



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.

DOD: 5/3/2009		JANE ORTIZ and MARTIN MENDEZ, Administrators, are Petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Inventory and Appraisal is blank at item # 5 – property tax certificate. Petition states the property on hand includes \$4,552.65 in cash. After payment of attorney fees of \$4,000.00 each beneficiary would be entitled to \$110.53 however it is not included in the petition or in the order.
		Accounting is waived.	
Cont. from		I & A - \$115,000.00	
<input type="checkbox"/>	Aff.Sub.Wit.	POH - \$119,552.65	
<input checked="" type="checkbox"/>	Verified	Administrators - waive	
<input checked="" type="checkbox"/>	Inventory	Attorney - \$4,000.00 (less than statutory)	
<input type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Distribution, pursuant to intestate succession, is to:	
<input checked="" type="checkbox"/>	Aff.Mail	Linda Angeles, Jane Ortiz, Angel Mendez, Jr. Martin Mendez and Jose Mendez each as to an undivided 1/5 interest in the real property located in Reedley, CA.	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	1/26/12	
<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		
			Reviewed by: KT
			Reviewed on: 5/13/2013
			Updates:
			Recommendation:
			File 2 – Mendez

Petition for Settlement of Account and Approval of Trustee Fees [Prob. C. 17200(b)(5)]

		EDWARD D. REIMER and OLA MAE LANGLEY , Trustees, are petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Petition was not signed or verified by Petitioner Ola Mae Langley. Probate Code § 1020 states the petition must be signed by all petitioners. It appears that the trustee (Edward Reimer) has paid himself an amount monthly (approximately \$3,000 per month) regardless of the time spent on trustee tasks. The Trustee declaration should clearly state the amount of time spent on each task and the hourly rate for the services performed. Disbursement schedule includes cell phone payments at approximately \$43 per month. Court may require clarification. Disbursement schedule includes payments to State Farm totaling \$436.14. Court may require more information regarding this disbursement. Janice Potter was served "in care of" Robert Campbell. California Rules of Court, Rule 7.51 requires direct notice.
		Account period: 4/30/11 – 2/28/13 (22 months)	
Cont. from			
	Aff.Sub.Wit.	Accounting - \$945,634.96	
✓	Verified	Beginning POH- \$938,966.68	
	Inventory	Ending POH - \$849,957.59	
	PTC	Trustee - \$66,182.50	
	Not.Cred.	(already paid, requesting the court approve said fees)	
✓	Notice of Hrg		
✓	Aff.Mail	Attorney - \$3,908.85	
		(already paid)	
	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 prays for an Order:

- Finding that all facts stated in the Petition are true and that all notices required by law have been given.
- This account and report be settled, allowed and approved, and all acts and transactions of Reimer set forth in it, or relating to the matters set forth in it, be ratified, confirmed and approved;
- Compensation in the amount of \$66,182.50 already paid to Reimer be allowed and approved;
- The Trust be distributed pursuant to the terms of the Trust Agreement

Reviewed by: KT

Reviewed on: 5/13/13

Updates:

Recommendation:

File 3B – Cozby

Atty Kruthers, Heather H., of County Counsel's Office (for Petitioner Public Administrator)

Petition for an Order Approving Extraordinary Commissions for the Public Administrator (Prob. C. 7666)

DOD: 11/14/2011	PUBLIC ADMINISTRATOR , Administrator appointed on 3/21/2012, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
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		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
	<p>Petitioner states:</p> <ul style="list-style-type: none"> In the course of the administration of the estate, the Public Administrator has performed extraordinary services regarding the sale of the Decedent's real property located on Hawes Ave. in Fresno; No compensation has been received by Petitioner for said sale; Pursuant to Local Rule 7.18(B)(1), the reasonable fee for such extraordinary service is \$1,000.00; In addition, the Public Administrator has performed extraordinary services regarding the sale of the Decedent's miscellaneous personal property; No compensation has been received by Petitioner for said sale; Pursuant to Local Rule 7.18(B)(2), the reasonable fee for such extraordinary service is \$649.98 (<i>gross sale of personal property of \$6,499.75 x 10%</i>); Furthermore, Petitioner filed the First and Final Fiduciary tax return for this estate; the reasonable value for such service is \$248.00 (<i>1 Deputy hour @ \$96/hr and 2 probate assistant hours @ \$76/hr</i>); Therefore, the total commission for extraordinary services performed by Petitioner is \$1,897.98; Pursuant to Probate Code § 7660, notice of this petition would not be necessary; however, <i>Request for Special Notice</i> has been filed in this matter by the Franchise Tax Board; therefore, notice of the hearing that has been set for this matter will be mailed to them along with this <i>Petition</i>. <p>Petitioner prays for an Order that the Court authorize payment to the Public Administrator in the amount of \$1,897.98 as reasonable compensation for extraordinary services.</p>	
		Reviewed by: LEG
		Reviewed on: 5/13/13
		Updates:
		Recommendation:
		File 5 – Long

