

(1) Twelfth Account and Report of Sole, Surviving Successor Co-Conservator and
(2) Petition for Issuance of Letters to Surviving Co-Conservator as Sole Conservator
and (3) Petition for Allowance of Fees to Conservator and Attorney

Age: 57		<p>SYLVIA GONZALEZ, sole remaining Conservator, is Petitioner. (Co-Conservator Guadalupe Pena has passed away.)</p> <p>Account period: 5-1-10 through 4-30-12</p> <p>Accounting: \$237,906.88 / \$236,511.14 Beginning POH: \$188,621.57 Ending POH: \$202,555.53 (\$52,644.21 cash - \$17,317.73 unblocked - plus real and personal property)</p> <p>Conservator: \$1,800.00 (\$15/hr for 120 hours including transportation, household management, shopping, overseeing renovations on the residence, etc.)</p> <p>Attorney: \$2,000.00 (per local rule)</p> <p>Current Bond: \$42,000.00 Although Petitioner calculates that bond should be increased to \$49,143.81 pursuant to the POH and income at the end of this account period, Petitioner requests that the Court not increase the current bond of \$42,000.00. Petitioner states that shortly after this account period, additional expenses were incurred emptying the residence and readying it to become a rental. Additionally, personal property items depreciate in value, and the cemetery lot is included, which doesn't really have a liquid value to justify the requirement of bonding. Petitioner requests that any increase in bond be addressed at the next accounting.</p> <p>Petitioner prays for an order:</p> <ol style="list-style-type: none"> 1. Authorizing issuance of new Letters of Conservatorship naming Petitioner as the sole conservator; 2. Approving, allowing and settling the account; and 3. Authorizing the Conservator's and attorney's fees and commissions
DOB: 5-3-55		
Cont from: 021913, 031913, 042313, 051413		
Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
Inventory		
PTC		
Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	X	
<input checked="" type="checkbox"/> Aff.Mail	W	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
<input checked="" type="checkbox"/> 2620(c)		
Order	X	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

Continued from 2-19-13, 3-19-13, 4-23-13, 5-14-13

Minute Order 3-19-13: Counsel is directed to attempt to balance the account or indicate why she was unable to do so. In addition, counsel to submit a declaration addressing the remaining issues in the examiner notes. Continued to 4-23-13.

Minute Order 4-23-13: Counsel advises the Court that she is close to balancing the account.

Note: A declaration was filed 5-13-13. See updates:

1. Accounting does not balance. Revised schedules filed 6-6-13 appear to balance, but are not on the mandatory judicial council forms.
2. The dates of the disbursements are cut off on the Disbursement Schedule so it is unclear when the disbursements were made. The Court may require new schedules for Court records.

(Examiner notes that for the schedules, the Judicial Council forms 400(A-G) are "optional;" however, if the forms were used, this format discrepancy would not have occurred.)

Declaration states the disbursements are listed in chronological order and the fact that the year does not show is of no significance. Revised schedules do not correct the issue.

SEE ADDITIONAL PAGES

Reviewed by: skc

Reviewed on: 5-9-13

Updates:

Recommendation:

File 1 - Larssen

NEEDS/PROBLEMS/COMMENTS (Continued):

3. Disbursements schedule indicates numerous disbursements for gifts to family members during this account period totaling over \$2,000.00 for holidays and events. Pursuant to Cal. Rules of Court 7.1059, a conservator of the estate should Refrain from making loans or gifts of estate property, except as authorized by the court after full disclosure. The Court may require clarification and authorization going forward.

Declaration filed 5-13-13 states that of that amount, \$900 was for reimbursement of travel expenses (gasoline and meals) when the daughter Rachael, who lives in Redding and is a stay-at-home mom with two small children, drove to Fresno to pick up the Conservatee for visits to Redding. Actual gifts were \$400 given to the daughter and her children. The Conservatee's son Jeremiah received \$400 in gifts during the same period plus \$45 in wire transfer fees. He is a world traveler.

4. Disbursements schedule indicates that the Conservatee receives an allowance from which she pays most of her personal expenses, which appears to range from \$800-\$2,100/month. Since moving in with her daughter in November 2011, she pays her housing costs in addition to contributing toward food and utilities from this allowance. The Court may require clarification of her share of the household expenses for this period, and accounting in future account periods of such expenses.
5. Petitioner indicates that after this account period, the Conservatee's residence in Fresno was being readied to become a rental. The Court may require an update on the status of the residence at this time, since there appears to be five months during this account period after the Conservatee moved out that there was no rental income.
6. Need order.

