1 **Guadalupe Zavala Quistiano (Estate)** **Case No. 03CEPR00951**

Atty **Kruthers, Heather H of County Counsel's Office (for Petitioner Public Administrator)**

Final Report of Successor Administrator of Insolvent Estate

DOD: 08/10/2002			**PUBLIC ADMINISTRATOR,** Successor Administrator appointed by Court on 04/10/2014.
			Petitioner states:
Cont. from			• **GINA QUISTIANO**, daughter, was removed as administrator of the estate on 04/10/2014 by minute order.
	Aff.Sub.Wit.		• The decedent left a Will dated 04/28/2002, disposing of property within the subject matter jurisdiction of this Court. Said Will was admitted to Probate on 09/02/2003.
✓	**Verified**		• Petitioner has performed all duties required in the administration of the estate of the decedent. The estate is in a condition to be closed.
	Inventory		• Notice to creditors was duly given, published, and filed for the period and in the manner prescribed by law, the first publication being made on 08/04/2003. On 08/11/2003 there was filed with the Clerk of this Court and affidavit showing due publication of notice to creditors in the form and manner required.
	PTC		• No Creditors' claims were filed or presented against the estate.
✓	**Not.Cred.**		• It is unknown if the former administrator gave notice to the Director of Health Services pursuant to Probate Code §9202. There is no estate from which to pay a claim if there was one.
✓	**Notice of Hrg**		• An Inventory & Appraisal was never filed.
✓	**Aff.Mail**	W/	• It is unknown if the former administrator noticed the Franchises Tax Board.
	Aff.Pub.		• All assets of the estate were the decedent's separate property.
	Sp.Ntc.		• There is no summary of account, because no assets ever came into the Public Administrator's possession.
	Pers.Serv.		• The sole devisee under the decedent's Will is her daughter, Gina Quistiano, the former administrator.
	Conf. Screen		
	Letters	9/3/03	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	**9202**		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	**FTB Notice**		
			Please see additional page

NEEDS/PROBLEMS/COMMENTS:
Reviewed by: LV
Reviewed on: 06/16/2014
Updates:
Recommendation:
File 1 - Quistiano

Dept. 303, 9:00 a.m. Wednesday, June 18, 2014

- Neither petitioner nor his attorney seeks compensation for their services.
- There is no estate from which to pay any Court fees or costs.
- On the original petition for probate filed on 07/03/2003, the former administrator listed $1,000.00 of personal property in the estate. Petitioner does not know what happened to that, if anything actually did exits.
- There is no property on hand, nor is there expected to be in the future.
- There is no estate from which to make distribution.
- Notice of the hearing will be given as required by law. No one filed a request for Special Notice.
- None of the heirs in this estate are incarcerated. Therefore, notice to the Director of the Victim Compensation and Government Claims Board, Revenue Recovery and Appeals Division is unnecessary.

Petitioner prays that:

- The final report be settled, allowed and approved as filed, and all acts and proceedings of petitioner as administrator be confirmed and approved;
- The administration of this estate be closed;
- The Public Administrator be discharged as successor of the estate of Guadalupe Zavala Quistiano and For such other and further orders as the Court considers just and proper.

Dept. 303, 9:00 a.m. Wednesday, June 18, 2014

2 **Carol Anne Trottier (Estate)** **Case No. 04CEPR00526**

Atty **Kruthers, Heather H. (for Public Administrator)**

Final Report of Successor Administrator of Insolvent Estate

DOD: 3-11-04

	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	

PUBLIC ADMINISTRATOR, Successor Administrator, is Petitioner.

I&A filed 3-5-07 indicated a total estate value of $466,587.93 consisting of $181,237.93 cash plus real and personal property.

History: JENNIFER TROTTIER, a resident of Portland, Oregon, was appointed as Executor with full IAEA without bond on 8-3-04. Ms. Trottier was removed as Executor on 3-6-08. Ms. Trottier had filed a petition for final distribution, which was not settled.

Petitioner states there are no assets in possession of the Public Administrator. According to the former Executor's petition for final distribution, she distributed the furnishings, vehicle, and $90,000, in in addition to monthly payments totaling $24,475 to the decedent's mother, and paid Attorney James Hurbutt $368 for legal services, all without court authorization. At the end of her account period, she claimed there was $19,224.98 on deposit at EECU; however, the Public Administrator contacted the credit union on 4-7-14 and they did not find anything under the account number, name, or social security number. Without a detailed schedule of disbursements, Petitioner cannot say whether the former Executor gave away or kept the assets. Ms. Trottier did not return a phone call.

There are no assets for distribution. Ms. Trottier breached her fiduciary duty by making distributions without court order and by failing to account for estate assets. Therefore, she should be surcharged the full amount listed on the Inventory and Appraisal: $466,587.93. At least one creditor filed a claim for which there is no documentation of payment. Ms. Trottier may have received funds that should have gone to the Oregon bankruptcy court. Katharine Lovely may not have received her full share of the estate.

Because Ms. Trotter did not account for the assets she administered, she should be liable for all of them. The surcharge should be assigned to any outstanding creditor or beneficiary so that they may collect on their debts.

Petitioner prays that:
1) The final report be settled, allowed and approved as filed, and all acts and proceedings of Petitioner as Administrator be confirmed and approved;
2) The Court find that Jennifer Trottier, as former administrator, is personally liable to the estate for $466,587.93;
3) An assignment of surcharge be made to outstanding creditors and beneficiaries;
4) the administration of the estate be closed;
5) the Public Administrator be discharged as successor administrator; and
6) for such other and further orders as the Court considers just and proper.

NEEDS/PROBLEMS/ COMMENTS:

1. The Public Administrator was appointed 3-6-08 and Letters issued 4-1-08. Petitioner does not provide an explanation as to the delay in administration. The Court may require clarification.

2. The file indicates that in addition to the assets inventoried on the I&A, the former executor was also trying to marshal 4.7 acres in Exeter, CA, that was mentioned in the decedent's will; however, the property actually consisted of 5.7 acres that was held jointly by the decedent and her ex-husband. The former executor and her sister were working with their father and also with a civil engineer / surveyor to achieve a lot split in order to marshal the 4.7 acres as an asset of the decedent's estate. However, there is no mention of this land in the executor's final petition or in this petition. The Court may require information as to what happened to that parcel.

Reviewed by: skc

Reviewed on: 6-16-14

Updates:

Recommendation:

File 2 - Trottier

Dept. 303, 9:00 a.m. Wednesday, June 18, 2014

3 Bernice Pike (Estate) Case No. 05CEPR00481

Atty Mele, James J., of Mele Law Office (for Petitioner Carla Chekerdemian)

(1) First and Final Account and Petition for Settlement of First and Final Account and (2) Final Distribution and (3) for Allowance of Compensation for Ordinary Services for Petitioner and Petitioner's Attorney

DOD: 3/18/2005		
Cont. from		
	Aff.Sub.Wit.	
✓	**Verified**	
✓	**Inventory**	
✓	**PTC**	
✓	**Not.Cred.**	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	W/O
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	060705
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	**9202**	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✓	**FTB Notice**	

CARLA CHEKERDEMIAN, Executor, is Petitioner.

Account period: 6/7/2005 – 4/30/2014

Accounting	-	**$0.00**
Beginning POH	-	**$0.00**
Ending POH	-	**$0.00**
Executor	-	**waives**
Attorney	-	**waives**

Petitioner states:

- This is a no asset case;
- The *Petition for Probate* in this matter was filed at the request of out-of-state counsel to allow Petitioner to sign documents in an Ohio probate proceeding wherein Decedent had a 1/11th interest in real property;
- After careful consideration, it was determined that there were no probate assets situated in Fresno or California.

Petitioner prays for an order that the administration of the estate be closed.

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: LEG

Reviewed on: 6/17/14

Updates:

Recommendation:

File 3 - Pike

Dept. 303, 9:00 a.m. Wednesday, June 18, 2014

4A Savannah & Ruben Murillo (GUARD/P) Case No. 05CEPR01165

Atty **Munoz, Sally (pro per – maternal grandmother/guardian)**
Atty **Amavisca, Angela (pro per – mother/Petitioner)**

Amended Petition for Termination of Guardianship

Cont. from 051414		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	w/
	Aff.Pub.	
	Sp.Ntc.	
✓	**Pers.Serv.**	w/
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
✓	**CI Report**	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

ANGELA AMAVISCA, mother, is Petitioner.

