



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.

(1) First and Final Account of Administrator and Petition for its Settlement (2) for Allowance of Fees and (3) for Final Distribution

DOD: 05/21/10	CHRISTINA ERWIN , Administrator, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The Examiner calculates that the amount remaining for distribution after payment of the costs of administration is \$55,696.63 which results in distribution of \$27,848.31 to each beneficiary rather than \$27,828.31. Need revised Order.</p>
	Account period: 05/21/10 – 03/31/12	
Cont. from	Accounting - \$103,935.33	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH - \$99,935.33	
<input checked="" type="checkbox"/> Verified	Ending POH - \$65,544.79 (all cash)	
<input checked="" type="checkbox"/> Inventory	Administrator - \$3,224.08 (statutory)	
<input checked="" type="checkbox"/> PTC	Attorney - \$3,224.08 (statutory)	
<input checked="" type="checkbox"/> Not.Cred.	Attorney x/o fees - \$1,400.00 (per declaration for sale of real property, 5 hours @ \$280/hr.)	
<input checked="" type="checkbox"/> Notice of Hrg	Closing - \$2,000.00	
<input checked="" type="checkbox"/> Aff.Mail w/	Distribution, pursuant to intestate succession, is to:	
Aff.Pub.	Christina Erwin - \$27,828.31	
Sp.Ntc.	Heather Erwin - \$27,828.31	
Pers.Serv.		
Conf. Screen		
Letters 01/31/11		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 05/22/12
		Updates:
		Recommendation:
		File 3 – Erwin

Atty Flanigan, Philip M. (for Petitioner/Administrator Dianna L.Stapp)

(1) First and Final Report of Status of Administration on Waiver of Accounting and
 (2) Petition for Settlement Thereof, for (3) Allowance of Statutory Attorney's and
 Administrator's Compensation for Reimbursement of Costs Advanced, and for (4)
 Final Distribution (Prob. C. 11600 et seq)

DOD: 2/27/11		DIANNA L. STAPP , Administrator, is petitioner. Accounting is waived.	NEEDS/PROBLEMS/COMMENTS: 1. Need receipt schedule. California Rules of Court 7.550(b)(6) and 7.705(b). 2. Need schedule of losses. California Rules of Court 7.550(b)(6) and 7.705(b). 3. Need schedule of changes in the form of assets. California Rules of Court 7.550(b)(3).																																																																			
Cont. from <table border="1"> <tr> <td><input type="checkbox"/></td> <td>Aff.Sub.Wit.</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Verified</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Inventory</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>PTC</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Not.Cred.</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Notice of Hrg</td> <td>W/O</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Aff.Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Aff.Pub.</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Sp.Ntc.</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Pers.Serv.</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Conf. Screen</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Letters</td> <td>5/19/11</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Duties/Supp</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Objections</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Video Receipt</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td>CI Report</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>9202</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Order</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Aff. Posting</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Status Rpt</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td>UCCJEA</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Citation</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>FTB Notice</td> <td></td> </tr> </table>				<input type="checkbox"/>	Aff.Sub.Wit.		<input checked="" type="checkbox"/>	Verified		<input checked="" type="checkbox"/>	Inventory		<input checked="" type="checkbox"/>	PTC		<input checked="" type="checkbox"/>	Not.Cred.		<input checked="" type="checkbox"/>	Notice of Hrg	W/O	<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 checked="" type="checkbox"/>	Letters	5/19/11	<input type="checkbox"/>	Duties/Supp		<input type="checkbox"/>	Objections		<input type="checkbox"/>	Video Receipt		<input type="checkbox"/>	CI Report		<input checked="" type="checkbox"/>	9202		<input checked="" type="checkbox"/>	Order		<input type="checkbox"/>	Aff. Posting		<input type="checkbox"/>	Status Rpt		<input type="checkbox"/>	UCCJEA		<input type="checkbox"/>	Citation		<input checked="" type="checkbox"/>
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Recommendation:																																																																						
File 4 – Carter																																																																						

(1) First and Final Account and Report of Executor and (2) Petition for its Settlement for Allowance of Statutory Fees and Commissions, (3) Authorization to pay Creditor's Claim and Judgment of (4) Final Distribution Under Will (Prob. C. 11002 10810, 10800, 11640)

