

DOD: 2/12/1993		DENNIS J. KANEY , nephew and sole remaining heir, is Petitioner.	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Note: <i>Petition states the Will of Decedent Florence Kaney Quist is Attachment 5. However, Attachment 5 is the will of Kathryn B. Kaney. The file contains a copy of Florence's Will as Attachment 5 to the original <u>Petition to Determine Succession</u> filed 1/13/1994. That copy has been used for reviewing the instant <u>Petition</u>.</i></p> <p style="text-align: center;"><u>SEE PAGE 2</u></p> <p>Reviewed by: skc Reviewed on: 5-24-12 Updates: Recommendation: File 1 - Quist</p>
		40 days since DOD.	
Cont. from		No other proceedings.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	I & A - \$10,000.00	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Will dated 6/25/1987 devises personal effects to friends HARRIET E. HANEY and EDITH McELWEE , and the entire residual estate to her brother, JUSTIN D. KANEY .	
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
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<input type="checkbox"/>	Aff. Posting		
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<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
~Please see additional page~			

Petitioner states, continued:

- Petitioner's father's estate was handled by Petitioner's mother, **KATHRYN B. KANEY** (*copy of Will of Justin D. Kaney attached as Exhibit B*); Petitioner's father left his estate to Petitioner's mother, partially in trust and partially outright to her; Petitioner and his mother were the Co-Trustees of the Trust, and ultimately all of the trust property devolved to Petitioner upon his mother's death (DOD 8/3/2005 in New York; *certified copy of death certificate attached as Exhibit C*);
- Petitioner has handled his mother's estate (*copy of Will of Kathryn B. Kaney attached as Exhibit D*), and pursuant to her Will Petitioner was deemed the sole beneficiary of her estate and he received all of her remainder estate;
- Based upon the information provided by Petitioner's attorney, Petitioner believes that he is Decedent's only heir at law and that pursuant to the provisions of the various ensuing Wills and Trust, Petitioner is the only person entitled to take title to the property;
- **Petitioner's attorney informs him that pursuant to Probate code § 13100, these proceedings may be used by an "successor of decedent" and under that definition Petitioner believes he qualifies;**
- Pursuant to the appraisals prepared by the Probate Referee [Steven Diebert], this property was at no time of a value greater than the \$150,000.00 limit imposed in these proceedings (*please refer to Attachments 8-1, 8-2 and 8-3 for appraisal showing value of property as \$6,000.00 as of Florence's DOD of 2/12/1993; \$10,000.00 as of Justin's DOD of 11/30/2001; and \$12,000.00 as of Kathryn's DOD of 8/3/2005*).

NEEDS/PROBLEMS/COMMENTS:

1. **Need clarification regarding Petitioner's qualification as a Successor of this Decedent under Probate Code §13006(a) and authority to pass the property through two foreign estates directly to Petitioner.**

Petitioner states he is a Successor entitled to file this summary proceeding; however, Petitioner is not a direct heir of this Decedent pursuant to Decedent's will. Therefore, it appears this summary proceeding to pass the real property directly to Petitioner is not appropriate. Decedent's will devises her estate to Justin Kaney, a resident of New York, whose will devised his estate to his wife Kathryn, also a resident of New York, whose will devises her estate to Petitioner.

Petitioner would need to be appointed as Executor or Special Administrator of Justin's estate, possibly in New York, to pass Florence's interest in these mineral rights to Justin's estate, repeat for Kathryn's estate, and then the property could pass from Kathryn's estate to Petitioner.

However, there is insufficient information regarding Justin's and Kathryn's estates to determine if, how and where administration is appropriate. Regardless, it does not appear this can be done through one summary proceeding for Florence's estate to pass the property directly to Petitioner. Therefore, need authority.

Note: It is unclear if Petitioner is a resident of California because he does not list himself at #14.

2. Petitioner includes three appraisals from Probate Referee Steven Diebert as of the dates of death of each decedent (Florence, Justin, and Kathryn); however, the appraisals are not on the **current mandatory Judicial Council Form Inventory and Appraisal DE-160**, which contains certain mandatory information. (*The form was last updated in 2007.*)

Further, the appraisals are not signed by Petitioner or his attorney.

