



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

1 Thomas Pardo & Precious Pardo (GUARD/P)

Case No. 07CEPR00689

Petitioner Asher, Patricia (Pro Per – Maternal Grandmother)

Petition for Appointment of Guardian of the Person

		TEMPORARY EXPIRES 06/07/2016	NEEDS/PROBLEMS/COMMENTS:
		PATRICIA ASHER , maternal grandmother, is petitioner	
		<u>Please see petition for details</u>	<ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal 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"> • Santiago Hernandez (Father of Thomas) • Manuel Pardo (Father of Precious) 3. 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"> • Paternal Grandparents (of Thomas) – Not Listed • Paternal Grandparents (of Precious) – No Listed • Maternal Grandfather – Not Listed 4. UCCJEA is incomplete. Need minor's residence information for the past 5 years.
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	x	
	Aff.Mail	x	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	x	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report	x	
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: LV
			Reviewed on: 06/02/2016
			Updates:
			Recommendation:
			File 1- Pardo

2 Ulises Chavez (GUARD/P)

Case No. 09CEPR01014

Petitioner: Raina Salinas (pro per)

Attorney: Miguel Jimenez (for Guardian Antonio Contreras)

Petition for Termination of Guardianship

		RAINA SALINAS, mother, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute order dated 4/25/16 states Veronica Sanchez is present in court and represents that Raina Salinas, mother, is unable to be present in court this morning due to being hospitalized. Matter is continued to 6/7/16; proper service needs to be effected.</p> <p>1. Need proof of service of the Notice of Hearing or declaration of due diligence on:</p> <ul style="list-style-type: none"> a. Ulises Chaves (father) b. Filimon Chaves (paternal grandfather) c. Ramon Salinas (maternal grandfather)
		Please see petition for details.	
		Objections to Termination of Guardianship with POS filed by Antonio Chavez on 4/12/16.	
Cont. from 042516		Court Investigator Jennifer Young's Report filed on 4/19/16.	
	Aff.Sub.Wit.		
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	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail		
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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: KT
			Reviewed on: 6/2/16
			Updates:
			Recommendation:
			File 2- Chavez

3A Christine Dhooghe (CONS/PE) Case No. 13CEPR00111

Attorney Teixeira, J. Stanley (for Beverly Ann Hall – Petitioner – Conservator)

Second Account and Report of Conservator, Petition for Allowance of Fees for Attorney

		BEVERLY ANN HALL , Sister and Conservator of the Person and Estate, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page 3B is a Petition to Fix Residence Outside the State of California.</p> <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> Tuesday, March 06, 2018 at 9:00 a.m. in Department 303, for the filing of third account. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
		Account period: 02/01/2014 through 12/31/2015	
Cont. from		Accounting: \$114,011.65	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH: \$66,121.73	
<input checked="" type="checkbox"/>	Verified	Ending POH: \$49,019.64	
<input type="checkbox"/>	Inventory	Conservator: Not requested	
<input type="checkbox"/>	PTC	Attorney Teixeira: \$2,500.00	
<input type="checkbox"/>	Not.Cred.	(Per Local Rule 7.16B4)	
<input checked="" type="checkbox"/>	Notice of Hrg	Current Bond: \$182,600.00	
<input checked="" type="checkbox"/>	Aff.Mail	Petitioner requests an order:	
<input type="checkbox"/>	Aff.Pub.	1. Approving, allowing and settling the account and report as filed;	
<input type="checkbox"/>	Sp.Ntc.	2. Authorizing payment to Attorney Teixeira in the amount of \$2,500.00 for services to the conservatorship estate;	
<input type="checkbox"/>	Pers.Serv.	3. Any and all further relief that the Court deems just and proper.	
<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 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 type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 06/02/2016
			Updates:
			Recommendation:
			File 3A- Dhooghe

		BEVERLY ANN HALL , Sister and Conservator of the Person and Estate, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Pursuant to Probate Code 2352 the conservator must serve a <i>Pre-Move Notice of Proposed Change of Personal Residence of the Conservatee</i> (Judicial Council form #GC-079) on all those entitled to notice at least 15 days prior to the proposed move and then file the original with the court. After the move the Conservator must serve the a <i>Post-Move Notice of Change of Residence of the Conservatee</i> (Judicial Council form #GC-080) on all those entitled to notice within 30 days of the move and then file the original with the court.</p> <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> Tuesday, November 8, 2016 at 9:00 a.m. in Department 303, for the proof of the establishment of a Conservatorship or its equivalent in Nevada. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
		Petitioner requests the Court authorize that the residence for the Conservatee be fixed outside the State of California to the following location:	
Cont. from		1946 Thunderstorm Ave. North Las Vegas, NV 89032	
<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		
Reviewed by: LV			
Reviewed on: 06/03/2016			
Updates:			
Recommendation:			
File 3B- Dhooghe			

Attorney Eric R. Brown, of Carmichael (for Petitioner Lee X. Yang, Administrator)
 Attorney Marvin T. Helon (Court-appointed Guardian ad Litem for minor beneficiaries)
 Attorney William C. Seiffert (for Jason Yang, Claimant)

First Account and Report of Status Administration

DOD: 1/16/2014	LEE X. YANG , nephew, was appointed Administrator with Full IAEA Authority without bond on 7/7/2014. Letters issued on 7/23/2014.	NEEDS/PROBLEMS/COMMENTS:
		Page 4B is the <i>Petition to Determine Ownership</i> .
		Page 4C is the <i>Petition to Allow Late Filing of Claim Against Estate</i> .
Cont. from 042315, 110215, 022216, 031516, 050316	Account period: 7/23/2014 – 9/16/2015 Accounting - \$319,500.00 Beginning POH - \$319,500.00 Ending POH - \$319,500.00 (real property on 489 Silva Ave., Marysville, Yuba County; no cash)	Continued from 5/3/2016. Minute Order states this matter is continued to the date of the <i>Petition to Allow Late Filing of Claim Against Estate</i> set for 6/7/2016. Any additional paperwork is to be filed at least one week prior to 6/7/2016. The Court orders appointment of a guardian ad litem for the minors.
<input type="checkbox"/> Aff.Sub.Wit.		Note: <i>Ex Parte Order Appointing Counsel</i> filed 5/9/2016 appoints Attorney MARVIN T. HELON as Guardian ad Litem for the minors listed in the chart on the Third Additional Page.
<input checked="" type="checkbox"/> Verified		~Please see additional page~
<input checked="" type="checkbox"/> Inventory	Administrator states:	
<input checked="" type="checkbox"/> PTC	<ul style="list-style-type: none"> During the period of administration, all 8 of Decedent's children disclaimed, and written disclaimers were filed with the Court; With all children having disclaimed, the Decedent's surviving spouse, CHA YANG LEE, was the only heir at law claiming an interest in the Decedent's estate; However, Decedent's spouse CHA YANG LEE died on 5/11/2015; Prior to her death, she established the CHA YANG LEE LIVING TRUST dated 4/23/2015 (copy of Trust attached as Exhibit A); the Trustee is the son of Decedent, CHOU DOUA LEE; The CHA YANG LEE LIVING TRUST became irrevocable upon the death of CHA YANG LEE; The CHA YANG LEE LIVING TRUST has not completed administration, nor has any probate proceeding been filed in any Court regarding CHA YANG LEE'S estate; The CHA YANG LEE LIVING TRUST provides a special gift of the Trustor's [CHA YANG LEE'S] interest in the Yuba County real property asset of the estate of NHIA YER LEE to a third party, SAO V. YANG, Settlor's cousin, and PHANG YANG, her husband, or to the survivor of them; 	
<input checked="" 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 072314		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 9202		
<input type="checkbox"/> Order X		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		
	~Please see additional page~	
		Reviewed by: LEG
		Reviewed on: 6/2/16
		Updates:
		Recommendation:
		File 4A - Lee

