Need amended accounting.</u> The Accounting as presented does not meet the requirements of Probate Code §§ 2620, 1060.</p> <p><u>Issues include but are not limited to:</u></p> <ul style="list-style-type: none"> - Accounting does not balance - Beginning property on hand (POH) does not match the Inventory and Appraisal - There are no receipts indicated (e.g., the conservatee's income) - Petitioner indicates \$15,671.45 in distributions to the Conservatee, but no explanation is provided - Petitioner does not include most the required schedules (receipts, disbursements, POH) - Petitioner does not provide account statements - Petitioner does not provide statements from the care home <p>2. When an amended accounting is filed, Notice of Hearing must be provided pursuant to Probate Code §1460.</p> <p><u>Petitioner is strongly encouraged to seek attorney assistance to prepare an amended account.</u></p> <p>Reviewed by: skc</p> <p>Reviewed on: 5-1-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15 - Hopkins</p>
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
<input checked="" type="checkbox"/> Letters	4-4-13		
Duties/Supp			
Objections			
Video Receipt			
<input checked="" type="checkbox"/> CI Report			
9202			
Order	X		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

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

Jeremy, 5	TEMPORARY EXPIRES 05/05/14		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 04/03/14 Minute Order from 04/03/14 states: Also present in court are Javier Ochoa, Susan Bell, and Camy Martin. Amanda Martin objects to the guardianship. Parties are ordered to provide their contact info to the clerk's office forthwith. Amanda Martin is ordered to meet with investigator Julie Negrete immediately following today's hearing. Matter continued and temporary extended to 05/05/12.</p> <p>1. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for:</p> <ul style="list-style-type: none"> - Amanda Martin (mother) – Personal service required - Susan Bell (maternal grandmother) – service by mail sufficient <p>Note: proof of service filed 04/01/14 show that the service by mail to Amanda Martin and Susan Bell was done by Petitioner Irma Ochoa. Service must be done by a person not a party to the matter. It is noted that both parties appeared at the last hearing on 04/03/14.</p>
Jacob, 4	<p>IRMA OCHOA, paternal grandmother, and ELIZABETH OCHOA, paternal aunt, are Petitioners.</p>		
	<p>Father: CHRISTOPHER J. OCHOA – <i>Consent & Waiver of Notice filed 01/31/14</i></p>		
	<p>Mother: AMANDA S. MARTIN – <i>Declaration of Due Diligence filed 04/01/14; served by mail on 03/26/14, see notes</i></p>		
Cont. from	<p>Paternal grandfather: JAVIER OCHOA – <i>Consent & Waiver of Notice filed 01/31/14</i></p>		
Aff.Sub.Wit.	<p>Maternal grandfather: DECEASED Maternal grandmother: SUSAN BELL – <i>served by mail on 03/26/14, see notes</i></p>		
✓ Verified	<p>Petitioners state that guardianship is needed to provide the boys with a stable home. Petitioners state that the minors have been in their care since 2012, are stable, enrolled in school and doing well. Prior to the children living with Petitioners their mother neglected their medical needs and moved the children around a lot.</p>		
Inventory	<p>Objection to Guardianship filed 03/27/14 by mother, Amanda Martin, states that she wants her children back in her care. She states that she has a stable home and sees no reason that the boys can't be in her care.</p>		
PTC	<p>Court Investigator Julie Negrete filed a report on 03/24/14.</p>		
Not.Cred.	<p>Court Investigator Julie Negrete filed a supplemental report on 04/14/14.</p>		
Notice of Hrg	<p>Reviewed by: JF</p>		
Aff.Mail	<p>Reviewed on: 05/02/14</p>		
Aff.Pub.	<p>Updates:</p>		
Sp.Ntc.	<p>Recommendation:</p>		
Pers.Serv.	<p>File 16 - Ochoa</p>		
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			

