

**1 Monica Rios & Nathaniel Rios (GUARD/P)**

**Case No. 05CEPR00810**

Guardian: Josefina Rios (Pro per – Paternal grandmother)

Petitioner: Monica Garcia (Pro per – Mother)

**Petition for Termination of Guardianship (as to Nathaniel only)**

		MONICA GARCIA, mother, is petitioner	NEEDS/PROBLEMS/COMMENTS:
		JOSEFINA RIOS, paternal grandmother, was appointed guardian of Monica Rios and Nathaniel Rios on 7/18/2005.	
Cont. from		Court Investigator report filed 6/13/2016.	<p><b>This petition is as to <u>NATHANIEL</u> only.</b></p> <ol style="list-style-type: none"> <li>1. Need proof of service of <i>Notice of Hearing</i> with at least 15 days notice <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on:               <ol style="list-style-type: none"> <li>a. Pedro Rios (father)</li> </ol> </li> <li>2. Need proof of service of <i>Notice of Hearing</i> with at least 15 days notice <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on:               <ol style="list-style-type: none"> <li>a. Guadalupe Rios (paternal grandfather)</li> </ol> </li> <li>3. Proof of service of <i>Notice of Hearing</i> filed 6/13/2016 on Josefina Rios (guardian/-paternal grandmother), was with 13 versus 15 days notice required per Probate Code 1460.</li> <li>4. Proof of service of <i>Notice of Hearing</i> filed 6/13/2016 on Vera Alarcon (maternal grandmother) and Monica Rios (sibling – 17 years) was with 12 versus 15 days notice required per Probate Code 1460.</li> </ol>
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			Reviewed by: SEF
			Reviewed on: 6/14/2016
			Updates:
			Recommendation:
			File 1- Rios

**2A In the Matter of the Verni Family Trust**

**Case No. 10CEPR00639**

- Attorney** Joseph Marchini; J. Jackson Waste; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)
- Attorney** Kenneth Baldwin; Timothy Thompson; Nikole Cunningham; of McCormick Barstow (for Co-Trustee Nicola "Nick" Verni, son)
- Attorney** L. Kim Aguirre, of Gromis & Aguirre (for Co-Trustee Antonietta "Rosa" Verni, daughter)
- Attorney** John Phillips; of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)
- Attorney** Jeffrey Bohn, sole practitioner (for Erlinda M. Verni, surviving spouse)

**Status Hearing**

Leonarda DOD: 7/31/2000	<p><b>CARMELA DeSANTIS</b>, daughter and Trust Beneficiary, filed the following pleadings in this matter:</p> <ul style="list-style-type: none"> <li>Petition to Remove Trustees; Appoint Receiver; Surcharge Trustees; Deny Trustees Compensation; Impose Constructive Trust on Assets; and Cause Proceedings to Trace and Recover Assets on 7/26/2012.</li> <li>Amended Objections to First Account Current of Trustee, and Objections to Second Account Current of Trustee on 7/26/2012.</li> <li>Petition to Construe Trust Provision on 7/26/2012.</li> <li>Petition to Establish Claim of Ownership, in Favor of Trust, to Property and for Order Directing its Transfer to the Trustees to Hold in Trust on 8/14/2012;</li> <li>Petition for Review of Accounts and Acts of Trustees on 9/25/2013.</li> </ul> <p><b>NICOLA "NICK" VERNI</b>, son and Successor Trustee of the <b>SURVIVOR'S TRUST</b>, and <b>ANTONIETTA "ROSA" VERNI</b>, daughter and Trustee of the <b>MERGED FAMILY SUB-TRUST</b>, filed the following pleadings in this matter:</p> <ul style="list-style-type: none"> <li>Response to Petition to Remove Trustees, etc. on 9/27/2012.</li> <li>Response to Petition to Construe Trust Provision on 9/27/2012.</li> <li>Response to Petition to Establish Claim of Ownership on 9/27/2012.</li> <li>Response to Petition for Review of Accounts and Acts of Trustees on 12/5/2013.</li> </ul> <p align="center">~Please see additional page~</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Page 2B</b> is the <i>Petition to Remove Trustees, etc.</i></p> <p><b>Page 2C</b> is the <i>Petition to Construe Trust Provision.</i></p> <p><b>Page 2D</b> is the <i>Petition to Establish Claim of Ownership in Favor of Trust to Property, etc.</i></p> <p><b>Page 2E</b> is the <i>Petition for Review of Accounts and Acts of Trustees.</i></p> <p><b>Continued from 3/28/2016.</b> Minute Order states Mr. Thompson requests 90 days.</p>
Saverio DOD: 5/25/2009		
Cont. from 032114, 053014,080414, 091514, 031615, 062215, 081715, 113015, 032816		
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FTB Notice		
	Reviewed by: LEG	
	Reviewed on: 6/14/16	
	Updates:	
	Recommendation:	
	File 2A - Verni	

**Trustee [Nicola Verni's] Status Report filed by Attorney Timothy L. Thompson on 6/9/2016 states:**

- On 9/22/2014, after trial in this matter held before the Honorable Robert H. Oliver, judgment was entered in favor of the Trustees as to the *Petition to Construe Trust Provisions*;
- A *Notice of Appeal* was filed by Petitioner, Carmela DeSantis, on 1/23/2015;
- The parties submitted their respective briefs, oral argument was held on 1/25/2016, and on 1/27/2016, the Appellate Court issued its Opinion affirming the judgment and awarding costs on appeal to the Respondent Trustees;
- The Appellate Court issued the Remittitur on 3/28/2016 and the Trustees filed a Memorandum of Costs on Appeal on 4/27/2016; the Appellant paid the full amount of the costs claimed [of **\$1,761.70**] prior to the expiration of the time limit to file a Motion to Tax Costs;
- The remaining issues in this matter include the *Petition to Remove Trustees; Appoint Receiver; Surcharge Trustees; Deny Trustees Compensation; Impose Constructive Trust on Assets; and Cause Proceedings to Trace and Recover Assets*; the ruling in favor of Trustees on the trust interpretation issue has removed the necessity to trace and recover *inter-vivos* gifts and potentially resolves some of the remaining accounting issues;
- Following the Appellate Court's Decision, he [Attorney Thompson] spoke with opposing counsel, Mr. Marchini, and based upon those discussions he is optimistic that the parties will be able to discuss a resolution of the remaining issues without further litigation;
- The Trustees are continuing with the process of gathering information regarding the value of certain assets in the trust (real estate appraisals are being obtained on various properties), which need to be distributed pursuant to the trust terms;
- Once those values are obtained, they intend to work with opposing counsel and the other parties to resolve the remaining issues;
- They request this matter be continued for a further Case Management Conference for at least **90 days** to allow the parties to conduct the necessary work and discussions to see if the matter can be resolved.

**Petitioner Carmela DeSantis' Status Report filed by Attorney Joseph Marchini on 6/10/2016 states:**

- Petitioner has several pending petitions and several objections to trustee accountings pending before the court in this matter [*list of petitions and objections omitted*];
- The trustees have provided, but not filed with the Court, accountings for 2012 (fourth account current), 2013 (fifth account current), and 2014 (sixth account current); Petitioner is reviewing these for possible objection.
- Petitioner has deposed numerous produce buyers who engaged in transactions posted to the first and second accountings; the depositions of the accountants who prepared the accounts are still to be taken;
- **Open discovery:** Petitioner has deposed numerous produce buyers who engaged in transactions posted to the first and second accountings; the depositions of the accountants who prepared the accountings are still to be taken;
- **Petition to Construe:** This petition was severed from other matters for separate trial in the belief that the resolution of this matter might streamline litigation of the others;
- On 8/4/2014, the Court issued its *Statement of Decision*; the Appeal has been heard, and the trial court's judgment affirmed.

~Please see additional page~

*Petitioner Carmela DeSantis' Status Report, continued:*

- **Administration of the Trusts:** Counsel for Trustee Nick Verni and counsel for Mrs. DeSantis have recently spoken about the status of the estate; Counsel for Nicola Verni advised counsel for Mrs. DeSantis that the real property held in trust is currently being appraised by **RICK P. SMITH** so that the trustees may formulate a plan for distribution of the trusts.
- Counsel for Mr. Verni further advises that the trustees are in the process of preparing a further accounting for the period beginning with the end of the last accounting and ending in approximately March, 2016;
- Once the appraisals, accounting and proposed distribution plan are available, counsel will be able to complete their discussions regarding resolution of the pending petitions or to request the matter be set for trial; Mrs. DeSantis requests that this matter be continued for **60 days** so that she may review the materials that are to be provided by the trustees.

