



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Atty LeVan, Nancy J. (for Petitioner Charles Hudiburgh, Successor Conservator)
 Atty Sanoian, Joanne (Court-appointed for Conservatee)

Probate Status Hearing Re: Filing of Second Account

<p>DOD: 4/27/2012</p> <hr/> <p>Cont. from 030712, 040412</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <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>CHARLES HUDIBURGH, son, was appointed Successor Conservator of the Estate on 6/11/2008.</p> <p>Order Approving First Amended First Account and Report of Successor Conservator; Petition for Allowance of Fees for Attorney was filed on 5/16/2011.</p> <p>First account period was 6/11/2008 through 12/22/2009.</p> <p>Second account for the period beginning 12/23/2009 is currently due.</p> <p>Notice of Status Hearing filed 1/4/2012 set a status hearing on 3/7/2012 for failure to file the second account. <i>Clerk's Certificate of Mailing</i> shows notice was mailed to Charles Hudiburgh and to Attorney Nancy LeVan on 1/4/2012.</p> <p>Status Report Re: 2nd Accounting filed on 3/6/2012 states:</p> <ul style="list-style-type: none"> • She received the <i>Notice of Status Hearing</i> filed 1/4/2012 [date notice received not stated]; • Her paralegal sent a copy of the <i>Notice of Status Hearing</i> to Chuck [Conservator of the Estate] on 1/9/2012; • They have tried to call Chuck [dates of attempts to call not stated] to make an appointment to go over the finances to prepare the second accounting, with no response; • She has sent an email to Chuck [date of email not stated] to see if he will be attending the hearing tomorrow [3/7/2012]; • She has not received a response as of writing this report. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page 1B is the <i>Order to Show Cause</i> issued to Attorney Nancy LeVan and Conservator Charles Hudiburgh.</p> <p>Continued from 4/4/2012. <i>Minute Order</i> states the Court notes for the record that neither Ms. LeVan nor her clients are present. The Court sets the matter for an <i>Order to Show Cause</i> on 5/9/2012 regarding the proposed sanctions in the amount of \$500.00. (Please refer to Page 1B.)</p> <p>The following issue from the last hearing remains:</p> <ol style="list-style-type: none"> 1. Need second account or current status report pursuant to Local Rule 7.5(B). <hr/> <p>Reviewed by: LEG</p> <hr/> <p>Reviewed on: 4/30/12</p> <hr/> <p>Updates:</p> <hr/> <p>Recommendation:</p> <p>File 1A - Hudiburgh</p>
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Probate Status Hearing Re: Failure to File Inventory and Appraisal and Failure to File a First Account or Petition for Final Distribution

DOD: 6/12/1995	NITZA PEÑA , niece, was appointed Administrator with Limited IAEA on <u>12/6/1995</u> with bond fixed at \$20,000.00 .	<p>NEEDS/PROBLEMS/COMMENTS</p> <p><u>Page 2B</u> is the <i>Petition for Family Allowance</i> filed on 3/20/2011.</p> <p><u>Continued from 3/21/2012.</u> Minute Order states Mr. Walker is appearing via conference call. The Court directs counsel to put the bonding company on notice. The matter is continued to 5/9/2012. The Court orders that the hearing currently set for 5/3/2012 be vacated and rescheduled for 5/9/2012.</p> <p>Note: An Amended <i>Creditor's Claim</i> was filed in this case on 6/21/1996 by Valley Medical Center [now Community Medical Center] for \$198,043.68.</p> <p>Note: Final <i>Inventory and Appraisal</i> was filed on 3/20/2012. (See <i>Issue #2</i>.)</p> <p>~Please see additional page~</p> <p>Reviewed by: LEG</p> <p>Reviewed on: 5/4/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2A - Vaughn</p>
Cont. from: 090910, 120610, 012711, 040611, 060711, 090611, 110811, 121311, 020812, 032112	Proof of Bond posted in the amount of \$20,000.00 was filed on 12/15/1995, and <i>Letters</i> issued on that date.	
Aff.Sub.W	The Inventory and Appraisal was due on 3/15/1996. The first account or petition for final distribution was due on 12/15/1996.	
Verified	Proof of Service by Mail – Failure to File Inventory and Appraisal was filed on 5/20/1996 indicating the notice of failure to file an inventory and appraisal, a first account or petition for final distribution was mailed to Attorney Keith Walker on 5/20/1996.	
Inventory	<ul style="list-style-type: none"> Court file contains no record of any response by Attorney Walker to this notice (no hearing date was set by the Court; notice was a courtesy to Attorney.) 	
PTC	Notice of Status Hearing filed on 7/28/2010 set a status hearing on 9/9/2010 for failure to file the inventory and appraisal, and failure to file a first account or petition for final distribution. <i>Clerk's Certificate of Mailing</i> shows the <i>Notice</i> was mailed to Keith S. Walker on 7/28/2010.	
Not.Cred.	Minute Order dated 9/9/2010 [Judge Gallagher] states Attorney Walker represents to the Court that he lost contact with his client for a period of time but has now obtained a current address and should be able to close the estate quickly as the property has been lost. If the accounting is filed, no appearance is necessary on 12/6/2010.	
Notice of Hrg	Minute Order dated 12/06/10 [Judge Hamlin] states Attorney Walker states his intention to file a <i>Petition to Set Aside</i> in this matter and requests a continuance. If said petition is filed, then no appearance is necessary on 1/27/2011.	
Aff.Mail	~Please see additional page~	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv		
Conf. Screen		
Letters		
Duties/S		
Objection		
Video Receipt		
CI Report		
9202 Order		
Aff. Post		
Stat Rpt		
UCCJEA		
Citation		
FTB Notc		

Notes from the previous status hearings, continued:

- *Minute Order* dated 1/27/2011 [Judge Oliver] states Counsel is directed to file the inventory with the petition. If filed by 4/6/2011 and reviewed by an examiner no appearance will be necessary.
- *Minute Order* dated 4/6/2011 [Judge Oliver] states Mr. Walker is appearing via conference call. Counsel advises the Court that he has managed to re-establish contact with his client and has made contact with an attorney in San Diego. Counsel further advises that he will be filing a Petition for Family Allowance.
- *Minute Order* dated 6/7/2011 [Judge Oliver] states Mr. Walker is appearing via conference call. Counsel requests a continuance. Matter continued to 9/6/2011.
- *Minute Order* dated 9/6/2011 [Judge Oliver] states Keith Walker states that he has had a medical procedure keeping him away from court. Mr. Walker requests a continuance, stating, for example, a pending creditor's claim. The Court notes the creditor's claim and understands the matter will be finished at the next court hearing of 11/8/2011.
- *Minute Order* dated 11/8/2011 [Judge Oliver] states Mr. Walker is appearing via conference call. Mr. Walker informs the Court that he has the Petition for Family Allowance largely prepared, but needs a continuance due to medical issues. Matter continued to 12/13/2011.
- *Minute Order* dated 12/13/2011 states Mr. Walker appears by CourtCall. Mr. Walker advises the Court that he should have the petition filed by the end of this year.
- *Minute Order* dated 2/8/2012 states Keith Walker appears via Courtcall. Court orders Mr. Walker and Ms. Pena to personally appear if the Inventory and Appraisal is not filed by the next hearing on 3/21/2012.

The following issues remain to be addressed by Attorney Walker:

1. *Proof of Service by Mail of the Notice of Hearing* filed on 5/4/2012 shows notice was mailed on 4/24/2012 to American Contractors Indemnity Company in Los Angeles. *Proof of Bond* filed 12/15/1995 indicates **Highlands Insurance Company** is the bond company that issued the **\$20,000.00** bond to Petitioner. Further, Highlands Insurance Company filed on 10/5/2001 a *Notice of Change of Address* indicating an address in Van Nuys. Need explanation as to the reason American Contractors Indemnity Company was sent notice, and/or proof that American Contractors Indemnity Company issued and currently holds the **\$20,000.00** bond to the Petitioner, or proof of service by mail of notice to Highlands Insurance Company, Southern California Bonding Service, Inc., **per Court records indicating that Highlands Insurance Company issued the \$20,000.00 bond to Petitioner.**
2. *Final Inventory and Appraisal* filed on 3/20/2012 does not comply with Probate Code § 8802 which provides the inventory and appraisal shall separately list each item and shall state the fair market value of the item at the time of the Decedent's death. *Final Inventory and Appraisal* filed on 3/20/2012 shows an estate value of **\$9,080.37** cash. However, this value appears not to reflect a correct estate value as of the date of Decedent's death of 6/12/1995, based upon the following:
 - a. Initial *Petition for Probate* filed 10/31/1995 indicated an estimated value of the estate of **\$62,000.00, consisting of real property (\$42,000.00) and personal property (\$20,000.00);**
 - b. *Order for Probate* filed 12/6/1995 fixed bond at **\$20,000.00**; proof of bond was filed 12/15/1995, and *Letters* issued on that same date;
 - c. Administrator Nitza Pena was authorized for **Limited IAEA Authority only.**
3. Need petition for final distribution pursuant to Local Rule 7.5(B) and (C).

Petition for Family Allowance (Probate Code 6541(b)(2))

DOD: 6/12/1995		<p>NITZA PEÑA, niece and Administrator with Limited IAEA, is Petitioner.</p> <p>Petitioner requests a family allowance for the support and maintenance of the Decedent's children, stating as follows:</p> <ul style="list-style-type: none"> The <i>Final Inventory and Appraisal</i> of the estate filed with the Court [on 3/20/2012] shows the total value of the estate to be \$9,080.37; Of that sum, \$545.25 has been paid to counsel for Petitioner as reimbursement for costs advanced; The remaining \$8,535.12 has been turned over to the State Controller as unclaimed property; Petitioner and her counsel are submitting claims to the State Controller in order to recover the property on behalf of the estate; Valley Medical Center of Fresno [now Community Medical Center] filed a claim for \$203,464.43 on 12/16/1995, and an amended claim for a reduced amount of \$198,043.68 on 6/21/1996; the latter claim reflects a reduction of \$4,600.95 for one or more payments from insurance and a further adjustment of \$819.80 which accounts for the difference in the outstanding balance; Petitioner allowed the claim in full; The estate is insolvent; Decedent was survived by seven children, all of whom were still minors at the time of her death [on 6/12/1995]; all of Decedent's children are now adults except for one, KAREN SHIRLEY VAUGHN, who will attain the age of majority on 6/12/2012; Decedent's children are her heirs at law and succeed to her entire estate under Probate Code § 6402(a); <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: It appears Petitioner and/or Attorney Walker intend this <i>Petition</i> to be brought under Probate Code § 6540(b)(2) rather than 6541(b)(2) as stated in the caption of the <i>Petition</i>.</p> <ol style="list-style-type: none"> <i>Notice of Hearing</i> filed 5/4/2012 contains the incorrect hearing time of 8:30 a.m. rather than 9:00 a.m. Due to this defect in notice, Court may be required to continue this hearing and may require <i>Amended Notice of Hearing</i> and proof of service by mail to all interested parties of the <i>Amended Notice of Hearing</i> containing the continued hearing date and correct time. <i>Proof of Service By Mail</i> filed 5/4/2012 does not show notice was mailed pursuant to Probate Code § 1220(a)(2)(A) to Nitza Peña, Administrator. <p align="center">~Please see additional page~</p> <p>Reviewed by: LEG</p> <p>Reviewed on: 5/4/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2B – Vaughn</p>	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Petitioner states, continued:

- Because all of Decedent's children were minors at the time of her death, they are entitled under Probate Code § 6540(a)(2) to a reasonable family allowance out of the estate for their maintenance;
- Petitioner requests an allowance for each of Decedent's seven children of **\$100.00 per month for a period of one year only [from 6/12/1995 to 6/11/1996], retroactive to the date of Decedent's death, for a total allowance of \$8,400.00**, in keeping with Probate Code §§ 6542 and 6543(a);
- Petitioner submits that such an allowance is so modest as to be reasonable as a matter of law and recognizes that not even the full **\$8,400.00** will be available for purposes of the allowance after costs of administration are paid;
- Being minors at the time of Decedent's death, her children had no substantial income of their own during the first year after the date of death.

