

**Petition for Appointment of Temporary Conservator of the Person**

		<b>GENERAL HEARING 6/23/15</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>LAPITCHERETTE SEWARD</b> , (relationship not stated), is petitioner.	<p><b>Court Investigator advised rights on 5/21/15.</b></p> <ol style="list-style-type: none"> <li>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"> <li>a. Eddie Amey (brother)</li> <li>b. Felita Mayberry (sister)</li> <li>c. Jackie Amey (sister)</li> <li>d. Sharon Amey (sister)</li> </ol> </li> <li>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"> <li>e. Wayne Eugene Amey (proposed conservatee)</li> </ol> </li> <li>3. Petition does not indicate the current address of the proposed conservatee at #2.</li> <li>4. Petition requests the authority to change the residence of the proposed conservatee but does not include the reasons why the move is necessary.</li> <li>5. Petition does not state why a temporary conservatorship is necessary.</li> <li>6. Petition does not state the relationship of the petitioner to the proposed conservatee.</li> <li>7. Court Investigation Report lists several siblings that are not listed in the petition. Petition must list the names and addresses of all siblings.</li> </ol>	
		Please see petition for details.		
<b>Cont. from</b>		<p><b>Court Investigator Jennifer Young's report filed on 5/26/15.</b></p>		
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			<b>Reviewed by:</b> KT	
			<b>Reviewed on:</b> 5/26/15	
			<b>Updates:</b>	
			<b>Recommendation:</b>	
			<b>File 1 - Amey</b>	

**Amended Petition for Termination of Guardianship**

		<p><b>MICHAEL W. PURKEY, JR.</b>, father, is petitioner.</p> <p>Please see petition for details.</p> <p>Court Investigator Julie Negrete's report filed 03/23/2015.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Order is blank. Need new order.</p>	
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			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><b>DORA ELIA NAVARRO</b>, guardian, is petitioner.</p> <p><b>Please see petition for details.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of service of the Notice of Hearing on:             <ol style="list-style-type: none"> <li>a. Adam Varela, Jr. (minor)</li> </ol> </li> </ol>																																																																																	
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**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**

	<p><b>TIMOTHY FRANK ALVES, SR.</b>, Conservator with bond of \$75,000.00, is Petitioner.</p> <p>Account period: <b>01/01/13 – 12/31/14</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: If the petition is granted, a status hearing will be set as follows:</b></p> <ul style="list-style-type: none"> <li>• <b>Thursday, 05/25/2017 at 9:00a.m. in Dept. 303</b> for the filing of the tenth account</li> </ul> <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>																																													
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<table border="1"> <tr><td><input type="checkbox"/></td><td><b>FTB Notice</b></td></tr> </table>	<input type="checkbox"/>	<b>FTB Notice</b>	<p>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.</p>	<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 05/22/15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 4 – Alves</b></p>																																											
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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

		HEATHER HUFFMAN, mother, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS:	
		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"> <li>1. Need Notice of Hearing.</li> <li>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"> <li>• NORA SUE HUFFMAN, Guardian;</li> </ul> </li> </ol>	
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			Reviewed by: LEG	
			Reviewed on: 5/22/15	
			Updates:	
			Recommendation:	
			File 5 - Oryan	

Petition for Order for Payment of Conservator's Attorney's Fees

		<b>BRUCE D. BICKEL</b> , Conservator of the estate, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need proof of service of the Notice of Hearing on:  a. Selvie Mitchell (conservatee)</p>
		<b>Petitioner states</b> he retained the law firm of Baker Manock and Jensen, and their retention was approved by the court on 5/15/14. Petitioner retained the attorneys to assist Petitioner in collecting money held by the State of California belonging to the Conservatee and to obtain information from the law firm of Graham Vaage LLP relative to a lien it asserted against that money.	
<b>Cont. from</b>		Petitioner requests approval to pay attorney fees totaling <b>\$69,923.50</b> (199.40 attorney hours @ \$225 - \$395/hour and 1.60 paralegal hours @ 150/hr) and costs totaling <b>\$2,053.38</b> .	
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<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Declaration of Robert D. Wilkinson filed on 4/17/15</b> states his firm was hired for the purpose of seeking to collect \$271,198.80 held by the State of California for Mr. Mitchell's benefit and to investigate, negotiate, settle or litigate the purported lien of the Conservatee's former counsel, Graham Vaage, LLP, asserted on the money on deposit with the State.	
		The attorneys were able to completely defeat Graham Vaage's claim for attorney's fees and costs, originally made in the amount of \$188,717.53 expunge Graham Vaage's lien, and obtain the \$271,198.90 for the Conservatee's benefit.	
		<b>Petitioner prays for an Order</b> authorizing Bruce Bickel as conservator of the estate to pay Baker Manock and Jensen's attorneys' fees in the amount of \$69,923.50 and costs totaling \$2,053.38.	
		<b>Reviewed by: KT</b>	
		<b>Reviewed on: 5/26/15</b>	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 6 – Mitchell</b>	

Petitioner: Adam Gonzalez, JR.