DOD: 5-22-11		<p>JEANNE L. LOWE, Daughter and Executor with Full IAEA without bond, is Petitioner.</p> <p>Account period: 5-22-11 through 3-22-12</p> <p>Accounting: \$49,100.00 Beginning POH: \$44,000.00 Ending POH: \$43,319.48 (cash)</p> <p>Executor (Statutory): \$1,964.00</p> <p>Attorney (Statutory): \$1,910.50 (\$1,964.00 less credit for costs advanced \$53.50)</p> <p>Closing: \$500.00</p> <p>Reserve for accountant's fees: \$2,000.00</p> <p>Petitioner states the remaining balance of \$36,944.98 is distributable to the Department of Health Care Services as payment toward its claim of \$75,659.23.</p>	NEEDS/PROBLEMS/COMMENTS:
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
✓	PTC		
✓	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail w/o		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters 11-21-11		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		
		Reviewed by: skc	
		Reviewed on: 5-22-12	
		Updates:	
		Recommendation: SUBMITTED	
		File 6 - Wong	

7 Robert Snyder (CONS/PE)

Case No. 12CEPR00028

Atty Walters, Jennifer L.

Atty Wright, Janet L

Atty Rube, Melvin K.

Atty Motsenbocker, Gary L

Status Re: Final Accounting and Court Appointed Attorney Fees

Age:		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Petition for Approval of First & Final Report of Temporary Conservator of the Estate; Request for Approval of Payment of Conservator's fees filed 05/14/12 and set for hearing on 06/21/12.
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
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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: 05/22/12
		Updates:
		Recommendation:
		File 7 - Snyder

Petition for Probate of Will and for Letters of Administration With Will Annexed;
 Authorization to Administer Under IAEA With Limited Authority (Prob. C. 8002, 10450)

DOD: 12-4-11		<p>SUSAN SCHLIEVERT, Daughter, is Petitioner and requests appointment as Administrator with Will Annexed with Full authority.</p> <p>Full IAEA – ok</p> <p>Will dated 6-8-91</p> <p>Residence: Fresno Publication: Fresno Business Journal</p> <p>Estimated Value of Estate: Personal property: \$ 85,000.00 Annual income: \$ 1,200.00 Real property: \$ 198,600.00 Total: \$ 284,800.00</p> <p>Probate Referee: Steven Diebert</p> <p><i>Note: Mr. Diebert is assigned for this probate estate because he was the assigned Probate Referee for the conservatorship estate.</i></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Page 11 of this Calendar is a related case: The Second and Final Account of the Public Guardian as Conservator of the Estate of Mildred Foin in 07CEPR00088 was settled on 5-16-12, except for the issue of the condo. Page 11 is a status hearing regarding that issue. <i>(Examiner notes that the issue of the condo may affect the amount of bond in this probate estate.)</i></p> <p>1. A copy of the holographic will and a typed copy was not attached to the petition pursuant to Probate §8002(b)(1). Need copy and typed copy filed in this case.</p> <p><i>Note: The original holographic will was deposited with the Court, but this does not excuse the requirement for a copy and a typed copy to be filed with the petition (verified).</i></p> <p>2. There is no copy of the instrument affixed to the Proof of Holographic Instrument filed 4-13-12 pursuant to #4 of the form.</p> <p>3. Need Duties and Liabilities of Personal Representative (DE-147) and Confidential Supplement (DE-147-S).</p> <p>4. Need bond of \$284,800.00 or waivers of bond from the following people: - Elizabeth Louise Lamanuzzi (daughter) - Catherine Anne Delaney (daughter) - Owen Francis Foin III (son)</p> <p><i>Note: This amount includes the real property that may not be part of the estate. See note above and Page 11 (conservatorship estate condo status).</i></p> <p style="text-align: center;">SEE PAGE 2</p>	
<input checked="" type="checkbox"/>	Proof of Holographic Instrument			X
<input checked="" type="checkbox"/>	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			X
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
	Duties/Supp	X		
	Objections			
	Video Receipt			
	CI Report			
	9202			
<input checked="" type="checkbox"/>	Order			
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	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			<p>Reviewed by: skc</p> <p>Reviewed on: 5-22-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8 - Foin</p>	

NEEDS/PROBLEMS/COMMENTS (Cont'd):

