



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.

Probate Status Hearing RE: Filing of the Fourth and Final Account

	<p>STEPHANIE LASSLEY, mother, was appointed guardian of the estate on 6/8/2010.</p> <p><i>Letters issued 6/8/2010.</i></p> <p>Minute order dated 8/20/2015 from Third Account and Report of Guardian set this status hearing for filing of the fourth and final account.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need fourth and final account, or current written status report pursuant to Local Rule 7.5, which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the status report shall be served on all necessary parties.</p>
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		Reviewed by: SEF
		Reviewed on: 5/26/2016
		Updates:
		Recommendation:
		File 4- Lassley

Status Hearing Re: Failure to File a First Account or Petition for Final Distribution.

DOD: 5/18/07			NEEDS/PROBLEMS/COMMENTS:	
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				Reviewed by: skc
				Reviewed on: 5/25/16
				Updates:
				Recommendation:
				File 5- Tims

Petition for Probate of Will and for Letters of Administration with Will Annexed;
 Authorization to Administer Under the Independent Administration of Estates Act

DOD: 10/3/11		<p>FRESNO COUNTY PUBLIC ADMINISTRATOR is Petitioner and requests appointment as Administrator with Will Annexed with Full IAEA without bond.</p> <p>Full IAEA – ok</p> <p>Will dated 8/11/09</p> <p>Residence: Fresno Publication: Business Journal</p> <p>Estimated value of estate: Real property: \$311,000.00</p> <p>Probate Referee: Rick Smith</p> <p>Contest and Grounds for Objection to Probate of Purported Will & of Appointment of Personal Representative was filed 3/16/16. See Page 2.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 5/4/16:</u> The Public Administrator has no objection to Mr. Milnes' clients being appointed. The Court grants the Public Administrator the right temporarily to have control over the assets under the §7660 petition. If the competing petition is filed, the Public Administrator's petition shall be continued to the new hearing date so that no appearance is necessary on 6/1/16.</p> <p><u>As of 5/25/16, nothing further has been filed.</u></p> <p><u>Minute Order 4/6/16:</u> Mr. Milnes is admonished to address the defects in the will contest.</p> <p><u>Note:</u> Contest and Grounds for Objection to Probate of Purported Will & of Appointment of Personal Representative was filed 3/16/16; <u>however</u>, it does not appear that a summons was submitted therewith for issuance pursuant to Probate Code §8250, and because the document indicated this continued hearing date of 4/6/16, the Contest was not assigned it's own separate hearing date at the counter.</p> <p><u>Due to notice requirements, the Contest cannot be heard until defects are addressed. The Court will set the Contest for noticed hearing pursuant to Probate Code §8250 at this time.</u></p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p> <p>Reviewed by: skc</p> <p>Reviewed on: 5/25/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7A - Galvan</p>	
Cont. from 121515, 012716, 030216, 040616, 050416				
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Contest and Grounds for Objection to Probate of Purported Will & of Appointment of Personal Representative filed 3/16/16 BY Hope De Santiago and Stephen Galvan, daughter and son, states:

A document dated 8/11/09 purporting to be the last will was filed in this court on 11/9/11. Petitioners are informed and believe and thereon allege that the decedent left no valid Will. Probate of the purported will should be denied on the following grounds:

1. The decedent was not of sound and disposing mind and therefore lacked testamentary capacity at the time of the alleged execution of the purported will.
2. At the time of signing, the decedent was fluent in the Spanish language and not the English language use dint he purported will, and the decedent was not able to read or understand documents written in the English language. As a result, the decedent was not able to understand or comprehend the meaning and effect of the English words used in the purported will and their significance, therefore the decedent lacked testamentary intent and the signature of the decedent to the purported will was executed by the decedent under a mistake as to its legal effect.
3. Petitioners allege the purported will is not and never was the decedent's will as it was made as a direct result of undue influence on the decedent by his son, **ARTHUR G. GALVAN**, and other members of his family, and it is now (sic) and never was the will of the decedent.

See contest for description of the undue influence.

Contestants also object to appointment of the Public Administrator. Petitioners state on 5/10/13, the PA was appointed under Probate Code §7660 in **13CEPR00400** and since that date has served in that capacity. In connection with this new appointment, the PA failed to give proper notice to the intestate heirs

NEEDS/PROBLEMS/COMMENTS:

1. **Petitioner lists only the decedent's four living children at #8; however, it appears that there are additional people entitled to notice of this proceeding, including:**

- Vanessa Galvan (Daughter of deceased son Frank Garcia Galvan, mentioned in the will)
- Vivian Saicon (Granddaughter and Named alternate executor and former conservator of the person)

Therefore, need revised declaration re #8 and proof of service of Notice of Petition to Administer Estate on Vanessa Galvan and Vivian Saicon at least 15 days prior to the hearing per Probate Code §8110.

Note: Petitioner's #8 indicates that the will provides for distribution to a trust; however, that does not appear to be the case. Need clarification.