Petition for Termination of Guardianship

Age:		NEEDS/PROBLEMS/COMMENTS:
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
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Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		OFF CALENDAR. Guardianship was terminated on 5/19/15.
		Reviewed by: KT
		Reviewed on: 5/26/15
		Updates:
		Recommendation:
		File 7 - Gonzalez

**First Amended First and Final Report of Administrator on Waiver of Account and Petition for its Settlement; for Allowance of Statutory and Extraordinary Fees to Attorney for Services; and for Order for Final Distribution**

<b>DOD: 03/31/2010</b>	<b>JOSEPH WILLIAM MARTIN,</b> Administrator, is petitioner.		<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Accounting is waived.		
<b>Cont. from</b>	I & A	- \$125,873.74	
<b>Aff.Sub.Wit.</b>	POH	- \$127,424.94	
<input checked="" type="checkbox"/> <b>Verified</b>	Administrator	- waives	
<input checked="" type="checkbox"/> <b>Inventory</b>	Attorney (statutory)	- \$4,776.22	
<input checked="" type="checkbox"/> <b>PTC</b>	Costs	- \$1,083.32	
<input checked="" type="checkbox"/> <b>Not.Cred.</b>	(probate Referee, publication, certified copies)		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Distribution, pursuant to intestate succession is to:</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	W/	Joseph W. Martin – Real property located in Mendota, 2009 Toyota Camry, 2005 Chevy Malibu, and \$2,381.45.	
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<input checked="" type="checkbox"/> <b>Letters</b>	3/29/13		
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<input checked="" type="checkbox"/> <b>9202</b>			
<input checked="" type="checkbox"/> <b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<input checked="" type="checkbox"/> <b>FTB Notice</b>			
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 5/26/15</b>
			<b>Updates:</b>
			<b>Recommendation: SUBMITTED</b>
			<b>File 8 - Martin</b>

**9 Virginia Esparza (Estate)**

**Case No. 13CEPR00398**

**Atty Wishon, A. Emory (for Executor Diane Esparza)**  
**Atty Roberts, Gregory J. (for Objector Ray A. Esparza)**

**Regarding Proposed Order Approving First and Final Account and Report of the Status of Administration and Petition for Settlement Thereof; For Allowance of Statutory Attorneys' Compensation and for Final Distribution**

<b>DOD: 3/2/13</b>			<b>NEEDS/PROBLEMS/COMMENTS:</b>	
<b>Cont. from 040915, 041615</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input type="checkbox"/>	<b>Verified</b>			<input checked="" type="checkbox"/>
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input type="checkbox"/>	<b>Notice of Hrg</b>			<input checked="" type="checkbox"/>
<input type="checkbox"/>	<b>Aff.Mail</b>			<input checked="" type="checkbox"/>
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
<input type="checkbox"/>	<b>Conf. Screen</b>			
<input type="checkbox"/>	<b>Letters</b>			
<input type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
		<b><u>OFF CALENDAR</u></b>		
		Stipulation Regarding Order filed 5/22/15.		
		Order submitted for signature ex parte 5/27/15.		
		<b>Reviewed by:</b> skc		
		<b>Reviewed on:</b> 5/27/15		
		<b>Updates:</b>		
		<b>Recommendation:</b>		
		File 9 – Esparza		

