



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.

Petition for Appointment of Temporary Conservator of the Person

		GENERAL HEARING 6/23/15	NEEDS/PROBLEMS/COMMENTS:	
		LAPITCHERETTE SEWARD , (relationship not stated), is petitioner.		
		Please see petition for details.	<p>Court Investigator advised rights on 5/21/15.</p> <ol style="list-style-type: none"> 1. Need proof of service of the Notice of Hearing along with a copy of the temporary petition on: <ol style="list-style-type: none"> a. Eddie Amey (brother) b. Felita Mayberry (sister) c. Jackie Amey (sister) d. Sharon Amey (sister) 2. Need proof of personal service of the Notice of Hearing along with a copy of the temporary petition on: <ol style="list-style-type: none"> e. Wayne Eugene Amey (proposed conservatee) 3. Petition does not indicate the current address of the proposed conservatee at #2. 4. Petition requests the authority to change the residence of the proposed conservatee but does not include the reasons why the move is necessary. 5. Petition does not state why a temporary conservatorship is necessary. 6. Petition does not state the relationship of the petitioner to the proposed conservatee. 7. Court Investigation Report lists several siblings that are not listed in the petition. Petition must list the names and addresses of all siblings. 	
Cont. from		Court Investigator Jennifer Young's report filed on 5/26/15.		
<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 type="checkbox"/>	Aff.Mail			X
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			X
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input 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 type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: KT	
			Reviewed on: 5/26/15	
			Updates:	
			Recommendation:	
			File 1 - Amey	

Amended Petition for Termination of Guardianship

		MICHAEL W. PURKEY, JR., father, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Order is blank. Need new order.
		Please see petition for details.	
		Court Investigator Julie Negrete's report filed 03/23/2015.	
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail	N/A	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT
			Reviewed on: 5/22/15
			Updates:
			Recommendation:
			File 2 - Purkey

Petitioner: Dora Elia Navarro (pro per)

Petition for Termination of Guardianship

		<p>DORA ELIA NAVARRO, guardian, is petitioner.</p> <p>Please see petition for details.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</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. Adam Varela, Jr. (minor) 	
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 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>Reviewed by: KT</p>				
<p>Reviewed on: 5/22/15</p>				
<p>Updates:</p>				
<p>Recommendation:</p>				
<p>File 3 - Varela</p>				

Ninth Account Current and Report of Conservator and Petition for its Settlement, for Allowance of Fees and Costs to Conservator and his Attorneys, for Order for Blocked Accounts and for Order Increasing Bond

Age: 34	TIMOTHY FRANK ALVES, SR. , Conservator with bond of \$75,000.00, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If the petition is granted, a status hearing will be set as follows:</p> <ul style="list-style-type: none"> • Thursday, 05/25/2017 at 9:00a.m. in Dept. 303 for the filing of the tenth account <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required.</p>
	Account period: 01/01/13 – 12/31/14	
	Accounting: \$828,214.24	
	Beginning POH: \$700,875.31	
	Ending POH: \$741,645.36	
Cont. from	Conservator: \$6,000.00	
<input type="checkbox"/> Aff.Sub.Wit.	(5 hours per month @ \$50.00/hr, or \$250.00 per month, for services including visits with Conservatee, overseeing personal care, medical needs, and special care, purchasing supplies, clothing and services, paying the expenses and overseeing Conservatee's care, addressing investments and assets, records management, etc.)	
<input checked="" type="checkbox"/> Verified	Attorney: \$4,802.80	
<input type="checkbox"/> Inventory	(\$4,341.30 itemized plus \$461.50 in costs per declaration attached to Petition)	
<input type="checkbox"/> PTC	During the account period, petitioner renewed a blocked certificate of deposit at Fresno County Employees Credit Union and upon renewal a new account number was assigned. Although Petitioner believes the new account is still blocked, Petitioner requests the Court order that the \$71,731.47 (and any accrued interest now in account 1200-7 at Fresno County Employees Credit Union be blocked.	
<input type="checkbox"/> Not.Cred.	Additionally, blocked accounts 47000487 and 47330494 with Valley Business Bank originated with Capitol Thrift & Loan and Capitol Valley Bank, predecessors to Valley Business Bank. Petitioner requests the Court issue an order blocking these current accounts at Valley Business Bank so that the order and receipts on file match the current depository and accounts held.	
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner states that the current bond of \$75,000.00 is not sufficient and requests the Court order bond be increased to \$120,000.00.	
<input checked="" type="checkbox"/> Aff.Mail w/		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 2620(c)		
<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		

