1 Rhonda Jane Cloud (CONS/PE) Case No. 0458379

Atty Perkins, Jan T. (for Conservator Stephen Ronald Cloud)
Atty Sanoian, Joanne (for Stephen Cloud, Jr., Beneficiary)

(1) Verified Sixth and Final Account and (2) Report of Conservator of the Person and Estate of Conservatee and (3) Petition for Discharge of Conservator on Final Account (Prob. C. 2620)

DOD: 4-19-04

Cont. from 030811, 050311, 053111, 071211, 091311, 110811, 030811

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

STEPHEN RONALD CLOUD, brother and Conservator of the Person and Estate, is Petitioner. Mr. Cloud was originally appointed on 5-14-92 as a Co-Conservator with his father. After his father's death, he continued as sole Successor Conservator.

The Fifth Account was settled 12-18-02.

Amended Sixth Account period:
6-30-02 through 6-29-11

Accounting: $7,061,538.36
Beginning POH: $2,578,039.04
Ending POH: $6,723,119.54
($1,961,471.54 is cash)
(6,723,119.54 less $1,497,115.20 in liabilities = $5,226,004.34)

Conservator: Waives fee

Petitioner prays for an order:
1. Approving, allowing, and settling the Sixth and Final Account;
2. Authorizing distribution to the estate of the remaining property in Conservator's possession; and
3. Discharge on the filing of proper receipts

SEE PAGE 2 (re additional declarations)

NEEDS/PROBLEMS/COMMENTS:
Note: Page 3 of this calendar is the related estate file (status for closure). The estate is dependent on this conservatorship account and distribution to the personal representative.

Background: The court previously requested clarification regarding certain unauthorized distributions and liabilities described in the accounting.

The conservator had distributed funds as CDs came due directly to certain trusts that are beneficiaries of the decedent's estate. Attorney Perkins' declaration filed 5-25-11 suggested that the appropriate resolution would be reversal of the distribution with interest, and that surcharge is not necessary. *Attorney Perkins' declaration filed 6-30-11 reflects that the unauthorized distributions have been repaid to the conservatorship estate with interest.*

Conservator's declaration filed 5-2-11 explains the liabilities: In order to pay estate taxes owed by the decedent's estate, the conservatorship estate borrowed $516,849.00 from a separate trust (the Jasmine Cloud Administrative Trust). Therefore, there is a note payable to the Jasmine Cloud Administrative Trust. Conservator also states that he advanced $980,406.20 to the conservatorship estate from his personal funds to fund the expenses of the conservatorship estate while the conservatee was alive, and for expenses associated with her death. *Examiner notes that there is no documentation provided as to these notes or expenses paid.*

The description of the note to the conservator in the original account Schedule G states that the note "included $35,878 for funeral expenses, $205,000.00 for administration expense, $39,727 for appraisals, and $5,431 for taxes." *However, no documentation (itemization or receipts) is provided.*

SEE PAGE 2, 3

Updates:

Contacts: Reviewed 6-14-12

Recommendation:

Reviewed by: skc

File 1 - Cloud

1 Rhonda Jane Cloud - (CONS/PE) Case No. 0458379

Declarations filed 5-2-11, 5-25-11, 6-30-11 address prior examiner notes:

- Regarding distribution to trusts: Petitioner states the sole beneficiaries of the probate estate are two testamentary trusts for the benefit of Ryan John Cloud and Stephen Ronald Cloud, Jr. After Conservatee died, CDs belonging to the conservatorship estate began coming due, and the Conservator transferred the cash to the trusts. *Attorney Perkins' declaration filed 6-30-11 reflects that the unauthorized distributions have been repaid to the conservatorship estate with interest.*

- Regarding liabilities: Petitioner states that money was loaned to the Conservatee's estate in order to fund the expenses of the estate while Conservatee was alive and pay those expenses associated with her death. Petitioner states it was his practice to fund all cash needs of the conservatorship estate with his own money. *Liabilities include a note payable to a separate trust for $516,849.00 for estate taxes and a note to Petitioner for $980,406.20*.

- Regarding Probate Code §2620(c): Petitioner states that because so much time has passed since closing of the accounts that records are not available.

- Attorney Perkins recommended reversal of the unauthorized distributions without surcharge, and provided revised schedules reflecting the reversal with interest.

Attorney Joanne Sanoian appeared at the hearing on 7-12-11 for Stephen Cloud, Jr., an Estate Benficiary.

Minute Order 7-12-11: Ms. Sanoian advises the Court that her client has not received any notice regarding this matter. She further advises that she is going to want to do some kind of forensic accounting. Ms. Sanoian requests a continuance. Matter continued to 9-13-11.

Minute Order 9-13-11: Mr. Perkins advises the Court that they are trying to work out Ms. Sanoian's concerns; therefore, they are requesting a continuance. Matter continued to 11-8-11.

Status Report filed 11-4-11: Since the hearing on 9-13-11, Attorneys Perkins and Sanoian have been cooperating; however, no resolution has been reached as of yet. The parties anticipate that forensic accountings which are being prepared in other matters will help resolve some or all of the concerns of Stephen Cloud, Jr.

Minute Order 11-8-11: Mr. Perkins requests a four month continuance.

Status Report filed 3-7-12 states the continuance was made in part to allow attorneys for Stephen Cloud, Jr., and the attorneys for Conservator to continue to work out an agreement that will allow Conservator's petition to move forward. In response to the Examiner's inquiry, the following items are addressed:

- Janet Wright has appeared on behalf of Mrs. Elaine Cloud, spouse of the Conservator. Ms. Wright informed the Court that Mrs. Cloud had filed a petition for legal separation. No further communication has occurred regarding Mrs. Cloud's concerns.
- It is the intent of the Conservator that all notes payable from the Conservatorship to the Jasmine Cloud to the Jasmine Cloud Administrative Trust and to the Conservator be paid in full prior to distribution to the Decedent's estate.
- Joanne Sanoian appeared at the status hearing for Stephen Cloud, Jr., a beneficiary of the Stephen Ronald Cloud, Jr., Irrevocable Trust dated 5-30-1986, which is one of the beneficiaries of the Conservatee's estate. While Ms. Sanoian's client has never made a formal objection to the accounting, she has indicated that her client has some concerns and does not want the Conservatorship Estate to be distributed until those concerns are resolved. As previously indicated to the Court, it is the hope of Mr. Perkins and Ms. Sanoian that forensic accountings that are being prepared in other matters involving the Conservator will resolve the concerns of Ms. Sanoian's client. Mr. Perkins and Ms. Sanoian continue to communicate and believe continuance will be in the best interest of all parties.

The following issues remain listed: See Page 3.

1. **The main issues with the accounting as previously presented were: 1)** the unauthorized distributions, and **2)** the liabilities.
   It appears the unauthorized distributions have been addressed and reversed; however, the court may require further clarification regarding the liabilities.