(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

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

**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**

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

**Probate Status Hearing RE: Filing of the Inventory and Appraisal**

	<p><b>SHELIA STEARNS</b> 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><b>NEEDS/PROBLEMS/ COMMENTS:</b></p> <p><b>CONTINUED FROM 04/02/15</b></p> <p>Minute Order from 04/02/15 states: Counsel is to file at least a partial Inventory &amp; 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"> <li>1. Need Inventory &amp; Appraisal.</li> <li>2. Need increased bond.</li> </ol>																																														
<p><b>Cont. from 040215</b></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><b>Attorney Rindlisbacher filed a status report (unverified) on 11-18-14. The report states</b> 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&amp;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><b>Mr. Rindlisbacher requests the Court enter an order that \$200,000.00 be placed in a blocked account at Wells Fargo Bank.</b></p> <p>At a Status Hearing on 01/29/15, the Court set this matter for a status hearing regarding filing of the Inventory &amp; Appraisal.</p>																																															
<table border="1"> <tr><td><b>Aff.Sub.Wit.</b></td><td></td></tr> <tr><td><b>Verified</b></td><td></td></tr> <tr><td><b>Inventory</b></td><td></td></tr> <tr><td><b>PTC</b></td><td></td></tr> <tr><td><b>Not.Cred.</b></td><td></td></tr> <tr><td><b>Notice of Hrg</b></td><td></td></tr> <tr><td><b>Aff.Mail</b></td><td></td></tr> <tr><td><b>Aff.Pub.</b></td><td></td></tr> <tr><td><b>Sp.Ntc.</b></td><td></td></tr> <tr><td><b>Pers.Serv.</b></td><td></td></tr> <tr><td><b>Conf. Screen</b></td><td></td></tr> <tr><td><b>Letters</b></td><td></td></tr> <tr><td><b>Duties/Supp</b></td><td></td></tr> <tr><td><b>Objections</b></td><td></td></tr> <tr><td><b>Video Receipt</b></td><td></td></tr> <tr><td><b>CI Report</b></td><td></td></tr> <tr><td><b>9202</b></td><td></td></tr> <tr><td><b>Order</b></td><td></td></tr> <tr><td><b>Aff. Posting</b></td><td></td></tr> <tr><td><b>Status Rpt</b></td><td></td></tr> <tr><td><b>UCCJEA</b></td><td></td></tr> <tr><td><b>Citation</b></td><td></td></tr> <tr><td><b>FTB Notice</b></td><td></td></tr> </table>	<b>Aff.Sub.Wit.</b>		<b>Verified</b>		<b>Inventory</b>		<b>PTC</b>		<b>Not.Cred.</b>		<b>Notice of Hrg</b>		<b>Aff.Mail</b>		<b>Aff.Pub.</b>		<b>Sp.Ntc.</b>		<b>Pers.Serv.</b>		<b>Conf. Screen</b>		<b>Letters</b>		<b>Duties/Supp</b>		<b>Objections</b>		<b>Video Receipt</b>		<b>CI Report</b>		<b>9202</b>		<b>Order</b>		<b>Aff. Posting</b>		<b>Status Rpt</b>		<b>UCCJEA</b>		<b>Citation</b>		<b>FTB Notice</b>			<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 05/22/15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 12 - Cook</b></p>
<b>Aff.Sub.Wit.</b>																																																
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<b>UCCJEA</b>																																																
<b>Citation</b>																																																
<b>FTB Notice</b>																																																

Pro Per Petitioner Brenda Long Suta, Executor

**Petition for Final Distribution and Distribution to Testamentary Trust**

<b>DOD: 8/27/2013</b>		<b>BRENDA LONG SUTA</b> , sister and Executor, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Account period: <u>Not stated</u></b>	<ol style="list-style-type: none"> <li><i>Petition</i> does not state that an accounting has been waived, but no schedules of receipts and disbursements are included, nor does the <i>Petition</i> state the account period of the final account of the estate pursuant to Probate Code § 1061(a).</li> <li><i>Petition</i> does not contain a summary of account as required pursuant to Probate Code § 1061(a) and (b).</li> <li>Pursuant to Local Rule 7.17(B)(5), the following costs, which the <i>Petition</i> states have already been reimbursed to the Petitioner, are considered by the Court to be part of the cost of doing business and are not reimbursable costs or fees: <ul style="list-style-type: none"> <li>• <b>\$344.00</b> for telephonic appearance costs (CourtCall);</li> <li>• <b>\$70.00</b> for mailing costs;</li> <li>• <b>\$35.00</b> for probate estate book (<i>may be allowable in Court's discretion</i>).</li> </ul> </li> <li><i>Petition</i> requests to withhold <b>\$200.00</b> for closing expenses for CourtCall and mailing fees. Pursuant to Local Rule 7.17(B)(5), postage costs and telephonic appearance costs are not authorized to be paid from the estate. It appears no withholding should be authorized.  <p align="center">~Please see additional page~</p> </li> </ol>
<b>Cont. from</b>		Accounting - <b>? Not stated</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$164,236.90</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$159,945.10</b> (all cash)	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Executor - <b>waives</b>	
<input checked="" type="checkbox"/>	<b>PTC</b>	Costs - <b>\$2,876.00 (paid)</b> (bond premium, filing fees, probate referee, publication, certified copies, postage, Courtcall)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Closing - <b>\$200.00</b>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	<b>Distribution pursuant to Decedent's Will is to:</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> <small>W/O</small>	<ul style="list-style-type: none"> <li>• <b>BRENDA LONG SUTA</b> as Trustee of the <b>ANDREA KAY LONG LIVING TRUST dated 6/12/2005</b> – entire estate consisting of <b>\$159,945.10 cash</b>.</li> </ul>	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b> 091614		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> LEG
			<b>Reviewed on:</b> 5/26/15
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 13 - Long</b>