Continued on Page 2

Petitioner prays for an Order:

- 1) Approving, allowing and settling the account;
- 2) Confirming, approving and ratifying all acts and transactions of the Conservator;
- 3) Authorizing the Conservator and Attorney fees and commissions
- 4) Increasing the bond to \$120,000.00
- 5) That Fresno County Federal Credit Union account 1200-7 and accounts 47000487 and 47330494 with Valley Business Bank are blocked and subject to withdrawal only upon Court order.

Court Investigator Samantha Henson filed a report on 08/29/14. The report states that conservatorship appears to continue to be necessary, the least restrictive alternative available, and in the best interest of the conservatee. It further appears that the conservator is acting in the best interest of the conservatee and that he is in the least restrictive appropriate setting.

Pro Per Petitioner: Heather Huffman, mother

Petition for Visitation

Age: 10 years	HEATHER HUFFMAN, mother, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS:
DOB: 9/3/2004	NORA SUE HUFFMAN maternal aunt, was appointed Guardian on 1/4/2012.	
Cont. from	~Please see Petition for details~	<ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of 15 days' notice prior to hearing of the Notice of Hearing along with a copy of the Petition for Visitation pursuant to Probate Code § 1460 for the following: <ul style="list-style-type: none"> • NORA SUE HUFFMAN, Guardian;
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		X
Aff.Mail		X
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		X
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 5/22/15
		Updates:
		Recommendation:
		File 5 - Oryan

Petitioner: Adam Gonzalez, JR.

Petition for Termination of Guardianship

Age:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR. Guardianship was terminated on 5/19/15.</p>
DOD:		
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: KT
		Reviewed on: 5/26/15
		Updates:
		Recommendation:
		File 7 - Gonzalez

(1) First and Final Account and Report of Administrator and Petition for its Settlement, (2) for Confirmation and Approval of Acts of Administrator, (3) for Allowance of Compensation to Administrator for Ordinary Services, (4) for Allowance of Compensation to Attorney for Ordinary and Extraordinary Services, and (5) for Final Distribution

DOD: 11/19/11	DALE EWING , Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Accounting period: 01/16/14 – 02/20/15	<u>CONTINUED FROM 04/16/15</u>
	Accounting - \$71,535.44	
	Beginning POH - \$36,502.17	
	Ending POH - \$54,027.26 (all cash)	
Cont. from 041615	Administrator - \$2,827.42 (statutory, see note)	
<input type="checkbox"/> Aff.Sub.Wit.	Administrator costs - \$3,991.07 (itemized, for payment of estate expenses, filing fees, probate referee, publication, etc.)	
<input checked="" type="checkbox"/> Verified	Attorney - \$2,827.42 (statutory, see note)	
<input checked="" type="checkbox"/> Inventory	Attorney x/o - \$270.00 (itemized by date for locating heirs)	
<input checked="" type="checkbox"/> PTC	Costs - \$210.00 (bond premium paid by attorney)	
<input checked="" type="checkbox"/> Not.Cred.	Closing - \$999.00	
<input checked="" type="checkbox"/> Notice of Hrg	Distribution, pursuant to intestate succession, is to:	
<input checked="" type="checkbox"/> Aff.Mail w/	Annie Ewing - \$7,164.53	
Aff.Pub.	Gloria Fishel - \$3,560.81	
Sp.Ntc.	Don Schafer - \$3,560.81	
Pers.Serv.	Kathleen Barrier - \$3,560.81	
Conf. Screen	Jim Bedel - \$3,560.81	
Letters 01/16/14	Darrell Hannickel - \$2,402.48	
Duties/Supp	Anita Hannickel - \$2,402.48	
Objections	Phyllis Doud - \$2,402.48	
Video Receipt	Stella Kempf - \$3,560.81	
CI Report	David Kempf - \$3,560.81	
<input checked="" type="checkbox"/> 9202	Bill Scharon - \$7,164.53	
<input checked="" type="checkbox"/> Order		
Aff. Posting		Reviewed by: JF
Status Rpt		Reviewed on: 05/26/15
UCCJEA		Updates:
Citation		Recommendation:
<input checked="" type="checkbox"/> FTB Notice		File 10 - Kempf

