

Age: 50 years	ARMENTA BURRIS , sister, was appointed conservator on 8/17/2005.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 06/04/15 Minute Order from 06/04/15 states: Counsel reports that there has been no contact from Ruth Ratzlaff, and that he requested verification of the funds in a letter sent by certified mail, which was signed for on 5/15/15. Ms. Burris represents that she last spoke to Ms. Ratzlaff in January of 2015, when she assured Ms. Burris that she would appear in Court at the January hearing. The matter is continued so that the Examiner can review the order; Ms. Burris need not appear on 6/18/15.</p> <p>Note: Conservator was formerly represented by Ruth Ratzlaff.</p> <hr/> <p>Reviewed by: JF</p> <p>Reviewed on: 06/15/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 - Lee</p>
	Court Investigator Jennifer Young filed a Petition for Transfer on 11/25/14 to be heard on 01/15/15, requesting this proceeding be transferred to Tulare County because the conservatee has resided there for over five years.	
Cont. from 060415		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	No appearances were made at the 01/15/15 hearing and the Court set the matter for an Order to Show Cause on 03/05/15 and ordered that Ruth Ratzlaff and Armenta Burris both be personally present.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	On 03/05/15 , Attorney Ratzlaff did not appear and the Court ordered sanctions against her in the amount of \$1,000.00. Minute order from 03/05/15 states, in relevant part: The Court notes that Ms. Ratzlaff has not prepared the order requested years ago and has not appeared. The Court will not transfer the case to Tulare County without verification that the money is still in the trust account. Matter was continued to 04/30/15.	
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order	On 04/30/15 , Stanley Teixeira appeared on behalf of Conservator Armenta Burris. Minute Order from 04/30/15 states: Mr. Teixeira is to prepare the order. The Court orders that a copy of the reporter's transcript filed 11/09/10 be made for Mr. Teixeira. Ms. Burris is to contact the state bar to ascertain whether or not the funds remain in the trust account.	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Continued on Page 2

Status Report/Declaration of J. Stanley Teixeira filed 05/29/15 states: at the hearing on 04/30/15, the Court ordered the preparation of an Order After Hearing incorporating matters from the Reporter's Transcript of a hearing occurring on 03/12/10. A copy of the transcript was obtained and a draft Order incorporating certain matters into the trust as suggested in the transcript. After preparing the draft Order, Master Trust of California was contacted to obtain a new and potentially updated "Joinder Agreement and Application for Admission with the Master Trust of California." Attorney Teixeira spoke with Robert G. Britton, the Trust Administrator/Trust Officer at Master Trust of California. He stated that since the hearing on 03/12/10, the Master Trust is using a new "court supervised trust document." He further informed that the following are required for Master Trust of California to be involved: A) venue for trust administration must be transferred to the San Bernardino Superior Court; B) approval of the fee schedule and approval to begin taking trustee fees upon funding; and C) approval of the investment of the funds according to the Investment Policy. He implied that these requirements are non-negotiable. **Copies of the new trust, fee schedule and investment policy attached.** The proposed Order After Hearing submitted is based on the foregoing.

At the same hearing on 04/30/15, the court ordered confirmation from the State Bar that certain funds continue to be held in the attorney-client trust account of attorney Ruth E. Ratzlaff. On 05/07/15, the State Bar was contacted and informed Mr. Teixeira that there is no way for the State Bar to verify the matter and suggested that inquiry be made directly with the attorney. On 05/13/15, a letter was sent to Ruth Ratzlaff via certified mail requesting verification that the funds continue to be held in her client trust account. On 05/18/15, a certified mail return receipt was received evidencing that the letter was received and signed for on 05/15/15. As of the date of declaration, no communication has been received from Ms. Ratzlaff about this matter. The amount that should be on deposit in Ms. Ratzlaff's client trust account is \$50,781.60. (\$54,793.10 less court approved reimbursements).

3 Nickole Celeste Pena (GUARD/P)

Case No. 05CEPR01052

Petitioner/mother: Guadalupe Garcia (pro per)

Guardian: Antonia C. Garcia (pro per)

Petition for Termination of Guardianship

Age: 10 years DOB: 9/5/2004	GUADALUPE GARCIA, mother, is petitioner.	NEEDS/PROBLEMS/COMMENTS: Continued from 4/30/15. Minute order states Petitioner is ordered to provide a contact number to the Court Investigator. Examiner notes provided in open court. 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: a. Antonia C. Garcia (guardian/maternal grandmother) b. Maria Segura (paternal grandmother)
	Please see petition for details.	
Cont. from 043015		
Aff.Sub.Wit.	Court Investigator Report filed on 4/22/15	
✓ Verified		
Inventory	Court Investigator Supplemental Report filed on 6/10/15	
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		
		Reviewed by: KT
		Reviewed on: 6/15/15
		Updates:
		Recommendation:
		File 3 - Pena

Status Hearing Re: Filing of the Fourth Account

	PUBLIC GUARDIAN , was appointed conservator of the estate on 01/08/2015.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR</u></p> <p>Fourth Account filed 05/18/2015. Hearing is set for 06/30/2015.</p> <p>1. Need Fourth Account.</p>
	Letters issued on 01/08/2015.	
Cont. from	Order Approving Third Account was filed 05/23/2015.	
Aff.Sub.Wit.	<p>Minute Order of 05/23/2013 set his Status for the Filing of the Fourth Account.</p> <p>Status Report filed 01/10/2015 states the person at the Public Guardian's Office who prepares the schedules and any other documents necessary for the preparation of conservatee accounts is currently carrying a double workload. Starting in mid-December, 2014, it was necessary that she not only be responsible for her own duties, but she is covering for another person who is on medical leave. It is not anticipated that the person on medical leave will return until April 21, 2015. As a result, the preparation of account documents has been delayed. Therefore, it is respectfully requested that this matter be set out another 60 days to allow time for the Public Guardian to prepare the documents for all the accounts that have been delayed during this period of double coverage by staff.</p>	
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 06/16/2015
		Updates:
		Recommendation:
		File 5 - McMullen

Attorney: Linda K. Durost (for Petitioner/Administrator Toni Richardson)

First and Final Report and Account of Administrator; for Allowance of Statutory Fees and Costs; Allowance of Statutory Administrator's Fees and for Final Distribution Attorneys'