SALLY MUNOZ, maternal grandmother, was appointed as Guardian of the minors on 03/27/06. – *Personally served on 04/24/14*

Father: **RUBEN MURILLO –** *served by mail on 04/24/14*

Paternal grandfather: RUBEN MURILLO – *served by mail on 04/24/14*
Paternal grandmother: JUANITA MURILLO – *served by mail on 04/24/14*

Maternal grandfather: RUDY AMAVISCA – *served by mail on 04/24/14*

Petitioner states that she has been clean and sober since she completed a drug rehab program in April 2009. She has been gainfully employed since July 2009 and has been caring for the children since April 2009, first when she moved into her mother's home with the children and then in their own home from February 2011 until the guardian removed the children from her home upon learning of her petition to terminate the guardianship. Petitioner states that she appreciates the help her mother provided to her children when she was unable to care for them, but she is now fully capable and ready to care for her children and requests that the guardianship be terminated. Petitioner states that her mother will object to the termination and try to accuse her of using drug, therefore, she has voluntarily attached a hair follicle drug test showing negative results over a 90 day period. Petitioner further states that the guardian uses foul language, including making repeated disparaging remarks about Petition in front of the children and may be motivated by money to keep the guardianship in place due to the public assistance she received on behalf of the children.

Objection to Termination of Guardianship filed 04/30/14 states: that there has been domestic violence between the parents and they have now split up. Guardian suspects that the mother is drinking heavily and possible using drugs. Guardian states that the mother is bringing strange men to the home and she fears for the minor's safety. She does not agree with terminating the guardianship at this time. She states that the mother was doing better at one time, but has slipped again.

Court Investigator Jo Ann Morris filed a report on 05/05/14.

NEEDS/PROBLEMS/ COMMENTS:

Note: Per Notice of Limited Scope Representation filed 5-22-14, Attorney Zepure Attashian represented Angela Amavisca for the hearing on 5-14-14 only.

Minute Order 5-14-14: Mother's supervised visits remain in full force and effect. Parties agree to mediation on 5-15-14 regarding the issues of guardianship and visitation. Continued to 6-18-14, set for status on 6-18-14.

Mediation Agreement filed 5-15-14 by Guardian Sally Munoz provides a visitation schedule and states continued mediation will be held on 6-18-14.

As of 6-16-14, nothing further has been filed regarding this petition.

Reviewed by: JF

Reviewed on: 6-16-14 (skc)

Updates:

Recommendation:

File 4A - Murillo

Dept. 303, 9:00 a.m. Wednesday, June 18, 2014

4B **Savannah & Ruben Murillo (GUARD/P)** **Case No. 05CEPR01165**

Atty **Munoz, Sally (pro per – maternal grandmother/guardian)**

Atty **Amavisca, Angela (pro per – mother/Petitioner)**

Status Hearing

Savanah, 10 **DOB: 05/25/03**	**ANGELA AMAVISCA**, Mother, filed an Amended Petition for Termination of Guardianship on 4-24-14. **SALLY MUNOZ**, Guardian, filed an Objection on 4-30-14. The parties were referred to mediation on 5-14-14. Per mediation agreement, additional mediation is to occur on 6-17-14.	**NEEDS/PROBLEMS/COMMENTS:**
Ruben, 9 **DOB: 11/15/04**		
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		**Reviewed by:** skc
Status Rpt		**Reviewed on:** 6-16-14
UCCJEA		**Updates:**
Citation		**Recommendation:**
FTB Notice		**File 4B - Murillo**

Dept. 303, 9:00 a.m. Wednesday, June 18, 2014

5A Devan M. Harris (CONS/P) Case No. 0613579

Atty **Horton, Lisa M., of Walters & Moshrefi (for Petitioner Kendra L. Brenson)**

Petition to Fix Residence Outside of California

Age: 38 years		
Cont. from 041514		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	W/
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

KENDRA L. BRENSON, sister and Successor Conservator of the Person and Estate appointed on 8/2/2007, is Petitioner.

Petitioner requests that the Court authorize that the residence of the Conservatee be fixed outside the State of California to **1840 Longmire Road in Conroe, Texas**, based upon the following reasons:

- Petitioner made the decision to move to Texas for economic reasons, and because the environment is safer and healthier;
- Petitioner is the only family member that wants to take care of the Conservatee 24/7, and Petitioner does not want to place him in a group home or care facility;
- The Conservatee has been living with and has been cared for by Petitioner since August 2007;
- The Conservatee is blind and severely disabled;
- Petitioner believes it is in the best interest of the Conservatee to continue to reside with her in Texas.
- The expected duration of the out-of-state move is more than 4 months, and the conservatorship of the person and of the estate or its equivalent will be commenced in the new place of residence.

***Declaration of Lisa Horton* filed 6/11/2014 states:**

- At the hearing on 5/19/2014, the Court had some questions regarding the exact nature of the Conservatee's investment in the real property residence;
- She has reviewed the past pleadings associated with Petitioner's *Petition for Authority to Invest Funds in Partial Interest in Residence*; it is her belief and understanding that the Conservatee purchased a **23.95%** interest in his sister's residence with no terms requiring a complete repayment of his investment funds;
- The *Petition for Authority to Invest Funds* was filed on 8/21/2007, and explains that the Conservatee received life insurance proceeds after his mother's death and needed to use the funds so that he could continue to receive SSI, Medi-Cal and In-Home Supportive Services;

~Please see additional page~

NEEDS/PROBLEMS/ COMMENTS:

Page 5B is the *Status Hearing Re: Filing of Bond or Receipt of Blocked Account*.

Continued from 5/19/2014.

Note: Highlighted italicized text denotes Petitioner's responses to the issues previously raised, all of which have been retained on these notes as background for the Court's reference regarding this matter.

~Please see additional page~

Reviewed by: LEG	
Reviewed on: 6/17/14	
Updates:	
Recommendation:	
File 5A – Harris	

Dept. 303, 9:00 a.m. Wednesday, June 18, 2014

***Declaration of Lisa Horton* filed 6/11/2014, continued:**

- The terms of the purchase are outlined in paragraph 4 of the Petition, and states that as of 8/2/2007, the residence was valued at **$350,000.00**; the remaining mortgage on the house was **~$166,000.00**; the Conservatee would spend **$83,828.00** of the insurance proceeds and pay part of the mortgage loan; Petitioner would use her insurance proceeds and pay the remaining balance of the house off so it would be free and clear;
- The Conservatee's investment of **$83,828.00** into the residence value at **$350,000.00** purchased a **23.95%** interest in the actual residence;
- So at the time, Petitioner sold the Conservatorship estate a **23.95%** interest in her residence;
- On 9/13/2007, the Court signed an order confirming the Conservatee's purchase of a **23.95%** interest in the real property for the sale price of **$83,828.00** *(copy attached as Exhibit A);*
- On 10/18/2007, Petitioner signed a Grant Deed pursuant to the Court's order that granted the conservatorship estate a **23.95%** interest in the residence *(copy attached as Exhibit B);* the conservatorship does not own any more than a **23.95%** interest in the residence;
- There are no other terms that state the conservatorship estate will receive the initial payment of **$83,828.00** back in full upon the sale of the house, only that the conservatorship estate purchased a **23.95%** interest;
- Since 2007, the value of the residence along with all other real estate properties plummeted;
- Regardless of the change in value since 2007, the conservatorship estate only ever owned a **23.95%** interest;
- According to the *Estimated Closing Statement* attached as Exhibit C, after payment of taxes and closing costs, the conservatorship estate will receive **~$37,350.19**;
- Petitioner has talked with the Court clerks and consulted with the Bar Association in her county about transferring the conservatorship petition to Texas;
- The rules regarding conservatorships are different than they are in California and it is taking Petitioner some time to navigate through the court process;
- Petitioner's attorney should have an update on Petitioner's progress by the next hearing date.

Notes for Background:

***Declaration of Kendra L. Brenson in Support of Sale of Conservatee's Real Property Residence and Petition to Fix Residence Outside the State of California* filed 3/10/2014 states:**

- In 2007, the Conservatee received proceeds from a life insurance policy after their mother's death; since the Conservatee was receiving state benefits at that time, she petitioned the Court to invest his funds for a partial interest in the real property residence; the Court granted the petition on 9/13/2007, and **[~$83,828.00]** of the Conservatee's funds were used to purchase a **23.95% interest** in a residence, where Petitioner and the Conservatee resided until recently;
- No other family member wants to take care of the Conservatee, and Petitioner does not want to place him in a care facility or group home as she believes he should be cared for by a family member; she wants to continue to take care of him and she believes it would be in his best interest if he were to live permanently with her in Texas; Petitioner does not plan to move back to California and once the house is sold, she will commence a conservatorship action in Texas;
- The Conservatee is severely disabled and blind, and Petitioner did talk to him about the move to Texas, and the sale of their house, but she believes he does not have the capacity to understand or articulate his feelings about whether he agrees or opposes the move;
- Petitioner and the Conservatee currently reside in Texas, and he has adjusted to the move and new environment well.