11 Ethan Presley Betner (GUARD/E) Case No. 13CEPR00930

Guardian **Betner, Nicholas (Pro Per – Guardian – Petitioner)**

Guardian **Betner, Heidi (Pro Per – Guardian – Petitioner)**

Amended First Account of Guardian of Funds; and Petition Requesting Approval of Accounting

	<p>NICOLAS and HEIDI BETNER, Parents and Guardians of the Estate without bond (funds blocked), are Petitioners.</p> <p>Account period: 12/26/13 – 12/31/14</p> <p>Accounting: \$15,488.87 Beginning POH: \$15,441.70 Ending POH: \$15,488.87 (cash held in blocked account)</p> <p>Petitioners state there have been no withdrawals. The account reflects all monies received, plus the bank-paid interest.</p> <p>Petitioners waive compensation.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: skc</p> <p>Reviewed on: 5/26/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 – Betner</p>	

Probate Status Hearing RE: Filing of the Inventory and Appraisal

	<p>SHELIA STEARNS was appointed Conservator of the Person and Estate with bond of \$50,000.00 and \$425,000.00 to be placed into blocked accounts pursuant to Evidentiary/Settlement Conference Minute Order dated 2-25-14. The Order was signed on 3-5-14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 04/02/15</p> <p>Minute Order from 04/02/15 states: Counsel is to file at least a partial Inventory & Appraisal. The Court orders bond increased to \$373,717.86 and dispenses with its previous order to place the balance into a blocked account.</p> <p>As of 05/22/15, nothing further has been filed.</p> <ol style="list-style-type: none"> 1. Need Inventory & Appraisal. 2. Need increased bond.
<p>Cont. from 040215</p> <p>Aff.Sub.Wit.</p> <p>Verified</p> <p>Inventory</p> <p>PTC</p> <p>Not.Cred.</p> <p>Notice of Hrg</p> <p>Aff.Mail</p> <p>Aff.Pub.</p> <p>Sp.Ntc.</p> <p>Pers.Serv.</p> <p>Conf. Screen</p> <p>Letters</p> <p>Duties/Supp</p> <p>Objections</p> <p>Video Receipt</p> <p>CI Report</p> <p>9202</p> <p>Order</p> <p>Aff. Posting</p> <p>Status Rpt</p> <p>UCCJEA</p> <p>Citation</p> <p>FTB Notice</p>	<p>Ms. Stearns was formerly represented by Attorney Sheldon Feigel, who is no longer eligible to practice law. Mr. Rindlisbacher appeared for the conservator on 7-21-14.</p> <p>On 8-13-14, bond of \$50,000.00 was filed. Thereafter, Letters were issued on 8-25-14.</p> <p>Attorney Rindlisbacher filed a status report (unverified) on 11-18-14. The report states the Conservator opened one blocked account in the amount of \$165,000.00 with JP Morgan Chase Bank N.A; however, because the original blocking order indicated \$425,000.00, Bank of America would not open the account for less than that amount. The attorney explained to the bank that they would not be depositing the full amount due to FDIC limits and they should open the account and sign the receipt; however, they have been unwilling to do so.</p> <p>Mr. Rindlisbacher states he has been informed by the Conservator that there is no longer \$425,000.00 to deposit into blocked accounts. Since March 2014, the Conservator has been using fund to provide for her mother's care. The Court ordered that Ms. Cook was to remain in her own home and be cared for by Phillip Cook; however, shortly after that order, Ms. Cook was removed from her home by law enforcement under a W&I Code §5150 placement. Phillip Cook informed the Conservator that he was no longer able to provide adequate care for her at home. When she was released, Ms. Stearns took Ms. Cook to stay with her at home in Arizona until she could find appropriate placement.</p> <p>Mr. Rindlisbacher requests the Court enter an order that \$200,000.00 be placed in a blocked account at Wells Fargo Bank.</p> <p>At a Status Hearing on 01/29/15, the Court set this matter for a status hearing regarding filing of the Inventory & Appraisal.</p>	
		<p>Reviewed by: JF</p> <p>Reviewed on: 05/22/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 - Cook</p>