   Conservator's 5-2-11 declaration provides a brief explanation of the note payable to another trust and the note payable to the conservator for personal funds advanced. The examples included in the description of the note payable to the conservator (funeral expenses, administration expenses, etc.) total $286,036. The declaration does not explain what the remaining $694,370.20 was used for, and further, the loan amounts do not appear to be reflected in the receipts schedules, there is no other documentation (receipts for goods and/or services) or itemization, and copies of the notes are not provided.

   The original prayer requests distribution of all remaining property to the decedent's estate, but does not specifically include these liabilities. The revised schedules filed 6-30-11 appear to reduce the property on hand by the amount of the liabilities.

   If it is Petitioner's intent for the notes to be paid prior to distribution to the decedent's estate, further clarification may be required at this time.

   If it is Petitioner's intent for the notes payable to become obligations of the decedent's estate, the court may specifically reserve this issue to be addressed further in that case.

2. **The declaration amending the account period and schedules to reflect actions subsequent to the prior account period is not verified by the fiduciary (Probate Code §1023).**

3. **Need order.** *Petitioner may wish to submit the order for signature after the hearing.*

4. **It appears notice has not been provided to all relatives within the 2nd degree pursuant to Probate Code §§ 2621, 1460(b)(6), 1821(b), Cal. Rule of Court 7.51. Need notice of hearing and appropriate notice.**
   - Examiner notes that the list of relatives provided in the 1992 petition for conservatorship may be outdated. An updated list and notice is required.
   - Examiner notes that the Notice of Hearing filed 2-8-11 (for the 3-8-11 hearing) reflects that notice to the two Estate Beneficiaries (Stephen Cloud, Jr., and Ryan Cloud) was sent "c/o Jeffrey G. Boswell, Esq., Kimble, MacMichael & Upton" but was not sent directly to the beneficiaries.

Note: Minute Order 5-31-11 states "Ms. Wright is appearing on behalf of Ms. Cloud." Examiner is unsure if this refers to Ms. Cloud the decedent (former conservatee?) or another related party.

Status Report filed 3-7-12 states that Janet Wright has appeared on behalf of Mrs. Elaine Cloud, spouse of the Conservator. Ms. Wright informed the Court that Mrs. Cloud had filed a petition for legal separation. No further communication has occurred regarding Mrs. Cloud's concerns.

Note: Examiner notes that when the 5th account was settled in 2002, the language ratifying acts and transactions of the conservator was stricken by the judge. The court may require similar revision to this order.

2 Juventino Banda-Nieto (Estate) Case No. 05CEPR00806

Atty **Alabart, Javier A. (for Petitioners Alfredo Banda Arriaga and Remedios Nieto Rodriguez, parents)**
Atty **Ruiz, Eddie (co-counsel by association for Petitioners Alfredo Banda Arriaga and Remedios Nieto Rodriguez, parents)**
Atty **Fanucchi, Edward L. (for Maria Luisa Sanchez, Respondent, purported spouse)**
Atty **Kruthers, Heather H. (for Petitioner Public Administrator, Administrator of the Estate)**
Atty **Williams, Robert; Perez, Holley, of Perez, Williams & Medina (*Request for Special Notice*)**

Amended First and Final Account and Report of Administrator and Petition for Allowance of Ordinary and Extraordinary Commissions and Fees (Probate Code § 9202, 10800, 10810, 10951 & 11600)

DOD: 5/14/2004

Cont. from 022812, 031512, 051012

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

PUBLIC ADMINISTRATOR, Administrator, is Petitioner.

Account period: 9/23/2005 – 1/12/2012

Accounting - **$214,903.66**
Beginning POH - **$203,823.43**
Ending POH - **$109,346.53**
(all cash)

Administrator - **$2,500.00**
(amount requested is per the statement during the parties' negotiations of the exact fee request amounts that would be made by the attorney and administrator;)

Attorney - **$7,131.87**
(less than $7,298.07statutory; amount requested is per the statement during the parties' negotiations of the exact fee request amounts that would be made by the attorney and administrator;)

Attorney XO - **$6,030.00**
(per Itemization attached as Exhibit B for 40.2 hours @ 150.00/hour; for accounting of receipts from holder of funds prior to Decedent's death, addressing questions of law and fact regarding these and Mexican proceedings, and facilitating negotiations between the parties;)

Costs - **$758.00**
(filing fees and certified copies)

Bond fee - **$3,223.56** (o.k.)

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS:

Note: Case files are with Research Attorney.

Continued from 5/10/2012. *Minute Order* states Mr. Fanucchi objects to the petition [for approval of the Amended First and Final Account.] The Court directs Mr. Fanucchi to contact Ms. Kruthers in an effort to resolve the issues. Matter continued to 6/21/2012. The Court directs that the Perez Firm be advised of all hearings.

Note: *Request for Judicial Notice* filed 6/15/2012 requests the Court take judicial notice of a certified copy of the *Judgment* in the *Anti-SLAPP Motion* filed by Attorney Fanucchi in Case #10CECG03589, which was signed 4/24/2012 and which orders a total judgment of **$8,077.00** in attorney fees and costs be entered in favor of Attorney Fanucchi. *Notice of Lien* of money judgment in said amount to debtor Alfredo Banda Arriaga (Plaintiff) was filed 6/15/2012.

Reviewed by: LEG
Reviewed on: 6/15/12
Updates: 6/18/12
Recommendation:
File 2 – Banda-Nieto

Petitioner states:

- It was agreed among the parties, attorneys and the Court that the Public Administrator would file his final account and hold the remaining funds, after payment of commissions and fees, until the matter of who is entitled to receive distribution is resolved; thus, the estate is not in a condition to be closed as the heirs, devisees and/or legatees of the Decedent entitled to final distribution of the estate have not been determined;
- The two issues that have prevented closure of the estate administration are: the persons entitled to distribution of the estate, and the sufficiency of the amount of estate assets; a brief summary of the status of these issues is as follows:
    - Decedent's 1997 California Will admitted to probate for administration on 3/27/2006 identified Decedent's parents **ALFREDO BANDA ARRIAGA and REMEDIOS NIETO RODRIGUEZ** (represented by Attorney Javier A. Alabart) as the only beneficiaries of Decedent's estate;
    - A woman named **MARIA LUISA SANCHEZ** (represented by Attorney Edward L. Fanucchi) is asserting that she is the rightful heir of the Decedent entitled to distribution of the entire estate of Decedent; this issue has not yet been resolved;
    - The source of the Decedent's estate assets is the Decedent's Workers' Compensation benefits, which were received as part of a settlement in the 1997 Workers' Compensation Appeals Board (WCAB) case FRE 01150566 that included settlement of a third-party case by way of a *Third-Party Compromise and Release* approved by Workers' Compensation Judge George J. Perlingieri; specifically, the assets of the Decedent's estate belonging to the Decedent at the time of Decedent's death consist of the amount remaining from that settlement after distributions made to the Decedent or for his benefit;
    - At the time of Decedent's death, the remaining settlement funds were held in trust by Attorney Robert F. Perez and the law firm of Perez, Makasian, Williams & Medina ("The Perez Law Firm") at the direction of Judge George J. Perlingieri;
    - A dispute arose as to whether the amount delivered to the Public Administrator after the Decedent's death by Attorney Robert F. Perez and The Perez Law Firm was the accurate amount remaining from the WCAB case settlement;
    - Ms. Sanchez and Attorney Fanucchi contended that there should have been substantially more settlement proceeds remaining; the Public Administrator's attorney conducted an extensive review of the initial WCAB settlement amount and the distributions made therefrom in an effort to resolve this issue; after receipt of numerous documents and discussion with The Perez Law Firm, the attorney was able to confirm that all proceeds were accounted for;
    - Because Attorney Fanucchi was still questioning the amount, the Court ordered attorneys Kruthers, Perez and Fanucchi to meet; at that meeting, after reviewing the forensic accounting results and supporting documentation, attorney Fanucchi indicated that although he needed to report back to his client [Ms. Sanchez], he was satisfied that all of the settlement funds had been accurately accounted for; subsequently, Attorney Fanucchi noted in Court that his client agreed that all funds had been property accounted for;
    - Neither Attorney Alabart nor his clients have ever objected, contested or disputed that the amount turned over by Attorney Robert Perez and The Perez Law Firm was the accurate amount remaining from the WCAB case settlement proceeds.
- A preliminary distribution of the estate in the amount of **$103,000.00** was made to Attorney Fanucchi on behalf of his client, Maria Luisa Sanchez, pursuant to Court order dated 11/5/2007; the *Receipt of Distribution* signed by Attorney Fanucchi was filed with the Court on 12/12/2007;

~Please see additional page~

Petitioner states, continued:

- After payment of commissions, fees and costs in the amount of **$19,643.43**, there will be **$89,703.10** to distribute upon further Court order.

Petitioner prays for an Order:

1. Settling, allowing and approving the First and Final Account and confirming and approving all acts and proceedings of the Petitioner as Administrator;
2. That pursuant to the specific agreement and acceptance by Attorney Fanucchi and his client, Maria Luisa Sanchez, and there being no objection by Attorney Alabart and his clients, Alfredo Banda Arriaga and Remedios Nieto Rodriguez, the amount of the funds delivered to the Public Administrator by The Perez Law Firm is accepted as the correctly accounted for amount remaining from the Decedent's 1997 Workers' Compensation Case FRE 01150566 and third-party settlement proceeds subject to probate administration with no further action to be pursued regarding this issue;
3. Authorizing Petitioner to pay the statutory compensation to Petitioner, and statutory fees and extraordinary legal fees to Petitioner's attorney; and
4. Authorizing Petitioner to pay from the estate the bond fee and the costs advanced.

3 Rhonda Jane Cloud (Estate) Case No. 06CEPR00768

Atty Perkins, Jan T. (for Conservator Stephen Ronald Cloud)
Atty Sanoian, Joanne (for Stephen Cloud, Jr., Beneficiary)

Filing of First Account or Petition for Final Distribution and Filing of Inventory and Appraisal

DOD: 04/19/04

Cont. from 042810, 061510, 092110, 111610, 012511, 030811, 050311, 071211, 091311 110811, 030811

	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	

STEPHEN RONALD CLOUD was appointed Executor with full IAEA without bond on 8-29-06 and Letters Issued 8-30-06.

Inventory and appraisal was due 12-29-06.

First account or petition for final distribution was due 8-30-07.

Status Report of Stephen Ronald Cloud regarding the Inventory and Appraisal filed 4-19-10 states he is also the conservator of the estate of Rhonda Jane Cloud, case no. 0458379. As of the date of the status report the Conservator has not provided Attorney Rindlisbacher with the accounting required nor has the Conservator delivered the Conservatee's estate to Executor. When a final accounting has been prepared and approved by the Court in the Conservatorship, Executor will be in a position to administer the estate of the Decedent.

Probate Referee Steven Diebert filed a Request for Special Notice on 8-31-11.

Minute Order 11-8-11: Mr. Perkins requests a four month continuance.

Minute Order 3-8-12: Matter continued to 6-21-12.

As of 6-14-12, nothing further has been filed.

NEEDS/PROBLEMS/COMMENTS:

Note: Page 1 of this calendar is the related conservatorship final account. This estate is dependent on the conservatorship account and distribution to the personal representative.

Stephen Ronald Cloud is also Conservator of the Estate of Rhonda Jane Cloud in Case # 458379.

1. **Need Inventory and Appraisal and Petition for distribution.**

Notes:
***Minute Order 11-16-10* states attorney Rindlisbacher represents to the court that they are awaiting bank records that were requested several weeks ago with regard to the conservatorship accounting. The court advises that this will be the last continuance with the possibility of sanctions absent extraordinary good cause.**

Status report filed 4-9-10 indicated Executor was awaiting distribution from conservatorship estate; however, Examiner notes that the I&A for the probate estate should include assets as of date of death, and may not be contingent on distribution from the conservatorship estate.

Documents filed in the Conservatorship Estate (0458379) indicate that Mr. Cloud made unauthorized preliminary distributions after the date of death totaling $1,779,985.14 directly from the conservatorship accounts to the probate estate beneficiaries' trust accounts, of which he is the trustee.

Probate Referee Steven Diebert has filed a Request for Special Notice in this Estate case.

Updates:

Contacts: Reviewed 6-14-12

Recommendation:

Reviewed by: skc

File 3 - Cloud

4 **Geraldine Evon Easley (Estate)** **Case No. 08CEPR01091**

Atty **Burnside, Leigh W. (Petitioner)**

Petition for Allowance of Attorney's Fees for Ordinary and Extraordinary Services and Costs (Prob. C. 10810, 10811, 10830, CRC Rules7.701, 7.702, 7.703)

DOD: 10-10-08		
	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	

LEIGH W. BURNSIDE, on behalf of Dowling Aaron Incorporated (formerly Dowling, Aaron & Keeler, Inc.), former attorney for **SHERRY M. MEALER**, Administrator, is Petitioner.

I&A: $81,731.32 (consisting of $5,732.32 cash plus real and personal property as of the decedent's date of death)

Petitioner requests ordinary and extraordinary fees for services in connection with the representation of the Administrator:

Statutory fees: $3,269.29

Extraordinary fees: $1,550.75
2.10 attorney hours and 5.35 paralegal hours in extraordinary efforts to locate and secure assets for a total of $922.75, and $628 in connection with the anticipated sale of the estate real property prior to withdrawal as attorney of record.