~Please see additional page~

Notes for Background, continued:

NEEDS/PROBLEMS/COMMENTS, continued:

1. Petitioner states in support of the *Petition* that she has already moved the Conservatee to Texas (to 1840 Longmire Rd, Conroe, Texas), but does not indicate whether the period of the Conservatee's residence in Texas has reached 4 months, as provided for in Probate Code § 2352(d) as the timeframe for commencing an equivalent proceeding in the state of new residence. While it is highly admirable that Petitioner appears to have been and wishes to continue to care for the Conservatee, Petitioner does not address her violation of Probate Code §§ 2352(c) and 2352.5(a), which requires the Petitioner as the Conservator to petition the Court for authority to move the Conservatee prior to actually moving him, and her violation of CA Rule of Court 7.1063 for pre-move notice of change of personal residence which requires notice to the Conservatee and all interested parties, and proof of mailing to be filed with the Court of an intended change of the Conservatee's personal residence. ***Declaration of Kendra L. Benson in Support of Sale of Conservatee's Real Property Residence and Petition to Fix Residence Outside the State of California filed 5/15/2014 states*** *she moved the Conservatee to Texas [1840 Longmire Rd, Conroe, Texas] in December 2013 near Christmas, and at the time she filed her Petition for the sale of the house and to fix the Conservatee's residence in Texas, he had been living in Texas for less than 3 months; her goal was to complete the sale of the residence and obtain approval from the Court for the move before commencing a conservatorship action in Texas; it took more time that she anticipated coordinating and moving the Conservatee to get him established and comfortable, as his adjustment period took some time due to his severe disabilities; she did not intentionally disregard her duties as Conservator, as she was previously in pro per and did not know she had to obtain court permission to move her brother out of California; she apologizes to the Court for not following the Probate Code, but her actions were for the benefit of her brother, as no other family member wants to take care of him and she believes he should be cared for by a family member rather than in a group home; she wants to take care of him, so she moved him to Texas with her.*

2. *Petition* states the Conservatee is severely disabled and blind; however, *Petition* does not include information regarding whether the Conservatee is receiving services of the local regional center in Texas where he currently resides, and if so, need proof of service by mail of 30 days' notice to the regional center in Texas, together with a copy of the *Petition* to be filed with the Court pursuant to Probate Code §§ 2352(c) and 1822(e). –***Proof of Service by Mail filed 4/21/2014*** *shows notice and a copy of the Petition was served on 4/17/2014 to CVRC in Fresno and to Tri-County Services in Conroe, Texas.* ***Declaration of Lisa Horton in Support of Sale of Conservatee's Real Property Residence and Petition to Fix Residence Outside the State of California filed 5/15/2014 states*** *Petitioner is in the process of enrolling Conservatee with Tri-County services in the county where they live.*

3. Petitioner states she will commence a conservatorship action in Texas once the house is sold. Pursuant to Probate code § 2353(d), Court may direct Petitioner to commence and to file proof of commencement of the equivalent proceeding in Texas prior to actual sale of the house, particularly given that the *Petition* does not include information regarding the length of time the Conservatee has resided in Texas, and the placement of the Conservatee's share of the sale proceeds in the interim between the house sale and the establishment of a conservatorship estate or its equivalent for the Conservatee in Texas.*) –**Declaration of Kendra L. Benson filed 5/15/2014** states her goal was to complete the sale of the residence and obtain approval from the Court for the move before commencing a conservatorship action in Texas; it took more time that she anticipated coordinating and moving the Conservatee to get him established and comfortable, as his adjustment period took some time due to his severe disabilities.* ***Declaration of Lisa Horton in Support of Sale of Conservatee's Real Property Residence and Petition to Fix Residence Outside the State of California filed 5/15/2014*** *states if Petitioner has to delay the sale of the house to start a conservatorship action in Texas, she could lose the current buyer.*

~Please see additional page~

Notes for Background, continued:

NEEDS/PROBLEMS/COMMENTS, continued:

4. *Petition* does not but should state the Petitioner's plans for the Conservatee's portion of the sale proceeds from the real property consisting of his cash contribution of **~$83,828.00**, plus payment of any additional costs charged for reconveyance and recording fees, which constitutes the sums the Court authorized to be contributed by Conservatee per *Order on Petition for Authority to Invest Funds in Partial Interest in Residence* filed 9/13/2007. (Note: Property on Hand as of 3/31/2008 from the First Account filed on 5/13/2008 by Petitioner as represented by Attorney William Keeler shows the 23.95% interest in the real property as **$84,314.47**). Need information regarding the Petitioner's plans for preserving the Conservatee's funds during the transition of the Conservatorship Estate from California to Texas. Court may require proof of Conservatee's **~$83,828.00** funds being placed in a blocked account in a financial institution in Texas following sale of the real property to ensure the Conservatee's assets are protected prior to terminating the Conservatorship of the Estate in California. Alternatively, Court may require bond to be posted in this Conservatorship Estate in the sum of **$92,210.80** pursuant to Probate Code § 2320 and CA Rule of Court 7.207. (Note: Bond posted by Conservator in the sum of **$100,000.00** filed 8/2/2007 was exonerated by *Order on Ex Parte Application of Exoneration of Bond* filed 8/3/2009. ***Declaration of Kendra L. Benson filed 5/15/2014 states*** *she requests a bond in the amount of* ***$42,000.00*** *be ordered; Conservatee's estimated net from the sale will be* ***$37,350.19****, and bond calculates as* ***$41,085.20****; she plans on setting up a conservatorship account in Texas where the funds will be deposited; she understands she has to commence a conservatorship action in Texas but is waiting for the sale of the house to finalize and Court's approval of the move.*

Declaration of Lisa Horton in Support of Sale of Conservatee's Real Property Residence and Petition to Fix Residence Outside the State of California filed 5/15/2014 *states the Conservatee contributed a total of* ***$83,828.00*** *to the house mortgage in 2007, but the value of the residence has since decreased; the Conservatee's* ***23.95%*** *share of the residence was valued at* ***$50,205.00*** *in March 2014; along with escrow costs, Conservatee's net from the sale will be* ***~$37,350.19****; even though there was a loss in value of the residence, the Conservatee lived rent-free for over six years; if the Conservatee had to pay rent of* ***$500.00*** *a month for 72 months, then he would have had to pay* ***~$36,000.00*** *in rent, which is less than the actual loss on the value.*

Note: *Substitution of Attorney* filed 10/23/2009 shows Attorney William Keeler substituted out of the case and Petitioner Kendra Brenson was self-represented as of **10/23/2009.**

5B Devan M. Harris (CONS/P) Case No. 0613579

Atty **Horton, Lisa M., of Walters & Moshrefi (for Petitioner Kendra L. Brenson)**

Status Hearing Re: Filing of Bond or Receipt of Blocked Account

Age: 38 years		
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	

KENDRA L. BRENSON, sister, was appointed Successor Conservator of the Person and Estate on 8/2/2007.

***Petition for Order Confirming Sale of Real Property* was filed by Conservator on 3/10/2014**, seeking Court confirmation of the real property interest owned by the Conservatorship, consisting of a **23.95%** interest in the property valued at **$84,314.47** as of 3/31/2008.

***Order Confirming Sale of Real Property* was filed 5/19/2014**, and requires bond of **$42,000.00**.

***Minute Order* dated 5/19/2014** from the hearing on the confirmation of stale states the Court accepts counsel's representation and finds good cause for sale of the property at **$185,000.00**. There being no overbids in open Court, the sale price is confirmed at **$185,500.00**. The Court orders that there be no distribution of the proceeds pending further order of the Court.

***Declaration of Lisa Horton* filed 6/11/2014 states, in pertinent part:**

- Due to the Petitioner being out of state, being bonded is difficult;
- Petitioner requests that this Court order the funds from the sale as according to the closing statement be deposited into a blocked account in Texas, with proof of deposit into a blocked account filed within 15 days from the date of the hearing;
- The Conservatee receives SSA from his father's death and no longer receives SSI; if the sale proceeds are deposited into a blocked account, then there is no danger of Conservatee losing any benefits.