5. **Need Notice of Petition to Administer Estate (DE-121).**
6. **Need proof of service of Notice of Petition to Administer Estate at least 15 days prior to the hearing on:**
 - Catherine Anne Delaney (daughter)
 - Owen Francis Foin III (son)
 - Cassandra Marie Schlievert (granddaughter)
 - Robert Conrad Lamuzzi (grandson)
 - Tavish Foin-Delany (unknown)
 - Christopher Owen Foin (grandson)

Note: If granted, the Court will set status hearings as follows:

- **Friday 7-20-12 for Proof of Bond**
- **Friday 9-28-12 for Filing of Inventory and Appraisal**
- **Friday 9-27-12 for filing of First Account or Petition for Final Distribution**

(If the petition is not granted at this time, these status dates may change.)

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 02/07/11		<p>ALONDRA PUGA, daughter, is Petitioner.</p> <p>40 days since DOD</p> <p>No other proceedings</p> <p>I & A - \$149,000.00</p> <p>Decedent died intestate</p> <p>Petitioner requests Court determination that decedent's interest in real property located at 1857 Merlot Way, Salinas, CA pass to her pursuant to intestate succession</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> The Inventory & Appraisal indicates that the real property was appraised by the Petitioner. Pursuant to Probate Code § 8902(b), real property must be appraised by a Probate Referee. Need Inventory & Appraisal with property appraised by a Probate Referee. Attachment 11 does not state decedent's interest in the real property seeking to be passed with this Petition. Other documents filed in this matter indicate that Petitioner is the decedent's daughter; however, she is not listed at item 14 of the Petition. All heirs of the decedent should be listed at item 14 of the Petition. The Petition indicates that decedent died intestate leaving a spouse and at least 3 children. Pursuant to Probate Code § 6401(c)(3), decedent's surviving spouse is entitled to a 1/3 share and decedent's 3 children are entitled to a 2/3 share of decedent's estate. All persons succeeding to the decedent's property must join the Petition. It is noted that the decedent's spouse and two of his children have disclaimed their interest in decedent's property; however, there is no provision for disclaimers of interest in this type of summary proceeding. Further, pursuant to Probate Code § 282, disclaimers have the effect as if the person disclaiming interest predeceased the decedent. The Petition does not state whether those persons disclaiming interest have any issue. 	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
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<input type="checkbox"/>	Duties/Supp			
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<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
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<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
<p>Reviewed by: JF</p> <p>Reviewed on: 05/22/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 9 - Lopez</p>				

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2550)

Louis, 8 DOB: 09/25/03	<u>GENERAL HEARING 07/26/12</u>	NEEDS/PROBLEMS/COMMENTS:
Dawn, 10 months DOB: 07/09/11	LINDA STRICKLAND , maternal grandmother, is Petitioner.	1. Need Notice of Hearing . 2. Need proof of personal service at least 5 court days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian of the Person or Consent and Waiver of Notice or Declaration of Due Diligence for: - Anjanina Oliva (mother) - Louis Ledesma (father of Louis) - Unknown father of Dawn 3. The Petition indicates that the children may have Native American ancestry. Therefore, a Notice of Child Custody Proceeding for Indian Child (Form ICWA-030) , must be served together with copies of petition and all attachments, including this form, on the child's parent; any Indian custodian; any Indian tribe that may have a connection to the child; the Bureau of Indian Affairs (BIA), and possibly the U.S. Secretary of the Interior, by certified or registered U.S. Mail, return receipt requested. (Please see Probate Code 1460.2, and CA Rules of Court 7.1015) 4. Per item 3, above, need proof of service of notice, including copies of the notices sent and all return receipts and responses received, pursuant to Probate Code 1460.2(d).
Cont. from	Father (Louis): LOUIS LEDESMA Father (Dawn): UNKNOWN	
<input type="checkbox"/> Aff.Sub.Wit.	Mother: ANJANINA OLIVA	
<input checked="" type="checkbox"/> Verified	Paternal grandparents (all): UNKNOWN	
<input type="checkbox"/> Inventory	Maternal grandfather: DALE BARRERA	
<input type="checkbox"/> PTC	Petitioner states that the children are currently living with her and have lived with her on and off in the past. The mother of the children is addicted to painkillers and alcohol and has had 3 or 4 DUI's since 11/2010, she drives with the children in the car. She sleeps all day and parties all night, leaving Louis to care for Dawn, which is too much for an 8 year old. Dawn has not had her immunizations. Petitioner believes mother may also have mental health issues as she has told Petitioner and Louis that she is going to commit suicide. Petitioner states that the children are in danger of harm if left in their mother's care and temporary guardianship is necessary to keep them safe.	
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections	Reviewed by: JF	
<input type="checkbox"/> Video Receipt	Reviewed on: 05/22/12	
<input type="checkbox"/> CI Report	Updates:	
<input type="checkbox"/> 9202	Recommendation:	
<input checked="" type="checkbox"/> Order	File 10 - Barrera	
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

