

(1) Fourteenth and Final Account and Report of Conservator; (2) Petition for Fees, for Termination of Conservatorship Distribution of Assets of Estate and (3) Discharge of Conservator (Prob. C. 1860 & 2620)

DOD: 11-10-10	CALIFORNIA DEPT. OF DEVELOPMENTAL SERVICES, Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		<u>Continued from 11-17-11, 2-2-12, 4-5-12.</u>
	Account period: 3-1-09 through 11-10-10	<u>As of 5-14-12, nothing further has been filed. The following issues remain:</u>
Cont. from 111711, 020212, 040512	Accounting: \$34,377.72	<ol style="list-style-type: none"> 1. Probate Code §§ 2631 and 13100 allow liquidation and distribution of <u>personal property only</u> in the manner requested. Real property, including undivided interests, is subject to Probate Code §13151, which requires the mandatory judicial council Petition to Determine Succession to Real Property Form DE-310, inventory and appraisal as of the date of death, and noticed hearing. 2. Petitioner also requests to distribute this asset when there is a Medi-Cal lien on the estate. Need authority. 3. Need Order.
Aff.Sub.Wit.	Beginning POH: \$14,465.02	
✓ Verified	Ending POH: \$16,100.50	
Inventory	Account period: 11-11-10 through 6-30-11	
PTC	Accounting: \$18,405.01	
Not.Cred.	Beginning POH: \$16,100.50	
✓ Notice of Hrg	Ending POH: \$12,537.04	
✓ Aff.Mail W	(POH consists of cash in the amount of \$554.93 plus an undivided 1/3 interest of a 3/4 interest in real property, a stove, and an air conditioner)	
Aff.Pub.	Conservator: \$125.00	
Sp.Ntc.	Attorney: \$40.00	
Pers.Serv.	Petitioner states there is a Medi-Cal claim in the amount of \$108,627.87 and requests that the court authorize payment of the remaining balance of the conservatorship estate on this claim.	
Conf. Screen	Petitioner prays for an Order:	
Letters	<ol style="list-style-type: none"> 1. Approving, allowing and settling the final account; 2. Terminating the proceedings herein; 3. Authorizing payment of the conservator's and attorney's fees; 4. Authorizing payment of the remaining balance to the Dept. of Health Services as payment in full on the Medi-Cal claim; 5. Authorizing transfer of the house, stove and air conditioner to the Conservatee's sister; and 6. Discharge of Conservator. 	
Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt X		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 5-14-12
		Updates:
		Recommendation:
		File 1 - Tortorella

(1) Sixth Account Current and Report of Conservator in Re: Conservatorship Estate and (2) Petition for its Settlement with Accompanying Declaration of John K. Ormond Re: Attorney's Fees and Costs (Prob. C. 2620)

		REBECCA LEWIS , mother/conservator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 11/1/09 – 10/31/11	
Cont. from 041012			<p>Continued to 6/14/12 at the request of the attorney.</p> <p>Note: Please see related case on page 6, Lori MacIsaac Special Needs Trust.</p> <p>Need amended accounting based on, but not limited to:</p> <ol style="list-style-type: none"> Accounting does not comply with Probate Code §1060 et seq. Summary of Account is not on the mandatory Judicial Council form. Need bank statements pursuant to Probate Code §2620(c) Need declaration of conservator re: request for Conservator commission. Attorney fee request includes copy charges at \$341.25. Local Rule 7.17B considers copies to be a cost of doing business and therefore is not reimbursable. Order does not comply with Local Rule 7.6.1.
	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		
	2620(c)	X	
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			<p>Conservator - \$1,675.00</p> <p>Attorney - \$15,557.80 (per itemization and declaration, 38 hours @ \$400 per hour)</p>
			<p>Reviewed by: KT</p> <p>Reviewed on: 5/16/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2 - MacIsaac</p>

Atty French, G. Dana, of Wild Carter & Tipton (for Petitioner Richard D. Wells, Trustee)

(1) Fifty-Ninth Account and Report of Trustee Created Under the Will of James M. Wells, Deceased; (2) Petition for Allowance of Fees to Trustee; (3) and Petition for Approval of Accounting for the Year 2011 [Prob. C. 17200]