NEEDS/PROBLEMS/COMMENTS, continued:

5. Need proof of service by mail of the *Notice of Hearing* pursuant to Probate Code §1220(a)(1) and pursuant to § 11000 for settlement of the account for **ROY LONG**, brother.
6. *Petition* requests to distribute to the **ANDREA KAY LONG LIVING TRUST dated 6/12/2005**. Need Declaration of Trustee pursuant to Local Rule 7.12.5, which provides that if property in the estate is to be distributed to a pre-existing trust, the current trustee must file a declaration setting forth the name of the trust, its establishment date, and taxpayer identification number, verifying that the trust is in full force and effect, and that the trustee has an executed copy of the trust in possession.
7. Proposed order includes the entire cash on hand as the amount to be distributed, which may be incorrect based upon the Court's determination as to cost reimbursements.

Petitioner: Thourn Chom (Pro Per)

**Status Review**

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

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

<b>DOD: 10/9/2014</b>	<b>MERILEE EVERETT</b> , niece, and named Executor without bond, is Petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Page 15B</b> is the <i>Petition for Letters of Special Administration with General Powers</i> filed by <b>GAY MITCHELL</b> and <b>ELVA VAN BUSKIRK</b>.</p> <p><b>Page 15C</b> is the competing <i>Petition for Letters of Administration</i> filed by <b>GAY MITCHELL</b> and <b>ELVA VAN BUSKIRK</b>.</p> <p><b>Page 15D</b> 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 <b>GAY MITCHELL</b> and <b>ELVA VAN BUSKIRK</b>.</p> <p><b>Continued from 4/16/2015.</b> 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><b>Note:</b> For the administration by the <b>PUBLIC ADMINISTRATOR</b>, Court will set Status Hearings as follows:</p> <ul style="list-style-type: none"> <li><b>Wednesday, October 28, 2015 at 9:00 a.m. in Dept. 303</b> for the filing of final inventory and appraisal; and</li> <li><b>Thursday, July 28, 2016 at 9:00 a.m. in Dept. 303</b> for the filing of first account and/or petition for final distribution.</li> </ul> <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><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 5/26/15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 15A - McCoon</b></p>
<b>Cont. from 012715, 030515, 041615</b>	<b>MERILEE EVERETT</b> , niece, was appointed Special Administrator with Full IAEA authority with bond fixed at <b>\$490,000.00</b> on 1/27/2015. Proof of Bond was filed 3/5/2015. Letters of Special Administration expired on <b>4/16/2015</b> .	
<input type="checkbox"/> Aff.Sub.Wit.	S / P	
<input checked="" type="checkbox"/> Verified	Full IAEA – O.K.	
<input type="checkbox"/> Inventory	Will Dated: 6/10/2004	
<input type="checkbox"/> PTC	Residence: Fresno	
<input type="checkbox"/> Not.Cred.	Publication: Business Journal	
<input checked="" type="checkbox"/> Notof Hrg	<b>Estimated value of the Estate:</b>	
<input checked="" type="checkbox"/> Aff.Mail	Real property <b>\$390,000.00</b>	
<input checked="" type="checkbox"/> Aff.Pub.	Personal property <b>\$100,000.00</b>	
<input type="checkbox"/> Sp.Ntc.	<b>Total \$490,000.00</b>	
<input type="checkbox"/> Pers.Serv.	<b>Probate Referee: Rick Smith</b>	
<input type="checkbox"/> Conf. Screen	<b>Declaration of A. Emory Wishon III in Support of Petition for Probate of Will and for Letters Testamentary filed 12/11/2014 states:</b>	
<input checked="" type="checkbox"/> Letters	<ul style="list-style-type: none"> <li>The original Will of the Decedent dated 6/10/2004, naming Decedent's niece <b>MERILEE EVERETT</b> (Petitioner) as the Executrix of her Will and as her sole Beneficiary, was lodged with the Court on 11/9/2014;</li> <li>The Will had been prepared by Russell Ryan of the law offices of Motschiedler, Michaelides, Wishon, Brewer &amp; Ryan; the original Will was delivered to that same office about 10/13/2014 by <b>RHONDA MORRIS</b>, a person who had been a caregiver and housekeeper for and lived with Decedent for over two years;</li> </ul> <p style="text-align: center;"><b>~Additional pages omitted~</b></p>	
<input checked="" type="checkbox"/> Duties/S.		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video R.		
<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		

