



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

**Probate Status Hearing RE: Filing of the Third Account**

	<b>PAMELA BENITEZ</b> , Professional Fiduciary on behalf of <b>GOOD SHEPARD FUND</b> , is Trustee.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need third 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>
	The Second Account, for the account period ending 8/25/13, was approved on 8/25/14.	
	<b>Minute order dated 8/25/14</b> set this status hearing for the filing of the third account.	
<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> KT
		<b>Reviewed on:</b> 6/17/16
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 1- Romar</b>

**2 Jose A Martinez (Estate)**

**Case No. 12CEPR00885**

**Attorney: Heather H. Kruthers (for Petitioner, Public Administrator)**

**Attorney: Richard E. Hemb (for former Administrator Michel Curley)**

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

<b>DOD: 9/7/12</b>	<b>PUBLIC ADMINISTRATOR</b> , Successor Administrator, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 5/11/16. As of 6/17/16 the following issues remain:</b></p> <ol style="list-style-type: none"> <li>1. Michele Curley, former Administrator, was removed on 9/2/14. On 2/26/15 the Court heard the First and Final Account of the former Administrator. Minute order states Mr. Hemb was to submit an order that has been approved by Ms. Kruthers as to form and content. The order has not been received.</li> <li>2. On 9/21/15 U.S. Specialty Insurance Company (the bonding company for the former Administrator, Michele Curley) filed a Notice of Non-Payment of Bond. Bond payments are paid until the bond principal is discharged.</li> <li>3. Petition proposes to reimburse the former Administrator \$8,914.80 and her attorney \$580.00 based on the schedule of costs advanced in the account filed on 1/21/15. However neither amount is included in the prayer of the petition or in the proposed order. In addition the order on that accounting was never filed (see note #1 above).</li> <li>4. Proof of service of the Notice of Hearing lists "address unknown" for beneficiary, Michael Martinez. Need Declaration of Due Diligence.</li> </ol>
	Account period: 12/24/14 – 3/21/16	
<b>Cont. from 051116</b>	Accounting - <b>\$121,183.59</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$110,367.38</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Ending POH - <b>\$ 46,162.59</b>	
<input checked="" type="checkbox"/> <b>Inventory</b>	Administrator (statutory) - <b>\$4,635.51</b>	
<input checked="" type="checkbox"/> <b>PTC</b>	Attorney (statutory payable \$3,200 to County Counsel and \$1435.51 to former attorney Richard Hemb) - <b>\$4,635.51</b>	
<input checked="" type="checkbox"/> <b>Not.Cred.</b>	Attorney X/O (payable to County Counsel for sale of real property and preparation of taxes.) - <b>\$1,248.00</b>	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	Court Fees (certified copies) - <b>\$51.00</b>	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> W/	Bond fee - <b>\$378.75 (o.k.)</b>	
<b>Aff.Pub.</b>	Closing - <b>\$2,000.00</b>	
<b>Sp.Ntc.</b>	<b>Distribution, pursuant to intestate succession is to:</b>	
<b>Pers.Serv.</b>	Margarita Martinez - <b>\$7,928.01</b>	
<b>Conf. Screen</b>	Michele Curley - <b>\$7,428.00</b>	
<input checked="" type="checkbox"/> <b>Letters</b>	Michael Martinez - <b>\$7,928.01</b>	
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<input checked="" type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<input checked="" type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 6/17/16</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 2- Martinez</b>

**Probate Status Hearing RE: Filing of the Inventory and Appraisal**

	<p><b>SHELIA STEARNS</b> was appointed Conservator of the Person and Estate with bond of \$50,000.00 and \$425,000.00 to be placed into blocked accounts pursuant to Evidentiary/Settlement Conference Minute Order dated 2-25-14. The Order was signed on 3-5-14.</p> <p>Ms. Stearns was formerly represented by Attorney Sheldon Feigel, who is no longer eligible to practice law. Mr. Rindlisbacher appeared for the conservator on 7-21-14.</p> <p>On 8-13-14, bond of \$50,000.00 was filed. Thereafter, Letters were issued on 8-25-14.</p> <p>At a Status Hearing on 01/29/15, the Court set this matter for a status hearing regarding filing of the Inventory &amp; Appraisal.</p> <p><b>Order Increasing Bond filed 06/26/15</b>, increased bond to \$373,717.86.</p> <p>Bond of \$373,718.00 filed 09/08/15.</p> <p>Inventory &amp; Appraisal, partial no. 1, filed 10/28/15 - \$429,743.51</p> <p><b>Petition for Authority to Sell Residence of Conservatee</b> was approved on 12/14/15. <b>Minute Order from 12/14/15 [Judge Snauffer]</b> states: Counsel represents that he should have the Inventory &amp; Appraisal back in the next couple of weeks. The Court grants the petition with the condition that the property is to be inventoried and appraised by the previously set 01/13/16 status hearing.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 5/18/16. Minute order states</b> Counsel represents that the final inventory and appraisal is with the referee, who is contacting an out-of-county referee regarding the mining claims; requests 30 days</p> <p>1. <b>Need Final Inventory &amp; Appraisal and/or current written status report</b> pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from 040215, 052815, 062515, 072315, 090315, 091015, 102915, 011316, 022416, 042016, 051816		
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		
		Reviewed by: KT
		Reviewed on: 6/17/16
		Updates:
		Recommendation:
		File 3A - Cook