Administrator states, continued:

- As Trustee of the Trust, **CHOU DOUA LEE** will petition this Court for an order compelling the Administrator of the Estate of **NHIA YER LEE** to convey the real property asset of the instant probate estate to the special gift beneficiary under the Trust, at such time as when the probate estate is ready to be closed;
- Petitioner believes that a petition under the authority of Probate Code § 850 will be submitted by the Trustee within a reasonable time following the status hearing in this probate matter;
- The estate will not be in a position to be closed until the resolution of the § 850 petition, as yet unfiled, seeking to compel the Administrator to transfer the estate real property asset to the Trust special gift beneficiary;
- Since **CHA YANG LEE** received Medi-Cal benefits at the end of her life, the § 850 petition will be required to provide notice of any hearing to the Director of Health Care Services;
- The Administrator estimates the filing of the § 850 petition within 30 days of the 9/30/2015 Status Hearing, and to have a hearing set on the Court's calendar;
- Following the hearing on the § 850 petition and an order thereon, the Administrator will file a petition for final distribution within 15 days thereafter.

NEEDS/PROBLEMS/COMMENTS, continued:

Note: The probate proceeding of the instant estate initiated on **5/5/2014**, and is represented to contain a sole asset: **100%** fee simple interest in real property in Yuba County located at 489 Silva Ave., Marysville, with title held by Decedent as his sole and separate property. *Petition* states that based upon all 8 children of Decedent having disclaimed their **1/12th** interest in the sole estate asset (the real property in Yuba County), the Decedent's surviving spouse, **CHA YANG LEE**, who died on **5/11/2015**, was the only heir at law claiming an interest in the Decedent's estate. Probate Code § 282(a) provides that the interest disclaimed shall descend, go, be distributed, or continue to be held as if the disclaimant had predeceased the creator of the interest. The effect of the disclaimers, coupled with the subsequent death of Decedent's spouse, is that pursuant to Probate Code §§ 6401 and 6402, the intestate heirs of Decedent's separate property are: (a) the Estate of **CHA YANG LEE** at **1/3** interest; and (b) all of the issue of the Decedent's 8 children at a total of **2/3** interest.

The following issues from the last hearing remain:

1. The Yuba County real property asset of the instant Estate of **NHIA YER LEE** is distributable to the Estate of **CHA YANG LEE** at **1/3** interest, and to all of the issue of the Decedent's 8 children at **2/3** interest, pursuant to the 8 disclaimers by Decedent's children filed on 3/9/2015. [Note: Assignments executed by the 8 children would have resulted in the entire real property interest passing to the Estate of **CHA YANG LEE**, as it appears was the intent.] Court records do not show a personal representative has been appointed for the Estate of **CHA YANG LEE** to receive distribution of **CHA YANG LEE'S 1/3** interest in the Yuba County real property.
2. Decedent's grandchildren who succeed to an undivided **2/3** interest in the estate real property are all minors. Local Rule 7.12.4(B) provides that where real property is to be distributed in undivided interests to minors, Petitioner must submit a detailed declaration documenting the need for such distribution and why it would be in the minors' best interests.

~Please see additional page~

Dept. 303, 9:00 a.m. Tuesday, June 7, 2016

4A Second Additional Page, Nhia Yer Lee (Estate) Case No. 14CEPR00403

NEEDS/PROBLEMS/COMMENTS, continued:

- Petition states the **CHA YANG LEE LIVING TRUST** was created by Decedent's spouse on **4/23/2015**. (The hearing date for the *First and Final Report of Administrator on Waiver of Account* filed 3/9/2015 for the instant estate was also **4/23/2015**, which was continued by attorney request and no appearance was required on that date.) The Trust lists on its *Schedule of Trust Assets* the same subject real property in Yuba County that is the sole asset of Decedent **NHIA YER LEE'S** estate. It appears the Probate Code § 850 petition that Petitioner states is contemplated by the Trustee of the **CHA YANG LEE LIVING TRUST dated 4/23/2015**, that will seek to convey the real property asset of the instant probate estate to the special gift beneficiary under the Trust, would be an improper petition based upon the fact that the Settlor **CHA YANG LEE** did not own the Yuba County real property or any interest in it on **4/23/2015** when it was purportedly transferred to her trust.

[Verified] Report of Status of Administration verified by Administrator and filed 2/8/2016 states:

- At the previous hearing on 11/2/2015, the Administrator advised the Court that the estate is not yet in a condition to be closed;
- Following the hearing on the *Petition by Administrator to Determine Ownership of Third Party and for Order Authorizing and Directing Conveyance of Real Property from Estate to Third Party* set for 3/15/2016, the estate will be in a condition to be closed;
- At the time of death, Decedent was a resident of Fresno County; he was survived by a spouse **CHA YANG LEE**, and his 8 natural children: **CHOU DOUA LEE, MAYBO LEE, EAGLE LEE, ANNIE LEE, MAI PADO LEE, KHOU LEE, PANA LEE, and LISA LEE**;
- The estate consists of the separate property of Decedent, a single asset parcel of real property on Silva Avenue in Yuba County California [*Decedent resided in and died in Fresno, hence the probate proceeding commenced in Fresno*];
- Decedent's heirs at law are his 8 children; each of his children disclaimed, and the children of each disclaimant, all of whom are the grandchildren of Decedent [*are listed in the chart on the Third Additional Page*];
- Decedent's spouse **CHA YANG LEE**, died 5/11/2015; prior to her death she established the **CHA YANG LEE LIVING TRUST dated 4/23/2015**; the successor and currently acting Trust is **CHOU DOUA LEE**, the son of Decedent and **CHA YANG LEE**;
- If the *Petition by Administrator to Determine Ownership of Third Party and for Order Authorizing and Directing Conveyance of Real Property from Estate to Third Party* set for 3/15/2016 is granted, the Administrator will convey the property [*subject to this proceeding*] to the third party named in the Petition;
- The property is the sole asset of the probate estate, and distribution of the property following the Court's ruling on the Petition will be the final step of administration;
- The estate will not be in a position to be closed until the resolution of the Petition; following the Court's ruling on the Petition, the Administrator will be in a position to distribute and convey the real property, and the estate will be ready to be closed within less than **30 days** thereafter.

Petitioner prays for an Order of the Court that the Report of Status of Administration be allowed and approved as filed.

