1 Rosa Linda Larssen (CONS/PE) Case No. 0321261

Atty Ratzlaff, Ruth E (for Sylvia Gonzales and Guadalupe Pena – Co-Conservators)

(1) Eleventh Account and Report of Co-Conservators and (2) Petition for Allowance of Fees to Co-Conservators and Attorney (Prob. C. 2620)

Age: 56
DOB: 5/3/1955

Cont. from 011812, 021512, 032812, 050212

	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	
✔	2620(c)	
	Order	X
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

SYLVIA GONZALES, sister, is Conservator.

Co-Conservator **GUADALUPE PENA** passed away per minute order 5-2-12.

Account period: 5-1-08 through 4-30-10

Accounting: $232,943.72
Beginning POH: $191,840.99
Ending POH: $188,621.57
($39,060.25 is cash, $35,113.55 is blocked)

Current bond: $42,000.00 (ok)

Conservator Sylvia Gonzales: $1,800.00 (120 hours @ $15/hr)

Conservator Guadalupe Pena: Not requested

Attorney: $2,000.00 (per local rule)

Petitioners pray for an order:

1. Approving, allowing and settling the account; and

2. Authorizing payment of the conservator's and attorney's fees and commissions.

Court Investigator Charlotte Bien filed a status review on 1-6-12.

NEEDS/PROBLEMS/COMMENTS:

<u>Minute Order 1-18-12</u>: Counsel advises the Court that the money has been recovered. Counsel requests a continuance.

<u>Minute Order 2-15-12</u>: Counsel advises the Court that she is waiting on the bank statements. Counsel requests a continuance. Matter continued to 3-28-12 *(filed 2-15-12).*

<u>Minute Order 3-28-12</u>: Counsel advises the Court that she filed the remaining documents this morning except for the Notice of Hearing. She further advises that the house is unoccupied. Continued to 5-2-12. Additionally, a status for the next accounting is set for 8-1-12.

<u>As of 6-14-12, the following issues remain</u>:

1. **Need proof of service of Notice of Hearing on <u>Conservatee Rosa Linda Larssen</u> at least 15 days prior to the hearing per Probate Code §2621.**

2. **The Conservatee owns the house and lived there with her mother during this account period. Her adult son also lived there during part of this account period. The accounting indicates that Conservatee paid all household expenses, including water, sewer, garbage, power, phone, gardening, groceries, etc. <u>The Court may require clarification: Did the other household members contribute to household expenses</u>?**

3. **The Court Investigator's status review indicates that the Conservatee now lives in Redding, CA with her daughter.**

   <u>Therefore, need Post-Move Notice of Change of Residence with appropriate service</u>.

4. **Need Order.**

Reviewed by: skc

Reviewed on: 6-14-12

Updates:

Recommendation:

File 1 - Larssen

Dept. 303, 9:00 a.m. Wednesday, June 20, 2012

2 Claud Hudiburgh (CONS/E) Case No. 0381057

Atty **Kruthers, Heather H., of County Counsel's Office (for Public Guardian, Successor Conservator)**

Atty **LeVan, Nancy J., sole practitioner (*formerly* for Charles Hudiburgh, *former* Successor Conservator)**

Probate Status Hearing Re: Filing of Second Account

DOD: 4/27/2012	
Cont. from 030712, 040412, 050912	
	Aff.Sub.Wit
✓	**Verified**
	Inventory
	PTC
	Not.Cred.
	Notice of Hrg
	Aff.Mail
	Aff.Pub.
	Sp.Ntc.
	Pers.Serv.
	Conf. Screen
	Letters
	Duties/S
	Objection
	Video Receipt
	CI Report
	9202
	Order
	Aff. Post
✓	**Status Rpt**
	UCCJEA
	Citation
	FTB Notice

PUBLIC GUARDIAN was appointed as Successor Conservator of the Estate by the Court on 5/9/2012, following removal of the former Successor Conservator, **CHARLES HUDIBURGH**, son, who had been appointed as Successor Conservator of the Estate on 6/11/2008.

First account period was 6/11/2008 through 12/22/2009, and the *Order Approving First Amended First Account and Report of Successor Conservator* [Charles Hudiburgh] was signed on 5/16/2011, showing an ending property on hand of **$25,607.16**.

Second account for the period beginning 12/23/2009 is currently due.

***Status Report Re: Account by Public Guardian* filed on 6/14/2012 states:**

- At the 5/9/2012 status hearing regarding filing a second account, the Court appointed the Public Guardian as Conservator, and relieved Joanne Sanoian as counsel for the deceased Conservatee and Nancy LeVan as counsel for the Conservator;
- Deputy Public Guardian Gary Healy was assigned this case as part of his caseload, and he went to the Conservatee's bank (Bank of America) accompanied by Deputy Public Administrator Noe Jimenez, because the Public Administrator intends to administer the deceased Conservatee's estate;
- Deputy Healy provided the bank with a certified copy of the Public Guardian's *Letters* [*of Conservatorship,* issued on 5/30/2012] and a 2901 certificate of authority;
- Despite the production of these documents, staff at the bank did not cooperate with the Public Guardian's request for copies of the Conservatee's statements or by allowing them access to account information; Deputy Healy requested the bank freeze the account, but they also refused to do that;
- The bank informed Deputy Healy that they are going to take the matter under consideration and will let him know in a week regarding his requests; the Public Guardian will need a continuance in order to allow time to get the statements and put together the final account;
- **Public Guardian requests that the next status hearing in this matter be set no earlier than 6 months from the hearing date.**

NEEDS/PROBLEMS/ COMMENTS:

Continued from 5/9/2012. *Minute Order* states the Court relieves Joanne Sanoian as counsel for the Conservatee. Additionally, the Court relieves Nancy LeVan as counsel for the Conservator and appoints the Public Guardian.

