



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.

Dept. 303, 9:00 a.m. Monday, June 18, 2012

Age: 76 years DOB: 2/11/1936	CONNIE RANA, Conservator, is petitioner.	NEEDS/PROBLEMS/COMMENTS: Continued from 5/7/12. As of 6/11/12 there have been no additional documents filed. 1. Order dated 3/16/05 allowed the Conservator to fix the residence of the Conservatee to Las Vegas Nevada. With a provision that a conservatorship or its equivalent be established in the new state (Nevada) within 4 months. However, no conservatorship has been established in Nevada. Court may want to inquire about the establishment of a conservatorship in Nevada. – A copy of the Petition for Appointment of Guardian of the Person and Estate filed in Clark County, Nevada on 1/20/12 has been presented to the court. Please see additional page
	Account period: 1/8/08 – 12/31/09	
	Accounting - \$782,889.76	
	Beginning POH- \$642,039.07	
	Ending POH - \$496,754.10	
Cont. from 102511, 120611, 012412, 030812, 050712	Conservator - waives	
<input type="checkbox"/> Aff.Sub.Wit.	Attorney - \$2,000.00 (per Local Rule)	
<input checked="" type="checkbox"/> Verified	Petitioner prays for an Order:	
<input type="checkbox"/> Inventory	1. Settling and allowing the third account and report and approving and confirming the acts of petitioner as filed;	
<input type="checkbox"/> PTC	2. Authorizing Petitioner to pay her attorney the sum of \$2,000.00 for ordinary legal services provided to the conservator and the estate during the period of the account.	
<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 checked="" type="checkbox"/> 2620(c)		
<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: KT
		Reviewed on: 6/11/12
		Updates:
		Recommendation:
		File 2 - Parks

2 (additional page 1 of 3) Darleen Joyce Parks (CONS/PE) Case No. 03CEPR01192

2. **Disbursement schedule shows payments bi-monthly of \$2,700 to Rana and Rana for rent. The court may require clarification regarding these rent payments and whether or not Rana and Rana has any relationship to the conservator. California Rules of Court 7.1059(a)(4) states the conservator must not engage his or her family members to provide services to the conservatee for a profit of fee when other alternatives are available. Where family members do provide services, their relationship must be fully disclosed to the court and their terms of engagement must be in the best interest of the conservatee compared with the terms available from other independent service providers.** – Declaration of Conservator filed on 11/30/11 states the rental property is owned by the conservator and her husband; however, the sub-market rent is not sufficient to pay the mortgage, property taxes, insurance and maintenance costs for the property. Conservator states she and her husband do not make any property from the conservatee's tenancy.
3. **Disbursement schedule shows several months where it appears the conservatorship is paying the cell phone of the live in care provider Sandra Martin. Court may require clarification.** – Declaration of Conservator filed on 11/30/11 states the cell phone payments for Sandra Martin, live in care provider, because the care provider would often take the conservatee to various places and therefore, it was required that the care provider have a cell phone. Because it was a requirement for this care provider, it was agreed that the conservatorship would pay the costs.
4. **Disbursement schedule shows several months where there are two payments per month for Las Vegas Valley Water (utilities), Pesky Pete's Pest control, Embarq (phone), Cox Enterprises (cable service), Southwest Gas (utilities), Republic Service (trash), Nevada Power (utilities). It appears the conservatorship may be paying for more than just the conservatee's expenses. Court may require clarification.** – Declaration of Conservator filed on 11/30/11 states some payment were made, on behalf of the care providers, as part of the "barter" agreement between the care providers and the conservator. The various utilities or cable services expenses would be paid, on occasion, for the conservatee at her residence and on occasion as the "barter" for services by a care provider.
5. **Disbursement schedule shows items purchased that should be included on the property on hand schedule such as:**
 - a. **3/11/08 – TV Surround + patio furniture for \$1,723.65**
 - b. **4/22/08 – Washer and dryer for \$1,578.90**
 - c. **12/22/09 – firmer sofa(?) – for \$2,196.19** – Declaration of Conservator filed on 11/30/11 states the purchases were necessary.
6. **Disbursement schedule shows gifts of cash on 12/28/09 to the conservatee's great nephews, Josh Rana - \$250.00 and Jacob Rana - \$200.00. California Rules of Court, Rule 7.1059(b)(3) states the conservator must refrain from making loans or gifts of estate property, except as authorized by the court after full disclosure.** – Declaration of Conservator filed on 11/30/11 states the cash gifts are minimal reflections of the conservatee's affection for her great nephews.