Note: This account period ended 4/2012. The Court will set status hearing for the filing of the next account:

- **If one year, account is due 8/9/2013**
- **If two years, account is due 8/8/2014**

Also, due to the continued status of the conservatorship estate (account not balanced), the Court may wish to consider whether appointment of the Public Guardian may be appropriate going forward, and to determine if surcharge is appropriate for this Conservator.

Atty Smith, Jane T., of County Counsel's Office (for Public Guardian, Conservator of the Estate)

Accounting

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR</p> <p><i>Order Settling Second and Final Account and Report of Conservator and Allowing Compensation to Attorney; and Termination of Conservatorship was filed 4/17/2013.</i></p>
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: LEG
		Reviewed on: 6/6/13
		Updates:
		Recommendation:
		File 3 – Owens

Atty Hemb, Richard E., of Hemb Law Office (for Petitioner David D. Graber, Executor)

(1) First and Final Account and Report of Executor and Petition for Settlement, (2) Allowance of Commissions and Fees, (3) for Extraordinary Fees, Costs Advanced and (4) Final Distribution [Prob. C. 1060 et seq., 10800, 10810, 10811, 12201]

DOD: 2/24/2010	DAVID D. GRABER, son and Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 2/24/ 2010– 1/31/2013	
	Accounting - \$439,154.62	
	Beginning POH - \$430,386.03	
	Ending POH - \$345,513.38 (\$265,513.38 cash)	
Cont. from	Executor - \$10,763.00 (statutory)	~Please see additional page~
<input type="checkbox"/> Aff.Sub.Wit.	Attorney - \$10,763.00 (statutory)	
<input checked="" type="checkbox"/> Verified	Attorney XO - \$4,266.00 (per itemization in Exhibit K, for Will Contest, unlawful detainer action, court confirmed sale of real property, defending challenge to confirmation proceedings, arranging commercial real estate appraisal;)	
<input checked="" type="checkbox"/> Inventory	Executor Costs- \$36,629.46 (per itemization in Exhibit L, for legal retainer fee/costs, probate referee, house payments, credit card payments, funeral expenses, property tax payments, homeowner association dues, insurance, utilities, vehicle maintenance and costs (DMV), bond premiums, certified copies;)	
<input checked="" type="checkbox"/> PTC	Closing - \$500.00	
<input checked="" type="checkbox"/> Not.Cred.	Petitioner states:	
<input type="checkbox"/> Notice of Hrg	<ul style="list-style-type: none"> Petitioner has attempted from the start and continuing through this account period to sell Decedent's interest in unimproved real property in Madera County valued at \$80,000.00, and despite using services of a real estate broker and lowering the price to less than \$20,000.00, not a single offer has been submitted; it is Petitioner's desire and in the estates best interest to convey the property outright to the residue beneficiaries; 	
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters 111510		
<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 checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		
	~Please see additional page~	
		Reviewed by: LEG
		Reviewed on: 6/7/13
		Updates:
		Recommendation:
		File 4 – Graber

Petitioner states, continued:

- Because of the Will Contest and other friction with an estate beneficiary, Petitioner decided to use his own personal funds now amounting in excess of **\$36,000.00** to pay administrative costs for the estate [please refer to Exhibit L], and [seeks] reimbursement from the estate; these costs include general administration, unlawful detainer actions, and Will Contest;
- The residue beneficiaries entered into an agreement in regard to a number of issues that required their mutual assent and agreement in writing regarding estate distribution; to conclude settlement of the Will Contest, the parties executed a Settlement Agreement with the Court on 2/25/2011, and the Court approved the agreement on 4/11/2011;
- Real property in Madera remaining in the estate shall be distributed by Grant Deed executed by the Executor to David D. Graber, James J. Graber, Laura L. Luster, Robin R. Graber and Michele Nelson as tenants in common; each tenant in common shall share the costs of any property taxes, association fees and any other necessary and ordinary costs to maintain the real property;
- Petitioner paid utility bills on behalf of **ROBIN R. GRABER** while she was occupying Decedent's residence for the period of August to December 2010 totaling **\$692.00**, and Robin Graber should be charged for these expenses [Please see Note below];
- Petitioner paid utility bills on behalf of **MICHELE M. NELSON** while she was occupying Decedent's residence for the period of August 2010 to March 2011 totaling **\$1,114.17**, and Michele Nelson should be charged for these expenses; additionally, Michele Nelson should be charged for the costs and expenses of the unlawful detainer action filed against her by Executor to obtain possession of Decedent's residence (Case 11CECL01825): Court filing fees (**\$240**), sheriff fees (**\$265**), Writ of Possession (**\$25**), legal fees (**\$1,269**), totaling **\$1,799.00**; combining both together, Michele Nelson should be charged a total of **\$2,913.00** for these expenses [Please see Note below];
- **Gifts to Minor Distributees – Less than \$5,000.00**: Property to distributed to the minor [devisees in the Will] does not exceed **\$5,000.00**, and Petitioner is informed that the minors have no guardians of their estates; Petitioner has received written assurance under oath from the minors' trustees as mentioned in the last Will of Decedent that the total estate of the minor, including the distributions to be made, does not exceed **\$5,000.00**, and that said written assurance from each parent or trustee for each minor will be filed separately before the hearing on this Petition [Court records do not show that the assurances have been filed with the Court].