**2B In the Matter of the Verni Family Trust (Trust)**

**Case No. 10CEPR00639**

**Attorney Joseph Marchini; J. Jackson Waste; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)**

**Attorney Kenneth Baldwin; Timothy Thompson; Nikole Cunningham; of McCormick Barstow (for Co-Trustee Nicola "Nick" Verni, son)**

**Attorney L. Kim Aguirre, of Gromis & Aguirre (for Co-Trustee Antonietta "Rosa" Verni, daughter)**

**Attorney John Phillips; of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)**

**Attorney Jeffrey Bohn, sole practitioner (for Erlinda M. Verni, surviving spouse)**

**Petition to: (1) Remove Trustees; (2) Appoint Receiver; (3) Surcharge Trustees; (4) Deny Trustees Compensation; (5) Impose Constructive Trust on Assets; and (6) Cause Proceedings to Trace and Recover Assets [Prob. C. 15642, 16420 & 17200]**

Leonarda DOD: 7/31/2000	<p><b>CARMELA DeSANTIS</b>, daughter and Trust Beneficiary, is Petitioner.  <b>Petitioner states:</b></p> <ul style="list-style-type: none"> <li>The <b>VERNI FAMILY TRUST of 1999</b> was created by <b>SAVERIO VERNI</b> and <b>LEONARDA VERNI</b> on 6/10/1999, and was amended once by Settlor on the following day, 6/11/1999; Leonarda died on 7/31/2000, thereby causing the Trust to be divided into three sub-trusts: the <b>VERNI MARITAL TRUST</b>, the <b>VERNI FAMILY TRUST</b>, (which was amended once during both Trustors' lifetimes), and the <b>VERNI SURVIVOR'S TRUST</b> (copies of Trusts attached as Exhibit A); following Leonarda's death, Saverio amended the <b>SURVIVOR'S TRUST</b> seven times, with the <i>Eighth Amendment</i> (the final) amending the <b>SURVIVOR'S TRUST</b> in its entirety;</li> <li>Saverio served as sole trustee of the three sub-trusts until his death on 5/25/2009, and upon his death the Marital Sub-Trust terminated and its principal was added to the Family sub-trust, which became the <b>MERGED FAMILY SUB-TRUST</b>;</li> <li>Pursuant to the Trust terms, <b>ANTONIETTA ROSA VERNI</b>, daughter, is first appointed and currently serves as Successor Trustee of the Merged Family Sub-Trust; pursuant to the <i>Eighth Amendment</i> to Trust, <b>NICOLA VERNI</b>, son, is first appointed and currently serves as Successor Trustee of the <b>SURVIVOR'S TRUST</b>;</li> <li>The beneficiaries of each of the Sub-Trusts are the Settlor's five children: <b>ANTONIETTA ROSA VERNI (Rosa)</b>, <b>NICOLA VERNI (Nick)</b>, <b>LEONARD VERNI (Dino)</b>, <b>MARIA STANZIALE</b>, and <b>CARMELA DeSANTIS</b> (Petitioner); and specific distributions from the Survivor's Sub-Trust are to <b>ERLINDA MARCIANO VERNI (\$200,000.00)</b> and <b>ST. ANTHONY OF PADUA CATHOLIC CHURCH (\$200,000.00)</b>;</li> <li>Following the death of Saverio and Leonarda, the Merged Family Sub-Trust names Rosa as First Successor Appointee, and Maria as Second Successor Appointee; Eighth Amendment provides that upon Saverio's ceasing to act as trustee, Nick will serve as trustee of the Survivor's Sub-Trust;</li> <li><b>Petitioner seeks a Court order pursuant to Probate Code § 15642 removing Rosa as trustee of the Merged Family Sub-Trust, and removing Nick as trustee of the Survivor's Sub-Trust; Petitioner also seeks a determination by the Court that Dino is not qualified to serve as next successor trustee of the Survivor's Sub-Trust.</b></li> </ul>	<b>NEEDS/PROBLEMS/COMMENTS:</b>						
Saverio DOD: 5/25/2009		<b>Continued from 3/28/2016.</b> Minute Order states Mr. Thompson requests 90 days.						
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**2C In the Matter of the Verni Family Trust (Trust)**

**Case No. 10CEPR00639**

Attorney Joseph Marchini; J. Jackson Waste; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)  
 Attorney Kenneth Baldwin; Timothy Thompson; Nikole Cunningham; of McCormick Barstow (for Co-Trustee Nicola "Nick" Verni, son)  
 Attorney L. Kim Aguirre, of Gromis & Aguirre (for Co-Trustee Antonietta "Rosa" Verni, daughter)  
 Attorney John Phillips; of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)  
 Attorney Jeffrey Bohn, sole practitioner (for Erlinda M. Verni, surviving spouse)  
**Petition to Construe Trust Provision [Prob. C. 17200]**

<p>Leonarda DOD: 7/31/2000</p> <p>Saverio DOD: 5/25/2009</p> <p>Cont. from 100212, 120512, 010313, 022113, 032213, 052413, 062113, 062813, 083013, 092713, 103013, 120613, 012714, 032114, 053014, 080414, 091514, 031615, 062215, 081715, 113015, 032816</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 10px;"></td><td style="width: 100px;">Aff.Sub.W</td><td style="width: 10px;"></td></tr> <tr><td style="text-align: center;">✓</td><td>Verified</td><td></td></tr> <tr><td></td><td>Inventory</td><td></td></tr> <tr><td></td><td>PTC</td><td></td></tr> <tr><td></td><td>Not.Cred.</td><td></td></tr> <tr><td style="text-align: center;">✓</td><td>Notc Hrg</td><td></td></tr> <tr><td></td><td>Aff.Mail</td><td></td></tr> <tr><td></td><td>Aff.Pub.</td><td></td></tr> <tr><td></td><td>Sp.Ntc.</td><td></td></tr> <tr><td style="text-align: center;">✓</td><td>Pers.Serv.</td><td></td></tr> <tr><td></td><td>Conf. Screen</td><td></td></tr> <tr><td></td><td>Letters</td><td></td></tr> <tr><td></td><td>Duties/S</td><td></td></tr> <tr><td></td><td>Objectn</td><td></td></tr> <tr><td></td><td>Video Receipt</td><td></td></tr> <tr><td></td><td>CI Report</td><td></td></tr> <tr><td></td><td>9202</td><td></td></tr> <tr><td style="text-align: center;">✓</td><td>Order</td><td></td></tr> <tr><td></td><td>Aff. Post</td><td></td></tr> <tr><td></td><td>Status Rpt</td><td></td></tr> <tr><td></td><td>UCCJEA</td><td></td></tr> <tr><td></td><td>Citation</td><td></td></tr> <tr><td></td><td>FTB Notc</td><td></td></tr> </table>		Aff.Sub.W		✓	Verified			Inventory			PTC			Not.Cred.		✓	Notc Hrg			Aff.Mail			Aff.Pub.			Sp.Ntc.		✓	Pers.Serv.			Conf. Screen			Letters			Duties/S			Objectn			Video Receipt			CI Report			9202		✓	Order			Aff. Post			Status Rpt			UCCJEA			Citation			FTB Notc		<p><b>CARMELA DeSANTIS</b>, daughter and Trust Beneficiary, is Petitioner.  <b>Petitioner states:</b></p> <ul style="list-style-type: none"> <li>The <b>VERNI FAMILY TRUST of 1999</b> was created by <b>SAVERIO VERNI</b> and <b>LEONARDA VERNI</b> on 6/10/1999, and was amended once by Settlers on the following day, 6/11/1999; Leonarda died on 7/31/2000, thereby causing the Trust to be divided into three sub-trusts: the <b>VERNI MARITAL TRUST</b>, the <b>VERNI FAMILY TRUST</b>, (which was amended once during both Trustors' lifetimes), and the <b>VERNI SURVIVOR'S TRUST</b> (copies of Trusts attached as Exhibit A);</li> <li>The instant petition relates to a provision contained in the <b>SURVIVOR'S SUB-TRUST</b>; over Petitioner's objections, Trustees Nick and Rosa have provided a commingled accounting for the Merged Family and Survivor's Sub-Trusts, which fails to segregate each Sub-Trust's assets, liabilities, receipts and disbursements;</li> <li>The failure to appropriately segregate assets, liabilities, receipts and disbursements among the Sub-Trusts prevents the Court, trustee and beneficiaries from determining the size and holdings of the <b>SURVIVOR'S SUB-TRUST</b>; because the <b>SURVIVOR'S SUB-TRUST</b> will be used to fund the above-referenced equalization provision, any appropriate increase in size to that particular Sub-Trust will allow greater realization of the Trustor's intent and will provide a means for effectuating the equalization of prior distributions; conversely, any inappropriate decrease in the size of the <b>SURVIVOR'S SUB-TRUST</b> will undermine the Trustor's intent and deny the Trustee the ability to effectuate an equalization;</li> <li><b>The Trustee of the SURVIVOR'S SUB-TRUST believes that distributions made during Saverio's lifetime should <u>not</u> be considered for purposes of the equalization process; Petitioner believes this to be contrary to the language of the provision and intent of the Trustor.</b></li> <li><b>Petitioner requests a judicial declaration from the Court concerning the proper construction of Subsection 1, of Section B, or Article IV of the SURVIVOR'S SUB-TRUST [refer to copy of Trust or Paragraph 11 of Petition for exact language requiring apportionment of the residue of the trust estate into equal shares for Trustor's living children.]</b></li> </ul>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 3/28/2016.</b> Minute Order states Mr. Thompson requests 90 days.</p> <p><b>Note:</b> Additional notes pages originally prepared with respect to this petition have been omitted.</p>
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**2D In the Matter of the Verni Family Trust (Trust)**