If this petition goes forward, the Court may require amended Inventory and Appraisal or further verification.

(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

(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.	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).
		Accounting is waived.	
Cont. from		I & A - \$465,193.45	
<input type="checkbox"/>	Aff.Sub.Wit.	POH - \$464,991.98	
<input checked="" type="checkbox"/>	Verified	Administrator (statutory) - \$12,367.31	
<input checked="" type="checkbox"/>	Inventory	Attorney (statutory) - \$12,367.31	
<input checked="" type="checkbox"/>	PTC	Attorney costs - \$1,736.32 (filing fees, probate referee, recording fees and certified copies)	
<input checked="" type="checkbox"/>	Not.Cred.	Distribution, pursuant to intestate succession, is to:	
<input checked="" type="checkbox"/>	Notice of Hrg	Dianna L. Stapp – real property located at 202 Hill Avenue in Sanger and \$86,260.52.	
<input checked="" type="checkbox"/>	Aff.Mail	Robert Carter – real property located at 6277 E. Liberty in Fresno and \$24,260.52.	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	5/19/11	
	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: KT
			Reviewed on: 5/22/12
			Updates:
			Recommendation:
			File 4 – Carter

(1) Report on Waiver of Account and (2) Petition for Final Distribution and for (3) Allowance of Compensation to Attorney for Ordinary Services (Prob. C. 10810, 10954 & 11600, CRC 7.550)

DOD: 4/6/2011	A.E. JUSTICE , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Accounting is waived.	
	I & A - \$177,575.94	
Cont. from	Executor - Waives	
<input type="checkbox"/> Aff.Sub.Wit.	Attorney - \$6,327.28 (statutory)	
<input checked="" type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory		
<input checked="" type="checkbox"/> PTC		
<input checked="" type="checkbox"/> Not.Cred.	Distribution, pursuant to Decedent's Will and Disclaimer of Interest of A.E. Justice, is to:	
<input checked="" type="checkbox"/> Notice of Hrg	Joseph Selway - 1/3 of the investment account and \$17,633.34	
<input checked="" type="checkbox"/> Aff.Mail	Donald Selway - 1/3 of the investment account and \$17,633.34	
<input type="checkbox"/> Aff.Pub.	Raymond Selway - 1/3 of the investment account and \$17,633.34	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters 10/10/11		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
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<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 5/23/12
		Updates:
		Recommendation: SUBMITTED
		File 5 - Justice

(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:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>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.</p>
DOD:		
Cont. from		
Aff.Sub.Wit.		
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Notice of Hrg		
Aff.Mail		
Aff.Pub.		
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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

Objections were filed 5-25-12 by CATHERINE A. FOIN, ELIZABETH L. FOIN, and OWEN F. FOIN, III.

Objections state they are the children of Decedent (siblings of Petitioner) and have standing to object. Objectors have reservations as to the actions and motives of Petitioner. They fear she would be disruptive and display extreme bias toward Objectors and that she would promote her own agenda and interest over the interests of all other parties named in the will. This contention is based on her past conduct and actions in another matter and on her personal dealing with their mother during their lifetime and with Objectors.

Each of the objectors has equal legal standing to be appointed as administrator; however, in recognition of the volatility that is inherent in this matter, Objectors request appointment of a neutral third party administrator until the various and sorted issues involved have been addressed and settled.

Among the issues raised and contented by Petitioner is a dispute involving a Settlement Agreement reached in another matter between Objectors and Public Guardian, which Petitioner is disputing the validity of the agreement. There are also issues in regard to personal property removed from Decedent's residence by Petitioner. Objectors contend this is property of the estate. There is also an issue in regard to property previously deeded to Petitioner by Decedent, which the Objectors contend was an advancement.

For all of the above reasons, Objectors request Petitioner's request to be appointed Administrator with will annexed be denied and that the Court appoint a neutral third party as Special Administrator; and for other relief that the Court deems necessary under these circumstances.