		RICHARD D. WELLS , Successor Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 1/1/2011 thru 12/31/2011	<p>Note: Order Authorizing Continuation of Trust filed on 1/29/2007 ordered that the "Trustee shall accumulate a fund in cash of \$1,500.00 for management purposes. Any surplus on hand above said sum may from time to time be distributed to the beneficiaries of said trust." The Order dated 1/29/2007 specifically requires a minimum cash reserve of \$1,500.00, and states the Trustee may from time to time distribute surplus above said amount. Distributions #164 and #165 made (in February 2011 and August 2011) to the 36 Trust beneficiaries as directed in the Order dated 1/29/2007 are listed in the Disbursements schedule showing that a total of \$522,000.00 has been distributed to the beneficiaries during this account period.</p> <p>Reviewed by: LEG</p> <p>Reviewed on: 5/14/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3 - Wells</p>
Cont. from		Accounting - \$865,725.46	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$109,522.89	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$328,426.91 <i>(\$43,546.91 is cash)</i>	
<input type="checkbox"/>	Inventory	Trustee fees - \$6,780.00 <i>(113 hours x \$60/hour per declaration; for ordinary and routine management of trust property and special duties required of trustee; real property is leased, agricultural, and income-producing; no charge for travel to northern and southern CA;)</i>	
<input type="checkbox"/>	PTC	Attorney fees - paid <i>(Disbursements schedule shows \$6,318.00 has been paid to Wild Carter & Tipton for legal services during the account period;)</i>	
<input type="checkbox"/>	Not.Cred.	Petitioner prays for an order:	
<input checked="" type="checkbox"/>	Notice of Hrg	1. Approving, allowing and settling the 59th account; and	
<input checked="" type="checkbox"/>	Aff.Mail	2. Approving the sum of \$6,780.00 as payment to Petitioner as a fair and reasonable fee for services rendered during this account period as Successor Trustee.	
<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		

Age: 65	<p>INLAND COUNTY REGIONAL CENTER, Trustee, is Petitioner.</p> <p>Account period: 2-1-11 through 2-29-12</p> <p>Accounting: \$194,212.16 Beginning POH: \$171,715.31 Ending POH: \$176,383.99</p> <p>Trustee: \$1,284.00 (already taken per Court order 7-24-11)</p> <p>Attorney: \$1,200.00 (itemized)</p> <p>Also filed on 5-2-12 is a Declaration of William J. Brunick (former attorney for Petitioner) also provides itemized attorney fees and costs related to the Third Account (settled 7-25-11) and Substitution of Attorney – total \$1,150.00 (See Note #1).</p> <p>Petitioner requests approval for payment of trustee fees already taken by Master Trust of California for services to the trust estate during this fourth accounting period pursuant to Court order dated 7-24-11.</p> <p>Petitioner states Master Trust of California has historically charged an annual fee of 0.75% of the trust assets in quarterly fees for a total of \$1,284.00 during this account period.</p> <p>Petitioner revised the Master Trust of California Fee Schedule on 2-14-12 (attached) and requests authority to allow future annual fees pursuant to the revised schedule.</p> <p style="text-align: center;">SEE PAGE 2</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Background: CA Dept. of Developmental Services (DDS) was appointed Limited Conservator of the Person and Estate in Conservatorship Case #0435446 on 4-19-91. Mr. Appleton resides in a residential care facility in Fresno, receives services from CVRC, and participates in a community center day program. Original conservatorship estate assets included various personal property items and a 50% interest in real property. Accountings were dispensed in the conservatorship in 2004; however, in 2005, the Conservator entered into a quiet title action on behalf of the Conservatee and this Special Needs Trust was established with funds from that action in 2006.</p> <p>Note: Pursuant to Substitution of Attorney filed 5-2-12, Petitioner is now represented by Attorney Matthew F. Bahr of Visalia, CA.</p> <p>1. This petition does not request payment of attorney fees to <u>former</u> attorney William J. Brunick, and the Notice of Hearing does not include notice of any such request; however, a declaration was filed on 5-2-12 with itemized of fees & costs.</p> <p>For payment to Mr. Brunick, a separate noticed petition pursuant to Probate Code§2642 may be required.</p> <p>2. Need order.</p> <p>Reviewed by: skc</p> <p>Reviewed on: 5-14-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 - Appleton</p>
DOB: 1-30-47		
Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
Inventory		
PTC		
Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail		
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		

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Petitioner prays for an Order that:

1. This account be settled, allowed and approved;
2. That all the acts and transactions of the trustee as set forth in this account and report relating to the matters set forth therein be ratified, confirmed and approved;
3. The Court authorize Petitioner to pay his attorney Matthew F. Bahr \$1,200.00 for legal services rendered to the conservatorship during the accounting period;
4. The Court authorize Petitioner to pay itself the amount of \$1,284.00 as trustee fees paid to the Master Trust of California during the accounting period;
5. That the Court authorize Petitioner to take future annual fees in the following amounts:

\$1,000 on the first	\$50,000
2.00% on the next	\$250,000
1.65% on the next	\$450,000
1.50% on the next	\$250,000
1.25% on the balance over	\$1,000,000

6. The Court make such other relief as it considers proper.

(1) First and Final Account and Report of Personal Representative and Petition for its Settlement; (2) For Allowance of Commissions and Attorneys' Fees for Ordinary Services; (3) and for Final Distribution [Prob. C. 11640]

DOD: 09/02/07	DAVID E. McCRAY , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 09/02/07 – 03/12/12	
Cont. from	Accounting - \$291,160.90	
Aff.Sub.Wit.	Beginning POH - \$253,829.76	
<input checked="" type="checkbox"/> Verified	Ending POH - \$144,519.30	
<input checked="" type="checkbox"/> Inventory	Executor - waives	
<input checked="" type="checkbox"/> PTC	Executor reimburse - \$9,882.18	
<input checked="" type="checkbox"/> Not.Cred.	(reimbursement for funds advanced to the estate by Executor from a joint checking acct. held by decedent and Petitioner)	
<input checked="" type="checkbox"/> Notice of Hrg	Attorney - \$6,230.34	
<input checked="" type="checkbox"/> Aff.Mail w/	(statutory)	
Aff.Pub.	Costs - \$563.50 (filing fees and certified letters)	
Sp.Ntc.	Closing - \$5,000.00	
Pers.Serv.	Distribution, pursuant to decedent's Will, is to:	
Conf. Screen	David E. McCray - \$61,421.64	Reviewed by: JF
Letters 11/13/07	Heather M. McCray - \$20,473.88	Reviewed on: 05/14/12
Duties/Supp	Matthew J. McCray - \$20,473.88	Updates:
Objections	Cynthia D. Coleman - \$20,473.88	Recommendation:
Video Receipt		File 5 - McCray
CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
<input checked="" type="checkbox"/> FTB Notice		

(1) Sixth Account Current and Report of Conservator in Re: Special Needs Trust and (2) Petition for its Settlement (Prob. C. 2620)

		REBECCA LEWIS , mother/conservator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 11/1/09 – 10/31/11	Continued to 6/14/12 at the request of the attorney.
Cont. from 041012			Note: Please see related case on page 2, Lori MacIsaac conservatorship.
	Aff.Sub.Wit.		Need amended accounting based on, but not limited to:
✓	Verified		7. Accounting does not comply with Probate Code §1060 et seq.
	Inventory		8. Summary of Account is not on the mandatory Judicial Council form.
	PTC		9. Need bank statements pursuant to Probate Code §2620(c)
	Not.Cred.		10. Need declaration of Trustee re: request for Trustee commission.
✓	Notice of Hrg	Conservator - \$1,675.00	11. Need declaration of attorney re: request for attorney fees.
✓	Aff.Mail	Attorney - \$2,000.00	12. Order does not comply with Local Rule 7.6.1.
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		Reviewed by: KT
	Status Rpt		Reviewed on: 5/16/12
	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notice		File 6 - MacIsaac

Atty Shahbazian, Steven L., sole practitioner (for Petitioner Jonathan David Jensen, Jr., Executor)

(1) Petition for Settlement of First and Final Account and Report and (2) for Final Distribution and (3) for Allowance of Compensation for Ordinary and Extraordinary Services [Prob. C. 11000, 11600, 10800, 10810, 10811]