Petitioner prays for an order: Granting a family allowance for the support and maintenance of each of the Decedent's seven surviving children in the sum of **\$100.00** per month for the period from 6/12/1995 to 6/11/1996, for a total of **\$1,200.00** per child and a total allowance of **\$8,400.00**, subject to the priority of other debts as provided in Probate Code § 11420(a).

Memorandum of Points and Authorities in Support of Petition for Family Allowance filed 5/4/2012 by Attorney Walker states [case law authority and citations omitted]:

- The total value of the estate is just **\$9,080.37** as set forth in the *Final Inventory and Appraisal* filed on 3/20/2012;
- The only creditor's claim is that of Valley Medical Center [now Community Medical Center] for **\$198,043.68**, which has been allowed in full;
- The estate will therefore be insolvent whether the family allowance is granted or not;
- Entitlement to a Family Allowance: the right to a family allowance is purely statutory and does not depend on the status of the claimant as an heir or devisee; rather it rests upon the right of the claimant to support at the time of the decedent's death; even a spouse or minor child who has been totally disinherited is entitled to a family allowance;
- A family allowance is preferred to most other claims (Probate Code § 750) and upon proper application, it must be granted even if the estate is insolvent;
- Under Probate Code § 11420(a), a family allowance must be paid before the general debts of the estate;
- The mere passage of time, even more than a decade and a half, does not affect the right of a surviving spouse or child to a family allowance; nor does the fact that the children have attained their majority since the decedent's death; the granting or withholding of support for [an] estate is not a matter within the discretion of the probate court, though the court has a broad discretion in determining the reasonableness and necessity of the family allowance;
- Where the estate is insolvent, as here, the family allowance may not continue for more than one year after the granting of letters per Probate Code § 6543(a);
- Where no allowance has been previously granted, however, the decedent's children are still entitled to an allowance so long as it does not extend beyond the first anniversary of the first issuance of letters;
- The amount requested for each of the decedent's children is, under the circumstances of this case, entirely reasonable, and the Court should grant the petition.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS, continued:

3. Initial *Petition for Probate* filed 10/31/1995 indicated an estimated value of the estate of **\$62,000.00**, consisting of real property valued at **\$42,000.00** and personal property valued at \$20,000.00. *Petition for Family Allowance* does not provide any explanation for the discrepancy in estate value which is now stated to be **\$9,080.37** consisting of cash and a refund check. *Final Inventory and Appraisal* filed on 3/20/2012 does not comply with Probate Code § 8802 which provides the inventory and appraisal shall separately list each item and shall state the fair market value of the item at the time of the Decedent's death. *Final Inventory and Appraisal* filed on 3/20/2012 shows an estate value of **\$9,080.37** cash. However, this value appears not to reflect a correct estate value as of the date of Decedent's death of 6/12/1995, based upon the following:
 - a. Initial *Petition for Probate* filed 10/31/1995 indicated an estimated value of the estate of **\$62,000.00, consisting of real property (\$42,000.00) and personal property (\$20,000.00)**;
 - b. *Order for Probate* filed 12/6/1995 fixed bond at **\$20,000.00**; proof of bond was filed 12/15/1995, and *Letters* issued on that same date;
 - c. Administrator Nitza Pena was authorized for **Limited IAEA Authority only**.
4. *Petition for Family Allowance* states the estate is **insolvent**, but provides no facts or information as to how the estate came to that condition **since the inception of this estate in 1995**. Need further information as to the acts and transactions of the Administrator and the Attorney occurring during administration of the estate that resulted in its becoming insolvent.
5. *Petition for Family Allowance* states **\$8,535.12** has been turned over to the State Controller as unclaimed property without providing any explanation as to the reason estate property was not marshaled and protected by the Administrator nor the Attorney as required.
6. *Petition for Family Allowance* states the Petitioner allowed in full the Valley Medical Center [now Community Medical Center] claim of **\$198,043.68** filed on 6/21/1996. Need *Allowance of Creditor's Claim* (form DE-174) and associated service for this claim pursuant to Probate Code § 9250.
7. *Petition for Family Allowance* states **\$545.25** has been paid to counsel for Petitioner as reimbursement for costs advanced, but does not provide an itemized declaration pursuant to Local Rule 7.17(C) for the Court in its discretion to consider as allowable costs advanced.
8. *Petition for Family Allowance* states Decedent's seven children are currently all adults except for one minor daughter who will reach age 18 on 6/12/2012. ***Petition gives no details or support as required for the Court to determine the reasonableness and necessity of maintenance according to the circumstances during administration of the estate for Decedent's adult children, such that they were actually dependent in whole or in part upon the Decedent for support as required by Probate Code § 6540(b)(1).*** *Petition* provides no explanation for making such claim for family allowance "after the fact" for adult heirs who were minors at the date of death on 6/12/1995. Attorney Walker has not demonstrated in his *Petition for Family Allowance* nor in his *Memorandum of Points and Authorities* that his request meets threshold Probate Code 6540(b)(1) showing reasonableness and necessity of maintenance, and the propriety of this request at the present time for Decedent's adult children. Need further details and legal authority to support this request for family allowance.