Petitioner requests the Court issue an Order:

1. Approving, allowing and settling the First and Final Account;
2. Confirming and approving all acts and proceedings of Petitioner as Executor;
3. Authorizing payment of the Executor and Attorney statutory commissions;
4. Authorizing the reimbursement of **\$36,629.46** to Petitioner for costs advanced to the Estate;
5. Authoring the payment to Petitioner's attorney of **\$4,266.00** for extraordinary services rendered to the Estate;
6. Authorizing the reserve for closing expenses;
7. Distributing the Estate remaining in the hands of Petitioner to the persons entitled to it, as follows:

~Please see additional page~

Distribution pursuant to Decedent's Will, to the *Will Contest Revocation Agreement* filed 2/25/2011 attached as Exhibit A to *Petition for Approval of Settlement of Will Contest Revocation*, and to the *Order Approving Will Contest Settlement Agreement* filed 4/11/2011, is to:

- **DAVID D. GRABER** – [\$40,119.63] cash and **1/5 interest** in real property as tenant in common;
- **JAMES J. GRABER** – \$40,119.63 cash and **1/5 interest** in real property as tenant in common;
- **LAURA L. LUSTER** – [\$40,119.63] cash and **1/5 interest** in real property as tenant in common;
- **ROBIN R. GRABER** – [\$39,254.63] cash, accounting for deduction of \$692.00 for reimbursement to the estate for utility bills; and **1/5 interest** in real property as tenant in common;
- **MICHELE M. NELSON** – [?] cash accounting for deduction of \$1,114.17 for reimbursement to the estate for utility bills; [and deduction for costs of unlawful detainer action?]; and **1/5 interest** in real property as tenant in common;
- **ROBERT J. GRABER** – \$1,000.00 cash to **JAMES J. GRABER** to be held in trust for the minor until he reaches majority;
- **MASON GRABER** – \$1,000.00 cash to **JAMES J. GRABER** to be held in trust for the minor until he reaches majority;
- **CAITLIN GRABER** – \$1,000.00 cash to **JAMES J. GRABER** to be held in trust for the minor until she reaches majority;
- **MADISON SLATER** – \$500.00 cash; to **JAMES J. GRABER** to be held in trust for the minor until she reaches majority;
- **GREGORY REITH** – \$1,000.00 cash to **DAVID D. GRABER** to be held in trust for the minor until he reaches majority;
- **MICHAEL NELSON** (reached majority in May 2013) – \$1,000.00 cash;
- **ZOLA DeLUCA** – \$1,000.00 cash.

NEEDS/PROBLEMS/COMMENTS, continued:

Note re Devises to Minors: Probate Code § 3401 (a) and (c), and § 3413 (d) apply to the distributions to the minor devisees named in Decedent's Will, authorizing the funds to be paid to a parent of the minor without bond, to be held in trust for the minor until the minor reaches majority, where the total estate of the minor notes not exceed \$5,000.00, and the parent makes written assurance pursuant to the provisions of the Probate Code.

Need written assurances, verified by the oath of the following persons, to be filed with the Court pursuant to Probate Code § 3401 (c):

- **James Graber**, Trustee named in Decedent's Will to hold the distribution of **Robert J. Graber**, **Mason Graber**, **Caitlin Graber**, and **Madison Graber**;
- **David D. Graber**, Trustee named in Decedent's Will to hold the distribution of **Gregory Allen Reith**.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS, continued:Note re Charges to Estate Beneficiaries:

