



## 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.

**(1) Twelfth Account and Report of Sole, Surviving Successor Co-Conservator and  
(2) Petition for Issuance of Letters to Surviving Co-Conservator as Sole Conservator  
and (3) Petition for Allowance of Fees to Conservator and Attorney**

<b>Age: 57</b>	<b>SYLVIA GONZALEZ</b> , sole remaining Conservator, is Petitioner. (Co-Conservator Guadalupe Pena has passed away.)	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Continued from 2-19-13, 3-19-13, 4-23-13</b>
<b>Cont from: 021913, 031913, 042313</b>	<b>Account period: 5-1-10 through 4-30-12</b>	<b>Minute Order 3-19-13:</b> Counsel is directed to attempt to balance the account or indicate why she was unable to do so. In addition, counsel to submit a declaration addressing the remaining issues in the examiner notes. Continued to 4-23-13.
<b>Aff.Sub.Wit.</b>	<b>Accounting: \$237,906.88 / \$236,511.14</b>	<b>Minute Order 4-23-13:</b> Counsel advises the Court that she is close to balancing the account.
<input checked="" type="checkbox"/> <b>Verified</b>	Beginning POH: \$188,621.57	<b>As of 5-9-13, nothing further has been filed. The following issues remain:</b>
<b>Inventory</b>	Ending POH: \$202,555.53 (\$52,644.21 cash - \$17,317.73 unblocked - plus real and personal property)	1. Accounting does not balance. Charges are \$237,906.88 and Credits are \$236,511.14, a difference of \$1,395.74. Need clarification and/or amendment.
<b>PTC</b>	<b>Conservator: \$1,800.00</b>	2. The dates of the disbursements are cut off on the Disbursement Schedule so it is unclear when the disbursements were made. The Court may require new schedules for Court records.
<b>Not.Cred.</b>	(\$15/hr for 120 hours including transportation, household management, shopping, overseeing renovations on the residence, etc.)	<i>(Examiner notes that for the schedules, the Judicial Council forms 400(A-G) are "optional;" however, if the forms were used, this format discrepancy would not have occurred.)</i>
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Attorney: \$2,000.00 (per local rule)</b>	<b>SEE ADDITIONAL PAGES</b>
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	<b>Current Bond: \$42,000.00</b>	<b>Reviewed by:</b> skc
<b>Aff.Pub.</b>	Although Petitioner calculates that bond should be increased to \$49,143.81 pursuant to the POH and income at the end of this account period, Petitioner requests that the Court not increase the current bond of \$42,000.00. Petitioner states that shortly after this account period, additional expenses were incurred emptying the residence and readying it to become a rental. Additionally, personal property items depreciate in value, and the cemetery lot is included, which doesn't really have a liquid value to justify the requirement of bonding. Petitioner requests that any increase in bond be addressed at the next accounting.	<b>Reviewed on:</b> 5-9-13
<b>Sp.Ntc.</b>	<b>Petitioner prays for an order:</b>	<b>Updates:</b>
<b>Pers.Serv.</b>	1. Authorizing issuance of new Letters of Conservatorship naming Petitioner as the sole conservator;	<b>Recommendation:</b>
<b>Conf. Screen</b>	2. Approving, allowing and settling the account; and	<b>File 1 - Larssen</b>
<b>Letters</b>	3. Authorizing the Conservator's and attorney's fees and commissions	
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<input checked="" type="checkbox"/> <b>2620(c)</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		

**NEEDS/PROBLEMS/COMMENTS (Continued):**

3. Disbursements schedule indicates numerous disbursements for gifts to family members during this account period totaling over \$2,000.00 for holidays and events. Pursuant to Cal. Rules of Court 7.1059, a conservator of the estate should Refrain from making loans or gifts of estate property, except as authorized by the court after full disclosure. The Court may require clarification and authorization going forward.
4. The accounting indicates that the Conservatee paid \$1,387.10 for her mother's funeral costs, and also reimbursed another family member \$600.00, for a total of \$1,987.10. The Court may require clarification as to whether the conservatorship paid the entirety of the costs, or whether this was just the Conservatee's portion.
5. Disbursements schedule indicates that the Conservatee receives an allowance from which she pays most of her personal expenses, which appears to range from \$800-\$2,100/month. Since moving in with her daughter in November 2011, she pays her housing costs in addition to contributing toward food and utilities from this allowance. The Court may require clarification of her share of the household expenses for this period, and accounting in future account periods of such expenses.
6. Petitioner indicates that after this account period, the Conservatee's residence in Fresno was being readied to become a rental. The Court may require an update on the status of the residence at this time, since there appears to be five months during this account period after the Conservatee moved out that there was no rental income.
7. Need order.