DOD: 6/13/11	TONI RICHARDSON , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR. Amended Accounting filed and set for hearing on 7/22/15.
	Account period 2/22/12 – 2/2015	
Cont. from 050715	Accounting - \$172,500.00	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH- \$172,500.00	
<input checked="" type="checkbox"/> Verified	Ending POH - \$106,106.46	
<input checked="" type="checkbox"/> Inventory	Attorney - \$4,393.00	
<input checked="" type="checkbox"/> PTC	Administrator- \$4,393.00	
<input checked="" type="checkbox"/> Not.Cred.	Attorney costs- \$435.00 (filing fee)	
<input checked="" type="checkbox"/> Notice of Hrg	Administrator costs/creditor's claim - \$22,964.00	
<input checked="" type="checkbox"/> Aff.Mail W/		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
<input checked="" type="checkbox"/> Letters 2/22/12	Toni Richardson- \$36,960.73	
Duties/Supp	Bill Richardson- \$36,960.73	
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: KT
		Reviewed on: 6/15/15
		Updates:
		Recommendation:
		File 6 - Bonham

NEEDS/PROBLEMS/COMMENTS:

1. Need itemization for trustee fees paid. Note: The petition does not state in the narrative the amount of trustee's fees paid. Disbursements Schedule indicates \$14,450.67 paid to Bruce Bickel and \$1,019.94 paid to Matt Bickel Fiduciary Support Services, a total of \$15,470.61 for this 20-month account period. The Court may also require future petitions to clearly state what was paid in the narrative of the petition.
2. Notice of Hearing was served on John Malos, as Angela's father and guardian ad litem; however, Cal. Rule of Court 7.51 requires direct notice, even to a minor. The Court may require direct notice of hearing to be served on the beneficiary for this petition or in the future.
3. The trustee's current bond is \$464,792.37. Based on the receipt and property on hand figures at the close of this account period, it appears bond should be increased to at least \$481,525.98.
4. Need clarification re reimbursement of \$5.60 in mailing charges to Allison Ross. Who is Allison Ross, and what are the mailing charges for? Pursuant to Local Rule 7.17, this type of expense is considered a cost of doing business and is not typically reimbursable.
5. The 4/20/12 Order Establishing Trust authorized investment in mutual funds and US government bonds with maturity dates greater than five years. For this account period, receipts and gains on sales, less losses, totaled \$40,764.92. Disbursements, which include disbursements for the beneficiary as well as trustee and account management fees, totaled \$43,040.88, exceeding the receipts by \$2,275.96.

More specifically, gains of \$7,176.94 less losses of \$377.37 result in an overall gain of \$6,799.57 for this account period. In addition to the trustee fees, \$9,840.51 was paid to Merrill Lynch Wealth Management, an amount which exceeded the gains by \$3,040.94. The Court may require clarification as to the investment in the best interest of the beneficiary.

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 9-21-12	<p>ROSARIO R. FORESTIERE, Spouse, was appointed as Administrator with Limited IAEA without bond on 1-3-13 and Letters issued on 1-7-13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account or petition for final distribution or verified written status report per local rule.</p>
	<p>At hearing on 1-3-13, the Court set this status hearing for the filing of the first account or petition for final distribution.</p>	
<p>Cont. from 032114, 042814, 052814, 062614, 091814</p>		
Aff.Sub.Wit.	<p>Status Report filed 3-11-14 by Mr. Forestiere's former attorney Robert Wright states that a will has now been discovered and a Petition for Probate of Will is in process. The assets of the estate include the decedent's home, personal vehicle, and personal effects. On 12-31-13, the Court approved the sale of the residence and it is currently in escrow. The estate is not in a condition to be closed until the will has been admitted and escrow has closed.</p>	
Verified		
Inventory	<p>Update: On 6-26-14, the will was admitted to probate and Rosario R. Forestiere was appointed as Executor.</p>	
PTC		
Not.Cred.	<p>The Court continued this status hearing re filing the first account or petition for final distribution to 9-18-14.</p>	
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 6/12/15
		Updates:
		Recommendation:
		File 8A – Forestiere

First and Final Account and Report of Administrator and Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and for Distribution.

DOD: 6/16/13	PUBLIC ADMINISTRATOR , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 8/13/13 – 3/26/15	
Cont. from	Accounting - \$215,465.01	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH - \$194,521.47	
<input checked="" type="checkbox"/> Verified	Ending POH - \$ 18,511.19	
<input checked="" type="checkbox"/> Inventory	Administrator - \$7,309.30 (statutory)	
<input checked="" type="checkbox"/> PTC		
<input checked="" type="checkbox"/> Not.Cred.	Administrator X/O - \$1,248.00 (per Local Rule for sale of real property and preparation of taxes)	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail W/	Attorney - \$7,309.30 (statutory)	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Bond fee - \$808.01 (o.k.)	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	Court fees - \$486.00 (filing fee, certified copies)	
<input checked="" type="checkbox"/> Letters 8/13/13		
<input type="checkbox"/> Duties/Supp	Distribution, pursuant to intestate succession, is to:	
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt	Steve Kallam - \$91.56	
<input type="checkbox"/> CI Report	Paul Kallam - \$91.56	
<input checked="" type="checkbox"/> 9202	Donna Kincade - \$91.56	
<input checked="" type="checkbox"/> Order	Wendy Reimer - \$91.56	
<input type="checkbox"/> Aff. Posting	Susan Stone - \$61.56	
<input type="checkbox"/> Status Rpt	Janice Butler - \$91.56	
<input type="checkbox"/> UCCJEA	Charles Stone - \$91.56	
<input type="checkbox"/> Citation	Gay Deady - \$91.56	
<input checked="" type="checkbox"/> FTB Notice	Dale Zimmerman - \$91.56	
	Jeffrey Zimmerman - \$91.56	
	Reviewed by: KT	
	Reviewed on: 6/15/15	
	Updates:	
	Recommendation:	
	File 9 - Kallam	

10 William J. Miller (Estate)

Case No. 13CEPR00875

Attorney: Winter, Gary L., for Petitioner Heather D. Sandstrom, Administrator

First and Final Account and Report of Status of Administration and Petition for: (1) Settlement Thereof; (2) Approval of Sale of Personal Property; (3) Allocation of Community Property Debt to Surviving Spouse; (4) Allowance of Statutory Attorney's and Administrator's Compensation; (5) Allowance of Extraordinary Attorney's Compensation; (6) Funds Secured by Real Property; and (7) for Final Distribution

