

1 Taylor Lynn and Byron Michael Cheek (GUARD/P) Case No. 08CEPR00940
Atty Ruiz, Richard A. (for Tania Cheek – mother/Petitioner)
Atty Mathes, Karen L. (for Terry & Linda Cheek – paternal grandparents/guardians)
Order to Appear

	TERRY CHEEK and LINDA CHEEK , paternal grandparents, were appointed as guardians on 12-1-08.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Examiner's Notes:</p> <ul style="list-style-type: none"> The Order of 3-18-14 that is referenced in the joint status report vacated the trial date pending resolution of the disqualification motion and relieved the parties from filing trial briefs, witness lists, and any other documents relating to the "hearing" (trial). Visitation orders are set forth in Minute Orders 1-31-13, 7-24-13, and 2-11-13. The attorneys were sent notice of this hearing on 4-25-14; however, as of 5-30-14, no status report has been filed pursuant to Local Rule 7.5 regarding either resetting the trial date or regarding the current visitation status.
	TANIA CHEEK , mother, filed a petition for termination of the guardianship, which was denied on 7-24-13.	
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>On 7-24-13, the Court referred the case to CPS to check on who is living in the home with the child and its safety. DSS Social Worker Keith Hodge was present in Court. Mr. Hodge was asked to submit a report to the Court and to the other parties. The Court ordered a marginal increase in visitation between the mother and the children and set a status hearing for 2-11-14.</p> <p>On 2-11-14, the matter was set for trial on 3-24-14; however, on 3-11-14, Karen Mathis, attorney for Guardians, filed a Statement of Disqualification of Judge Robert Oliver. The trial date was vacated pending resolution of the motion for disqualification. On 4-1-14, Madera Superior Court Judge Charles A. Wieland denied the challenge/disqualification. Judge Oliver thereafter filed an Answer and set a status hearing for 4-24-14 re: visitation for 4-24-14.</p> <p>On 4-23-14, Attorneys Mathes and Ruiz filed a joint status statement requesting to vacate the status hearing and proceed pursuant to the Court's order of 3-18-14; however, the document was not filed timely and further was not filed as an ex parte request for order; therefore appearance was required at the hearing on 4-24-14.</p> <p>On 4-24-14, there were no appearances. The Court set this hearing as a courtesy to counsel to choose a hearing date for evidentiary hearing to accommodate all parties' calendars. The Order to Appear was mailed to the attorneys on 4-25-14.</p>	
		Reviewed by: skc
		Reviewed on: 5-30-14
		Updates:
		Recommendation:
		File 1A – Cheek

DOD: 9-9-09		<p>STEPHEN J. GOODALL, son and Executor with full IAEA without bond, is Petitioner.</p> <p>Petitioner states no Inventory and Appraisal was filed in this proceeding because no property has come into the estate. When the probate was initially opened, it was anticipated that the decedent would receive \$50,000.00 from her ex-spouse.</p> <p>However, here is no property of any kind belonging to the estate and subject to administration.</p> <p>Petitioner requests that the probate proceedings be terminated and that he be discharged as personal representative of the estate.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Notice of hearing was not served on Herman Banks, former spouse, pursuant to request for special notice filed 7-14-10.</p>	
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<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			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
<p>Reviewed by: skc</p>				
<p>Reviewed on: 6-2-14</p>				
<p>Updates:</p>				
<p>Recommendation:</p>				
<p>File 2 – Goodall</p>				

Probate Status Hearing Re: Failure to File First Account or Petition for Final Distribution [Prob. C. 12200, et seq.]