~Please see additional page~

Dept. 303, 9:00 a.m. Tuesday, June 7, 2016

PROPOSED DISTRIBUTION CHART: Decedent's 8 children disclaimed their interests in the estate property; Decedent's post-deceased spouse and minor grandchildren now succeed to the estate property. For the purposes of determining proper distribution of the instant estate, the names, ages, and relationships to Decedent **NHIA YER LEE** of all of his intestate heirs are as follows:

1. One-third interest to Post-deceased spouse of Decedent: **CHA YANG LEE**
2. Two-thirds interest to minor grandchildren of Decedent:

Child of Decedent ▶	Grandchild of Decedent	Grandchild of Decedent	Grandchild of Decedent
CHOU DOUA LEE ▶ (disclaimed)	ADEN LEE (age 16)	CALVIN LEE (age 11)	MADELYNN LEE (age 5)
ANNIE LEE ▶ (disclaimed)	KIMBERLINA XIONG (age 11)		
MAI PADO LEE ▶ (disclaimed)	EVELYN XIONG (age 8)	HUNTER XIONG (age 5)	TYTUS XIONG (age 2)
KHOU LEE ▶ (disclaimed)	ALVIN VUE (age 7)	KATARA VUE (age 3)	ELLESAH VUE (age 1)
PANA LEE ▶ (disclaimed)	DILYLAH THAO (age 4)	PAIGE THAO (age 2)	CARTER THAO (age 1)
MAYBO LEE (disclaimed)			
EAGLE LEE (disclaimed)			
LISA LEE (disclaimed)			

Attorney Eric R. Brown, of Carmichael (for Petitioner Lee X. Yang, Administrator)
 Attorney Marvin T. Helon (Court-appointed Guardian ad Litem for minor beneficiaries)
 Attorney William C. Seiffert (for Jason Yang, Claimant)

Petition by Administrator to Determine Ownership of Third Party and for Order Authorizing and Directing Conveyance of Real Property from Estate to Third Party

DOD: 1/16/2014	LEE X. YANG, nephew and Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Continued from 5/3/2016. Minute Order states this matter is continued to the date of the <i>Petition to Allow Late Filing of Claim Against Estate</i> set for 6/7/2016. Any additional paperwork is to be filed at least one week prior to 6/7/2016. The Court orders appointment of a guardian ad litem for the minors.
Cont. from 031516, 050316		
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Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Petitioner states:

- At the time of Decedent's death on 1/16/2015, he held title to real property on Silva Avenue in Marysville, California (copy of Grant Deed dated 8/15/2011 and recorded on 8/18/2011, reflecting Decedent as grantee of title as his sole and separate property, Attached as Exhibit 1);
- The property has been inventoried as an asset of Decedent's estate;
- JASON YANG** [any relationship to Decedent or Petitioner unstated] claims the right to title in the property, based on the facts set forth in the Declaration of Jason Yang [attached to the Petition];
- In December 2011, Decedent entered into an oral joint venture business agreement with **JASON YANG** regarding the property;
- The joint venture business agreement was that Decedent would purchase the property, and legal title to the property would be vested in him, although both joint venturers would have an equal ownership interest in the property;
- JASON YANG** would reside at the property and improve it, including construction repairs, maintenance, and landscaping, using his own funds, and would also pay property taxes and all costs, expenses, and taxes as required;

~Please see additional page~

Reviewed by: LEG
Reviewed on: 6/2/16
Updates:
Recommendation:
File 4B- Lee

Petitioner states, continued:

- Decedent and **JASON YANG** planned to sell the property at a point in the future when the residential real estate market improved, and at which [time] it would become profitable, and would then recoup their respective costs and split the remaining profits from the sale proceeds;
- Decedent and **JASON YANG** were raised in the Hmong culture and are part of the larger Hmong community of northern California; a custom among the Hmong community is that joint venture agreements between each other do not involve spouses;
- In the case of the oral joint venture agreement between Decedent and **JASON YANG**, the parties agreed that in the event of one joint venturer's death, the surviving joint venturer would accede to the deceased joint venturer's interest, by right of survivorship;
- Decedent's spouse, **CHA YANG LEE**, agreed to this arrangement, as demonstrated by her execution and recordation of an Interspousal Transfer Deed (*copy of Interspousal Transfer Deed regarding the property executed by Cha Yang Lee on 8/15/2011 and recorded on 8/18/2011 is attached as Exhibit 2*);
- **LEE X. YANG** (Petitioner) and **JASON YANG** spoke on multiple occasions since Petitioner's 7/23/2014 appointment as Administrator of Decedent's estate about conveyance of the property to **JASON YANG**;
- **JASON YANG** advised Petitioner that he claimed title to the property as the surviving joint venturer of the 2011 joint venture agreement between Decedent and **JASON YANG**;
- At the time of Decedent's death, he was survived by his spouse **CHA YANG LEE** and his 8 children: **CHOU DOUA LEE, MAYBO LEE, EAGLE LEE, ANNIE LEE, MAI PADO LEE, KHOU LEE, PANA LEE, and LISA LEE**;
- Decedent's spouse **CHA YANG LEE**, died 5/11/2015; prior to her death she established the **CHA YANG LEE LIVING TRUST dated 4/23/2015**;
- [**CHOU DOUA LEE, the son of Decedent and CHA YANG LEE**], who is the Trustee of the Trust, agrees to the conveyance of the property to **JASON YANG** as the Trustee of his mother's Trust, and acknowledges the claim of right to ownership of the property by **JASON YANG** and agrees to the transfer of the property to **JASON YANG**;
- Although each of Decedent's children disclaimed, each of them desire for the property to be conveyed to **JASON YANG**, and would not have executed disclaimers if they had known it would impede the transfer of the property to **JASON YANG**;
- Each of the 8 children of Decedent filed disclaimers; each child has submitted a *Declaration [attached to the instant Petition]* acknowledging the claim of right to ownership of the property by **JASON YANG** and indicating their desire to have the property transferred to **JASON YANG**; each disclaimant indicates the reason they disclaimed was to facilitate the transfer of the property to **JASON YANG**; each disclaimant indicates that they would not have disclaimed if he or she believed it would not have facilitated the transfer of the property to **JASON YANG**;
- The disclaimants who have children do not want their children to have an ownership interest in the property because it would not facilitate Decedent's intent to transfer to **JASON YANG**, and the parents do not want their children to have duties and obligations of owning a fractional interest in real property.
- Petitioner requests pursuant to Probate Code § 850(a)(2)(C) that the Court order Petitioner to convey title to the property to **JASON YANG**.

Petitioner prays for an Order:

1. Determining that **JASON YANG** is the true owner of the property; and
2. Authorizing and directing Petitioner to transfer and convey the property to **JASON YANG**, and to execute any documents necessary in order to fully complete the conveyance.

~Please see additional page~

4B Second Additional Page, Nhia Yer Lee (Estate) Case No. 14CEPR00403

Declaration of Jason Yang states in brief sum: He resides at the estate real property located in Marysville; in 2011 he entered into an oral agreement with Decedent in which Decedent would purchase the real property and title would be vested in Decedent; he would reside at the property and improve it; we agreed Decedent's spouse would execute an interspousal transfer deed for Decedent to own the property as his sole and separate property; it was his understanding and expectation after Decedent die that he would become the owner of the entirety of the property; he did not know how to ensure that title would become vested in him, so he spoke with Decedent's surviving spouse about the property and she advised him that she was going to inquire about resorting to the jurisdiction of the probate court, but reassured me that she understood that whatever title to the property that Decedent owned would be transferred to him; he spoke to the Administrator/Petitioner many times since his appointment and told Petitioner of the joint venture and that he intended to assert his right to own the property; he asked Petitioner if there was anything he needed to do in order to ensure Decedent's ownership interest in the property would be transferred to him, and Petitioner told him that he was aware of the joint venture agreement and that Decedent's spouse and all of his children were aware also; Petitioner told him that Decedent's spouse and children agreed that he should receive ownership of the property based on his status as surviving joint venture.