Please see additional page

Dept. 303, 9:00 a.m. Monday, June 18, 2012

2 (additional page 2 of 3) Darleen Joyce Parks (CONS/PE) Case No. 03CEPR01192

7. Disbursement schedule shows payments identified as Summerlin Dues (without stating the nature and purpose of the payment) as follows:

- **4/15/08 - \$271.00**
- **4/15/08 - \$271.00**
- **8/26/08 - \$271.00**
- **8/26/08 - \$271.00** - Declaration of Conservator filed on 11/30/11 states Summerlin is the name of the large planned development where the Conservatee (and conservator and her husband) reside. Because of the lower rental payments Conservator states she has paid (quarterly) the Summerlin assessment for the rental house. The four assessment payments are the only ones paid and the conservatorship has not been further charged for these homeowner assessments.

8. Disbursement schedule shows a transfer correction of \$250.00 on 12/22/08. Court may require clarification.

- Declaration of Conservator filed on 11/30/11 states the payment of \$250.00 was to the Nevada DMV to license Darlene's 2003 Jaguar.

9. Disbursement schedule shows a disbursement for "Home Warranty" in the amount of \$313.95 on 5/27/09. Court may require explanation as to why the conservatorship is paying for home warranty when renting (see item #2 above). - Declaration of Conservator filed on 11/30/11 states this is a 50-50 split for payment on the home warranty for the rental house.

10. Need Bank Statements as required by Probate Code 2620(c)(2).

11. This conservatorship was established in 2003. Property on hand schedule from the 2nd account ending on 12/31/2007 shows promissory notes (all apparently established during the 2nd account period) as follows:

- **\$38,000** dated 6/27/05 from Aaron Wallace secured by a Deed of Trust with interest at 16% per annum
- **\$252,000.00** dated 7/19/05 from Aaron Wallace secured by a Deed of Trust with interest at 13% per annum.
- **\$60,000.00** dated 10/11/05 from John P. Rana and Kea Rana with interest at 4% per annum. (It appears that John P. Rana is the son of the petitioner.)

Probate Code §2570 requires the Conservator to obtain prior court approval before investing money of the estate. There is nothing in the file to indicate the conservator obtained permission from the Court to invest money of the estate. - Declaration of Conservator filed on 11/30/11 states the promissory notes contained in the 2nd account were paid current, principal and interest included. All the notes were first trust deeds secured by real properties with sufficient equities. However, because the notes were of such a high rate of return (16% and 13% interest annum), the mortgagor was in danger of being unable to make further payments, which would have resulted in the requirement of the conservatorship to foreclose on the properties. To avoid foreclosure and subsequent costs incurred, and to avoid owning the properties, the conservator, through her husband who is a real estate investor, replaced these notes with other notes also secured by first trust deeds which are now paying at a more normal rate of return of 4%.

Please see additional page

Dept. 303, 9:00 a.m. Monday, June 18, 2012

2 (additional page 3 of 3) Darleen Joyce Parks (CONS/PE) Case No. 03CEPR01192

12. Property on hand schedule for this (the 3rd) accounting shows two promissory notes as follows:
- \$95,000 secured by 1209 Coral Isle Way, Las Vegas, NV with interest at 4% per annum and an outstanding balance of \$95,000.00
 - \$205,000 secured by 11464 Crimson Rock, Las Vegas, NV with interest at 4% per annum and an outstanding balance of \$191,286.22.

It appears that the promissory notes in the second account are not the same promissory notes in the third account. What happened to the promissory notes in the second account? Where they paid in full? Need clarification and need change in asset schedule. – *Declaration of Conservator filed on 11/30/11 states the questions raised herein are address in the answer above. All principal and interest payments and current interest rates and principal balances are recorded on the Third Account and Report are accurate.*

(1) First and Final Report of Administrator, (2) Petition for Final Distribution and (3) Allowance of Compensation for Statutory Commissions and for Statutory and Extraordinary Attorney's Fees

DOD: 9/9/2010		JEFFREY MARTIN , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	Continued from 5/14/12. As of 6/11/12 the following issues remain:
Cont. from 051412		I & A -	<ol style="list-style-type: none"> 1. Need property on hand schedule. California Rules of Court, Rule 7.651. 2. Need statement re: Costs 3. Need receipt for preliminary distribution. 4. Petition does not contain a statement regarding Probate Code §216 and 9202(b) re: notice to the Director of Victims Compensation and Government Claims Board. 5. Order does not comply with Local Rule 7.6.1. All orders in probate matters must be complete in themselves. Orders shall set forth all matters ruled on by the court, the relief granted, and the names of persons, descriptions of property and/or amounts of money affected with the same particularity as required of judgments in general civil matters. Monetary distributions must be stated in dollars, and not as percentages of the estate.
	Aff.Sub.Wit.	\$98,827.23	
✓	Verified	Administrator -	
✓	Inventory	\$3,953.08 (statutory)	
✓	PTC	Attorney -	
✓	Not.Cred.	\$3,953.08 (statutory)	
✓	Notice of Hrg	Costs -	
✓	Aff.Mail	\$416.00	
	Aff.Pub.		
✓	Sp.Ntc.		
	Pers.Serv.	Distribution, pursuant to intestate succession, is to:	
	Conf. Screen	Robert James Santopietro, Jr. - 100%	
✓	Letters	1/19/11	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		
			Reviewed by: KT
			Reviewed on: 6/11/12
			Updates:
			Recommendation:
			File 3 – Santopietro