DOD: 7/29/2010	FRANK SCOTT HINE was appointed Administrator with Full IAEA and bond set at \$118,260.00 on 1/5/2011.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need First Account, Petition for Final Distribution 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>
	Minute order dated 6/15/2012 states the court orders bond set at \$45,000.00 and Limited IAEA authority.	
	Bond of \$45,000.00 filed on 8/10/12.	
	Letters issued 10/24/12.	
	Inventory and Appraisal filed on 6/6/2012 showing the estate valued at \$134,550.00	
	Creditor's Claims filed:	
	CitiBank - \$12,563.66	
	DCM Services - \$ 260.80	
	Frank Hine - \$ 4,743.41	
	Donna Langley - \$17,625.99	
	Wesley Langley - \$ 1,397.38	
	FTB - \$ 2,660.09	
	FTB - \$ 4,337.54	
	Total \$43,689.17	
	Former Status Report filed 9/9/13 states Mr. Krbechek met with Mr. Hine since the last status conference. Mr. Hine will be present in court on 9/13/13 to provide updated information regarding the status of the estate. The beneficiary of the estate is the decedent's minor daughter, Noelle Hine. Ms. Hine will turn 18 before the end of this year. Mr. Hine has been making all the monthly payments on the house and the loan is current. Ms. Hine's future is uncertain and she is not ready to own a house. Thus, it is in the best interest of the estate that the house be sold. The personal representative will provide an update regarding the status of the property listing at the next hearing.	
Cont. from 062113, 080213, 091313, 111513, 31714, 040214, 042214		
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		
		Reviewed by: KT
		Reviewed on: 5/30/14
		Updates:
		Recommendation:
		File 3A - Hine

Former Status Report of Randolph Krbechek filed on 11/14/13 states he has met with Mr. Hine several times since the last hearing. Mr. Hine reports that he has completed most of the tasks to close the estate. The home is listed for sale and is in good, saleable condition. It is anticipated that they will be receiving offers in the foreseeable future. Sale of the real property must be confirmed by the court.

Order Confirming Sale of Real Property was signed on 4/22/14.

Probate Status Hearing Re: Filing Blocked Account Receipt

DOD: 7/29/2010	FRANK SCOTT HINE was appointed Administrator with Full IAEA and bond set at \$118,260.00 on 1/5/2011.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>2. Need Receipt for Blocked 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>
	Minute order dated 6/15/2012 states the court orders bond set at \$45,000.00 and Limited IAEA authority.	
Cont. from	Bond of \$45,000.00 filed on 8/10/12.	
Aff.Sub.Wit.	Letters issued 10/24/12.	
Verified	On 4/22/14 the court signed an Order Confirming Sale of Real Property. The Order required the proceeds from the sale be placed into a blocked account. This status hearing was set for the filing of the Receipt for Blocked Account.	
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		
		Reviewed by: KT
		Reviewed on: 5/30/14
		Updates:
		Recommendation:
		File 3B – Hine

DOD: 5-30-13		SPECIAL ADMINISTRATION EXPIRES 12-6-14	NEEDS/PROBLEMS/COMMENTS:
	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		
<p>ERIC SCHLOEN, Special Administrator, is Petitioner.</p> <p>Petitioner states it was originally alleged that the value of the assets subject to probate was \$0 (zero). Petitioner has diligently searched for assets but has not discovered any property of any kind that would be subject to administration and at all times this estate has been insolvent.</p> <p>There are no costs, expenses or premiums on surety bonds incurred including but not limited to funeral costs and attorney fees. No requests for special notice have been filed. Consistent with Probate Code §9202, written notice was given to the California Dept. of Health Care Services Estate Recovery Division and the Franchise Tax Board's Probate Unit.</p> <p>The Special Administrator has concluded the reason and purpose of the estate so there is no longer any need for continued administration. Medi-Cal eligibility has been established.</p> <p>Petitioner prays for an order terminating proceedings for administration of the estate and discharging petitioner as personal representative.</p>			<p>Reviewed by: skc</p> <p>Reviewed on: 6-2-14</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 4 – Garcia</p>

