



## 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.

|            |               |  |  |    |
|------------|---------------|--|--|----|
|            |               | <p><b>CURTIS RINDLISBACHER</b>, petitioner was Court appointed to represent the Conservatee on 10/15/2009.</p> <p><b>FRANCES KENNEDY</b> was appointed Conservator of the Person and Estate on 6/6/2008.</p> <p>Petitioner was previously awarded attorney fees for services rendered through 1/26/2010 in the amount of \$1,207.50.</p> <p>Petitioner requests fees in connection with the representation of the Conservatee for the Conservator's petition to sell the Conservatee's residence.</p> <p>Petitioner <b>asks that he be paid</b> from the conservatorship estate for <b>5.6 attorney hours @ \$300-\$325 per hour and 1.5 paralegal hours @ \$100 for a total of \$1,883.50. Petitioner also requests reimbursement of the filing fee of \$435.00.</b></p> <p>Services are itemized by date and include review of documents, visits with client, and court appearances.</p> | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> |    |
|            |               |  |  |    |
|            |               |  |  |    |
|            |               |  |  |    |
| Cont. from |               |  |  |    |
|            | Aff.Sub.Wit.  |  |  |    |
| ✓          | Verified      |  |  |    |
|            | Inventory     |  |  |    |
|            | PTC           |  |  |    |
|            | Not.Cred.     |  |  |    |
| ✓          | Notice of Hrg |  |  |    |
| ✓          | Aff.Mail      |  |  | W/ |
|            | Aff.Pub.      |  |  |    |
|            | Sp.Ntc.       |  |  |    |
|            | Pers.Serv.    |  |  |    |
|            | Conf. Screen  |  |  |    |
|            | Letters       |  |  |    |
|            | Duties/Supp   |  |  |    |
|            | Objections    |  |  |    |
|            | Video Receipt |  |  |    |
|            | CI Report     |  |  |    |
|            | 9202          |  |  |    |
| ✓          | Order         |  |  |    |
|            | Aff. Posting  |  |  |    |
|            | Status Rpt    |  |  |    |
|            | UCCJEA        |  |  |    |
|            | Citation      |  |  |    |
|            | FTB Notice    |  |  |    |
|            |               | Reviewed by: KT  |  |    |
|            |               | Reviewed on: 5/28/14   |  |    |
|            |               | Updates:   |  |    |
|            |               | Recommendation:  |  |    |
|            |               | File 1 – Clover  |  |    |