Costs: $1,154.28 (filing fees, recording fee, publication, certified copies, FedEx)

Petitioner states that Dowling Aaron, Inc., performed ordinary services during administration including in connection with the sale of the residence, that to Petitioner's knowledge was not completed, and including preparation of a draft final waiver of account and petition for distribution, which was never finalized because the firm had to withdraw due to the client's failure to communicate or move forward with the sale. Based on information and belief, it is understood that the Administrator is to sell the real property to pay costs of administration before proceeding with final distribution.

Petitioner prays for an order:

1. Allowing and crediting statutory attorney's fees of $3,269.29 as full satisfaction for ordinary services;
2. Allowing reimbursement for $1,154.28 in costs;
3. Allowing and crediting extraordinary fees in the amount of $1,550.75 as full satisfaction for extraordinary services; and
4. That upon entry of this order, an abstract of judgment shall be issued in favor of Dowling Aaron Incorporated and against the estate on the unpaid balance.

NEEDS/PROBLEMS/COMMENTS:

1. Petitioner requests the entirety of the statutory fees based on the I&A filed 2-23-09; *however, the estate is not yet ready to close and the current status is unknown*.

   Attorney Keeler substituted out on 1-31-11 and the Administrator subsequently filed a status report stating that she was trying to sell the real property; however, Examiner also notes that there were family issues with regard to the sale of the home. (See Declaration of beneficiary Stacy Mealer filed 9-15-09.)

   The Court has now set a status hearing for failure to file a first account or petition for final distribution for Friday 7-13-12, and notice has been mailed to the Administrator.

   It is unknown whether the Administrator will obtain new counsel that may have an interest in a portion of the statutory compensation per Probate Code §10814.
2. Petitioner requests $922.75 in extraordinary fees for efforts to locate and secure assets, specifically time spent researching whether a certain account was an asset of the estate or had beneficiary designation.

   The Court may require clarification as to how this falls under extraordinary compensation rather than statutory, as identifying and marshaling assets is a general aspect of estate administration.
3. Petitioner's costs include $19.78 for FedEx to the client. Per Local Rule, this is a cost of doing business and not reimbursable.

Reviewed by: skc

Reviewed on: 6-15-12

Updates:

Recommendation:

File 4 - Easley

Dept. 303, 9:00 a.m. Thursday, June 21, 2012

5 Zenolia Cummings (CONS/PE) **Case No. 09CEPR00619**

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

(1) First Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney and (3) for Dispensation of Further Accounts (Probate Code 2620, 2623, 2628, 2630, 2942)

Age: 81
DOB: 08/20/1930

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	
	2620(c)	n/a
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

PUBLIC GUARDIAN, Conservator, is Petitioner.

Account period: **10/06/10 – 04/10/12**

Accounting - **$8,376.02**
Beginning POH - **$0.00**
Ending POH - **$2,399.52**

Conservator - **$3,110.88** (27.18 Deputy hours @ $96/hr. and 6.60 staff hours @ $76/hr.)

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

Bond Fee - **$37.50** (ok)

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

Petitioner states that the conservatorship meets the requirements of Probate Code § 2628(a) to dispense with further accountings. Petitioner requests that the court dispense with further accountings as long as the conservatorship estate continues to meet the requirements of Probate Code § 2628(a).

Petitioner prays for an Order:

1. Approving, allowing and settling the first account;
2. Authorizing the conservator and attorney fees and commissions;
3. Payment of the bond fee;
4. Authorizing petitioner to impose a lien on the estate for any unpaid balances of authorized fees and commissions; and
5. Dispensing with further accounts.

NEEDS/PROBLEMS/COMMENTS:

Note: If further accountings are not dispensed with, a status hearing will be set as follows:

- **Friday, 06/27/14 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: 06/15/12
Updates:
Recommendation:
File 5 - Cummings

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

Atty **Kruthers, Heather H**

(1) First Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney and (3) for Dispensation of Further Accounts (Probate Coe 2620, 2623, 2628, 2630, 2942)

Age:			NEEDS/PROBLEMS/COMMENTS:
DOD:			**OFF CALENDAR** Matter appears to have been inadvertently calendared twice. Matter heard on 06/20/12.
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		Reviewed by: JF
	Status Rpt		Reviewed on: 06/15/12
	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notice		File 6 - Hayes

7 John E. Seaburg (Estate) **Case No. 11CEPR00905**

Atty Little, James B. (of San Jose, for John D. Seaburg – Son – Executor – Petitioner)

Report of Executor and Petition for Final Distribution

DOD: 9-14-11		
	Aff.Sub.Wit.	
✓	**Verified**	
✓	**Inventory**	
✓	**PTC**	
✓	**Not.Cred.**	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	w
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	**Letters**	11-7-11
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	**9202**	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✓	**FTB Notice**	

JOHN D. SEABURG, Son and Executor with Full IAEA without bond, is Petitioner.

Accounting is waived.

I&A: $79,281.98
POH: $30,773.86 (cash)

Executor: Waived

Attorney: $2,100.00 (Less than statutory)

Reserve: $500.00

Distribution pursuant to Decedent's will:

John D. Seaburg: $30,273.86

NEEDS/PROBLEMS/COMMENTS:

1. **It appears Attorney Little was paid in advance of Court order in violation of Probate Code §10830(c) and Cal. Rule of Court 7.700.**

Reviewed by: skc

Reviewed on: 6-18-12

Updates:

Recommendation:

File 7 - Seaburg

8 **Erma Tiller (Estate)** **Case No. 11CEPR01042**

Atty **Janian, Paulette (for Paul Tiller, Sr. – Executor/Petitioner)**

(1) First and Final Report of Administration, (2) Petition for Statutory Attorneys Fees and for (3) Final Distribution on Waiver of Accounting and Notice

DOD: 09/20/11			**PAUL TILLER, SR.,** Executor, is Petitioner.
			Accounting is waived.
Cont. from			I & A - $95,000.00 POH - $95,000.00
	Aff.Sub.Wit.		
✓	**Verified**		Executor - waives
✓	**Inventory**		
✓	**PTC**		Attorney - $3,800.00 (statutory, to be paid outside of the estate)
✓	**Not.Cred.**		
✓	**Notice of Hrg**		**Distribution, pursuant to decedent's Will, is to:**
✓	**Aff.Mail**	w/o	
	Aff.Pub.		Paul James Tiller, Sr - 50% interest in real property located at 1425 Huntsman Street, Selma, CA
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		Judy Tiller - 50% interest in real property located at 1425 Huntsman Street, Selma, CA
	Letters	01/23/12	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	**9202**		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	**FTB Notice**		

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: JF

Reviewed on: 06/18/12

Updates:

Recommendation: SUBMITTED

File 8 - Tiller

Dept. 303, 9:00 a.m. Thursday, June 21, 2012

9 Robert Snyder (CONS/PE) Case No. 12CEPR00028

Atty Walters, Jennifer L. (for Catherine Snyder – Former temporary conservator of the person)

Atty Wright, Janet L. (for Bruce Bickel – Former Temporary Conservator of the Estate and Court appointed for Conservatee/Petitioner)

(1) Petition for Approval of First and Final Report of Temporary Conservator of the Estate; (2) Request for Approval of Payment of Conservator's Fees; (3) Request for Approval of Payment of Attorney's Fees for Court Appointed Counsel for Conservatee; (4) Request for Discharge of Temporary Conservator of the Estate and Court Appointed Counsel [Prob. C. 1470, 2620, 2630, 2633, 2640]

Age: 51
DOB: 01/26/61

Cont. from

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

BRUCE BICKEL, former temporary conservator of the estate, is Petitioner.