**(1) Sixth Account Current and Report of Conservator and (2) Petition for Allowance of Fees to Conservator and Attorney Fees and for Reimbursement of Costs Advanced and (3) for Request for Improvements to Conservatee's Real Property**

<b>Age: 28 years</b>	<b>ESTELA CRUZ</b> , mother/Conservator, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>Property on hand schedule does not indicate which accounts are blocked and which accounts are not blocked. Therefore unable to determine if bond is sufficient.</li> <li>California Rules of Court, Rule 7.1059(b)(4) states the conservator must manage the funds for the benefit of the conservatee. Disbursement schedule shows purchases totaling \$174.81 from Seventh Avenue Sculptures. Court may require additional information as to how this purchase benefited the conservatee.</li> <li>Disbursement schedule shows disbursements as follows:  11/15/11 – Aero Mexico Travel \$555.30  11/29/11 – Aero Mexico Travel \$160.00  12/21/11 – Aero Mexico Travel  11/22/11 –Cash – Mexico Trip \$1,500.00  - It appears that several trips may have been made and it also appears that two of the trips may have been for only one person. Court may require additional information.  <b>Please see additional page</b></li> </ol>
	Account period: 1/1/2011- 12/31/2012	
<b>Cont. from</b>	Accounting - <b>\$2,513,702.99</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$2,122,985.59</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Ending POH - <b>\$2,276,788.68</b> (\$1,756,693.59 is cash)	
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>	Conservator - receives \$2,500.00 per month to care for the conservatee per court order.	
<input type="checkbox"/> <b>Not.Cred.</b>	Conservatee's husband receives \$2,000.00 per month to care for the conservatee, per court order.	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	W/	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>	Attorney - <b>\$5,895.00</b>	
<input type="checkbox"/> <b>Pers.Serv.</b>	Attorney costs - <b>\$435.50</b> (filing fee and copy charge)	
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>	Current bond - <b>\$150,000.00</b>	
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>	<b>Petitioner request</b> authority to withdraw \$150,000 from the West America Bank account (current balance is \$400,750.63 which is over the FDIC Insurance limits) and deposit \$75,000 each into existing accounts at Murphy Bank and Bank of the Sierra.	
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input checked="" type="checkbox"/> <b>2620(c)</b>		
<input checked="" type="checkbox"/> <b>Order</b>	Petitioner states the court approved the sum of \$2,823.80 to build a porch on the conservatee's residence so that the conservatee could access the backyard. However the cost of building the porch was \$3,527.96 (a difference of \$704.16) because the cost of the material and labor were higher when the work was actually done than initially estimated.	
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
<b>Please see additional page</b>		
		<b>Reviewed on: 5/9/2013</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 2 – Cruz</b>

**NEEDS/PROBLEMS/COMMENTS (cont.):**

4. Disbursement schedule shows overdraft payments totaling \$55.00.
5. Disbursement schedule shows a purchase from Babies R Us for clothing on 9/8/2011 in the amount of \$96.52. Need clarification.
6. Disbursement schedule shows a purchase from ABC Porch Supplies on 8/30/11 in the amount of \$681.98. Need clarification.

**Petitioner states** she would like to make more improvements to the Conservatee's residence in order to enhance the Conservatee's level of care. The Conservatee has assets totaling over 2 million dollars and the property on hand has increased by \$153,803.09 in two years. The conservatee is a quadriplegic with spasticity and cerebral atrophy and requires 24-hour care. Petitioner believes the conservatee's money should be used to make the Conservatee more comfortable and improve his quality of life. At the July 20, 2011 hearing, the Court stated it would be in the best interest of the Conservatee to be located on the first floor of the residence.

However, Petitioner believes that it is in the best interest of the Conservatee to remain in the second floor of the residence. Conservatee needs to be in the master bedroom because he requires many medical supplies. Aside from Conservatee's bed, he has his wheel chair, oxygen pump along with extra oxygen tanks, exercise equipment, hygiene and medical supplies, a manual lift system that allows transfer of the Conservatee, and a mini fridge for his medicine and muscle milk. Petitioner feels that even if they modify the first floor bedroom it would not accommodate all of the Conservatee's medical equipment and supplies.

Conservator is requesting that the Conservatee remain upstairs and requests improvements to the upstairs master bedroom as follows:

- Have a chair lift installed for a total of \$17,995.00. A chair lift would allow the Conservatee to access the upstairs without being carried.