DOD: 9/3/2013	HEATHER D. SANDSTROM , daughter and Administrator, is Petitioner.		<p>NEEDS/PROBLEMS/ COMMENTS: Continued from 5/21/2015. Minute Order states counsel requests 30 days to cure the defects.</p> <p>Note: Declaration of Heather Sandstrom filed 6/16/2015 states she intends to file a first amended petition which will address remaining issues. Court records show an amended petition has not yet been filed.</p> <p>The following issues from the last hearing remain:</p> <ol style="list-style-type: none"> 1. Heidi Miller's Objection to the Petition for Probate filed on 11/6/2013 was filed with a fee waiver. HEIDI MILLER, surviving spouse, will be distributed property from this estate. Therefore, a filing fee of \$435.00 is due from Heidi Miller prior to processing of the order distributing assets to her. (Note: Declaration of Heather Sandstrom filed 6/16/2015 states she will pay the fee and charge against Heidi's share.) <p>~Please see additional page~</p>
	Account period: 9/4/2013 – 3/20/2015		
	Accounting -	\$311,788.59	
	Beginning POH -	\$306,950.59	
	Ending POH -	\$292,709.08	
Cont. from 052115	<i>(consisting of real property in Tollhouse; personal property including vehicles; \$9.08 is cash)</i>		
<input type="checkbox"/> Aff.Sub.Wit.			
<input type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input checked="" type="checkbox"/> PTC	Administrator -	[\$9,179.77] <i>(exceeds \$9,139.77 statutory)</i>	
<input checked="" type="checkbox"/> Not.Cred.	Attorney -	[\$9,179.77] <i>(exceeds \$9,139.77 statutory)</i>	
<input checked="" type="checkbox"/> Notice of Hrg	Attorney XO -	\$2,450.50 <i>(for 11.90 hours @ attorney rates from \$265 to \$285 per hour; for meetings for settlement of interest with Heidi Miller; services related to sale of real property;)</i>	
<input checked="" type="checkbox"/> Aff.Mail			
<input type="checkbox"/> Aff.Pub.			
<input checked="" type="checkbox"/> Sp.Ntc.	Administrator Costs -	\$17,746.87 <i>(per Declaration attached as Exhibit C; for funeral expenses of \$15,802.63; other expenses of \$1,944.24 for telephone service, publication, probate referee, filing fees, certified copies;)</i>	
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters	120413		
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input checked="" type="checkbox"/> 9202			
<input type="checkbox"/> Order		X	
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input checked="" type="checkbox"/> FTB Notice			

Petitioner states, continued:

- Petitioner's proposal to sell the music equipment for **\$5,000.00** should be approved because the value exceeds appraisal and the estate is in need of cash; assuming approval, the **\$2,000.00** gain on sale has been considered in the calculations in the petition; **[Note: Heidi Miller's Objection to the Petition for Probate** filed on 11/6/2013 asserts specific items of musical equipment that is in the possession of the Petitioner is community property, purchased during the marriage of she and Decedent [date of marriage was 8/18/2012, Decedent's DOD 9/3/2013];
- **Advance of Funds by Petitioner for Closing Expenses and Cash to Surviving Spouse:** Petitioner (daughter of Decedent) and **SHANNON WITT**, daughter of Decedent, desire to keep Petitioner's real property as a family asset and to receive distribution of such property in kind, **50%** to each; due to the limited cash in the estate, and the desire to maintain Decedent's real property as a family asset instead of liquidating it, Petitioner and **SHANNON WITT** have both advanced personal funds, and Petitioner anticipates payment of expenses including:
 - payment of 2015 real property taxes on **\$608.49**;
 - payoff of Bank of America creditor's claim of **\$5,732.06**;
 - payoff of Decedent's Wells Fargo mortgage of **\$22,026.06**;
 - compensation to Petitioner of **\$9,139.77**;
 - compensation to Petitioner's attorney of **\$9,139.77**;
 - extraordinary fees to Petitioner's attorney of **\$2,450.50**;
 - accountant's fees for fiduciary income tax returns of **\$295.00**;
 - reimbursement of costs advanced by Petitioner for funeral expenses of **\$15,802.63**; *Declaration of Heather Sandstrom attached as Exhibit C*;
 - reimbursement of costs advanced by Petitioner for other estate expenses of **\$1,944.24**; *Declaration of Heather Sandstrom attached as Exhibit C*;
 - reimbursement of costs advanced to Shannon Witt of **\$5,479.02**; *Declaration of Shannon Witt attached as Exhibit G*.
- Due to the insufficient liquidity of the estate, Petitioner seeks Court authorization to borrow **\$138,000.00** in cash funds from **SHELDON SANDSTROM** on behalf of the estate for the purpose of paying the above expenses, and providing enough cash for a cash distribution of 1/3 of the residue of the estate to **HEIDI MILLER**, with the estate to provide the Decedent's real property as security for said advance; the promissory note related to this proposed advance is attached as *Exhibit E* [showing the Estate of William James Miller as borrower and Sheldon Sandstrom as lender, with interest starting on 5/1/2015 at the rate of **15%** per annum, payable monthly starting 6/1/2015 at **\$1,953.91** per month];

~Please see additional page~

Petitioner states, continued:

- **Characterization of Community Property Debt:** The estate consists entirely of the separate property of Decedent; **HEIDI MILLER** is the surviving spouse of Decedent [*date of marriage was 8/18/2012*]; the following are the unsecured debts of Decedent and should be characterized as community property as necessities of life within the meaning of CA Family Code § 2623:
 - **\$5,732.06** to Bank of America FIA Card Services – community property, to be paid upon Court approval and final distribution; **50%** to be paid by estate (**\$2,866.03**), and **50%** to be paid by surviving spouse (**\$2,866.03**); statements from 7/2012 to 8/2013 attached as Exhibit F, showing each purchase and interest that accrued during marriage of Decedent to the surviving spouse and reflecting charges that benefitted the marriage such as concert tickets, camping, and entertainment, where Petitioner is informed and believes the surviving spouse participated; Petitioner contends that such charges during the marriage are all community debts where the surviving spouse is personally liable within the meaning of Probate Code § 13550;
 - **\$5,859.00** for Federal Income Taxes for 2013 – community property, paid **50%** by estate (**\$2,929.50**) and **50%** by surviving spouse (**\$2,929.50**); Petitioner contends that 2013 federal income taxes during the marriage are community debts where the surviving spouse is personally liable within the meaning of Probate Code § 13550;
- **Allocation of Community Property Debt:** Pursuant to Probate Code § 11444(b)(5), if the net value of the community property assets is less than the unsecured community debts, the unsatisfied portion of the debts shall be allocated equally between the separate property assets of the Decedent and the surviving spouse; prior to distribution as provided in the petition, the debts of the estate should be allocated at **50%** to be paid by estate (**\$2,866.03**), and **50%** to be paid by surviving spouse (**\$2,866.03**) for the Bank of America creditor's claim; and **50%** to be paid by estate (**\$2,929.50**) and **50%** to be paid by surviving spouse (**\$2,929.50**) for the 2013 federal income taxes.
- **Proposed Distribution pursuant to intestate succession, including share adjustments to Heidi Miller:**
 - **HEIDI MILLER** – 1/3 of the estate consisting of Layton/Skyline Trailer, wood splitter, and 10 cords of mixed oak and pine firewood; and [**\$65,040.16 cash; Note: Estate does not contain this cash**];
 - **HEATHER SANDSTROM** – 1/3 of the estate consisting of 1959 Woody, **50%** undivided interest in household appliances, **50%** undivided interest in single family dwelling in Tollhouse subject to the first deed of trust against Decedent's property in the amount of **\$138,000.00**, and 50% undivided interest in remaining estate cash;
 - **SHANNON WITT** – 1/3 of the estate consisting of 1996 Ford, **50%** undivided interest in household appliances, **50%** undivided interest in single family dwelling in Tollhouse subject to the first deed of trust against Decedent's property in the amount of **\$138,000.00**, and 50% undivided interest in remaining estate cash.