Note: If Court grants the request for continuance, the status hearing will be set on **Friday, January 4, 2013.**

Reviewed by: LEG

Reviewed on: 6/15/12

Updates:

Recommendation:

File 2 - Hudiburgh

3 Doris Goringer (CONS/PE) **Case No. 08CEPR00236**

Atty Kruthers, Heather H. (for Public Guardian – Conservator/Petitioner)

(1) Second Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney

Age: 94		
DOB: 07/18/17		
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**	
	2620(c)	n/a
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

PUBLIC GUARDIAN, Conservator, is Petitioner.

Account period: **04/02/10 – 03/31/12**

Accounting - **$196,822.75**
Beginning POH - **$142,463.45**
Ending POH - **$19,949.61**
($1,604.61 is cash)

Conservator - **$3,620.52** (21.92 Deputy hours @ $96/hr. and 19.95 staff hours @ $76/hr.)

Attorney - **$2,000.00** (per Local Rule)

Bond fee - **$213.78** (ok)

Petitioner requests that due to the insufficiency of the estate to pay the fees and commissions that a lien be imposed upon the estate for any unpaid balances of the authorized fees and commissions.

Petitioner prays for an Order:

1. Approving, allowing and settling the second account;
2. Authorizing the conservator and attorney fees and commissions;
3. Authorizing payment of the bond fee; and
4. Authorizing Petitioner to impose a lien on the estate for any unpaid balances of authorized fees and commissions.

NEEDS/PROBLEMS/COMMENTS:

<u>Note:</u> If the petition is granted status hearings will be set as follows:

- **Friday, 06/20/14 at 9:00a.m. in Dept. 303** for the filing of the Third Account

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.

Reviewed by: JF

Reviewed on: 06/14/12

Updates:

Recommendation:

File 3 - Goringer

Dept. 303, 9:00 a.m. Wednesday, June 20, 2012

4 Barbara G. Yell (CONS/PE) **Case No. 08CEPR00570**

Atty Lind, Ruth P. (for Linda Davis – Conservator/Petitioner)

(1) Third Account and Report of Conservator and (2) Petition for Settlement of Account and (3) for Approval of Attorney Fees (Probate Code 2620, 2640, 1064)

Age: 77		
DOB: 11/02/34		
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	
✓	**2620(c)**	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

LINDA DAVIS, Conservator, is Petitioner.

Account period: **01/01/10 – 12/31/11**

Accounting - **$457,807.44**
Beginning POH - **$426,087.89**
Ending POH - **$397,833.74**

Conservator - **not requested**

Attorney - **$1,940.00** (per itemized statement for 39.4 hours @ $200.00/hr. less $200.00 courtesy discount and $5,740.00 paid by conservator and trustee)

Petitioner requests the Court increase the bond amount currently set at $418,222.00 to the more appropriate amount of **$434,096.26** *(bond computation attached)*.

Petitioner states that the conservatee has a trust that is outside of court jurisdiction. Fees for services rendered by the attorney are usually paid from the Trust in order to save costs. On 03/26/10, there were not sufficient funds in the trust and the conservator inadvertently paid her attorney $2,500.00 from the conservatorship account and $850.00 from the Trust account. Petitioner requests that the court not surcharge her for payment to the conservatorship prior to court order. Petitioner requests that the Court determine that all payments were just and reasonable and in the best interest of the conservatee. (*Memorandum of Points & Authorities in support were filed 05/09/12*)

Petitioner states that the conservatee is not able to complete an affidavit of voter registration and requests an order that she is not entitled to vote.

Petitioner prays for an Order:

1. Approving, allowing and settling the Third Account;
2. Discharging the conservator bond of $418,222.00 and setting a new bond at $434,096.00;
3. Approving and allowing fees to Ruth P. Lind as just and reasonable; and
4. Determining that the conservatee is not able to complete an affidavit of voter registration and is not entitled to vote.

Court Investigator Jennifer Daniel filed a report on 02/23/12. The report states that ***the conservatee is not able to complete an affidavit of voter registration*** and that the conservatorship appears to continue to be warranted and in the best interest of the conservatee. It is therefore recommended that the conservatorship continue as is.

NEEDS/PROBLEMS/COMMENTS:

Voting rights affected, need minute order.

Note: If the petition is granted status hearings will be set as follows:

- **Friday, 06/07/13 at 9:00a.m. in Dept. 303** for the filing of the Fourth Account

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.

Reviewed by: JF
Reviewed on: 06/14/12
Updates:
Recommendation:
File 4 - Yell

5 **Allen L. Funch, Jr. Living Trust** **Case No. 08CEPR01217**

Atty **Docker, William F (for Petitioner/Trustee James M. Bell)**

Fourth Account Current and Report of Trustee and Petition for Its Settlement, and for Allowance of Trustee's Fees [Prob. C. 17200(b)(5) & (9)]

Cont. from 053012		
	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	

JAMES M. BELL, Trustee, is petitioner.

Account period: 1/1/11 – 12/31/11

Accounting - **$1,225,107.91**
Beginning POH- **$1,122,208.62**
Ending POH - **$1,072.527.44**
($240,468.60 is cash)

~~Trustee- **$10,713.00** (1% of the market value of the estate assets)~~

Trustee - **$8,035.00** (3/4 of 1% of the market value of the trust corpus at the end date of the account.)

Petitioner prays for an Order of the Court as follows:

1. All acts and transactions of the Trustee relating to the matters reflected in the Account and Report be ratified, confirmed and approved.
2. The Trustee be authorized and directed to pay himself compensation for services rendered during the period of the Account and Report in the sum of $10,713.00

NEEDS/PROBLEMS/COMMENTS:

Continued from 5-30-12. Examiner notes previously stated: Petitioner is requesting fees totaling 1% of the Trust assets. In the prior accounting the Trustee requested ¾ of 1% of the trust assets. Probate Code §15686 (b) states a trustee may not charge an increased trustee's fee for administration of a particular trust unless the trustee first gives at least 60 days' written notice of that increased fee to each person entitled.

Minute Order 5-30-12: Counsel is directed to submit a declaration.