Atty Kruthers, Heather H. (for Public Guardia – Conservator of the Estate)

Atty Mostenbocker, Gary L. (for Catherine Foin – Previous Co-Conservator of the Person)

Atty Amador, Catherine A. (for Susan Schlievert – Previous Co-Conservator of the Person)

Status Hearing Re: Condo

DOD: 12-4-11	<p>PUBLIC GUARDIAN is Successor Conservator of the Estate.</p> <p>The Second and Final Account was settled on 5-16-12 except for the issue regarding transfer of the condo and the Court set this status hearing regarding transfer of the condo.</p> <p>Pursuant to the Second and Final Account, the Conservatee's 25% interest in certain real property became the property of the joint tenants (Catherine Foin, Elizabeth Foin, and Owen Foin III) upon her death.</p> <p>Susan Schlievert's Objection stated that pursuant to the Settlement Agreement filed 10-18-11, the three joint tenants were to have deeded their interests back to the Conservatee. Because they did not, Objector's inheritance will be reduced and there will be an unfair distribution of the estate.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Notes:</u></p> <ul style="list-style-type: none"> On 5-16-12, the Court approved the accounting except for this issue regarding the condo. An order has not yet been signed. Examiner notes that the petition requested distribution to Susan Schlievert (Objector herein) upon her appointment as Executor, and set status on this date, which is also the hearing for Ms. Schlievert's Petition for Probate; however, Examiner notes that there are several issues with that petition and its documentation, and it may require further time and continuance to cure the defects.
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
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Duties/Supp		
Objections		
Video Receipt		
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Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: skc</p> <p>Reviewed on: 5-22-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 - Foin</p>	