~Please see additional page~

Petitioner requests this Court order that:

1. Petitioner's proposed sale of the music equipment to **CRAIG VINCENT GREEN** in the amount of **\$5,000.00** is approved;
2. The administration of this estate is closed;
3. The First and Final Account of Petitioner as Administrator is settled, allowed and approved as filed;
4. All acts and proceedings of Petitioner as Administrator as set forth in the petition is confirmed and approved;
5. Petitioner is authorized and directed to pay the Petitioner's statutory commissions, the statutory attorney fees, the extraordinary attorney fees, the reimbursement to Petitioner, and the reimbursement to **SHANNON WITT**;
6. The debts are characterized as community property as stated in the petition;
7. The community property debts should be allocated **50%** to **HEIDI MILLER** and **50%** to the estate;
8. Petitioner is authorized to charge ½ share to to **HEIDI MILLER** in the amount allocated for community debt;
9. Petitioner is authorized to borrow **\$138,000.00** from **SHELDON SANDSTROM** on behalf of the estate for cash distribution to to **HEIDI MILLER** and expenses of administration, loan to secured by the real property of the estate;
10. Petitioner is authorized to distribute the estate as stated in the petition; and
11. On the filing of receipts [and an Ex Parte Petition for Final Discharge and Order] the Petitioner be discharged and released from all liability to be incurred hereafter.

NEEDS/PROBLEMS/COMMENTS, continued:

2. Paragraph 21 of the *Petition* states the schedules in support of the account have been prepared assuming approval of the sale of the music equipment, to which an objection has been made. The statutory fee base includes the **\$2,000.00** gain on sale of the music equipment; however, it appears to be premature to authorize the statutory fee amount based upon a sale which has not been realized with funds actually received into the estate.
3. Petitioner requests the Court find that the proposed sale of the music equipment to **CRAIG VINCENT GREEN** in the amount of **\$5,000.00** be approved. However, *Heidi Miller's Objection to the Petition for Probate* filed on 11/6/2013 states that she and Decedent were married on 8/18/2012, and she asserts that the musical equipment that Petitioner proposes to sell is community property, purchased during her marriage to Decedent. Need additional information regarding the efforts by Petitioner to resolve the dispute regarding the music equipment and/or some evidence to refute the community property claim to the music equipment.
4. Petitioner requests relief pursuant to Probate Code § 11444(b)(5). Probate Code § 11444(b) provides that in the absence of an agreement, each debt subject to allocation shall first be characterized by the Court as separate or community, **in accordance with the laws of the state applicable to marital dissolution proceedings**. Determination of the Decedent's estate property as separate or community is an inappropriate request to be made in the instant Probate proceeding, and it appears Petitioner needs to seek an alternative resolution to the dispute for determination of marital property versus community property between the estate and Heidi Miller.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS, continued:

5. Petitioner's proposal for the *Estate of William J. Miller* to borrow funds from an individual, **SHELDON SANDSTROM**, whose relationship to the Petitioner is unspecified, appears to be beyond the scope and propriety of involvement of this Court relating to Decedents' estates, and this Court has historically denied any such requests. Need legal authority for the proposition of distributing real property of an estate subject to a court-authorized loan and promissory note secured by the real property to be distributed with the estate as the borrower. (*Note: Declaration of Heather Sandstrom* filed 6/16/2015 appears to indicate that the funds of **\$138,000.00 @ 15%** will be borrowed against the estate real property by her without Court approval if she receives no objection to her Notice of Proposed Action filed 6/9/2015; it is unlikely that the Court will place its stamp of approval on said proposed loan within this probate proceeding.)
6. Need proposed order pursuant to Local Rule 7.6.1, containing a statement as to the balance of the estate on hand, specifically noting the amount of cash included in the balance, and the amounts to be distributed.

Note Re Inventory and Appraisal for future reference of attorney: *Final Inventory and Appraisal* filed 3/13/2014 is marked as a "corrected" inventory and appraisal. However, it appears this is a supplemental inventory and appraisal, as it lists an asset not previously appraised (firewood and wood splitter) and does not appear to correct a previously filed inventory and appraisal. Further, the inventory and appraisal filed 3/13/2014 lists at Item 3 an inserted dollar sign and a total, which could be misleading to the Court; this space is not intended by the Judicial Council form DE-160 to contain a dollar amount of all assets inventoried and appraised.

Pro Per Petitioner: Edward Molloy, III, Administrator

First and Final Account and Report of Administrator; and (1) Petition for Settlement, (2) Allowance of Commissions and Fees, and (3) Final Distribution