DOD: 3/26/2010		JONATHAN DAVID JENSEN, JR., brother and Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		Account period: 3/26/2010 – 3/31/2012	Note: <i>Opinion and Order Directing the Sale and Transfer of Stock of J.D. Jensen Builders, Inc., and Valuation of Stock of Said Corporation</i> filed on 3/9/2012 finds in pertinent part that the personal representative shall transfer all shares of common stock held by the personal representative of the estate of Decedent to J.D. Jensen Builders, Inc., in exchange for payment from said corporation for the value of said stock; the Order values Decedent's share of the stock as \$195,946.00 , which <i>Petition</i> states was received by the personal representative on 3/20/2012.
✓	Aff.Sub.Wit.	Accounting - \$903,473.01	
✓	Verified	Beginning POH - \$889,463.80	
	Inventory	Ending POH - \$871,021.70 (all cash)	
	PTC		
✓	Not.Cred.	Executor - \$21,069.46 (statutory)	
✓	Notice of Hrg	Attorney - \$21,069.46 (statutory)	
✓	Aff.Mail	Attorney XO - \$6,575.00 (for 26.30 hours @ \$250.00/hour per itemization and Statement of Facts in support of application for extraordinary compensation; for trial following objection by beneficiary regarding valuation of corporation shares;)	
	Aff.Pub.	Closing - \$2,000.00	
✓	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice	Distribution pursuant to Decedent's Will is to: LAVONNE CAMPBELL – \$273,435.93 cash; JAMES A. JENSEN – \$273,435.93 cash; JONATHAN DAVID JENSEN, JR. – \$273,435.92 cash.	
			Reviewed by: LEG Reviewed on: 5/14/12 Updates: Recommendation: File 7 - Jensen

Report of Sale and Petition for Order Confirming Sale of Real Property (Prob. C. 2540, 10308)

DOD: 2-24-10	DAVID D. GRABER , Son and Executor with Full IAEA with bond of \$564,000.00, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Sale price: \$275,000.00	<p>1. Need clarification regarding the parcels included in this sale.</p> <p>The legal description provided is not exactly the same as the legal description provided in the Inventory and Appraisal.</p> <p>The I&A provides a condensed legal description for APN # <u>512-021-31 01 and 02</u> and refers to attached legal description that provides a common street address and APN <u>311-021-31</u>.</p> <p>The legal description attached to this Report of Sale does not contain APN <u>512-021-31 01, 02</u>, only APN <u>311-021-31</u>.</p> <p><i>Examiner notes that the attached legal description with APN <u>311-021-31</u> is not included in the original I&A, only the Reappraisal.</i></p> <p>The Court may require further documentation from the Probate Referee that all included parcels have been included as appropriate in the I&A and Reappraisal as a requirement for Court confirmation pursuant to Probate Code §10309.</p> <p><i>If APN <u>512-021-31 01, 02</u> are to be included, need revised order.</i></p> <p>Note: The Court will set a status hearing for filing of the Petition for Final Distribution on 7-19-12.</p>
	Overbid: \$289,250.00	
<input type="checkbox"/> Aff.Sub.Wit.	Reappraisal: \$275,000.00	
<input checked="" type="checkbox"/> Verified	Property: 7033 West Shaw Avenue, Fresno, CA 93723	
<input type="checkbox"/> Inventory	Publication: N/A	
<input type="checkbox"/> PTC	Buyer: DAVID D. GRABER	
<input type="checkbox"/> Not.Cred.	Broker: None	
<input checked="" type="checkbox"/> Notice of Hrg	<p>Petitioner states the property has been available since Petitioner obtained possession via unlawful detainer. No activity has resulted in this property or the other real estate in the estate. Sale to the personal representative is in the best interest of the estate since it is at appraised value, no broker fees, and no fractional interest to beneficiaries.</p> <p>Current bond is sufficient after the sale.</p>	
<input checked="" type="checkbox"/> Aff.Mail w		
n/a 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 X		
<input checked="" type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 5-15-12
		Updates:
		Recommendation:
		File 8 - Graber

(1) First and Final Account and Report of Executor and (2) Petition for Settlement, Allowance of Commissions and Fees and (3) Final Distribution (Prob. C. 1060 et seq., 10800, 10810, 12201)