Declaration filed 5-31-12 states that in connection with the Fourth Account, the Trustee will accept $8,035.00, which represents ¾ of the 1% of the market value of the trust corpus at the end date of the account.

Reviewed by: KT / skc
Reviewed on: 6/14/12
Updates:
Recommendation:
File 5 - Funch

6 **George Herbert Gregory (Estate)** **Case No. 09CEPR00799**

Atty **Frame, Ted R. (for Jane F. Sigler – Administrator – Petitioner)**

(1) First and Final Report of Administration of Estate by Jane F. Sigler as Administrator, and Petition for Its Settlement, and (2) for Final Distribution on Waiver of Account, and (3) for Approval of Statutory Compensation to Personal Representative and Attorneys' Fees for Ordinary Services [Prob. C. 10810, 10830, 10900, 10951, 10954, 11640, & 12200, et seq.; Prob. Rule 7.250 & 7.550

DOD: 6-13-09		
	Aff.Sub.Wit.	
✓	**Verified**	
✓	**Inventory**	
✓	**PTC**	
✓	**Not.Cred.**	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	w
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	**Letters**	12-28-09
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	**9202**	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✓	**FTB Notice**	

JANE F. SIGLER, Administrator with bond of $1,492,561.08, is Petitioner.

Accounting is waived.

I&A: $1,445,295.18
POH: $1,357,639.27 (cash)

Administrator: $27,452.95

Attorney: $27,452.95

Closing: $5,000.00

Distribution pursuant to intestate succession is to:

Robert Emmett Gregory: 20%
Theron Lynnfield Gregory: 20%
Joseph Elbert Gregory: 20%
Mary Gregory Ellis: 20%
Brian W. Gregory: 10%
Matthew Kemp Gregory: 10%

NEEDS/PROBLEMS/COMMENTS:

1. **Need Order.**

   Note that Petitioner requests distribution in percentages; however, the Order must comply with Local Rule 7.6.1.A. and monetary distributions must be stated in dollars.

Reviewed by: skc
Reviewed on: 6-14-12
Updates:
Recommendation:
File 6 - Gregory

7 **Myndee Ann Pelley (GUARD/E)** **Case No. 10CEPR00223**

Atty **Rhames-Childs, Erin M. (Petitioner – Currently represents Guardian Teri Lyn Jackson)**

Notice of Motion and Motion to be Relieved as Counsel

Age: 3		
DOB: 7-16-08		
	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	

ERIN RHAMES-CHILDS, Attorney for Teri Lyn Jackson, Guardian of the Estate, is Petitioner.

TERI LYN JACKSON, Mother, was appointed Guardian of the Estate on 10-12-10.

The first account was settled on 2-2-12. Property on hand at the end of the first account period was $747,076.63 (held in blocked accounts).

Petitioner states the client has failed to comply with the terms of their representation agreement. The attorney-client relationship has deteriorated due to her lack of communication and cooperation. Petitioner has asked the client to sign a Substitution of Attorney, but she has not done so.

NEEDS/PROBLEMS/COMMENTS:

<u>Note</u>: Per Minute Order 2-2-12, a status hearing for the filing of the next accounting is set for 4-17-2014.

Reviewed by: skc

Reviewed on: 6-14-12

Updates:

Recommendation:

File 7 - Pelley

Dept. 303, 9:00 a.m. Wednesday, June 20, 2012

8 Jing Zhou (Estate) **Case No. 10CEPR00633**

Atty Rube, Melvin K. (for Warren Kessler – Administrator)

(1) First and Final Account and Report of Administrator and (2) Petition for Its Settlement, (3) Allowance of Statutory Fees and (4) Final Distribution

DOD: 6-9-10

	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	

WARREN KESSLER, Surviving Spouse and Administrator with Full IAEA with bond of $60,000.00, is Petitioner.

Account period: 6-9-10 through 4-30-12

Accounting: $64,833.50
Beginning POH: $64,624.92
Ending POH: $52,873.45 ($26,560.45 cash plus a vehicle and jewelry items)

Administrator (Statutory): Waived

Attorney (Statutory): $2,593.34

Distribution pursuant to intestate succession:

Warren Kessler: $905.05 cash plus vehicle

Tong Zhao: $22,592.06 cash plus jewelry items

NEEDS/PROBLEMS/COMMENTS:

1. **Decedent's daughter lives in China and is a minor (age 15 in 2010, so probably approx. 17 at this time) and.**

   Examiner notes that appropriate notice has been given to the Chinese Consulate General in San Francisco and the Chines Embassy in Washington, DC, pursuant to Probate Code §8113; however, because the distributee is a minor and is receiving a large sum of cash, the Court may require further clarification as to how the cash will be distributed.

2. **Need Order.**

Reviewed by: skc
Reviewed on: 6-14-12
Updates:
Recommendation:
File 8 - Zhou

9 **Kenneth Hayes (CONS/PE)** **Case No. 10CEPR00899**

Atty **Kruthers, Heather H. (for Public Guardian – Conservator/Petitioner)**

(1) First and Final Account and Report of Conservator (2) Petition for Allowance of Compensation to Conservator and Her Attorney

DOD: 10/18/11		
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	
	2620(c)	n/a
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

PUBLIC GUARDIAN, Conservator, is Petitioner.

Final Account period: **10/05/10 – 10/18/11**

Accounting - **$34,336.27**
Beginning POH - **$7,278.25**
Ending POH - **$7,380.51**

Subsequent to Final Account period: **10/19/11 – 11/21/11**

Accounting - **$11,881.81**
Beginning POH - **$7,380.51**
Ending POH - **$6,407.68**

Conservator - **$12,666.80** (101.15 Deputy hours @ $96/hr. and 38.90 Staff hours @ $76/hr.)

Attorney - **$2,000.00** (per Local Rule)

Bond Fee - **$76.92** (ok)

Costs - **$485.00** (filing fees & certified copies)

Petitioner requests, that due to the insufficiency of the estate to pay the fees and commissions, that a lien be imposed upon the estate for any unpaid balances of the authorized fees and commissions.