DOD: 5/23/2013		EDWARD MOLLOY, III , son and Administrator, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;">OFF CALENDAR</p> <p>First Amended First and Final Account, etc., was filed on 6/1/2015, and is set for hearing on 7/7/2015.</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i> and proof of service of notice to the following person pursuant to Probate Code §1220 and pursuant to § 11000 for settlement of the account: <ul style="list-style-type: none"> • DANIEL D. MOLLOY, son. 2. <i>Schedule D, Property on Hand</i> states the balance of the estate consists of cash of \$35,424.21. <i>Schedule F, Requested Distribution</i>, sets forth the total of \$35,859.21 as the assets to be distributed, which exceeds the property on hand. Need clarification and amended proposed distribution. 3. <i>Petition</i> does not address the disposition of the following inventoried assets of the estate, nor does the proposed order request distribution of these assets: <ul style="list-style-type: none"> • Ford Ranger, appraised at \$2,000.00; • Yamaha Scooter, appraised at \$2,500.00; • Aluminum Fishing Boat, appraised at \$500.00; • Household furniture, appraised at \$3,000.00; • Appliances, electronics, misc., appraised at \$3,300.00; <p>Reviewed by: LEG</p> <p>Reviewed on: 6/17/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 - Molloy</p>
		Account period: 5/23/2013 – 1/31/2015	
Cont. from		Accounting - \$148,817.89	
<input type="checkbox"/> Aff.Sub.Wit.		Beginning POH - \$148,817.89	
<input checked="" type="checkbox"/> Verified		Ending POH - \$ 35,424.21 <i>(real property foreclosed; all cash)</i>	
<input checked="" type="checkbox"/> Inventory			
<input checked="" type="checkbox"/> PTC		Administrator - \$1,919.15 <i>(less than statutory)</i>	
<input checked="" type="checkbox"/> Not.Cred.			
<input type="checkbox"/> Notice of Hrg X		Reimbursement - \$375.06 <i>(reimbursement to Administrator; balance remaining due from total costs of \$2,715.33, of which \$2,340.27 is <u>already paid for without Court order</u>; for funeral expenses, property maintenance, filing fees, publication; receipts attached;)</i>	
<input type="checkbox"/> Aff.Mail X			
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters 021114		Distribution pursuant to intestate succession is to:	
<input type="checkbox"/> Duties/Supp		<ul style="list-style-type: none"> • EDWARD MOLLOY, III – <i>[need revised distribution];</i> • DANIEL D. MOLLOY – <i>[need revised distribution].</i> 	
<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			

Petition for Appointment of Probate Conservator of the Estate.

		<p>BRIAN SNAVELY, son, is petitioner and requests BRUCE BICKEL be appointed as conservator of the estate with bond set at \$130,000.00.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator advised rights on 6/2/15.</p> <ol style="list-style-type: none"> Brian Snavely was represented by J. Stanley Teixeira in his petition to be appointed as conservator of the person. Need substitution of attorney. Need video receipt for Bruce Bickel. <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> Wednesday, July 22, 2015 at 9:00 a.m. in Department 303, for the filing of the bond. Wednesday, October 28, 2015 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, August 24, 2016 at 9:00 a.m. in Department 303, for the filing of the first account. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>																																													
<p>Cont. from</p> <table border="1"> <tr> <td>Aff.Sub.Wit.</td> <td></td> </tr> <tr> <td>✓ Verified</td> <td></td> </tr> <tr> <td>Inventory</td> <td></td> </tr> <tr> <td>PTC</td> <td></td> </tr> <tr> <td>Not.Cred.</td> <td></td> </tr> <tr> <td>✓ Notice of Hrg</td> <td></td> </tr> <tr> <td>✓ Aff.Mail</td> <td>W/</td> </tr> <tr> <td>Aff.Pub.</td> <td></td> </tr> <tr> <td>Sp.Ntc.</td> <td></td> </tr> <tr> <td>✓ Pers.Serv.</td> <td>W/</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>X</td> </tr> <tr> <td>✓ CI Report</td> <td></td> </tr> <tr> <td>9202</td> <td></td> </tr> <tr> <td>✓ Order</td> <td></td> </tr> <tr> <td>Aff. Posting</td> <td></td> </tr> <tr> <td>Status Rpt</td> <td></td> </tr> <tr> <td>UCCJEA</td> <td></td> </tr> <tr> <td>✓ Citation</td> <td></td> </tr> <tr> <td>FTB Notice</td> <td></td> </tr> </table>				Aff.Sub.Wit.		✓ Verified		Inventory		PTC		Not.Cred.		✓ Notice of Hrg		✓ Aff.Mail	W/	Aff.Pub.		Sp.Ntc.		✓ Pers.Serv.	W/	✓ Conf. Screen		✓ Letters		✓ Duties/Supp		Objections		Video Receipt	X	✓ CI Report		9202		✓ Order		Aff. Posting		Status Rpt		UCCJEA		✓ Citation		FTB Notice
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FTB Notice																																																
		<p>Reviewed by: KT</p> <p>Reviewed on: 6/15/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 - Snavely</p>																																														

13 Alan Boyajian Living Trust of 2000

Case No. 14CEPR01058

**Attorney Magness, Marcus; Janisse, Ryan; of Gilmore, Wood, Vinnard & Magness, for Petitioners
 Tim Quirk and Laurel Scholar, Successor Co-Trustees
 Attorney Pascuzzi, Susan L., for Respondent Lee Kleim
 Attorney Bonakdar, Roger S., for Respondent La Jolla Group II Management, Inc.**

Petition for Order: Determining Interest in Trust Property; Compelling Former Trustee to Deliver Property to Trustees; and Requiring Former Trustee to Account

DOD: 6/16/2010	TIM QUIRK and LAUREL SCHOLAR , accountants of the Decedent and Successor Co-Trustees, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
		Continued from 5/14/2015.
		<i>Minute Order</i> states counsel requests one more continuance for further discussions. The Court orders Counsel for Lee Kleim and the La Jolla Group to file written responses to the Petition for Order no later than 6/4/2015. Replies are due by 6/11/2015. Said Counsel is also ordered to be personally present in court or appear via Court Call on 6/18/2015.
Cont. from 011515, 031915, 051415	Petitioners state:	Note: Response to Petition for Order, etc., was filed by Lee Kleim on 6/4/2015.
<input type="checkbox"/> Aff.Sub.Wit.	<ul style="list-style-type: none"> On 7/13/2000, Alan Boyajian, as Trustor and Trustee, created the ALAN BOYAJIAN LIVING TRUST OF 2000 (copy attached as Exhibit 1); Alan Boyajian amended the Trust as follows: First Amendment on 7/1/2008 (copy attached as Exhibit 2); Second Amendment on 5/4/2010 (copy attached as Exhibit 3; and Third Amendment on 5/11/2010 (copy attached as Exhibit 4); The Trust terms provide that LEE KLEIM, Decedent's business partner, shall serve as the sole Successor Trustee, and in the event he is unable or unwilling to serve, then SUSAN L. MOORE and LAUREL SCHOLAR shall serve as successor co-trustees; in the event either of them is unable or unwilling to serve, then TIM QUIRK shall serve with the remaining individual; LEE KLEIM accepted the office of Trustee and served in such capacity from date of Decedent's death until his resignation on 2/13/2013 (copy of resignation attached as Exhibit 5); Subsequently, LEE KLEIM denied signing the resignation; LEE KLEIM later voluntarily signed a second resignation which was prepared and notarized by SUSAN L. MOORE (copy attached as Exhibit 6); 	Note: Motion to Transfer Case from Probate to Civil Division was filed by La Jolla Group on 6/4/2015; Demurrer to Petition for Order, etc., was also filed on 6/4/2015; both matters are set for hearing on 7/16/2015 .
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" 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		
	~Please see additional page~	
		Reviewed by: LEG
		Reviewed on: 6/17/15
		Updates:
		Recommendation:
		File 13 - Boyajian