NEEDS/PROBLEMS/COMMENTS:

1. Need proof of Conservator's bond in the amount of **$42,000.00**, pursuant to *Order Confirming Sale* filed 5/19/2014.

OR

If Court changes the bond requirement to require deposits into blocked account, need Judicial Council mandatory-use form *Order to Deposit Money into Blocked Account*.

Note: If *Petition to Fix Residence* is granted, and **Court changes the bond requirement to require deposits into blocked account**, Court will set status hearings as follows:

- **Thursday, July 10, 2014 at 9:00 a.m. in Dept. 303** for filing proof of funds deposited into blocked account in Texas; and
- **Thursday, October 16, 2014 at 9:00 a.m. in Dept. 303** for filing proof of the establishment of conservatorship of the person and estate or its equivalent in the State of Texas.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearing will be taken off calendar and no appearance will be required.

Reviewed by: LEG

Reviewed on: 6/16/14

Updates:

Recommendation:

File 5B - Harris

Dept. 303, 9:00 a.m. Wednesday, June 18, 2014

5B Devan M. Harris (CONS/P) Case No. 0613579

Atty **Horton, Lisa M., of Walters & Moshrefi (for Petitioner Kendra L. Brenson)**

Status Hearing Re: Filing of Bond or Receipt of Blocked Account

Age: 38 years		
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	

KENDRA L. BRENSON, sister, was appointed Successor Conservator of the Person and Estate on 8/2/2007.

***Petition for Order Confirming Sale of Real Property* was filed by Conservator on 3/10/2014**, seeking Court confirmation of the real property interest owned by the Conservatorship, consisting of a **23.95%** interest in the property valued at **$84,314.47** as of 3/31/2008.

***Order Confirming Sale of Real Property* was filed 5/19/2014**, and requires bond of **$42,000.00**.

***Minute Order* dated 5/19/2014** from the hearing on the confirmation of stale states the Court accepts counsel's representation and finds good cause for sale of the property at **$185,000.00**. There being no overbids in open Court, the sale price is confirmed at **$185,500.00**. The Court orders that there be no distribution of the proceeds pending further order of the Court.

***Declaration of Lisa Horton* filed 6/11/2014 states, in pertinent part:**

- Due to the Petitioner being out of state, being bonded is difficult;
- Petitioner requests that this Court order the funds from the sale as according to the closing statement be deposited into a blocked account in Texas, with proof of deposit into a blocked account filed within 15 days from the date of the hearing;
- The Conservatee receives SSA from his father's death and no longer receives SSI; if the sale proceeds are deposited into a blocked account, then there is no danger of Conservatee losing any benefits.

NEEDS/PROBLEMS/COMMENTS:

2. Need proof of Conservator's bond in the amount of **$42,000.00**, pursuant to *Order Confirming Sale* filed 5/19/2014.

OR

If Court changes the bond requirement to require deposits into blocked account, need Judicial Council mandatory-use form *Order to Deposit Money into Blocked Account.*

Note: If *Petition to Fix Residence* is granted, and **Court changes the bond requirement to require deposits into blocked account**, Court will set status hearings as follows:

- **Thursday, July 10, 2014 at 9:00 a.m. in Dept. 303** for filing proof of funds deposited into blocked account in the State of Texas via *Judicial Council form Receipt and Acknowledgment of Order for the Deposit*; and
- **Thursday, October 16, 2014 at 9:00 a.m. in Dept. 303** for filing proof of the establishment of conservatorship of the person and estate or its equivalent in the State of Texas.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearing will be taken off calendar and no appearance will be required.

Reviewed by: LEG

Reviewed on: 6/17/14

Updates:

Recommendation:

File 5B - Harris

Dept. 303, 9:00 a.m. Wednesday, June 18, 2014

6A **Sukhjinder Ashat (Spousal)** **Case No. 08CEPR00834**

Atty **Cowin, William L. (for Kamaljit K. Ashat – Surviving Spouse – Petitioner)**

Spousal or Domestic Partner Property Petition

DOD: 12-21-05		
Cont. from 042814, 050814		
	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	

KAMALJIT K. ASHAT, Surviving Spouse, is Petitioner.

Petitioner was appointed Administrator of the Estate of Sukhjinder Ashat on 2-10-09.

Decedent died intestate

Petitioner requests Court confirmation that Petitioner's 50% community property interest in certain real property on Blackstone Ave., in Fresno belongs to her.

Petitioner states she and the decedent acquired the subject property with the earnings and accumulations from said earnings during their marriage; therefore, the property constituted community property of the spouses. Title stands in the decedent's name alone because he purchased the property, with Petitioner's consent, while she was on vacation out of the country and was unavailable to sign purchase and loan documents. The property was reported on the joint income tax returns of the spouses as their community property.

NEEDS/PROBLEMS/COMMENTS:

1. **Petitioner states the property was acquired during the marriage with community property funds; however, Petitioner does not provide details such as the date of the marriage, the date the property was acquired, etc. The Court may require further information.**

2. **It appears from the Notice of Hearing that Mrs. Ashat has moved to Roseville, CA. Need Notice of Change of Address (Form MC-040) to be filed in 08CEPR00834.**

Reviewed by: skc

Reviewed on: 6-16-14

Updates:

Recommendation:

File 6A - Ashat

Dept. 303, 9:00 a.m. Wednesday, June 18, 2014

6B **Sukhjinder Ashat (Estate)** **Case No. 08CEPR00834**

Atty **Cowin, William L. (for Kamaljit K. Ashat – Surviving Spouse – Petitioner)**

(1) Waiver of Accounting and (2) Petition for Final Distribution and (3) for Allowance of Statutory Attorneys Fees

DOD: 12-21-05		
	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	

KAMALJIT K. ASHAT, Administrator with full IAEA without bond, is Petitioner.

Accounting is waived.

I&A: $65,000.00
POH: $65,000.00 (real property interest)

Administrator (Statutory): Waived

Attorney (Statutory): $2,600.00

Distribution pursuant to intestate succession:

Kamajit K. Ashat – Real property interest valued at $65,000.00.

NEEDS/PROBLEMS/COMMENTS:

Note: On 9-12-13, the Court imposed sanctions of $500 each to both Attorney Cowin and the Administrator, and also set an Order to Show Cause for 10-17-13. On 10-17-13, the OSC was dismissed, but the Court did not address the sanctions that were imposed on 9-12-13. Therefore, it appears the sanctions remain due. Examiner Notes for hearing 5-8-14 noted that the sanctions remain due; however, Judge Smith continued the matter for Judge Oliver to hear.

Note: This petition requests to distribute the same real property interests that are requested to be distributed in the Spousal Property Petition at Page A. Depending on which petition is granted, the other may be dismissed by the Court.

Reviewed by: skc

Reviewed on: 6-16-14

Updates:

Recommendation:

File 6B - Ashat

7 **Janet Rae Scott (Estate)** **Case No. 11CEPR00942**

Atty **Kruthers, Heather H (for Administrator/Public Administrator)**

(1) First and Final Account and Report of Administrator and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and (3) for Distribution

DOD: 9/29/11			
Cont. from			
	Aff.Sub.Wit.		
✓	**Verified**		
✓	**Inventory**		
✓	**PTC**		
✓	**Not.Cred.**		
✓	**Notice of Hrg**	W/	
✓	**Aff.Mail**		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	**Letters**	3/15/12	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	**9202**		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	**FTB Notice**		

PUBLIC ADMINISTRATOR, Administrator, is petitioner.

Account period: 10/21/11 – 4/16/14

Accounting - **$306,068.14**
Beginning POH - **$232,000.00**
Ending POH - **$ 86,322.07**

Administrator (statutory) - **$9,121.37**

Administrator X/O (sale of real and personal property and preparation of taxes) - **$2,718.00**

Attorney (statutory) - **$9,121.37**

Bond (o.k.) - **$1,912.93**

Court Fees (filing fee, certified copies) - **$573.50**

Petitioner states in the administrator's petition for appointment of special administration there was a need for such appointment to begin the process of filing a civil lawsuit to recover property believed wrongfully taken from the decedent. County Counsel's workload does not allow him to handle all litigation that arises from probate matters. The law firm of Dowling, Aaron, Inc. (DAI) agreed to represent the administrator in the civil litigation.