- *Petition* states Petitioner paid utility bills on behalf of **ROBIN R. GRABER** while she was occupying Decedent's residence for the period of August to December 2010 totaling **\$692.00**, and Robin Graber should be charged for these expenses;
- *Petition* states Petitioner paid utility bills on behalf of **MICHELE M. NELSON** while she was occupying Decedent's residence for the period of August 2010 to March 2011 totaling **\$1,114.17**, and Michele Nelson should be charged for these expenses; *Petition* states Michele Nelson should also be charged for the costs and expenses of the unlawful detainer action filed against her by Executor to obtain possession of Decedent's residence **\$1,799.00**;
- *Petition* does specifically make the request for the Court to allow these charges against Robin Graber and Michele Nelson; Petitioner simply includes the charges in the calculations of distribution amounts from the estate;
- There appears to be a necessary distinction between the two types of charges that the Court must make in determining whether to distribute the estate as the Petitioner requests. The two types of charges consist of:
 - (1) **Reimbursement to the estate beneficiaries of the utility bills paid** by the Petitioner on behalf of Robin Graber and Michele Nelson during the periods they occupied the residence; and
 - (2) **Costs and expenses of the unlawful detainer action filed by the Executor** against Michele to obtain possession of Decedent's personal residence. Unlike the utility bills which can be considered as requests for reimbursement to the estate for maintenance payments during administration, the different character of the unlawful detainer charge appears to require Court to specifically find that Michele Nelson should be made to pay the costs and expenses of the unlawful detainer action, for instance, as a form of restitution to the Decedent's estate to make the estate whole. **If Court determines this type of charge is warranted against Michele Nelson, such finding should be specifically included in the order approving the instant *Petition*, and the sum of \$1,799.00 should be designated as deduction for costs of unlawful detainer action from Michele Nelson's share.**

Need proposed order, which reflects the Court's determination regarding unlawful detainer charges against Michele Nelson, and includes the correct distribution amounts based upon the Court's findings after hearing.

Note: If the Court determines all of the charges to the two distributees are appropriate, the cash distribution amounts stated in the *Petition* will nonetheless need revision, as the calculation appears incorrect based upon the total cash available for distribution requires the charges be added in at the outset (resulting in **\$199,697.09** starting point), then deducted from the two distributees' shares; thus, the cash amounts should be stated as follows for the five children of Decedent:

- **DAVID D. GRABER – \$41,141.14 cash;**
- **JAMES J. GRABER – \$41,141.14 cash;**
- **LAURA L. LUSTER – \$41,141.14 cash;**
- **ROBIN R. GRABER – \$39,247.42 cash;**
- **MICHELE M. NELSON – \$37,026.25 cash.**

Atty Ramirez, Jr., Edward R., of Ramirez Law Office (for Petitioner Deborah L. Miller)

Amended (1) Report on Waiver Account and (2) Petition for Final Distribution for (3) Allowance of Compensation to Attorneys for Ordinary Services (Prob. C. 10954, 1060 et. seq., 10800, 10811, 12201)

DOD: 5/23/2007		DEBORAH L. MILLER , daughter and Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	I & A — \$351,124.14	
<input checked="" type="checkbox"/>	Inventory	POH — \$370,847.40 (\$19,723.26 cash)	
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.	Administrator — waives	
	Notice of Hrg	N/A	
	Aff.Mail		
	Aff.Pub.	Attorney — \$10,022.48 (less than \$10,416.95 statutory)	
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters	062112	
	Duties/Supp	Distribution pursuant to intestate succession is to:	
	Objections	DEBORAH L. MILLER – entire estate consisting of interests in real property mortgage notes and \$9,700.78 cash.	
	Video Receipt		
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 6/6/13
			Updates:
			Recommendation: SUBMITTED
			File 5 - Saveland

Atty Lopez, Amy L (for Petitioner Amanda Joy Mathia)

Atty Hopper, Cindy J (for Rebecca Jones and Chad Jones, maternal grandparents)

Atty Kharazi, H. Ty (for Thomas Bingham-Mathia, father, Cathy Amero and Gary Amero, paternal grandparents)

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

Age: 5 years		<u>TEMPORARY EXPIRES ON 6/11/13</u>		NEEDS/PROBLEMS/COMMENTS: Continued from 4/23/13. Minute order states Counsel informs the court that a competing petition has been filed and they are not ready to proceed with trial.
		AMANDAJOY MATHIA, paternal great-aunt, is petitioner.		
		Father: THOMAS BINGHAM-MATHIA		
		Mother: TERESA BINGHAM-MATHIA – consents and waives notice.		
Cont. from 121312, 020613, 042313		Paternal grandfather: Thomas Bingham (adoptive) – Deceased		
<input type="checkbox"/>	Aff.Sub.Wit.		Paternal grandfather: Vincent Mathia (biological)	
<input checked="" type="checkbox"/>	Verified		Paternal grandmother: Cathy Amero	
<input type="checkbox"/>	Inventory		Maternal grandfather: Chad Jones	
<input type="checkbox"/>	PTC		Maternal grandmother: Rebecca Jones	
<input type="checkbox"/>	Not.Cred.		Petitioner alleges: the minor has been residing with her since October 2011. The mother is unable and unwilling to care for the minor. The father resides in Arizona and is ordered to have supervised visits only. Father has not exercised any visitation since February 2012. For the past year, Petitioner has been primarily responsible for the minor's needs and welfare. Petitioner loves the minor child and treats her as if she were her own daughter. Petitioner requests the court grant the guardianship so that she has the ability to make all legal decisions for the minor child. Petitioner also wishes to continue to keep the child loved, safe and free from harm.	
<input checked="" type="checkbox"/>	Notice of Hrg	X		
<input checked="" type="checkbox"/>	Aff.Mail	W/		
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input checked="" type="checkbox"/>	Pers.Serv.	W/		
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input checked="" 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			
Please see additional page				Reviewed by: KT
				Reviewed on: 6/6/13
				Updates:
				Recommendation:
				File 6A - Bingham-Mathia