Declaration of Chou Doua Lee states in sum: He is the eldest son of Decedent and Decedent's surviving spouse **CHA YANG LEE** and the Trustee of the **CHA YANG LEE LIVING TRUST dated 4/23/2015**; Decedent was the record legal owner of the real property in Marysville; he is in agreement with the Petition seeking an order from this Court to convey title to the property from his father's estate to **JASON YANG**; he was aware of his father's oral joint venture business agreement with **JASON YANG**; it was his understanding that upon future sale of the property, his father and **JASON YANG** would recoup their respective costs and divide the profits from the sales proceeds; he is aware that when his father and **JASON YANG** entered their agreement, they intended that although his father would hold legal title to the property, the parties considered the property to be a jointly owned asset; in the event of one joint venturer's death, the surviving joint venturer would become sole owner of the entirety of the property; he understood that the agreement included that the spouse of either party would not become the owner of the deceased joint venturer's interest through any assertion of community property interest; that is why his mother executed the interspousal transfer deed that pertained to the property; by executing the disclaimers, he and his siblings intended to allow title of the property to be transferred to his mother in the probate action, so that she could transfer title at the end of the probate action to **JASON YANG**; they have since learned that executing the disclaimers was not the way to transfer title to the property to **JASON YANG**, and they would not have executed the disclaimers if they had known that prior to doing so.

Response to Probate Examiner Notes filed by Attorney Eric Brown for Petitioner LEE X. YANG on 3/14/2016, sans legal citations and in brief sum, states:

- A Petition brought under Probate Code § 850 is the appropriate remedy; the Petition does not involve demand for payment, but involves title to Estate property; Probate Code § 9000(b) expressly exempts disputes regarding title to specific property of a decedent from within the definition of a "claim;" the Administrator's instant petition involves **JASON YANG'S** assertion that he is the owner of real property included in Decedent's estate by right of survivorship as a joint venture in the business agreement he and the Decedent had during the Decedent's lifetime, and includes declarations under penalty of perjury from all persons or entities that could possibly assert an ownership interest in the property, and each declarant indicates agreement and a clear desire to have title to the property transferred to **JASON YANG** as the surviving joint venturer;

~Please see additional page~

Dept. 303, 9:00 a.m. Tuesday, June 7, 2016

Response to Probate Examiner Notes filed by Attorney Eric Brown for Petitioner LEE X. YANG on 3/14/2016, sans legal citations and in brief sum, continued:

- **JASON YANG** claims ownership in the property and the Administrator brought his petition under Probate Code § 850 seeking an order which is the appropriate procedure in such circumstances; the distinction between use of the creditor's claim procedure under Probate Code § 9100 et seq. or a petition under § 850 is discussed in *[practice guide cite omitted]*; the Administrator's petition seeks an order determining that **JASON YANG** is the owner of the estate property, and the petition is properly brought under § 850;
- The reason for seeking an order transferring estate property to **JASON YANG** instead of seeking to have the property transferred to the Trust of Decedent's spouse, the **CHA YANG LEE LIVING TRUST dated 4/23/2015**, is that seeking an order based on a petition under § 850 is in retrospect the correct way to transfer the estate property to **JASON YANG**, which was the intention of all heirs at law from the outset of probate administration;
- The relief sought is not based in contract, but is instead based on **JASON YANG'S** assertion that he is the present owner of the property by right of survivorship, and that he became the owner of the property as a result of the Decedent's death, not that he is entitled to specific performance of an unexecuted contract.

Petitioner LEE X. YANG requests that the Court grant his *[Petition by Administrator to Determine Ownership of Third Party [JASON YANG] and for Order Authorizing and Directing Conveyance of Real Property from Estate to Third Party [JASON YANG]*.

Attorney Eric R. Brown, of Carmichael (for Lee X. Yang, Administrator)
 Attorney Marvin T. Helon (Court-appointed Guardian ad Litem for minor beneficiaries)
 Attorney William C. Seiffert (for Petitioner Jason Yang, Claimant)

Petition to Allow Late Filing of Claim Against Estate; Memorandum of Points and Authorities; Declaration of Jason Yang

DOD: 1/16/2014		<p>JASON YANG, Claimant [any relationship to Decedent or Administrator unstated], is Petitioner.</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> The Administrator failed to send proper and timely notice of administration to Petitioner; The Administrator knew of Petitioner's claim that Petitioner had against Decedent involving ownership of real property located in Marysville, County of Yuba, but represented to Petitioner that Petitioner did no need to submit a claim because transfer of ownership of the Property would occur during, or at the conclusion of, the instant probate proceeding of Decedent's estate; The Administrator was also aware of the terms of the joint venture agreement between the Decedent and Petitioner, in which Petitioner agreed to make improvements to the property, including costs for labor and materials, and Petitioner incurred and paid all costs of improvement and repairs during the term of the joint venture, in an amount which is in excess of \$25,000.00; Petitioner has also paid property taxes from 2012 to the present, in the total amount of \$15,500.00; The Administrator advised Petitioner that he did not need to submit a claim, because his costs would be reimbursed during or at the conclusion of the probate proceedings, in the event that title to the property was not transferred to him; Petitioner relied upon the representations of the Administrator, and did not file a claim within the time permitted under Probate Code § 9100; <p align="center"><i>~Please see additional page~</i></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. <i>Creditor's Claim</i> was filed 4/25/2016 by JASON YANG in the sum of \$319,500.00, stating a date of June 2011, and the facts supporting the creditor's claim as: "specific performance of joint venture agreement." While the Court may allow late claims to be filed against the estate pursuant to the Probate Code, the resort to contract remedies appears to be inappropriate relief sought by Petitioner within the instant Probate proceeding.</p>
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		<p>Reviewed by: LEG</p> <p>Reviewed on: 6/2/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4C- Lee</p>	

Petitioner states, continued:

- In view of the facts, the Administrator should be estopped to deny the failure of Petitioner to submit his claim, or to deny Petitioner's claim as being untimely [*citation to Evidence code and case law omitted*];
- The character of the property of the estate is real property valued at **\$319,500.00**;
- In the alternative, Petitioner seeks reimbursement of his costs in excess of **\$25,000.00** incurred as a result of his performance pursuant to the terms of the joint venture agreement.

Petitioner prays that after due notice and hearing the Court made an order allowing the filing of his claim against Decedent's estate.

Memorandum of Points and Authorities is attached to Petition filed 4/25/2016.

Declaration of Jason Yang in Support of Petition, etc., filed on 4/25/2016 states:

- He is a resident of Yuba County; in about 2011, he entered into an oral joint venture business agreement with the Decedent in which he would purchase the residential real property in Maryville, County of Yuba;
- Their business agreement was that Decedent would purchase the property and title to the property would be vested in him; he would improve the property, including construction repairs, maintenance, and landscaping, using his own funds;
- They then planned to sell the property at a point in the future when the market improved and at which it would become profitable; they would then recoup their respective costs, and would split the remaining profits from the sales proceeds;
- In furtherance of the joint venture agreement, Decedent purchased the property in August 2011 (*copy of Grant Deed attached as Exhibit 1*);
- The oral joint venture agreement was intended as a business arrangement; they agreed that Decedent's spouse, **CHA YANG LEE**, would execute an interspousal transfer deed in which she would convey any community property interest in the property to Decedent (*copy of Interspousal Transfer Deed attached as Exhibit 2*);
- He and Decedent were raised in the Hmong culture and they are part of the larger Hmong community of northern California; a custom amount the Hmong community is that joint venture agreements between each other do not involve spouses; in the case of their oral joint venture agreement, they agreed that in the event of one joint venturer's death, the surviving joint venture would accede to the deceased joint venturer's interest by right of survivorship;
- Decedent died on 1/16/2014, and it was Petitioner's understanding and expectation that as the surviving joint venturer, he would become the owner of the entirety of the property; he did not know how to ensure that title would become vested in him, so he spoke with Decedent's wife about the property; she advised him that she was going to inquire about resorting to the jurisdiction of the probate court, but reassured him that she understood that whatever title to the property that Decedent owned would be transferred to him;
- [further representations of Petitioner omitted];
- Petitioner asked the Administrator if she should undertake any efforts in the probate proceedings to have the Court determine Petitioner as legal owner of the property, and the Administrator told him other than to submit a declaration in support of the petition, Petitioner did not need to;
- Petitioner believes he is the rightful owner of the property by virtue of his oral joint venture agreement with the Decedent;
- In the event legal title to the property is not transferred to him through this proceeding, he is seeking to recoup his costs involved in improvement and maintenance on the property.