Background: On 01/09/12, Catherine Snyder, conservatee's sister, petitioned the court for appointment as temporary and permanent conservator of the person and estate of Robert Snyder. On 01/24/12, at the hearing on the Petition for Temporary Conservatorship, Catherine Snyder was appointed as temporary conservator of the person and estate. On 02/10/12, the conservatee's wife, Kristen Snyder, filed an objection to the appointment of Catherine Snyder. On 02/14/12, conservatee's son, Ross Snyder, filed a petition for appointment as conservator of the person and estate. On 03/13/12, the conservatee filed an objection to the appointment of Ross Snyder as conservator of the person and estate. At a hearing on 02/23/12, the court ordered that Catherine Snyder continue as temporary conservator of the person and appointed Bruce Bickel as temporary conservator of the estate. On 04/10/12 a settlement conference was heard, at which time the parties agreed that each petitioning party would withdraw their petitions and/or objections and that Mr. Snyder's financial and medical affairs would be handled pursuant to the terms and authority granted in his Durable Power of Attorney and Advanced Health Care Directive and the temporary conservatorship of Robert Snyder was terminated.

Petitioner states:
He was appointed as Temporary Conservator of the Estate on 02/23/12 and served in that capacity until 04/10/12. The temporary conservatorship of the estate was terminated prior to an Inventory & Appraisal being filed. Pursuant to Probate Code § 2633, the Court may make an order that the conservator need not file an Inventory & Appraisal, but may file an accounting covering only those assets which were marshaled. Petitioner states that he did not formally marshal any assets of the Estate, consequently, no formal accounting is required, but reports the following regarding the temporary conservatorship of the estate covering the period of 01/31/12 – 04/30/12:

Continued on Page 2

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: JF

Reviewed on: 06/18/12

Updates:

Recommendation:

File 9 - Snyder

During the limited time Mr. Bickel served as Temporary Conservator of the Estate, though he did not formally take possession of any of Mr. Snyder's accounts by transferring them to the name of the conservatorship estate, Mr. Bickel rendered services to the estate by identifying the assets of the estate and securing or attempting to secure physical possessions of Mr. Snyder's personal property assets, secured Mr. Snyder's checkbook, preparing a detailed list of the short and long term liabilities of the estate, advising Mrs. Kristen Snyder and Catherine Snyder regarding options, coordinating and/or making provisions for payment of Mr. Snyder and Mrs. Snyder's monthly expenses, making provision for the preparation and coordinating the payment of Mr. and Mrs. Snyder's 2011 tax returns and attending the relevant hearings associated with this matter after his appointment. On April 17, 2012, Mr. Bickel prepared and sent a report to Kristen Snyder and Catherine Snyder detailing his activities as temporary conservator of the estate.

Conservator - **$5,642.25** (per itemization, for identification and scheduling of assets, identification and scheduling of liabilities, mediating and coordinating of payments of utilities services for residence, obtaining Mr. Snyder's vehicle, conferring with CPA for preparation of 2012 tax returns, obtaining signatures and payments from Mr. and Mrs. Snyder for filing their tax returns, reporting on the status of the estate, attending hearings)

Conservator Costs - **$489.50** (for payment of income taxes on behalf of conservatee, filing fees, and certified copies)

Attorney - **$10,000.00** (per itemization, for representation of Mr. Snyder in the conservatorship proceedings, reviewing documentation, meeting with the proposed conservatee, attending hearings, assisting conservatee with estate planning matters including preparation of a Durable Power of Attorney and Advanced Health Care Directive and Nomination of a Conservator, preparing and filing objection to petition of Ross Snyder, attendance at mandatory settlement conference, preparation for the mandatory settlement conference, preparation of the first and final account and coordination with Bruce Bickel)

Petitioner prays for an Order:

1. Determining that the temporary conservatorship of the person and estate of Mr. Snyder terminated on April 10, 2012;
2. Confirming and Approving the acts and proceedings of Bruce Bickel as temporary conservator of the estate;
3. Authorizing the Attorney's fees to Janet Wright;
4. Authorizing the Conservator fees and costs to Bruce Bickel;
5. Discharging Bruce Bickel as temporary conservator of the estate; and
6. Discharging Janet Wright as court appointed counsel for Robert Snyder.

10 Gabriella Yesmine Hernandez (GUARD/P) Case No. 12CEPR00119

Atty **Torigian, Marcus A. (of Visalia for Olga Teran – maternal grandmother/Petitioner)**

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

Age: 2
DOB: 01/16/10

Cont. from 040512, 051712

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

NO TEMPORARY REQUESTED

OLGA TERAN, maternal grandmother, is Petitioner.

Father: UNKNOWN – *court dispensed with notice on 04/05/12*

Mother: ELIZA FRAUSTO – *personally served on 06/01/12*

Paternal grandparents: UNKNOWN

Maternal grandfather: JESSE FRAUSTO

Siblings: LOGAN HERNANDEZ, ERIKA HERNANDEZ, JAYDEN HERNANDEZ, EDUARDO TREJO

Petitioner states that Gabriella has lived with her since she was 3 months old. At that time, her mother was not able or willing to support her. Petitioner states that she has been Gabriella's sole provider and caregiver.

Court Investigator Jennifer Young's report was filed 03/29/12.

NEEDS/PROBLEMS/COMMENTS:

CONTINUED FROM 05/17/12

1. **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:**
   - **Paternal grandparents**
   - **Jesse Frausto (maternal grandfather)**
   - **Any sibling 12 and over**

Reviewed by: JF

Reviewed on: 06/15/12

Updates:

Recommendation:

File 10 - Hernandez

Dept. 303, 9:00 a.m. Thursday, June 21, 2012

11 Regina Teixeira (Det Succ) **Case No. 12CEPR00434**

Atty Fiske, William S. (for Arnold Teixeira, Jr., and Robert Teixeira – Petitioners)

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

DOD: 8-7-03			
	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		

ARNOLD TEIXEIRA, JR., and ROBERT TEIXEIRA, sons, are Petitioners.