(1) First Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney

Age: 85 DOB: 01/22/26	PUBLIC GUARDIAN , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 03/28/12</u>
	Account period: 01/17/07 – 07/14/11	
	Accounting - \$1,979,239.77	Note: Due to the anticipated sale of several more properties owned by the Conservatee within the next year, Petitioner requests that a status hearing for the next account be set out 14 months instead of the usual 26 months.
Cont. from 110911, 012512, 032812	Beginning POH- \$1,525,346.46	A Report of Sale and Petition for Order Confirming Sale is set for hearing on 05/31/12.
	Ending POH - \$924,262.38	
<input type="checkbox"/> Aff.Sub.Wit.	Conservator - \$19,012.78 (116.35 Deputy hours @ \$96/hr. and 103.20 Staff hours @ \$76/hr.)	
<input checked="" type="checkbox"/> Verified	Attorney - \$9,540.00	
<input type="checkbox"/> Inventory	Bond fee - \$546.98 (ok)	
<input type="checkbox"/> PTC	Costs - \$239.00 (certification of Letters)	
<input type="checkbox"/> Not.Cred.	Petitioner prays for an Order:	
<input checked="" type="checkbox"/> Notice of Hrg	1. Approving, allowing and settling the first account;	
<input checked="" type="checkbox"/> Aff.Mail w/	2. Authorizing the conservator and attorney fees and commissions; and	
<input type="checkbox"/> Aff.Pub.	3. Authorizing payment of the bond fee.	
<input type="checkbox"/> Sp.Ntc.	Court Investigator Samantha Henson's report was filed 08/22/11.	
<input type="checkbox"/> Pers.Serv.	Declaration of Heather Kruthers filed 01/19/12 states that they will need a 60 day continuance to prepare and file an amended account.	Reviewed by: JF
<input type="checkbox"/> Conf. Screen		Reviewed on: 05/01/12
<input type="checkbox"/> Letters		Updates:
<input type="checkbox"/> Duties/Supp		Recommendation:
<input type="checkbox"/> Objections		File 3 - Hart
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 2620(c) n/a		
<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	Declaration of Deputy Public Guardian Gary Healy Re: Examiner Notes for the First Account filed 03/27/12.	

Continued on Page 2

1. **The accounting reflects several disbursements to Anjaleoni Enterprises and/or Sundari Kendakur that the court may require further explanation/clarification as follows:**
 - a. **Charges for live in care from 01/29/07 – 04/21/11 vary each month and range from \$3,325.00 to \$8,525.00 per month. It is unclear why there is such a variation in the cost of the care from month to month.**

Declaration of Deputy Public Guardian Gary Healy filed 03/27/12 states: While living in her own home, Conservatee had 24 hour care. The cost of the in home care was \$8,525/month. The fluctuation in costs from \$3,325 to \$8,525 was due to lack of assets to pay the full amount each month. The company hired by the Conservator, Anjaleoni Enterprises, agreed to receive payment when the conservatee could pay, thus the fluctuations in payment amount. The Conservatee has since been moved and her cost of care is now \$3,000.00 per month.

- b. **There is a late fee in the amount of \$300.00 for board & care in 05/2011.**

Declaration of Deputy Public Guardian Gary Healy filed 03/27/12 states: Rent is due at the board and care home where the conservatee moved on the 5th of each month. The Public Guardian made a check for the rent on 05/05/11; however, the board and care owner did not receive the payment until 05/07/11, thus incurring a 10% late fee.

- c. **There are several disbursements from 01/29/07 – 02/24-11 for “Coins for Laundry” totaling \$644.00.**

Declaration of Deputy Public Guardian Gary Healy filed 03/27/12 states: The Austin Way property owned by the Conservatee and where she previously lived had a coin operated washer and dryer. The Public Guardian paid Anjaleoni for some of Conservatee’s needs with coins taken from the washer and dryer.

- d. **Transportation service was billed to the conservatee from 01/29/07 – 02/24/11 ranging from \$480.00 - \$1,725.00 per month (most months are well over \$1,000) (totaling \$53,225.00). This was during the same time frame that the conservatee is paying (the same person/entity) for full time care. The Court may require more information about the reasonableness of these fees.**

Declaration of Deputy Public Guardian Gary Healy filed 03/27/12 states: Despite her progressing dementia, the Conservatee was active and it was necessary to provide stimulation and outings that would maintain a healthy lifestyle for her. The Conservatee did not have a car, and after researching the options, it was determined that private transportation service was the best option for the Conservatee. The \$1,000.00/month averages \$50.00/day to transport the Conservatee to her activity center, lunches, shopping and other outings. The amounts varied because some months the Conservatee was sharing the cost of transportation with another conservatee that attended the same activity center.

- e. **“Shopping Fees” were paid by the conservatee from 03/04/10 – 03/30/11 ranging from \$195.00 - \$325.00 per month (totaling \$3,900.00). This is also during the time when the conservatee was also paying (the same person/entity) for full time care and transportation. The Court may require more information as to the reasonableness of these fees.**

Declaration of Deputy Public Guardian Gary Healy filed 03/27/12 states: The private care giver fee was only for care giving and did not include shopping. Hiring a separate company to buy groceries would cost more than the care provider company to do the shopping. Other companies charge a minimum of three hours at approximately \$20-25/hr.