|  |   |  |
|--|---|--|
| <b>DOD: 9-17-10</b>                                      | <b>TERRI DENISE GILL</b> , Daughter And Executor with Full IAEA without bond, is Petitioner.  | <b>NEEDS/PROBLEMS/COMMENTS:</b>  |
|  | <b>Petitioner states</b> that at the time of her death, the decedent was married to Robert Hanggi; however, the decedent had initiated a dissolution of marriage action in Tulare County Superior Court Case No. 10-239678, which was still pending at the time of her death. Petitioner states that at the time of her death, the decedent owned a community property interest in an undivided 48.16% interest in real property located at 33776 Globe Drive, in Springville, CA (residence plus 20 acres) (the Springville Residence), as well as a community property interest in the household furniture, furnishings, appliances, and items of a personal nature located at the Springville residence. | <u>Continued from 4-3-14</u>   |
| <b>Cont. from 040314</b>                                 | Also at the time of her death, the decedent owned a 6-16 acre parcel adjacent to the Springville Residence as her sole and separate property (the Springville Parcel).  | <b>Note: On 4-3-14, this matter was continued to 6-2-14 and a status hearing for the filing of the first account was continued to 8-22-14.</b> |
| <input type="checkbox"/> <b>Aff.Sub.Wit.</b>             | During their marriage, the decedent and Robert Hanggi owned cows as community property, which were sold during the course of their marriage. Petitioner is informed and believes that the proceeds from the sale of the cows in the amount of \$36,409.00 were the community property of the decedent and Robert Hanggi, and the decedent's share of said sale proceeds was \$18,204.50. The proceeds were deposited into Bank of Sierra account xx180 with title in the name of Robert Hanggi. Petitioner states Robert Hanggi never distributed any of the sale proceeds from the cattle to the decedent or her estate.   | <b>Note: On 5-2-14, Surviving Spouse and Objector Robert Hanggi filed a Petition for Order Setting Aside Probate Homestead. See Page B.</b>    |
| <input checked="" type="checkbox"/> <b>Verified</b>      | In addition, Petitioner states that the decedent held as her separate property a Bank of America account xx831 with title on the account as "Darlene K. Hanggi, Robert Herschel Hanggi." Petitioner states Robert Hanggi was on title for convenience only and he did not contribute any funds to the Bank of America account. The source of funds in the Bank of America account was the decedent's retirement, social security, and her portion of her husband's retirement, all held as separate property assets.  | <u>SEE PAGE 3</u>  |
| <input type="checkbox"/> <b>Inventory</b>                |   | <b>Reviewed by:</b> skc  |
| <input type="checkbox"/> <b>PTC</b>                      |   | <b>Reviewed on:</b> 5-28-14  |
| <input type="checkbox"/> <b>Not.Cred.</b>                |   | <b>Updates:</b>  |
| <input checked="" type="checkbox"/> <b>Notice of Hrg</b> |   | <b>Recommendation:</b>   |
| <input checked="" type="checkbox"/> <b>Aff.Mail</b> w    |   | <b>File 5A – Hanggi</b>  |
| <input type="checkbox"/> <b>Aff.Pub.</b>                 |   |  |
| <input type="checkbox"/> <b>Sp.Ntc.</b>                  |   |  |
| <input type="checkbox"/> <b>Pers.Serv.</b>               |   |  |
| <input type="checkbox"/> <b>Conf. Screen</b>             |   |  |
| <input type="checkbox"/> <b>Letters</b>                  |   |  |
| <input type="checkbox"/> <b>Duties/Supp</b>              |   |  |
| <input checked="" type="checkbox"/> <b>Objections</b>    |   |  |
| <input type="checkbox"/> <b>Video Receipt</b>            |   |  |
| <input type="checkbox"/> <b>CI Report</b>                |   |  |
| <input type="checkbox"/> <b>9202</b>                     |   |  |
| <input checked="" type="checkbox"/> <b>Order</b>         |   |  |
| <input type="checkbox"/> <b>Aff. Posting</b>             |   |  |
| <input type="checkbox"/> <b>Status Rpt</b>               |   |  |
| <input type="checkbox"/> <b>UCCJEA</b>                   |   |  |
| <input type="checkbox"/> <b>Citation</b>                 |   |  |
| <input type="checkbox"/> <b>FTB Notice</b>               |   |  |
|  | <b>SEE ADDITIONAL PAGES</b>   |  |

**Petitioner also states** that the decedent held as her separate property the following:

- Bank of the West account xx714 with title on the account "Darlene K. Hanggi, POA Terri Gill"
- Morgan Stanley account xx1042 with title on the account "Darlene K. Hanggi"
- Morgan Stanley account xx3042 with title on the account "Darlene K. Hanggi"
- USAA brokerage account xx817 with title on the account "Darlene K. Hanggi"  
(source of funds: inheritance)
- USAA brokerage account xx268 with title on the account "Darlene K. Hanggi"  
(source of funds: inheritance)

**Petitioner prays for an order:**

1. Determining that the decedent owned an undivided 50% interest a 48.16% community property interest in the Springville Residence at the time of death.
2. Determining that the Decedent owned a community property interest in the household furniture, furnishings, appliances, and items of a personal nature located at the Springville Residence at the time of death;
3. Determining that the Springville Parcel was the Decedent's separate property at the time of death;
4. Determining that the proceeds from the sale of cows were the community property of the decedent and Robert Hanggi and directing Robert Hanggi to pay Petitioner one-half of such proceeds;
5. Determining that the following accounts were the decedent's sole and separate property:
  - Bank of America Account xx831
  - Bank of the West Account xx714
  - Morgan Stanley Account xx1042
  - Morgan Stanley Account xx3042
  - USAA account xx817
  - USAA account xx268
6. For such other and further relief as the court may deem proper.

**Robert Hanggi's Response filed 3-27-14 states** that the decedent owned an undivided 50% interest in a 48.16% community property interest in the Springville Residence, and Respondent owned an undivided 51.84% separate property interest in the Springville Residence, at the time of decedent's death. Certain items of personal property on the premises were community property; however, others were separate property of the decedent which have already been provided to the executor by Respondent, and others were Respondent's separate property, including but not limited to the cattle branding iron. Respondent admits that the Springville Parcel was the decedent's separate property; however, Respondent has an easement or irrevocable license on said property to allow access to his premises.