First and Final Report of Executor; Petition for Final Distribution and for Allowance of Compensation for Ordinary Services

DOD: 6/15/14		<p>ABIGAIL SERRATO, Executor with Full IAEA without bond, is Petitioner.</p> <p>Petitioner states as of March 4, 2016, all surviving heirs have agreed to waive any accounting requirements. (<i>Examiner's Note: No waivers have been filed.</i>)</p> <p>Petitioner states she was granted limited authority under IAEA with no authority without Court supervision regarding the sale of real property. Petitioner states she has taken no actions and does not intend to take any actions without Court approval and supervision. (<i>Examiner's Note: Order for Probate entered 12/9/14 indicates full authority under IAEA, not limited. See also Letters issued 12/10/14.</i>)</p> <p>I&A filed 6/11/15 reflects \$100,000.00 in insurance proceeds and real property in Madera valued at \$300,000.00 (two parcels), total estate value \$400,000.00.</p> <p>Petitioner states a corrected I&A was filed 2/8/16 showing the amount under her possession or control to be \$419,769.31 and an additional I&A filed 2/8/15 shows an increase as set forth in the amended I&A due in part to collection of interest and inclusion of household furnishings and goods held by the decedent at her death, appraised at \$10,000. (<i>Examiner's note: Court records do not reflect that any corrected or supplemental I&A has been properly filed.</i>)</p> <p>Executor (Statutory): \$11,597.14 (computed on a fee base of \$429,857.31) (<i>See notes.</i>)</p> <p>Attorney (Statutory): \$11,597.14 (computed on a fee base of \$429,857.31) (<i>See notes.</i>)</p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>NEED AMENDED PETITION. See issues noted on following pages.</u></p>
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	Order x		
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	UCCJEA		
	Citation		
✓	FTB Notice		

Reviewed by: skc
Reviewed on: 6/3/16
Updates:
Recommendation:
File 5- Serrato

Page 2

Petitioner states the decedent's estate consists of the following:

- Insurance proceeds from TransAmerica Life Insurance;
- Misc. Household Furnishings;
- Real property in Madera (10 acres)

Petitioner states the estate consists of the separate property of the decedent and **REAL PROPERTY held in JOINT TENANCY and the "10 Acres" in Madera held solely in her name** as set forth in Paragraphs 15 and 17 (emphasis in original). Petitioner states the decedent owned various real property held in joint tenancy with right(s) of survivorship as described in the petition.

Examiner's Note: Real property held in joint tenancy passed outside of probate and is not subject to administration or part of the estate.

Petitioner states the decedent owned real property in Madera (two 5-acre parcels referred to as the "10 acres") located at 16434 North "D" Street and 16438 North "D" Street. The original accounting and appraisal (sic) incorrectly identified this property as 16404 North D Street. A subsequent (amended) Appraisal and Accounting (sic) corrected the address as set forth above.

Examiner's Note: As noted above, Court records do not reflect any corrected or supplemental I&A properly filed and signed by the Probate Referee as to the change in legal description.

Petitioner states the estate consists of the assets described in Exhibit "A" Property On Hand, Proposed Distribution.

Examiner's Note: Exhibit A appears to be a copy of a check made out to the Estate of Oralia Serrato in the amount of \$119,769.30 only; it does not contain a complete schedule of property on hand.

Petitioner states the estate is in a condition to be closed pending resolution of the Madera County property. Petitioner has performed all duties required of her as Executor. All costs of administration incurred to date, including costs of publication, are pending approval by this Court and pending payment.

Petitioner describes disputed items within the estate:

SEE ADDITIONAL PAGES

Page 3

Disputed items maintained within the estate:**Transamerica Life Insurance (Check):** Petitioner states it is alleged that:

1. The decedent prior to her death revoked the trust;
2. The "trust" was never funded prior to the death of the decedent;
3. After the death of the decedent, the original trustee refused to act on behalf of the trust and the original issued check was returned to Transamerica Life Insurance;
4. The ex parte request to distribute the proceeds is hereby withdrawn and all interested parties (heirs) have agreed to an equal distribution of the recovered proceeds by the Executor with the Court's approval.
5. **The sole dispute is now limited to whether the proceeds should be included in the estate's inventory.** (Emphasis in original.)
6. Objection from Attorney Simonian was received asserting that the life insurance proceeds **should not be included in the estate.**

Petitioner requests reimbursement of expenses totaling \$2,602.00 as follows:

- a. Rick Smith, Probate Appraiser \$320.00
- b. Attorney Franz Criego, for publication and filing fees advanced \$1,790.00
- c. Attorney Franz Criego \$495.00 (previously paid)
- d. Attorney Franz Criego \$437.00 (anticipated payment)

Petitioner requests to withhold \$50.00 for closing expenses and liabilities.**Petitioner proposes distribution to the decedent's will as follows:**

To Genaro Serrato: \$22,726.26

To David Serrato: \$22,726.26

To Abigail Serrato: \$22,726.26

To Javier Serrato: \$22,726.26

Petitioner states the parties have agreed to equal distribution of the personal inventoried effects of the decedent inventoried in the amount of \$10,000.00.

Special Notice: Attorney Jeffrey Simonian. *Examiner's Note:* Although Attorney Simonian has appeared at hearings, no one other than the Executor has made any formal appearance in this case and it is unclear who Attorney Simonian represents. No request for special notice has been filed.

SEE ADDITIONAL PAGES

Page 4**Petitioner prays for an order of this Court that:**

1. The administration of this estate be brought to a close without an accounting;
2. The First and Final Report of Executor be settled, allowed and approved as filed;
3. All acts and proceedings of Abigail Serrato, Executor, as reflected in the Petitioner's First (Corrected) and Final Report need to be confirmed, ratified and approved;
4. The Executor has in her possession belonging to the Estate \$119,769.31 in a check yet to be deposited into a bank account. Order the deposit and release of the account so that Petitioner may withdrawal (sic) the funds for distribution, executed in conjunction with this petition.
5. Petitioner is authorized to distribute the estate in the manner set forth in this petition;
6. Petitioner is authorized to reimburse Rick Smith \$320.00 for reasonable and necessary expenses advanced on behalf of the estate;
7. Petitioner be authorized to reimburse Attorney Franz Criego \$2,602.00 for reasonable and necessary expenses advanced on behalf of the estate;
8. Petitioner be authorized to pay herself the sum of \$11,597.14;
9. Petitioner be authorized to pay her attorney, Franz Criego, \$11,597.14 in total compensation for attorney fees;
10. Petitioner is authorized to withhold \$50.00 for closing expenses and as a reserve for liabilities of the estate;
11. Petitioner be authorized to provide each beneficiary with an appropriate deed of trust for the properties as listed in Paragraph 17 herein;
12. Final distribution of the estate of the decedent in Petitioner's name and all other property of the decedent or estate, whether or not now known or hereafter ... (blank)
13. ... #13 appears to be missing from the petition ...
14. For such other and further orders as the Court may deem proper.