Petitioner prays for an Order:

1. Finding that the conservatorship of the person & estate terminated on October 18, 2011, the date of conservatee's death;
2. Approving, allowing and settling the first and final account;
3. Authorizing the conservator and attorney fees and commissions;
4. Authorizing payment of the bond fee and costs; and
5. Authorizing Petitioner to impose a lien on the estate for any unpaid balances of authorized fees and commissions.

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: JF

Reviewed on: 06/14/12

Updates:

Recommendation:

File 9 - Hayes

10 Bernice Dunn (CONS/PE) **Case No. 10CEPR01051**

Atty Kruthers, Heather H. (for Public Guardian – Conservator of the Estate)

(1) First Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney [Prop. C. 2620; 2623; 2942]

Age: 84		
DOB: 1-22-28		
Cont. from 051612		
	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	
✓	**2620(c)**	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

PUBLIC GUARDIAN, Conservator, is Petitioner.

Account period: 12-8-10 through 2-13-12

Accounting: $309,117.55
Beginning POH: $253,162.04
Ending POH: $192,342.72 (cash)

Conservator: $3,642.40 (27.65 Deputy hours @ $96.00/hr plus 13.00 Staff hours @ $76.00/hr)

Attorney: $2,000.00 (per local rule)

Bond fee: $678.58 (ok)

Petitioner prays for an Order:

1. Approving, allowing, and settling the first account;
2. Authorizing conservator and attorney fees and commissions;
3. Authorizing payment of the bond fee; and
4. Other relief the Court considers proper.

NEEDS/PROBLEMS/COMMENTS:

Continued from 6-20-12

Note: Timothy Moore, son, was appointed Conservator of the Person and Public Guardian was appointed Conservator of the Estate on 2-17-11.

Reviewed by: skc
Reviewed on: 6-14-12
Updates:
Recommendation:
File 10 - Dunn

11 Selina Pasillas (CONS/PE) Case No. 11CEPR01030

Atty **Kruthers, Heather H. (for Public Guardian – Conservator/Petitioner)**

Atty **Wright, Janet L. (former Court Appointed Counsel for Conservatee)**

(1) First and Final Account and Report of Conservator, (2) Petition for Allowance of Compensation to Conservator and Her Attorney (Prob. C. 1860, 2620, 2623, 2630, 2942)

DOD: 03/07/12		
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	

PUBLIC GUARDIAN, Conservator, is Petitioner.

Final Account period: 11/17/11 – 03/07/12

Accounting - $8,341.64
Beginning POH - $0.00
Ending POH - $1,259.56

Subsequent Account period: 03/08/12 – 04/19/12

Accounting - $1,259.56
Beginning POH - $1,259.56
Ending POH - $626.56

Conservator - $4,633.40 (44.90 Deputy hours @ $96/hr. and 4.25 staff hours @ $76/hr.)

Attorney - $1,500.00 (less than allowed per Local Rule)

Petitioner requests that due to the insufficiency of the estate to pay the fees and commissions that a lien be imposed upon the estate for any unpaid balances of the authorized fees and commissions.

Petitioner prays for an Order:

1. Finding that the conservatorship of the person and estate terminated on 03/17/12, the conservatee's date of death;
2. Approving, allowing and settling the First and Final Account;
3. Authorizing the conservator and attorney fees and commissions; and
4. Authorizing petitioner to impose a lien on the estate for any unpaid balances of authorized fees and commissions.

Declaration re First and Final Account and Report of Conservator filed 06/14/12 by Janet Wright, former court appointed counsel for the conservatee states: she does not oppose the First and Final Account. On 04/16/12, during the accounting period, by a duly noticed hearing, the Court issued its Order discharging Ms. Wright as counsel for the conservatee and granting fees in the amount of $3,474.00 for services provided to the conservatee. Although the Order was issued during the period accounted for in the First and Final Account, the fees were not noted as a liability of the conservatorship estate and no payment has been made on the account. Ms. Wright requests that due to the insufficiency of the estate as reported in the First and Final Account, that the fees awarded by the Court Order be treated as a lien with equal priority to the awards of compensation to the Conservator and Counsel for Conservator.

NEEDS/PROBLEMS/ COMMENTS:

1. If attorney Janet Wright's request that the fees awarded to her pursuant to the court's Order dated 04/26/12 be treated as a lien on the estate, will need revised Order, or separate Order from attorney Wright.

Reviewed by: JF

Reviewed on: 06/15/12

Updates:

Recommendation:

File 11 - Pasillas

12 Jaime Jesus Magana, Dulce Maria Magana, and Manuel Magana (GUARD/P) Case No. 12CEPR00023

Atty Cervantes, Robert (for Adela Magana – Paternal Grandmother – Petitioner)

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

Jaime Jesus Magana (5) **DOB: 6-22-06**		
Dulce Maria Magana (4) **DOB: 8-23-07**		
Manuel Magana (3) **DOB: 12-11-08**		
Cont. from 030712, 050212		
	Aff.Sub.Wit.	
✔	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	X
	Aff.Mail	X
	Aff.Pub.	
	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	

TEMPORARY EXPIRED 3-7-12 – The temporary order was <u>not</u> extended at the 3-7-12 hearing.

ADELA MAGANA, Paternal Grandmother, is Petitioner.

Father: **JESUS MAGANA**
Mother: **NATHALIE MARQUEZ**

Paternal Grandfather: Jaime Magana
Maternal Grandfather: Pauline Marquez
Maternal Grandmother: Maria Duque

Petitioner states she has had the oldest, Jaime, in her care since he was two days old, but never applied for guardianship because Mother never attempted to take him. Mother and the other two children came to live with Petitioner in March 2010. Petitioner is the one who fed and took care of all of their needs. The mother is physically abusive toward the children and neglects their welfare. Dulce was not allowed to start school because she needed 8 shots and a physical. Petitioner went to school conferences because Mother refused to attend.

Mother took the children on 1-1-12 with the help of her uncle and went to Texas. Petitioner is concerned for their safety and states she would protect them from abuse.