**15B Betty Jean McCoon (Estate)**

**Case No. 14CEPR01117**

**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**

<b>DOD: 10/9/2014</b>	<b>GAY MITCHELL</b> , niece, and <b>ELVA VAN BUSKIRK</b> , sister, are Petitioners and request appointment of <b>GAY MITCHELL</b> as Special Administrator with general powers (without IAEA) with bond set at <b>\$100,000.00</b> .		<p><b>NEEDS/PROBLEMS/ COMMENTS:</b></p> <p><u>Continued from 4/16/2015.</u> 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 align="center"><b>~Additional page omitted~</b></p>
<b>Cont. from 030515</b>	Full IAEA — <b>not requested</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/> <b>Verified</b>	[Decedent died intestate – see note.]		
<input type="checkbox"/> <b>Inventory</b>	Residence —	Fresno	
<input type="checkbox"/> <b>PTC</b>	Publication —	Business Journal	
<input type="checkbox"/> <b>Not.Cred.</b>			
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Estimated value of the Estate:</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>		Real property <b>\$390,000.00</b>	
<input checked="" type="checkbox"/> <b>Aff.Pub.</b>		Personal property <b>\$100,000.00</b>	
<input type="checkbox"/> <b>Sp.Ntc.</b>		<b>Total \$490,000.00</b>	
<input type="checkbox"/> <b>Pers.Serv.</b>	Probate Referee:	<b>Rick Smith</b>	
<input type="checkbox"/> <b>Conf. Screen</b>	<b>Petitioners state:</b>		
<input checked="" type="checkbox"/> <b>Letters</b>	<ul style="list-style-type: none"> <li>There is a dispute regarding the validity and enforceability of the document titled the Last Will and Testament of B.J. McCoon;</li> </ul>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>	<ul style="list-style-type: none"> <li>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;</li> </ul>		
<input type="checkbox"/> <b>Objections</b>	<ul style="list-style-type: none"> <li>Petitioner Gay Mitchell, as Decedent's niece, should be afforded priority to be appointed (Probate Code § 8541 (b));</li> </ul>		
<input type="checkbox"/> <b>Video Receipt</b>	<ul style="list-style-type: none"> <li>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 (signed nomination attached);</li> </ul>		
<input type="checkbox"/> <b>CI Report</b>	<ul style="list-style-type: none"> <li>Given that Gay was nominated by a person with priority, Gay should be afforded priority for appointment.</li> </ul>		
<input type="checkbox"/> <b>9202</b>			
<input checked="" type="checkbox"/> <b>Order</b>			
<input type="checkbox"/> <b>Aff. Posting</b>			
<input type="checkbox"/> <b>Status Rpt</b>			
<input type="checkbox"/> <b>UCCJEA</b>			
<input type="checkbox"/> <b>Citation</b>			
<input type="checkbox"/> <b>FTB Notice</b>			
			<b>Reviewed by:</b> LEG
			<b>Reviewed on:</b> 5/26/15
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 15B – McCoon</b>