**Case No. 10CEPR00639**

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**Attorney** John Phillips; of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)  
**Attorney** Jeffrey Bohn, sole practitioner (for Erlinda M. Verni, surviving spouse)

**Petition to Establish Claim of Ownership, in Favor of Trust, to Property and for Order Directing its Transfer to the Trustees to Hold in Trust (Prob. C. 850, 17200.1)**

<p><b>Leonarda DOD:</b> 7/31/2000</p> <p><b>Saverio DOD:</b> 5/25/2009</p> <p>Cont. from 100212, 120512, 010313, 022113, 032213, 062113, 062813, 083013, 092713, 103013, 120613, 012714, 032114, 053014, 080414, 031615, 062215, 081715, 113015, 032816</p> <p><input type="checkbox"/> <b>Aff.Sub.W</b></p> <p><input checked="" type="checkbox"/> <b>Verified</b></p> <p><input type="checkbox"/> <b>Inventory</b></p> <p><input type="checkbox"/> <b>PTC</b></p> <p><input type="checkbox"/> <b>Not.Cred.</b></p> <p><input type="checkbox"/> <b>Notice of Hrg</b></p> <p><input type="checkbox"/> <b>Aff.Mail</b></p> <p><input type="checkbox"/> <b>Aff.Pub.</b></p> <p><input type="checkbox"/> <b>Sp.Ntc.</b></p> <p><input checked="" type="checkbox"/> <b>Pers.Serv.</b></p> <p><input type="checkbox"/> <b>Conf. Screen</b></p> <p><input type="checkbox"/> <b>Letters</b></p> <p><input type="checkbox"/> <b>Duties/S</b></p> <p><input type="checkbox"/> <b>Objection</b></p> <p><input type="checkbox"/> <b>Video Receipt</b></p> <p><input type="checkbox"/> <b>CI Report</b></p> <p><input type="checkbox"/> <b>9202</b></p> <p><input type="checkbox"/> <b>Order</b></p> <p><input type="checkbox"/> <b>Aff. Post</b></p> <p><input type="checkbox"/> <b>Status Rpt</b></p> <p><input type="checkbox"/> <b>UCCJEA</b></p> <p><input type="checkbox"/> <b>Citation</b></p> <p><input type="checkbox"/> <b>FTB Notice</b></p>	<p><b>CARMELA DeSANTIS</b>, daughter and Trust Beneficiary, is Petitioner and requests orders:</p> <ol style="list-style-type: none"> <li>Determining that the following is property of the Trust estate:             <ol style="list-style-type: none"> <li><b>Almond crops:</b> (i) The almond meat inventory on hand at the date of Saverio's death; (ii) all almond crops grown on Trust land since Saverio's death; and (iii) proceeds from the sale of the almond inventory and crops;</li> <li><b>Olive crops:</b> (i) The olive oil, olive crop and olive inventory on hand at the date of Saverio's death; (ii) all olive crops grown on Trust land since Saverio's death; and (iii) proceeds from the sale of the olive oil, inventory and crops;</li> <li><b>Other crops (Stone Fruit, Grapes, Etc.):</b> (i) The inventory of other crops grown on Trust land, on hand at the time of Saverio's death but not reported in the Trustee's First Account; (ii) all such crops grown on Trust land since Saverio's death and during 2009; and (iii) proceeds from sale of inventory/crops;</li> <li><b>Other Inventory on Hand:</b> (i) The inventory of firewood and olive oil on hand at the time of Saverio's death but not reported in the Trustee's First Account; (ii) all such items produced from products grown on Trust land since Saverio's death and during 2009; [and (iii) proceeds from inventory;]</li> <li><b>Proceeds from Sale of Trust Real Property:</b> The money received of <b>~\$1,000,000.00</b> by Nick and Dino from DeYoung Properties in connection with the option to purchase land and used by DeYoung Properties to actually purchase Trust land;</li> </ol> </li> <li>Directing each of the beneficiaries in possession to transfer such property to the Trustees to hold for the benefit of the Trust and the appropriate Sub-Trust(s);</li> <li>Directing each of the beneficiaries in possession of proceeds from the sale or exchange of any of the property to transfer such proceeds to the Trustees to hold for the benefit of the Trust and the appropriate Sub-Trust(s);</li> <li>For judgment in favor of the Trustees of the Trust against any beneficiary who received the Trust property and proceeds, in an amount to be determined and as required to compensate for all of the detriment and damages cause to the Trust; and</li> <li>For treble damages pursuant to Probate Code § 859.</li> </ol>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 3/28/2016.</b> Minute Order states Mr. Thompson requests 90 days.</p> <p><b>Note:</b> Additional notes pages originally prepared with respect to this petition have been omitted.</p>
		<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 6/14/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 2D - Verni</b></p>

**2E In the Matter of the Verni Family Trust (Trust)**

**Case No. 10CEPR00639**

- Attorney Joseph Marchini; J. Jackson Waste; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)
- Attorney Kenneth Baldwin; Timothy Thompson; Nikole Cunningham; of McCormick Barstow (for Co-Trustee Nicola "Nick" Verni, son)
- Attorney L. Kim Aguirre, of Gromis & Aguirre (for Co-Trustee Antonietta "Rosa" Verni, daughter)
- Attorney John Phillips; of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)
- Attorney Jeffrey Bohn, sole practitioner (for Erlinda M. Verni, surviving spouse)

**Petition for Review of Accounts and Acts of Trustees [Prob. C. 16063(a)(5); 17200(b)(5)]**

Leonarda DOD: 7/31/2000	<b>CARMELA DeSANTIS</b> , daughter and Trust Beneficiary, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
Saverio DOD: 5/25/2009	<b>Summary of Petitioner's requests in the Prayer for Relief:</b>	<b>Continued from 3/28/2016.</b> Minute Order states Mr. Thompson requests 90 days.
Cont. from 120613, 012714, 032114, 053014, 080414, 091514, 031615, 062215, 081715, 113015, 032816	<ul style="list-style-type: none"> <li>That each of the Second, Third, and Fourth Accounts Current submitted to Petitioner by the Co-Trustees be disallowed;</li> <li>That the Co-Trustees, and each of them, be ordered to compensate the estate for any loss caused by their acts and omissions;</li> <li>That the Trustees be directed to prepare and file a true and full account of their acts and proceedings within such time as may be allowed by this Court; and</li> <li>That Petitioner be reimbursed attorney's fees and costs.</li> </ul>	<b>Note:</b> Petitioner requests the Court <b>review</b> and <b>disallow</b> the Second, Third and Fourth Accounts. Because the subject accounts are attachments by Petitioner and have not been duly filed with the Court by the Co-Trustees as the fiduciaries, the accounts have not been reviewed by the Court.
<input type="checkbox"/> Aff.Sub.Wit.	<b>Petitioner states the following in support of the requests for relief:</b>	
<input checked="" type="checkbox"/> Verified	<b>Accounts Provided by the Trustees</b>	
<input type="checkbox"/> Inventory	<ul style="list-style-type: none"> <li>On or about 8/26/2010, the Co-Trustees, Rosa and Nick Verni, filed a <i>First Account Current and Report of Trustees and Petition for its Settlement</i>;</li> <li>On 10/5/2010, Petitioner filed written objections to the <i>First Account Current</i> based on, among other things, the limited scope of the Account, the Trustees' failure to render separate accountings for each Sub-Trust, the failure to provide information pertaining to transactions involving the Trustees, as well as with respect to various farming operations being managed by the Trustees on behalf of the Trust;</li> <li>At Petitioner's request, the Trustees provided Petitioner with a <i>Second Account Current</i>, covering the period of 1/1/2010 through 12/31/2010.</li> </ul>	
<input type="checkbox"/> PTC	~Please see additional page~	
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order	X	
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		<b>Reviewed by:</b> LEG
		<b>Reviewed on:</b> 6/14/16
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 2E – Verni</b>

**Petitioner states, continued:**

- On 7/26/2012, Petitioner filed written *Objections to Second Account Current*, and attached a copy of the *Second Account Current (copy of the Objections to Second Account Current filed by Petitioner on 7/26/2012 attached as Exhibit B)*;
- The *Second Account Current* continued to be deficient in the same respects as noted with respect to the *First Account Current*, among others;
- In spite of Petitioner's repeated objections, the Trustees continue to fail to properly account to Petitioner and other beneficiaries, as required by the terms of the Trust and Probate Code § 16062 et seq., in the *Third Account Current*, covering the period of 1/1/2011 through 12/31/2011, mailed to Petitioner at her request on or about 11/19/2012, and the *Fourth Account Current* covering the period of 1/1/2012 through 12/31/2012, mailed to Petitioner at her request on or about 4/19/2013;
- The manner in which such Accounts are deficient is further described in Petitioner's *Objections to Third Account Current*, attached as *Exhibit C*, and Petitioner's *Objections to Fourth Account Current* attached as *Exhibit D*;
- Article 11, Section 4 of the Trust requires the Trustees to render an accounting upon written request of any beneficiary;
- To date, the Trustees have failed to provide adequate accounts in response to Petitioner's requests pursuant to this provision, thereby necessitating this request that the Court review the Second, Third and Fourth Accounts Current and the acts of the Trustees.