6A Rachael Lynn Bingham-Mathia (GUARD/P) Case No. 12CEPR00908

Thomas Bingham-Mathia's (father) Declaration in Support of Termination of Temporary Guardianship filed on 11/21/12.

Thomas Bingham Mathia's declaration includes a Psychiatric Assessment of Thomas Bingham done on 4/23/12 by Edward Gogek M.D.,

Objections of the Maternal Grandparents, Rebecca Jones and Chad Jones filed on 10/22/12

Points and Authorities in Support of Termination of Guardianship filed on 1/14/2013.

Court Investigator Julie Negrete's Report filed on 11/15/12

Dept. 303, 9:00 a.m. Tuesday, June 11, 2013

Atty Lopez, Amy L (for Petitioner Amanda Joy Mathia)

Atty Hopper, Cindy J (for Rebecca Jones and Chad Jones, maternal grandparents)

Atty Kharazi, H. Ty (for Thomas Bingham-Mathia, father, Cathy Amero and Gary Amero, paternal grandparents)

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

Age: 5 years	TEMPORARY granted to Amandajoy Mathia (page 6B) EXPIRES ON 6/11/13		NEEDS/PROBLEMS/COMMENTS: 1. Need Confidential Guardian Screening form for Cathy Amero and Gary Amero. 2. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice on: a. Teresa Bingham-Mathia (mother) – mom was served by mail however Probate Code 1511 requires personal service.
	CATHY AMERO and GARY AMERO, paternal grandmother and paternal step-grandfather, are petitioners.		
Cont. from	Father: THOMAS BINGHAM-MATHIA		
<input type="checkbox"/> Aff.Sub.Wit.	Mother: TERESA BINGHAM-MATHIA – consents and waives notice.		
<input checked="" type="checkbox"/> Verified	Paternal grandfather: Thomas Bingham – Deceased		
<input type="checkbox"/> Inventory	Paternal grandfather: Vincent Mathia (biological)		
<input type="checkbox"/> PTC	Maternal grandfather: Chad Jones		
<input type="checkbox"/> Not.Cred.	Maternal grandmother: Rebecca Jones		
<input checked="" type="checkbox"/> Notice of Hrg	Petitioners state that while still a baby, Thomas [father] was adopted by Douglas Bingham. Throughout Thomas' life Petitioner states she tried to shield him from Vincent [biological father to Thomas].		
<input checked="" type="checkbox"/> Aff.Mail	W/	Petitioner states throughout her marriage to Vincent he had been very abusive both emotionally and physically. She states she had pleaded with Vincent's mother Deanna Jackson, to help stop this abuse but she did nothing. On occasions Petitioner states she tried to leave Vincent but Deanna and Vincent's sister AmandaJoy [competing petitioner], forced her to stay. Both Deanna and AmandaJoy told her there was nothing wrong with Vincent's conduct and it was her duty to stay with him.	
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen	X		
<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			
Please see additional page			Reviewed by: KT
			Reviewed on: 6/6/2013
			Updates:
			Recommendation:
			File 6B – Bingham-Mathia

Petitioner states on one occasion while pregnant with Thomas, Vincent picked her up by the neck. Each time Vincent would physically or emotionally abuse her, Deanna and AmandaJoy would turn and look the other way and to everything in their power to make her stay. Prior to her divorce, she left Vincent with full intention of ending the marriage. When she tried to take Matthew [her other child, Thomas's brother] Vincent refused to allow her to take her oldest son Matthew. Both Deanna and AmandaJoy helped Vincent keep Matthew from her. Out of fear for her son, she called the police. Both Deanna and AmandaJoy helped hide Matthew from the police so that she could not have him. Petitioner states AmandaJoy hid her son from her all those years ago and she does the same with Rachael now by keeping her from them.

After her divorce she Petitioner states she discovered Vincent had been sexually abusing Matthew (copies of Restraining order attached). Vincent never denied the abuse. He failed the evaluation and because of this failure was unable to ever resume a relationship with Matthew. Vincent never completed the court ordered counseling and classes that were required and eventually he just consented to terminate his parental rights.