Petitioner: Thourn Chom (Pro Per)

Status Review

	THOURN CHOM , maternal grandmother, was appointed guardian on 1/29/15.	NEEDS/PROBLEMS/COMMENTS:
	Father: Unknown	
	Mother: Saran Mao	
Cont. from	<p>Minute Order dated 1/29/15 set this status review and ordered the Court Investigator to visit the home and provide an updated report to the Court regarding the status of the minor.</p> <p>Court Investigator Report filed on 5/15/15.</p>	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 5/26/15
		Updates:
		Recommendation:
		File 14 - Mao

Atty Wishon, A. Emory, of Motschieder, Michaelides, Wishon, Brewer & Ryan (for Petitioner Merilee Everett)
 Atty Chielpegian, Mark E.; Cobb, Lee S. W.; of Chielpegian Law Offices (for Contestants Gay Mitchell and Elva Van Buskirk)

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 10/9/2014		MERILEE EVERETT , niece, and named Executor without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page 15B is the <i>Petition for Letters of Special Administration with General Powers</i> filed by GAY MITCHELL and ELVA VAN BUSKIRK.</p> <p>Page 15C is the competing <i>Petition for Letters of Administration</i> filed by GAY MITCHELL and ELVA VAN BUSKIRK.</p> <p>Page 15D is the <i>Will Contest and Grounds of Opposition to Probate of Purported Will; and Opposition to Appointment of Merilee Everett as Executor</i> filed by GAY MITCHELL and ELVA VAN BUSKIRK.</p> <p>Continued from 4/16/2015. Minute Order states counsel represents that they are working on an informal settlement agreement and that parties have stipulated to the Public Administrator being appointed. Counsel requests 30 – 45 days for further settlement discussions. The Court orders the Public Administrator appointed as Administrator pursuant to the stipulation of parties. [Order to Transition Authority to Public Administrator was filed 4/20/2015.]</p> <p>Note: For the administration by the PUBLIC ADMINISTRATOR, Court will set Status Hearings as follows:</p> <ul style="list-style-type: none"> Wednesday, October 28, 2015 at 9:00 a.m. in Dept. 303 for the filing of final inventory and appraisal; and Thursday, July 28, 2016 at 9:00 a.m. in Dept. 303 for the filing of first account and/or petition for final distribution. <p>Per Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.</p> <p>Reviewed by: LEG</p> <p>Reviewed on: 5/26/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15A - McCoon</p>
Cont. from 012715, 030515, 041615		MERILEE EVERETT , niece, was appointed Special Administrator with Full IAEA authority with bond fixed at \$490,000.00 on 1/27/2015. Proof of Bond was filed 3/5/2015. Letters of Special Administration expired on 4/16/2015 .	
✓	Aff.Sub.Wit.	S / P	
✓	Verified	Full IAEA – O.K.	
	Inventory	Will Dated: 6/10/2004	
	PTC	Residence: Fresno	
	Not.Cred.	Publication: Business Journal	
✓	Notcof Hrg	Estimated value of the Estate:	
✓	Aff.Mail	Real property \$390,000.00	
✓	Aff.Pub.	Personal property \$100,000.00	
	Sp.Ntc.	Total \$490,000.00	
	Pers.Serv.	Probate Referee: Rick Smith	
	Conf. Screen	Declaration of A. Emory Wishon III in Support of Petition for Probate of Will and for Letters Testamentary filed 12/11/2014 states:	
✓	Letters	<ul style="list-style-type: none"> The original Will of the Decedent dated 6/10/2004, naming Decedent's niece MERILEE EVERETT (Petitioner) as the Executrix of her Will and as her sole Beneficiary, was lodged with the Court on 11/9/2014; The Will had been prepared by Russell Ryan of the law offices of Motschieder, Michaelides, Wishon, Brewer & Ryan; the original Will was delivered to that same office about 10/13/2014 by RHONDA MORRIS, a person who had been a caregiver and housekeeper for and lived with Decedent for over two years; <p align="center">~Additional pages omitted~</p>	
✓	Duties/S.		
	Objections		
	Video R.		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Atty Wishon, A. Emory, of Motschieder, Michaelides, Wishon, Brewer & Ryan (for Petitioner Merilee Everett)