Atty Bagdasarian, Gary G., sole practitioner (for Petitioner John Van Curen, Administrator)

(1) First and Final Account and Report of Status of Administrator and Petition for Settlement Thereof; (2) for Allowance of Statutory Administrator's Compensation and Statutory Attorney's Fees; (3) for Extraordinary Attorney's Fees; (4) for Costs Reimbursement and (5) for Final Distribution [Prob. C. et seq., 6402(a), 10800, 10810, 10811, 10951, & 11600]

DOD: 11/17/2010	JOHN VAN CUREN , Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 3/3/2011 – 4/16/2012	
	Accounting - \$167,547.01	
	Beginning POH - \$127,337.57	
	Ending POH - \$131,930.85 <i>(all cash)</i>	
Cont. from	Administrator - \$6,026.41 <i>(statutory)</i>	
<input type="checkbox"/> Aff.Sub.Wit.	Attorney - \$6,026.41 <i>(statutory)</i>	
<input checked="" type="checkbox"/> Verified	Attorney XO - \$6,550.00 <i>(per Declaration and itemization, for investigation of assets and negotiation of creditor's claims of Decedent's brother-in-law with claimant and his attorney, negotiation of insurance settlement, preparing and filing tax returns; for 26.20 hours @ \$250.00/hour;)</i>	
<input checked="" type="checkbox"/> Inventory	Costs - \$1,447.50 <i>(filing fees, probate referee, publication for initial and amended petitions, creditor claim copy;)</i>	
<input checked="" type="checkbox"/> PTC	Closing - \$1,000.00	
<input checked="" type="checkbox"/> Not.Cred.	Distribution pursuant to intestate succession is to:	
<input checked="" type="checkbox"/> Notice of Hrg	<ul style="list-style-type: none"> • JESSICA DESATOFF – \$55,440.27 cash • JOSHUA DESATOFF – \$55,440.26 cash 	
<input checked="" type="checkbox"/> Aff.Mail W/		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters 030311		
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: LEG
		Reviewed on: 6/11/12
		Updates:
		Recommendation:
		File 4 - Desatoff

5 Garbic Gizirian (Estate)

Case No. 11CEPR00612

Atty Bagdasarian, Gary G. (for John Van Curen – Administrator)

(1) First and Final Account and Report of Administrator and Petition for Settlement Thereof; (2) for Allowance of Statutory Attorney's Fees and Administrator's Compensation; (3) for Extraordinary Attorney's Fees; (4) for Costs Reimbursement and (5) for Final Distribution [Prob. C. et seq., 10513, 10537(b)(3), 10259, 10800, 10810, 10811, 10951, & 11600]

DOD: 07/03/2000	JOHN VAN CUREN , Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 10/05/11 – 03/31/12	
Cont. from	Accounting - \$66,109.76	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH - \$66,017.75	
<input checked="" type="checkbox"/> Verified	Ending POH - \$34,951.47 (all cash)	
<input checked="" type="checkbox"/> Inventory	Administrator - \$1,724.39 (statutory)	
<input checked="" type="checkbox"/> PTC	Attorney - \$1,724.39 (statutory)	
<input checked="" type="checkbox"/> Not.Cred.	Attorney x/o fees - \$11,150.00 (per itemized statement for services in connection with the sale of real property of the estate including coordinating cleaning up the property, access to the property, valuation and sale of the property with the Administrator, real estate agent hired to list the property, Industrial Waste & Salvage hired to clear the property, Probate Referee re reappraisal for sale, for a total of 44.6 hours @ \$250.00/hr.)	
<input checked="" type="checkbox"/> Notice of Hrg	Costs - \$1,356.00 (filing fees, publication, certified copies, probate referee, recording fees)	
<input checked="" type="checkbox"/> Aff.Mail w/	Closing - \$1,000.00	
<input type="checkbox"/> Aff.Pub.	Distribution, pursuant to intestate succession and subject to creditor's claim, is to:	
<input type="checkbox"/> Sp.Ntc.	Department of Health Care Services - \$17,966.69	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters 10/05/11		
<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 on: 06/12/12
		Updates:
		Recommendation:
		File 5 - Gizirian

6A Jack H. Boghosian (Estate)

Case No. 11CEPR01034

Atty Kruthers, Heather H (for Petitioner Public Administrator)
 Atty Bagdasarian, Gary (for beneficiary California Armenian Home)
 Atty Motsenbocker, Gary (for beneficiary Trinity Home Health Services)
 Atty Poochigian, Mark (for Mike Shahinian)