Please see additional page.

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: KT
Reviewed on: 6/16/14
Updates:
Recommendation:
File 7 - Scott

Dept. 303, 9:00 a.m. Wednesday, June 18, 2014

7 Janet Rae Scott (Estate) Case No. 11CEPR00942

On 11/8/12 the court authorized payment of fees to DAI in the amount of $9,584.00. On 2/17/13, the Court authorized another $14,463.00 to DAI. The firm's last invoice from December 2013 was $42,415.30, which petitioner has not sought authority to pay. County Counsel noted for DAI that the total of the three invoices, $66,462.30, was $4,010.30 more than the amount recovered from the civil action ($62,452.00). DAI agreed to reduce its fees by $10,000.00, thus netting the estate $5,989.70 from the civil litigation. The Public Administrator seeks instructions regarding the remaining amount of fees to be paid to DAI. With reduction, they are asking for $32,415.30.

After payment of fees and costs totaling $55,862.47 the remaining property on hand of $30,459.60 will be distributed to the Public Guardian, as conservator of the estate of the decedent's sole heir, her mother, Dorothy Hart.

8 **Gloria Elisa Martinez Gonzalez (Estate)** **Case No. 12CEPR00801**

Atty **Boyett, Deborah K. (for Executor Jesusita T. Gonzalez)**

(1) Petition for Settlement of First Account and Report and (2) for Allowance of Partial Compensation to Executor and Attorneys for Ordinary Services and to Attroneys for Extraordinary Services

DOD: 8-23-12

	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**	

JESUSITA T. GONZALEZ, Executor with Full IAEA without bond, is Petitioner.

Account period: 10-24-12 through 2-28-14
Accounting: $1,158,312.10
Beginning POH: $981,571.25
Ending POH: $685,634.09
($99,234.09 cash plus real and personal property including assets of the business)

Executor (50% of Statutory): $11,315.72
Petitioner states she has completed more than 50% of the known tasks to be completed for estate administration.

Attorney (50% of Statutory): $11,315.72

Attorney Costs: $1,718.71 (including court fees, etc., for this estate and various unlawful detainer actions on the decedent's various properties)

Attorney (Extraordinary): $18,135.50 (for legal services in connection with the decedent's various real properties and business – see Declaration.)

Petitioner states liquidation of the estate is continuing for the purpose of paying creditor's claims, liens, and encumbrances. The estate is not yet in a position to close.

The total value of creditor's claims allowed is $92,472.09, of which $50,594.16 has been paid, leaving a balance of $41,877.93. Additional liens not reflected in creditor's claims total $439,044.94. Certain loans will be paid upon the sale of the related properties.

Petitioner prays for an order that:
1. The account be settled, allowed, and approved;
2. Authorizing the partial allowance of the Executor's and Attorney's statutory compensation and costs; and
3. Authorizing the attorney's extraordinary compensation; and
4. For such other and further orders as the Court may deem proper.

NEEDS/PROBLEMS/COMMENTS:

Note: The status hearing set for 8-7-14 has been taken off calendar. If granted, the Court will set a status hearing for the filing of the final account and petition for final distribution as follows:

- **Wednesday, June 17, 2015**

If the final petition or 2nd account has been filed, this status date will be taken off calendar.

Reviewed by: skc

Reviewed on: 6-16-14

Updates:

Recommendation:

File 8 - Gonzalez

9 **Violet Goorigian (Estate)** **Case No. 13CEPR00098**

Atty **Koligian, Robert (for Co-Executors Ben Krikorian and Aaron Krikorian)**

1) Waiver of Accounting and (2) Petition for Allowance of Commissions and Fees and (3)For Final Distribution

DOD: 12-3-12			**BEN KRIKORIAN and AARON KRIKORIAN**, Co-Executors with Full IAEA without bond, are Petitioners. Accounting is waived. I&A: $356,452.38 POH: $387,782.87 ($211.644.39 cash plus securities, personal property items) Co-Executors (Statutory): $10,129.05 Attorney (Statutory): $10,129.05 Costs: $1,364.55 (filing, publication, appraisal) Closing: $300.00 Distribution pursuant to Decedent's will: Ben Krikorian and Aaron Krikorian as co-trustees of the Violet Goorigian Revocable Living Trust Agreement dated 10-6-08: Entire estate	**NEEDS/PROBLEMS/COMMENTS:**
Cont from 050614			
	Aff.Sub.Wit.		
✓	**Verified**		
✓	**Inventory**		
✓	**PTC**		
✓	**Not.Cred.**		
✓	**Notice of Hrg**		
✓	**Aff.Mail**	w	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	**9202**		
✓	**Order**		
	Aff. Posting		**Reviewed by:** skc
	Status Rpt		**Reviewed on:** 6-16-14
	UCCJEA		**Updates:**
	Citation		**Recommendation: SUBMITTED**
	FTB Notice		**File 9 - Goorigian**

Dept. 303, 9:00 a.m. Wednesday, June 18, 2014

10 Davis 1989 Family Trust (Trust) **Case No. 14CEPR00298**

Atty Burnside, Leigh W. (for Petitioner Joshua Davis – Beneficiary)

Petition for Order Compelling Trustee to Account and Report

Thomas J. Davis DOD: 6-5-00		
Wealthea Davis DOD: 3-25-98		
Cont from 051914		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	w
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

JOSHUA DAVIS, Beneficiary, is Petitioner.

Petitioner states he is a beneficiary of the Davis 1989 Family Trust dated 11-17-89 (the Trust) (Exhibit A). On or about the same date, Thomas and Wealthea Davis also created the **Davis Family 1989 Life Insurance Trust (the Insurance Trust) (Exhibit B)**. The Family Trust became irrevocable on the settlors' deaths. The Insurance Trust was already irrevocable during their lifetimes. Petitioner states **BRUCE NEILSEN** is the successor trustee of both trusts.

Petitioner states that following the death of Thomas Davis on 6-5-00, Petitioner, by his agent and CPA Tom Bell, inquired of Trustee Neilsen on multiple occasions about the nature of the Trust assets and timetable for distribution. Petitioner was aware that the decedents had owned real property in California, various stocks and bonds, as well as other assets to which Petitioner and the other named in this petition were beneficiaries.

Petitioner has requested that Trustee Neilsen provide him with an account of his administration of the Trust, but Trustee Neilsen has not done so. Additionally, Petitioner believes portions of the trust property that were to be held fbo Trust beneficiaries and Insurance Trust beneficiaries have been used to make loans to beneficiaries other than Petitioner, all to the detriment of Petitioner and other beneficiaries who may have lost their share of Trust and Insurance Trust assets as a result of the breach of his duties to the beneficiaries by Trustee Neilsen.

SEE ADDITIONAL PAGES

NEEDS/PROBLEMS/COMMENTS:

Continued from 5-19-14

SEE ADDITIONAL PAGES

Reviewed by: skc
Reviewed on: 6-16-14
Updates:
Recommendation:
File 10 - Davis

Petitioner states moreover, Trustee Neilsen has failed to require the execution of notes requirement repayments by the borrowers of the Trust and Insurance Trust assets, and/or that Trustee Neilsen has failed to require the repayment of principal and interest on the Trust and Insurance Trust monies by the borrowers, all to the detriment of Petitioner and the other beneficiaries.

Petitioner states the Trust estate was to be divided into 12 separate trusts immediately on the death of both settlors. Petitioner made inquiries of Trustee Neilsen as to what is held in the trust created for Petitioner, but Trustee Neilsen has not provided the requested information or any meaningful response. Petitioner is informed and believes that Trustee Neilsen has, without consent or knowledge of several of the beneficiaries, used Trust and/or Insurance Trust assets to fund business transactions initiated by other beneficiaries, all to the detriment of Petitioner and other beneficiaries.

Petitioner has been unable to determine what has been done with what portion of the Insurance Trust assets and the Trust assets which were to have been segregated from the rest of the Trust property and Insurance Trust property for Petitioner's benefit.

Petitioner requests the Court order as follows:

1. Directing Trustee Bruce Neilsen to prepare and file a complete account and report of his administration of the Davis 1989 Family Trust and the Davis 1989 Life Insurance Trust for the period of June 6, 2000 through March 31, 2014, inclusive;

2. Directing Trustee Bruce Neilsen to set the Account and Report for hearing and give notice of same pursuant to §17203;

3. Awarding Petitioner reasonable attorneys' fees and costs incurred in this matter; and

4. Granting any and all other relief as the Court deems just and proper.

SEE ADDITIONAL PAGES

NEEDS/PROBLEMS/COMMENTS:

1. This petition requests accountings for two separate trusts. The two separate trusts have separate terms, separate assets, and separate purposes, and as such consideration by the Court requires separate petitions, separate notice, separate files, separate filing fees, and ultimately separate accountings.