Petitioners state, continued:

- **SUSAN L. MOORE** declined to act as successor co-trustee (*copy attached as Exhibit 7*);
- **TIM QUIRK** and **LAUREL SCHOLAR** ("Co-Trustees") accepted the office of co-trustees on 2/26/2013 and have been acting as successor co-trustees since such time;
- Co-Trustees acted as the accountants for Decedent during his life and for the Trust after his death, and are aware of and have access to various issues with the Trust administration that would not readily be available without such familiarity;
- Decedent and **LEE KLEIM** were business partners, and they formed a number of entities as follows:
 - LA JOLLA GROUP II GENERAL PARTNERSHIP – Decedent and Kleim were general partners (the General Partnership);
 - LA JOLLA GROUP II MANAGEMENT, INC. –Decedent and Kleim formed this corporation (the Corporation);
 - LA JOLLA GROUP II LIMITED PARTNERSHIP – Decedent and Kleim formed this partnership with the La Jolla Group II Management Corporation as the general partner, and Decedent and Kleim as Limited Partners (the Limited Partnership); subsequent to its formation, the Limited Partnership was never capitalized and the initial and final tax return showing zero activity was filed in 2010; the Limited Partnership was then dissolved and the assets of the General Partnership were transferred to the Corporation of which Decedent and Kleim held equal shares;
 - ASSIGNMENT OF BUSINESS INTERESTS TO TRUST – Decedent assigned all of the above business interests to the Trust (*copy of assignment attached as Exhibit 8*).
- **Dual Role as Trustee and Corporate Owner:** Upon Decedent's death, **LEE KLEIM** became the sole officer/director of the Corporation; he also became the Trustee of the Trust; this arrangement created numerous conflicts of interest; Kleim treated the entity as his alter ego;
- While Kleim was removed from involvement in the Corporation due to lack of capacity, his family is now operating it on his behalf;
- **Purchase of Corporation and Limited Partnership:** Pursuant to a Buy Sell Agreement executed by Kleim and Decedent before Decedent's death, the Decedent's Limited Partnership interest was to be purchased for **\$375,000.00** at his death;
- Kleim in his individual capacity, as Trustee of the Trust, as President and Secretary of the Corporation and the Limited Partnership, entered into an agreement memorializing the fact that the Limited Partnership was never capitalized (*copy of unexecuted agreement attached as Exhibit 9*);
- The Trust's interest in the Corporation was purchased outright for **\$12,500.00** and the Trust's interest in the Limited Partnership (which had been transferred to the Corporation) was purchased by Kleim for **\$375,000.00** from the Trust (*copy of the Promissory Note evidencing the sale of the Limited Partnership attached as Exhibit 10*);
- While the Trust's interest in the Corporation was purchased outright for **\$12,500.00**, Kleim has been making interest-only payments at **4.5%** on the purchase of the Trust's interest in the Limited Partnership (which had been assigned to the Corporation) in spite of demand therefor;
- Kleim has never provided any documentation in connection with the purchases or the original executed note;

~Please see additional page~

Petitioners state, continued:

- **Promissory Notes:** The Co-Trustees are aware of at least three transactions under which the Trust lent its assets to the Corporation:
 - **Loan of \$263,388.39 in connection with real property on 1521 E. Fedora, Fresno** (*copy of unsigned promissory note attached as Exhibit 11*); the Fedora loan is due 7/1/2015; interest payments were made on the Fedora loan from 8/1/2008 through 5/3/2010, but ceased at Decedent's death;
 - **Loan of \$100,000.00 in connection with real property on 3767 E. Huntington, Fresno** (*copy of unsigned promissory note attached as Exhibit 12*); the Huntington loan was due 3/2/2010; no payments were ever made on the Huntington loan and the property was sold in May 2009;
 - **Loan of \$50,000.00 in connection with real property on 437 Keats, Clovis;** the Corporation's employees indicate there was no written note for this transaction but it was carried on Corporation's books as a book account; no payments were ever made on the Keats loan.
- Kleim has taken the position that because no deeds of trust were recorded to secure repayment of the loans, that the obligations do not exist; both Kleim and Corporation refused to provide information in connection with these obligations;
- **Violation of Buy-Sell Agreement:** Pursuant to the agreement entered into by Kleim and the Trust, any distributions to Kleim or his family members in excess of **\$5,000.00** per month require a corresponding distribution to the Trust of an equivalent amount or to be applied against the principal of the promissory note; Co-Trustees requested an accounting of all distributions and compensation to Kleim and his family members from the Corporation and from Kleim himself; all assert no such payments were made in excess of **\$5,000.00**, but refuse to provide any information to substantiate their claim;
- **Unsecured loan to Corporation of \$100,000.00:** At the time this loan from the Trust to the General Partnership was made in 2008, Decedent told General Partnership accountants (the Co-Trustees) that he and Kleim each loaned **\$100,000.00** to the General Partnership; at the time of this explanation by Decedent, Kleim knew of and did not dispute the representation; despite requesting information and documentation about this loan, Kleim has not provided anything in connection with this loan and now even disputes that the loan ever existed;
- **Co-Trustees, through their attorney, sent Kleim and the Corporation a formal request to provide information;** the request was prompted by several holes in the information and documentation turned over to the Co-Trustees by Kleim; Co-Trustees there are valuable Trust assets which have not been delivered to them and suspect Kleim committed multiple breaches of trust; Kleim breached his fiduciary duties as Trustee and now intends to obfuscate these breaches by refusing to account and deliver the requisite documentation;
- **Kleim has Trust assets he refuses to turn over; if he does not have Trust assets, they are held by the Corporation as a result of Kleim treating the Corporation as his alter ego;**
- **Request for Relief:** [Citations to Probate Code omitted; please refer to prayer set forth on Third Additional Page];

~Please see additional page~

Petitioners pray for an Order that:

1. **LEE KLEIM** be ordered to file an accounting with the Court within 60 days of hearing on this *Petition*;
2. **LEE KLEIM** be required to deliver all Trust assets to the Co-Trustees within 15 days of hearing on this *Petition*;
3. The Corporation be required to deliver all Trust assets in its possession to the Co-Trustees within 15 days of hearing on this *Petition*;
4. **LEE KLEIM** be required to deliver all information, documentation, and records for the Trust he has in his possession within 15 days of hearing on this *Petition*;
5. The Corporation be required to deliver all information, documentation, and records for the Trust it has in its possession within 15 days of hearing on this *Petition*;
6. **LEE KLEIM** be found to have wrongfully held Trust assets and therefore required to pay twice the value of such assets; and
7. **LEE KLEIM** be required to pay Petitioners reasonable attorney fees and costs associated with bringing this *Petition*.