Atty Tomassian, Gerald M., of Tomassian, Pimentel & Shapazian (for Petitioner Donald S. Pres)

(1) Waiver of Accounting and Petition for Final Distribution Under Will and (2) for Allowance of Statutory Attorney's Fees

DOD: 8/20/2012	DONALD S. PREIS , son and Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Accounting is waived.	
	I & A — \$298,425.00	
Cont. from	POH — \$300,043.76 <i>(all cash)</i>	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory	Executor — waives	
<input checked="" type="checkbox"/> PTC		
<input checked="" type="checkbox"/> Not.Cred.	Attorney — \$8,968.50 <i>(statutory)</i>	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail W/O		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Closing — \$500.00	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	Distribution pursuant to Decedent's Will is to:	
<input type="checkbox"/> Letters 110712	DONALD S. PREIS as Successor Trustee of the CAROLINE S. PREIS TRUST dates 6/27/2008 – \$290,575.26 cash.	
<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		Reviewed by: LEG
<input type="checkbox"/> Status Rpt		Reviewed on: 5/13/13
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation: SUBMITTED
<input checked="" type="checkbox"/> FTB Notice		File 8 – Pries

Age: 6	<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
	VERNON BEATY and LYNDA BEATY , paternal grandparents, are Petitioners.	<u>CONTINUED FROM 04/25/13</u> Minute Order from 04/25/13 states that there were no appearances.
	Father: JEREMY KEITH BEATY	A copy of the minute order was mailed to Richard Stott on 05/02/13.
Cont. from 042513	Mother: AMANDA MELL	As of 05/13/13, nothing further has been filed and the following items remain outstanding:
<input type="checkbox"/> Aff.Sub.Wit.	Maternal grandfather: DALE MELL	1. Need Notice of Hearing.
<input checked="" type="checkbox"/> Verified	Maternal grandmother: CYNTHIA MELL	2. Need proof of personal service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: - Jeremy Beaty (father) - Amanda Mell (mother)
<input type="checkbox"/> Inventory	Sibling: JUSTIN PETERSON (5)	3. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: - Dale Mell (maternal grandfather) - Cynthia Mell (maternal grandmother)
<input type="checkbox"/> PTC	Petitioners allege that the minor lived on and off with one or both parents from birth to age 5 due to both parents' incarcerations and drug use. The minor has lived with others step-grandparents, Petitioners, and other friends for period of up to 6-8 months while parents came and went. The minor has lived with Petitioners since September 2011 after being placed with them by CPS. To date, the parents have been unable to establish a safe and consistent environment for the minor.	
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<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 checked="" type="checkbox"/> CI Report	Court Investigator Jo Ann Morris filed a report on 04/17/13.	
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: JF
<input type="checkbox"/> Status Rpt		Reviewed on: 05/13/13
<input checked="" type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 9 – Mell