First and Final Accounting

DOD: 2-28-06		MARIE E. DONALDSON and MAYNARD E. GOINS , Co-Executors, are Petitioners.	NEEDS/PROBLEMS/COMMENTS: 1. <u>Need amended accounting pursuant to Probate Code §1060 or waiver of account / petition for final distribution pursuant to Probate Code §10954.</u> This petition is not in compliance with Probate Code §1060 et seq., as an accounting and does not contain the verified statements or schedules required for review of a petition for final distribution as a waiver of accounting pursuant to Probate Code §§ 10954 or §11640. This petition consists only of a face page verification with attached spreadsheets/ ledgers and does not make any statements regarding appropriate notice pursuant to Probate Code §9202 (Franchise Tax Board, Dept. of Health Care, etc.), or contain other mandatory statements or schedules, etc. 2. <u>It appears pursuant to the receipts filed that the estate has already been distributed in advance of court order in violation of Probate Code §§ 11620, 11640, Cal. Rules of Court 7.651, etc.</u> <u>Pursuant to the will, Co-Executors Marie Donaldson and Maynard Goins are the sole heirs; however, it is unknown if the appropriate actions were taken with regard to notice to creditors, agencies, etc., as required by the Probate Code and Cal. Rules of Court.</u> 3. The document is verified by only one of the two Co-Executors. Therefore, need proof of service of Notice of Hearing or waiver of notice from the other Co-Executor / heir. 4. Need Order pursuant to Local Rule 7.6.1. 5. Petitioners submitted an Ex Parte Petition for Final Discharge and Order. Petitioners cannot be discharged until the estate is closed pursuant to applicable law. Examiner notes that the Ex Parte Petition is incomplete at #2c regarding recording information, as this cannot be completed until the final order is entered and recorded. The document submitted is in the file for return to the Petitioners and Petitioners should resubmit upon entry of the final order (after amendment pursuant to the above issues). Reviewed by: skc Reviewed on: 5-1-12 Updates: Recommendation: File 4 - Goins
		Account period: ???	
	Aff.Sub.Wit.	Beginning POH: \$287,370.38 (per I&A filed 3-15-12)	
✓	Verified	Ending POH: ???	
✓	Inventory	Co-Executors (Statutory): ???	
✓	PTC	Attorney (Statutory): ???	
	Not.Cred.	Costs: ???	
	Notice of Hrg	Closing: ???	
	Aff.Mail	Distribution pursuant to Decedent's will and Receipts filed 3-29-12:	
	Aff.Pub.	Marie E. Donaldson:	
	Sp.Ntc.	<ul style="list-style-type: none"> \$54,388.19 cash A 50% ownership interest in the real property Approx. ½ of the furniture, furnishings, costume jewelry, dishes and flat ware in the estate \$320 filing fee \$316.50 publication fee 	
	Pers.Serv.	Maynard E. Goins:	
	Conf. Screen	<ul style="list-style-type: none"> \$54,388.18 cash A 50% ownership interest in the real property Approx. ½ of the furniture, furnishings, costume jewelry, dishes and flat ware in the estate \$460 reimbursement for Hume Lake Expensed 	
✓	Letters	11-27-06	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202	X	
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice	X	

Order to Show Cause Re: Proposed Sanctions in the amount of \$500

DOD: 12/28/10	CAROL OWENS , daughter, was appointed temporary Conservator of the Person and Estate with bond set at \$30,000.00 on 02/10/09.	NEEDS/PROBLEMS/COMMENTS: As of 05/01/12, no additional documents have been filed.
Cont. from	Conservator filed a bond in the amount of \$30,000.00 on 03/09/09.	
Aff.Sub.Wit.		
Verified		
Inventory	CAROL OWENS , daughter, was appointed Conservator of the Person and Estate and Letters were issued on 08/06/09.	
PTC		
Not.Cred.		
Notice of Hrg	Order settling 1 st Account and Report of Conservator was filed 11/03/10.	
Aff.Mail		
Aff.Pub.	Conservatee died on 12/28/10.	
Sp.Ntc.		
Pers.Serv.	Notice of Status Hearing filed 01/27/12 set a Status Hearing Re: Termination of Proceeding for Deceased Conservatee on 04/04/12. Clerk's Certificate of Mailing states that the Notice of Status Hearing was mailed to Conservator and attorney Kathleen Bakergumprecht-Davies on 01/27/12.	
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt	Minute Order from status hearing on 04/04/12 states: No Appearances. The Court sets the matter for an Order to Show Cause on 05/09/12 regarding the proposed sanctions in the amount of \$500.00. The Court orders Ms. Bakergumprecht-Davies and Mr. Owen to be present on 05/19/12.	
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation	Clerk's Certificate of Mailing filed 04/09/12 states that a copy of the Minute Order dated 04/04/12 was mailed to Kathleen Bakergumprecht-Davies on 04/09/12.	
FTB Notice		
		Reviewed by: JF
		Reviewed on: 05/01/12
		Updates:
		Recommendation:
		File 6 - McElroy

Amended First Account Current and Report of Conservator and Petition for its Settlement

Age: 84	<p>KA'REN VARTAN KETENDJIAN, Nephew and Conservator, is Petitioner.</p> <p>Current bond: \$140,910.00 (sufficient)</p> <p>Account period: 1-1-10 through 12-31-11</p> <p>Accounting: \$378,955.25 Beginning POH: \$362,510.46 Ending POH: \$341,592.10 (\$81,592.10 is cash)</p> <p>Conservator: Not requested</p> <p>Petitioner prays:</p> <ol style="list-style-type: none"> 1. That this account and report be approved and settled; 2. That the acts of the Conservator shown in the account and report be approved; 3. That the Court grant such other and further relief as it deems just and proper. <p>Court Investigator Charlotte Bien filed a report on 2-1-12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Petitioner is an attorney, but is self-represented as Conservator in this proceeding.</p> <p><u>Note:</u> Petitioner provides an alternate summary using an estimated current value for the real property and showing a loss based on that estimate. Examiner notes that no loss has been realized, and the appraised value will continue to be the carry value until reappraised for sale or other purpose. <u><i>There does not appear to be a reason to reappraise or show a loss at this time.</i></u></p> <p><i>(This note does not affect approval of the accounting; it is just an observation for future petitions.)</i></p> <p>1. Need order.</p>	
DOB: 11-7-27			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail			w/o
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
9202			
Order	X		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 5-3-12	
		Updates:	
		Recommendation:	
		File 7 - Ketendjian	

(1) Second and Final Account and Report of Conservator, (2) Petition for Allowance of Compensation to Conservator and Attorney (Prob. C. 1860, 2620, 2623, 2630, 2942)

