



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.

Age: 62 years		<p>BARBARA ROMERO CASTRO, Conservator of the Estate, is petitioner.</p> <p>Barbara Romero Castro and Jessica Burnett, are co-conservators of the person.</p> <p>Petitioner states the Conservatee became eligible and entitled to disability retirement benefits after adjudication of his Workers' Compensation claim that resulted in a decision entitling him to Workers' Compensation benefits for sustained injuries tht ultimately necessitated the establishment of the conservatorship.</p> <p>Petitioner as the conservator of the estate, applied for a disability retirement from CalPERS after the Workers' Compensation claim trial.</p> <p>CalPERS is requiring an election of a specific retirement benefit from the various optional retirement benefit allowances available to the conservatee before completing the disability retirement process.</p> <p>The "Unmodified Allowance" option is the highest payout option for the Conservatee during his lifetime in the amount of \$1,617.88. This option does not provide for any remaining benefits to be paid after the Conservatee's passing.</p> <p>The Conservatee is now an inpatient at Care Meridian where he receives 24 hour care. All expenses for the Conservatee's health care are paid for by the State Compensation Insurance Fund as part of the Conservatee's Workers' Compensation benefit.</p> <p>Any retirement benefits paid by CalPERS will be used to provide additional life comforts to the Conservatee and for maintaining the Conservatee's real property.</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <ol style="list-style-type: none"> 1. Conservatorship has an outstanding balance owed to the court of \$481.00 for court investigation fees dated 2/13/2011. 2. Need proof of service of the Notice of Hearing on: <ul style="list-style-type: none"> • Jesse Felix Castro (conservatee) • Jessica Burnett (conservator of the person) <ul style="list-style-type: none"> - pursuant to Probate Code §2403(b) 3. Need Order. <p>Note: There is a status hearing set on 7/16/2014 for the filing of the third account.</p>
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<input type="checkbox"/>	FTB Notice		
Please see additional page		<p>Reviewed by: KT</p> <p>Reviewed on: 5/8/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 – Castro</p>	

Wherefore, Conservator prays that:

1. The Court authorize and instruct Petitioner to make the CalPERS retirement benefit option election on behalf of the Conservatee that provides the biggest retirement payments during the Conservatee's life, which is the "Unmodified Allowance" payment option designation.

Petition for Appointment of Guardian of the Person (Prob

Abigail, 5		<u>TEMPORARY EXPIRES 05/14/14</u>		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This Petition is for Abigail only. Petitioners were appointed as guardians of Catherine on 08/10/11.</p> <p>1. Need proof of personal service at least 15 days prior to the hearing of the <i>Notice of Hearing</i> along with a copy of the <i>Petition for Appointment of Guardian</i> or consent and waiver of notice or declaration of due diligence for:</p> <ul style="list-style-type: none"> • Tracy Sneed (Mother)
		<p>CATHERINE EDWARDS and THOMAS EDWARDS, paternal grandmother and step-grandfather, are Petitioners.</p>		
Cont. from		<p>Father: LUIS TARIN – <i>personally served on 04/22/14</i></p>		
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory	<p>Mother: TRACY SNEED</p>		
<input type="checkbox"/>	PTC	<p>Paternal grandfather: NOT LISTED</p>		
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg	<p>Maternal grandfather: TOM SNEED – <i>served by mail on 04/22/14</i></p>		
<input checked="" type="checkbox"/>	Aff.Mail	w/	<p>Maternal grandmother: MARY SNEED – <i>served by mail on 04/22/14</i></p>	
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input checked="" type="checkbox"/>	Pers.Serv.	w/	<p>Petitioners state the mother is a long-time drug user and the father is in and out of jail. The minor has been moved around a lot during her short life. The minor was most recently living with her father, but he was arrested again and it is unclear when he will be released. Petitioners hope to establish guardianship so Abigail will have a stable home and not keep bouncing around.</p>	
<input checked="" type="checkbox"/>	Conf. Screen			
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<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
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<input checked="" type="checkbox"/>	Order		<p>Court Investigator Charlotte Bien filed a report on 04/29/14.</p>	
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Reviewed by: JF				
Reviewed on: 05/08/14				
Updates:				
Recommendation:				
File 2 - Tarin				

3 Gary Norris (Estate)

Case No. 11CEPR01081

Atty Bagdasarian, Gary G. (for Mace Norris – Executor – Petitioner)

(1) Waiver of Accounting and Report of Executor and Petition for Its Settlement; (2) Waiver of Executor's Commissions, (3) Waiver of Attorney's Fees, and (4) for Final Distribution