Atty Chielpegian, Mark E.; Cobb, Lee S. W.; of Chielpegian Law Offices (for Contestants Gay Mitchell and Elva Van Buskirk)

Special Administration with General powers under \$250,000

DOD: 10/9/2014	GAY MITCHELL , niece, and ELVA VAN BUSKIRK , sister, are Petitioners and request appointment of GAY MITCHELL as Special Administrator with general powers (without IAEA) with bond set at \$100,000.00 .	NEEDS/PROBLEMS/ COMMENTS: <u>Continued from 4/16/2015.</u> <i>Minute Order</i> states counsel represents that they are working on an informal settlement agreement and that parties have stipulated to the Public Administrator being appointed. Counsel requests 30 – 45 days for further settlement discussions. The Court orders the Public Administrator appointed as Administrator pursuant to the stipulation of parties. [Order to Transition Authority to Public Administrator was filed 4/20/2015.] ~Additional page omitted~
Cont. from 030515	Full IAEA — not requested	
<input type="checkbox"/> Aff.Sub.Wit.	[Decedent died intestate – see note.]	
<input checked="" type="checkbox"/> Verified	Residence — Fresno	
Inventory	Publication — Business Journal	
PTC	Estimated value of the Estate:	
Not.Cred.	Real property \$390,000.00	
<input checked="" type="checkbox"/> Notice of Hrg	Personal property \$100,000.00	
<input checked="" type="checkbox"/> Aff.Mail W/	Total \$490,000.00	
<input checked="" type="checkbox"/> Aff.Pub.	Probate Referee: Rick Smith	
Sp.Ntc.	Petitioners state:	
Pers.Serv.	<ul style="list-style-type: none"> There is a dispute regarding the validity and enforceability of the document titled the Last Will and Testament of B.J. McCoon; To the extent the Court determines it necessary pending the resolution of the dispute to appoint a special administrator, then Petitioners request they be appointed; Petitioner Gay Mitchell, as Decedent's niece, should be afforded priority to be appointed (Probate Code § 8541 (b)); Decedent was a widow and had no issue; she is survived by her sister, Petitioner Elva Van Buskirk, who has priority under Probate Code § 8461 (f); Elva has elected to nominate her niece, Gay, to serve as personal representative (<i>signed nomination attached</i>); Given that Gay was nominated by a person with priority, Gay should be afforded priority for appointment. 	
Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG Reviewed on: 5/26/15 Updates: Recommendation: File 15B – McCoon

Atty Wishon, A. Emory, of Motschiedler, Michaelides, Wishon, Brewer & Ryan (for Petitioner Merilee Everett)

Atty Chielpegian, Mark E.; Cobb, Lee S. W.; of Chielpegian Law Offices (for Contestants Gay Mitchell and Elva Van Buskirk)