Petitioner requests to be excused from giving notice to the maternal grandparents because the mother did not even know where her parents were residing.

Court Investigator Jennifer Daniel filed a report on 2-22-12.

NEEDS/PROBLEMS/COMMENTS:

<u>Minute Order 1-24-12 (temporary hearing)</u>: Court employee Petra Ramos is sworn and interprets for the parties. Petitioner informs the Court that she does not know the whereabouts of the children. The Court excuses notice to the mother. The Court grants the petition. Temporary expires 3-7-12. General hearing remains set for 3-7-12.

<u>Minute Order 3-7-12</u>: The Court continues the matter to 5-2-12. Counsel to provide information at the next hearing in support of his position that this Court has jurisdiction. Temporary not extended.

<u>Minute Order 5-2-12</u>: Counsel requests a continuance.

<u>As of 6-14-12, nothing further has been filed. If this petition goes forward, the following issues exist</u>:

1. **If notice is not excused, need proof of personal service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per Probate Code §1511 on:**
   - Jesus Magana (Father)
   - Nathalie Marquez (Mother)
2. **If notice is not excused, need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per Probate Code §1511 on:**
   - Jaime Magana (Paternal Grandfather)
   - Pauline Marquez (Maternal Grandfather)
   - Maria Duque (Maternal Grandmother)
3. **Petitioner answered "Yes" to #4 on the UCCJEA regarding other cases involving custody of the children. Need clarification.**

Reviewed by: skc

Reviewed on: 6-14-12

Updates:

Recommendation:

File 12 - Magana

13 Chima Childrens Trust **Case No. 12CEPR00261**

Atty **Blut, Elliot S. (for Petitioners Bobby Chima and Robby Chima)**
Atty **Franck, Herman (of Sacramento, for Respondents Rebecca Singh, Ralie Singh, and Stella Singh)**

Verified Petition to Appoint Successor Trustee of the Chima Childrens Trust (Prob. C. 15660)

Cont. from 051512		
	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	

BOBBY CHIMA and **ROBBY CHIMA**, beneficiaries of the trust, are petitioners.

Petitioners state on 2/21/1995 Geneal Chima created and executed the Chima Family Trust.

Pursuant to the Trust, Julie L. Fracas was the initial Trustee.

On 9/10/1998, Julie L. Fracas resigned as Trustee.

On 9/10/1998, the designated successor Trustee, Jill A. Leal declined to act and appointed Rebecca Lynn Singh as Successor Trustee.

By letter dated 3/11/2009, Counsel for Rebecca Lynn Singh represented she never accepted the position of Successor Trustee, and advised that Ms. Singh never claimed to be the Successor Trustee.

At all times since March 11, 2009, Lisa Mukai acted and continued to act as the Successor Trustee of the Chima Childrens Trust with the consent of the Petitioners, the sole beneficiaries.

Petitioners state an action is pending in the Superior Court, Sutter County, brought by Robby Chima, Bobby Chima and Lisa Mukai, Trustee of the Chima Childrens Trust against Rebecca Lynn Singh and others alleging causes of action for Breach of Fiduciary Duty, Shareholder's Derivative Action, Accounting, Quiet Title, Cancellation of Instrument, Constructive Trust, Resulting Trust and Fraudulent Transfer claiming title to certain property as an asset of the Chima Childrens Trust. Trial in this action is scheduled for May 1, 2012 requiring appointment of a Successor Trustee to prosecute the action.

Petitioners pray for an Order:

1. Appointing Lisa Mukai as Successor Trustee of the Chima Childrens Trust.

Verified Response of Rebecca Singh, Ralie Singh, Stella Singh/Opposition to Petition was filed 6-1-12.

SEE PAGE 2

NEEDS/PROBLEMS/COMMENTS:

Minute Order 5-15-12: Matter continued to 6-20-12 at the request of Counsel.

As of 6-14-12, the following issues remain:

1. Need *Notice of Hearing*.
2. Need proof of service of the *Notice of Hearing* on:
   a. Geneal Chima
   b. Lisa Mukai
   c. Rebecca Lynn Singh
3. Probate Code §15602(a)(3) requires that a person appointed by the court as Trustee, who is not named in the trust instrument, be required to post a bond. The court may not excuse the requirement of a bond except under compelling circumstances. The Court will need to know the value of the trust assets in order to determine the amount of bond required.

   Declaration filed 6-11-12 states the trust does not currently have any assets on hand. The only asset is a civil action claiming title to certain real property as an asset of the Chima Children's Trust brought by Bobby Chima, Robby CHima and Lisa Mukai against Rebecca Lynn Singh and others, currently pending in Sutter County Superior Court.
4. Need order.

Reviewed by: KT / skc	
Reviewed on: 6/14/12	
Updates:	
Recommendation:	
File 13 - Chima	

Dept. 303, 9:00 a.m. Wednesday, June 20, 2012

Verified Response of Rebecca Singh, Ralie Singh, Stella Singh/Opposition to Petition was filed 6-1-12.

Respondents state Rebecca Singh was the former wife of trustor Geneal Chima [Divorce action presently pending in Placer County Superior Court]. Respondents request that the Court deny the Petition and not grant any relief as requested.

Respondents request declaratory relief pursuant to CCP 1060 and Probate Code 17200, 15642, the Court's authority under CCP 128(a) and the Court's equitable and/or inherent authority declaring that Lisa Mukai has not been duly appointed as trustee to the Chima Children's Trust in that there has been no court order as required under section 5.03 of the trust, and declaring that Lisa Mukai is unfit and improper for appointment because of the following facts and factors: Ms. Mukai has engaged in the following types of conduct to be proven in an evidentiary hearing: Dishonesty and moral turpitude; Incompetence; Has a financial interest/self-interest and thus conflict of interest; Subject to undue influence of Geneal Chima; Defects in the Trust Instrument; Equitable reasons to deny the petition due to scam of fraudulent conveyance. Respondents cite Probate Code 15600 and 15642 regarding appointment and removal of a trustee.