   The Court may designate this case number as the Family Trust file and direct Petitioner to initiate a separate proceeding regarding the Life Insurance Trust.

2. Also, per its terms, the Family Trust was to immediately divide into *twelve (12) separate trusts*, only one of which was for Petitioner's benefit. Need clarification and authority regarding the scope of the request for accounting(s).

   Note: The language in the instruments differentiates between division into separate trusts and into separate shares, as contemplated by the Life Insurance Trust.

3. Notice appears to have been mailed to six people as couples, rather than as individuals entitled to direct notice. The Court may require amended direct service pursuant to Cal. Rules of Court 7.51.

4. Probate Code §17200(b)(7) provides that the Court can compel the trustee to provide information or account if the trustee has failed to provide the requested information within 60 days after the beneficiary's reasonable written request. Here, Petitioner states that he requested information after the settlors' deaths, which was approx. 14 years ago, but Petitioner does not state if any recent written request was made pursuant to §17200(b)(7), or what response was received, if any, pursuant to the written request. The Court may require clarification as to whether this petition may be prematurely filed pursuant to §17200(b)(7) and may require continuance for formal request and response. (Note: The requests should be separated for each trust pursuant to the above items.)

11 Leon Morton (Estate) Case No. 14CEPR00374

Atty Petty, Teresa B. (for Petitioner Donald Morton)

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

			NEEDS/PROBLEMS/COMMENTS:
			Continued to 7/7/14 at the request of the attorney.
Cont. from 060414			
	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		Reviewed by: KT / LEG
	Status Rpt		Reviewed on: 6/16/14
	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notice		File 11 – Morton

12 The Murray 1996 Rev. Trust Agreement dated **Case No. 14CEPR00402**

Atty Rube, Melvin K. (for Successor Trustee Robyn Esraelian)

Atty Horton, Lisa (for Objector Daniel Murray)

Petition to Determine the Validity of the Eighth Amended and Complete Restatement of the Murray 1996 Revocable Trust Agreement

Stanley Murray
DOD: 3-6-09

Margaret Murray
DOD: 2-7-14

	Aff.Sub.Wit.	
✔	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✔	Notice of Hrg	
✔	Aff.Mail	W
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
✔	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	X
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

ROBYN ESRAELIAN, Successor Trustee, is Petitioner.

Petitioner states Stanley and Margaret Murray, husband and wife as Trustors, established the Murray 1996 Revocable Trust Agreement on 7-30-96 (the Trust). Stanley and Margaret amended and restated the terms of the trust on four occasions prior to 12-3-98.

On 12-3-98, Stanley and Margaret again amended and restated the Trust in its entirety with their execution of a document entitled Fifth Amended and Complete Restatement of the Murray 1996 Revocable Trust Agreement (5th Amended Trust).

Stanley died on 3-6-09 and Margaret executed an Affidavit – Death of Trustee on 3-29-09, recorded on 4-6-09. As a result of Stanley's death, Margaret became the sole acting Trustee of the Trust.

On 9-16-11, Margaret, as sole surviving Trustor, amended the trust in its entirety and restated the Trust with her execution of a document entitled Sixth Amended and Complete Restatement of the Murray 1996 Revocable Trust Agreement (6th Amended Trust).

On 10-19-12, Margaret, as sole surviving Trustor, again amended the trust in its entirety and restated the Trust with her execution of a document entitled Seventh Amended and Complete Restatement of the Murray 1996 Revocable Trust Agreement (7th Amended Trust).

And on 9-19-13, Margaret, as sole surviving Trustor, again amended the trust in its entirety and restated the Trust with her execution of a document entitled Eighth Amended and Complete Restatement of the Murray 1996 Revocable Trust Agreement (8th Amended Trust).

Margaret died on 2-7-14, and Petitioner, as Successor Trustee, sent notification pursuant to §16061.7 and a copy of the 8th Amended Trust to all beneficiaries. The Trust is now irrevocable.

SEE ADDITIONAL PAGES

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: skc

Reviewed on: 6-17-14

Updates:

Recommendation:

File 12 - Murray

Dept. 303, 9:00 a.m. Wednesday, June 18, 2014

Petitioner states DANIEL ANDREW MURRAY, a child of Stanley, was a remainder beneficiary of the Trust under the 5th Amended Trust; however, under the 6th, 7th, and 8th Amended Trusts, he is essentially disinherited. In a letter dated 3-20-14, counsel for Daniel contends that the trust can only be amended by written agreement signed by both trustors, and that since the 8th amendment was not signed by Margaret only, after Stanley's death, it is invalid.

Daniel contends that the 5th Amended Trust, as the last instrument signed by both Stanley and Margaret, is valid and that he is entitled to a distribution pursuant to the 5th Amended Trust.

Petitioner contends that the 8th Amended Trust is valid and that upon termination, the net distributable residuary estate should be distributed pursuant to the 8th Amended Trust.

Petitioner prays for an order declaring that the 8th Amended Trust is valid and directing her, as Successor Trustee of The Murray 1996 Revocable Trust to distribute the residuary trust estate pursuant to Article Five, Paragraph B3 of the 8th Amended Trust.

Daniel Murray filed an Objection on 6-12-14. Objector states:
Stanley had three (3) children before his marriage to Margaret: Daniel Andrew Murray (Objector), Morgan Steven Murray, and Phillip Stanley Murray. Margaret had two children before her marriage to Stanley: Eugenia Kay Stott, and Wayne Stott (predeceased, no issue).

At the time Stanley and Margaret married, Stanley had a large real property ranch that was his separate property. That ranch was sold prior to his death, and made up the majority of trust assets.

Objector states that he, his two siblings, and Margaret's daughter were always the equal beneficiaries of the Trust while Stanley was alive. After Stanley's death, for no reason known or disclosed to Objector, Margaret by herself and against Stanely's written wishes decided to remove Objector as a beneficiary and augment her own daughter's share through subsequent amended trusts.

Objector contends that not only are the subsequent amended trusts signed after Stanley's death invalid per the terms of the 5th Amended Trust, but also that Stanley would never have agreed to the subsequent amended trusts signed by Margaret after his death.

Pursuant to the language in Article Seven of the 5th Amended Trust: the "Trustors may at any time **during their lifetime** amend any terms of this trust by written instrument **signed by the Trustors** and delivered to the Trustee." The

Trust could only be amended during both Stanley and Margaret's lifetime with a written instrument signed by both of them. The language absolutely does not allow one Trustor to amend the Trust after the death of the other.

If the Trustors wanted to allow the surviving Trustor to amend the 5th Amended Trust, then Article Seven would have said something to the effect of "during the lifetime of either Trustor" (See *In Re Estate of Powell* (2000) 83 CA4th 1434).

Since the 6th Amended Trust is only signed by Margaret, it is invalid.

SEE ADDITIONAL PAGES

Objector states if the 8th Amended Trust is found valid it only changes the distributive provisions for Margaret's portion of the trust estate contributed by her, and pursuant to Probate Code §15401(b)(1) and *In Re Estate of Powell* (2000) 83 CA4th 1434, Stanley's trust estate contribution should be distributed pursuant to the 5th Amended Trust.