Note: If an appointment is made, the Court will set status hearings as follows:

7-20-12 for filing of Bond

9-28-12 for filing of Inventory and Appraisal

9-27-13 for filing of First Account or Petition for Final Distribution

If these items are filed as required by the dates set, the status hearings will come off calendar and no appearance will be necessary.

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			
Aff.Sub.Wit.			
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Citation			
FTB Notice			
Reviewed by: JF			
Reviewed on: 05/22/12			
Updates:			
Recommendation:			
File 9 - Lopez			

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

Louis, 8 DOB: 09/25/03 <hr/> Dawn, 10 months DOB: 07/09/11 <hr/> <hr/> <hr/> Cont. from <hr/> <table border="1" style="width: 100%;"> <tr> <td style="width: 5%;"></td> <td style="width: 15%;">Aff.Sub.Wit.</td> <td style="width: 80%;"></td> </tr> <tr> <td>✓</td> <td>Verified</td> <td></td> </tr> <tr> <td></td> <td>Inventory</td> <td></td> </tr> <tr> <td></td> <td>PTC</td> <td></td> </tr> <tr> <td></td> <td>Not.Cred.</td> <td></td> </tr> <tr> <td>✓</td> <td>Notice of Hrg</td> <td></td> </tr> <tr> <td></td> <td>Aff.Mail</td> <td></td> </tr> <tr> <td></td> <td>Aff.Pub.</td> <td></td> </tr> <tr> <td></td> <td>Sp.Ntc.</td> <td></td> </tr> <tr> <td>✓</td> <td>Pers.Serv.</td> <td></td> </tr> <tr> <td>✓</td> <td>Conf. Screen</td> <td></td> </tr> <tr> <td>✓</td> <td>Letters</td> <td></td> </tr> <tr> <td>✓</td> <td>Duties/Supp</td> <td></td> </tr> <tr> <td></td> <td>Objections</td> <td></td> </tr> <tr> <td></td> <td>Video Receipt</td> <td></td> </tr> <tr> <td></td> <td>CI Report</td> <td></td> </tr> <tr> <td></td> <td>9202</td> <td></td> </tr> <tr> <td>✓</td> <td>Order</td> <td></td> </tr> <tr> <td></td> <td>Aff. Posting</td> <td></td> </tr> <tr> <td></td> <td>Status Rpt</td> <td></td> </tr> <tr> <td>✓</td> <td>UCCJEA</td> <td></td> </tr> <tr> <td></td> <td>Citation</td> <td></td> </tr> <tr> <td></td> <td>FTB Notice</td> <td></td> </tr> </table>		Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.		✓	Notice of Hrg			Aff.Mail			Aff.Pub.			Sp.Ntc.		✓	Pers.Serv.		✓	Conf. Screen		✓	Letters		✓	Duties/Supp			Objections			Video Receipt			CI Report			9202		✓	Order			Aff. Posting			Status Rpt		✓	UCCJEA			Citation			FTB Notice		<p style="text-align: center;"><u>GENERAL HEARING 07/26/12</u></p> <p>LINDA STRICKLAND, maternal grandmother, is Petitioner.</p> <p>Father (Louis): LOUIS LEDESMA Father (Dawn): UNKNOWN</p> <p>Mother: ANJANINA OLIVA – <i>Consent & Waiver of Notice filed 05/23/12</i></p> <p>Paternal grandparents (all): UNKNOWN</p> <p>Maternal grandfather: DALE BARRERA</p> <p>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.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 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: <ul style="list-style-type: none"> - Louis Ledesma (father of Louis) - Unknown father of Dawn 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) 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). <hr/> <p>Reviewed by: JF</p> <hr/> <p>Reviewed on: 05/22/12</p> <hr/> <p>Updates: 05/24/12</p> <hr/> <p>Recommendation:</p> <hr/> <p>File 10 - Barrera</p>
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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.
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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 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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9202				
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Aff. Posting				
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 Rerport 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.