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

DOD: 02/06/2014	MARGARET REYNOLDS , named executor/spouse without bond, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Full IAEA - ok</p> <p>Will dated: 05/08/1988</p> <p>Residence: Kerman Publication: The Kerman News</p> <p>Estimated value of the Estate:</p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$548,399.14</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$331,451.45</td> </tr> <tr> <td>Total</td> <td>-</td> <td>\$879,850.59</td> </tr> </table> <p>Probate Referee: Steven Diebert</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Tuesday, 11/04/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Tuesday, 08/04/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>	Personal property	-	\$548,399.14	Real property	-	\$331,451.45	Total	-	\$879,850.59
Personal property	-		\$548,399.14								
Real property	-		\$331,451.45								
Total	-		\$879,850.59								
Cont. from											
<input type="checkbox"/> Aff.Sub.Wit.	s/p										
<input checked="" type="checkbox"/> Verified											
<input type="checkbox"/> Inventory											
<input type="checkbox"/> PTC											
<input type="checkbox"/> Not.Cred.											
<input checked="" type="checkbox"/> Notice of Hrg											
<input checked="" type="checkbox"/> Aff.Mail											
<input checked="" type="checkbox"/> Aff.Pub.											
<input type="checkbox"/> Sp.Ntc.											
<input type="checkbox"/> Pers.Serv.											
<input type="checkbox"/> Conf. Screen											
<input checked="" 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											
<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: LV									
		Reviewed on: 05/30/2014									
		Updates: 06/02/2014									
		Recommendation: Submitted									
		File 6 – Reynolds									

7 LD Broadwater (Det Succ)

Case No. 14CEPR00394

Atty Herold, Kim M. (for Frances Gomez and Gwen Kliever – daughters/Petitioners)

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

DOD: 02/27/14	FRANCES GOMEZ and GWEN KIEWER, daughters, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
	40 days since DOD.	
Cont. from	No other proceedings.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	I & A - \$130,000.00	
<input checked="" type="checkbox"/> Inventory	Decedent died intestate.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Petitioners request Court determination that decedent's 100% interest in real property located at 5725 E. Bernadine pass to them in equal shares pursuant to intestate succession.	
<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		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 05/30/14
		Updates:
		Recommendation: SUBMITTED
		File 7 – Broadwater

Age: 9		LONDELL MAIDEN , father, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
DOB: 02/09/2005			
		JOSEPHINE YBARRA and ANGEL YBARRA , maternal grandparents, were appointed guardians on 05/14/2009.	1. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Visitation for: <ul style="list-style-type: none"> • Josephine Ybarra (Co-Guardian/Maternal Grandmother) • Angel Ybarra (Co-Guardian/Maternal Grandmother) • Lea Carmen Ybarra (Mother) • Paternal Grandparents (Unknown)
Cont. from		Mother: LEA CARMEN YBARRA	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Paternal Grandparents: Unknown	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Petitioner states: so she will know she is loved and wanted and to know her father.	
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		x
<input 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 type="checkbox"/>	Order		n/a
<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: LV
			Reviewed on: 06/02/2014
			Updates:
			Recommendation:
			File 8 – Ybarra

Petition for Termination of Guardianship

Age: 16	DOLORES ERISMAN , guardian/maternal grandmother, is petitioner. Petitioner was appointed guardian on 05/06/2010.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Gregory Gray (Paternal Grandfather)
Cont. from	Father: MATHEW LEE GRAY , Consents and Waives Notice	
<input type="checkbox"/> Aff.Sub.Wit.	Mother: KIMBERLY OLIVIA CRABTREE GRAY , Consents and Waives Notice	
<input checked="" type="checkbox"/> Verified	Paternal Grandfather: Gregory Gray	
<input type="checkbox"/> Inventory	Paternal Grandmother: Carol Morrow, Consents and Waives Notice	
<input type="checkbox"/> PTC	Maternal Grandfather: Ralph Crabtree, Consents and Waives Notice	
<input type="checkbox"/> Not.Cred.	Petitioner states it is in the best interest of the child that the guardianship be terminated as the petitioner is going to be 86 this June and can no longer care for the child. Petitioner states that even though she is terminating the guardianship she loves the child very much and hopes that she will be brought back to the same sweet, loving and caring girl that she used to be.	
<input type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Aff.Mail	<input checked="" type="checkbox"/>	
<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	Petitioner states that she has searched for the paternal grandfather, Gregory Gray. She found someone by that name but it was not him.	
<input type="checkbox"/> CI Report	Court Investigator Julie Negrete's report filed 05/27/2014.	
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
Reviewed by: LV		
Reviewed on: 05/30/2014		
Updates:		
Recommendation:		
File 9 – Gray		