40 days since DOD

No other proceedings

I&A - $85,000.00

Will dated 5-22-03 states that in conjunction with this will, the Decedent also executed an amendment to an existing trust that changes the disposition, subsequent to her death, of specified assets to the extent that they are subject to her power of amendment as surviving settlor and trustee. The will states: "In the event a court of competent jurisdiction determines that said First Amendment to the Teixeira Revocable Living Trust (Survivor's Trust) is void or unenforceable, I hereby exercise the power of appointment specifically reserved to me under ARTICLE FOUR, Section 4.01 of said trust agreement to appoint and direct the distribution of any assets then subject to my testamentary power in accordance with the following provisions. …" The will then devises certain real property to Petitioners in equal shares.

Petitioners request court determination that Decedent's one-third (1/3) interest in certain real property passes to them pursuant to Decedent's will.

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: skc

Reviewed on: 6-18-12

Updates:

Recommendation:

File 11 - Teixeira

Dept. 303, 9:00 a.m. Thursday, June 21, 2012

12 Myra A. Fillion (Estate) **Case No. 10CEPR00889**

Atty Barrus, John (for Petitioner Paul A. Fillion)

Probate Status Hearing Re: Filing of First Account or Petition for Final Distribution (Prob. C. §12200, et seq.)

DOD: 8/31/2010	**PAUL A. FILLION** was appointed as Executor of the Estate with full IAEA Authority and without bond on 11/15/10.	**NEEDS/PROBLEMS/COMMENTS:**
		CONTINUED FROM 02/22/12
Cont. from 012312, 022212	Corrected I & A filed on 9/23/11 showing the estate value as $125,000.00	**As of 06/15/12, no additional documents have been filed.**
Aff.Sub.Wit.		**1. Need current status report, first account or petition for final distribution.**
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	First account or petition for final distribution was due 11/15/11.	**Note: Paul A. Fillion initially represented by Attorney John Barrus. Mr. Barrus substituted out of the case on 9/22/11 and Mr. Fillion was self-represented. On 2/14/12 a Substitution of Attorney was filed whereby Mr. Barrus is again representing Mr. Fillion.**
Aff.Mail		
Aff.Pub.	This status hearing was set for the filing of the first account or petition for final distribution.	
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	A copy of the Notice of Status Hearing was mailed to Paul A. Fillion on 9/26/11.	
Letters		
Duties/Supp		
Objections		
Video Receipt	Minute Order (Judge Bruce Smith) dated 1/23/12 states Mr. Fillon advises the court that he just listed the house for sale. He further advises the Court that he needs to obtain counsel. The Court orders Mr. Fillon to file and serve the first account by 2/14/12.	
CI Report		
9202		
Order		
Aff. Posting		**Reviewed by:** KT/JF
Status Rpt		**Reviewed on:** 06/15/12
UCCJEA		**Updates:**
Citation		**Recommendation:**
FTB Notice		**File 12 - Fillion**

13 Martin Rodriguez Special Needs Trust (SNT) Case No. 11CEPR00430

Atty Matlak, Steven M. (for Martin Rodriguez – Beneficiary)

Status Hearing Re: Accounting

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	

The **MARTIN RODRIGUEZ SPECIAL NEEDS TRUST** was established by Order of this Court on 06/30/11.

PERINE & DICKEN, PROFESSIONAL FIDUCIARIES AND CONSERVATORS consisting of **RONALD DICKEN, PATRICIA DICKEN, KAREN STEELE,** and **CHRISTOPHER KENNEDY,** were appointed as the initial trustee of the Trust with bond set at $1,139,886.00.

On 3/12/12, **MARTIN RODRIGUEZ,** beneficiary, filed a Petition to Appoint Successor Trustee.

On 04/23/12, **BRUCE BICKEL,** was appointed as successor Trustee with bond set at $1,139,886.00.

Minute Order from 04/23/12 hearing set this matter for status on 06/21/12 regarding the status of an Accounting by the former Trustees.

NEEDS/PROBLEMS/COMMENTS:

OFF CALENDAR

Petition for Approval of First and Final Account filed 06/19/12 and set for hearing on 08/02/12

Reviewed by: JF	
Reviewed on: 06/18/12	
Updates:	
Recommendation:	
File 13 - Rodriguez	

Atty **Matlak, Steven M. (for Angela Matos, a minor – beneficiary)**

Status Hearing

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	

The **ANGELA MATOS TRUST** was established by Order of this Court on 04/20/12.

BRUCE BICKEL, was appointed as trustee of the Trust with bond set at $464,792.37.

Minute Order from hearing on 04/19/20 set this matter for a Status Hearing regarding the outcome of proceedings in civil court.

Bond of Bruce Bickel was filed 05/07/12.

Status Report filed 06/11/12 states the matter was continued to 06/21/12 for 1) status hearing regarding the outcome of the proceedings in Civil Court, 2) to fix the amount of payments, if any, that the Trustee is authorized to receive from the Trust on an ongoing monthly basis for services rendered in connection with the administration of the trust, 3) to fix the amount of attorney's fees and costs, if any, the Trustee will be directed to pay to Dowling for their legal services rendered in connection with establishing the Trust.

At the hearing on 04/19/12, the Court established the Trust under Probate Code § 3602(c)(3), appointed Bruce Bickel as the initial Trustee, and ruled that the Trust be funded with litigation settlement proceeds from litigation in Sacramento and Fresno Counties. On 05/25/12, the Civil Court agreed to the transfer of the Fresno Litigation Blocked Account and Blocked Account Annuity to the Trust and the Order Approving Compromise of Pending Action was filed. In the Civil Order, settlement proceeds from the Sacramento Litigation in an amount of $280,888.32 were directed to the Trust and the remaining proceeds in the amount of $1,045,608.17 were ordered to be used to fund a tax deferred annuity or annuities for Angela's benefit. The annuity being purchased from the Sacramento litigation will be distributed to Angela as follows:

a. Beginning 10/30/33 (age 30), Angela shall receive $5,062.36 per month on a level basis for her lifetime for a period of twenty five years certain;
b. On 10/30/33 (age 30), Angela shall receive a lump sum of $250,000.00;
c. On 10/30/38 (age 35), Angela shall receive a lump sum of $350,000.00;
d. On 10/30/43 (age 40), Angela shall receive a lump sum payment of $400,000.00.

Continued on Page 2

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: JF

Reviewed on: 06/19/12

Updates:

Recommendation:

File 14 - Malos

Payments from the Sacramento litigation were structured to not begin until Angela is thirty (30) years old because she will already be receiving substantial proceeds from the first settlement (the Fresno litigation) in that until age 18, the Fresno litigation annuity will pay $10,538.52 annually to the Trust. Then, between the ages of 18 and 23, the Fresno litigation annuity will pay as follows:

a. Beginning 10/30/21 (age 18), Angela shall receive $50,000.00 annually for 5 years and $4,000.00 monthly for 5 years (meant to cover college and living expenses);
b. Beginning 10/30/26 (age 23), Angela shall receive $8,874.00 per month for the duration of her life.