After Douglas Bingham's death, Thomas sought a relationship with Vincent in an attempt to fill the void. Petitioner states she strongly advised Thomas not to cultivate a relationship with Vincent and his family. However, Thomas did not heed her advice and moved his family, Theresa, and Rachael, in a home with Vincent, Deanna and AmandaJoy. Petitioner states Thomas told her that Vincent, Deanna and AmandaJoy would constantly tell him that he was not a good husband; that he was not a good father. They would tell him that he should divorce Teresa and leave Rachael to be cared for by them. Vincent and his family would make the same comments to Teresa; telling her that she was not a good mother and that she should give up her rights as a parent and leave Rachael with them. Deanna would tell Teresa, "You can leave, but Rachael stays." Eventually Thomas surrendered to this constant badgering and consented to end his marriage. After Thomas and Teresa separated, Thomas came to live with the Petitioners. After some time and counseling, Thomas began to realize that Vincent, Deanna and AmandaJoy's comments were meant to manipulate him into gaining custody of Rachael.

Custody and Visitation:

Petitioners state they were unaware that Rachael had been living with AmandaJoy all this time until they were served with her Petition for Guardianship. Both Thomas and Teresa have an active family law case and at each hearing Teresa would state that Rachael was residing with her. Had Petitioners been made aware that Teresa was unable and/or unwilling to care for Rachael they certainly would have offered to care for her and would most definitely have vehemently objected to AmandaJoy as caretaker for Rachael.

AmandaJoy has proven herself to be an inadequate guardian for Rachael. Not only has she outwardly condoned Vincent's physical and sexual abuse, but also has participated in overt acts of parental alienation.

The court has specifically ordered that Rachael not be around Vincent yet Rachael repeatedly states that AmandaJoy takes her to spend time with "Papa Vincent."

Please see additional page

AmandaJoy has instructed and coached Rachael to not only call her parents by their first names but also has coached Rachael to tell her parents that she does not love them.

Petitioners state they have personally observed AmandaJoy get in the way of Thomas' visitation with Rachael by instigating arguments, or being late for scheduled visits, or even just outright finding any excuse to cut the visitation short. Petitioners state they have observed AmandaJoy making comments to Rachael such as, "See they don't like me. They hate me."

During Thomas' scheduled telephone communications, AmandaJoy will purposely schedule other activities for Rachael so that she does not want to talk on the phone. AmandaJoy will tell Rachael that it is Thomas' fault that she cannot do the scheduled activity and this causes Rachael not to want to talk to him.

In addition, Petitioner states she is to have one monthly telephone communication with Rachael; however, she has been unable to exercise these communications with Rachael. AmandaJoy has thwarted the communications even for Rachael's other grandparents. Telephone conversations with Rachael never last more than a minute or two because AmandaJoy will always find some reason to cut the call short or Rachael will have been coached not to want to talk.

Petitioners state they have been foster parents for the previous two years and have passed several clearances for the State of Arizona. In fact, they are in the process of adopting a teenage boy.

It is clear that the environment that Rachael is currently in is not a healthy one. Rachael is currently living with a family who is very manipulative and whom Petitioners believe are grooming her to be molested just as Matthew was.

Petitioners state they would provide an excellent home for Rachael where she can help develop a stronger relationship with her parents as well as her other grandparents.

Based on the foregoing Petitioners request guardianship be granted to them.

Court Investigator Julie Negrete's Report filed on 6/3/2013.

DOD: 11-26-12		<p>BETTY PHILLIPS and ROSE LEE LITTLE, Sisters of Decedent and Named Executrices without bond, are Petitioners.</p> <p>Full IAEA – ok</p> <p>Will dated: 6-28-12</p> <p>Residence: Fresno Publication: Fresno Business Journal</p> <p>Estimated value of estate: Personal property: \$ 50,000.00 Real property: \$ 350,000.00 Total: \$ 400,000.00</p> <p>Probate Referee: Rick Smith</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need date of death of deceased spouse per Local Rule 7.1.1.D.</p>
<input checked="" type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
	Inventory		
	PTC		
	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail w		
<input checked="" type="checkbox"/>	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 6-6-13
			Updates:
			Recommendation:
			File 7 – Kiramidjian

