



ATTENTION

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

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

Thank you for your patience.

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

DOD: 5/23/2005	<p>VIVIAN WEST was appointed as Administrator with full IAEA authority and without bond on 8/23/05.</p> <p>Letters issued on 8/24/2005.</p> <p>I & A showing the estate valued at \$190,700.00 was filed on 12/12/2005.</p> <p>Notice of Status Hearing was mailed to attorney Jeff Shepard and Administrator Vivian West on 11/22/2013.</p> <p>Status Report of Attorney Jeff Shepard filed on 2/21/14 states he has been unable to contact the Administrator about the Notice of Status Hearing. He has mailed by regular and certified mail, return receipt requested to all known addresses but both letters came back undeliverable. The attorney states he has called the phone number given to him by Pipkin Detective Agency, however the phone numbers are out of service.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 04/10/14 Minute Order from 04/10/14 states: The Court notes that counsel has been diligent in his attempts to locate his client. Based on counsel's exercise of diligence, the Court waives the filing fee for the petition to close the estate.</p> <p>As of 06/09/14, nothing further has been filed.</p> <p>1. Need first account or petition for final distribution.</p>
Cont. from 022814, 041014		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: JF</p>	
	<p>Reviewed on: 06/09/14</p>	
	<p>Updates:</p>	
	<p>Recommendation:</p>	
	<p>File 1A – Baker-Melton</p>	

Notice of Motion and Motion to be Relieved as Counsel

DOD: 5/23/2005	JEFF S. SHEPARD , attorney for Administrator, VIVIAN WEST, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 04/10/14</u></p> <p>1. Need <i>Notice of Hearing</i> and proof of service of <i>Notice of Hearing</i> on Vivian West.</p>
Cont. from 041014	VIVIAN WEST was appointed Administrator on 08/23/05 without bond.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory	Letters were issued on 08/24/05.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Inventory & Appraisal showing the value of the estate at \$190,700.00 was filed 12/12/05.	
<input type="checkbox"/> Notice of Hrg	x	
<input checked="" type="checkbox"/> Aff.Mail	w/ Petitioner states that Vivian West has ceased all contact with his office. All correspondence and telephone calls have been ignored. Petitioner states that he has sent numerous letters to Ms. West regarding her duties as the personal representative of her mother's estate, but none of the letters have been acknowledged and the most recent letters have been returned as undeliverable. Petitioner states that he cannot continue as attorney for Vivian West due to her lack of cooperation and failure to perform her duties as administrator of the estate.	
<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	Proof of Service filed 04/04/14 indicates that the Notice of Motion and Motion to be Relieved as Counsel and Declaration in Support of Attorney's Motion to be Relieved as Counsel – Civil was mailed to the Administrator at 3 different addresses.	
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 06/09/14
		Updates:
		Recommendation:
		File 1B – Baker-Melton

Pro Per DeGeorge, Lois (Pro Per Petitioner, Executor)
 Atty Markeson, Thomas A., of Wild Carter & Tipton (for Valley Stairway, Inc.; Jerry DeGeorge; and Anthony DeGeorge, Jr.)

(1) First and Final Petition and Report of Executor (2) for Final Distribution

DOD: 9/3/2005	LOIS MARIE DeGEORGE , spouse and Executor appointed on <u>7/25/2006</u> with Full IAEA authority without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 5/8/2014. Minute Order [Judge Smith] states: No appearances. Matter continued to 6/12/2014. The Court directs that a copy of the minute order be sent to all counsel.</p> <p>Note: Clerk's Certificate of Mailing filed 5/22/2014 shows Lois DeGeorge was mailed a copy of the Minute Order dated 5/8/2014 on 5/22/2014.</p> <p>Note: Court records do not show a Final Inventory and Appraisal has been filed in this estate pursuant to Probate Code § 8800(b), to inform the Court of any assets that may have been marshalled by the Executor.</p> <p>~Please see additional page~</p>
Cont. from 050814	Account period: not stated [7/25/06 – 4/1/14] Petition does not state the account period pursuant to Probate Code § 1061(a). However, based upon this atypical case characterized by lapse of time with few administrative actions taken and the simplified accounting presented, the account period may be presumed to be from the date of appointment and/or date Letters issued, to the date of the execution and verification of this accounting.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory	X	
<input type="checkbox"/> PTC	X	
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	X	
<input type="checkbox"/> Aff.Mail	X	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input 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		
	<p>Accounting - \$ not stated Beginning POH - \$ not stated Ending POH - \$ not stated</p> <p>Executor - waives</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> An Inventory and Appraisal has not been filed with this Court; No actions were taken under Independent Administration of Estates Act (IAEA); The heirs under Decedent's Will are JOSEPH DeGEORGE, grandson, and LISA M. FARMEN, granddaughter; On 11/17/2006, the Executor paid \$100,000.00 to JOSEPH DeGEORGE and \$100,000.00 to LISA M. FARMEN from the Trust of the Decedent; Executor received no fee for these distributions; Executor is not asking for compensation. <p>Petitioner prays for an Order of this Court that:</p> <ol style="list-style-type: none"> The administration of the Estate be brought to a close; and The <i>First and Final Petition and Report of Executor for Final Distribution</i> be approved. 	
		<p>Reviewed by: LEG</p> <p>Reviewed on: 6/9/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2 – DeGeorge</p>