Objector prays for an order as follows:

1) **Denying the Petition to Determine Validity of the 8th Amended Trust in its entirety;**
2) **Declaring that the 5th Amended Trust is valid;**
3) **Directing Petitioner as Successor Trustee of the Murray 1996 Revocable Trust to distribute the trust estate pursuant to Article Six of the Fifth Amended Trust; and**
4) **For such other orders as the Court may deem proper.**

13 Ruth Ann Lawson (Det Succ) **Case No. 14CEPR00422**

Atty Wainwright, James A (for Charles Raymond Lawson – Petitioner – Son)

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

DOD: 02/06/2014			**CHARLES RAYMOND LAWSON**, and **LAURA ANN LAWSON CAMACHO**, children are petitioners.	**NEEDS/PROBLEMS/COMMENTS:**
				1. Attachment 11 does not provide the decedent's interest in the real property.
			40 days since DOD	
Cont. from				
	Aff.Sub.Wit.		No other proceedings	
✓	**Verified**		I & A - **$65,000.00**	
✓	**Inventory**			
	PTC		Will dated: 07/13/2010 devises all of the estate pass to Charles Raymond Lawson and Laura Ann Lawson Camacho.	
	Not.Cred.			
✓	**Notice of Hrg**			
✓	**Aff.Mail**	w/	Petitioners request Court determination that decedent's interest in real property located at 1057 Center St. Orange Cove, Ca. pass to Charles Raymond Lawson and Laura Ann Lawson Camacho pursuant to decedent's will.	
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	**Order**			
	Aff. Posting			**Reviewed by:** LV
	Status Rpt			**Reviewed on:** 06/17/2014
	UCCJEA			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 13 - Lawson**

Dept. 303, 9:00 a.m. Wednesday, June 18, 2014

14 Randy A. Jean (Estate) Case No. 13CEPR00774

Atty **Sanoian, Joanne (for Terri Jean – Administrator)**

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 05/22/13	**TERRI JEAN,** spouse, was appointed as Administrator with limited IAEA and bond in the amount of $64,400.00 on 10/30/13. Bond was filed 11/12/13 and Letters of Administration were issued on 11/20/13. Inventory & Appraisal, Partial No. 1 filed 03/12/14 - $486,277.83	**NEEDS/PROBLEMS/COMMENTS:** **Minute Order of 04/30/2014 (Judge Whitehead):** Mr. Garland is appearing specially for the Office of Joanne Sanoian. Mr. Roberts advises the Court that he is substituting in as counsel for Terri Jean. 1. Need Final Inventory & Appraisal.
Cont. from 040414, 043014		
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		**Reviewed by:** JF / LV
Status Rpt		**Reviewed on:** 06/17/2014
UCCJEA		**Updates:**
Citation		**Recommendation:**
FTB Notice		**File 14 - Jean**

15 James Blanco (Estate) **Case No. 13CEPR01102**

Atty Petty, Teresa B (for Ricardo Garcia – Administrator)

Status Hearing Re: Waivers of Bond

DOD: 06/30/2011	**RICARDO GARCIA,** brother was appointed Administrator. Minute Order of 03/19/2014 set this matter for hearing. **Minute Order of 03/19/2014** states Counsel is directed to obtain the necessary bond waivers or a bond in the amount of $10,000.00. The petition is granted.	**NEEDS/PROBLEMS/COMMENTS:** 1. Need $10,000.00 bond or waivers of bond. **Note:** A Disclaimer of Interest by Rosa Sapien, Harvey Blanco, Rosendo Garcia and Jackeline Blanco state that they also disclaim all of the rights of her minor children to the decedent's estate. A disclaimer cannot be made by a parent on behalf of a minor child unless they have been appointed as guardian of the state or guardian ad litem after a noticed hearing pursuant to Probate Code§ 277. **Note**: Pursuant to Intestate Succession the beneficiaries of the decedent's estate would be the parents, Hortencia Miranda and Modesto Blanco. Hortencia Miranda and Modesto Blanco have disclaimed their interest. **If a beneficiary disclaims their interest in the estate, the disclaimer acts as if the disclaiming party pre-deceased the decedent. See Probate Code §275 et seq. for disclaimers.** **A Disclaimer when effective is irrevocable pursuant to Probate Code §281.** **Continued on additional page**
		Reviewed by: LV
		Reviewed on: 06/16/2014
		Updates:
		Recommendation:
		File 15 – Blanco

Cont. from 043014		
	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	

15 (additional page) James Blanco (Estate) Case No. 13CEPR01102

Since Modesto Blanco (father) and Hortencia Miranda (mother) and all decedent's siblings except petitioner, Ricardo Garcia (issue of Hortencia and Modesto) disclaimed, the issue of decedent's siblings are now the intestate heirs of the Estate. The issue of the disclaiming siblings are as follows and would then be the intestate heirs along with Ricardo:

- Ashley Sapien - 18
- Mariah Sapien - 16
- Vanessa Sapien - 5
- Angel Blanco - 10
- Laurissa Barajas - 8
- April Clark - 17
- Suzie Clark - 13
- Harvey Isaac Blanco - 13
- Isaac Harvey Blanco - 13
- Samuel Blanco - 7
- Rosendo Garcia, Jr. – 8

Note: Order is in the file for the Court's signature once the appropriate documents have been filed.

Dept. 303, 9:00 a.m. Wednesday, June 18, 2014

16 Monica Rios & Nathaniel Rios (GUARD/P) Case No.05CEPR00810

Atty **Rios, Josefina (pro per Guardian/paternal grandmother)**
Atty **Garcia, Monica (pro per Petitioner/mother)**

Petition for Termination of Guardianship

Monica age: 15		
Nathanial age: 10		
Cont. from		
	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	X
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

MONICA GARCIA, mother, is petitioner.

JOSEFINA RIOS, paternal grandmother, was appointed guardian on 7/8/05.

Father: **PEDRO RIOS**

Paternal grandfather: Guadalupe Rios
Maternal grandfather: Not listed.
Maternal grandmother: Vera Alarcon.

Petitioner states her children's needs are not currently being met by the guardian. The guardian is not keeping her informed of anything concerning the children. Instead Petitioner states she has to find out from other sources. Petitioner feels the guardian is letting her personal feelings about the petitioner interfere with the well-being of the children.

Court Investigator Samantha Henson's Report filed on 6/12/14.

NEEDS/PROBLEMS/COMMENTS:

1. Need Notice of Hearing.
2. Need proof of service of the Notice of Hearing on:
   a. Josefina Rios (guardian)
   b. Pedro Rios (father)
   c. Guadalupe Rios (paternal grandfather)
   d. Vera Alarcon (maternal grandmother)
   e. Monica Rios (minor)
3. Need Order

Reviewed by: KT
Reviewed on: 6/17/14
Updates:
Recommendation:
File 16 - Rios

17 Vincent Caywood-Sanchez **Case No. 12CEPR00779**

Atty Caywood, Shayna (pro per Petitioner/Guardian/sister)

Petition for Termination of Guardianship

Age: 15 years			**SHAYNA CAYWOOD,** guardian/sister, is petitioner. Father: **DAVID SANCHEZ** – Deceased. Mother: **SHANNON CAYWOOD** Paternal grandparents: Deceased Maternal grandparents: Deceased Petitioner states she feels it is in the best interest of Vincent and for her family for him to be immediately removed from her care due to his constant disruptive behaviors. Petitioner feels he would be better off with their sister Airica Diaz who can provide the one on one attention Vincent needs. **Court Investigator Charlotte Bien's Report filed on 6/10/14**	**NEEDS/PROBLEMS/COMMENTS:** **<u>Note:</u> Airica Diaz, sister, has petitioned to be appointed successor guardian. The hearing on her petition is set for 7/14/14.** 1. Need proof of service of the Notice of Hearing on: a. Shannon Caywood (mother) b. Vincent Caywood (minor)
Cont. from			
	Aff.Sub.Wit.		
✓	**Verified**		
	Inventory		
	PTC		
	Not.Cred.		
✓	**Notice of Hrg**		
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	**Order**		
	Aff. Posting		**Reviewed by: KT**
	Status Rpt		**Reviewed on: 6/17/14**
	UCCJEA		**Updates:**
	Citation		**Recommendation:**
	FTB Notice		**File 17 - Caywood**

Dept. 303, 9:00 a.m. Wednesday, June 18, 2014

18 Salvador Llamas (CONS/P) **Case No. 13CEPR01099**

Atty Mota, Trinidad Chavez (Pro Per – Petitioner – Mother)

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

Age: 30			**NO TEMPORARY REQUESTED**
			TRINIDAD CHAVEZ MOTA, mother, is Petitioner and requests appointment as Conservator of the Person with medical consent powers.
Cont. from 012914, 030514, 043014			
	Aff.Sub.Wit.		**Declaration of Christopher Nevantzinis, M.D.** supports request for medical consent.
✓	**Verified**		
	Inventory		**Voting Rights Affected**
	PTC		
	Not.Cred.		**Petitioner states:** Conservatee is severely disabled, he cannot walk or talk and needs daily care for all his daily routine. Petitioner currently provides a stable home providing for his emotional and daily needs.
✓	**Notice of Hrg**		
✓	**Aff.Mail**	w/	
	Aff.Pub.		
	Sp.Ntc.		
✓	**Pers.Serv.**	w/	**Declaration of Trinidad Mota filed 06/11/2014** includes a letter from CVRC dated 06/02/2014 which states they are aware of the guardianship and do not oppose the appointment of Ms. Mota at this time.
✓	**Conf. Screen**		
✓	**Letters**		
✓	**Duties/Supp**		
	Objections		**Court Investigator JoAnn Morris' report filed on 01/17/2014.**
✓	**Video Receipt**		
✓	**CI Report**		
	9202		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
✓	**Citation**		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

Minute of 04/30/2014 (Judge Whitehead): Ms. Gutierrez is sworn and interprets for the petitioner. The Court is advised that Salvador Llamas last saw Dr. Nevantzinis about a year ago. The Court notes that medical consent is being requested. The Court waives the need for the doctor's initials on the Capacity Declaration. Matter continued to 06/18/2014 for notice to be given to CVRC.