Petition for Termination of Guardianship

Age: 12	LAURA ABRAHAMIAN , Maternal Great-Aunt, is petitioner. Laura Abrahamian was appointed guardian on 10-11-07.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This petition pertains only to Sean Matheus.</p> <p>Minute Order of 04/23/2013: The Court orders the guardian to have Sean Matheus present on 06/11/2013.</p> <p>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 Termination of Guardianship or declaration of due diligence for:</p> <ul style="list-style-type: none"> • Hans Matheus (Father) • Sara Abrahamian (Mother) unless the Court dispenses with notice. • Susan Nunez (Maternal Grandmother)
Cont. from 042313	Father: HANS MATHEUS	
<input type="checkbox"/> Aff.Sub.Wit.	Mother: SARA ABRAHAMIAN , Declaration of Due Diligence filed 02/22/2013	
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory	Paternal Grandfather: Deceased	
<input type="checkbox"/> PTC	Paternal Grandmother: Sharon Clinton, served by mail on 03/30/2013	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Maternal Grandfather: Robert Abrahamian, served by mail on 03/30/2013	
<input checked="" type="checkbox"/> Aff.Mail	Maternal Grandmother: Susan Nunez	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Minor: Sean Matheus, consents and waives notice.	
<input checked="" type="checkbox"/> Pers.Serv.	Petitioner states: since the last Court date Sean's behavior has gotten increasingly worse at home and at school. Petitioner feels that the child regrets making the choice to stay in her home. In October the child became more disruptive and disrespectful in class even having two of his classes changed due to behavior.	
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report	In November 2012 the petitioner took the minor child to Sanctuary for a week as a form of punishment however it did not provide any help. Petitioner and the minor child have continued to attend counseling both together and separately however it has not helped.	
<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	In January of 2013, the minor and the petitioner met with the school to go over a course of action to help improve his grades and his disruptive behavior. The child's behavior improved for a short time however in February 2013 the child was suspended for 5 days from school for setting off stink bombs.	
<input type="checkbox"/> FTB Notice		
<u>Please see additional page</u>		
		Reviewed by: LV
		Reviewed on: 06/06/2013
		Updates:
		Recommendation:
		File 8 - Matheus

(Petitioner's declaration continued)

Petitioner checks the child's backpack for homework and other items the child may have received at school. The petitioner states that she has found money, food and other items that she know were not provided to him by her or her family members. When questioned, the child becomes defensive and says the items were given to him.

Petitioner is concerned that the child's behavior will affect his younger sister whom the petitioner has guardianship of.

Court Investigator Charlotte Bien's report filed 04/11/2013.

Rey, age 10	JACQUELINE GARCIA, Mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Reyna, age 11		
	ROSIE ALVARADO, Paternal Grandmother, was appointed Guardian on 10-11-07.	<p>Note: According to the Court Investigator's report filed 6-4-13, the petitioner does not wish to pursue this petition for termination.</p> <p>The parties are scheduled to check in with the mediator on 6-7-13.</p> <p>Therefore, no investigation was completed and Examiner Notes are not prepared for this matter.</p>
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: skc
		Reviewed on: 6-6-13
		Updates:
		Recommendation:
		File 9 – Briseno

Petition for Visitation

Jesus Gonzalez Rodriguez, age 9		JESUS N. GONZALEZ , Father, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> At hearing on 6-26-08, the Court ordered supervised visitation every Sunday 10am-2pm at McDonalds in Kerman.</p> <p>1. This petition was filed as a petition for <u>visitation</u>; however, it appears that Petitioner wishes to request review and <u>termination</u> of the guardianship.</p> <p>If so, Petitioner must file a <u>Petition for Termination of Guardianship (Mandatory Judicial Council Form GC-255)</u> and a new investigation will be completed. (Investigations are not performed for visitation requests.)</p> <p>Petitioner may obtain a Petition for Termination of Guardianship at the Probate Clerk's Office.</p>
		MARIA IBARRA , Maternal Grandmother, was appointed Guardian on 6-26-08. - served by mail 5-27-13	
		Mother: Patricia Rodriguez (Deceased)	
		Paternal Grandfather: Jose Gonzalez	
		Paternal Grandmother: Josefina Gonzalez	
		Maternal Grandfather: Lorenzo Rodriguez	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w/o	
	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>Petitioner requests to have custody of his son and to have his case reviewed. Petitioner sees no reason for his son to be with his grandmother when he is fully capable and willing to be fully responsible for his son. Petitioner doesn't feel the visitation that he is allowed is sufficient to fully bond with his son, especially now that he will be having a sibling. Petitioner believes it is in his son's best interest to be closer to his little brother and father than the 2 hours a week that is currently allowed (sometimes less because the grandmother arrives late).</p> <p>Petitioner believes his son needs a father figure and he and his wife are able to provide a stable house for his son. Petitioner states there is no need for his son to continue living with his grandmother when he has a loving father who wants to be a part of his life.</p>	
		<p>Reviewed by: skc</p> <p>Reviewed on: 6-6-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 – Rodriguez</p>	