With respect to the cattle: Respondent had 80 head of cattle and the decedent had 20 head of cattle; therefore, the combined herd was 80% Respondent's and 20% decedent's. The calves and cattle sold were separate property in the same percentage. Even if the livestock was community property, which it is not, decedent agreed with Respondent that the livestock became his as she could not pay her share of costs associated with the livestock. From 1988 through the sale in 2007, Respondent paid over \$150,000.00 in costs associated with the livestock from his separate property accounts, which far exceeds the claimed 50% interest in the \$36,000 in proceeds that Petitioner seeks. For this reason, he did not distribute the proceeds for the 2007 sale of the herd to the decedent.

Respondent admits paragraph 9 in that he did not contribute funds to the Bank of America account and admits paragraphs 10-17.

**Respondent prays for an order denying the petition and for such other and further relief as the court may deem proper.**

**SEE ADDITIONAL PAGES**

NEEDS/PROBLEMS/COMMENTS:

1. Determination of community/separate property is addressed under the Family Code. Need authority to make the determinations requested herein under the Probate Code.

Petitioner may wish to seek joinder to the dissolution matter as the personal representative of the decedent's estate in order to determine the decedent's assets for probate.

2. If certain items that have already been reflected on the Inventory and Appraisals filed 7-12-13 are determined not to be assets of the decedent's estate, need Corrected I&As.

For Example:

- I&A Partial No. 1 includes the subject interest in the Springville Residence and the personal property alleged therein for a total value of \$77,240.00.

- I&A Partial No. 2 includes the various cash accounts and a brokerage account designated as the decedent's separate property accounts valued at a total of \$40,025.76.

- Final I&A (No. 3) includes two accounts, one listed as the decedent's separate property valued at \$1,608.84 (100%) and the other listed as the decedent's interest in community property (specifically, proceeds from the sale of cows, which were community property) and valued at \$18,204.50 (50% of \$36,409.00) for a total of \$19,813.34.

|   |  |   |
|---|--|---|
| <b>DOD: 4-14-12</b>   | <b>ROBERT HANGGI</b> , Surviving Spouse, is Petitioner.  | <b>NEEDS/PROBLEMS/COMMENTS:</b>   |
|   | Petitioner states three inventories of the estate were filed showing the character and value of the property as follows:   | <u>Note:</u> Terri Denise Gill, Daughter, was appointed Executor with Full IAEA without bond on 2-13-13. Ms. Gill filed a Petition under Probate Code §850 that is currently pending for determination of the decedent's community property interest in various assets. Petitioner Robert Hanggi filed an objection to that petition. See Page A. |
| <input type="checkbox"/> <b>Aff.Sub.Wit.</b>                  | <ul style="list-style-type: none"> <li>• \$72,240.00 Real property</li> <li>• \$5,000.00 Household furniture, furnishings</li> <li>• \$59,837.75 Bank and brokerage accounts</li> </ul>  | <p>1. Petitioner requests costs. The Court may require clarification or documentation or further petition.</p>  |
| <input checked="" type="checkbox"/> <b>Verified Inventory</b> |  |   |
| <input type="checkbox"/> <b>PTC</b>                           |  |   |
| <input type="checkbox"/> <b>Not.Cred.</b>                     |  |   |
| <input checked="" type="checkbox"/> <b>Notice of Hrg</b>      | Petitioner completed construction of the residence on or about 10-15-87 which was prior to his marriage to the decedent and has lived in that residence ever since.  |   |
| <input checked="" type="checkbox"/> <b>Aff.Mail</b>           | w  |   |
| <input type="checkbox"/> <b>Aff.Pub.</b>                      |  |   |
| <input type="checkbox"/> <b>Sp.Ntc.</b>                       |  |   |
| <input type="checkbox"/> <b>Pers.Serv.</b>                    | The decedent's estate claims a 50% community property interest in a 48.16% interest due to improvements and the like to the property during the marriage. Petitioner is informed and believes that the decedent's will does not leave the community property interest in the residence to him. |   |
| <input type="checkbox"/> <b>Conf. Screen</b>                  |  |   |
| <input type="checkbox"/> <b>Letters</b>                       |  |   |
| <input type="checkbox"/> <b>Duties/Supp</b>                   |  |   |
| <input type="checkbox"/> <b>Objections</b>                    |  |   |
| <input type="checkbox"/> <b>Video Receipt</b>                 | Petitioner is in extremely poor health and any dislocation from the residence would be detrimental to him.   |   |
| <input type="checkbox"/> <b>CI Report</b>                     |  |   |
| <input type="checkbox"/> <b>9202</b>                          |  |   |
| <input checked="" type="checkbox"/> <b>Order</b>              | No third person has a right to possession in the property. The property is suitable for use as a probate homestead.  |   |
| <input type="checkbox"/> <b>Aff. Posting</b>                  |  |   |
| <input type="checkbox"/> <b>Status Rpt</b>                    |  |   |
| <input type="checkbox"/> <b>UCCJEA</b>                        |  |   |
| <input type="checkbox"/> <b>Citation</b>                      | <b>Petitioner prays for an order as follows:</b>   |   |
| <input type="checkbox"/> <b>FTB Notice</b>                    | <ol style="list-style-type: none"> <li>1. Setting aside the property as a homestead for the use of Petitioner for his life;</li> <li>2. Allowing costs from the estate;</li> <li>3. For such other orders as the Court may deem proper.</li> </ol>   |   |
|   |  | <b>Reviewed by:</b> skc   |
|   |  | <b>Reviewed on:</b> 5-28-14   |
|   |  | <b>Updates:</b>   |
|   |  | <b>Recommendation:</b>  |
|   |  | <b>File 5B – Hanggi</b>   |