Probate Status Hearing re: Filing Inventory & Appraisal

DOD: 11/28/14	<p>CRAIG COSTI, brother, was appointed Administrator with full IAEA and bond set at \$100,000.00 on 2/19/15.</p> <p>Bond was filed on 1/26/15.</p> <p>Letters issued on 2/23/15.</p> <p>I & A, partial no. 1 was filed on 4/14/15 showing a value of \$365,000.00.</p> <p>Minute order dated 2/19/15 set this status hearing for the filing of the inventory and appraisal.</p> <p>Report of Status filed 6/16/15 states the real property described in the partial I&A has been sold and is currently in escrow. The estate has not been in a position to make the monthly mortgage payment, which have been accruing since the decedent's death. Based on the sale price of \$330,000, net proceeds are expected to be \$95,000.00.</p> <p>The final I&A has been delayed due to Petitioner's communication with the insurance company. The decedent was in a motor vehicle accident prior to his death. Petitioner plans to provide the information from the insurance company to the probate referee in appraising the vehicle. It has been further delayed by communications with the probate referee in his appraisal of the real property. Petitioner estimates the Final I&A will be filed in the next three months.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need final inventory and appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
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		
		<p>Reviewed by: KT</p> <p>Reviewed on: 6/15/15</p> <p>Updates: 6/17/15 (skc)</p> <p>Recommendation:</p> <p>File 14 - Costi</p>

Probate Status Hearing re: Filing Inventory and Appraisal

DOD: 7/10/14	SUSAN TURNER was appointed Administrator with full IAEA and without bond on 2/19/15.	NEEDS/PROBLEMS/COMMENTS: Note: Examiner has not taken this matter off calendar. A Notice of Proposed Action was filed on 5/21/15 indicating the real property of the estate is set to be sold. The court may want to set another status hearing on July 29, 2015 at 9:00 a.m. in Dept. 303 for the filing of the receipt for blocked account for the proceeds of the sale of the real property.
	Order for Probate indicates that the net proceeds from the sale of real property must be placed into a blocked account.	
	Letters issued on 2/27/15.	
Cont. from	Inventory and Appraisal, part 1 was filed on 4/17/15 showing a value of \$25,024.15.	
Aff.Sub.Wit.	Inventory and Appraisal, part 2, final was filed on 4/17/15 showing a value of \$215,000.00.	
Verified	Minute order dated 2/19/15 set this status hearing for the filing of the inventory and appraisal.	
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: 6/15/15
		Updates:
		Recommendation:
		File 15 - Melville

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

DOD: 11/28/14	MARY ELIZABETH BROWN (Daughter) is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Petitioner indicates at #14 that she has two siblings, but requests that the estate pass to her alone. Pursuant to intestate succession (Probate Code §6400 et seq.), the estate would pass to all siblings equally. This estate cannot be distributed via summary proceeding unless all siblings petition together for the property to pass to them in equal shares. Petitioner indicates at #1 and #13 that personal property is included in this petition; however, no personal property was inventoried. Need clarification. The petition was filed with a fee waiver. If assets are distributed pursuant to this petition, the filing fee of \$435 will be due prior to entry of order for distribution. Need order, completed with legal description of the real property (and personal property, if any).
	40 days since DOD	
	No other proceedings	
Cont from 051415		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	I&A: \$65,000.00 (real property located at 1237 Irwin Ave., Fresno)	
<input checked="" type="checkbox"/> Inventory		
<input checked="" type="checkbox"/> PTC	Decedent died intestate	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner requests Court determination that the real (and personal?) property passes to her.	
<input checked="" type="checkbox"/> Aff.Mail	w/o	
<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	x	
<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: skc
		Reviewed on: 6/12/15
		Updates:
		Recommendation:
		File 16 – Battle-Doyle

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

DOD: 7/25/14	ANITA MARIE FERGUSON , Named executor without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. <u>Need clarification re Decedent's name:</u> Petitioner spells the decedent's last name "FLEMMING" on the petition, but elsewhere spells it "FLEMING." Note: The will appears to reflect "FLEMING" in the decedent's handwriting on Page 1. 2. <u>Need Proof of Subscribing Witness signed by at least one witness.</u> (Note: Petitioner filed a Proof of Subscribing Witness and a Proof of Holographic Instrument signed by herself; however, this is insufficient, as it does not appear that she is one of the subscribing witnesses, and further she is an interested party as sole heir.) 3. <u>Need Notice of Petition to Administer Estate and proof of service on Anne Todd Cortez (sister) pursuant to Probate Code §8110.</u> 4. <u>Need proof of publication pursuant to Probate Code §8120.</u> 5. This case was opened with a fee waiver. Please note that upon distribution, all Court filing fees will be due. <u>Note:</u> If granted, the Court will set status hearings as follows: • Thurs Nov. 5, 2015 for filing the Inventory and Appraisal • Thurs Sept. 8, 2016 for filing the first account or petition for final distribution. If the proper items are on file prior to the status hearing dates, the status hearings may be taken off calendar.
	Full IAEA – need publication	
Cont from 050715	Will dated 3/14/04	
Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Residence: Fresno	
Inventory	Publication: Need publication	
PTC		
Not.Cred.	Estimated value of estate:	
Notice of Hrg	Personal property: \$8,000.00 Real property: \$31,000.00 (\$55,000.00 encumbered for \$24,000.00)	
Aff.Mail	x	
Aff.Pub.	x	
Sp.Ntc.	Probate Referee: Steven Diebert	
Pers.Serv.		
Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
Reviewed by: skc		
Reviewed on: 6/12/15		
Updates:		
Recommendation:		
File 17 - Flemming		

Attorney Brungess, Julia (for Brenda & Teodoro Munoz – Petitioners)
 Petition - Appoint Guardian of the Person