DOD: 10-9-11	MACE NORRIS , Executor with Full IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Accounting is waived	
	I&A: \$892,500.00	
<input type="checkbox"/> Aff.Sub.Wit.	POH: various real property total value	
<input checked="" type="checkbox"/> Verified	\$350,000.00 plus misc. household furnishings and personal effects	
<input checked="" type="checkbox"/> Inventory		
<input checked="" type="checkbox"/> PTC	Executor (Statutory): Waived	
<input checked="" type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Attorney (Statutory): Waived	
<input checked="" type="checkbox"/> Aff.Mail	Distribution pursuant to Decedent's will:	
<input type="checkbox"/> Aff.Pub.	Mace Norris: entire estate	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
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<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 5-8-14
		Updates:
		Recommendation: SUBMITTED
		File 3 – Norris

4 Anngelene Gong-Chun (Estate)
Atty Petty, Teresa B. (for Ernest Ong – Administrator – Petitioner)

Case No. 12CEPR00035

(1) First and Final Account and Report of Administrator and Petition for Settlement Thereof and (2) for Allowance of Administrator's Compensation for Ordinary Services and (3) for Allowance of Attorney Fees for Ordinary Services and for Extra-Ordinary Services and for (4) Final Distribution

DOD: 8-28-11	ERNEST ONG , Administrator with Full IAEA without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 4-14-14</u></p> <p><u>As of 5-8-14, nothing further has been filed. The following issues remain:</u></p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p>
	Account period: 8-28-11 through 1-10-14	
Cont. from 032414, 041414	Accounting: \$ 453,213.84	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH: \$ 336,683.52	
<input checked="" type="checkbox"/> Verified	Ending POH: \$ 71,844.33 (cash)	
<input checked="" type="checkbox"/> Inventory	Administrator (Statutory): \$10,858.27 (See <i>NEEDS/PROBLEMS/COMMENTS.</i>)	
<input checked="" type="checkbox"/> PTC	Attorney (Statutory): \$10,858.27 (See <i>NEEDS/PROBLEMS/COMMENTS.</i>)	
<input checked="" type="checkbox"/> Not.Cred.	Attorney (Extraordinary): \$4,520.00 (for work in connection with the sale of the real property, including avoiding foreclosure and preparation of the various agreements, consents and negotiations with the beneficiaries, unusual circumstances requiring negotiations with creditors and beneficiaries, establishing an ancillary probate for out of state property. Work also included resolving another estate administration in Stanislaus County for which this decedent was the administrator. Extraordinary services total \$6,370.00 for 11 attorney hours @ \$200/hr and 40.5 paralegal hours @ \$100/hr. Attorney will accept the reduced amount of \$4,520.00.	
<input checked="" type="checkbox"/> Notice of Hrg	Closing: \$500.00	
<input checked="" type="checkbox"/> Aff.Mail w	Distribution pursuant to intestate succession, Agreement Among Beneficiaries, and various disclaimers:	
Aff.Pub.	Arlene Ong: \$15,035.95	
Sp.Ntc.	Kathleen Ruiz: \$15,035.95	
Pers.Serv.	Christofer Gong-Chun: \$15,035.95	
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	Reviewed on: 5-8-14	
	Updates:	
	Recommendation:	
	File 4 – Gong-Chun	

NEEDS/PROBLEMS/COMMENTS:

1. Petitioner states that pursuant to the Agreement Among Beneficiaries, Michael Gong-Chun was allowed to purchase the residence at a reduced price, taking into consideration payments made to the mortgage company and rent paid to the estate *as his share* of the estate. However, he then signed a *Disclaimer of Interest* in the estate. A *disclaimer* is irrevocable per Probate Code §281 and results in distribution as if the disclaimant had predeceased the decedent. Petitioner assumes the beneficiaries are now the three remaining siblings pursuant to the Agreement; however, it appears that Michael Gong-Chun's issue are now entitled to his share of the remainder of estate. The Court may require authority for omitting Michael Gong-Chun's issue from distribution of the remainder of the estate with reference to the Disclaimer.
2. The agreement and attached lease indicate that Michael Gong-Chun was paying rent; however the Receipts Schedule does not indicate rent received by the estate. Need clarification. Who was the rent paid to? The Disbursements Schedule indicates that the estate was paying for household expenses such as AT&T and mortgage payments after the death of the decedent, when it appears the house was occupied by Michael Gong-Chun. Need clarification.
3. The accounting does not appear to be prepared correctly. The Receipts Schedule includes items that are not "receipts" pursuant to Probate Code §1061(a)(3). For example:
 - The estate obtained a \$10,000.00 loan from Jong Chun, to pay off the auto loan before selling the vehicle (which loan was not authorized by the Court pursuant to Probate Code §9800 et seq.). That \$10,000.00 was repaid with interest and is not a "receipt" for purposes of calculating compensation.
 - Similarly, Disbursements Schedule indicates \$56.04 was paid to California Baptist Foundation for "Court in Hawaii (Estate Admin.);" Receipts Schedule indicates this same amount was received as reimbursement on 1-10-14. If this was a loan, this amount is also not a "receipt" for compensation purposes.
 - The vehicle, originally valued at \$25,000.00, was then sold for \$28,000.00, resulting in a \$3,000.00 gain from the original I&A value. However, in addition to the \$3,000.00 gain, Petitioner included the \$25,000.00 balance as a "receipt." This is not correct. The \$25,000.00 is already included in as an asset on the I&A. That value does not get counted twice in calculating the statutory fee.
 - A brokerage account valued at \$8,062.38 is Item No. 2 on I&A Partial No. 2 filed 8-30-12. The transfer of those same funds to another estate account does not constitute a "receipt" because that amount is already included as an asset on the I&A. (Note: Gains Schedule indicates a gain of \$854.60 as accumulated income on this account. However, Petitioner does not state whether the asset changed form (i.e., assets held in the brokerage account sold or liquidated to cash), which would be a gain, or whether cash was simply transferred to another account with interest received, which may just be a receipt. Similar to the vehicle issue, though, the \$8,062.38 does not get counted twice.