Petition for Letters of Administration

DOD: 10/9/2014		<p>GAY MITCHELL, niece, and ELVA VAN BUSKIRK, sister, are Petitioners and request appointment of GAY MITCHELL as Administrator (without IAEA) with bond set at \$100,000.00.</p> <p>Full IAEA — not requested</p> <p><i>Decedent died intestate.</i></p> <p>Residence — Fresno Publication — Business Journal</p> <p>Estimated value of the Estate: Real property \$390,000.00 Personal property \$100,000.00 Total \$490,000.00</p> <p>Probate Referee: Rick Smith</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Continued from 4/16/2015. <i>Minute Order states counsel represents that they are working on an informal settlement agreement and that parties have stipulated to the Public Administrator being appointed. Counsel requests 30 – 45 days for further settlement discussions. The Court orders the Public Administrator appointed as Administrator pursuant to the stipulation of parties. [Order to Transition Authority to Public Administrator was filed 4/20/2015.]</i></p> <p>~Additional page omitted~</p>
Cont. from 030515			
<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 checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input 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 type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: LEG	
		Reviewed on: 5/26/15	
		Updates:	
		Recommendation:	
		File 15C – McCoon	

15D Betty Jean McCoon (Estate)

Case No. 14CEPR01117

Atty Wishon, A. Emory, of Motschiedler, Michaelides, Wishon, Brewer & Ryan (for Petitioner Merilee Everett)

Atty Chielpegian, Mark E.; Cobb, Lee S. W.; of Chielpegian Law Offices (for Contestants Gay Mitchell and Elva Van Buskirk)

Will Contest and Grounds of Opposition to Probate of Purported Will; and Opposition to Appointment of Merilee Everett as Executor and/or as Special Administrator

DOD: 10/9/2014		<p>GAY MITCHELL, niece, and ELVA VAN BUSKIRK, sister, are Contestants.</p> <p>Contestants allege:</p> <ul style="list-style-type: none"> • Probate of the Purported Will should be denied on the following grounds: <ul style="list-style-type: none"> ○ The Purported Will was not executed in a manner and form required by law; ○ The Purported Will was revoked by Decedent as evidence by the markings on the face of the Purported Will; • Contestants oppose the appointment of MERILEE EVERETT as the personal representative of the estate on the following grounds: <ul style="list-style-type: none"> ○ Contestants dispute the validity of the Purported Will and contend that the Purported Will was revoked in its entirety as evidence by the line outs on the face of the Purported Will; therefore, the appointment of Respondent as executor has been revoked; ○ In the absence of a valid will nominating an executor, ELVA VAN BUSKIRK is the person entitled to priority under Probate Code § 8461(f); she has nominated Gay Mitchell to serve as administrator (nomination attached as Exhibit B); the nominee has priority next after the class of person making the nomination; ○ Respondent is not capable by her own admission of serving as personal representative; in particular, since the Decedent's death she has generally refused to communicate with any of the other heirs at law and related family members; <p>~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 4/16/2015. Minute Order states counsel represents that they are working on an informal settlement agreement and that parties have stipulated to the Public Administrator being appointed. Counsel requests 30 – 45 days for further settlement discussions. The Court orders the Public Administrator appointed as Administrator pursuant to the stipulation of parties. [Order to Transition Authority to Public Administrator was filed 4/20/2015.]</p> <p>Note: Request for Dismissal submitted by ATTORNEY COBB was entered by the Court as requested on 3/17/2015 as to the Will Contestant's First Ground for Will Contest under Paragraph 9(a) of the Will Contest, which states that the purported Will is contested on the basis that the purported Will was not executed in a manner and form required by law.</p>
Cont. from 030515, 041615			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	Summons		
<input checked="" type="checkbox"/>	Akn. Rcpt.		
<input 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 type="checkbox"/>	Order X		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Reviewed by: LEG			
Reviewed on: 5/26/15			
Updates:			
Recommendation:			
File 15D – McCoon			

Contestants allege, continued:

- Attached as Exhibit C is copy of Respondent's email dated 10/12/2014, in which Everett requests that all communications be directed to her husband, **PAT EVERETT**, given that she was "unfamiliar with legal and financial matters."
- Based on this inability to handle legal and financial matters, Contestants believe Respondent delegated various duties to her husband;
- **PAT EVERETT** has repeated this request, and has directed the heirs and other family members not to contact Respondent (copy of email attached as Exhibit D); thus Pat Everett, a person not entitled to appointment, has unilaterally attempted to assume control of Decedent's estate; Respondent and her husband have also levied threats against the other heirs and family members to stay away from Decedent's house;
- Respondent is estranged from her family including Contestants, and by her own acknowledgment is incapable of effectively communicating with all interested parties regarding the administration; moreover, Respondent was estranged from Decedent for a number of years preceding Decedent's death, and Decedent would not want Respondent to serve as the personal representative of her estate;
- Respondent's petition should be denied because she is not capable of serving as a personal representative, and a person with higher priority has nominated a suitable personal representative who is able and willing to serve;
- In the event the Court is not inclined to appoint Contestant Gay Mitchell as the personal representative, Contestants would respectfully request that the **PUBLIC ADMINISTRATOR** be appointed in lieu of Respondent.