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

DOD: 10/18/11	PUBLIC ADMINISTRATOR is petitioner.	NEEDS/PROBLEMS/COMMENTS: Continued from 6/6/12. 1. Petition requests that the Decedent’s audio Will dated 9/2/1993 be admitted to probate. Probate Code §6110 states in relevant part “a will shall be in writing.” Need authority that allows the court to admit an audio will to probate. – Memorandum of Points and Authorities filed on 2/1/2012 by the California Armenian Home. 2. Need proof of holographic instrument for the handwritten notations on the will if the court is going to consider said handwritten notations as a codicil to the decedent’s witnessed will. – Declaration of Herbert I. Levy filed on 3/29/12 states he has known Mr. Boghosian approximately 55 years. He has listened to the audio tape and it is very apparent to him that the voice on the tape is that of Mr. Boghosian.
	PUBLIC ADMINISTRATOR was appointed Special Administrator with general powers on 2/16/2012. Letters of Special Administration expire on 4/5/12.	
Cont. from 011912, 021612, 040512, 050212, 060612		
Aff.Sub.Wit.		
✓ Verified		
Inventory	Full IAEA – o.k.	
PTC		
Not.Cred.	Will dated: 8/11/1972 Audio Will dated: 9/2/1993	
Notice of Hrg		
✓ Aff.Mail	W/ Residence: Fresno	
✓ Aff.Pub.	Publication: Fresno Business Journal	
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
✓ Letters	Estimated value of the Estate:	
Duties/Supp	Personal property - \$464,027.00	
Objections	Real property - \$130,000.00	
Video Receipt	Total - \$594,027.00	
CI Report		
9202		
✓ Order	Probate Referee: STEVEN DIEBERT	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 6/12/12
		Updates:
		Recommendation:
		File 6A - Boghosian

Memorandum of Points and Authorities in Support of Petition for Probate filed by the California Armenian Home on 2/1/12.

A holographic codicil may be placed on the face of a witnessed will, and is valid if it meets the requisites of a holographic instrument (written in the testator's hand, dated and signed). [*Estate of Nielson* (1980) 105 Cal.App.3d 796, 802-805] Witkins defines "codicil" as "a later testamentary instrument or entry on an original testamentary instrument that supplements or otherwise affects its validity or terms." [14 Witkin, *Summary of California Law* (10th ed.(2005), Wills, §159]

The handwritten notation of Mr. Boghosian on the face of his witnessed will appears to constitute a holographic codicil, since it appears to be in his handwriting, is dated and signed, and supplements or otherwise affects the validity or terms of his earlier witnessed will.

A holographic codicil may incorporate by reference another writing (formal or informal, attested or unattested) as long as the reference is unmistakable or can be deemed unmistakable by reference to extrinsic evidence. [*In re Foxworth's Estate* (1966) 240 Cal.App.2d 784, 788] The required elements to establish incorporation by reference are: (1) the incorporated writing must be in existence at the time the codicil makes reference to it; (2) the codicil must identify the incorporated writing by a sufficiently certain description, and extrinsic evidence is admissible to aid the identification; and, (3) it must appear that the testator intended to incorporate the writing for the purpose of carrying out his testamentary desires. [*id.* at pages 788-789]

The handwritten notation of Mr. Boghosian on his witnessed will appears to constitute a holographic codicil that incorporates by reference two separate writings for the purpose of carrying out his testamentary desires.

First, the holographic codicil incorporates the tape recording that Mr. Boghosian specifically identifies and states that he "made" on September 2, 1993 "to supersede" his witnessed will. This establishes the elements of existence, identification and intent. The element of identification is also established by the extrinsic evidence consisting of Mr. Boghosian's handwritten notations on the tape itself, and on the envelope in which his witnessed will and tape were found.

Second, the holographic codicil incorporates Mr. Boghosian's witnessed will by referring to "this will" as the testamentary instrument he sought to "supersede" with the tape recorded instructions.

Finally, the tape recording should be considered a proper matter to be incorporated by reference notwithstanding that case law on the issue generally refers to "documents" being incorporated by reference. Probate Code §6130 governs incorporation by reference, and refers to a "writing" as the type of matter which may be incorporated by reference (not a "document" or "paper"). The Probate Code does not define the word "writing" and does not exclude probate proceedings from the rules of evidence, so the provisions of the Evidence Code may be applied to determine the meaning of the word "writing" used in Probate Code §6130. [Evidence Code §300; and see, *Estate of Nicholas* (1986) 177 Cal.App.3d 1071, 1088]

Evidence Code §250 provides the following definition for the word "writing:":

"'Writing' means handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting, by electronic mail or facsimile, and every other means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereby created, regardless of the manner in which the record has been stored."