Bruce Bickel, Trustee of the Angela Matos Trust, previously filed a Declaration in Support of Trustee's Fees on 04/13/12, to provide the Court with a basis for supporting his fee request. Mr. Bickel requested that the Court authorize payment of fees each month at the rate of $150.00 per hour for services rendered in connection with the administration of the Trust, but not to exceed $1,000.00 in any given month. Any excess fees incurred over $1,000.00 in any given month would require prior approval from of the Court. Mr. Bickel's declaration is the same Trustee Fees request made in the Petition for Order Establishing Trust found at paragraph 23 of the Petition.

Steven Matlak, attorney for Dowling representing Angela in this matter, previously filed a Declaration in Support of Attorney's Fees on 04/13/12, to provide the Court with a basis for supporting Dowling's fee request. As stated in the declaration, Dowling requested $4,415.00 in legal fees and $475.00 in advanced out of pocket expenses for a total of $4,890.00 to satisfy legal services rendered in connection with this matter.

Wherefore, Petitioner prays for an Order:

1. That the Trustee is authorized to receive payments for fees each month at the rate of $150.00/hour for services rendered in connection with the administration of the Trust, but not to exceed $1,000.00 in any given month. Reimbursement for any fees in excess of $1,000.00 in any given month requires prior approval of the Court;
2. That the Court approve and direct the payment of $4,415.00 to the law firm of Dowling Aaron Incorporated and reimbursement for out of pocket costs in the amount of $475.00 for their legal services rendered in connection with the Petition.

15 Kaya Izel Quiroz (GUARD/P) **Case No. 09CEPR00500**

Atty Quiroz, Daniel (Pro Per – Father – Petitioner)

Atty Quiroz, Maria Ponce (Pro Per – Paternal Grandmother – Guardian)

Petition for Visitation

Age: 8		
DOB: 1-18-04		
	Aff.Sub.Wit.	
✔	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✔	**Notice of Hrg**	
✔	**Aff.Mail**	w
	Aff.Pub.	
	Sp.Ntc.	
✔	**Pers.Serv.**	w
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	X
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

DANIEL QUIROZ, Father, is Petitioner.

MARIA PONCE QUIROZ, Paternal Grandmother, was appointed Guardian on 8-20-09.
- Served by mail 5-31-12

Mother: **LINDSEY BREE CABALLERO**
- Personally served 6-5-12

Paternal Grandfather: Deceased
Maternal Grandfather: Deceased
Maternal Grandmother: Christy Caballero
- Served by mail 5-31-12

Petitioner states for the last several years he has been working hard to get his life together and has reached a point where he can provide for his daughter in a good family-oriented environment. He and his wife were married in 2008 and they are raising her two daughters, ages 9 and 7, but his life is not complete without Kaya. Since 2007 he has been providing health care as well as financial support.

The purpose of this petition is to modify visitation so that Kaya would be able to stay overnight and spend more time with his wife and two step-daughters. Currently he sees Kaya about four times a week with guardian's direct supervision. He uses this time to teach her to read and write, add and subtract. He believes he is a good father and would like the opportunity to prove himself to Kaya and the courts. He is asking the courts to remove his restrictions.

NEEDS/PROBLEMS/COMMENTS:

Note: Guardian is Spanish-speaking.

Minute Order 8-20-09: The Court orders that the father is to be supervised with the child at all times.

Note: The Court may wish to make visitation order by minute order only. Alternatively, if the Court prefers, Examiner can prepare an Order After Hearing.

Reviewed by: skc

Reviewed on: 6-18-12

Updates:

Recommendation:

File 15 - Quiroz

Dept. 303, 9:00 a.m. Thursday, June 21, 2012

16 Shirley Ann McCray (Estate) **Case No. 10CEPR00305**

Atty Johnson, Kevin (Pro Per – Administrator)

Status Hearing Re: Filing of the Amended Account

DOD: 6-25-09		
	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	

KEVIN JOHNSON, son, was appointed Administrator without bond with Limited IAEA authority and Letters issued on 5-20-10.

I&A filed 7-14-10 shows a total estate value of $45,000.00 (real property only). The sole heirs of the estate are the Administrator, Kevin Johnson, and his sister, Phyllis Williams.

Status report filed 1-18-12 states Administrator has completed administration of the estate except that the real property cannot be sold because it is currently subject to two actions:

- Unlawful Detainer action 10CECL07703 (Johnson v. Williams)
- Civil Action 11CECG00131 (Williams v. Estate of Shirley McCray)

Petitioner filed a First and Final Account and also a Petition for Court Order to Sell Estate Real Property on1-18-12. At the hearings on 3-8-12, numerous issues were noted and the Court set this status hearing for the filing of an amended account.

Per Minute Order 5-10-12, the Administrator's sister, Phyllis Williams, informed the Court that she had a loan in progress to purchase the real property.

Status Report filed 6-13-12 states that Ms. Williams was not able to obtain a loan to purchase the property; however, she is living in the home and making the mortgage payments. They are paying on the creditor's claim from their own funds to reduce the debt, but there is still a balance of approx.. $7,000.00, and there are also property taxes that must be paid prior to closing the estate.

In addition, Joanne Sanoian, former attorney for Administrator, has submitted a bill for $11,198.75. The Administrator states that even with the extraordinary fees for preparing the unlawful detainer action, the attorney fees should not be $11,198.75, and requests the Court make a determination of a fair amount for such fees.

Administrator states that the estate has no liquid assets to pay the filing fees, creditor's claim, property taxes, or attorney's fees. Therefore, it is requested that the Court allow the administrator to immediately list the home for sale with a qualified agent and attempt to sell it, with Court confirmation. Administrator requests 90 days to accomplish this.

NEEDS/PROBLEMS/COMMENTS:

Note: The Administrator was formerly represented by Attorney Joanne Sanoian. Substitution of Attorney filed 3-14-11 indicates the Administrator is now self-represented.

Note: The Administrator requests in the status report that the Court make a determination regarding the attorney's fees charged by Joanne Sanoian, and Attorney Sanoian has filed a Declaration in response; however, the issue of attorney's fees is not before the Court at this time.