- Ms. Mukai has already engaged in dishonest acts of moral turpitude and fraudulent behavior concerning the Chima Children's Trust. During 9-28-09, she filed a complaint in which she fraudulently, deceptively, and dishonestly, knowingly lied by stating she was a duly appointed trustee. In her 2-21-12 deposition in that case, she lied under oath by falsely testifying she was a duly appointed trustee.

- When she alleged she was a trustee, she knew she was lying, she knew she was committing fraudulent act, she was acting in deceptive manner contrary to oath she took before deposition, and knew she was not a trustee, and yet alleged she was. Her perjury, dishonesty, fraudulent conduct, and moral turpitude show that she is unfit to serve as trustee.

- Her incompetence in handling the administrative aspects of the trust are proven by her present petition. She has now apparently woken up to the fact that she was never duly appointed trustee; there is no court order under section 5.03 of the trust, and that her allegations and testimony under oath are false, incorrect, and just plain wrong.

- Either Ms. Mukai commited perjury or a huge act of incompetence. The fact that she committed this perjury/incompetence with the help of present counsel in the underlying civil complaint constitutes abundant evidence that there is a striking level of dishonesty and/or incompetence going on here.

- Respondents further state Ms. Mukai is subject to undue influence from the trustor because she is in a romantic relationship with him. (See 2-21-12 deposition.) Evidence of a sordid and apparently abusive/violent romance has been attained by Respondents in the form of the attached Facebook pages from Ms. Mukai's daughter, Carley Kioko Mukai.

- Respondent Rebecca Singh was formerly married to Geneal Chima and during the course of their marriage suffered extreme and repeated domestic violence. Respondents are not surprised that Lisa Mukai has also experienced some form of domestic abuse. It is pointed out here that in all likelihoods Lisa Mukai will be doing the bidding of Geneal Chima as she is subject to his undue and improper influence and should not be a trustee.

SEE PAGE 3

Respondents state Ms. Mukai has already shown a financial conflict of interest with the trust in the following conduct: During 2006 she was part owner of RTL RLM LLC. The LLC owned among other things approx. 2 acres in Visalia, CA. During 2006 a separate company Golden State Development LLC, which according to Geneal Chima and Lisa Mukai is 49% owned by the trust (which Respondents DENY), paid Ms. Mukai $10,000 for half of her interest in RTL RLM LLC. Respondents state she was paid, but failed to transfer her half interest in the LLC.

This default creates a conflict of interest in the handling of trust affairs in that she would be duty bound and in effect sue herself for the turnover of the RTL RLM LLC if appointed as trustee. This event also shows that her judgment is impaired. She does not have the trust's interest at stake. She essentially has stolen property belonging to the trust (the $10,000 that she got from the trust for free) and cannot be trusted with the affairs of the trust.

Golden State Development LLC was a California LLC formed approx. 3-17-03, owned 51% by Rebecca Singh, 49% by Chima Children's Trust, subject to claims by Rebecca Singh that the trust failed to ever pay in capital and that she only granted the interest because of undue influence and duress by Geneal Chima against Rebecca Singh as part and parcel to a campaign of domestic violence and emotional abuse. All tax returns re Golden State Development LLC, reflected Rebecca Singh as 100% owner. Geneal Singh wrote a check from Golden State development LLC for $10,000 to Lisa Mukai without the knowledge or consent of Rebecca Singh.

Lisa Mukai signed a document whereby she agreed in return for the $10,000 she would grant Golden State Development LLC a half interest in her LLC, which she never did. See 4-12-06 agreement attached.

Respondents state the court should further deny equitable relief because the entire trust itself is a scam and a fraudulent conveyance [CCP 3439.04] set up by Geneal Chima as a means to evade a $12 million judgment obtained by Noble D. Plant Jr., and Eleanor Plant, et al. See 6-22-93 judgment in Sacramento Superior Court Action No. 520043 (Exhibit D). The probate department is a court of equity and should not assist any part in committing a fraudulent conveyance. Geneal Chima is attempting to obtain a judgment which cannot come to him personally because of the pending $12 million judgment, and has instead created the trust to evade the judgment creditor.

If the Court denied the current petition Geneal Chima's scam will be foiled for lack of a trustee. See *Powers v. Ashton,* (1975) 45 Cal.App. 3d 787-788 which provides:

> "The person possessing the right sued upon by reason of the substantive law is the real party in interest. (3 Witkin, Cal. Procedure (2d ed.) Pleading, §93.) Thus where a cause of action is prosecuted on behalf of an express trust, the trustee is the real party in interest because he is the one whom title to the cause is vested. … Thus, absent special circumstances, an action prosecuted for the benefit of a trust estate by a person other than the trstuee is not brought in the name of a real party in interest."

A further basis to deny the petition is that the trust itself is ineffectual trust instrument because it fails to identify any trust property. See *Eaton v. Los Angeles* (1962) 201 Cal. App. 2d 326, 332. A trust without property is not a trust. Thus there is no effective trust for Ms. Mukai to be appointed trustee to. Ms. Mukai also testified that the trust had no assets, not money and no activity.

Respondents pray for the following relief:

1. **A full evidentiary hearing**
2. **That the petition be DENIED**
3. **Declaratory relief pursuant to CCP 1060, under Probate Code 17200, 15642 and/or other applicable Probate Code, and/or the court's authority under CCP 128(a), and/or the court's equitable powers and inherent authority, as to each of the above stated grounds for denial of the petition, in the form of a decree stating that all or some of those stated grounds provide appropriate basis to DENY the petition.**

14 Elva Squires (CONS/PE) Case No. 07CEPR01335

Atty **Feigel, Sheldon W. (for Lavonne Ilene Boland – Daughter – Conservator of the Estate)**

Probate Status Hearing Re: Failure to File Annual or Biennial Account

Age: 86		
DOB: 4-2-25		
Cont. from 011112, 031412, 050212		
	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	X
	UCCJEA	
	Citation	
	FTB Notice	

LAVONNE ILENE BOLAND, Daughter, was appointed Conservator of the Person and Estate with additional powers under Probate Code §2590 with bond of $10,000.00 on 3-28-08.