Continued from 03/05/2014: No appearances. Court directs Examiner notes be sent to Trinidad Mota.

Copy of Minute Order and Examiner Notes mailed to Trinidad Mota on 03/06/2014.

Court Investigator Advised Rights on 01/15/2014.

Voting Rights Affected Need Minute Order.

The following issues remain:

1. #4a of the Capacity Declaration not answered as to when Dr. Nevantzinis last saw the proposed conservatee and #4b if the proposed conservatee is under continuing treatment.

2. Need proof of service at least (30) days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Conservator for:
   - Central Valley Regional Center per Probate Code §1822(e).

Reviewed by: LV

Reviewed on: 06/16/2014

Updates:

Recommendation:

File 18 – Llamas

19 **Marisol Madrigal Aguirre (CONS/P)** **Case No. 14CEPR00404**

Atty **Madrigal, Tomas (Pro Per – Petitioner – Father)**

Atty **Madrigal, Esther Aguirre (Pro Per – Petitioner – Mother)**

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

Age: 18			**NO TEMPORARY REQUESTED**
Cont. from			
	Aff.Sub.Wit.		
✓	**Verified**		
	Inventory		
	PTC		
	Not.Cred.		
✓	**Notice of Hrg**		
✓	**Aff.Mail**	w/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	**Letters**		
✓	**Duties/Supp**		
	Objections		
	Video Receipt		
✓	**CI Report**		
	9202		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
✓	**Citation**		
	FTB Notice		

TOMAS MADRIGAL, and **ESTHER AGUIRRE MADRIGAL,** parents, are petitioners and request appointed as Conservator of the person, with medical consent powers.

Declaration of Peter Nakaguchi, M.D.

Voting Rights Affected

Petitioners state: proposed conservatee was born with only half of her brain alive and functioning and suffers from severe developmental delay. She is wheelchair bound, non-verbal, has a feeding and trachea tube and is probably blind, although, blindness cannot be confirmed. She is able to hear. Proposed conservatee resides in a home for the developmentally disabled. She requires constant care and supervision.

Court Investigator Jennifer Daniel's report filed 06/12/2014.

NEEDS/PROBLEMS/COMMENTS:

Court Investigator Advised Rights on 06/06/2014.

Voting Rights Affected Need Minute Order.

Reviewed by: LV

Reviewed on: 06/17/2014

Updates:

Recommendation:

File 19 - Aguirre

20 Ulis G. Grant (Spousal) Case No. 14CEPR00419

Pro Per **Hunter, Ima Jean (Pro Per Petitioner)**

Spousal or Domestic Partner Property Petition (Prob. C. 13650)

DOD: 12/11/2013			**IMA JEAN HUNTER**, surviving spouse, is Petitioner. No other proceedings. Decedent died intestate. **Petitioner states** no facts or reasons (as required by Item 7 of the *Petition*), in support of the allegation that the property should be determined as having passed to her as surviving spouse. **Petitioner requests** Court determination that ½ interest in *[unspecified property]* passes to her.
Cont. from			
	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		

NEEDS/PROBLEMS/COMMENTS:

1. *Petition* contains inconsistent names for the Decedent on several of the pleadings, such as: caption of the *Petition* states Decedent's name is **ULIS G. GRANT**, while caption of proposed order states Decedent's name is **ULIS G. HUNTER**. Copy of Decedent's death certificate reflects the name **ULIS GRANT HUNTER**, and based upon this document it appears this is Decedent's correct name; however, the pleadings must be filed containing the correct name. In addition, the signature of Petitioner at the verification appears not to be an original signature. Need amended *Petition* with original signature and containing the correct name of the Decedent consistently on all pleadings.

2. Need proof of service by mail of a *Notice of Hearing* pursuant to Probate Code § 13655(a)(2).

3. Item 4(c) of the *Petition* is incomplete regarding whether Decedent died testate or intestate, and if testate, *Petition* does not include a copy of Decedent's Will affixed as *Attachment 4(c)*, nor does Petition contain information at Item 10 regarding persons named in Will.

~Please see additional page~

Reviewed by: LEG

Reviewed on: 6/17/14

Updates:

Recommendation:

File 20 - Grant

Dept. 303, 9:00 a.m. Wednesday, June 18, 2014

NEEDS/PROBLEMS/COMMENTS, continued:

4. Item 5(a)(1) of the *Petition* is incomplete re: children; Item 5(a)(2) of the *Petition* is incomplete re: issue of a predeceased child; and Item 5(b) of the *Petition* is incomplete re: foster child.

5. Item 6 of the *Petition* is incomplete regarding any survivors of Decedent.

6. Need *Attachment 7* to the *Petition* describing facts upon which the Petitioner bases the allegation that the property should be determined as passing to the Petitioner as the surviving spouse of Decedent (for example: date of marriage, continuous residence as husband and wife, property in the petition acquired during the marriage, whether the subject property was acquired using community property funds, etc.)

7. *Petition* does not include *Attachment 7(a) and/or 7(b)* containing the legal description, and Assessor's Parcel Number for any real property, of the property that Petitioner requests be determined and passed as community property without administration. Petitioner has attached copies of several documents to the *Petition* without explanation in the *Petition* regarding the purpose of the documents presented to the Court, and without specifying what property is being claimed by Petitioner for the Court to determine as community property passing to the Petitioner.

8. Item 9 of the *Petition* is incomplete and does not indicate whether there exists any child, issue of predeceased child, stepchild, etc., and their relationships to Decedent.

9. Proposed order is incomplete at most items and does not contain *Attachment 5(a)* containing the property description of the subject property to be determined as passing to the Petitioner.

21 Dakota Olivas & Nathan Olivas (GUARD/P) Case No. 14CEPR00497

Atty Fields, Valerie (Pro Per – Petitioner – Maternal Grandmother)

Atty Fields, Keith (Pro Per – Petitioner – Maternal Grandfather)

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

Dakota Age: 8		
Nathan Age: 5		
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	

GENERAL HEARING 08/05/2014

VALERIE FIELDS, and **KEITH FIELDS,** maternal grandparents, are petitioners.

Father: **ERNEST ALONSO OLIVAS,** Declaration of Due Diligence filed 06/04/2014

Mother: **MELISSA BOYDSTON,** personally served on 06/05/2014

Paternal Grandfather: Unknown
Paternal Grandmother: Marie Olivas

Petitioners state: the mother suffers from a medical condition that prevents her from being able to care for the minors. Her condition causes her to be hospitalized frequently. Mother also has been involved with drugs and illegal activity which has resulted in several arrests. Mother's boyfriend is incarcerated in the Fresno County jail. Attached to the petition are letters from the boyfriend to the mother. Petitioners state that the father of the children has been in and out of prison for theft, and child endangerment for physically attacking the eldest child, Dakota, when the child was 4-6 months. Petitioners have not seen or heard from the father in several months.

NEEDS/PROBLEMS/COMMENTS:

1. Petitioner's Fee Waiver was denied on 06/16/2014. Filing fee of $285 is due ($60 for temporary and $225 for the general petition).

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 Temporary Guardian or consent and waiver of notice or declaration of due diligence for:
   - Ernest Alonso Olivas (Father) – Unless the Court dispenses with notice.

Note: Declaration of Due Diligence filed 06/04/2014 states the father was last seen 04/2014 at the eldest child's birthday party.

3. Proof of Personal Service filed 06/09/2014 indicates Ernesto Olivas was personally served however in the box for the address where service was effectuated it states "*left at moms address.*" The Court may require clarification.

Reviewed by: LV
Reviewed on: 06/17/2014
Updates:
Recommendation:
File 21 - Olivas