Attached to the petition are the following exhibits:

- A. Copy of Transamerica Life Insurance Check dated 3/30/15 in the amount of \$119,769.31
- B. - Copy of unfiled Corrected Final Inventory and Appraisal which includes properties listed as joint tenancy properties in the petition, and also appears to reflect interest of \$19,769, \$88 cash, and \$10,000 in personal property (added to Attachment 1, not appraised by Probate Referee).
 - Copy of invoice from Probate Referee Rick Smith for \$320.00
- C. - Receipts for two publications (\$440 each)
 - Financial printout from Court records
- D. "Cash Reconciliation" reflecting payment of certain expenses and indicating payment to three heirs of \$30,742.53 (conflicts with distribution amounts requested above)

SEE ADDITIONAL PAGES

Page 5 – NEEDS/PROBLEMS/COMMENTS: NEED AMENDED PETITION due to, but not limited to, the following deficiencies:

1. Petitioner states the heirs have waived accounting; however, no waivers have been filed. Therefore, need complete accounting pursuant to Probate Code §10951 and in compliance with §1060 et seq., or waivers from the three other heirs pursuant to §10954 (Genaro Serrato, David Serrato, and Javier Serrato).
2. If accounting is waived by the heirs, amended petition is still needed with all appropriate information and schedules as required by Cal. Rule of Court 7.550.
3. Petitioner states a corrected and/or supplemental I&A has been filed; however, the only I&A on file is the Final I&A filed 6/11/15 that reflects a total estate value of \$400,000. A copy of an unfiled corrected I&A is attached to the petition; however, that document appears deficient as follows:
 - Real property held in joint tenancy is not subject to administration.
 - Probate Referee must appraise non-cash assets – the \$10,000.00 value assigned to misc. personal property by the Executor is inappropriate.
4. An ex parte petition filed 12/24/15 indicates a possible error in or change to the APN and legal description of the Madera real property inventoried by the Probate Referee. Any change in the legal description should be confirmed by the Probate Referee to ensure that the assigned value corresponds to the correct property. A Corrected I&A making any change to the legal description should be verified by the Probate Referee.
5. If a Corrected I&A is needed to reflect the actual amount of the insurance check received by the estate, the personal property assets, and correction of the legal description, all assets should be properly appraised and the Corrected I&A should be properly filed with verification from the Probate Referee as to the personal property and correction to the real property description.
6. Petitioner states at ¶21 that that the check from Transamerica Life Insurance in the amount of \$119,769.31 is in dispute as an asset of the estate, *and indicates at #4 of the prayer that the check has never been deposited into an estate account.*

An ex parte petition filed 12/24/15 apparently requested *authorization* to deposit the check in addition to preliminary distribution, deed modification, and payment of expenses. The petition was denied; however, it is noted that deposit of estate funds into an interest-bearing estate account is a duty of the Administrator and it is unclear why authorization to deposit was requested or at issue. See Duties and Liabilities of Personal Representative signed by Executor filed 9/25/14.

The copy of the check attached to the petition indicates that it was issued on 3/30/15 to “Estate of Oralía Serrato.” Executor appears to be in violation of her duties as personal representative of the estate by not depositing the check into an interest-bearing account, timely or at all. Further, the check is over a year old and may require reissuance for deposit. It appears the Executor has not properly marshalled this asset and the estate is therefore not in a condition to close.

SEE ADDITIONAL PAGES

Page 6 – NEEDS/PROBLEMS/COMMENTS (Cont'd):

7. **Petitioner also does not provide any information as to why the check is in dispute as an asset of the estate. Need clarification.**
8. **Petitioner requests the Court make orders regarding real property held in joint tenancy that is not subject to estate administration. The Court has no jurisdiction regarding such real property and cannot make orders regarding such real property.**
9. **The fee base used for the statutory compensation is inappropriate as it is from the corrected I&A that was not properly filed and that included inappropriately appraised personal property.**
10. **Need clarification and complete schedule of all costs to be reimbursed from the estate. The breakdown should indicate the cost, whether or not the cost has been paid and by whom (for reimbursement).**
11. **The “Cash Reconciliation” is contrary to the proposed distribution.**
12. **Need Notice of Hearing and proof of service on all entitled to notice pursuant to Probate Code.**

Upon review of further amended petition, there may be additional issues.

Probate Status Hearing RE: Filing of the First or Final Account

DOD: 9/10/14	<p>LAURA KUHNE-IIRIGOYEN was appointed as Administrator with full IAEA authority and bond set at \$245,000 on 1/7/15.</p> <p>Bond filed on 1/8/15.</p> <p>Letters issued on 1/8/15.</p> <p>Inventory and appraisal filed on 5/18/15 showing the estate valued at \$229,047.45.</p> <p>Minute order dated 1/7/15 set a status hearing for the filing of the first account or petition for final distribution.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need 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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Citation		
FTB Notice		
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	<p>Reviewed on: 6/2/16</p>	
	<p>Updates:</p>	
	<p>Recommendation:</p>	
	<p>File 7- Irigoyen</p>	

8A
 Attorney
 Attorney
 Attorney

Anna Hepner Living Trust
 Krbechek, Randolph (for Jerry Prudek – Beneficiary – Petitioner)
 Teixeira, J. Stanley (for Glenn J. Hepner, George Hepner, Jr., and Jimmy Hepner)
 Horton, Lisa (for Beneficiary Dolly Simpson)

Case No. 15CEPR00425

Status RE: Mediation and Agreement

<p>Cont. from 091715, 121715, 021616, 032916</p>		<p>JERRY PRUDEK, Beneficiary, filed Petition for Accounting and for Order Instructing the Co-Trustees and Compelling Final Distribution from Trust on 4/22/15.</p> <p>On 7/22/15, Mr. Krbechek informed the court that the parties are participating in mediation. The Court set this status hearing re mediation and agreement.</p> <p>Status Conference Statement and Request for Continuance filed 9/16/15 by Attorney Krbechek states the parties continue to engage in a meaningful exchange of information. One mediation session was conducted with Lee Jacobson. Since the mediation, additional information has been provided, which must be reviewed. They will need to schedule a further mediation session with Mr. Jacobson upon review of all the materials. A continuance of 60-90 days is therefore requested.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: This Status RE: Mediation and Agreement is continued from 9/17/15, 12/17/15, 2/16/16, 3/29/16. See Examiner Notes RE: Petition at Page B for details.</p> <p>Minute Order 3/29/16: Dolly Simpson is also present in court, represented by Lisa Horton. Ms. Simpson states that she is only agreeable to one more continuance, then she wants the matter set for trial. The Court continues the matter for 60 days for further attempts to settle the disputes. If the matter is not settled, then the Court expects a formal accounting to be on file by 6/7/16.</p> <ol style="list-style-type: none"> 1. Need written status report re mediation and agreement per Local Rule 7.5. 2. Other than the Stipulation to Continue Hearing filed 6/5/15 that indicated a mediation was scheduled that would include all five beneficiaries, no party other than Petitioner Jerry Prudek has made formal appearance in this matter or filed any opposition or other response. If this matter is to proceed with trial, the Court may require written response or appearance by all participating parties. 																																												
<table border="1"> <tr><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td>Verified</td><td></td></tr> <tr><td>Inventory</td><td></td></tr> <tr><td>PTC</td><td></td></tr> <tr><td>Not.Cred.</td><td></td></tr> <tr><td>Notice of Hrg</td><td></td></tr> <tr><td>Aff.Mail</td><td></td></tr> <tr><td>Aff.Pub.</td><td></td></tr> <tr><td>Sp.Ntc.</td><td></td></tr> <tr><td>Pers.Serv.</td><td></td></tr> <tr><td>Conf. Screen</td><td></td></tr> <tr><td>Letters</td><td></td></tr> <tr><td>Duties/Supp</td><td></td></tr> <tr><td>Objections</td><td></td></tr> <tr><td>Video Receipt</td><td></td></tr> <tr><td>CI Report</td><td></td></tr> <tr><td>9202</td><td></td></tr> <tr><td>Order</td><td></td></tr> <tr><td>Aff. Posting</td><td></td></tr> <tr><td>Status Rpt</td><td></td></tr> <tr><td>UCCJEA</td><td></td></tr> <tr><td>Citation</td><td></td></tr> <tr><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
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8B
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 Attorney
 Attorney