Tape recordings are considered “writings” under the Evidence Code. [*Darley v. Ward* (1980) 28 Cal.3d 257,261] Since the tape recording made by Mr. Boghosian is a “writing” it is subject to being incorporated by reference in his holographic codicil.

Therefore, request is made that the Will of Jack H. Boghosian dated August 11, 1972 be admitted with the taped testamentary document described in Attachment 3e(2) to the Petition of the Fresno County Public Administrator as the codicil of the Decedent.

Memorandum of Points and Authorities filed by Trinity Home Health Services dba Saint Agnes Home Health and Hospice, beneficiary filed on 2/14/12.

6B Jack H. Boghosian (Estate)

Case No. 11CEPR01034

Atty Kruthers, Heather H (for Petitioner Public Administrator)

Atty Bagdasarian, Gary (for beneficiary California Armenian Home)

Atty Motsenbocker, Gary (for beneficiary Trinity Home Health Services)

Atty Poochigian, Mark (for Mike Shahinian)

Petition for Approval of Settlement Agreement

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Analysis of this matter was completed by the research attorney therefore examiner notes have not been prepared.</p>
Cont. from 060712		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<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 type="checkbox"/>	Conf. Screen	
<input type="checkbox"/>	Letters	
<input type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input type="checkbox"/>	CI Report	
<input type="checkbox"/>	9202	
<input type="checkbox"/>	Order	
<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: KT
		Reviewed on: 6/12/12
		Updates:
		Recommendation:
		File 6B - Boghosian

6B

Atty Kruthers, Heather H (for Petitioner Public Administrator)
 Atty Bagdasarian, Gary (for beneficiary California Armenian Home)
 Atty Motsenbocker, Gary (for beneficiary Trinity Home Health Services)
 Atty Poochigian, Mark (for Mike Shahinian)

Notice of Demurrer and Demurrer to Petition for Probate of Will and Letters of Administration With Will Annexed

for

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Analysis of this matter was completed by the research attorney therefore examiner notes have not been prepared.</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: KT
		Reviewed on: 6/12/12
		Updates:
		Recommendation:
		File 6C - Boghosian

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

DOD: 3/12/12	ORVILLE ALLEN LAWSON, son, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	40 days since DOD.	
Cont. from	No other proceedings.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Will dated: 9/18/2009- devises entire estate to Orville Allen Lawson, petitioner/son.	
<input checked="" type="checkbox"/> Inventory		
<input checked="" type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	I & A - \$82,000.00	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	W/ Petitioner requests court determination that Decedent's 100% interest in real property and personal property passes to him pursuant to the Decedent's will.	
<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: KT
		Reviewed on: 6/12/12
		Updates:
		Recommendation: SUBMITTED
		File 9 - Lawson

Probate Status Hearing Re: Filing of Final Accounting

DOD: 2/29/12	<p>AMY IHDE, daughter, was appointed conservator of the person and estate on 1/27/11 with bond set at \$19,000.00</p> <p>On 2/29/12 the conservatee died.</p> <p>This status hearing was set for the filing of the final account.</p> <p>Status Report filed on 4/12/12 states the conservatorship estate owns a mobile home located in a mobile home park. After the conservatee's death there were no funds to pay the rent on the space at the mobile home park. Conservator attempted to sell the mobile home without success. On 3/13/12 the attorney filed an ex parte application to sell the mobile home to the mobile home park. The petitioner was granted. In March/April the real estate agent determined that a third party would purchase the mobile home at \$30,000. An escrow has been opened. If the sale is not consummated then the Conservatee will sell the mobile home to the mobile home park for \$8,000.00 as approved by the court in its prior order.</p> <p>Given the above circumstances, Petitioner requests an additional 60 days to file the First and Final Account.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 4/16/12.</p> <p>1. Need current status report</p>
Cont. from 041612		
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: KT</p> <p>Reviewed on: 6/11/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16 - Lewis</p>	

17 Virgil Albert Lininger (CONS/PE)

Case No. 11CEPR00360

Atty Sanoian, Joanne (for Robert Jones – Conservator)

Probate Status Hearing Re: Filing of the Inventory & Appraisal

Age:		NEEDS/PROBLEMS/COMMENTS:
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		
		OFF CALENDAR
		Inventory & Appraisal filed 05/17/12
		Reviewed by: JF
		Reviewed on: 06/11/12
		Updates:
		Recommendation:
		File 17 - Lininger

19 Nathan Lopez & Gavin Lopez (GUARD/P)
Atty Estes, Sandi (pro per Guardian/maternal grandmother)
Atty Estes, Jeff (pro per Guardian/maternal grandfather)
Atty Lopez, Joshua (pro per Petitioner/father)