By incorrectly categorizing these items as "receipts," the statutory compensation is incorrectly inflated.

Therefore, need amended accounting, including amended calculation of statutory fees and amended final distribution.
4. Need clarification regarding extraordinary fees requested in connection with the Ancillary Probate. The work performed appears to be typical probate work (research, forms, communications, etc.) that would be statutory within that probate matter and should be requested in that matter.

DOD: 4-15-05		<p>ANGELITA GARCIA aka ANGELITA LEIJA, Daughter, is Petitioner.</p> <p>40 days since DOD</p> <p>Attorney Joel M. Murillo was appointed Executor of the decedent's estate in 05CEPR00988 on 2-22-06 and consents to this procedure pursuant to Probate Code §13150(b).</p> <p>I&A: Residence valued at \$130,000.00</p> <p>Will dated 4-5-91 devises the entire estate to Petitioner.</p> <p>Petitioner requests Court determination that the real property in Del Rey, CA, passes to her pursuant to the decedent's will, subject to a lien on the property recorded 10-12-12 in the amount of \$192,401.00 by the CA Dept. of Health Care Services Estate Recovery Branch.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of service of Notice of Hearing and a copy of the petition at least 15 days prior to the hearing on DHS pursuant to the Requests for Special Notice filed in the estate case 05CEPR00988 and Probate Code §1220(a)(2)(B).</p> <p>2. The Court may require authority to use summary proceeding to pass the property at this time given the history of the estate as follows:</p> <p>Attorney Joel Murillo was appointed Executor of the decedent's estate on 2-22-06 in 05CEPR00988. At that time, it was estimated that the residence valued at \$155,000 was the only asset of the estate. (It did not qualify to pass via summary proceeding because the value limit for petitions to determine succession at that time was \$100,000.)</p> <p>DHS filed two creditor's claims in the estate for \$256,761.14 and \$41,055.02, and also requested special notice pursuant to Probate Code §1252.</p> <p>In addition, DHS commenced a separate action 08CECG03103 against the estate on the claims and judgment was entered in 2009.</p> <p>The Court recently set a status hearing in the estate case for failure to file Inventory and Appraisal pursuant to Probate Code §8900 and failure to file account or petition for final distribution pursuant to Probate Code §12200.</p> <p>In response, an I&A was filed that did not comply with Probate Code §8900 – it attached a current (not date of death) appraisal of the house that was not done by the Probate Referee.</p> <p>A correct I&A still needs to be filed in the estate case, and the estate still needs to be closed, including addressing the creditor's claims.</p> <p>To do so, notice is required to creditors that have not been paid pursuant to Probate Code §11000, such as DHS.</p> <p>DHS has <u>not</u> been given notice of this petition to pass the property via summary proceeding, even though Petitioner appears to be requesting to pass the property subject to that lien.</p>	
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		Reviewed by: skc		
		Reviewed on: 5-8-14		
		Updates:		
		Recommendation:		
		File 6 - Rodriguez		

DOD: 7/26/13		<p>GRACE ARIFUKU, surviving spouse, is petitioner.</p> <p>No other proceedings</p> <p>Decedent died intestate.</p> <p>Petitioner states she and the Decedent were married on 3/22/1979. The property was purchased with community funds in 2001 and all payments made with community funds. Title is held as "husband and wife, as community property."</p> <p>Petitioner requests court confirmation that ½ interest in real property belongs to her and that ½ interest passes to her.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Signatures on the petition of the attorney and the petitioner are not dated.</p>				
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Reviewed by: KT							
Reviewed on: 5/9/14							
Updates:							
Recommendation:							
File 7 - Arifuku							