10 Alize Nevaeh Lopez (GUARD/P)
Atty Ayala, Aurelia (pro per – guardian/objector)
Atty Ayala, Francisca (pro per – mother/Petitioner)

Case No. 12CEPR00636

Petition for Termination of Guardianship

Age: 6	FRANCISCA AYALA , mother, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Termination of Guardianship or Consent & Waiver of Notice or Declaration of Due Diligence</i> for: <ol style="list-style-type: none"> a. Aurelia Ayala (maternal grandmother/guardian) b. Gabriel Lopez (father) c. Maternal grandfather d. Paternal grandparents
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.	Father: GABRIEL LOPEZ	
<input checked="" type="checkbox"/> Verified	Paternal grandparents: NOT LISTED	
<input type="checkbox"/> Inventory	Maternal grandfather: NOT LISTED	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/> Petitioner states [Petitioner does not provide a reason that the guardianship should be terminated.]	
<input type="checkbox"/> Aff.Mail	<input checked="" type="checkbox"/>	
<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 checked="" type="checkbox"/> Objections	Objection to Termination of Guardianship filed 05/28/14 by Guardian, Aurelia Ayala, states: she does not believe it is in the best interest of Alize that the guardianship be terminated. She provides Alize a stable home and routine. The mother works long hours and does not have the time to provide Alize with the attention she needs.	
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report	Court Investigator Dina Calvillo filed a report on 05/29/14.	
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 05/30/14
		Updates:
		Recommendation:
		File 10 – Lopez

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

Age: 3 months	<p align="center"><u>NO TEMPORARY REQUESTED</u></p> <p>IRMA MORA, paternal aunt by marriage, is Petitioner.</p> <p>Father: SANTOS J. VILLA – <i>deceased</i></p> <p>Mother: AMBER ROBINSON – <i>Consent & Waiver of Notice filed 03/28/14</i></p> <p>Paternal grandfather: ADAN VILLA - <i>deceased</i></p> <p>Paternal grandmother: HERMELINDA SANCHEZ – <i>served by mail on 05/19/14</i></p> <p>Maternal grandfather: NOT LISTED</p> <p>Maternal grandmother: YOLANDA AVILES – <i>currently incarcerated</i></p> <p>Petitioner states that the mother is currently in drug treatment and consents to the guardianship. Father is deceased.</p> <p>Court Investigator Charlotte Bien filed a report on 05/20/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for:</p> <p>a. Maternal grandfather (not listed)</p> <p>b. Yolanda Aviles (maternal grandmother) Note: proof of service filed 05/19/14 indicates that Ms. Aviles was served in care of Jim Lamber. Service in care of another is insufficient.</p>	
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail			w/
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			n/a
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input checked="" type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
		<p>Reviewed by: JF</p> <p>Reviewed on: 05/30/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 – Villa</p>	

Atty Hetzer, Heather H. (pro per – maternal grandmother/Petitioner)

Atty Hetzer, Jason K. (pro per – maternal grandfather/Petitioner)

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

Age: 11 months	<u>NO TEMPORARY REQUESTED</u>		NEEDS/PROBLEMS/COMMENTS: 1. Proof of service filed 05/19/14 regarding service to Beth Lee, maternal grandmother, does not indicate that a copy of the Petition was served along with the Notice of Hearing as required.
	HEATHER H. HETZER and JASON HETZER, maternal grandparents, are Petitioners.		
	Father: GANNON BEST – personally served on 05/16/14		
Cont. from	Mother: RAVEN HETZER – Consent & Waiver of Notice filed 03/28/14		
Aff.Sub.Wit.	Paternal grandfather: TAD BEST - deceased		
✓ Verified	Paternal grandmother: BETH LEE – served by mail with Notice of Hearing only on 05/19/14		
Inventory	Petitioners state that guardianship is necessary to ensure the safety and health of the minor. The father of the child has, on more than one occasion, bitten the child (once on the face and once on the arm). The mother tried to cover it up and continued to allow the father to take the minor without supervision. CPS became involved and the parents agreed that they need help. Further, the minor has not been to the doctor since he was 2 months old.		
PTC	Court Investigator Charlotte Bien filed a report on 05/23/14.		
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: JF
			Reviewed on: 05/30/14
			Updates:
			Recommendation:
			File 12 - Best