Petitioner requests that she be authorized to withdraw an additional \$20,000.00 from WestAmerica Bank should the Conservatee require emergency medical treatment. Should the funds not be necessary, Conservator will preserve the funds.

Petitioner has been authorized to receive the sum of \$2,500.00 per month for her services as Conservator. Petitioner submits that this sum should continue as ordered.

Petitioner has been authorized to pay the sum of \$2,000 per month to Porcopio Cruz for his services to the Conservatee. Petitioner submits that his sum should continue as ordered.

The sum of \$2,500 per month has been authorized for the use of Conservatee's monthly expenses. In this respect, Conservator submits that during the sixth account, Petitioner's expenses totaled almost \$25,000 more than the authorized amount. Petitioner therefore submits that an additional \$1,000 per month will be sufficient to cover the Conservatee's expenses for a total of \$3,500 per month.

**Note:** If the petition is granted, status hearings will be set as follows:

- **Friday, June 21, 2013** at 9:00 a.m. in Department 303, for the receipts for blocked accounts.
- **Friday, February 6, 2015** at 9:00 a.m. in Department 303, for the filing of the seventh account.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

**(1) First and Final Account and Report of Executor and (2) Petition for Its Settlement, for (3) Allowance of Statutory Attorneys Fees, for (4) Proration of Debts Among Creditors and for (5) Final Distribution Under Will (Prob. C. 11002, 10810, 11420, 11640)**

<b>DOD: 2-9-08</b>		<p><b>KELINA ANN WALKER</b>, Surviving Spouse and Executor with Full IAEA without bond, is Petitioner.</p> <p>Account period: 2-9-08 through 1-20-13</p> <p>Accounting: \$264,156.70 Beginning POH: \$260,315.05 Ending POH: \$262,156.70 (real property plus \$12,689.50 cash)</p> <p>Executor (Statutory): Waived</p> <p>Attorney (Statutory): \$566.27</p> <p>The value of the decedent's residence has not been included in the statutory fee calculation because it has a negative equity of \$82,829.00.</p> <p>The estate remaining for distribution consists of cash of \$12,122.93. The total amount of creditors' claims is \$108,935.87. Petitioner states the real property was valued at \$250,000.00 on the decedent's date of death. A recent reappraisal shows the value at \$180,000.00. However, the outstanding balance due on the mortgage on said home is \$262,829.41. Therefore, there is no equity in said property whatsoever.</p> <p>Petitioner maintains that the property is not amenable to sale, in that forcing Petitioner to sell the home will not result in any benefit to the estate or the creditors. Instead, Petitioner proposes the Court distribute the real property pursuant to Decedent's will, which devises the entire estate to Petitioner as surviving spouse.</p> <p>Petitioner proposed payment to the creditors as follows:</p> <p style="text-align: center;"><b>SEE ADDITIONAL PAGES</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> Pursuant to Probate Code §13502, Petitioner filed an Election by Surviving Spouse to Administer Surviving Spouse's Community Property in Deceased Spouse's Estate on 10-16-08.</p> <p><b>Minute Order 4-23-13:</b> The Court indicates to counsel that is satisfied with the sign-off. Matter continued to 5/14/13. Counsel is advised that the Court will be prepared to approve the petition at the next hearing if there are no objections. Continued to: 5/14/13</p> <p><b>Examiner Notes previously noted:</b></p> <p>1. Petitioner proposes partial payments to the creditors, but proposes to distribute the real property to herself because there is currently no equity. Petitioner states it would not benefit the estate or the creditors to order the house sold. Need authority.</p> <p>The Court cannot authorize distribution until creditors are satisfied unless each creditor agrees to the proposed distribution. See §§ 11420, 11640.</p> <p><b>Attorney filed Memorandum of Points and Authorities in Support of Petition on 4-5-13, with the following documents attached:</b></p> <ul style="list-style-type: none"> <li>- Instruction Letter to Creditors</li> <li>- Declaration of Don Scordino (California licensed Real Estate Broker)</li> </ul> <p><b>See documents for details.</b></p> <p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 5-9-13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 3 - Walker</b></p>
<b>Cont. from 031213, 042313</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input checked="" type="checkbox"/>	<b>PTC</b>		
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b> 7-1-08		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		