DOD: 01/24/12		PUBLIC GUARDIAN , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Second Account period: 08/16/11 – 01/24/12	
Cont. from			
	Aff.Sub.Wit.	Accounting - \$14,240.74	
<input checked="" type="checkbox"/>	Verified	Beginning POH - \$4,465.88	
	Inventory	Ending POH - \$1,149.13	
	PTC		
	Not.Cred.	Subsequent Account period: 01/25/12 – 03/08/12	
<input checked="" type="checkbox"/>	Notice of Hrg	Accounting - \$4,312.67	
<input checked="" type="checkbox"/>	Aff.Mail w/	Beginning POH - \$1,149.13	
	Aff.Pub.	Ending POH - \$1,436.49	
	Sp.Ntc.	Conservator - \$1,392.40 (10.15 Deputy hours @ \$96/hr. and 5.5 Staff hours @ \$76/hr.)	
	Pers.Serv.		
	Conf. Screen		
	Letters	Attorney - \$583.31 (per Local Rule)	
	Duties/Supp		
	Objections	Bond Fee - \$25.00 (ok)	
	Video Receipt		
	CI Report	Petitioner requests that, due to the insufficiency of the estate to pay the fees and commissions, that a lien be imposed upon the estate for any unpaid balances of the authorized fees and commissions.	
	2620(c) n/a		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
Petitioner prays for an Order:			
<ol style="list-style-type: none"> 1. Approving, allowing and settling the second account and final account; 2. Authorizing the conservator and attorney fees and commissions; 3. Authorizing payment of the bond fee; and 4. Authorizing Petitioner to impose a lien on the estate for any unpaid balances of authorized fees and commissions. 			
Reviewed by: JF			
Reviewed on: 05/01/12			
Updates:			
Recommendation:			
File 8 – Poole			

(1) First and Final Account and Report of Successor Administrator and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and (3) for Distribution [Prob. C. 216; 9202; 10800; 10810; 10951; 11600; 11850(a)]

DOD: 1/1/1996	PUBLIC ADMINISTRATOR , Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need Order
	Account period: 9/13/10 – 10/31/11	
Cont. from 020812, 031912, 041612	Accounting - \$50,000.00	
Aff.Sub.Wit.	Beginning POH - \$50,000.00	
<input checked="" type="checkbox"/> Verified	Ending POH - \$24,070.86	
<input checked="" type="checkbox"/> Inventory	Administrator (statutory) - \$1,600.00	
<input checked="" type="checkbox"/> PTC	Administrator X/O - \$1,248.00	
<input checked="" type="checkbox"/> Not.Cred.	(for sale of real property and preparation of tax returns)	
<input checked="" type="checkbox"/> Notice of Hrg	W/	
<input checked="" type="checkbox"/> Aff.Mail	Attorney (statutory) - \$1,600.00	
Aff.Pub.		
Sp.Ntc.	Bond fee - \$125.00	
Pers.Serv.	(o.k.)	
Conf. Screen	Court fee - \$420.50	
<input checked="" type="checkbox"/> Letters	9/13/10 (filing fee & certified copies)	
Duties/Supp	Closing - \$500.00	
Objections		
Video Receipt	Distribution, pursuant to intestate succession, is to:	
CI Report		
<input checked="" type="checkbox"/> 9202	Larry Ford, Carmen Gant, Yvonne Ford, Shirley Shackelford, Diane Levi, Leo Ford, Tony Ford, Alfred Ford and Garfield Gilbert - \$1,652.94 each.	
Order	X	
Aff. Posting		
Status Rpt		
UCCJEA	Amanda Ford and Robert Ford, III - \$826.48 each and	
Citation		
<input checked="" type="checkbox"/> FTB Notice	Louis Ireland, Lamont Ireland and Kelly Ireland - \$550.98 each.	
		Reviewed by: KT
		Reviewed on: 5/2/12
		Updates:
		Recommendation:
		File 9 - Ford

(1) Waiver of First and Final Account and Report of Co-Administrators and Petition for Settlement Thereof; (2) for Allowance of Attorney's Fees for Ordinary and Extraordinary Services and Costs; and (3) for Final Distribution (Prob. C. 10800, 10801, 10810, 10811, 10954, 12200)

DOD: 07/18/11		<p>SHANNON M. HILL and NICOLE K. BROWN, Co-Administrators, are Petitioners.</p> <p>Accounting is waived.</p> <p>I & A - \$134,400.00 POH - \$64,347.78</p> <p>Administrators - waive</p> <p>Attorney (statutory) - \$4,999.00</p> <p>Attorney x/o - \$1,611.00 (for sale of household furnishings, sale of real property, and attempted sale of 2005 Toyota Tundra)</p> <p>Costs - \$1,195.00 (filing fees, publication, certified copies)</p> <p>Closing - \$3,000.00</p> <p>Distribution, pursuant to intestate succession, is to:</p> <p>Shannon M. Hill - \$22,271.39 cash plus ½ interest in 2005 Toyota Tundra</p> <p>Nicole K. Brown - \$22,271.39 cash plus ½ interest in 2005 Toyota Tundra</p>	<p>NEEDS/PROBLEMS/COMMENTS:</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 09/07/11		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
		<p>Reviewed by: JF</p> <p>Reviewed on: 05/02/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 - Brown</p>	

Probate Status Hearing Re: Filing of Bond

Age: 89	<p>SHARON SHIELDS, was appointed as Conservator of the Person and LINDA BABCOCK, was appointed as Conservator of the Estate with bond set at \$127,600.00 on 02/21/12.</p> <p>Minute Order from status hearing on 04/09/12 set this matter for status of filing of the bond.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>As of 05/02/12, the bond has not been filed and Letters have not issued.</p> <p>1. Need filing of bond.</p>
DOB: 11/05/22		
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: JF	
	Reviewed on: 05/02/12	
	Updates:	
	Recommendation:	
	File 12 - Johansen	