**Response to Petition for Review of Accounts and Acts of Trustees filed on 12/5/2013 by Trustees Nick Verni and Rosa Verni states:**

- Trustees admit that they filed the First Account Current and Report of Trustees and Petition for Settlement on 8/26/2010; Trustees further admit that Petitioner filed written objections to the First Account Current on 10/5/2010; however, Trustees deny that any deficiencies exist, legal or otherwise, in the First Account Current;
- Trustees admit that they submitted the Second Account Current to Petitioner; Trustees further admit that Petitioner filed written objections to the Second account current on 7/26/2012; however, Trustees deny that any deficiencies exist, legal or otherwise, in the Second Account Current;
- Trustees admit that they submitted the Third Account Current to Petitioner on or about 11/19/2012; Trustees further admit that they submitted the Fourth Account Current to Petitioner on or about 4/19/2013; however, Trustees deny that any deficiencies exist, legal or otherwise, in the Third Account Current and Fourth Account Current;
- The Trustees have filed a full account of their acts and proceedings during the period embraced thereby, and their Report and Account should be allowed and approved;
- Trustees expressly deny that any of the Second, Third and Fourth Accounts Current are deficient or otherwise fail to comply with the Trust or the requirements set forth in the Probate Code.

**Trustees pray for an Order of this Court finding that:**

1. The objections of Petitioner be dismissed;
2. All acts and transactions of the Trustees as reflected in the Account and Report be ratified and confirmed;
3. The Trustees be authorized and directed to continue the administration of the Sub-Trusts until such time as the remaining tasks discussed herein are accomplished, the remaining legal actions discussed herein are resolved, and a plan of final distribution can be presented to the beneficiaries of the trust for their consent;
4. Petitioner take nothing by way of her Petition; and
5. Attorney's fees and costs of suit are awarded to Respondents.

~Please see additional page~

Dept. 303, 9:00 a.m. Monday, June 20, 2016

**Objections to Third Account Current of the Family Trust filed by CARMELA DESANTIS filed on 11/5/2015 states:**

- The Third Account has not yet been filed with the Court in connection with this matter; accordingly, a true and correct copy of the Third Account Current of the Family Trust is attached at Exhibit A;
- The objections concern the Third Account related to the Family Sub-trust, one of the 3 sub-trusts of the Verni Family Trust: the Marital Sub-trust, Family Sub-trust, and Survivor's Sub-trust;
- As of the date of the death of the surviving Trustor (Saverio Verni), the Marital Sub-trust and Family Sub-trust were merged into a single Family Sub-trust (the "Family Sub-trust");
- Respondent Antonietta Rosa Verni was at relevant times the Trustee of the Family Sub-trust; letter dated 10/21/2015 informed counsel that Rosa Verni has since resigned as Trustee of that Trust;
- Nick Verni is Trustee of the Survivor's Sub-trust;
- Objections to Third Account: The Third Account is incomplete in that it covers only the period of 1/1/2011 through 12/31/2011; the
- *[Detailed objections contained in Paragraphs 3 through 15, with Paragraph 16 stating that until Petitioner receives all information, she reserves the right to make further objections to the Third Account.]*
- **Objections to Third Account Current of the Survivor's Trust filed by CARMELA DESANTIS filed on 11/5/2015 states** in substantial form the same general allegations as the *Objections to the Third Account of the Family Trust*; *[Detailed objections contained in Paragraphs 3 through 15, with Paragraph 16 stating that until Petitioner receives all information, she reserves the right to make further objections to the Third Account.]*

### 3 Randi Taylour Robinson-Cervantes (GUARD/PE) Case No. 10CEPR00724

Petitioner: Elena K. Pena (pro per, Guardian of the Person)

Attorney: Heather H. Kruthers (for Public Guardian, Guardian of the Estate)

#### Petition to Fix Residence Outside the State of California

		<b>ELENA PENA</b> , Guardian of the person, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>Petition does not indicate the duration of the out-of-state move (#5 of the petition). If the move is expected to be more than four months a guardianship of the person will need to be commenced in the place of the new residence. The guardianship of the estate will remain in Fresno.</li> <li>Need proof of service of the Notice of Hearing along with a copy of the petition on:             <ol style="list-style-type: none"> <li>Jose Cervantes (maternal grandfather)</li> <li>Randi Taylour Robinson-Cervantes (minor)</li> </ol> </li> </ol> <p><b>Note:</b> If the Petition is granted a status hearing will be set on <b>Wednesday, January, 18, 2017, at 9:00 a.m. in Dept. 303</b> for the filing of proof of establishment of a guardianship in Oregon.</p>
		<b>ELENA PENA</b> , sister, was appointed guardian of the person on 7/26/11.	
<b>Cont. from</b>		<b>PUBLIC GUARDIAN</b> was appointed guardian of the estate on 6/12/12.	
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>	W/	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 6/15/16</b>
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 3- Robinson-Cervantes</b>

**4 Lucas Duarte, Starr Duarte, Dominick Duarte & Nicholas Balero (GUARD/P)  
Case No. 11CEPR00774**

Petitioner Balero, Vanessa (Pro Per – Mother)

Petition for Termination of Guardianship

Nicholas Age: 15	VANESSA BALERO, mother, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note: Petition pertains to Nicholas Balero only.</b>  1. Need Notice of Hearing.  2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination of Guardianship or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> <li>• Nicholas Balero (Minor)</li> <li>• Rosie Perez (Guardian)</li> <li>• Rafael Yanez (Father)</li> <li>• Paternal Grandparents (Unknown)</li> <li>• Manuel Balero (Maternal Grandfather)</li> <li>• Julie Salinas (Maternal Grandmother)</li> </ul>
	<u>Please see petition for details</u>	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	x	
<input type="checkbox"/> Aff.Mail	x	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report	x	
<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		
		<b>Reviewed by:</b> LV
		<b>Reviewed on:</b> 06/15/2016
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 4- Duarte &amp; Balero</b>

**5 Destiny Castellanos, Gage Castellanos & Priya Castellano  
(GUARD/P) Case No. 11CEPR01096**

**Petitioner Castellanos, Jesse, JR (Pro Per – Father)  
Petition for Visitation**

		<b>JESSE CASTELLANOS</b> , father, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: Petition pertains to Destiny and Gage Castellanos only.</b> Petition for Guardianship of Priya Castellanos, (a third child not subject to this petition) filed by Manjit Singh, is scheduled for 07/25/2016.</p>
		<b>LUCIA DE LA ROSA</b> and <b>MOISES CASTELLANOS</b> , paternal great aunt and great uncle, were appointed co-guardians of DESTINY on 02/15/12. Served by mail on 05/09/2016	
<b>Cont. from</b>		<b>MANJIT SINGH</b> , maternal aunt, was appointed guardian of GAGE on 06/04/13. Served by mail on 05/09/2016	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Mother: <b>KAMALJIT SINGH</b> , service by mail on 05/09/2016	
<input checked="" type="checkbox"/>	<b>Verified</b>	<b>Petitioner requests</b> change in his visitation only until he gets himself a house, apartment, etc. Petitioner states he did not attend his last hearing on 04/21/2016 because he was at work. Petitioner states he talked to the guardians of his children and Moises said he would not allow the father to see the children and he was going to get a restraining order. Petitioner states all he wants is visitation and having full custody rights.	
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	w/	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>	x	
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> LV
			<b>Reviewed on:</b> 06/15/2016
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 5- Castellanos</b>

**Probate Status Hearing Re: Possible removal of Conservator**

	<b>CHRISTINE CLARK</b> , spouse, was appointed conservator on 8/13/14.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>Court Investigator Report</b> filed on 4/29/16	
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>	<b>Notice of Status Hearing</b> was mailed on 5/6/16.	
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> KT
		<b>Reviewed on:</b> 6/15/16
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 6- Clark</b>