DOD: 02/08/11	LUREE J. SETSON , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need receipt from Daniel Stetson for preliminary distribution in the amount of \$2,000.00.
	Account period: 02/08/11 – 03/05/12	
Cont. from	Accounting - \$409,859.01	
Aff.Sub.Wit.	Beginning POH - \$403,358.61	
<input checked="" type="checkbox"/> Verified	Ending POH - \$347,751.29	
<input checked="" type="checkbox"/> Inventory	Executor - waives	
<input checked="" type="checkbox"/> PTC	Attorney - \$8,557.00 (less than statutory)	
<input checked="" type="checkbox"/> Not.Cred.	Costs - \$395.00 (filing fees)	
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner states that Daniel Stetson received a preliminary distribution in the amount of \$2,000.00, therefore, Luree Stetson and Thomas Stetson will receive \$2,000.00 more than Daniel Stetson to equal the shares from the estate.	
<input checked="" type="checkbox"/> Aff.Mail w/	Distribution, pursuant to decedent's Will, is to:	
Aff.Pub.	Luree J. Stetson - \$113,599.76	
Sp.Ntc.	Thomas E. Stetson - \$113,599.76	
Pers.Serv.	Daniel L. Stetson - \$111,599.77	
Conf. Screen		
Letters 05/16/11		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 05/14/12
		Updates:
		Recommendation:
		File 9 - Stetson

Atty Knudson, David N. (for Andrew M. Bosniak – Son – Original Petitioner)
 Atty Teixeira, J. Stanley (for Audrey Medina – Daughter – Objector and Competing Petitioner)
 Atty McCracken, Terri L. (for Angelina Bosniak – Granddaughter – Objector to Competing Petition and Second Competing Petitioner)
 Atty LeVan, Nancy (Court-appointed for Lucy M. Bosniak – Proposed Conservatee)
 Atty Kruthers, Heather H. (for Fresno County Public Guardian – Temporary Conservator)

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

Age: 85	ANGELINA BOSNIAK, Granddaughter, is Second Competing Petitioner and requests appointment as Conservator of the Person with medical consent powers and as Conservator of the Estate with bond.	NEEDS/PROBLEMS/COMMENTS: <u>Court Investigator advised rights 4-17-12.</u> <u>Voting rights affected – need minute order.</u> Notes: - There are three matters currently set for Court Trial on 5-17-12 at 1:30: 1) Andrew M. Bosniak’s original conservatorship petition; 2) Audrey Medina’s competing petition; and 3) Andrew M. Bosniak’s Petition to Recover Property and Revoke Durable Power of Attorney. - This matter was continued from 5-7-12 to 5-17-12 at 9:00. The Court may wish to set this Second Competing Petition filed by Angelina Bosniak for trial along with the other three petitions. Petitioner Angelina Bosniak filed a trial brief on 5-10-12. - The Fresno County Public Guardian is currently the Temporary Conservator of the Person and Estate. - These Examiner Notes are a review of Second Competing Petitioner Angelina Bosniak’s petition filed 3-21-12 only. <u>For specific issues with this petition:</u> <u>SEE PAGE 2</u>
DOB: 12-25-26		
Cont. from 050712	PUBLIC GUARDIAN is the current Temporary Conservator of the Person and Estate. Temporary Letters expire 3-22-12.	
Aff.Sub.Wit.		
✓ Verified	ANDREW BOSNIAK, Son of the Proposed Conservatee and father and household member of this Second Competing Petitioner, filed a petition for conservatorship that is set for trial on 5-17-12.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	X	
Aff.Mail	X	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	X	
✓ Conf. Screen	Voting rights affected.	
Letters	X	
Duties/Supp	Need Capacity Declaration.	
Objections	Petitioner states the proposed Conservatee suffered a ruptured cerebral aneurism on or about 11-13-11 in conjunction with a stroke. She was taken to Fresno Community Hospital on 11-17-11 to have an angiogram to stop the cranial bleeding and has been a patient since. Conservatee is currently bedridden at the California Armenian Home and requires daily assistance. She is also unable to manage her personal finances or pay bills related to her real property, including mortgage, utilities, taxes and insurance.	
✓ Video Receipt		
✓ CI Report		
9202		
Order	X	
	Estimated Value of Estate: Personal property: \$ 3,000.00 Annual income: \$ 48,000.00 Real property: \$ 80,000.00 Total: \$ 131,000.00 SEE PAGE 2	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation	X	
FTB Notice		
		Reviewed by: skc
		Reviewed on: 5-11-12
		Updates:
		Recommendation:
		File 10 - Bosniak

Court Investigator Charlotte Bien filed a report ON 5-1-12.