Case No. 08CEPR00797

Petition for Modification of Visitation

<p>Nathan age: 3 years DOB: 1/8/2009</p>	<p>JOSHUA LOPEZ, father, is petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Gavin age: 4 years DOB: 6/24/2007</p>	<p>JEFF ESTES, maternal grandfather and SANDI ESTES, maternal grandmother were appointed guardian of Gavin on 10/30/2008 and were appointed guardian of Nathan on 9/29/2011.</p>	<p>1. Proof of service of the Notice of Hearing does not indicate that it was served with a copy of the petition as required by the Order dated 12/30/2011 setting this matter for hearing.</p>
<p>Cont. from</p>	<p>Current visitation orders:</p>	
<p>Aff.Sub.Wit.</p>	<p>Per minute order dated 11/8/2010 Father has supervised visits with Gavin at Comprehensive Youth Services on Sundays from 2 p.m. to 4 p.m. Parties may agree to another day or time but there was to be no change in the amount of time.</p>	
<p>Verified</p>	<p>Per minute order dated 9/29/2011 Father has supervised visits with Nathan at Comprehensive Youth Services once a week from 4 p.m. to 6 p.m. Parties were ordered to contact Comprehensive Youth Services to arrange for visitation.</p>	
<p>Inventory</p>	<p>Petitioner states he has been visiting with the minors every Tuesday from 3 p.m. to 5 p.m. since the last order [2/14/12]. Petitioner states the boys want more time with their father and he wants to spend more time with them. Petitioner is requesting that he be allowed 6 hours of unsupervised visits or visits supervised by a member of his family. Petitioner states he has a mother, aunts and uncles who are willing to help supervise while he spends time with his boys.</p>	
<p>PTC</p>	<p>Petitioner states he would also like to subpoena the supervised visit records.</p>	
<p>Not.Cred.</p>		<p>Reviewed by: KT</p>
<p>Notice of Hrg</p>		<p>Reviewed on: 6/12/12</p>
<p>Aff.Mail</p>		<p>Updates:</p>
<p>Aff.Pub.</p>		<p>Recommendation:</p>
<p>Sp.Ntc.</p>		<p>File 19 - Lopez</p>
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p>Letters</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>		
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>		

20A Jose Borjas and Roy Borjas (GUARD/P)
Atty Borjas, Tania (pro per Petitioner/guardian/paternal aunt)
Atty Ramirez, Sonia (pro per Mother)
Atty Ramirez, Maria Aracely (pro per maternal grandmother)

Case No. 09CEPR00838

Petition for Termination of Guardianship

<p>Jose age: 9 years DOB: 3/21/03</p> <p>Roy age: 7 years DOB: 8/11/04</p> <p>Cont. from 050712</p> <table border="1"> <tr><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td><input checked="" type="checkbox"/> 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>X</td></tr> <tr><td>Aff.Mail</td><td>X</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><input checked="" type="checkbox"/> CI Report</td><td></td></tr> <tr><td>9202</td><td></td></tr> <tr><td><input checked="" type="checkbox"/> 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.		<input checked="" type="checkbox"/> Verified		Inventory		PTC		Not.Cred.		Notice of Hrg	X	Aff.Mail	X	Aff.Pub.		Sp.Ntc.		Pers.Serv.		Conf. Screen		Letters		Duties/Supp		Objections		Video Receipt		<input checked="" type="checkbox"/> CI Report		9202		<input checked="" type="checkbox"/> Order		Aff. Posting		Status Rpt		UCCJEA		Citation		FTB Notice		<p>SONIA RAMIREZ, mother, is petitioner.</p> <p>TANIA BORJAS, paternal aunt, was appointed as guardian on 1/13/2010.</p> <p>Father: JOSE BORJAS – <i>court dispensed with notice per minute order dated 5/7/12.</i></p> <p>Paternal grandfather: Alvaro Nino – deceased. Paternal grandmother: Not Listed (Carmen Borjas) Maternal grandfather: Juan Ramirez – deceased. Maternal grandmother: Not Listed (Maria Aracely Ramirez)</p> <p>Petitioner states ?????</p> <p>Court Investigator Samantha Henson's report filed on 4/27/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 5/7/12. As of 6/11/12 the following issues remain:</p> <ol style="list-style-type: none"> 1. Petition does not state why it is in the best interest of the minors that the guardianship is terminated. 2. Petition is incomplete at #9. It does not include the names and addresses of the guardian and all relatives within the second degree. 3. Need proof of personal service of the <i>Notice of Hearing</i> or <i>Declaration of Due Diligence</i> on: <ol style="list-style-type: none"> a. Tonia Borjas (guardian) b. Carmen Borjas (paternal grandmother) c. Maria Aracely Ramirez (maternal grandmother)
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Citation																																																
FTB Notice																																																
		<p>Reviewed by: KT</p> <p>Reviewed on: 6/11/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 20A - Borjas</p>																																														