**7            Rafaela Perez Sambrano (Estate)    Case No. 14CEPR00640**

**Attorney Kharazi, H. Ty (for Lorenzo Perez Sambrano –Petitioner – Administrator)**

**First and Final Account, Report of Administrator, and Petition for Final Distribution**

<b>DOD: 01/31/2010</b>	<b>LORENZO PEREZ SAMBRANO,</b> administrator, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from 041116</b>	<b>Status Conference Statement filed</b>	<b>Note: This petition was filed by</b>
<b>Aff.Sub.Wit.</b>	<b>06/13/2016</b> states the estate is	<b>Lorenzo Perez Sambrano in Pro Per.</b>
<b>Verified</b>	composed of a real property located	<b>As of 03/28/2016 Mr. Sambrano</b>
<b>Inventory</b>	at 2426 South Woodrow, Fresno Ca.	<b>retained Mr. Kharazi as counsel.</b>
<b>PTC</b>	and some jewelry items which are	
<b>Not.Cred.</b>	inconsequential value. The real	1. Need Amended Accounting.
<b>Notice of Hrg</b>	property has been listed for sale by a	Account does not comply with
<b>Aff.Mail</b>	reputable real estate agent James	Probate Code 1060. Examiner is
<b>Aff.Pub.</b>	Phillips with Guarantee Real Estate. At	unable to review the petition in
<b>Sp.Ntc.</b>	this time, the administrator is unable to	the format presented (petition
<b>Pers.Serv.</b>	complete the sale due to the tenants	was filed in pro per).
<b>Conf. Screen</b>	currently in possession of the property	
<b>Letters</b>	who refuse to move out. A 3-day	
<b>Duties/Supp</b>	notice to vacate for failure to pay rent	
<b>Objections</b>	has been served on all tenants and an	
<b>Video Receipt</b>	unlawful detainer action will follow.	
<b>CI Report</b>	Without the sale of the home, a full	
<b>9202</b>	accounting cannot be completed. To	
<b>Order</b>	this end, it is respectfully requested that	
<b>Aff. Posting</b>	the matter be continued for over sixty	
<b>Status Rpt</b>	(60) days to allow for the eviction of the	
<b>UCCJEA</b>	tenants and sale of the home or at least	
<b>Citation</b>	procurement of an offer.	
<b>FTB Notice</b>		
		<b>Reviewed by: LV</b>
		<b>Reviewed on: 06/16/2016</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 7- Sambrano</b>

**Probate Status Hearing RE: Receipt for Blocked Account**

<b>Age: 7/24/2014</b>	<b>BEN KOHRMAN</b> was appointed executor of the estate with full IAEA with bond of \$318,000.00 on 9/11/2014.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need receipt for blocked account.</li> <li>2. Need proof of service of status report on Marie Kohrman (minor), pursuant to Local Rule 7.5.</li> </ol>
	<i>Letters issued 9/26/2014.</i>	
<b>Cont. from</b>	An Order Settling First and Final Account and for Final Distribution was approved 4/18/2016, ordering \$3,846.00 plus 910.694362 shares of Chevron Corporation be distributed to Ben Kohrman as custodian for Marie Kohrman under the CUTMA, to be held in a blocked account with receipt to be filed by 6/20/2016.	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Notice of Hrg</b>		
<input type="checkbox"/> <b>Aff.Mail</b>	x	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>	<b>Minute order dated 4/18/2016</b> re: petition for final distribution set a status hearing for 6/20/2016 for receipt for blocked account.	
<input type="checkbox"/> <b>Pers.Serv.</b>	<i>An Order to Deposit Money into Blocked Account</i> was approved 4/20/2016.	
<input type="checkbox"/> <b>Conf. Screen</b>	<b>Status report filed 6/16/2016</b> states the executor distributed all of the residue to the beneficiaries and receipts on distribution are on file. Only the devise to Marie Kohrman, a minor, remains undistributed.	
<input type="checkbox"/> <b>Letters</b>	Executor has been unsuccessful in finding a broker who would open a blocked account. He contacted Computershare (the transfer agent for Chevron Corp) regarding opening a blocked account, Computershare indicated that it would open a custodial account, but not a blocked account. More time is needed to search for a broker who will open a blocked account.	
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input checked="" type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>	Alternatively, the executor proposes that instead of a blocked account, he could delay the distribution of the minor's devise until she turns 18 on 11/7/2017.	
	<b>See additional page.</b>	
		<b>Reviewed by:</b> SEF
		<b>Reviewed on:</b> 6/15/2016
		<b>Updates:</b> 6/16/2016
		<b>Recommendation:</b>
		<b>File 8- Riba</b>

**Status report filed 6/16/2016, continued:**

Petitioner does not believe it is in the best interest of the minor to now sell the Chevron Corp stock, as Chevron Corp has consistently paid dividends which are at a higher rate than what the sale proceeds would receive in interest in a blocked account.

By delaying distribution of the stock and cash and lowering the bond amount, the executor believes that the decedent's wishes will be respected and even though there will be a bond premium to pay, this solution will be in the best interests of the minor.

A bond has been filed for \$391,000. The executor believes the bond amount should be reduced to \$115,000, based on the following:

Chevron Corp stock (920 shares x 100.63/share as of 6/16/2016)	<b>\$ 92,580.00</b>
Cash	<b>3,846.00</b>
Probable annual income	<b><u>3,938.00</u></b>
Total	<b>100,364.00</b>
X10%	<b>10,036.00</b>
 Total stock, cash and probable annual income	 <b>100,364.00</b>
Plus 10%	<b>10,036.00</b>
<b>Required bond amount</b>	<b>\$ 110,400.00</b>

**Petitioner requests** that either (1) the status hearing be continued for three months to allow the executor to search longer for a broker to open a blocked account, or (2) allow the distribution from this estate to the minor be delayed until 11/7/2017 when the minor turns age 18, and (3) reduce the bond amount to \$115,000.00.

**Petition for Visitation (as to JASEAN BESS only)**

		<p><b>COURTNEY BESS</b>, maternal aunt/guardian, is petitioner and requests to revoke prior visitation orders.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>	
		<p><b>Declaration of Jezell Bess (mother) filed 6/8/2016.</b></p>	<p><b>Petition is as to <u>JASEAN</u> only.</b></p>	
<p><b>Cont. from 050916</b></p>		<p><i>See petition for details.</i></p>	<p><b>Minute order dated 5/9/2016 continued matter to 6/20/2016 and states</b> Jezell Bess is served a copy of the petition by Deputy in open court. Any written response is to be filed and served at least 15 days prior to 6/20/2016. The Court orders visitation for Jezell Bess [on 5/9/2016].</p> <p>1. Need proof of service of declaration of Jezell Bess re: visitation filed 6/8/2016 on:</p> <p>a. Courtney Bess (guardian), with 15 days notice, per minute order dated 5/9/2016.</p>	
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			
<input type="checkbox"/>	Aff.Mail			<input checked="" type="checkbox"/>
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order			<input checked="" type="checkbox"/>
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			<p><b>Reviewed by:</b> SEF</p>	
			<p><b>Reviewed on:</b> 6/14/2016</p>	
			<p><b>Updates:</b></p>	
			<p><b>Recommendation:</b></p>	
			<p><b>File 9- Bess &amp; Sumlin</b></p>	

Petitioner Cumbry, Adrian (Pro Per – Father)

Petition for Termination of Guardianship

Age: 4	ADRIAN CUMBRY, father, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	<u>Please see petition for details</u>	
Cont. from 051616		Minute Order of 05/16/2016: Examiner notes provided in open court. The Court grants one continuance for Adrian Cumbry, father, to provide the correct contact information to the Court Investigator. If the investigator remains unable to make contact with Mr. Crumbry, the Court will move forward on 06/20/2016. Richard Myles, guardian, provides the address for the mother to Mr. Cumbry in open court.
Aff.Sub.Wit.		
✓ Verified		The following issued remain:
Inventory		
PTC		1. Need Notice of Hearing.
Not.Cred.		
Notice of Hrg	x	2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination for Guardianship for:
Aff.Mail	x	
Aff.Pub.		<ul style="list-style-type: none"> <li>Richard Berry Myles, Sr. (Guardian)</li> <li>Lela Nicole Myles (Mother)</li> <li>Mr. Crumbry (Paternal Grandfather)</li> </ul>
Sp.Ntc.		
Pers.Serv.		<u>Please see additional page</u>
Conf. Screen		
Letters		Reviewed by: LV
Duties/Supp		
Objections		Reviewed on: 06/15/2016
Video Receipt		
✓ CI Report		Updates:
9202		
✓ Order		Recommendation:
Aff. Posting		
Status Rpt		File 10- Cumbry
UCCJEA		
Citation		
FTB Notice		

Probate Status Hearing RE: First or Final Account

<b>DOD: 10/01/2014</b>	<p><b>PUBLIC ADMINISTRATOR</b> was appointed administrator of the estate on 4/13/2015.</p> <p>Letters issued on 9/18/2015.</p> <p>I&amp;A filed 5/13/2015 shows the estate valued at <b>\$45,000.00</b> (real property).</p> <p><b>Minute order dated 4/13/2015</b> set this status hearing for filing the first or final account.</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<p><b>3.</b> Need first or final account 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>
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> SEF
		<b>Reviewed on:</b> 6/15/2016
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 11- Pizzio</b>