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

Age: 2 months DOB: 2/11/2012		<p>There is no temporary. No temporary was requested.</p> <p>LUCAS GARZA, maternal grandfather, is petitioner.</p> <p>Father: JOSE LUIS COLIN – <i>consents and waives notice.</i></p> <p>Mother: CASANDRA GARZA – <i>consents and waives notice.</i></p> <p>Paternal grandfather: Ernest Colin – <i>served by mail on 3/21/12</i> Paternal grandmother: Gregoria Colin – <i>served by mail on 3/21/12</i> Maternal grandmother: Noemi Garza – <i>served by mail on 3/21/12</i></p> <p>Petitioner states the mother and father of the child are both unemployed students without health insurance. The guardianship will allow Petitioner to enroll the child under his policy.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Jennifer Daniel to provide:</p> <ol style="list-style-type: none"> Court Investigator Report Clearances 	
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 checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			X
<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: KT
Reviewed on: 5/2/12
Updates:
Recommendation:
File 13 - Colin

Atty Markeson, Thomas A. (for Sherry Morris Begbie – Spouse/Petitioner)

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

DOD: 03/26/12		<p>SHERRY MORRIS BEGBIE, surviving spouse, is Petitioner and requests appointment as Administrator with bond amount to be determined.</p> <p>Full IAEA – NEED</p> <p>Decedent died intestate</p> <p>Residence: Clovis</p> <p>Publication: NEED</p> <p>ESTIMATED VALUE OF THE ESTATE: Personal property - \$175,000.00</p> <p>Probate Referee: RICK SMITH</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED TO 06/06/12</u> Per request of Counsel</p> <ol style="list-style-type: none"> 1. Need Affidavit of Publication. 2. Need Order.
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	w/		
Aff.Pub.	x		
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order	x		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: JF	
		Reviewed on: 05/02/12	
		Updates:	
		Recommendation:	
		File 14 - Begbie	

Status Hearing Re: Proof of Guardianship in Arizona and Termination of the California Guardianship

Age: 15 years DOB: 1/18/1997	IRENE SHREFFLER , maternal grandmother/guardian, petitioned the court to fix the residence outside of California to Kingman, Arizona.	NEEDS/PROBLEMS/COMMENTS:
		Please see page 15B re: Order to Show Cause.
Cont. from 012312, 022212	Irene Shreffler was appointed guardian of the person on 9/20/06.	1. Need status of guardianship proceedings in Arizona.
<input type="checkbox"/> Aff.Sub.Wit.	Father: GEORGE PLESH	
<input type="checkbox"/> Verified	Mother: DENISE LEMEN	
<input type="checkbox"/> Inventory	On 7/25/11 the Court granted the petition to move the minor to Arizona ordered that a guardianship or its equivalent would be commenced in Arizona within four months of the order.	
<input type="checkbox"/> PTC	Minute Order dated 1/23/12 continued the status hearing to 2/22/12 and set an Order to Show Cause Re: Contempt. Irene Shreffler was ordered to be present on 2/22/12.	
<input type="checkbox"/> Not.Cred.	Minute Order dated 2/22/12 states no appearances matter continued to 5/9/12.	
<input type="checkbox"/> Notice of Hrg	Order to Show Cause dated 3/5/12 was mailed to Irene Shreffler on 3/5/12 ordering her to appear on 5/9/12 to show cause why she should not be sanctioned for failure to report the status of the guardianship proceedings in Arizona.	Reviewed by: KT
<input type="checkbox"/> Aff.Mail		Reviewed on: 5/2/12
<input type="checkbox"/> Aff.Pub.		Updates:
<input type="checkbox"/> Sp.Ntc.		Recommendation:
<input type="checkbox"/> Pers.Serv.		File 15A - Shreffler
<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 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		

Order to Show Cause Re: Contempt

Age: 15 years DOB: 1/18/1997	IRENE SHREFFLER , maternal grandmother/guardian, petitioned the court to fix the residence outside of California to Kingman, Arizona.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 022212	Irene Shreffler was appointed guardian of the person on 9/20/06.	
Aff.Sub.Wit.	Father: GEORGE PLESH	
Verified	Mother: DENISE LEMEN	
Inventory	On 7/25/11 the Court granted the petition to move the minor to Arizona ordered that a guardianship or its equivalent would be commenced in Arizona within four months of the order.	
PTC	Minute Order dated 1/23/12 continued the status hearing to 2/22/12 and set an Order to Show Cause Re: Contempt. Irene Shreffler was ordered to be present on 2/22/12.	
Not.Cred.	Minute Order dated 2/22/12 states no appearances matter continued to 5/9/12.	
Notice of Hrg	Order to Show Cause dated 3/5/12 was mailed to Irene Shreffler on 3/5/12 ordering her to appear on 5/9/12 to show cause why she should not be sanctioned for failure to report the status of the guardianship proceedings in Arizona.	Reviewed by: KT
Aff.Mail		Reviewed on: 5/2/12
Aff.Pub.		Updates:
Sp.Ntc.		Recommendation:
Pers.Serv.		File 15B - Shreffler
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Atty Sanchez, Isidoro (pro per Guardian)

Atty Sanchez, Elizabeth (pro per Guardian)

Order to Show Cause Re: Contempt Why Cesar Was Moved Outside California to Pennsylvania

Cesar age: 8 years DOB: 11/22/2003	<p>ISIDORO SANCHEZ and ELIZABETH SANCHEZ, non-relative family friends, were appointed guardians of the minor Cesar Gonzalez on 9/28/09, and were appointed guardians of the minor Marco Hernandez on 3/22/10.</p> <p>Concepcion Hernandez Ministro, mother, petitioned the court to terminate the guardianship.</p> <p>On 11/14/11 the Court granted the termination as to Marco Hernandez only and continued the matter as to Cesar Gonzalez to 1/23/2012.</p> <p>During the investigation the Court Investigator, Julie Negrete, discovered the Guardians had moved to Pennsylvania with the minor Cesar.</p> <p>The Guardians did not obtain permission from the court to move with Cesar to Pennsylvania.</p> <p>At the hearing on 1/23/2012 the Court (Judge M. Bruce Smith) denied the mother's petition to terminate the guardianship as to Cesar and set this Order to Show Cause for the Guardians to appear and show cause why Cesar was moved outside the State of California to Pennsylvania.</p> <p>Copy of the Minute Order dated 1/23/12 was mailed to Guardians, Isidoro Sanchez and Elizabeth Sanchez, in Pennsylvania on 1/27/2012.</p> <p>Minute order dated 2/22/12 states there were no appearances and the matter was continued to 5/9/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This matter concerns Cesar only. Guardianship of Marco was terminated on 11/14/11.</p>
Cont. from 022212		
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: 5/2/12 Updates: Recommendation: File 16 – Gonzalez & Hernandez