|                            |   |  |
|----------------------------|---|--|
| Age: 4 years               | RAYLYN SUBIA, mother, is petitioner.  | <b>NEEDS/PROBLEMS/COMMENTS:</b><br><br><b>Continued from 5/12/14.</b> Minute Order states the court orders supervised visits until further order of the court. Parties to work together to determine what non-family member will supervise the visits. The Court will allow Ms. Reyes to supervise the visits in the event a non-family member cannot be determined.<br><br><b>For Petitioner/mother:</b><br>1. Need Notice of Hearing.<br>2. Need proof of service of the Notice of Hearing on:<br>a. Darlene Subia Reyes (guardian)<br>b. Alexander Espino (father)<br>c. Bridget Uranga (paternal grandmother)<br><br><b>For Respondent/Guardian Darlene Reyes:</b><br>1. Response is not verified. Probate Code §1021.<br>2. Need proof of service of the Response on Petitioner Raylyn Subia. |
|                            | DARLENE [SUBIA] REYES, maternal grandmother was appointed guardian on 11/1/11.                            |  |
|                            | Father: <b>ALEXANDER ESPINO</b>   |  |
| Cont. from 051214          | Paternal grandfather: Deceased<br>Paternal grandmother: Bridget Uranga<br>Maternal grandfather: Deceased. |  |
| 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                 |   |  |
| Please see additional page |   |  |
| Reviewed by: KT            |   |  |
| Reviewed on: 5/28/14       |   |  |
| Updates:                   |   |  |
| Recommendation:            |   |  |
| File 10 - Espino           |   |  |

**Responsive Declaration filed by Darlene Reyes on 5/5/14** states she had no knowledge of the court proceedings until she was contacted by the Court Investigator. Guardian alleges that when the mother returned the minor to her on 1/5/14 she noticed a strong odor of marijuana. Guardian states she called the police to document this. The court orders prohibit mom from doing any drugs which is a condition of her probation. Other conditions of mom's probation are to register as a gang member and not socialize with gang members. Mom's current boyfriend, who is a gang member, was ordered by the court not to be around the minor. Guardian alleges that not only is the boyfriend around the minor, mom allows him to talk to the minor while minor is in guardian's home. Although Mom claims he is no longer with her boyfriend, she is currently pregnant with his child. Court order dated 4/11/13 [Tulare County] terminated mom's overnight visits and granted her supervised visits. Visits were to be supervised by the guardian.

Guardian contends that through her actions Mom has demonstrated that she is not fit to be a full time mother to the minor. She does not work and has no means of supporting herself and the minor.

**Court Investigator Samantha Henson's Report filed on 5/5/14.**

**Visitation Order [Tulare County] dated 11/8/12:**

- Mother shall have visitation on the 1<sup>st</sup>, 2<sup>nd</sup> and 4<sup>th</sup> weekends of the month from Saturday at 12:00 p.m. until Sunday at 6:00 p.m. and every Tuesday from 12:00 p.m. until 6:00 p.m.
- Mother shall be entitled to have 4 hours visitation during major holidays and the child's birthday.

**Visitation Order [Tulare County] dated 4/11/13:**

- The previous visitation order of 11/8/12 shall remain in full force and effect with the exception that during the visits child shall not have any contact with the mother's formal boyfriend, Aaron Molina.

**Note:** the Minute Order from 4/11/13 [Tulare County] states the mother shall have supervised visits as previously ordered however the previous visitation order (11/8/12) did not include supervised visits.