20B Jose and Roy Borjas (GUARD/P)
Atty Borjas, Tania (pro per Petitioner/guardian/paternal aunt)
Atty Ramirez, Sonia (pro per Mother)
Atty Ramirez, Maria Aracely (pro per maternal grandmother)

Case No. 09CEPR00838

Status Hearing Re: Guardianship

<p>Jose age: 8 years DOB: 3/21/03</p> <p>Roy age: 7 years DOB: 8/11/04</p> <p>Cont. from 050712</p> <p>Aff.Sub.Wit.</p> <p>Verified</p> <p>Inventory</p> <p>PTC</p> <p>Not.Cred.</p> <p>Notice of Hrg</p> <p>Aff.Mail</p> <p>Aff.Pub.</p> <p>Sp.Ntc.</p> <p>Pers.Serv.</p> <p>Conf. Screen</p> <p>Letters</p> <p>Duties/Supp</p> <p>Objections</p> <p>Video Receipt</p> <p>CI Report</p> <p>9202</p> <p>Order</p> <p>Aff. Posting</p> <p>Status Rpt</p> <p>UCCJEA</p> <p>Citation</p> <p>FTB Notice</p>	<p>MARIA ARACELY RAMIREZ, maternal grandmother, petitioned the court for appointment as guardian.</p> <p>TANIA BORJAS, paternal aunt, was appointed as guardian on 1/13/2010.</p> <p>Father: JOSE BORJAS</p> <p>Mother: SONIA RAMIREZ <i>consented and waived notice.</i></p> <p>Paternal grandfather: Alvaro Nino – <i>deceased.</i> Paternal grandmother: Carmen Borjas Maternal grandfather: Juan Ramirez – <i>deceased.</i></p> <p>Tania Borjas, guardian, had filed a petition to terminate the guardianship. However prior to the hearing she filed a request for dismissal. Maria Ramirez, maternal grandmother requested appointment as guardian so that the children could come and live with her and she could care for them.</p> <p>Minute Order dated 3/6/12 denied Maria Ramirez's petition without prejudice and set this status hearing for 5/7/12. The Court further ordered that no party say anything negative to the minor or threaten him with removal by CPS. There is to be no use of alcohol around the minor and no party is to transport the minor unless they are licensed and insured. The court orders a court investigator to conduct a further investigation of Maria Ramirez, Tania Borjas, the minors and the mother.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Reviewed by: KT</p> <p>Reviewed on: 6/11/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 20B - Borjas</p>
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Petition for Termination of Guardianship

Age: 5	<p>DAVIDA ECHANIZ, Mother, is Petitioner.</p> <p>ELIZABETH and ALAN MARQUEZ, Maternal Aunt and Uncle, were appointed Guardians on 2-2-10.</p> <p>Father: Unknown Paternal Grandfather: Unknown Paternal Grandmother: Unknown Maternal Grandfather: David Echaniz Maternal Grandmother: Estella Wegner</p> <p>Petitioner states she has been living in a stable home with her auntie for more than a year. She helps with budget and transportation. She’s been in touch with her son and visited at his address for one year. Mother states she left thinking it would get her started to find a place of her own for Andrew and it’s been too long now since she’s asked her sister for her son back. Mother states her sister has not been cooperative and avoids contact with her, and the guardians have Andrew call her “Auntie” and call Elizabeth “Mom.” When the guardians are not there, he calls her “Mom,” but if they are there, they correct him. Mother states when she calls, she is told Andrew is busy or sleeping or eating. Mother feels if Andrew wasn’t getting SSI the guardians would have given him back already. Mother states she has a nice home with schools and parks nearby and Andrew would have a loving home with his mommy.</p> <p>Court Investigator Julie Negrete filed a report on 4-26-12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 5-7-12:</u> Petitioner requests a continuance to provide notice to the appropriate parties.</p> <p><u>As of 6-12-12, nothing further has been filed. The following issues remain:</u></p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing per Probate Code §1460(b)(5) on: <ul style="list-style-type: none"> - Elizabeth Marquez (Guardian) - Alan Marquez (Guardian) - David Echaniz (Maternal Grandfather) - Estella Wegner (Maternal Grandmother) 	
DOB: 12-29-06			
Cont. from 050712			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			X
Aff.Mail			X
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
<p>Reviewed by: skc</p> <p>Reviewed on: 6-12-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 21 - Saldana</p>			

23 Riqui Hernandez, Ariel Hernandez and Jorja Hernandez (GUARD/P)

Case No. 12CEPR00505

Atty Duarte, Mary Jane (pro per – maternal grandmother/Petitioner)