Isaac, 7		<u>TEMPORARY EXPIRES 06/18/15</u>		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Per Notice of Unavailability of Counsel, attorneys Julia Ann Brungess and Teri Ann Kezirian, will be unavailable June 22, 2015, June 25, 2015, July 10, 2015 through and including July 20, 2015 for all purposes.</p> <p>1. Declarations of Due Diligence indicate that the Father, Thomas Dominguez, has not provided an address where he could be personally served, but did provide a mailing address and has had contact via telephone calls and text messages. If diligence is not found, need proof of personal service at least 15 days before the hearing of Notice of Hearing with a copy of the <i>Petition for Appointment of Guardian of the Person</i> or Consent & Waiver of Notice or Declaration of Due Diligence for Thomas Dominguez (father).</p>
Elijah, 6		<p>BRENDA MUNOZ and TEODORO MUNOZ, non-relatives, are Petitioners.</p>		
Priscella, 3		<p>Father: THOMAS DOMINGUEZ – Served by mail on 06/03/15; Declaration of Due Diligence filed 06/05/15; copies of text messages informing him of hearing date attached</p>		
Cont. from		<p>Mother: PRECILLA VILLA – Consent & Waiver of Notice filed 04/10/15</p>		
	Aff.Sub.Wit.	<p>Paternal grandfather: MANUEL DOMINGUEZ – Served by mail on 04/29/15</p>		
✓	Verified	<p>Paternal grandmother: ODILIA DOMINGUEZ – Served by mail on 04/29/15</p>		
	Inventory	<p>Maternal grandfather: RAY VILLA – Served by mail on 04/29/15</p>		
	PTC	<p>Maternal grandmother: MARIASALA MARAVILLO – Served by mail on 04/29/15</p>		
	Not.Cred.	<p>Siblings: THOMAS DOMINGUEZ (8), ISABEL DOMINGUEZ (7)</p>		
✓	Notice of Hrg	<p>Petitioners state [see petition for details].</p>		
✓	Aff.Mail	w/	<p>Court Investigator Charlotte Bien filed a report on 06/04/15.</p>	
	Aff.Pub.		<p>Court Investigator Charlotte Bien filed a supplemental report on 06/11/15.</p>	
	Sp.Ntc.			
	Pers.Serv.	x		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
<p>Reviewed by: JF</p>				
<p>Reviewed on: 06/15/15</p>				
<p>Updates:</p>				
<p>Recommendation:</p>				
<p>File 18 - Dominguez</p>				

Petitioner

Maria De Jesus Torres De Porras (Pro Per – Daughter – Petitioner)

Attorney

Lisa Horton (Court appointed for Proposed Conservatee)

Petition for Appointment of Probate Conservator of the Person

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator advised rights on 6/1/15</p> <p>Voting rights affected – need minute order</p> <p><u>Note:</u> It appears all defects previously noted have been cured.</p>
Cont from 052115			
	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		
			Reviewed by: skc
			Reviewed on: 6/12/15
			Updates:
			Recommendation:
			File 19 – De Torres

Petition for Probate of Will and for Letters of Testamentary; Authorization to Administer Under the Independent Administration of Estates Act

DOD: 4/3/2006		<p>STEPHEN A. MANELSKI, named executor without bond, is petitioner.</p> <p>Full IAEA – o.k.</p> <p>Will dated: 5/7/03</p> <p>Residence: Fresno Publication: Fresno Business Journal</p> <p>Estimated value of the estate: Real property - \$84,120.00</p> <p>Probate Referee: Steven Diebert.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Wednesday, December 16, 2015 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. • Wednesday, August 24, 2016 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			S/P
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/P
<input checked="" type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
<p>Reviewed by: KT</p> <p>Reviewed on: 6/15/15</p> <p>Updates: 6/17/15 (skc)</p> <p>Recommendation: SUBMITTED</p> <p>File 20 - Manelski</p>				

Petition for Probate of Will and for Letters Testamentary

DOD: 12/25/13		<p>SHANNON SCOGGINS, named alternate executor, without bond, is petitioner.</p> <p>Named executor Robert Jennings is deceased.</p> <p>Full IAEA - ?</p> <p>Will dated: 4/16/04</p> <p>Residence: Fresno Publication: NEED</p> <p>Estimated value of the Estate: Real property - \$500,000.00</p> <p>Probate Referee: Steven Diebert</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Affidavit of Publication.</p> <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> Wednesday, December 16, 2015 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, August 24, 2016 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
Cont. from			
Aff.Sub.Wit.	S/P		
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
✓ Aff.Mail	W/		
Aff.Pub.	X		
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: 6/15/15	
		Updates:	
		Recommendation:	
		File 21 - Jennings	

Petition for Appointment of Probate Conservator (person and estate)

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		
		<u>OFF CALENDAR</u>
		Pursuant to Request for Dismissal, the entire matter was dismissed on 6/11/15
		Reviewed by: skc
		Reviewed on: 6/15/15
		Updates:
		Recommendation:
		File 22 - Hultgren

Petition to Determine Succession to Real Property (Prob. Code §13151)

DOD: 5/2/14		<p>KELLY MCNEAL, Granddaughter, is Petitioner.</p> <p>40 days since DOD</p> <p>I&A: \$145,000.00 (Real property located at 3761 N. Barton in Fresno)</p> <p>Will dated 8/6/12 devises the entire estate to Kelly McNeal (Petitioner).</p> <p>Petitioner requests Court determination that decedent's 100% interest in the real property passes to her pursuant to the decedent's will.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
	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			
			Reviewed by: skc	
			Reviewed on: 6/15/15	
			Updates:	
			Recommendation: SUBMITTED	
			File 23 - Lasko	

Age: 17	<p align="center"><u>TEMPORARY GRANTED EX PARTE:</u> <u>EXPIRES 06/18/15</u></p> <p align="center"><u>GENERAL HEARING: 08/04/15</u></p> <p>SHAIN NISHA, maternal aunt, is Petitioner.</p> <p>Father: WAHID HASSAN – served by mail on 06/08/15 in care of attorney Amy Lovegren-Tipton</p> <p>Mother: SHAIFUN NISHA HASSAN - deceased</p> <p>Paternal grandfather: DECEASED Paternal grandmother: NOOR BANO</p> <p>Maternal grandfather: MOHAMMED ATIQ Maternal grandmother: BADNEL NISHA</p> <p>Siblings: SHAFIA SHAZMEEN HASSAN, SALMAN HASSAN</p> <p>Petitioner states [see Petition for details].</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Proof of Service filed 06/08/15 states that Wahid Hassan (father) was served by mail in care of attorney Amy Lovegren-Tipton. However, pursuant to Probate Code § 2250(e)(1) a parent must be personally served. Need proof of 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 & Waiver of Notice <u>or</u> Declaration of Due Diligence for Wahid Hassan (father). Further, Notice sent in care of another person is insufficient pursuant to CA Rules of Court 7.51 (a)(2).</p>
Age 15		
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv. x		
<input checked="" type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters x		
<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 type="checkbox"/> Order x		
<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: 06/15/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 24 - Hassan</p>		