**15C Betty Jean McCoon (Estate)**

**Case No. 14CEPR01117**

**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 Letters of Administration**

<b>DOD: 10/9/2014</b>	<b>GAY MITCHELL</b> , niece, and <b>ELVA VAN BUSKIRK</b> , sister, are Petitioners and request appointment of <b>GAY MITCHELL</b> as Administrator (without IAEA) with bond set at <b>\$100,000.00</b> .		<p><b>NEEDS/PROBLEMS/ COMMENTS:</b></p> <p><u>Continued from 4/16/2015.</u></p> <p>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><b>~Additional page omitted~</b></p>
<b>Cont. from 030515</b>			
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Full IAEA	— <b>not requested</b>	
<input checked="" type="checkbox"/> <b>Verified</b>			
<input type="checkbox"/> <b>Inventory</b>	<i>Decedent died intestate.</i>		
<input type="checkbox"/> <b>PTC</b>			
<input type="checkbox"/> <b>Not.Cred.</b>			
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	Residence	— Fresno	
	Publication	— Business Journal	
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	W/		
<input checked="" type="checkbox"/> <b>Aff.Pub.</b>	<b>Estimated value of the Estate:</b>		
	Real property	<b>\$390,000.00</b>	
	Personal property	<b>\$100,000.00</b>	
	<b>Total</b>	<b>\$490,000.00</b>	
<input type="checkbox"/> <b>Conf. Screen</b>			
<input checked="" type="checkbox"/> <b>Letters</b>	Probate Referee:	<b>Rick Smith</b>	
<input checked="" type="checkbox"/> <b>Duties/Supp</b>			
<input type="checkbox"/> <b>Objections</b>			
<input type="checkbox"/> <b>Video Receipt</b>			
<input type="checkbox"/> <b>CI Report</b>			
<input type="checkbox"/> <b>9202</b>			
<input checked="" type="checkbox"/> <b>Order</b>			
<input type="checkbox"/> <b>Aff. Posting</b>			
<input type="checkbox"/> <b>Status Rpt</b>			
<input type="checkbox"/> <b>UCCJEA</b>			
<input type="checkbox"/> <b>Citation</b>			
<input type="checkbox"/> <b>FTB Notice</b>			
			<b>Reviewed by:</b> LEG
			<b>Reviewed on:</b> 5/26/15
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 15C – McCoon</b>

**15D Betty Jean McCoon (Estate)**

**Case No. 14CEPR01117**

**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)**

**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><b>GAY MITCHELL</b>, niece, and <b>ELVA VAN BUSKIRK</b>, sister, are Contestants.</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>				
	<p><b>Contestants allege:</b></p>	<p><b>Continued from 4/16/2015.</b></p>				
	<ul style="list-style-type: none"> <li>• Probate of the Purported Will should be denied on the following grounds:           <ul style="list-style-type: none"> <li>○ The Purported Will was not executed in a manner and form required by law;</li> <li>○ The Purported Will was revoked by Decedent as evidence by the markings on the face of the Purported Will;</li> </ul> </li> </ul>	<p>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><b>Cont. from 030515, 041615</b></p>	<ul style="list-style-type: none"> <li>• Contestants oppose the appointment of <b>MERILEE EVERETT</b> as the personal representative of the estate on the following grounds:           <ul style="list-style-type: none"> <li>○ 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;</li> <li>○ In the absence of a valid will nominating an executor, <b>ELVA VAN BUSKIRK</b> 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;</li> <li>○ 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;</li> </ul> </li> </ul>	<p><b>Note:</b> Request for Dismissal submitted by <b>ATTORNEY COBB</b> was entered by the Court as requested on <b>3/17/2015</b> 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>				
<table border="1"> <tr> <td data-bbox="99 636 155 678"></td> <td data-bbox="155 636 354 678">Aff.Sub.Wit.</td> <td data-bbox="354 636 402 678"></td> </tr> </table>		Aff.Sub.Wit.			<table border="1"> <tr> <td data-bbox="1125 1570 1586 1612">Reviewed by: LEG</td> </tr> </table>	Reviewed by: LEG
	Aff.Sub.Wit.					
Reviewed by: LEG						
<table border="1"> <tr> <td data-bbox="99 678 155 720">✓</td> <td data-bbox="155 678 354 720">Verified</td> <td data-bbox="354 678 402 720"></td> </tr> </table>	✓	Verified			<table border="1"> <tr> <td data-bbox="1125 1612 1586 1654">Reviewed on: 5/26/15</td> </tr> </table>	Reviewed on: 5/26/15
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Reviewed on: 5/26/15						
<table border="1"> <tr> <td data-bbox="99 720 155 762"></td> <td data-bbox="155 720 354 762">Inventory</td> <td data-bbox="354 720 402 762"></td> </tr> </table>		Inventory			<table border="1"> <tr> <td data-bbox="1125 1654 1586 1696">Updates:</td> </tr> </table>	Updates:
	Inventory					
Updates:						
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✓	Summons					
Recommendation:						
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✓	Akn. Rcpt.					
File 15D – McCoon						
<table border="1"> <tr> <td data-bbox="99 846 155 888"></td> <td data-bbox="155 846 354 888">Notice of Hrg</td> <td data-bbox="354 846 402 888"></td> </tr> </table>		Notice of Hrg				
	Notice of Hrg					
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✓	Aff.Mail					
<table border="1"> <tr> <td data-bbox="99 930 155 972"></td> <td data-bbox="155 930 354 972">Aff.Pub.</td> <td data-bbox="354 930 402 972"></td> </tr> </table>		Aff.Pub.				
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<table border="1"> <tr> <td data-bbox="99 972 155 1014"></td> <td data-bbox="155 972 354 1014">Sp.Ntc.</td> <td data-bbox="354 972 402 1014"></td> </tr> </table>		Sp.Ntc.				
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<table border="1"> <tr> <td data-bbox="99 1014 155 1056"></td> <td data-bbox="155 1014 354 1056">Pers.Serv.</td> <td data-bbox="354 1014 402 1056"></td> </tr> </table>		Pers.Serv.				
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<table border="1"> <tr> <td data-bbox="99 1056 155 1098"></td> <td data-bbox="155 1056 354 1098">Conf. Screen</td> <td data-bbox="354 1056 402 1098"></td> </tr> </table>		Conf. Screen				
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<table border="1"> <tr> <td data-bbox="99 1182 155 1224"></td> <td data-bbox="155 1182 354 1224">Objections</td> <td data-bbox="354 1182 402 1224"></td> </tr> </table>		Objections				
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	Video Receipt					
<table border="1"> <tr> <td data-bbox="99 1266 155 1308"></td> <td data-bbox="155 1266 354 1308">CI Report</td> <td data-bbox="354 1266 402 1308"></td> </tr> </table>		CI Report				
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<table border="1"> <tr> <td data-bbox="99 1308 155 1350"></td> <td data-bbox="155 1308 354 1350">9202</td> <td data-bbox="354 1308 402 1350"></td> </tr> </table>		9202				
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<table border="1"> <tr> <td data-bbox="99 1392 155 1434"></td> <td data-bbox="155 1392 354 1434">Aff. Posting</td> <td data-bbox="354 1392 402 1434"></td> </tr> </table>		Aff. Posting				
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<table border="1"> <tr> <td data-bbox="99 1434 155 1476"></td> <td data-bbox="155 1434 354 1476">Status Rpt</td> <td data-bbox="354 1434 402 1476"></td> </tr> </table>		Status Rpt				
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	FTB Notice					
	<p><b>~Please see additional page~</b></p>					