NEEDS/PROBLEMS/COMMENTS, continued:

Note for background: Minute Order dated 3/7/2014 from the Probate Status Hearing Re: Failure to File Inventory and Appraisal; Failure to File a First Account or Petition for Final Distribution states Ms. Istanboulian is appearing specially for Attorney Joanne Sanoian. Ms. DeGeorge informs the Court that Ms. Sanoian is no longer representing her. Ms. DeGeorge is directed to see to it that a substitution of attorney is filed indicating that she is now self-represented. Based on a no asset estate, the Court waives the fees.

Substitution of Attorney filed 3/25/2014 indicates Lois DeGeorge is self-represented as of 3/20/2014.

1. Court records do not show notice of the *First and Final Petition and Report of Executor for Final Distribution* has been served to any of Decedent's heirs as mentioned in Decedent's Will, as listed in the initial *Amended Petition for Probate* filed 5/22/21006, nor as are mentioned in the instant *First and Final Petition and Report*. Need Notice of Hearing of the *Petition for Final Distribution on Waiver of Accounting*, together with a copy of the petition, and proof of mailed service of 15 days' notice prior to hearing pursuant to Probate Code §§ 1220, 11000 and 11601 for the following persons:
 - Anthony DeGeorge, Jr., son;
 - Jerome (Jerry) DeGeorge, son;
 - Joseph A. DeGeorge, grandson;
 - Lisa Marie Farmen, granddaughter;
 - **TRUSTEE** of the **ANTHONY DeGEORGE REVOCABLE LIVING TRUST AGREEMENT dated 5/13/1997**, as Amended by **FOURTH AMENDMENT thereto dated 8/24/2011**.
2. Need proposed order pursuant to Local Rule 7.1.1(F) providing that a proposed order shall be submitted with all pleadings that request relief.

Notes Re Distribution: *First and Final Petition and Report of Executor for Final Distribution* does not comply with the provisions for estate accountings pursuant to Probate Code §§ 1061 et seq. The following notes are provided for the Court's consideration with respect to approval of the *Petition*:

- Petitioner states in Paragraph 16 of the *Petition* under the heading "*Distribution of Estate*" that she distributed a total of **\$200,000.00** to two of Decedent's heirs from the "Trust of Decedent." It is unclear whether Petitioner intends to mean by this statement that the estate contains no assets, or to mean that assets were distributed from the Decedent's Estate to the Decedent's Trust, which is a violation of the Probate Code provisions requiring Court order authorizing distribution of estate assets. It appears Petitioner may have marshalled estate assets, based upon the statement that assets were distributed.
- It is unclear from the *Petition* whether Petitioner served or currently serves as Trustee of the Trust of the Decedent, though as Executor of the Estate she is responsible for distributing to the beneficiary in Decedent's Will, namely the **TRUSTEE** of the **ANTHONY DeGEORGE REVOCABLE LIVING TRUST AGREEMENT dated 5/13/1997**, as Amended by **FOURTH AMENDMENT thereto dated 8/24/2011**, and not directly to the two persons named in the *Petition*, **JOSEPH DeGEORGE**, grandson, and **LISA M. FARMEN**, granddaughter, who may be beneficiaries of the Decedent's Trust, but who are not identified as such in the instant *Petition*.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS, continued:

Notes Re Case History:

- Lois DeGeorge (represented by Attorney John Fennacy) filed on 5/9/2006 a *Petition for Probate* seeking appointment as Executor of Decedent's Will dated 7/18/2002. *Amended Petition for Probate* was filed on 5/22/2006. *Order for Probate* appointing Lois DeGeorge as Exeuctor was filed 7/25/2006, and *Letters* issued on that date.
- Lois DeGeorge (in pro per) filed on 4/3/2007 a *Petition for Order Compelling Central Valley Community Bank to Produce Documents*. *Minute Order* dated 5/7/2007 states in pertinent part that Jan Boman personally appeared on behalf of Central Valley Community Bank. Ms. Boman reported that Anthony DeGeorge has no assets at the bank as owner or beneficiary since 2002. *Petition* dismissed without prejudice.
- Lois DeGeorge (represented by Attorney Joanne Sanoian) filed on 2/16/2010 a *Petition to Determine Title to and Require Transfer of Personal Property to Estate of Decedent*. Following litigation including demurrer by attorneys for Jerome (Jerry) DeGeorge and Anthony DeGeorge, Jr., the Court issued on 7/19/2010 an *Order Dismissing Petition to Determine Title to and Require Transfer of Personal Property to Estate of Decedent*.
- Lois DeGeorge (represented by Attorney Joanne Sanoian) filed on 7/23/2010 a *First Amended Petition to Determine Title to and Require Transfer of Personal Property to Estate of Decedent*, culminating in an *Order Dismissing Petition filed July 23, 2010* [by Lois DeGeorge to determine title to estate property], which was entered on 1/3/2011, thereby serving as the end to the litigation that had been ongoing since 2006.

Third Amended First and Final Account and Report of Conservator; Petition for Its Settlement; for Attorney Fees; and Discharge or Conservator of the Estate

DOD: 04/17/13	KATINA SAPIEN LOZANO PAULEY, Conservator, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The Petition (and Order) seek authorization to withdraw funds from various conservatorship accounts to pay the requested attorney fees, however it appears that there are sufficient funds already in the trust account to pay the fees. It is noted that Schedule E – Property on Hand indicates that there is a balance of \$7,731.72 in the client trust account. After payment of the requested \$7,295.00 in attorney's fees (if approved), there should be a balance of \$436.72 to be refunded to the conservatorship estate. Need clarification.</p> <p>2. Need accounting period for the period after decedent's death pursuant to Probate Code § 2620(b).</p>
	Account period: 09/19/11 – 12/16/13	
Cont. from 052914	Accounting - \$102,960.95	
Aff.Sub.Wit.	Beginning POH - \$37,268.63	
<input checked="" type="checkbox"/> Verified	Ending POH - \$17,668.83 (\$15,668.83 is cash)	
Inventory	Conservator - waived	
PTC	Attorney - \$7,295.00 (per declaration, itemized by date for 2.4 hours @ \$300/hr., 17.3 hours @ \$200/hr. and 31.15 hours @ \$100/hr.)	
Not.Cred.	Petitioner states that \$10,796.83 was paid to the Joanne Sanoian client trust account on 06/04/12. The Court subsequently reduced the approved attorney fee to \$8,874.83 leaving a balance in the trust account of \$1,442.00 (see note 1).	
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner requests that the remaining property on hand be distributed to her as the successor trustee of the Angelina S. Lozano Living Trust pursuant to Probate Code § 13100 (Declaration attached to Petition as exhibit B).	
<input checked="" type="checkbox"/> Aff.Mail w/	Bond, currently posted in the amount of \$60,000.00 is sufficient.	
Aff.Pub.	Petitioner prays for an Order:	
Sp.Ntc.	1. Authorizing the attorney's fees;	
Pers.Serv.	2. Authorizing Petitioner to close the blocked account ending in 5483 and deposit into the conservatorship checking account ending in 6758.	
Conf. Screen	3. Authorizing and directing Petitioner to distribute the remaining assets in the Joanne Sanoian Client Trust Account into the conservatorship's checking accounting ending in 6758.	
Letters	4. Authorizing the distribution of the remaining assets of the conservatorship estate to Katina Sapien Lozano Pauley as successor trustee of the Angelina S. Lozano Living Trust.	
Duties/Supp	5. Discharging Petitioner's bond and upon filing of the proper receipts, and filing of an Ex Parte Order for Final Discharge, discharging Petitioner.	
Objections		
Video Receipt		
CI Report		
<input checked="" type="checkbox"/> 2620(c)		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Reviewed by: JF
Reviewed on: 06/09/14
Updates:
Recommendation:

File 6 - Lozano

First and Final Report of Status of Administration on Waiver of Account and Petition for : (1) Compensation to Attorney for Ordinary Services; (2) Final Distribution; and (3) Reimbursement of Costs Advanced