11 David & Isaiah Corrales (GUARD/P)
 Atty Estrada, Jeannette M. (Co-Guardian – Paternal Aunt)
 Atty Estrada, Alexander D. (Co-Guardian – Paternal Uncle)
 Atty Alegria, Angelica Michelle (Pro Per – Petitioner – Mother)

Petition for Visitation

David, 6	ANGELICA ALEGRIA, mother, is petitioner.	NEEDS/PROBLEMS/COMMENTS: Note: Petitioner/Mother, Angelica Alegria, filed a Petition for Termination of Guardianship on 05/07/2013 and the hearing is set for 07/09/2013. 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 on the following: <ul style="list-style-type: none"> • Jeanette Estrada (Guardian) • Alexander Estrada (Guardian) • David Fernando Corrales (Father)
Isaiah, 5	JEANNETTE and ALEXANDER ESTRADA, paternal aunt & uncle, were appointed guardians on 12/13/2012.	
Cont. from	Father: DAVID FERNANDO CORRALES	
Aff.Sub.Wit.	Paternal grandfather: Camilo C. Corrales	
✓ Verified	Paternal grandmother: Rosa H. Molina	
Inventory	Maternal grandfather: Unknown	
PTC	Maternal grandmother: Linda Perez	
Not.Cred.	- Deceased	
Notice of Hrg	x Petitioner requests that she be able to have	
Aff.Mail	x visitation regularly with her sons, David	
Aff.Pub.	Corrales and Isaiah Corrales and have them	
Sp.Ntc.	on holidays, birthdays and weekends.	
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: LV
		Reviewed on: 06/06/2013
		Updates:
		Recommendation:
		File 11 – Corrales

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

Age:		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> <u>CALENDARED IN ERROR</u>
DOD:		
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: LV
		Reviewed on: 06/06/2013
		Updates:
		Recommendation:
		File 12 - Garcia

Atty Her, Kazoua (Pro Per – Maternal Grandmother – Petitioner)

Atty Chang, Tou (Pro Per – Maternal Aunt – Petitioner)

Atty Chang, Joan (Pro Per – Maternal Aunt – Petitioner)

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

Age: 8	NO TEMPORARY REQUESTED	NEEDS/PROBLEMS/ COMMENTS: 1. Notice of Hearing filed 5-17-13 is incomplete and does not indicate that a copy of the petition was served with the Notice of Hearing. The Court may require continuance for amended service.	
	KAZOUA HER, TOU CHANG, and JOAN CHANG , Maternal grandmother and aunts, are Petitioners.		
	Father: ALEXANDER YANG - Personally served (?)		
	Mother: PAI YANG CHANG - Deceased		
	Paternal Grandfather: Yong Yia Yang - Mailed service 4-23-13 (without petition)(?)		
	Paternal Grandmother: Chong Chang - Mailed service 4-23-13 (without petition)(?)		
	Maternal Grandfather: Nou Chang - Deceased		
	Siblings: Alicia Panang Her, Genesis Yang, Vincent Yang - Mailed service 4-23-13 (without petition)(?)		
	Petitioners state the mother has passed away and Celine is currently in the care of her aunts, Petitioners Tou Chang and Joan Chang. Celine would like to continue living with them at the mother's wish that was made prior to her death.		
	Court Investigator Jennifer Young filed a report on 6-4-13.		
			Reviewed by: skc
			Reviewed on: 6-6-13
			Updates:
			Recommendation:
			File 13 – Yang
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	X		
Aff.Pub.			
Sp.Ntc.			
<input checked="" type="checkbox"/> Pers.Serv.	X		
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

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

Age: 9	DARRELL CARTER, SR. , paternal grandfather, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of personal service five (5) 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"> • Darrell Carter, Jr. (Father) • Ebony Johnson (Mother) 3. UCCJEA does not provide the child's residence for the past five years as required.
	Father: DARRELL CARTER, JR.	
	Mother: EBONY JOHNSON	
Cont. from	Paternal Grandmother: Rosemary Johnson, Deceased	
<input type="checkbox"/> Aff.Sub.Wit.	Maternal Grandfather: JB Johnson	
<input checked="" type="checkbox"/> Verified	Maternal Grandmother: Gwen Babers	
<input type="checkbox"/> Inventory	Petitioner states: that he wants the child to remain in a stable safe environment. The mother, Ebony Johnson's whereabouts are unknown. CPS took the child from the Mother's custody and placed the child with the father.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Attached to the Petition is a letter written by the father stating that he is in support of his father's obtaining guardianship of the child.	
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input 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 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: 06/07/2013
		Updates:
		Recommendation:
		File 14 – Carter