DOD: 12-14-06	JOANNE MILLER , sister, was appointed Administrator without bond and Letters were issue on 07/17/07.	NEEDS/PROBLEMS/COMMENTS:
	Inventory & Appraisal - \$185,000.00 filed 07/09/07.	<u>Continued from 6-27-12, 8-31-12, 10-26-12, 1-25-13, 4-25-13</u>
	The Court set a status hearing for 6/27/12 and notice was mailed to Joanne Miller and Attorney Philip Flanigan on 05/15/12.	Minute Order 4-25-13: Counsel informs the court that the property is vacant and completely vandalized.
Conf. from 062712, 083112, 102612, 012513, 042513	Declaration of Philip Flanigan and Status Report filed 10/25/12 states: the personal representative, Joanne Miller, is frail and has not been able deal with the sole asset of the estate, real property located at 638 N. Fisher in Fresno. The property is in very poor condition and has been vandalized. Despite the I&A reflecting estate assets of \$185,000.00, the property is presently worth very little and the only offer received for the property has been \$20,000.00. There is a mortgage from the City of Fresno in the amount of \$40,000.00 on the property. There is also a lien by the Department of Health against the estate. Thus there is no equity in the property and no desire on the part of the personal representative to continue spending money on probate proceedings. Mr. Flanigan states that he is currently attempting to elicit an offer to purchase the property and is in the process of negotiating the liens in order to allow the property to be sold, counsel to recoup some fees and costs and to allow the probate to close. If however, the liens cannot be negotiated then counsel will seek to withdraw from the matter and the City of Fresno can foreclose.	Nothing further has been filed.
<input type="checkbox"/> Aff.Sub.Wit.		Note: The Administrator, sister of the decedent, resides in Battleground, Washington.
<input type="checkbox"/> Verified		Note: There are two creditor's claims:
<input type="checkbox"/> Inventory		- City of Fresno \$40,755.99
<input type="checkbox"/> PTC		- DHS \$76,161.31
<input type="checkbox"/> Not.Cred.		Note: The real property is a small residence located at 638 N. Fisher (First/Belmont) was appraised at \$185,000.00 as of the decedent's date of death 12-14-06.
<input type="checkbox"/> Notice of Hrg		1. Need First Account and/or Petition for Final Distribution.
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input 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		
	The personal representative is the sole heir and there are no other claims superior to those of the city and state. Counsel requests a 90 day continuance to attempt to work out a resolution or to file a Petition to close the Probate proceedings.	
	Declaration of Philip Flanigan filed 4-11-13 states after negotiating an agreement with the City on their lien on the property, the undersigned has a real estate agent attempting to elicit an offer. Multiple attempts to contact the administrator have been done via telephone messages, email, and regular mail, but there has been no response from Ms. Miller, and no purchasers interested in the property. The Personal Representative is the sole heir of the decedent and there are no other claims superior to those of the City and the State. Counsel respectfully requests continuance of an additional 120 days to file a petition to close the Probate after the property is sold.	
		Reviewed by: skc
		Reviewed on: 5-13-13
		Updates:
		Recommendation:
		File 11 - Murchison

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Age: 1		<p align="center"><u>TEMPORARY EXPIRES 05/16/2013</u></p> <p align="center"><u>GENERAL HEARING 07/02/2013</u></p> <p>Father: STEVEN RODRIGUEZ</p> <p>Mother: MARIA TORRES</p> <p>Paternal Grandfather: Juan Rodriguez Paternal Grandmother: Thelma Rodriguez</p> <p>Maternal Grandfather: Edgar Magadan Cisneros</p> <p>Petitioner states: that her daughter, the child's mother, is fourteen years of age. The mother was 13 when she gave birth. The father was incarcerated for having sex with a minor but was released and on probation. On 04/12/2013 the mother went for a walk with the child and never returned. The authorities are actively looking for them but have not located them. Law enforcement suggested petitioner obtain guardianship of her grandson. When the child was in the petitioner's home she was his caregiver. Petitioner is requesting immediate guardianship so that she can pick the child up as soon as he is found.</p> <p>Attached to the Petition is a flyer from Missing and Exploited Children listing the mother as an endangered runaway and states that there is a felony warrant out for the father, Steven Rodriguez.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Steven Rodriguez (Father) • Maria Torres (Mother) 3. The Duties and Liabilities filed 05/02/2013 failed to include the signature page. 4. Signature on the general petition does not appear to be the original. 	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			x
<input type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			x
<input checked="" type="checkbox"/>	Conf. Screen			
<input 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 type="checkbox"/>	Order			n/a
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Reviewed by: LV		
		Reviewed on: 05/13/2013		
		Updates:		
		Recommendation:		
		File 12 – Torres		