**First and Final Report of Administrator; and Petition for Final Distribution Without and Accounting**

<b>DOD: 1/4/2015</b>		<p><b>CATHLEEN TAFOLLA</b>, daughter and sole heir, was appointed administrator with full IAEA with bond of <b>\$230,000.00</b>.</p> <p>Accounting is waived</p> <p>I&amp;A - <b>\$178,246.50</b>                  POH - <b>\$156,626.50</b>                  (\$126.50 is cash)</p> <p>Administrator - waived                  Attorney - waived</p> <p><b>Distribution, pursuant to intestate succession, is to:</b></p> <p><b>Cathleen Tafolla</b> - \$126.50 cash, 1988 Mastercraft boat, 1978 Cadillac Seville sedan and real property known as 1216 Bethel Avenue, Sanger, CA</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>The <i>Allowance or Rejection of Creditor's Claim</i> filed 6/26/2015 by the Cathleen Tafolla (personal representative) for decedent's funeral expenses totaling \$1,162.00, was not approved by the Court, as required pursuant to Probate Code 9252(a).</li> <li>The inventory and appraisal does not list the APN number of the real property, as required pursuant to Local Rule 7.11.2. However, an APN number for the real property being distributed is listed in the petition and order for final distribution.</li> <li>The proposed order for distribution does not list the specific amount of cash on hand to be distributed, pursuant to Local Rule 7.6.1A.</li> </ol>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input checked="" type="checkbox"/>	<b>PTC</b>		
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
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<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<b>Letters 4/23/2015</b>			
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> SEF</p> <p><b>Reviewed on:</b> 6/15/2016</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 12- Tafolla</b></p>	

**Status RE: Termination of proceeding for deceased Conservatee**

<b>DOD: 9/21/15</b>	<b>KISMET BURROUGHS</b> , Son, filed a petition for appointment as as conservator of the person and estate on 3/17/15.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p style="text-align: center;"><b><u>OFF CALENDAR</u></b></p> <p>First/Final Account filed 6/17/16 is set for 8/1/16.</p>
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<p>The <b>FRESNO COUNTY PUBLIC GUARDIAN</b> was appointed Temporary Conservator of the Person only on 6/22/15, and was appointed Temporary Conservator of the Estate also on 9/17/16.</p> <p>The Conservatee died on 9/21/16.</p> <p>Pursuant to Minute Order 10/1/16, the Court ordered the Public Guardian to hold on to the small amount of funds in their possession and file a petition with regard to said funds.</p> <p>On 1/19/16, the Court set this status hearing and sent notice to all interested parties.</p>
		<p><b>Reviewed by:</b> skc</p>
		<p><b>Reviewed on:</b> 6/15/16</p>
		<p><b>Updates:</b> 6/17/16</p>
		<p><b>Recommendation:</b></p>
		<p><b>File 13- Adams</b></p>

<b>DOD: 12/7/14</b>		<p><b>HENRY MICHAEL PADILLA, JR.</b>, Son, is Petitioner and requests appointment as Administrator with Full IAEA without bond.</p> <p>All heirs waive bond (?? - See note)</p> <p>Full IAEA – ok</p> <p>Decedent died intestate</p> <p>Residence: Fresno Publication: Business Journal</p> <p>Estimated value of estate: Personal property: \$1,000.00 Real property: \$155,000.00 Total: \$156,000.00</p> <p>Probate Referee: Rick Smith</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Continued from 5/4/15, 7/20/15, 8/31/15, 9/28/15, 1/4/16</u></p> <p><u>Note: This is the eighth (8<sup>th</sup>) hearing on this petition. The following issue remains:</u></p> <p style="text-align: center;"><u>SEE PAGE 2</u></p>	
Cont. from 050415, 072015, 083115, 092815, 010416, 022216, 050916				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			x
<input type="checkbox"/>	Aff.Mail			x
<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><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 6/15/16</p> <p><b>Updates:</b> 6/16/16</p> <p><b>Recommendation:</b></p> <p><b>File 14 - Padilla</b></p>				

**Page 2 - NEEDS/PROBLEMS/COMMENTS (Updated 5/4/16):**

**Note:** Declaration of Michelle Nino filed 8/17/15 states she is one of two children of the decedent and waives NOTICE and also waives ANY INTEREST in the estate (*emphasis in original*). This declaration appears to be an irrevocable disclaimer of interest as discussed in Probate Code §§ 265, 275 et seq.

Pursuant to Probate Code §282, a disclaimer, when effective, is irrevocable and binding, and the disclaimed interest shall descend to the issue of the disclaimant as if the disclaimant had predeceased the decedent.

Petitioner has now provided the names, ages, and addresses of Ms. Nino's two children in his Declaration filed 5/4/16.

Because Ms. Nino has disclaimed her interest in the estate, her two children (both adults) are now heirs.

**Therefore:**

1. **Notice of Petition to Administer Estate was served on Tim Nino and Jacqueline Nino by mail on 6/13/16, which is only one week prior to this hearing. Need further continuance for proper notice pursuant to Probate Code §8110.**
2. **Need waivers of bond from Tim Nino and Jacquelyn Nino, or bond of \$156,000.00.**

**Note:** If granted, the Court will set status hearings as follows:

- **Monday, August 15, 2016 for filing of bond, if required**
- **Monday, November 14, 2016 for filing the Inventory and Appraisal**
- **Monday, August 21, 2017 for filing the first account or petition for final distribution.**

**If the proper items are filed prior to the status hearing dates pursuant to Local Rule 7.5, the status hearings may come off calendar.**

Petitioner: Terrance Bryant (pro per)

Guardian: Dayna Lynnette Wood (pro per)

Petition for Termination of Guardianship

	TERRANCE BRYANT, father, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 5/9/16. Minute order states</b> examiner notes handed in open court. <b>As of 6/14/16 the following issues remain:</b></p> <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of service of the Notice of Hearing on:             <ol style="list-style-type: none"> <li>a. Dayna Wood (guardian)</li> <li>b. Sabrina Frith (mother)</li> <li>c. Terrance Bryant (paternal grandfather) Shantel Standifer (paternal grandmother)</li> <li>d. Kenneth Frith (maternal grandfather)</li> <li>e. Tracy Jones (maternal grandmother)</li> </ol> </li> </ol>
	DAYNNA WOOD, non-relative, was appointed guardian on 1/26/16.	
	Please see petition for details.	
	<b>Court Investigator Report filed on 4/25/16.</b>	
	<b>Declaration of Dayna Wood Filed on 6/16/16.</b>	
Cont. from 050916		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	X	
<input type="checkbox"/> Aff.Mail	X	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 6/14/16
		Updates:
		Recommendation:
		File 15- Bryant





DOD: 05/15/2015	RONALD H. MARKARIAN, surviving spouse is petitioner and requests appointment as Administrator with bond.		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Petition does not indicate the amount of bond to be ordered. Competing petition of Pamela Milam lists personal property in the amount of \$129,300.00 and real property in the amount of \$160,000.00, however this petition lists personal property only. <b>If real property does exist then bond should be set at \$289,300.00. If only personal property exists, then bond should be set at \$129,300.00.</b></p> <p>2. Need proof of service of the Notice to Administer Estate pursuant to Probate Code §8110 on:</p> <ul style="list-style-type: none"> <li>• Scott Laird</li> </ul> <p><b>Note: If the petition is granted status hearings will be set as follows:</b></p> <ul style="list-style-type: none"> <li>• Monday, 07/18/2016 at 9:00a.m. in Dept. 303 for the filing of the Bond if required <b>and</b></li> <li>• Monday, 11/28/2016 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <b>and</b></li> <li>• Monday, 08/21/2017 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.</li> </ul> <p>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.</p>
	Full IAEA – o.k.		
Cont. from	Decedent died intestate		
Aff.Sub.Wit.	Residence: Fresno		
✓ Verified	Publication: The Business Journal		
Inventory	<b>Estimated Value of the Estate:</b>		
PTC	Personal property- \$129,300.00		
Not.Cred.	Probate Referee: Steven Diebert		
✓ 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: LV			
Reviewed on: 06/14/2016			
Updates:			
Recommendation:			
File 17B- Markarian			