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>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> 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. Sharon Clinton was served with Notice of Hearing but without a copy of the Petition. The Court may require further service. 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"> - 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.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
Aff.Mail	X		
Aff.Pub.			
Sp.Ntc.			
✓ Pers.Serv.	w/o		
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

SEE PAGE 2

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			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	x		
Aff.Mail	x		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order	x		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
JOSHUA GOMEZ , father, is Petitioner. Mother: RACHEL SHEA 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.			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	<p align="center"><u>TEMPORARY EXPIRES 05/29/12</u></p> <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>	<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) 	
Cont. from 041012			
Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			X
Aff.Mail			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>			

Petition for Appointment of Guardian of the Person (Prob. C. 1510) (as to Teresa deJesus Torres)

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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Citation			
FTB Notice			

Petition for Telephone Visits

Age: 10 DOB: 02/26/02	JENNIFER AUSTIN, mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> Petitioner has filed a separate Petition for Visitation requesting overnight visitation. Hearing is set for 06/26/12. 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 Ex Parte Petition for Visitation for: - Jane Boulger (guardian)
	JANE BOULGER, maternal grandmother, was appointed as guardian and Letters were issued on 04/18/12.	
Cont. from	Father: RYAN ORTIZ	
Aff.Sub.Wit.	Petitioner requests telephone visitation with Rylan for 15 minutes on Tuesdays and Wednesdays.	
✓ Verified	Order on Ex Parte Petition for Telephone Visits filed 05/16/12 set this matter for hearing and ordered Petitioner to serve a Notice of Hearing along with a copy of the Petition on all interested parties no later than 5 court days prior to the hearing.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	x	
Aff.Mail		
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Objections		
Video Receipt		
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Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 05/22/12
		Updates:
		Recommendation:
		File 17 - Ortiz

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

Age: 3 months	<p>DEMETRIA CAMMON, Non-Relative (considers herself a Maternal Aunt), is Petitioner.</p> <p>Father: NOT LISTED - <i>Notice dispensed per Minute Order 5-1-12</i></p> <p>Mother: NAOMI NOBLES - <i>Consent and Waiver of Notice filed 3-26-12</i></p> <p>Paternal Grandfather: Not listed Paternal Grandmother: Not listed</p> <p>Maternal Grandfather: Not listed Maternal Grandmother: Not listed</p> <p>Petitioner states her sister is unable to provide a stable place to live for the child and due to her medical history she sometimes becomes overwhelmed and can't provide proper care. She sometimes becomes too frustrated or depressed to care for the child. Petitioner is able to provide a stable environment, make sure her doctor appointments are met, and provide food and clothing. Petitioner's temporary petition stated that CPS is involved and Petitioner feared the mother would report the child kidnapped if she didn't have legal paperwork.</p> <p>Court Investigator Jennifer Daniel filed a report on 5-22-12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 5-1-12 (Temporary Hearing): The Court notes for the record that the child lives and has been living with the Petitioner. The Court dispenses with further notice to the father. The temporary is extended to 5-29-12.</p> <p>1. Need Notice of Hearing and proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 or consent and waiver of notice or declaration of due diligence on:</p> <ul style="list-style-type: none"> - Maternal Grandfather - Maternal Grandmother - Paternal Grandfather (if not dispensed) - Paternal Grandmother (if not dispensed) 	
DOB: 2-12-12			
Aff.Sub.Wit.			
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Inventory			
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Notice of Hrg			X
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Reviewed by: skc
Reviewed on: 5-22-12
Updates: 5-23-12
Recommendation:
 File 18 - Nobles

Atty Marquez, Eva (pro per – paternal grandmother/Petitioner)