DOD: 07/03/11		AIMEE HOLLAND , Successor Administrator, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 04/24/14 Minute Order from 04/24/14 states: Issues discussed in open court. Mr. Winter will file another petition and will get the same date as this matter as long as it is filed in a timely manner.</p> <p>As of 06/09/14, nothing further has been filed. Note: An amended proposed Order has been submitted that proposes to distribute the property to Aimee Holland as Special Administrator of the Estate of Barbara Morgan, however, no amended Petition or Declaration/Supplement has been filed requesting such relief. The relief granted in an order signed by this court must be supported by filed documentation requesting such relief.</p> <ol style="list-style-type: none"> The property on hand appears to be miscalculated in the Petition and only includes the cash assets of the estate. The figure in the Petition excludes the vehicle valued at \$3,400. Examiner calculates that the total property on hand to be \$126,938.56. The Petition states that the beneficiary of this estate is Barbara R. Morgan, who is now deceased, thus her estate is now the beneficiary. The Petition requests to pass the proceeds of this estate pursuant to the terms of Barbara's will; however, the proceeds of this estate cannot be passed pursuant to the will of its beneficiary. The assets of this estate can only pass to the Estate of Barbara Morgan as the intestate heir. From Barbara Morgan's estate, the proceeds can then be administered pursuant to her will. It is unclear from this Petition whether the Petitioner has been appointed as the personal representative of Barbara Morgan's estate.
		Accounting is waived.	
Cont. from 041014, 061214		I & A - \$119,714.51	
Aff.Sub.Wit.		POH - \$123,538.56	
<input checked="" type="checkbox"/> Verified		(\$126,938.56, see note 1)(\$123,538.56 cash plus a vehicle valued at \$3,400.00)	
<input checked="" type="checkbox"/> Inventory		Administrator - waived	
<input checked="" type="checkbox"/> PTC		Attorney - \$4,808.16 (statutory)	
<input checked="" type="checkbox"/> Not.Cred.		Costs - \$2,361.00 (filing fees, publication, certified copies, notary fees, probate referee)	
Notice of Hrg x		Closing - \$2,000.00	
Aff.Mail x		Distribution, pursuant to intestate succession, and subject to the will of the deceased beneficiary is to:	
Aff.Pub.		Aimee Holland, successor trustee of the Morgan Family Trust – 100% of the assets	
Sp.Ntc.		NEEDS/PROBLEMS/COMMENTS Con't:	
Pers.Serv.		3. The Petition states that Aimee Holland and Gail Stone as beneficiaries of the Morgan Family Trust have consented to "distribution in-kind" of the vehicle asset of this estate to the Trustee of the Morgan Family Trust. It is unclear what is meant by an "in-kind" distribution because it appears that Petitioner is requesting to distribute this asset to herself as successor trustee of the Morgan Family Trust, which is the same distribution she is requesting for all of the assets of the this estate. Need clarification. It is noted again, that this vehicle can only pass to the Estate of Barbara Morgan. It can then be distributed pursuant to the terms of her will from her estate.	
Conf. Screen		4. Need Notice of Hearing.	
Letters 10/11/12		5. Need proof of service at least 15 days before the hearing to the Personal Representative of the Estate of Barbara Morgan.	
Duties/Supp			
Objections			
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: JF	
		Reviewed on: 06/09/14	
		Updates:	
		Recommendation:	
		File 8 – Shaver	

Atty Petty, Jonathon L., of Wright & Wright (for Petitioner Alex Brehm, Administrator)

(1) First and Final Report of Administrator; (2) Petition for Final Distribution Without an Accounting and (3) for Allowance of Compensation for Ordinary Services

DOD: 6/8/2013	ALEX BREHM , family friend and Administrator, is Petitioner.		NEEDS/PROBLEMS/COMMENTS:
	Accounting is waived.		
Cont. from	I & A	— \$160,850.00	
<input type="checkbox"/> Aff.Sub.Wit.	POH	— \$165,287.65	
<input checked="" type="checkbox"/> Verified		(\$130,287.65 is cash)	
<input checked="" type="checkbox"/> Inventory	Administrator	— \$6,987.54	
<input checked="" type="checkbox"/> PTC	(statutory)		
<input checked="" type="checkbox"/> Not.Cred.	Attorney	— \$6,987.54	
<input checked="" type="checkbox"/> Notice of Hrg	(statutory)		
<input checked="" type="checkbox"/> Aff.Mail	Closing	— \$2,000.00	
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.	Distribution pursuant to intestate succession is to:		
<input type="checkbox"/> Conf. Screen	GEOFFREY WORSTELL – \$39,656.29 cash , and real property;		
<input type="checkbox"/> Letters	NANCY CALDWELL-HERSHORIN – \$74,565.28 cash.		
<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			
			Reviewed by: LEG
			Reviewed on: 6/9/14
			Updates:
			Recommendation: SUBMITTED
			File 9 - Worstell