**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.***



Pro Per Petitioner: Angelina Martinez, aunt or non-relative

Pro Per Petitioner: Isabel Martinez, aunt or non-relative

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

		<i>Not reviewed</i>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>Court Investigator's Report filed 5/19/2015.</p>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by:</b> LEG	
		<b>Reviewed on:</b> 5/26/15	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 17 – Amezcua</b>	

**18 Herzog Family Trust dated January 31, 2008 Case No. 15CEPR00396**

Attorney Krbechek, Randolph, for Petitioner Eugene D. Herzog, Beneficiary  
 Attorney Roberts, Gregory J., for Respondent Richard A. Herzog, Trustee

**Verified Petition for Accounting and for Order Instructing Trustee and Compelling Final Distribution from Trust**

Darrell DOD: 5/26/2011	<b>EUGENE D. HERZOG</b> , son, is Petitioner.		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Court may require notice of hearing be served to the following persons named in the <b>HERZOG FAMILY TRUST</b>:                     <ul style="list-style-type: none"> <li>• Pursuant to Probate Code § 17203(a)(2), the <b>AMERICAN CANCER SOCIETY NATIONAL CHAPTER</b>, contingent beneficiary;</li> <li>• Pursuant to Probate Code § 17203(b), <b>SLADE KANE</b>, intentionally omitted heir, grandchild;</li> <li>• Pursuant to Probate Code § 17203(b), <b>GAGE KANE</b>, intentionally omitted heir, grandchild.</li> </ul> </li> <li>2. Prayer of the <i>Petition</i> at page 4 indicates the name of Decedent <b>DARRELL A. HERZOG</b> as the Trustee from which an accounting is requested and that the Court issue an order passing upon the acts of <b>DARRELL A. HERZOG</b> as trustee; need clarification regarding whether Petitioner seeks relief regarding the accounting and acts of the former Trustee, <b>DARRELL A. HERZOG</b>, in addition to relief regarding the current trustee, <b>RICHARD A. HERZOG</b>.                      ~Please see additional page~</li> </ol>
Anna DOD: 12/7/2012			
Cont. from			
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			
9202			
Order	X		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

**Petitioner states:**

- On 1/31/2008, Settlers **DARRELL A. HERZOG** and **ANNA B. HERZOG** established the **HERZOG FAMILY TRUST dated 1/31/2008** (copy attached as Exhibit A);
- Following the Settlers' deaths, **RICHARD A. HERZOG**, son, served as Successor Trustee;
- Petitioner and Richard Herzog are Trust beneficiaries at ½ share each;
- Despite written demand, Richard has failed and refused to provide an accounting of the Trust and to complete administration of the trust estate;
- Petitioner requests a full and complete accounting of all acts undertaken by Richard Herzog in the course of his administration of the trust assets; the accounting shall include [cited list from Probate Code § 16063(a) – (d)];
- The property held by the Trust is not known to Petitioner;
- Petitioner requests distribution of the trust assets in accordance with the Trust Agreement;
- Further administration of the trust assets is not necessary, and the remaining trust assets should be liquidated and distributed to the beneficiaries.