		CRAIG ELIOT SHAMPHAN , son, was appointed Executor on 12-17-08.	NEEDS/PROBLEMS/COMMENTS:	
DOD: 8-1-08		<p>Background: The estate consists of the decedent’s residence and minimal cash. The two heirs are Executor (son) and Debby Kay Doyle (daughter). Executor filed a Petition for Final Distribution on 5-15-09 that proposed distribution of the residence in undivided interests to himself and his sister; however, per Minute Order 8-10-09, Ms. Doyle did not want the undivided interest, and the real property was to be placed for sale. The petition was denied and dismissed and status hearing was set for the filing of the next accounting on 8-2-10. On 8-2-10, the court requested information about the listing.</p> <p>Declaration 2-22-11 states the property was first listed in September 2009 for \$150,000.00. That listing was extended and was to expire 3-24-11. The list price was reduced to \$125,000.00; however, per the Executor, the property had not been shown since the reduction, and no offers received. This may be due to the current poor housing market and recent bad weather. Ms. Doyle spoke with Attorney Burnside of DAK and indicated she was considering taking title to the property with her brother as tenants-in-common. Ms. Doyle further indicated she would get back to Attorney Burnside after speaking with her tax advisor; however, Ms. Doyle has not yet indicated what she plans to do. The property is listed in the Fresno MLS online database and on the London Properties website, and a “For Sale” sign has been posted in the front yard.</p> <p>On 2-28-11, the court ordered the price reduced to \$100,000.00 and stated if a real estate professional deems it to be a higher price, the court will entertain it.</p> <p>Declarations of Leigh Burnside filed 5-27-11 and 5-31-11 state the Executor entered into a new listing agreement with Century 21 Adanalian & Vasquez that expires 7-27-11 for \$105,000.00 (attached). The house is listed in the Fresno MLS online database and there is a For Sale sign in the front yard; however, the house has not been shown and no offers have been received. Attorney Burnside states Mr. Shamphan understood the court’s order to list the house for \$100,000.00 allowed the higher listing price, and acted on the advice of his agent without review by Attorney Burnside.</p> <p>On 6-6-11, Counsel informed the court that the property is currently listed at \$105,000.00, and the court advised counsel that it will allow a price of \$100,000.00 or \$99,950.00, and continued the matter to 8-1-11.</p> <p>Declaration of Leigh Burnside filed 7-26-11 states that after the price was reduced to \$99,950.00, a number of prospective buyers have visited the property. The listing agreement expired 7-27-11, but was renewed for six months, and the agent has recommended a price reduction to \$97,000.00. <u>Attorney Burnside confirmed with heir Debby Doyle that she wants the property sold, and does not want to take a one-half interest in it.</u></p>	<p>Note: This is the 12th hearing originating from Executor’s Petition for Final Distribution filed 5-15-09 (3 years ago) that proposed distribution of minimal cash and undivided 50% interests in the residence to the two heirs.</p> <p>Minute Order 11-14-11: Ms. Burnside estimates the property to be \$97K. No offers have been made. The heir lives in NY, and does not wish to retain CA property. The executor, Craig Shamphan, has allotted more time in the evening(s) for showing of the property. If the property is not sold, the Court may entertain distribution. Ms. Burnside is allowed to lower the price of the property without court approval. Matter continued to 2-27-12.</p> <p>Minute Order 2-27-12: Counsel advises the Court that they had an offer of \$90,000.00 which was countered with \$95,000.00 which was rejected. Counsel requests continuance.</p> <p>As of 5-22-12, nothing further has been filed.</p> <p style="text-align: center;">1. <u>Need Petition for Final Distribution.</u></p>	
Cont. from 110810, 022811, 060611, 080111, 101711, 111411, 022712				
Aff.Sub.Wit.				
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Duties/Supp				
Objections				
Video Receipt				
CI Report				
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Order				
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Status Rpt	X			
UCCJEA				
Citation				
FTB Notice				
		SEE PAGE 2		
			Updates:	
			Contacts: Reviewed 5-22-12	
			Recommendation:	
			Reviewed by: skc	
			File 12 - Shamphan	

Status Report filed 10-7-11 states: The property has been listed for \$97,000.00; however, the only offer received was for \$64,000.00 and was deemed unreasonable and rejected. The Executor reported that the declining neighborhood where the property is located appears to be the cause of the lack of offers for the property at the current price-point. The agent reported that he believes the property is competitively priced, but has "requested the executor permit him to show the home during expanded hours" and the Executor agreed.

Status Report filed 11-7-11 states: The listing agreement has been extended to 1-16-12. There have been no serious offers.

Status Report filed 2-16-12 states: The house is currently listed for \$95,000.00. The listing agreement expires 3-29-12. An offer was received for \$90,000.00 with seller to pay closing costs. Seller countered with \$95,000.00 without paying closing costs, and the counter offer was rejected by the buyer. The agent feels it is priced competitively.

Shelby Matheus (GUARD/P)

Atty Abrahamian, Laura Levona (Pro Per – Guardian of Sean and Shelby – Petitioner)

Atty Clinton, Sharon (Pro Per – Guardian of Sabrina)