Reviewed by: skc

Reviewed on: 6-18-12

Updates:

Recommendation:

File 16 - McCray

17 Elva Ione Carns (Det Succ) **Case No. 12CEPR00414**

Atty Crouch, Jacqui (Pro Per – Daughter – Petitioner)

Atty Beecher, Craig (Pro Per – Son – Petitioner)

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

DOD: 3-25-12			JACQUI CROUCH and CRAIG DAVID BEECHER, Daughter and Son, are Petitioners. 40 days since DOD No other proceedings I&A $146,000.00 (real property plus a vehicle) Decedent died intestate Petitioners request court determination that Decedent's residence and vehicle pass to them.	NEEDS/PROBLEMS/COMMENTS: 1. Petitioners did not answer #7 regarding administration proceedings in another jurisdiction. 2. Petitioners did not answer #9a regarding whether the decedent was survived by a spouse. If a spouse is deceased, need date of death per Local Rule 7.1.1.D. (This may affect intestate succession pursuant to Probate Code §6402.5.) If a spouse is not deceased, need clarification with reference to Probate Code §6401. 3. Petitioners do not state the decedent's *interest* in the assets (*i.e., a 100% separate property interest, etc.*). Need clarification. 4. Petitioners do not state the interest that they are each claiming *(i.e., equal shares?)*. 5. Need order.
				Reviewed by: skc
				Reviewed on: 6-19-12
				Updates:
				Recommendation:
				File 17 - Carns
	Aff.Sub.Wit.			
✔	Verified			
	Inventory			
	PTC			
	Not.Cred.			
N/A	Notice of Hrg			
	Aff.Mail			
	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			

18 **William Garrison (Estate)** **Case No. 12CEPR00425**

Atty **Garrison, Dorothy**

Petition for Letters of Administration (Prob. C. 8002, 10450)

Age:			NEEDS/PROBLEMS/COMMENTS:
DOD:			Continued to 09/06/2012 at request of Attorney
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		Reviewed by: LV
	Status Rpt		Reviewed on: 06/15/2012
	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notice		File 18 - Garrison

Dept. 303, 9:00 a.m. Thursday, June 21, 2012

19 Kenneth Duane Friesen (Det Succ) **Case No. 12CEPR00427**

Atty Friesen, Ralph (Pro Per – Brother – Petitioner)

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

DOD: 8-23-09			**RALPH FRIESEN**, brother, is Petitioner.	**NEEDS/PROBLEMS/COMMENTS:**
			40 days since DOD	
			No other proceedings	
	Aff.Sub.Wit.		I&A: $105,023.64 (real property in Selma, CA, plus minimal cash)	
✔	**Verified**			
	Inventory		Decedent died intestate	
	PTC			
	Not.Cred.		Petitioner requests court determination that the real property and cash pass to him pursuant to intestate succession.	
N/A	**Notice of Hrg**			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✔	**Order**			
	Aff. Posting			**Reviewed by:** skc
	Status Rpt			**Reviewed on:** 6-19-12
	UCCJEA			**Updates:**
	Citation			**Recommendation: SUBMITTED**
	FTB Notice			**File 19 - Friesen**

Dept. 303, 9:00 a.m. Thursday, June 21, 2012

20 Juan Luis Campos (Det Succ) **Case No. 12CEPR00485**

Atty Campos, Maria Guadalupe (Pro Per -

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

DOD: 3-5-12		
	Aff.Sub.Wit.	
✔	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
N/A	**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	

MARIA GUADALUPE CAMPOS, sister, is Petitioner.

40 days since DOD

No other proceedings

I&A: $75,000.00 (real property)

Decedent died intestate

Petitioner requests court determination that Decedent's real property passes to her.

NEEDS/PROBLEMS/COMMENTS:

1. **Petitioner filed this petition with a fee waiver. Filing fees are due prior to any distribution ($395.00).**
2. **Petitioner does not state the decedent's *interest* in the real property (*i.e., a 100% separate property interest, etc.*). Need clarification.**
3. **Petitioner states that personal property is included at #13, but does not provide a description of any personal property, and no personal property was included in the I&A. Need clarification.**
4. **The order does not include or attach the legal description of the real property (and personal property?) passing to Petitioner, or Petitioner's interest.**

Reviewed by: skc

Reviewed on: 6-19-12

Updates:

Recommendation:

File 20 - Campos

Dept. 303, 9:00 a.m. Thursday, June 21, 2012

21 Aleena Padilla (GUARD/P) **Case No. 12CEPR00517**

Atty Muniz, Gina (Pro Per – Petitioner- Maternal Grandmother)

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

Age: 1		
DOB: 10/09/2010		
Cont. from		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	x
	Aff.Mail	n/a
	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	

GENERAL HEARING 08/20/2012

GINA MUNIZ, Maternal Grandmother, is Petitioner.

Father: **UNKNOWN**

Mother: **DANIELLE MUNIZ**

Paternal grandfather: Not Listed
Paternal grandmother: Not Listed

Maternal grandfather: Daniel Muniz, Declaration of Due Diligence filed 06/06/2012

Petitioner alleges: mother is on meth and is homeless. She leaves the child with whoever will watch her for money. She abuses her welfare money on drugs, sells food stamps and the child goes without. Mother abandoned the child for nine days with some girls that were also on drugs. Petitioner believes that child is being molested.

NEEDS/PROBLEMS/COMMENTS:

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:
   - Father (Unknown)
   - Danielle Muniz (Mother)

3. UCCJEA provides the child's residence from 06/02/2012 to present only. Need minor's residence from birth.

Reviewed by: LEG / LV

Reviewed on: 06/18/2012

Updates:

Recommendation:

File 21 - Padilla

22 Juliana Diaz & Nathan Diaz (GUARD/P) **Case No. 12CEPR00525**

Atty Espinoza, Grace (Pro Per – Petitioner – Maternal Aunt)

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

Juliana Diaz **Age: 13** **DOB: 02/04/1999**		
Nathan Diaz **Age: 9** **DOB: 02/13/2003**		
Cont. from		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	w
	Aff.Mail	n/a
	Aff.Pub.	
	Sp.Ntc.	
✓	**Pers.Serv.**	
✓	**Conf. Screen**	
✓	**Letters**	
✓	**Duties/Supp**	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
✓	**UCCJEA**	
	Citation	
	FTB Notice	

GENERAL HEARING 08/13/2012

GRACE ESPINOSA, Maternal Aunt, is Petitioner

Father: **ANTONIO EFRAIN DIAZ**

Mother: **JOANNA DIAZ**

Paternal grandfather: Antonio Diaz, Deceased
Paternal grandmother: Unknown, Deceased

Maternal grandfather: Feliciano Martinez, Deceased
Maternal grandmother: Consuelo Martinez, Deceased

Petitioner alleges: parents are unable to care for the children due to their drug abuse. Parents have been incarcerated at least three times as far as petitioner knows. Father is currently incarcerated for possession and has probation hold. Mother is homeless and was previously arrested but released. Petitioner fears if the parents get the children and are arrested again that CPS will get involved and take the children from the family.

NEEDS/PROBLEMS/COMMENTS:

1. 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:
   - Antonio Efrain Diaz (Father)
   - Joanna Diaz (Mother)

Note: Proof of personal service of the Notice of Hearing was filed 6/13/2012 however it lists the Petitioner's name as the person who was served with notice. Need clarification as to who was personally served.

Reviewed by: LEG / LV

Reviewed on: 06/18/2012

Updates:

Recommendation:

File 22 - Diaz

Dept. 303, 9:00 a.m. Thursday, June 21, 2012