Petition Contest and Grounds of Objection to Probate of Purported Will

<b>DOD: 05/15/2015</b>	<p><b>RONALD H. MARKARIAN</b>, surviving spouse, is petitioner.</p> <p><b>Petitioner states:</b> on 07/09/2015, Pamela Milam filed in this court a document dated 02/20/2008, purporting to be the last Will ("Purported Will") of the Decedent, together with a petition requesting that the document be admitted to probate as the Decedent's last Will and that letters testamentary be issued to her.</p> <p>Contestant is a person interested in Decedent's estate and is entitled to contest admission of Decedent's Purported Will to probate in that Contestant is the Decedent's surviving spouse. Contestant and Decedent were married on 07/03/1953, and were married to each other at the time of Decedent's death. Respondent is one their children.</p> <p>Probate of the Proposed Will should be denied on the following grounds:</p> <ol style="list-style-type: none"> <li>a. At the time of the alleged execution of the Purported Will, Decedent was not of sound and disposing mind.</li> <li>b. Contestant is informed and believes and on such information and belief alleges that Decedent's Purported Will is not and never was Decedent's Will and was made at the time of its alleged execution as a result of the undue influence of Respondent in that:             <ol style="list-style-type: none"> <li>i. Respondent lived in Fresno near Decedent for several years before Decedent's death and occupied a position of trust and confidence with Decedent. During this time, Decedent's health progressively worsened and Decedent put her trust and confidence in Respondent. During this time, Respondent discussed Decedent's estate planning with Decedent and admonished Decedent not to discuss her estate plan with Contestant.</li> </ol> </li> </ol> <p style="text-align: center;"><u>Please see additional page</u></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need Proof of Service of Summons.</li> <li>2. Need proof of service of the Summons pursuant to Probate Code §8110 on:             <ul style="list-style-type: none"> <li>• Scott Laird</li> <li>• Pamela Milam</li> <li>• Ronald M. Markarian</li> <li>• Sandra Markarian</li> </ul> </li> <li>3. Need Order. Local Rule 7.1 states a proposed Order shall be submitted with all pleadings that request relief. If the proposed order is not received in the Probate Filing Clerk's Office ten (10) days before the scheduled hearing, a continuance may be required.</li> </ol>
<b>Cont. from</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Proof of Srv. Of Summons</b>	x	
<input type="checkbox"/> <b>Aff.Mail</b>	x	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input checked="" type="checkbox"/> <b>Summons</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by: LV</b>
		<b>Reviewed on: 06/15/2016</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 17C- Markarian</b>

- ii. During the same period of time, by reason of the relationship of Decedent with Respondent, Respondent was able to exert control and influence over the mind and actions of Decedent to such a point that Decedent was no longer capable of exercising her own conviction or desire with regard to her actions or thoughts, but instead because of the pressure brought on her by Respondent, both by argument and entreaty, Decedent's convictions or desires became the convictions or desires imposed on her by Respondent.
  - iii. During this time, while Decedent was under Respondent's undue influence, Respondent suggested the contents of the document submitted for probate to this court by Respondent, arranged for execution of the document, and cause Decedent to execute the document. At the time the document was executed, Decedent was wholly under the influence of Respondent and the document does not represent the free and voluntary act of Decedent.
  - iv. During this time, while Decedent was under Respondent's undue influence, Respondent selected an attorney to prepare Decedent's purported Will, contacted the attorney and made an appointment for Respondent and Decedent to meet with the attorney, took Decedent to the meeting with the attorney, participated in the meeting with the attorney and Respondent, and was present when the Purported Will was executed by Decedent.
- c. Contestant is informed and believes and on such information and belief alleges that the document was not executed by Decedent and attested in the manner and form required by law for the execution of the Will.

Wherefore, Contestant requests that the Purported Will be denied probate, for costs of suit, and all other proper relief.

Petitioner: Tina Sharp (pro per)

Petitioner: Johnny Sharp (pro per)

**Petition to Establish Fact of Marriage**

		<p><b>JOHNNY SHARP</b> and <b>TINA SHARP</b> are petitioners.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 5/2/16. Minute order states</b> the Court explains that this process will not work for the petitioners, as no marriage license was ever issued. The Court is willing to keep the matter open while the parties decided whether or not to seek legal counsel.</p> <ol style="list-style-type: none"> <li>Petitioners did not obtain a marriage license. A marriage license is required for a valid marriage in California. Family Code §300 et seq. Pursuant to Health &amp; Safety Code §103450, the purpose of obtaining an order establishing fact of marriage is to obtain a certificate to replace one which was never registered or to obtain a certified copy of the registration when the original records were lost or destroyed. Thus, the procedure is designed to cure a failure to register the marriage, not the failure to obtain a license.</li> <li>Petition lists Tina under the name of Tina Sharp. Order lists her as Tina Marie Smith. The petition should include Tina under her maiden name at #2.</li> </ol>
		<p><b>Petitioners request</b> the court establish the fact, date, and place of their marriage.</p>	
<p>Cont. from 032816, 050216</p>		<p>Petition states Johnny Sharp and Tina Sharp were married on August 30, 1980 in Ontario, San Bernardino County, California.</p>	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	N/A	
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order	<p>There is no official record of the marriage.</p> <p>A certified copy of the original record cannot be obtained because the paperwork for the marriage license did not get filed.</p> <p><b>Declaration of Tina Sharp filed on 4/19/16</b> states she was 17 years old and her mother and her did not know how to get a license and she doesn't think her mother was aware that she had to get a license. She includes pictures of the wedding as proof she did get married. The declaration also includes a statement from Esther Randle stating she was at the wedding and another from Tina's sister Tina and Johnny got married at the suggestion of their mother because Tina was pregnant. They have been happily married ever since.</p> <p><b>Petitioners request the court make an order</b> determining that the marriage of Johnny Sharp and Tina Sharp did in fact occur on August 30, 1980 in Ontario, San Bernardino County, California.</p>	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 6/14/16</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 18- Sharp</b></p>

Petitioner: Jessie Bradley-Brownlee-Barnett (pro per)

Petition for Appointment of Guardian of the Person

		<p>No temporary was requested.</p> <p><b>JESSIE BRADLEY-BROWNLEE-BARNETT</b>, maternal aunt, is petitioner.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
		<p>Please see petition for details.</p>	
Cont. from		<p>Court Investigator Report filed on 6/13/16</p>	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	N/A	
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input checked="" 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 checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 6/15/16
			Updates:
			Recommendation:
			File 19- Arafi

Petitioner Danielle Cecilia Zarate Juarez (Pro Per, paternal grandmother)  
 Petitioner Henry Juarez, Jr. (Pro Per, paternal grandfather)  
 Attorney Marcus A. Torigian (for Objectors Amy Mendez, maternal grandmother, and Peggy Mendez-Martinez, maternal great-grandmother)

Petition for Appointment of Guardian of the Person

		<b>TEMPORARY DENIED</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>DANIELLE JUAREZ and HENRY JUAREZ, JR.,</b> paternal grandparents, are Petitioners.	
<b>Cont. from</b>		<b>~Please see Petition for details~</b>	<p><b>Note Re Competing Petition:</b> General Hearing on the competing <i>Petition for Appointment of Guardian</i> of the subject ward (Alyssa) and her sibling (Jasmine) filed by <b>AMY MENDEZ</b> and <b>PEGGY MENDEZ-MARTINEZ</b> was rescheduled by the Court per <i>Minute Order</i> of 5/11/2016 to <b>6/27/2016</b>. <i>Letters of Temporary Guardianship</i> issued to <b>AMY MENDEZ</b> and <b>PEGGY MENDEZ-MARTINEZ</b> expire on <b>6/27/2016</b>.</p> <p><b>Note Re Visitation:</b> <i>Minute Order</i> dated 5/2/2016 from the hearing on the Temporary Petition filed by <b>DANIELLE JUAREZ</b> and <b>HENRY JUAREZ, JR.</b> states, in pertinent part: The Court orders that the minor have no contact with <b>FRANK HENRY JUAREZ</b>, father, until he appears before the Court. The Court orders visitation for Danielle and Henry Juarez <b>every other Saturday from 11am to 1pm starting on 5/7/2016</b>. Parties may mutually agree to a different 2 hour block of time, but not increase or decrease the time. Each receiving party shall pick the minor up.</p> <p style="text-align: center;"><b>~Please see additional page~</b></p>
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
	<b>Notice of Hrg</b>	X	
	<b>Aff.Mail</b>	X	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>	X	
✓	<b>Conf. Screen</b>		
✓	<b>Letters</b>		
✓	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>	X	
	<b>Clearances</b>	X	
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
✓	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
			<b>Reviewed by:</b> LEG
			<b>Reviewed on:</b> 6/15/16
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 20- Mendez</b>

**NEEDS/PROBLEMS/COMMENTS, continued:**

1. Need *Notice of Hearing*.
2. Need proof of personal service of the *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence*, for:
  - Frank Henry Juarez, father.
3. Need proof of service by mail of the *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence*, for: [1511(b)(1)]
  - Hector Gomez, maternal grandfather;
  - Amy Mendez, maternal grandmother;
  - Danielle Heminez, sibling, if age 12 or over;
  - Aubrey Orosco, sibling, if age 12 or over.