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

Age: 6		<p align="center"><u>NO TEMPORARY IN PLACE</u></p> <p>ALFRED DE LA CRUZ and ISABEL DE LA CRUZ, paternal grandparents, are Petitioners.</p> <p>Custodian per Family Court case no. 06CEFL04904, maternal great grandmother, MARY GALAVIZ – served by substituted service on 1/28/12</p> <p>Father: ERIC DE LA CRUZ, consent and waiver of notice filed 1/26/2012</p> <p>Mother: CECILIA ECHEVESTE-ALVARADO – served by substituted service on 1/28/12</p> <p>Maternal grandmother: Rosalinda Galaviz (Silva) – served by mail on 01/26/12</p> <p>Maternal grandfather: Deceased.</p> <p>Siblings: MICHAEL ECHEVESTE, JR., AERIEL ECHEVESTE, ANASTANSIA ECHEVESTE – all served by mail 01/26/12</p> <p>Petitioners state the mother was recently arrested and incarcerated on 1/23/12. The mother was living at the current guardian's home, caring for the child, despite the current court order which says she must have supervised visitation only. The current guardian is unable to keep the child safe and care for the child properly in her home as she is ill, has recently had a heart attack and continues to allow the child to be in the care of the mother.</p> <p>Declaration filed 02/27/12 by Petitioners attaches several character references for the Petitioners and the child's kindergarten report card and dates of attendance.</p> <p>Court Investigator Dina Calvillo's supplemental report filed 03/26/12.</p> <p>Court Investigator Dina Calvillo filed a Report on 05/01/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 03/28/12</u> Minute Order from 03/28/12 states: The Court notes for the record that there is no active Family Court matter. The Court orders that a court investigator conduct a further investigation of the petitioners, mother, and Mary Galaviz. Additionally, the Court orders that the investigator check into the status of Mary Galaviz's health issues.</p> <p>As of 05/01/12, the following items remain outstanding:</p> <ol style="list-style-type: none"> 1. It appears that both Mary Galaviz, custodian, and Cecilia Escheveste-Alvarado, mother, were served by substituted service and not personally served. Need proof of personal service at least 15 days before the hearing. 2. Need UCCJEA. 	
DOB: 02/06/06				
Cont. from 032812				
<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.			x
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA	x		
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Objection to Guardianship filed by Victor Hugo Martinez Pena [father of Jennifer, Neveah and Victor, Jr.] and Odilia Pena [mother] on 3/20/12 states in their petition Petitioners stated the Jennifer , Neveah and Victor, Jr. were residing in Kerman and that Alfredo and Krysta were residing in Mendota. However, all of the children were residing in Nido, California with their objectors. Furthermore, the children's principal place of residence was in Merced County and not in Fresno County. The parents believe Merced County should hear the matter of the guardianship since the children are residents of Merced County.

Objectors state that the proposed guardians are both unfit. Arnulfo Ramirez Jr. has a criminal history. On 1/23/2002 he was charged with PC261.5 (sex act with a minor). At the time Arnolfo ran out of the State of California. On 5/21/2002 he pled Nolo Contendre. In addition, the maternal grandfather is a registered sex offender.

Odilia [mother] was arrested in Iowa for transporting drugs and was incarcerated for two days. Odilia was released and allowed to come to California. She went back to Iowa for a second hearing. The children were residing with their father. On 3/2/12 the grandmother asked the father to allow her to visit and he did. On 3/4/12 the grandmother refused to return the children. After Ocilla found out the children were being concealed by her mother she attempted to speak with the children but the grandmother would not let her communicate with her children. On Monday Victor went for the children, it was shortly after that that the grandmother filed for guardianship. Odila has another court date on 3/26/12.

The proposed guardians' claims that the children will be removed from the State of California by their illegal father are untrue. Victor has no reason to return to Mexico and has nothing that ties him to that country. Victor has a steady job at a dairy farm in Merced County and his family is residing there as well.

Objector prays that the guardianship be denied and the children returned to their parents.

Court Investigator Julie Negrete's Report filed on 5/3/12.

Petition for Appointment of Temporary Conservator of the Person and Estate (Prob. C. 1510)

Age: 79 years DOB: 6/30/1932	Temporary granted ex parte on 4/30/12. Temporary Expires on 5/9/12.	NEEDS/PROBLEMS/COMMENTS:
	<u>General Hearing 6/6/12.</u>	Court Investigator Advised Rights on 5/2/12.
Cont. from	PUBLIC GUARDIAN is petitioner and requests appointment as temporary conservator of the person and estate.	1. Need proof of personal service of the Notice of Hearing along with a copy of the Temporary Petition on:
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Petitioner states the proposed conservatee had been residing in her own home. She has since been moved into one of her son's home. Although this appears to be adequate at the time, she has reportedly been physically violent with a recent care provider, most likely due to her dementia. In addition, there is another child with whom there is a conflict. Because of the conflict, the Public Guardian seeks her own appointment as temporary conservator.	a. Betty Jean Steinhauer (proposed conservatee)
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Court Investigator Samantha Henson's Report filed on 5/3/12 recommends that the temporary conservatorship be GRANTED.	Reviewed by: KT
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	9202	Reviewed on: 5/2/12
<input checked="" type="checkbox"/> Aff.Mail W/		
<input type="checkbox"/> Aff.Pub.	Order	Updates:
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv. X	Aff. Posting	Recommendation:
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters	Status Rpt	File 19 - Steinhauer
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections	UCCJEA	
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report	Citation	
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order	FTB Notice	
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		