2. **Need date of death of Frank Garcia Galvan per Local Rule 7.1.1.D. Note:** Declaration filed 2/26/16 indicates a date of death for a David Garcia Galvan. Is this a typo? There is no *David* listed at #8.

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

- Wednesday Nov. 2, 2016 for fling Inventory and Appraisal
- Wednesday August 2, 2017 for filing the first account or petition for final distribution

Dept. 303, 9:00 a.m. Wednesday, June 1, 2016

Status RE: Filing of a Competing Petition for Probate by Mr. Milnes

DOD: 10/3/11	<p>HISTORY: On 10/3/12, Dorothy M. Galvan, Spouse, filed a Petition for Letters of Administration requesting appointment as Administrator in 12CEPR00883. The petition alleged that the decedent died intestate.</p> <p>Dorothy M. Galvan also filed a Creditor's Claim for \$400,000.00.</p> <p>At hearing on 11/8/12, Dorothy Galvan did not appear; however, Attorney Milnes appeared on behalf of Hope De Santiago, a daughter, and indicated that there was an objection. Mr. Milnes further represented that a Will would be lodged with the Court and the Public Administrator is contemplating on filing a petition. Dorothy Galvan's petition was denied without prejudice. Nothing further was filed in 12CEPR00883 until the PA's petition on 11/19/15 (described below).</p> <p>Court records reflect that a Will dated 8/11/09 was previously lodged with the Court on 11/9/11 by J. Patrick Sullivan, Esq. (The Will is self-proving.)</p> <p>On 5/10/13, the Public Administrator filed an Ex Parte Petition under §7660 in 13CEPR00400, alleging that the value of the estate was not expected to exceed \$150,000.00. The Public Administrator was appointed by Ex Parte Order on 5/14/13 and authorized to administer the estate as intestate.</p> <p>Within the §7660 matter, various creditor's claims were filed and an "Appraisal for Sale" was filed on 1/15/14 alleging an estate value of \$261,000.00. Nothing further has been filed in the §7660 matter.</p> <p>The Public Administrator filed the Petition for Probate of Will at Page A on 11/19/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
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FTB Notice		
<u>SEE ADDITIONAL PAGES</u>		
		<p>Reviewed by: skc</p> <p>Reviewed on: 5/25/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7B- Galvan</p>

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HISTORY (Cont'd): The Public Administrator's Petition filed 11/19/15 requested that the Will dated 8/11/09 that had been previously deposited with the Court on 11/9/11 be admitted to probate.

On 3/16/16, Hope De Santiago and Stephen Galvan, daughter and son, filed a Contest and Grounds of Objection to Probate of Purported Will and of Appointment of Personal Representative.

The PA's petition has been continued due to various defects and due to the Contest. However, the Contest cannot yet be heard because procedural deficiencies exist. See Page A for details.

Pursuant to Minute Order 5/4/16, it appears Hope De Santiago and Stephen Galvan intend to file a competing petition for appointment as personal representatives.

As of 5/25/16, nothing further has been filed.

10 Abdolah Rahnama (CONS/PE)

Case No. 15CEPR00156

Attorney: Heather H. Kruthers (for Public Guardian – Conservator)

Attorney: Gary G. Bagdasarian (court-appointed for Conservatee)

Probate Status Hearing RE: Filing of the First Account

	PUBLIC GUARDIAN was appointed conservator of the person and estate on 4/23/2015.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>2. Need first account, or current written status report pursuant to Local Rule 7.5, which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the status report shall be served on all necessary parties.</p>
	Letters issued 5/14/2015.	
Cont. from	<u>Minute order dated 4/1/2015</u> set this status hearing for the filing of the first account.	
Aff.Sub.Wit.	<i>Final Appraisal of Estate by Public Guardian</i> filed 7/22/2015 shows an estate value of \$194.00.	
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FTB Notice		
		Reviewed by: SEF
		Reviewed on: 5/26/2016
		Updates:
		Recommendation:
		File 10- Rahnama

16 Leann Moreno and Leo Moreno IV (GUARD/P) Case No. 16CEPR00041

Petitioner: Efrain Palma (Pro per – Maternal step-grandfather)

Petition for Appointment of Guardian of the Person (as to LEANN MORENO only)

		<u>TEMPORARY EXPIRES 6/1/2016</u>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Petition is as to <u>LEANN MORENO</u> only.</p> <p><u>Minute order dated 4/27/2016</u> states Leo Moreno (father) requests a continuance because Belinda Gomez (mother) is in the hospital. The Court notes Ms. Gomez has consented, but grants one continuance so that she may appear. The Court grants temporary orders and continued the matter to 6/1/2016.</p>
		<p>EFRAIN PALMA, maternal step-grandfather, is petitioner</p> <p>Court Investigator report filed 3/9/2015.</p> <p><i>See petition for details.</i></p>	
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			<p>Reviewed by: SEF</p> <p>Reviewed on: 5/26/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16- Moreno</p>