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

Serenity (2) DOB: 11-17-09		<p>EVA MARQUEZ, Paternal Grandmother, is Petitioner.</p> <p>Father: NICHOLAS MARQUEZ DELARA – personally served 05/22/12 Mother: MEMORY VAELEANE TAYLOR – personally served 05/22/12</p> <p>Paternal Grandfather: Deceased Maternal Grandfather: Deceased Maternal Grandmother: Deceased</p> <p>Petitioner states all five grandchildren have been raised and cared for since birth. Petitioner shares time with each child and has given a steady living environment. She has taught them to love and have patience with their parents as they are going through tough issues. The children are well-mannered and loving children. Petitioner would like to take over all five grandchildren and keep them together and safe.</p> <p>The UCCJEA indicates that the children have always lived with their parents.</p> <p>File documents indicate the children are in foster care.</p> <p>Court Investigator Dina Calvillo filed a report on 05/17/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court records indicate that all five (5) children are currently subject to the jurisdiction of the Juvenile Court. Therefore, a probate guardianship cannot be considered at this time. (Local Rule 7.15.7.B.)</p> <p>Note to Judge: An upcoming hearing set in the juvenile dependency cases for all children is set for 05/31/12. Court records indicate that both parents are involved. Case numbers: Serenity: 12CEJ300046-5 Isabella: 12CEJ300046-4 Cassandra: 12CEJ300046-3 Nicholas: 12CEJ300046-2 Jonathen: 12CEJ300046-1</p> <p>If this matter goes forward, the following issues exist:</p> <ol style="list-style-type: none"> 1. UCCJEA is incomplete at #4-6 (re other cases involving the children). Need completed UCCJEA. 2. Proofs of service filed 05/23/12 indicate that the parents were personally served on 05/22/12, 7 days before the hearing instead of the required 15 days.
Isabella (5) DOB: 9-10-06			
Cassandra (8) DOB: 3-21-04			
Nicholas (9) DOB: 9-29-02			
Jonathen (11) DOB: 10-03-00			
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		<p>Reviewed by: JF</p> <p>Reviewed on: 05/22/12</p> <p>Updates: 05/24/12</p> <p>Recommendation:</p> <p>File 19 – Marquez & Taylor</p>	

Petition for Letters of Administration; Authorization to Administer Under IAEA
 (Prob. C. 8002, 10450)

		NEEDS/PROBLEMS/COMMENTS: <u>Continued to 6/13/12</u> at the request of the Petitioner.
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Video Receipt		
CI Report		
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Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 5/23/12
		Updates:
		Recommendation:
		File 20 – Kelly

Atty Don, Collins (pro per – maternal uncle/Petitioner)
 Atty Collins, Valarie (pro per – maternal aunt/Petitioner)