Bond was filed and Letters issued on 4-24-08.

I&A filed 8-27-08 reflected a total value of the conservatorship estate of $65,826.31, consisting of a one-half interest in real property in Squaw Valley, CA, a one-half interest in a mare registered as a National Show Horse, a one-half interest in two kilns, and various interests in other personal property.

On 2-11-09, the Court authorized Conservator to fix Conservatee's residence outside the State of California. Post-Move Notice of Change of Residence reflects a new address in Bend, OR.

On 8-12-09, the first account was settled.

On 9-22-09, revised Letters were issued reflecting only Conservatorship of the Estate, as the equivalent of a Conservatorship of the Person was obtained in Oregon, and this Court retained jurisdiction over the estate.

The next account is now due. The Court set this status hearing for 1-11-12 and sent notice to Conservator and Attorney Feigel on 11-3-11. It has now been continued three times to this hearing date.

As of 6-14-12, no accounting has been filed.

NEEDS/PROBLEMS/COMMENTS:

<u>Minute Order 1-11-12</u>: Counsel informs the Court that his client is trying to put things together and there are no more assets in the estate. Counsel requests a continuance. Counsel is informed that there is an outstanding fee of $860.00 that needs to be paid.

<u>Minute Order 3-14-12</u>: Counsel advises the Court that they are still proceeding; however, the estate has no money. Counsel requests a continuance.

<u>Minute Order 5-2-12</u>: Counsel advises the Court that he has received most of the documents. He further advises that the horse was given away due to costs of maintaining the horse.

<u>As of 6-14-12, nothing further has been filed and fees have not been paid. The following issues remain</u>:

1. **<u>Need Second Account Current</u>.**
2. **<u>Outstanding fees of $860.00 are due to the Court Investigator's Office for prior investigations</u>.**

Reviewed by: skc
Reviewed on: 6-14-12
Updates:
Recommendation:
File 14 - Squires

15 Sherman Wayne Dozier (Estate) Case No. 08CEPR00017

Atty Knudson, David N. (for Laura E. Dozier – Administrator)

Atty Reynolds, Russell W. (for Fresno County Federal Credit Union – Creditor)

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution (Prob. C. 12200, et seq.)

DOD: 09/18/07	**LAURA E. DOZIER,** spouse, was appointed Administrator with Full IAEA, without bond on 02/04/08. Letters of Administration were issued on 02/04/08.	**NEEDS/PROBLEMS/COMMENTS:** 1. **Need Accounting and Petition for Final Distribution.**
	Partial Inventory & Appraisal was filed 12/02/08 - $333,000.00	**Notes:** A Notice of Pendency of Action was filed 03/15/12 by Fresno County Federal Credit Union indicated that a Complaint for Money due was filed in Fresno Superior Court Case No. 12CECG00823 MWS on 03/12/12.
	Final Inventory & Appraisal was filed 12/02/08 - $317,000.00	Creditor's claims of Fresno County Federal Credit Union, Citibank and American Ambulance have been filed in this matter.
Cont. from	**Notice of Status Hearing filed 05/08/12** set this matter for status. **Clerk's Certificate of Mailing** states that the Notice of Status Hearing was mailed to the Laura Dozier and David Knudson on 05/08/12.	A request for Special Notice has been filed by Sandra Dozier & Fresno County Federal Credit Union.
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
Status Rpt		**Reviewed on:** 06/15/12
UCCJEA		**Updates:**
Citation		**Recommendation:**
FTB Notice		**File 15 - Dozier**

Dept. 303, 9:00 a.m. Wednesday, June 20, 2012

16 Mildred P. Rancilio (Estate) **Case No. 08CEPR01160**

Atty Feigel, Sheldon W. (for Diane Pickering – Executor)

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution (Prob. C. 12200, et seq.)

DOD: 8-29-08			**DIANE PICKERING** was appointed Executor with Full IAEA without bond and Letters issued on **1-13-09**. **On 1-26-12**, the Court set status hearing for failure to file a First Account or Petition for Final Distribution.	**NEEDS/PROBLEMS/COMMENTS:** **<u>Minute Order 3-14-12</u>: Counsel advises the Court that there is an insurance issue that he is trying to resolve.** **<u>Minute Order 5-2-12</u>: Matter continued to 6-20-12. Counsel is directed to file the required items by 6-20-12.** **<u>As of 6-14-12</u>, nothing further has been filed. The following issues remain:** **1. Need Inventory and Appraisal.** **2. Need First Account Current or Petition for Final Distribution pursuant to Probate Code §12200.** **<u>Note</u>: The original petition indicated an estimated estate value of $130,000.00 in personal property.** **<u>Note</u>: Decedent's will devises the entire estate to The Mildred Pearl Rancilio Living Trust.**
				Reviewed by: skc
				Reviewed on: 4-24-12
				Updates:
				Recommendation:
				File 16 - Rancilio
Cont. from 031412, 050212				
	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	X		
	UCCJEA			
	Citation			
	FTB Notice			

Dept. 303, 9:00 a.m. Wednesday, June 20, 2012

17 Cecelia Elaine Mounts (Estate/P) **Case No. 11CEPR00188**

Atty Mounts, Philip Andrew (pro per – Executor)

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution (Prob. C. 12200, et seq.)

DOD: 01/15/11		
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	

PHILLIP ANDREW MOUNTS, son, was appointed as Executor, without Bond on 04/21/11. Letters were issued on 04/21/11.

Inventory & Appraisal filed 06/02/11 - $96,000.00

Substitution of Attorney filed 08/09/11, Petitioner now appearing in Pro Per, formerly represented by Thomas Markeson.

Notice of Status Hearing filed 05/06/12 set this matter for status. Clerk's Certificate of Mailing states the Notice of Status Hearing was mailed to Philip Andrew Mounts on 05/08/12.