Petition for Termination of Visitation

Sabrina (14) DOB: 3-2-98	<p>LAURA ABRAHAMIAN, Maternal Great-Aunt and Guardian of minors Sean (11) and Shelby (9), is Petitioner.</p> <p>SHARON CLINTON, Paternal Grandmother, was appointed Successor Guardian of minor Sabrina (14) on 2-9-12.</p> <p>Father: HANS MATHEUS Mother: SARA ABRAHAMIAN Paternal Grandfather: Deceased Maternal Grandfather: Robert Abrahamian Maternal Grandmother: Susan [Abrahamian] Nunez</p> <p>On 2-9-12, the Court terminated Petitioner's guardianship of minor Sabrina (14) and appointed Sharon Clinton as Successor Guardian of Sabrina only. Minors Sean (11) and Shelby (9) remained with Laura Abrahamian. At that hearing, the Court stated visitation was to be determined among the parties and encouraged the parties to work towards having overnight visitation with the minors a couple times a month from Friday 5pm to Sunday 5pm. The Court ordered that the minors not be transported in any vehicle unless the driver is licensed and insured, and there is to be no alcohol use by anyone during visitation. The Court further ordered that the father not be left unsupervised around Sabrina or the other two minors.</p> <p>Petitioner requests to terminate all visitations and further contact between Sean and Shelby and their maternal grandmother Sharon Clinton, and to allow Sean and Shelby to visit with their sister Sabrina at another relative's home.</p> <p style="text-align: center;"><u>SEE PAGE 2</u></p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Note: This petition was filed <i>Ex Parte</i> on 5-15-12, and was set for hearing per Order dated 5-16-12. The Order requires Petitioner to serve all interested parties with Notice of Hearing and a copy of the Petition no later than five (5) court days prior to the hearing. The Order was mailed to Petitioner on 5-16-12.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of Notice of Hearing with a copy of the Petition at least five (5) Court days prior to the hearing on all interested parties, including: <ul style="list-style-type: none"> - Sharon Clinton - Sabrina Matheus (Minor) 3. The Court may also require notice to: <ul style="list-style-type: none"> - Hans Matheus (Father) - Sara Abrahamian (Mother) - Robert Abrahamian (Maternal Grandfather) - Susan Abrahamian Nunez (Maternal Grandmother) - Stephanie Garcia (Aunt, mentioned in visitation request) 	
Sean (11) DOB: 6-12-00			
Shelby (9) DOB: 2-16-03			
Aff.Sub.Wit.			
<input checked="" type="checkbox"/> 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			
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Citation			
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		Reviewed by: skc	
		Reviewed on: 5-22-12	
		Updates:	
		Recommendation:	
		File 14 - Matheus	

Page 2 of 2

Petitioner describes an incident on 5-12-12 where Sharon had the children and did not bring Shelby to her baseball game. When she did not show up or call, Petitioner called and was told that she was having car problems and would not bring them. Sharon became belligerent and began yelling. Petitioner then received a call from her niece Andrea that Sabrina called and asked her to pick her and the other children up because Sharon was under the influence of alcohol and impaired. They left in such a hurry that Sean even forgot his shoes. The children were scared and do not want to go back to her home.

Petitioner picked up Sean and Shelby and left Sabrina with Andrea. Later, Petitioner was told Sabrina was with another niece and that Sharon had called police, who went to Sharon's home and determined that CPS should be involved. CPS placed Sabrina and Sammy (Sharon's son, age 13) in custody until the case could be reviewed on 5-15-12.

Petitioner also states that since termination of her guardianship of Sabrina, she has returned all requested items, and at this time, she would like the return of Sean's red and black Nike shoes and their 3DS game Zelda that they left at Sharon's home.

Petitioner filed an additional declaration stating that she would like Sean and Shelby to be able to visit with their sister Sabrina, but she does not feel Sharon's home is good because the children have said that Sharon speaks negatively about her. The children's aunt Stephanie Garcia has agreed to conduct visits at her home.

15 Jenna Rae Kugelman (GUARD/P)
 Atty Kugelman, Sharon (pro per – maternal grandmother/Guardian)
 Atty Kugelman, Ronald (pro per – maternal grandfather/Guardian)
 Atty Gomez, Joshua (pro per – father/Petitioner)

Case No. 11CEPR01127

Petition for Visitation

Age: 4	SHARON KUGELMAN and RONALD KUGELMAN , maternal grandparents, were appointed as guardians of the Person on 02/28/12 and Letters were issued on 04/10/12.		NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing . 2. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing or Consent and Waiver of Notice for: - Sharon Kugelman (guardian) - Ronald Kugelman (guardian) - Rachel Shea (mother)
DOB: 04/13/08			
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.	JOSHUA GOMEZ , father, is Petitioner.		
<input checked="" type="checkbox"/> Verified	Mother: RACHEL SHEA		
<input type="checkbox"/> Inventory	Petitioner states that he would like visitation with his daughter. He states that there is currently a restraining order in place stemming from an incident between he and Jenna's mother, Rachel Shea. Petitioner states that the mother is currently incarcerated at Fresno County Jail serving an 8 month sentence. Petitioner states that the guardians have consented to visitation between he and Jenna once the restraining order is no longer in effect. Petitioner states that he is starting work soon and has enrolled in classes and registered with his probation officer. He states that he wants to be able to see his daughter and do the best he can in the future for her.		
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg	x		
<input checked="" 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	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: JF
			Reviewed on: 05/22/12
			Updates:
			Recommendation:
			File 15 - Kugelman