NEEDS/PROBLEMS/COMMENTS:

1. Need Notice of Hearing.
2. Need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per Probate Code §1822 on:
 - Andrew Bosniak (Son and Original Petitioner)
 - Audrey Medina (Daughter and Competing Petitioner)
 - Andrew Bosniak, Jr. (Grandson)
 - Christian Bosniak (Grandson)
 - Candy Medina (Granddaughter)
 - George Medina, Jr. (Grandson)
 - Yvonne Medina (Granddaughter)
 - Katie Medina (Granddaughter)
 - Coco Mendoza (Brother)

Note: Petitioner states the addresses of some relatives are unknown; however, Examiner notes that the addresses are listed in the Competing Petition filed by Audrey Medina on 2-3-12.

3. This hearing was continued to 5-17-12 at 9:00 am. The Citation filed 5-10-12 indicates the trial time of 5-17-12 at 1:30 pm, which is the trial that is currently set for the other competing petitions and additional petition filed by Andrew Bosniak.

In addition, the Citation filed 5-10-12 indicates personal service on Proposed Conservatee Lucy Bosniak on 5-4-12, which is 13 days prior to the hearing, rather than 15 days as required by Probate Code §1824.

Therefore, the Court may require amended notice and additional time.

4. Need Capacity Declaration.

Note: Original Petitioner Andrew Bosniak filed a faxed copy of a capacity declaration on 1-6-12 supporting his request for medical consent powers; however, an original has not been filed.

5. Need bond of \$56,100.00 (includes cost of recovery per Probate Code §2320(c)(4) and Cal. Rules of Court 7.207).

Note: This bond calculation does not include the value of the Conservatee's real property because Court authorization would be required for sale pursuant to Probate Code §2540.

**11 Lurine S. Topham aka Lurine H. Topham aka Lurine Stanion Topham
(Estate)**

Case No. 12CEPR00025

Atty Wright, Judith A. (for Carole Topham Pitts – Executor/Petitioner)

Petition for Termination of Proceedings and Discharge of Executor (Probate Code 12251)

DOD: 10/29/11		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>Order to terminate proceedings and discharge filed 05/04/12</p>
Cont. from 041912		
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: 05/14/12
		Updates:
		Recommendation:
		File 11 - Topham

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

Age: 2 DOB: 01/16/10	<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
	OLGA TERAN , maternal grandmother, is Petitioner.	<u>CONTINUED FROM 04/05/12</u> Minute order from 04/05/12 states: Court dispenses with further notice as to father. The Court believes it has jurisdiction due to the action of the other children with CPS in Fresno.
Cont. from 040512	Father: UNKNOWN – court dispensed with notice on 04/05/12	
Aff.Sub.Wit.		
✓ Verified	Mother: ELIZA FRAUSTO	
Inventory		
PTC	Paternal grandparents: UNKNOWN	
Not.Cred.		
Notice of Hrg x	Maternal grandfather: JESSE FRAUSTO	
Aff.Mail x	Siblings: LOGAN HERNANDEZ, ERIKA HERNANDEZ, JAYDEN HERNANDEZ, EDUARDO TREJO	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv. x		
✓ Conf. Screen	Petitioner states that Gabriella has lived with her since she was 3 months old. At that time, her mother was not able or willing to support her. Petitioner states that she has been Gabriella's sole provider and caregiver.	
✓ Letters		
✓ Duties/Supp		
Objections		
Video Receipt		
✓ CI Report	Court Investigator Jennifer Young's report was filed 03/29/12.	
9202		
✓ Order		
Aff. Posting		
Status Rpt		
✓ UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 05/14/12
		Updates:
		Recommendation:
		File 12 - Hernandez

**Probate Status Hearing Re: Termination of Proceeding for Deceased Conservatee
(Prob. C. § 1860, et seq)**

DOD: 11-6-09	DEPARTMENT OF DEVELOPMENTAL SERVICES is Conservator.	NEEDS/PROBLEMS/COMMENTS:
	Conservatee died on 11/6/09.	<u>Note: This Case is related to Page 1 (Conservatorship of Nicholas Tortella).</u>
	The Thirteenth Account was approved on 6/16/09 showing a property on hand balance of \$14,193.12.	<u>As of 5-14-12, nothing further has been filed. The following issue remains:</u>
Aff.Sub.Wit.		1. Need petition to terminate proceedings for deceased conservatee or current status report.
Verified Inventory		
PTC		
Not.Cred.		
Notice of Hrg	The Court set status hearing for termination of proceedings for deceased Conservatee on 10-12-11.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.	The matter was continued to 11-16-11 and 2-8-11; however, the 2-8-11 hearing was taken off calendar.	
Pers.Serv.		
Conf. Screen		
Letters	As of 5-14-12, a final account or petition for termination has not been filed.	
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: skc
Status Rpt X		Reviewed on: 5-14-12
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 14 - Tortorella