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 Horton, Lisa (for Beneficiary Dolly Simpson)

Case No. 15CEPR00425

Verified Petition for Accounting and for Order Instructing Co-Trustees and Compelling Final Distribution From Trust [Probate Code §§ 16062, 17200(b)(4), (5), and (6)]

<p>Anna Hepner DOD: 4/24/08</p>	<p>JERRY PRUDEK, Beneficiary, is Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont. from 060815, 072215, 091715, 121715, 021616, 032916</p>	<p>Petitioner states GLENN J. HEPNER, JIMMY A. HEPNER, GEORGE HEPNER, JR., and DOLLIE SIMPSON have served as successor trustees since the death of their mother. The trust holds various acreage in Fresno County. Other assets are unknown.</p>	<p><u>Note:</u> See Page A re status of mediation and agreement.</p>
<p><input type="checkbox"/> Aff.Sub.Wit.</p>	<p>Petitioner alleges that the co-trustees have reviewed a proposal for distribution as set forth on Exhibit B. No action has been taken to effect such distribution due to lack of agreement among the co-trustees.</p>	<p>1. Need order. 2. As noted at Page A, other than the Stipulation to Continue Hearing filed 6/5/15 that indicated a mediation was scheduled that would include all five beneficiaries, no party other than Petitioner Jerry Prudek has made formal appearance in this matter or filed any opposition or other response. If this matter is to proceed with trial, the Court may require written response or appearance by all participating parties.</p>
<p><input checked="" type="checkbox"/> Verified</p>	<p>The beneficiaries are Glenn J. Hepner, Jimmy A. Hepner, and George Hepner, Jr., each as to a 1/4 interest, and Dolly Simpson and Jerry Prudek each as to a 1/8 interest. Jerry Prudek is successor to Evelyn Prudek.</p>	<p>Reviewed by: skc</p>
<p><input type="checkbox"/> Inventory</p>	<p>Petitioner requests distribution in accordance with the First Amendments, which provides that "if my children are unable to agree on how the property is to managed or divided, then the property shall be sold and the proceeds divided in the proportions indicated above."</p>	<p>Reviewed on: 6/2/16</p>
<p><input type="checkbox"/> PTC</p>	<p>Petitioner requests a full and complete accounting in accordance with Probate Code §16063 pursuant to Probate Code §16062, 16063, and 17200. Further administration of trust assets is not necessary, and the remaining assets should be liquidated and distributed.</p>	<p>Updates:</p>
<p><input type="checkbox"/> Not.Cred.</p>	<p>Petitioner prays for relief against the co-trustees as follows:</p>	<p>Recommendation:</p>
<p><input checked="" type="checkbox"/> Notice of Hrg</p>	<ol style="list-style-type: none"> 1. An order compelling the successor trustees to account for any trust assets collected or received by them; 2. An order settling the accounts and passing upon the acts of each of the co-trustees; 3. An order determining to whom property shall pass or be delivered upon termination of the trust; 4. An order for termination of the trust; 5. For such other and further relief as the Court may deem just, equitable, and proper. 	<p>File 8B - Hepner</p>
<p><input checked="" type="checkbox"/> Aff.Mail W</p>		
<p><input type="checkbox"/> Aff.Pub.</p>		
<p><input type="checkbox"/> Sp.Ntc.</p>		
<p><input type="checkbox"/> Pers.Serv.</p>		
<p><input type="checkbox"/> Conf. Screen</p>		
<p><input type="checkbox"/> Letters</p>		
<p><input type="checkbox"/> Duties/Supp</p>		
<p><input type="checkbox"/> Objections</p>		
<p><input type="checkbox"/> Video Receipt</p>		
<p><input type="checkbox"/> CI Report</p>		
<p><input type="checkbox"/> 9202</p>		
<p><input type="checkbox"/> Order X</p>		
<p><input type="checkbox"/> Aff. Posting</p>		
<p><input type="checkbox"/> Status Rpt</p>		
<p><input type="checkbox"/> UCCJEA</p>		
<p><input type="checkbox"/> Citation</p>		
<p><input type="checkbox"/> FTB Notice</p>		

8B

Petitioner Abarca, Michelle Sally (Pro Per – Maternal Aunt)

Petition for Appointment of Guardian of the Person

		TEMPORARY EXPIRES 06/07/2016	NEEDS/PROBLEMS/COMMENTS: Continued from 04/26/2016. Minute Order states the Court reviews a text message on Petitioner’s phone noticing Victor Licon, father, and finds due diligence. Oralia Abarca, maternal grandmother, represents that the maternal grandfather is Guillermo Zamora, who was deported to Mexico; Petitioner is to make inquiries as to the paternal grandfather’s name and whereabouts, and make efforts to properly notice both. The following issues remain: 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"> • Andres Licon (Paternal Grandfather) – unless the Court dispenses with notice. Note: Declaration of Due Diligence filed 05/20/2016. <ul style="list-style-type: none"> • Guillermo Zamora (Maternal Grandfather) – unless the Court dispenses with notice. Note: Declaration of Due Diligence filed 05/20/2016. <ul style="list-style-type: none"> • Oralia Abarca (Maternal Grandmother) 3. UCCJEA is incomplete as it does not provide the period of time the minor child resided at each address provided for the past five years.
		MICHELLE SALLY ABARCA, maternal aunt, is petitioner. <u>Please see petition for details</u>	
Cont. from 121515, 020916, 032216, 042616			
<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 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.	x	
<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		
		Reviewed by: LV	
		Reviewed on: 06/02/2016	
		Updates:	
		Recommendation:	
		File 12 - Licon	

Petitioner Brenda Tilson (Pro Per, maternal grandmother)

Petition for Appointment of Guardian of the Person

		<p>TEMPORARY EXPIRES 3/8/2016; extended to 4/26/2016; extended to 6/7/2016</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 4/26/2016. Minute Order states examiner notes provided in open court. Petitioner is admonished regarding her lack of effort to clear the defects, including ICWA notice. The Court grants one last continuance and directs Petitioner to address the needs listed on the notes.</p> <p>The following issues remain:</p> <ol style="list-style-type: none"> 1. Need proof of <u>personal service</u> of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian</i>, or <i>Consent to Appointment of Guardian and Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i>, for: <ul style="list-style-type: none"> • Donald Leiffer, father of Jasmine (service by mail filed 1/22/2016 is insufficient); • Jeffrey Jones, father of Brittany, if Court does not find due diligence per declaration filed 1/22/2016. <p>~Please see additional page~</p>
<p>Cont. from 030816, 042616</p>		<p>BRENDA TILSON, maternal grandmother, is Petitioner.</p> <p>~Please see Petition for details~</p> <p>Court Investigator's Report was filed on 3/2/2016.</p>	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	ICWA-030	X	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W / O	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	Clearances		
<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: LEG</p> <p>Reviewed on: 6/2/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13- Jones/ Leiffer</p>			

NEEDS/PROBLEMS/COMMENTS, continued:

2. Need proof of service by mail of the *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian*, or *Consent to Appointment of Guardian and Waiver of Notice*, or a *Declaration of Due Diligence*, for:
 - **Billie Tilson**, maternal grandfather;
 - paternal grandparents of Jasmine;
 - paternal grandparents of Brittany;
 - **Kegan Jones**, half-sibling of Brittany, if age 12 or over;
 - **Macy Jones**, half-sibling of Brittany, if age 12 or over.