~Please see additional page~

**Reviewed by:** LEG  
**Reviewed on:** 5/27/15  
**Updates:**  
**Recommendation:**  
**File 18 - Herzog**

**Petitioner requests an order:**

1. Compelling **[Darrell A. Herzog and/or Richard Herzog]** to account for any trust assets collected or received by him from the death of the Settlers to the present;
2. Compelling **[Darrell A. Herzog and/or Richard Herzog]** to account for the trust for the period from the death of the settlors to the present, with such accounting to be made in accordance with the requirements of Probate Code § 16062 – 16063;
3. Settling the accounts;
4. Passing upon the acts of **[Darrell A. Herzog and/or Richard Herzog]** as trustee/successor trustee;
5. Determining to whom property shall pass or be delivered upon termination of the trust;
6. For termination of the Trust;
7. For costs of suit herein; and
8. For attorney's fees as permitted by statute or contract.

**NEEDS/PROBLEMS/COMMENTS, continued:**

3. Need proposed order pursuant to Local Rule 7.1.1(F) providing that a proposed order shall be submitted with all pleadings that request relief.

**Response to Verified Petition for Accounting and Declaration of Responding Trustee filed by RICHARD A. HERZOG on 5/26/2015 states:**

- In response to the Petition filed with the Court by **EUGENE D. HERZOG** on 4/16/2015, Respondent has engaged the services of **THOMAS RYAN, C.P.A.**, to prepare a formal trust accounting for this Court in the format required by the Court, and have submitted to him all of Respondent's financial records regarding the trust assets and transactions;
- He anticipates that the accounting and his accompanying petition for its approval will be ready for filing with this Court in approximately 2 weeks;
- Accordingly, he requests that the Court set a status hearing for the filing of the accounting in **30 days** from 5/28/2015, to ensure that there is sufficient time to complete the preparation and filing of the petition and accounting.

DOD: 03/07/15		DAVID LASKY, son, is Petitioner, and requests appointment as Administrator without bond.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		Full IAEA – OK	<p><b>Note: Status hearings will be set as follows:</b></p> <ul style="list-style-type: none"> <li>• Thursday, 10/29/15 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <b>and</b></li> <li>• Thursday, 07/28/16 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.</li> </ul>
<input type="checkbox"/>	Aff.Sub.Wit.	All heirs waive bond	
<input checked="" type="checkbox"/>	Verified	Decedent died intestate	
<input type="checkbox"/>	Inventory	Residence: Fresno	
<input type="checkbox"/>	PTC	Publication: The Business Journal	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	<b>Estimated Value of the Estate:</b>	
<input checked="" type="checkbox"/>	Aff.Mail	Personal property - \$133,500.00	
<input checked="" type="checkbox"/>	Aff.Pub.	Annual income - 1,315.00	
<input type="checkbox"/>	Sp.Ntc.	Real property - 50,000.00	
<input type="checkbox"/>	Pers.Serv.	<b>Total - \$184,815.00</b>	
<input type="checkbox"/>	Conf. Screen	Probate Referee: STEVEN DIEBERT	
<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

<b>DOD: 03/21/15</b>	<b>ANTHONY P. DIEGIDIO, SR.</b> , father, is Petitioner, and requests appointment as Administrator without bond.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. <b>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.</b></p> <p><b>Note:</b> According to the Petition, the only other heir (decedent's mother) lives in Wilmington, DE.</p> <p><b>Note:</b> If the Petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> <li>• <b>Thursday, 10/29/15 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <b>and</b></li> <li>• <b>Thursday, 07/28/16 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> <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>
	Petitioner is a resident of Delray Beach, Florida.	
<b>Cont. from</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>	Full IAEA – OK	
<input type="checkbox"/> <b>Inventory</b>	All heirs waive bond	
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>	Decedent died intestate	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	Residence: Fresno	
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	Publication: The Business Journal	
<input checked="" type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>	Probate Referee: <b>STEVEN DIEBERT</b>	
<input checked="" type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 05/26/15
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 20 - DiEgidio</b>