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

Status Hearing Re: Accounting

Age: 86 years		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR</p> <p><i>First and Final Account and Report of Conservator, etc., was filed on 5/9/2012 and is set for hearing on 6/20/2012.</i></p>
DOB: 8/14/1925		
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: LEG
		Reviewed on: 5/14/12
		Updates:
		Recommendation:
		File 15 - Pasillas

Atty Bagdasarian, Gary G., sole practitioner (for Petitioner Teresa Lynn Hannon)

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

Age: 2 years	<p align="center">NO TEMPORARY REQUESTED</p> <p>TERESA LYNN HANNON, mother, is Petitioner and requests appointment as Guardian of the Estate with deposits of an undetermined amount into a blocked account at WELLS FARGO BANK.</p> <p align="center"><u>Estimated value of the Estate</u> - Undetermined</p> <p>Father: CARLOS HANNON, SR.; consents and waives notice;</p> <p>Paternal grandfather: Clarence Hannon; deceased;</p> <p>Paternal grandmother: Kay Hannon; sent notice by mail 4/9/2012;</p> <p>Maternal grandfather: Garfield Washington; deceased;</p> <p>Maternal grandmother: Carol S. Washington; deceased;</p> <p>Petitioner states the child is a beneficiary of two pay-on-death bank accounts, and is possibly a beneficiary under life insurance policies, as a result of the death of the child's maternal grandmother on 3/21/2012. Petitioner states she as mother of the child is the best party to handle the financial matters in connection with these assets.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page 17 is the related case of this child's sibling.</p> <p>Note: Proposed Order to Deposit Money into Blocked Account is marked at Item 5(b), which allows the funds to be withdrawn from the blocked account upon the minor attaining age 18 without further order of the Court. It is the policy of this Court pursuant to Local Rule 7.8.1 (B) and (I) to mark Item 5(a) requiring a written order of the Court for any withdrawals from the blocked account. Proposed Order to Deposit Money into Blocked Account has been altered by marking Item 5(a) rather than 5(b). In addition, proposed Order Appointing Guardian of Minor has been altered at Item 9(c) to more accurately and specifically reflect the nature of the deposits, the bank location for the blocked accounts, and the fact that the amount is currently undetermined.</p> <p>Note: If petition is granted, the Court will set the following status hearings:</p> <ul style="list-style-type: none"> • June 2012 for receipt of funds in blocked accounts; • September 2012 for the filing of the inventory and appraisal; and • August 2013 for the filing of the first account. 	
DOD: 10/31/2009			
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail			W /
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
✓ Conf. Screen			
Aff. Posting			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Letters			
✓ Order Dep. Funds			
UCCJEA			
Citation			
FTB Notice			
<p>Reviewed by: LEG</p> <p>Reviewed on: 5/14/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16 – J. Hannon</p>			

Atty Bagdasarian, Gary G., sole practitioner (for Petitioner Teresa Lynn Hannon)

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

Age: 5 years	<p align="center">NO TEMPORARY REQUESTED</p> <p>TERESA LYNN HANNON, mother, is Petitioner and requests appointment as Guardian of the Estate with deposits of an undetermined amount into a blocked account at WELLS FARGO BANK.</p> <p><u>Estimated value of the Estate</u> - Undetermined</p> <p>Father: CARLOS HANNON, SR.; consents and waives notice;</p> <p>Paternal grandfather: Clarence Hannon; deceased; Paternal grandmother: Kay Hannon; sent notice by mail 4/9/2012;</p> <p>Maternal grandfather: Garfield Washington; deceased; Maternal grandmother: Carol S. Washington; deceased;</p> <p>Petitioner states the child is a beneficiary of certain bank accounts, and is a potential beneficiary of life insurance proceeds and individual retirement accounts [as a result of the death of the child's maternal grandmother on 3/21/2012.] Petitioner states upon appointment and submission of a certified copy of <i>Letters of Guardianship</i> to the banking institutions, Petitioner will determine the amount of said proceeds and place same into a blocked account.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page 16 is the related case of this child's sibling.</p> <p>Note: Proposed Order to Deposit Money into Blocked Account is marked at Item 5(b), which allows the funds to be withdrawn from the blocked account upon the minor attaining age 18 without further order of the Court. It is the policy of this Court pursuant to Local Rule 7.8.1 (B) and (I) to mark Item 5(a) requiring a written order of the Court for any withdrawals from the blocked account. Proposed Order to Deposit Money into Blocked Account has been altered by marking Item 5(a) rather than 5(b). In addition, proposed Order Appointing Guardian of Minor has been altered at Item 9(c) to more accurately and specifically reflect the nature of the deposits, the bank location for the blocked accounts, and the fact that the amount is currently undetermined.</p> <p>Note: If petition is granted, the Court will set the following status hearings:</p> <ul style="list-style-type: none"> • June 2012 for receipt of funds in blocked accounts; • September 2012 for the filing of the inventory and appraisal; and • August 2013 for the filing of the first account.
DOD: 1/26/2007		
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 type="checkbox"/> Aff. Posting		
<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 checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Order Dep. Funds		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
Reviewed by: LEG		
Reviewed on: 5/15/12		
Updates:		
Recommendation:		
File 17 – C. Hannon		