3. Court Investigator's *Report* filed 5/29/2013 indicates the Petitioner reports that she has Cherokee Indian blood, but states that she is not registered; Court Investigator states that an ICWA packet was sent to the Petitioner. Court records do not show the *Notice of Child Custody Proceeding* (Form ICWA-030) has been submitted by Petitioner to the Court for service of notice as required. **Need the Notice of Child Custody Proceeding (Form ICWA-030) to be completed by the Petitioner and submitted by her to the Probate Clerk**, in order for the Court to mail this form for service of notice to the required agencies. A blank copy of the *Notice of Child Custody Proceeding for Indian Child* (Form ICWA-030) is in the file for Petitioner's use. Petitioner should complete the form and return it to the Probate Clerk as soon as possible.

Petitioner: Fernanda Zamora (Pro per – Paternal grandmother)
 Petitioner: Tiffany Zambrano (Pro per – Paternal aunt)

Petition for Appointment of Guardian of the Person

		<u>TEMPORARY EXPIRES 6/7/16</u>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>See related page 14B re: petition for visitation.</p> <p>Minute order dated 4/19/2016 states the Court provides Herman Alvarado (father) with the number of the active Orange County warrant, and directs him to address it. Both Herman Alvarado and Jessica Zamora (mother) are to also address the issues with their driving licenses and either bring valid licenses on 6/7/2016 or report back as to the status of getting them reinstated. The Court orders the Court Investigator to re-interview the minors to specifically ask how the visits are going due to the issues raised by the petitioners in open court [on 4/19/2016].</p> <ol style="list-style-type: none"> 1. Need proof of personal service 15 days prior to hearing of <i>Notice of Hearing</i> with copy of petition on Herman Zamora Alvarado (minor). 2. Need proof of mailed service 15 days prior to the hearing of <i>Notice of Hearing</i> with copy of petition <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence for: <ol style="list-style-type: none"> a. Jesse Escano (half-brother)
		<p>FERNANDA ZAMORA, paternal grandmother, and TIFFANY ZAMBRANO, paternal aunt, are petitioners and were appointed temporary guardians on 2/29/16.</p>	
Cont. from 041916		<p>Objections of Jessica Zamora and Herman Alvarado (parents) filed on 2/26/16.</p>	
	Aff.Sub.Wit.	<p>Court Investigator report filed 4/8/2016</p>	
✓	Verified	<p>Response to Confidential Investigator's report filed 4/15/2016 by Petitioners Fernanda and Tiffany Zambrano.</p>	
	Inventory	<p>Declaration of Fernanda J. Zamora filed 4/29/2016.</p>	
	PTC	<p>Court Investigator Supplemental report filed 5/19/2016.</p>	
	Not.Cred.	<p><i>See petition for details.</i></p>	
✓	Notice of Hrg		
✓	Aff.Mail	w/	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	w/	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
		<p>Reviewed by: SEF</p>	
		<p>Reviewed on: 6/2/2016</p>	
		<p>Updates:</p>	
		<p>Recommendation:</p>	
		<p>File 14A- Zamora</p>	

Petitioner: Jessica Zamora (Pro per – Mother)
 Petitioner: Herman Zamora-Alvarado III (Pro per – Father)

Ex Parte Petition Re: Visits

		<u>TEMPORARY EXPIRES 6/7/16</u>	<p>JESSICA ZAMORA and HERMAN ZAMORA-ALVARADO III, mother and father, are petitioners and filed an ex parte petition re: visits on 3/7/16 in response to temporary guardianship order dated 2/29/16.</p> <p>Court order dated 3/9/16 set the ex parte petition re: visits for hearing on 4/19/16.</p> <p><i>See petition for details.</i></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute order dated 4/19/2016 continued this matter to 6/7/2016.</p> <p>The court order dated 3/9/16 stated <i>Notice of Hearing</i> with a copy of the ex parte petition re: visits be served 15 days prior to the hearing to all interested parties.</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of service 15 days prior to the hearing of the <i>Notice of Hearing</i> with copy of ex parte petition re: visits on all interested parties.
Cont. from 041916				
Aff.Sub.Wit.				
Verified	x			
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				
		Reviewed by: SEF		
		Reviewed on: 6/2/2016		
		Updates:		
		Recommendation:		
		File 14B - Zamora		

Petition for Appointment of Guardian of the Person

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: Minute Order 4/26/16: Examiner notes provided in open court. Maurice Sessions, father, represents that he was served by mail and is ready to proceed. Ms. Sessions identified the paternal grandparents and states the minor also has two additional siblings over age 12. The following issue remains noted: 1. Need 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 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Paternal Grandfather Michael Sessions - Sibling Maurizjaha Sessions	
Cont. from 042616				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: skc				
Reviewed on: 6/2/16				
Updates:				
Recommendation:				
File 15- Robles				

Petition for Visitation

		ADRIAN MENDOZA, father, is petitioner	NEEDS/PROBLEMS/COMMENTS: <u>Continued to 7/12/2016</u> @ request of counsel
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		
			Reviewed by: SEF
			Reviewed on: 6/2/2016
			Updates:
			Recommendation:
			File 16- Gonzales

18 Pascal Dillinger (GUARD/P) Case No. 16CEPR00378

Petitioner Bopp, Rhonda (Pro Per – Paternal Grandmother)

Petition for Appointment of Guardian of the Person (Initial)

	<u>TEMPORARY EXPIRES 06/07/2016</u>	NEEDS/PROBLEMS/COMMENTS:
	RHONDA BETH BOPP , paternal grandmother, is petitioner	
	<u>Please see petition for details</u>	
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		
<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		
		Reviewed by: LV
		Reviewed on: 06/03/2016
		Updates:
		Recommendation:
		File 18- Dillinger

Petition for Visitation

		<p>GINA MARES, Mother, is Petitioner.</p> <p>GAIL RIOS (Paternal Aunt) and ESTHER RIOS (Paternal Great-Grandmother), were appointed Co-Guardians on 1/17/08. - <i>Gail Rios was personally served with Notice of Hearing on 4/26/16.</i></p> <p>Father: NATHAN RIOS</p> <p>See petition for details.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: This matter will be heard in Dept. 54 at 8:30 am.</p> <ol style="list-style-type: none"> 1. Need proof of service of proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Visitation on Minor Angel Rios. 2. Petitioner served Gail Rios, but not Esther Rios. Need service on Co-Guardian Esther Rios or clarification as to why she was not served for this petition. 3. The Court may require proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Visitation on Nathan Rios (Father). 	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 6/2/16	
			Updates:	
			Recommendation:	
			File 1 – Rios	