Atty Pape, Jeffrey B., of Pape & Shewan (for Petitioner Claudine M. Walker)

Petition for Modification of Trust Terms [Prob. Code 15403, 17200, subd. (b)(3)]

		<p>CLAUDINE WALKER, Trustor, is Petitioner.</p> <p>Petitioner seeks modification of the terms of the Trust based upon the following:</p> <ul style="list-style-type: none"> • TCA TRUSTCORP AMERICA currently serves as Trustee of the Trust (<i>copy of Trust attached as Exhibit A; copy of Acceptance of Appointment as Successor Corporate Trustee attached as Exhibit B</i>); • The Trust was created by Petitioner for the lifetime benefit of her daughter, PEGGY LYNN MEHLING, and thereafter for the benefit of Trustor's grandchildren; • Per Trust terms, upon the death of Petitioner, the Trustee is to receive the proceeds of all life insurance policies and shall hold, manage and distribute the trust estate [<i>for the benefit of the Beneficiary for maintenance and support in health and reasonable comfort and for education</i>]; • Petitioner seeks modification of the provisions appointing successor trustees to provide flexibility in the Trust administration before and after the death of the Trustor (Petitioner); • The Trust currently only allows a bank or trust company to act as a successor trustee; • TCA TRUSTCORP AMERICA, the current Trustee which is the second bank or trust company to act as Trustee, has tendered its resignation; <i>copy of Resignation as Corporate Trustee attached as Exhibit C</i>); • BRUCE D. BICKEL, as private professional trustee, is currently named in the Trustor's other estate planning documents, and Petitioner wishes to make the administration among her various trusts consistent; • Trust terms regarding Appointment of Successors provide [that the adult beneficiaries may by majority action in writing appoint a successor trustee which shall be a bank or trust company]; • Petitioner seeks a modification of Trust terms to read that [if the Trustee resigns or ceases to serve then BRUCE D. BICKEL shall be Trustee; if he resigns then the adult beneficiaries may by majority action in writing appoint a successor trustee which shall be a bank or trust company]; <p align="center"><i>~Please see additional page~</i></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
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	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>Reviewed by: LEG</p> <p>Reviewed on: 5/30/14</p> <p>Updates:</p> <p>Recommendation: File 13 – Walker</p>

Petitioner states, continued:

- Per Trust terms, **PEGGY LYNN MEHLING** has a Power of Appointment to appoint any remaining balance of the Trust estate; Petitioner seeks a modification of the Trust to delete the Power of Appointment; Trust terms as modified would provide that on the death of the Beneficiary, the Trustee shall distribute the remaining trust balance to the Trustee named in the Trust for the uses and distribution provided [in the Trust];
- At the time Petitioner executed the Trust, Petitioner was not aware that the Power of Appointment was included in the Trust language which allowed **PEGGY LYNN MEHLING** to appoint any remaining balance of the Trust upon her death; this Power of Appointment was inconsistent with another insurance trust executed by Petitioner that same day, known as the **CLAUDINE M. WALKER INSURANCE TRUST II**, which did not include a Power of Appointment for the Beneficiaries of that Trust;
- In addition, this Power of Appointment was inconsistent with Petitioner's other estate planning documents; the inclusion of the Power of Appointment language in the Trust was in error;
- All the named Beneficiaries of the Trust have consented to the modification of the Trust, attached as *Exhibit D*;
- Probate Code § 15403 provides that if all the beneficiaries of an irrevocable trust consent, they may compel modification of the Trust on petition to the Court, provided the proposed modification will not interfere with carrying out a material purpose of the trustor in creating the trust;
- The proposed modification of the Trust will not defeat a material purpose of the Trust, but rather will serve to carry out the intent of the Trustor in establishing the Trust.

Petitioner requests the Court approve the modification of the Trust regarding the Power of Appointment, and regarding the appointment of successor trustees.