DOD: 07/24/07	<p>DEREK THOMAS, son, filed a Petition to be appointed as Administrator on 02/25/14.</p> <p>JAVONNI THOMAS, another son, filed an objection to the appointment of Derek Thomas on 04/01/14.</p> <p>Minute Order from hearing on 04/02/14 denied Derek Thomas' Petition and appointed the Public Administrator as Administrator. Status hearing was set for 05/14/14.</p> <p>Letters of Administration were issued to the Public Administrator on 04/14/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Status Update Report.</p>
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	<p>Reviewed by: JF</p> <p>Reviewed on: 05/08/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8 - Thomas</p>	

Amended Waiver of Accounting and Petition for Final Distribution under Will

DOD: 4-19-07		<p>EVELYN S. DUARTE, Executor with Full IAEA without bond, is Petitioner.</p> <p>Accounting is waived by heirs</p> <p>I&A: \$155,000.00 (real property)</p> <p>POH: Not stated; however, it appears the real property has not been sold.</p> <p>Executor (Statutory): Waived</p> <p>Former Attorney (Statutory): Waived per declaration filed 11-25-13</p> <p>Closing: \$500.00 (?) (To be redacted from order per Minute Order 4-9-14)</p> <p>Petitioner states there are creditor's claims outstanding and unpaid property taxes.</p> <p>Petitioner requests distribution of the estate's real property pursuant to Decedent's will to Evelyn S. Duarte, Lila Holguin, and Melissa Romero (shares not specified)</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 2-26-14, 4-9-14</u></p> <p>On 4-9-14, the Court approved the petition subject to review of the order redacting the \$500.00 reserve.</p> <p><u>Note:</u> As of 5-8-14, Petitioner has not submitted an order for signature.</p> <p>1. Need order.</p>
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		<p>Reviewed by: skc</p> <p>Reviewed on: 5-8-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 – Flores</p>	

Petition for Termination of Guardianship

Age: 6		<p>GLORIA GLADLEY, mother, and MYRON ELLSBERRY, JR., father, are petitioners.</p> <p>MYRON ELLSBERRY and KELLEY ELLSBERRY, paternal grandparents, were appointed guardians on 08/22/2013.</p> <p>Maternal Grandfather: Delwyn Gassway Maternal Grandmother: Gloria Radford</p> <p>Petitioners do not provide a reason why termination of the guardianship is in the best interest of the minors.</p> <p>Court Investigator JoAnn Morris' report filed 04/02/2014.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 04/09/2014</p> <p>The following issues remain:</p> <ol style="list-style-type: none"> 1. Petition is incomplete. Petitioners do not provide a reason why termination of the guardianship is in the best interest of the minors. 2. Need Notice of Hearing. 3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination of Guardianship or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Myron Ellsberry (Paternal Grandfather/Guardian) • Kelley Ellsberry (Paternal Grandmother/Guardian) • Delwyn Gassway (Maternal Grandfather) • Gloria Radford (Maternal Grandmother) 	
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		<p>Reviewed by: LV</p> <p>Reviewed on: 05/09/2014</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 – Ellsberry</p>		

Atty Bishop, Randy Lee

Petition for Appointment of Guardian of the Person (Prob

Age:		NEEDS/PROBLEMS/COMMENTS: Continued to 6/17/14 at the request of Petitioner Randy Bishop.
DOD:		
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		Reviewed by: KT
		Reviewed on: 5/8/14
		Updates:
		Recommendation:
		File 14 - Gimlin

Petition for Appointment of Temporary Guardian of the

Aysia age: 2 yrs		<p align="center">GENERAL HEARING 6/30/14</p> <p>GINA WALKER, paternal grandmother, is petitioner.</p> <p>Father: JEROME DIXON – deceased.</p> <p>Mother: CIDNEY TAYLOR – Declaration of Due Diligence filed on 4/30/14.</p> <p>Paternal grandfather: Not listed. Maternal grandparents: Not listed.</p> <p>Petitioner states the mom abuses drugs and alcohol and is homeless. Father is deceased. Petitioner states the children have been in her care since 11/2013.</p> <p>Declaration of Due Diligence indicates mom lived in the petitioner's home until she was asked to leave on 4/2/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. If Due Diligence is not found on mother will need Notice of Hearing with proof of service of the Notice of Hearing along with a copy of the petition on Cidney Taylor (mother).</p>	
Jerome age: 9 mo.				
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<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 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			
		<p>Reviewed by: KT</p> <p>Reviewed on: 5/6/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16 - Dixon</p>		