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

Riqui, 8 DOB: 04/25/04	<p align="center"><u>GENERAL HEARING 08/16/12</u></p> <p>MARY JANE DUARTE, maternal grandmother, is Petitioner.</p> <p>Father: RICHARD HERNANDEZ</p> <p>Mother: JENNIFER DUARTE</p> <p>Paternal grandfather: UNKNOWN Paternal grandmother: ANNA AGUILAR</p> <p>Maternal grandfather: GEORGE DUARTE</p> <p>Siblings: CASANDRA DUARTE (14), JUSTYCE DE LOS SANTOS (2)</p> <p>Petitioner states the children and their mother have always lived in her home and she has been the primary parent figure to the children, caring for them their entire lives. The mother frequently disappears for days or weeks at a time with no contact or interaction. Currently, the mother has been missing for about 3 weeks and a missing persons report has been filed with the Fresno County Sheriff. The mother has a custody order for the older two girls, but not for Jorja. The children's father came and picked up all three children upon finding out that the mother was missing. He has returned the older girls so that they could attend school, but he has kept Jorja and is not allowing Petitioner to have any contact with her. Petitioner states that the father has a lengthy criminal history and long history of domestic violence between he and the mother. Petitioner states that she does not believe the children are safe in their father's care and they are at risk of abuse while in his care.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service at least 5 court days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian of the Person or Consent and Waiver of Notice or Declaration of Due Diligence for: <ul style="list-style-type: none"> - Richard Hernandez (father) - Jennifer Duarte (mother) 3. Need Confidential Screening Form. 4. Petitioner indicates the child may have Indian ancestry. Therefore, need Notice of Child Custody Proceeding for Indian Child (Form ICWA-030) to be completed and returned to the Probate Clerk's Office as soon as possible. See Probate Code §1460.2, and CA Rules of Court 7.1015. <p>The general guardianship hearing on 8-16-12 cannot go forward unless this form has been served on the child's parent; any Indian custodian; any Indian tribe that may have a connection to the child; the Bureau of Indian Affairs (BIA), and possibly the U.S. Secretary of the Interior, by certified or registered U.S. Mail, return receipt requested.</p> <p>A blank copy of the form is in the file for Petitioner, and it should be completed and returned as soon as possible to the Probate Clerk's Office. The Probate Clerk's Office will complete service.</p> <p>At the general hearing on 8-16-12, continuance may be required to ensure that the appropriate parties and agencies received 60 days' notice. See Probate Code 1460.2, and CA Rules of Court 7.1015.</p>	
Ariel, 6 DOB: 11/13/05			
Jorja, 5 DOB: 04/20/07			
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 type="checkbox"/> Notice of Hrg			x
<input type="checkbox"/> Aff.Mail			
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			x
<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 type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
<p>Reviewed by: JF</p>			
<p>Reviewed on: 06/12/12</p>			
<p>Updates:</p>			
<p>Recommendation:</p>			
<p>File 23 - Hernandez</p>			

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

Age: 5 DOB: 01/22/07	<p align="center"><u>TEMPORARY GRANTED EX PARTE;</u> <u>EXPIRES 06/18/12</u></p> <p align="center"><u>GENERAL HEARING 08/07/12</u></p> <p>JOHNYCIA ROYSTER, paternal aunt, is Petitioner.</p> <p>Father: JACARE SHEPHEARD, SR.</p> <p>Mother: DENELL BRANDON</p> <p>Paternal grandfather: NOT LISTED Paternal grandmother: SANDRA YATES</p> <p>Maternal grandparents: NOT LISTED</p> <p>Petitioner states that she has cared for the minor for the past 2 ½ years when his mother abandoned him at her house. Petitioner states that her grandmother dropped Jacare off at his mother's home for a visit and she is now refusing to return him. Petitioner states that the mother has substance and alcohol abuse problems, and her home is not clean. Further, Jacare has no bed or clothing at his mother's home and he is currently without his medication. Petitioner states that the mother's landlord has stated that she does not want Jacare living there, as there are already several children living in the 2 bedroom apartment and she is fearful that Jacare could end up on the streets with his mother. Petitioner states that other adults living in the home engage in prostitution. Petitioner states that the mother is often under the influence and has even shown up at church heavily intoxicated. Further, the mother does not have the financial means to care for Jacare. The mother's oldest child was removed from her care due to her inability to care for her properly. Petitioner states that Jacare has his own bed, toys, clothing and medication at her home and she has all of his personal records, medical card and other items showing that he has been in her care.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service at least 5 court days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian of the Person <u>or</u> Consent and Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ul style="list-style-type: none"> - Jacare Shephard, Sr. (father) - Denell Brandon (mother) 	
Cont. from			
Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			x
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			x
<input checked="" type="checkbox"/> Conf. Screen			
Letters			x
<input checked="" type="checkbox"/> Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			x
Aff. Posting			
Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
Citation			
FTB Notice			
<p>Reviewed by: JF</p> <p>Reviewed on: 06/12/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 24 - Shephard</p>			