Petition for Appointment of Guardian of the Person (Prob. C. 1510) (as to Miguel Malagon)

Age: 4 DOB: 03/04/08	<u>TEMPORARY EXPIRES 05/29/12</u>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>See Page 16B for competing Petition of Paternal Grandmother, Teresa Torres.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person or Consent and Waiver of Notice or Declaration of Due Diligence for: <ul style="list-style-type: none"> - Salvador Reyes Torres (father) - Kimberly Malagon (mother) 3. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person or Consent and Waiver of Notice or Declaration of Due Diligence for: <ul style="list-style-type: none"> - Salvador Torres (paternal grandfather) - Teresa Torres (paternal grandmother) - Trinidad Guillen (maternal grandmother)
	<p>MIGUEL MALAGON, maternal grandfather, is Petitioner.</p> <p>Father: SALVADOR REYES TORRES</p> <p>Mother: KIMBERLY MALAGON</p> <p>Paternal grandfather: SALVADOR TORRES Paternal grandmother: TERESA TORRES</p> <p>Maternal grandmother: TRINIDAD GUILLEN</p> <p>Petitioner states that the minor has lived with him since birth. The mother comes in and out of the home and does not provide for the child's day to day needs. The mother is gang affiliated and uses drugs. In January 2012, mother took the minor from Petitioners home and left her with the paternal grandmother, Teresa Torres. Ms. Torres brought the minor back to Petitioners home and stated that she could not keep her safe. She stated that some men with guns came to her home demanding to take Angelina and said they were looking for the mother. Petitioner states that he fears for the minor's safety if her mother takes her because of her gang affiliation.</p> <p>Court Investigator Jennifer Young's report was filed 03/29/12.</p> <p>Court Investigator Jennifer Young filed an additional report on 05/21/12.</p>	
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Aff.Sub.Wit.		
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Inventory		
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Notice of Hrg	X	
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Pers.Serv.	X	
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		<p>Reviewed by: JF</p> <p>Reviewed on: 05/21/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15A - Malagon</p>

Age: 4	<p>TERESA DeJESUS TORRES, paternal grandmother, is Petitioner.</p> <p>Father: SALVADOR REYES TORRES – <i>consent and waiver of notice filed 03/27/12</i></p> <p>Mother: KIMBERLY MALAGON – <i>declaration of due diligence filed 04/05/12</i></p> <p>Paternal grandfather: SALVADOR TORRES – <i>consent & waiver of notice filed 03/27/12</i></p> <p>Maternal grandfather: MIGUEL MALAGON – <i>competing Petitioner/temporary guardian</i> Maternal grandmother: TRINIDAD GUILLEN</p> <p>Petitioner states that the minor has not received stable adult guidance and supervision. Her mother is gang affiliated and is constantly exposing the minor to gangs. Petitioner states that the temporary guardianship is necessary to provide a safe and stable home to the minor.</p> <p>Declaration of Petitioner filed 03/27/12 attaches a notarized letter dated 01/31/12 in which the mother grants legal guardianship of the minor to Petitioner in the mother's absence. There is also a letter from the mother dated 02/26/12 that states that her father (competing Petitioner, Miguel Malagon) is a very aggressive man and wants things done his way. The declaration also states that the maternal grandfather/competing Petitioner tricked her (Paternal grandmother) into signing a consent & waiver of notice for his guardianship Petition. Petitioner states that he bullied her into signing the paper and she did not know what it was for. Further attached to the declaration are letters of reference from friends and associates attesting to Ms. Torres' character, as well as documents from various social service agencies from whom she receives assistance.</p> <p>Court Investigator Jennifer Young filed a report on 05/21/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>4. Need proof of personal service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent and Waiver of Notice <u>or</u> Declaration of Due Diligence for: - Kimberly Malagon (mother)</p> <p>5. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent and Waiver of Notice <u>or</u> Declaration of Due Diligence for: - Miguel Malagon (maternal grandfather/temporary guardian) - Trinidad Guillen (maternal grandmother)</p>
DOB: 03/04/08		
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<input type="checkbox"/> FTB Notice		
<p>Reviewed by: JF</p> <p>Reviewed on: 05/21/12</p> <p>Updates:</p> <p>Recommendation: File 16B - Malagon</p>		