Contestants request this Court order that:

1. The Petition filed by Merilee Everett be denied in its entirety;
- ~~2. The document titled the Last Will and Testament of B.J. McCoon be denied admission to probate;~~
3. The request of Merilee Everett to be appointed as the executor of the estate be denied;
4. The request of Gay Mitchell to be appointed as administrator be granted, and Letters of Administration should issue; and
5. The request of Gay Mitchell to be appointed as Special Administrator be granted, and Letters of Special Administration should issue.

Answer of Respondent Merilee Everett to Will Contest and Grounds of Opposition to Probate of Purported Will; and Opposition to Appointment of Merilee Everett as Executor and/or as Special Administrator filed on 3/5/2015 admits and denies specified allegations [omitted from summary], provides First and Second Affirmative Defenses.

DOD: 03/07/15	DAVID LASKY , son, is Petitioner, and requests appointment as Administrator without bond.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Thursday, 10/29/15 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Thursday, 07/28/16 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required.</p>
	Full IAEA – OK		
Cont. from	All heirs waive bond		
<input type="checkbox"/> Aff.Sub.Wit.	Decedent died intestate		
<input checked="" type="checkbox"/> Verified	Residence: Fresno		
<input type="checkbox"/> Inventory	Publication: The Business Journal		
<input type="checkbox"/> PTC	Estimated Value of the Estate:		
<input type="checkbox"/> Not.Cred.	Personal property - \$133,500.00		
<input checked="" type="checkbox"/> Notice of Hrg	Annual income - 1,315.00		
<input checked="" type="checkbox"/> Aff.Mail	w/o	Real property - 50,000.00	
<input checked="" type="checkbox"/> Aff.Pub.	Total - \$184,815.00		
<input type="checkbox"/> Sp.Ntc.	Probate Referee: STEVEN DIEBERT		
<input type="checkbox"/> Pers.Serv.			
<input 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 type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: JF
			Reviewed on: 05/26/15
			Updates:
			Recommendation: SUBMITTED
			File 19 – Garro-Lasky

Attorney Wright, Janet L (for Anthony P. DiEgidio, Sr. – father/Petitioner)

Petition for Letters of Administration. Authorization to Administer Under the Independent Administration of Estates Act

DOD: 03/21/15	ANTHONY P. DIEGIDIO, SR., father, is Petitioner, and requests appointment as Administrator without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Petitioner is a resident of Delray Beach, FL. The court may require bond if the proposed personal representative resides outside California or for other good cause, pursuant to California Rules of Court 7.201 (b) and Probate Code 8571.</p> <p>Note: According to the Petition, the only other heir (decedent's mother) lives in Wilmington, DE.</p> <p>Note: If the Petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Thursday, 10/29/15 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Thursday, 07/28/16 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required.</p>
Cont. from	Petitioner is a resident of Delray Beach, Florida.	
Aff.Sub.Wit.	Full IAEA – OK	
✓ Verified	All heirs waive bond	
Inventory	Decedent died intestate	
PTC	Residence: Fresno	
Not.Cred.	Publication: The Business Journal	
✓ Notice of Hrg	Estimated Value of the Estate:	
✓ Aff.Mail w/	Personal property - \$128,063.00	
✓ Aff.Pub.	Real property - (31,610.00)	
Sp.Ntc.	Total - \$96,453.00	
Pers.Serv.	Probate Referee: STEVEN DIEBERT	
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: 05/26/15		
Updates:		
Recommendation:		
File 20 - DiEgidio		