**Petitioner proposes payment to the creditors as follows:**

- Capital One Claim #1: \$434.22, plus the first 3.5818% of any other property not now known or discovered, up to the claim amount of \$3,901.85
- Capital One Claim #2: \$438.98, plus the first 3.6211% of any other property not now known or discovered, up to the claim amount of \$3,944.74
- Capital One Claim #3: \$51.69, plus the first .4264% of any other property not now known or discovered, up to the claim amount of \$464.54
- American Express c/o Estate Recoveries Inc: \$4,915.11, plus the first 40.5439% of any other property not now known or discovered, up to the claim amount of \$44,166.85
- Phillips and Cohen Associates: \$1,389.30, plus the first 11.4601% of any other property not now known or discovered, up to the claim amount of \$12,484.17
- Discover Financial Services LLC: \$544.70 plus the first 4.4931 % of any other property not now known or discovered, up to the claim amount of \$4,894.58
- West Asset Management for HSBC Bank: \$480.90, plus the first 3.9676% of any other property not now known or discovered, up to the claim amount of \$4,322.09
- West Asset Management: \$1,338.89, plus the first 11.0443% of any other property not now known or discovered, up to the claim amount of \$12,031.23
- Citibank c/o Phillips and Cohen Associates: \$2,529.05, plus the first 20.8617% of any other property not now known or discovered, up to the claim amount of \$22,725.82.
- Thereafter, any such property not now known or discovered is distributable to Petitioner.

(1) First and Final Report of Administration of Estate by Jane F. Sigler as Administrator, and (2) Petition for Its Settlement, and for (3) Final Distribution on Waiver of Account, and for (4) Approval of Statutory Compensation to Personal Representative and Attorneys' Fee for Ordinary Services (Prob. C. 10810, 10830, 10900, 10951, 10954, 11640, 12200 et seq. Prob. Rule 7.250 & 7.550)

		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>Continued to June 12, 2013</u></b> at the request of the attorney.</p>
<b>Cont. from</b>		
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	
<input type="checkbox"/>	<b>Verified</b>	
<input type="checkbox"/>	<b>Inventory</b>	
<input type="checkbox"/>	<b>PTC</b>	
<input type="checkbox"/>	<b>Not.Cred.</b>	
<input type="checkbox"/>	<b>Notice of Hrg</b>	
<input type="checkbox"/>	<b>Aff.Mail</b>	
<input type="checkbox"/>	<b>Aff.Pub.</b>	
<input type="checkbox"/>	<b>Sp.Ntc.</b>	
<input type="checkbox"/>	<b>Pers.Serv.</b>	
<input type="checkbox"/>	<b>Conf. Screen</b>	
<input type="checkbox"/>	<b>Letters</b>	
<input type="checkbox"/>	<b>Duties/Supp</b>	
<input type="checkbox"/>	<b>Objections</b>	
<input type="checkbox"/>	<b>Video Receipt</b>	
<input type="checkbox"/>	<b>CI Report</b>	
<input type="checkbox"/>	<b>9202</b>	
<input type="checkbox"/>	<b>Order</b>	
<input type="checkbox"/>	<b>Aff. Posting</b>	
<input type="checkbox"/>	<b>Status Rpt</b>	
<input type="checkbox"/>	<b>UCCJEA</b>	
<input type="checkbox"/>	<b>Citation</b>	
<input type="checkbox"/>	<b>FTB Notice</b>	
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 5/9/2013</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 4 - Gregory</b>

(1) First and Final Account and Report of Administrator and (2) Petition for Its Settlement, for (3) Allowance of Statutory Fees and Commissions and for (4) Final Distribution (Prob. C. 11002, 10810, 10800, 11640)

<b>DOD: 5/11/2011</b>		<b>BEATRICE PRIETO</b> , Administrator, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Account period: 5/11/2011- 3/25/2013	
<b>Cont. from</b>		Accounting - <b>\$100,750.00</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$ 85,000.00</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$ 76,914.20</b>	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Administrator - <b>\$3,430.00</b>	
<input checked="" type="checkbox"/>	<b>PTC</b>	(statutory)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Attorney - <b>\$3,430.00</b>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	(statutory)	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	<b>Distribution, pursuant to intestate succession, is to:</b>	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>	Beatrice Prieto - <b>\$14,010.84</b>	
	<b>Pers.Serv.</b>	Vanessa Rodriguez - <b>\$14,010.84</b>	
	<b>Conf. Screen</b>	Olga Rodriguez - <b>\$14,010.84</b>	
<input checked="" type="checkbox"/>	<b>Letters</b> 12/12/11	Rosann Rodriguez - <b>\$14,010.84</b>	
	<b>Duties/Supp</b>	Gregory Rodriguez - <b>\$14,010.84</b>	
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 5/9/2013</b>
			<b>Updates:</b>
			<b>Recommendation: SUBMITTED</b>
			<b>File 5 – Rodriguez</b>