NEEDS/PROBLEMS/COMMENTS:

1. **Need Final Accounting and Petition for Final Distribution.**

Reviewed by: JF
Reviewed on: 06/15/12
Updates:
Recommendation:
File 17 - Mounts

Dept. 303, 9:00 a.m. Wednesday, June 20, 2012

18 Marsha Ann Highly (Estate) **Case No. 11CEPR00186**

Atty Miguel, Cheryl Lynn (Pro Per – Administrator – Petitioner)

(1) Petition for Settlement of First and Final Account and (2) for Final Distribution and (3) Fixing and Allowing Compensation

DOD: 11-13-10		
Cont. from 031412, 042512		
	Aff.Sub.Wit.	
☐	**Verified**	
☐	**Inventory**	
☐	**PTC**	
☐	**Not.Cred.**	
☐	**Notice of Hrg**	
☐	**Aff.Mail**	W
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
☐	**Letters**	8-17-11
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	**9202**	
☐	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✓	**FTB Notice**	

CHERYL LYNN MIGUEL, Administrator with Limited IAEA without bond, is Petitioner.

Account period: 11-13-10 through 1-15-12

Accounting: $187,809.70
Beginning POH: $182,071.03
Ending POH: $137,012.89

Administrator (Statutory): $6,611.21

Closing: $250.00

Distribution pursuant to intestate succession:

Renee Lucille Austin: $38,474.13 plus a 1/3 undivided interest in a note receivable

Cheryl Lynn Miguel: $38,474.13 plus a 1/3 undivided interest in a note receivable

Charlie Joseph Miguel: $38,474.13 plus a 1/3 undivided interest in a note receivable

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: skc

Reviewed on: 6-14-12

Updates:

Recommendation: SUBMITTED

File 18 – Highly

19 Anthony Lee Monianci (GUARD/P) **Case No. 12CEPR00212**

Atty Castanon, Beatrix Antonia (pro per – maternal aunt/Petitioner)

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

Age: 13		
DOB: 04/20/99		
Cont. from 050212		
	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	

TEMPORARY EXPIRES 05/02/12

BEATRIX CASTANON, maternal aunt, is Petitioner.

Father: **RUDOLPHUSLEE MONIANCI** – *incarcerated, personally served 04/02/12*

Mother: **JENNIFER BOERS** – *deceased*

Paternal grandfather: MICHAEL MONIANCI – *served by mail on 03/15/12*
Paternalgrandmother: RONDA ROBY – *served by mail on 03/15/12*

Maternal grandfather: JOHN BOERS
Maternal grandmother: VIRGINIA LEE YAMATO – *served by mail on 03/15/12*

Half-Siblings: JAQULYN SHORTER (21); JADE SHORTER (18) – *both served by mail on 03/06/12*

Petitioner states that temporary guardianship is necessary because the minor's mother died in November 2011 and his father is incarcerated. Petitioner states that the mother's will nominates her to be appointed as guardian of mother's minor children. Petitioner states that the minor is currently living with his sisters and their father and states that she plans for him to remain living there.

Court Investigator Dina Cavillo filed a report on 04/23/12.

NEEDS/PROBLEMS/COMMENTS:

1. **Need Child Information Attachment (Form GC-210(CA)), this is a required attachment to the Petition for Appointment of Guardian.**
2. **Need proof of service by mail at least 15 days before the hearing of *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian of the Person* or Consent and Waiver of Notice or Declaration of Due Diligence for:**
   - John Boers (maternal grandfather)

Note:
Petitioner has indicated that the child may have Indian ancestry. A Notice of Child Custody Proceeding for Indian Child was mailed to the necessary parties on 04/18/12. As of 06/14/12, the Court has received return receipts from US Dept. of Interior, Father, BIA, and Kiagless Tribal Town (all receipts were filed on 04/27/12). The documents mailed to the Lipon Apache Band of Texas on 04/19/12 were returned unclaimed.

Reviewed by: JF
Reviewed on: 06/14/12
Updates:
Recommendation:
File 19 - Monianci

Dept. 303, 9:00 a.m. Wednesday, June 20, 2012

20 James Landon Ward (GUARD/P) Case No. 12CEPR00524

Atty Hanson, Stacey R (Pro Per – Petitioner – Maternal Grandmother)
Atty Dean, Raymond (Pro Per –Petitioner- Paternal Grandfather)
Atty Dean, Brenda (Pro Per – Petitioner – Paternal Grandmother)

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

Age: 4
DOB: 01/15/2008

Cont. from

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

TEMPORARY EXPIRES 06/20/2012

STACEY R. HANSON, Maternal Grandmother, is Petitioner

Father: **JAMES WARD**

Mother: **MEIGHANN MARIA PEREZ-HANSON**

Paternal grandfather: Ray Dean
Paternal grandmother: Brenda Dean

Maternal grandfather: Fortino Rocha Perez
Maternal grandmother: Stacey R. Hanson

Petitioner alleges: parents are unable to provide for the minor with the proper care. Father will be serving a four year prison term for stealing ATMs. Mother is abusing Meth. Child has been residing with the Petitioner the majority of the time. Mother allowed the child to visit with the Father. Petitioner fears that with the Father's pending prison sentence that he may flee with the child.

Objection filed 06/13/2012 – Paternal grandparents state that they believe the minor child would be better off with them as they have been married for 26 years, attend church, have owned their own home for 12 years and are financially stable. They believe that both the Mother and Father of the child do not agree to Petitioner, Stacy Hanson, being the guardian.

NEEDS/PROBLEMS/COMMENTS:

Competing Temporary Petition by the Paternal Grandparents, Ray and Brenda Dean. Hearing set for 06/26/2012.

1. Need Notice of Hearing

2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:
   - James ward (Father)
   - Meighann Maria Perez-Hanson (Mother)

3. Need UCCJEA

Reviewed by: LEG / LV
Reviewed on: 06/14/2012
Updates:
Recommendation:
File 20 - Ward