Petition for Appointment of Probate Conservator of the Person (Prob. C.

1820, 1822680-2682)

Age:		<p>THERE IS NO TEMPORARY. No temporary was requested.</p> <p>DONNA DAY, daughter, is petitioner and requests appointment as Conservator of the person with medical consent powers.</p> <p>Declaration of Neil A. Smith, D.O. filed 4/6/12.</p> <p>Petitioner states the proposed conservatee is unable to keep his medications straight and many times forgets to take them. He believes someone is breaking into his home and stealing items. He goes to the bank to check on his balance and claims someone is getting into his accounts and taking it away from him. He takes large amounts of money out to transfer it to new accounts or other banks. Petitioner states she has been writing his checks and paying his bills for a couple of years. He does not understand how severe his problem is.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued to 6/27/12 at the request of the attorney.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: <ol style="list-style-type: none"> a. Paul Reeves, grandson b. Joan Reeves Willis, granddaughter c. Larry Day, grandson 3. Need Confidential Supplement (Judicial Council form GC-312) <p>Court Investigator Jennifer Young to provide:</p> <ol style="list-style-type: none"> 1. Court Investigator's report 2. Advisement of Rights 	
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			X
<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			
Objections				
<input checked="" 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 type="checkbox"/>	UCCJEA			
<input checked="" type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Reviewed by: KT				
Reviewed on: 5/15/12				
Updates:				
Recommendation:				
File 18 - Reeves				

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

Nathaniel, 17 DOB: 10/02/94		<u>GENERAL HEARING 07/09/12</u>		NEEDS/PROBLEMS/COMMENTS:	
		<p>ELIDA S. MORALES, maternal great aunt, is Petitioner.</p> <p>Father: GALE RICHTER – <i>Consent & Waiver of Notice filed 05/07/12</i></p> <p>Mother: MARIA S. ORTEGA – <i>Consent & Waiver of Notice filed 05/07/12</i></p> <p>Paternal grandfather: DECEASED Paternal grandmother: EIKO KELLEY – <i>Consent & Waiver of Notice filed 05/07/12</i></p> <p>Maternal grandfather: CRUZ ORTEGA – <i>served by mail on 05/09/12</i> Maternal grandmother: BEATRICE SALDIVAR – <i>Consent & Waiver of notice filed 05/07/12</i></p> <p>Siblings: RICHARD RAMIREZ (14) – <i>Consent and Waiver of Notice filed 05/09/12</i>, JORDAN BERTUCCELLI (10)</p> <p>Petitioner states that she already has guardianship of Nathaniel's two younger brothers. Nathaniel had been residing with his father, but they were not getting along so his father brought him to live with Petitioner. Mother is currently in rehab. Petitioner states she has been in Nathaniel's life since birth and he has lived with her in the past. Petitioner states temporary guardianship is needed so that she can make decisions regarding his education, medical care and housing.</p>		<p><u>This Petition pertains to Nathaniel Richter only.</u> Petitioner was previously granted guardianship of Richard and Jordan on 08/30/11.</p>	
Cont. from					
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail	w/			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	n/a			
	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: 05/15/12	
				Updates:	
				Recommendation:	
				File 19 – Ramirez, Bertucelli & Richter	