***Objection of Amy Mendez and Peggy Mendez-Martinez to the Petition for Guardianship filed 5/2/2016.***

Attorney Steven R. Williams, of Visalia (for Petitioner Eddie Sample)

Petition for Letters of Administration

<b>DOD: 11/26/2015</b>	<b>EDDIE SAMPLE</b> , son, is Petitioner and requests appointment as Administrator with bond set at <b>\$5,000.00</b> .	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. <u>Item 2(c) of Petition is incomplete re: level of IAEA authority requested. Proof of Publication filed 6/6/2016 demonstrates a request for full IAEA authority was included in the newspaper publication, if Petitioner seeks full IAEA authority.</u></p> <p>2. Based upon the estimated value of the estate indicated in the <i>Petition</i> of <b>\$136,241.60</b>, bond is required in that sum pursuant to Probate Code § 8480 et seq., unless Court finds good cause to allow bond of <b>\$5,000.00</b> as requested, or unless Petitioner is appointed with <u>limited</u> rather than full IAEA authority.</p> <p><b>~Please see additional page~</b></p>	
<b>Cont. from</b>	Full IAEA — OK		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/> <b>Verified</b>	Decedent died intestate.		
<input type="checkbox"/> <b>Inventory</b>			
<input type="checkbox"/> <b>PTC</b>			
<input type="checkbox"/> <b>Not.Cred.</b>	Residence — Selma Publication — Selma Enterprise		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>			
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	W/		
<input checked="" type="checkbox"/> <b>Aff.Pub.</b>			
<input type="checkbox"/> <b>Sp.Ntc.</b>			
<input type="checkbox"/> <b>Pers.Serv.</b>			
<input type="checkbox"/> <b>Conf. Screen</b>			
<input type="checkbox"/> <b>Letters</b>	X		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>	Probate Referee: <b>Steven Diebert</b>		
<input type="checkbox"/> <b>Objections</b>			
<input type="checkbox"/> <b>Video Receipt</b>			
<input type="checkbox"/> <b>CI Report</b>			
<input type="checkbox"/> <b>9202</b>			
<input type="checkbox"/> <b>Order</b>	X		
<input type="checkbox"/> <b>Aff. Posting</b>			
<input type="checkbox"/> <b>Status Rpt</b>			
<input type="checkbox"/> <b>UCCJEA</b>			
<input type="checkbox"/> <b>Citation</b>			
<input type="checkbox"/> <b>FTB Notice</b>			
			<b>Reviewed by:</b> LEG
			<b>Reviewed on:</b> 6/15/16
			<b>Updates:</b>
		<b>Recommendation:</b>	
		<b>File 21- Sample</b>	

**NEEDS/PROBLEMS/COMMENTS, continued:**

3. Item 5(a)(2)(b) of the *Petition* states Decedent's spouse is deceased, and includes the name and date of death at Item 5. However, Item 8 of the *Petition* does not but should include the name and date of death of the deceased spouse. In addition, Item 8 of the *Petition* lists deceased son, DEMI SAMPLE, SR., and deceased daughter, BRENDA SAMPLE, but does not include their dates of death as required by Local Rule 7.1.1(D).
4. Need proposed order pursuant to Local Rule 7.1.1(F) which provides a proposed order shall be submitted with all pleadings that request relief.
5. Need proposed letters signed by Petitioner.

Note: If the *Petition* is granted, Court will set status hearings as follows:

- Wednesday, July 20, 2016 at 9:00 a.m. in Dept. 303 for filing proof of bond;
- Wednesday, November 30, 2016 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and
- Wednesday, August 23, 2017 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution.

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

**Petition for Letters of Administration; Limited Authority under IAEA**

<b>DOD: 12/14/12</b>	<b>JODI SWAIN GALLAGHER</b> , Daughter, is Petitioner and requests appointment as Administrator with Limited IAEA without bond, all funds to be placed into a blocked account.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <p style="text-align: center;"><u><b>SEE PAGE 2</b></u></p>
	<b>Petitioner is a resident of Las Vegas, NV.</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Limited IAEA – ok	
<input checked="" type="checkbox"/> <b>Verified</b>	Decedent died intestate	
<input type="checkbox"/> <b>Inventory</b>	Residence: Clovis	
<input type="checkbox"/> <b>PTC</b>	Publication: Business Journal	
<input type="checkbox"/> <b>Not.Cred.</b>	<b>Estimated value of estate:</b>	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	Real property: \$300,000.00 (Whittier Trust has indicated the estate's interest in the trust could be as little as \$150,000 or as high as \$600,000)	
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	Probate Referee: Rick Smith	
<input checked="" type="checkbox"/> <b>Aff.Pub.</b>	<b>Petitioner states</b> the sole purpose of opening this estate is to receive a distribution from the Clairice Benezra Trust. The trust has been being administered since before the decedent's death. There was litigation within the trust and other issues that have delayed the receipt and distribution of its assets. Currently, the Estate of Clairice Benezra, Nevada Case No. P061254 is open and awaiting assets which will pour into the trust. The trust is working to sell its remaining assets and deal with a 706 issue.	
<input type="checkbox"/> <b>Sp.Ntc.</b>	Hence, the Helen Swain Estate is being opened to receive asset from a trust, which is waiting to receive asset from an estate via pour-over will.	
<input type="checkbox"/> <b>Pers.Serv.</b>	Many things will need to occur before assets are distributed to this estate. However, the institutional trustee appears to be currently charging the trust \$50,000/year to administer the \$300,000 it is holding in reserve pending the assets pouring into it. When Petitioner objected, the trustee responded that a personal representative needed to be appointed.	
<input type="checkbox"/> <b>Conf. Screen</b>	Since there are no assets to pay a bond premium from, combined with the fact that the assets realistically may not be received for years, Petitioner requests the Court order that any and all assets received be deposited into a blocked account in lieu of requiring a bond at this time.	
<input type="checkbox"/> <b>Letters</b>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> skc <b>Reviewed on:</b> 6/15/16 <b>Updates:</b> <b>Recommendation:</b> <b>File 22- Swain</b>

Page 2

1. Need date of death of deceased spouse per Local Rule 7.1.1.D.
2. Need clarification re the nature of the anticipated estate assets. Petitioner indicates at #3c that the estate is expected to contain real property valued at \$300,000\*, with the \* referring to Attachment 3c. There is no Attachment 3c; however, Attachment 2d provides the information summarized above, and estimates the estate's "interest in the trust" at between \$150,000 and \$600,000. Is the estate expected to contain real property or cash or other assets?
3. The Court may require waivers of bond from the two other heirs, Judy Swain and James Swain, or bond in an appropriate amount subject to #2 above.
4. The Court may require clarification regarding the status of the referenced pending cases in Nevada and the estimated time frame for closing this estate with reference to Probate Code §12200.

Note: If granted, the Court will set status hearings as follows:

- Monday, August 1, 2016 for filing of bond, if required, or receipt for blocked account.
- Monday, November 14, 2016 for filing of Inventory and Appraisal
- Monday, August 21, 2016 for filing first or final account

Petitioner Debra Martin (Pro Per, daughter)  
 Attorney J. Stanley Teixeira (Court-appointed for proposed Conservatee)

**Petition for Appointment of Probate Conservator**

		<b>NO TEMPORARY REQUESTED</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		DEBRA MARTIN, daughter, is Petitioner.	
		<i>~Please see Petition for details~</i>	<p><b>1.</b> Item 1(k) of the <i>Petition</i> requests orders relating to dementia placement or treatment. Since dementia powers are requested, need the mandatory <i>Attachment Requesting Special Orders Regarding Dementia</i> (Judicial Council form GC-313.)</p> <p>–Declaration of Debra Martin in Support of Petition filed 6/17/2016 includes <i>Attachment Requesting Special Orders Regarding Dementia</i>.</p>
Cont. from		Court Investigator's Report was filed on 6/13/2016.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input 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 checked="" type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input checked="" type="checkbox"/>	Video Receipt		
<input checked="" 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 checked="" type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			<b>Reviewed by:</b> LEG
			<b>Reviewed on:</b> 6/15/16
			<b>Updates:</b> 6/17/16
			<b>Recommendation:</b>
			<b>File 23- Martin</b>

**Petition to Determine Succession to Real Property**

<b>DOD: 3/27/16</b>	<b>DOLORES CAMPBELL</b> , sister, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	40 days since DOD	
	No other proceedings	
<b>Cont. from</b>	Will dated 5/21/1993 devises entire estate to Dolores Campbell.	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	I & A - \$125,000.00	
<input checked="" type="checkbox"/> <b>Verified</b>	<b>Petitioner requests</b> Court confirmation that Decedent's 100% interest in real property pass to her pursuant to decedent's Will.	
<input checked="" type="checkbox"/> <b>Inventory</b>		
<input checked="" type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	W/O	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> KT
		<b>Reviewed on:</b> 6/15/16
		<b>Updates:</b>
		<b>Recommendation:</b> SUBMITTED
		<b>File 24- Keller</b>

Petition for Appointment of Temporary Guardian of the Person

		<u>GENERAL HEARING 8/8/2016</u>	NEEDS/PROBLEMS/COMMENTS:	
		<p>ELEANOR MORA MEJIA, maternal grandmother, is petitioner.</p> <p><i>See petition for details.</i></p>		
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 type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input checked="" type="checkbox"/>	Pers.Serv.			w/
<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	Reviewed by: SEF		
<input type="checkbox"/>	Status Rpt	Reviewed on: 6/15/2016		
<input checked="" type="checkbox"/>	UCCJEA	Updates:		
<input type="checkbox"/>	Citation	Recommendation:		
<input type="checkbox"/>	FTB Notice	File 25- Lopez		