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

Age: 12		TEMPORARY DENIED 03/17/14		NEEDS/PROBLEMS/COMMENTS:	
		JACQUELINE SMITH , paternal aunt, is Petitioner.		Minute Order of 03/17/2014: The Court notes that the minor has been residing with either on or the other grandparents. The Court further notes that the child has not been with mother or the petitioner.	
Cont. from		Father: HOWARD MASON – Consent & Waiver of Notice filed 03/05/14		<ol style="list-style-type: none"> Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Tiyeondrea McGlothlin (mother) Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Billy Mason (Paternal Grandfather) Magnolia Headley (Paternal Grandmother) <p>Note: Proof of personal service filed 03/11/14 attached to the Notice of Hearing on the 05/05/14 hearing does not indicate that a copy of the Petition was served with the Notice of Hearing as required per the Probate Code.</p> <p>Please see additional page</p>	
<input type="checkbox"/>	Aff.Sub.Wit.				
<input checked="" type="checkbox"/>	Verified	Mother: TIYEONDREA MCGLOTHIN – Personally served on 03/10/14 with Notice of Hearing only for the general hearing on 05/05/14			
<input type="checkbox"/>	Inventory	Paternal grandfather: BILLY MASON Paternal grandmother: MAGNOLIA HEADLEY			
<input type="checkbox"/>	PTC	Maternal grandparents: UNKNOWN			
<input type="checkbox"/>	Not.Cred.	Minor: Absalom Mason, consents and waives notice			
<input checked="" type="checkbox"/>	Notice of Hrg	Petitioner states that the since May 2013, Absalom's mother has been dropping him off at the paternal grandmother's home and leaving him for long periods of time. The mother began locking the minor out of her home and has stated that she does not want him in her home.			
<input type="checkbox"/>	Aff.Mail	Attached to petition is a letter from the minor stating that he does not feel safe living with his mother due to physical abuse.			
<input type="checkbox"/>	Aff.Pub.	Also attached to the petition are two Team Decision Making Reports from DSS placing the child back in the mother's care.			
<input type="checkbox"/>	Sp.Ntc.	Court Investigator Julie Negrete's report filed 04/25/2014.			
<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				
				Reviewed by: LV	
				Reviewed on: 05/01/2014	
				Updates:	
				Recommendation:	
				File 17 - Mason	

NEEDS/PROBLEMS/COMMENTS continued:

3. Page #5 of the Guardianship Petition – Child Information Attachment (GC 210(CA)) which pertains to whether the child has Native American Ancestry was not completed. Need declaration with page #5 attached.

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

DOD: 12/20/2013	CONSTANCE SARABIA , daughter, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> #9a(2)(b) of the petition indicates that the decedent's spouse is deceased. Pursuant to Local Rule 7.1.1D the name and date of death of the decedent's spouse is required. Pursuant to the petition the decedent was also survived by a son, Mark Macy. Pursuant to Probate Code § 13152 all who succeed to the property must petition. Pursuant to the petition the decedent was also survived by a son, Eric Macy. Pursuant to Probate Code § 13152 all who succeed to the property must petition. Need Attachment 11. Need Notice of Hearing. Need proof of service on Petition to Determine Succession to Real Property on: <ul style="list-style-type: none"> Mark Macy Eric Macy Order is incomplete at #9a regarding the real property. Please describe the property including the legal description. Order is incomplete at #9b regarding the petitioner's name and property interest.
	40 days since DOD	
	No other proceedings	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	I & A - \$106,800.00	
<input checked="" type="checkbox"/> Inventory	Decedent died intestate	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Petitioner requests Court determination that decedent's property located at 2966 E. Gilbert Fresno, Ca and 1997 Dodge Minivan pass to Constance Sarabia.	
<input checked="" type="checkbox"/> Notice of Hrg	x	
<input checked="" 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 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: LV
		Reviewed on: 05/01/2014
		Updates:
		Recommendation:
		File 18 - Macy