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

<table border="1"> <tr><td>MacKenzie, 8</td></tr> <tr><td>DOB: 06/23/03</td></tr> <tr><td>Madison, 7</td></tr> <tr><td>DOB: 09/12/04</td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td>Cont. from</td></tr> <tr><td>Aff.Sub.Wit.</td></tr> <tr><td>✓ Verified</td></tr> <tr><td>Inventory</td></tr> <tr><td>PTC</td></tr> <tr><td>Not.Cred.</td></tr> <tr><td>Notice of Hrg</td></tr> <tr><td>Aff.Mail</td></tr> <tr><td>Aff.Pub.</td></tr> <tr><td>Sp.Ntc.</td></tr> <tr><td>Pers.Serv.</td></tr> <tr><td>✓ Conf. Screen</td></tr> <tr><td>✓ Letters</td></tr> <tr><td>✓ Duties/Supp</td></tr> <tr><td>Objections</td></tr> <tr><td>Video Receipt</td></tr> <tr><td>CI Report</td></tr> <tr><td>9202</td></tr> <tr><td>✓ Order</td></tr> <tr><td>Aff. Posting</td></tr> <tr><td>Status Rpt</td></tr> <tr><td>✓ UCCJEA</td></tr> <tr><td>Citation</td></tr> <tr><td>FTB Notice</td></tr> </table>	MacKenzie, 8	DOB: 06/23/03	Madison, 7	DOB: 09/12/04				Cont. from	Aff.Sub.Wit.	✓ Verified	Inventory	PTC	Not.Cred.	Notice of Hrg	Aff.Mail	Aff.Pub.	Sp.Ntc.	Pers.Serv.	✓ Conf. Screen	✓ Letters	✓ Duties/Supp	Objections	Video Receipt	CI Report	9202	✓ Order	Aff. Posting	Status Rpt	✓ UCCJEA	Citation	FTB Notice	<p align="center"><u>GENERAL HEARING 07/03/12</u></p> <p>VALERIE COLLINS and DON COLLINS, maternal aunt and uncle, are Petitioners.</p> <p>Father: UNKNOWN</p> <p>Mother: MICHELLE JOHNSON</p> <p>Paternal grandparents: UNKNOWN</p> <p>Maternal grandfather: MARTIN GAMBOA Maternal grandmother: DECEASED</p> <p>Petitioners state that the minor's mother is incarcerated in Butte County and their father is unknown. When the mother was arrested, she left the girls with her landlord whom she had only known for 2 weeks. When Petitioners learned of the mother's arrest, they went and got the girls. Petitioners are ready, willing and able to provide a safe and loving home for the girls. The girls are familiar with Petitioners as they have visited in their home many times. Petitioners are currently looking to enroll the girls in school, the girls have attended 5 different schools this year alone while in their mother's care.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing for hearing on Petition for Appointment of Temporary Guardian of the Person. 2. Need proof of <u>personal</u> 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 <u>or</u> Consent and Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ul style="list-style-type: none"> - Michelle Johnson (mother) - Father (unknown) <p>Reviewed by: JF</p> <p>Reviewed on: 05/23/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 21 - Gamboa</p>
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Petitioner filed a declaration on her own (without her attorney) on 5-22-12. Petitioner states she is very confused as to what she is able to do with the trust. She is not a gold-digger and has no other interest except for what is in Adam's best interest. Their lives were turned upside down since Adam's severe head injury in 2004. She loves him with all her heart and soul and would never do anything to affect him negatively in any way. Her understanding was that the trust would provide reimbursements for expenses and allow yearly vacations with immediate family. Petitioner would like the Court to know that if they could do without the reimbursements, she would not request them, and she understands that the Court is looking out for Adam's best interest, but paying attorney twice as much as what she requested in reimbursements for last time is not very smart. Every time a hearing is held, Adam's trust is charged. She wants to stress that she cannot withdraw money without court order. Petitioner will be there on May 29 to answer any questions personally and to ask the Court personally if she has no right to request anything from the trust. She would rather not request anything if you have a problem with that, than waste trust money with all the hearings. They have gone through a lot the past couple of years. Adam got really sick and they thought they were going to lose him, they had to take custody of two other grandkids, and Petitioner lost her job. Without funds from the trust, vacations are impossible (which they did not take before). If that's the case, then she is ok with that. She requested reimbursements along with the vacation request so she did not have to pay the attorney extra money by requesting them at the end of the year. She is not requesting sympathy or pity. She is just asking the Court to understand why she is requesting the funds.

Status Re: Filing of Receipt from blocked account

		<p>DAVID J. ST. LOUIS was appointed Conservator of the Estate on 4-24-12 without bond, funds to be placed in blocked account. Letters issued on 4-25-12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 5-22-12</p> <p>Note: Co-Trustee, Wells Fargo Bank stated that it is believed that Mrs. Bingham holds assets of approximately \$300,000.00 outside of her trust assets. Wells Fargo agrees that a conservatorship of the estate is necessary and has no objection to Mr. St. Louis being appointed as such as long as Mrs. Bingham continues to be represented by Deborah Boyett as guardian ad litem in the trust proceeding and court appointed counsel for Mrs. Bingham in the conservatorship of the person matter.</p> <p>1. Need receipt for blocked account.</p>
<p>Cont. from 052212</p>			
<input type="checkbox"/>	Aff.Sub.Wit.	<p>At the hearing on 4-24-12, the Court set this status hearing for filing of Receipt for blocked account.</p>	
<input type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	<p>On 4-30-12, the Court signed an order authorizing deposit of \$324,061.57 into a blocked account.</p>	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	<p>As of 5-17-12, no receipt for blocked account has been filed.</p>	
<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 type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt	X	
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			<p>Reviewed by: skc</p> <p>Reviewed on: 5-24-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 23 - Bingham</p>