**Probate Status Hearing Re: Filing of the First Account**

	<b>SHELIA STEARNS</b> was appointed Conservator of the Person and Estate with bond of \$50,000.00 and \$425,000.00 to be placed into blocked accounts pursuant to Evidentiary/Settlement Conference Minute Order dated 2-25-14. The Order was signed on 3-5-14.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 5/18/16. Minute order states</b> Counsel represents that the final inventory and appraisal is with the referee, who is contacting an out-of-county referee regarding the mining claims; requests 30 days.</p> <p>1. <b>Need First Account or current written status report</b> 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 102915, 011316, 022416, 042016, 051816</b>		
<b>Aff.Sub.Wit.</b>	Ms. Stearns was formerly represented by Attorney Sheldon Feigel, who is no longer eligible to practice law. Mr. Rindlisbacher appeared for the conservator on 7-21-14.	
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	On 8-13-14, bond of \$50,000.00 was filed. Thereafter, Letters were issued on 8-25-14.	
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>	At a Status Hearing on 01/29/15, the Court set this matter for a status hearing regarding filing of the Inventory & Appraisal.	
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>	<b>Order Increasing Bond filed 06/26/15,</b> increased bond to \$373,717.86.	
<b>Duties/Supp</b>		
<b>Objections</b>	Bond of \$373,718.00 filed 09/08/15.	
<b>Video Receipt</b>		
<b>CI Report</b>	Inventory & Appraisal, partial no. 1, filed 10/28/15 - \$429,743.51	
<b>9202</b>		
<b>Order</b>	<b>Petition for Authority to Sell Residence of Conservatee</b> was approved on 12/14/15. <b>Minute Order from 12/14/15 [Judge Snauffer]</b> states: Counsel represents that he should have the Inventory & Appraisal back in the next couple of weeks. The Court grants the petition with the condition that the property is to be inventoried and appraised by the previously set 01/13/16 status hearing.	
<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> 6/17/16
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 3B – Cook</b>

Status RE: Filing of the Special Needs Trust and Completion of Distribution

Age:			NEEDS/PROBLEMS/COMMENTS:
DOD:			
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			<b><u>OFF CALENDAR</u></b>
			Petitions to establish special needs trusts are pending; next hearing date 6/28/16 unless granted sooner.
			Reviewed by: skc
			Reviewed on: 6/17/16
			Updates:
			Recommendation:
			File 4- Kermoyan

**9 In Re: The Kermit F. Fish and Rosalie J. Fish Revocable Living Trust Agreement dated 10/25/1993; Trust A-the Survivor's Trust; Trust B-the Family Trust Case No. 15CEPR00402**

Attorney Nahigian, Eliot S. (for Petitioners Phillip F. Fish and Andrea K. Fritzen)  
 Attorney Adams, Jon P. (for Objector Joseph F. Fish)

Petition to Remove a Co-Trustee and Appoint Successor Trustee; for Instruction to Trustee to Reimburse Income Tax Payments, Remedy a Breach of Trust, Pay Accountant, Withdraw Certificates of Deposit, and Distribute Trust Estate

		NEEDS/PROBLEMS/ COMMENTS:  <p style="text-align: center;"><b><u>OFF CALENDAR</u></b></p> Request for Dismissal entered 6/16/16	
Cont. from 060215, 071415, 102715, 030216			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		W
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
✓	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: skc	
		Reviewed on: 6/16/16	
		Updates:	
		Recommendation:	
		File 9A - Fish	

12  
 Petitioner  
 Attorney

**Eulalia Martinez Rosales (CONS/P)**  
 Camacho, Rosalba (Pro Per – Daughter – Petitioner)  
 LeVan, Nancy J. (Court appointed for Proposed Conservatee)

Case No. 16CEPR00109

**Petition for Appointment of Probate Conservator of the Person**

		See petition for details.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>Court Investigator advised rights on 2/22/16</p> <p>Voting rights affected – need minute order</p> <p><u>Minute Order 4/20/16:</u> Continued due to the remaining defect as to the Capacity Declaration.</p> <p><u>Minute Order 5/18/16:</u> Petitioner represents that Ms. LeVan texted her and told her to fax the needed capacity paperwork to her office, which Petitioner states she did.</p> <p>As of 6/17/16, nothing further has been filed. The following issue remains noted:</p> <ol style="list-style-type: none"> <li>1. The Capacity Declaration does not address dementia medication powers; only dementia placement. The Court may require clarification or revised capacity declaration.</li> </ol>	
Cont. from 030216, 041316, 042016, 051816				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
✓	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
✓	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 6/17/16	
			Updates:	
			Recommendation:	
			File 12- Rosales	

**16 Iris Gomez (GUARD/P)**

**Case No. 16CEPR00296**

Petitioner: Maria Elana Malagon (pro per)

Petitioner: Peregrina Malagon (pro per)

**Petition for Appointment of Guardian of the Person**

		<p><b>THERE IS NO TEMPORARY.</b> Temporary was denied.</p> <p><b>PEREGRINA MALAGON</b>, paternal grandmother, <b>MARIA MALAGON</b>, paternal aunt, are petitioners.</p> <p>Please see petition for details.</p> <p><b>Court Investigator Report filed on 5/12/16.</b></p> <p><b>Social Worker Report filed on 5/17/16.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 5/18/16.</b> <b>Minute order states</b> the Court orders Alana Bratton, mother, to provide contact information to the investigator and keep any appointments with the investigator or the court may move forward regardless.</p>
<b>Cont. from 051816</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 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 checked="" type="checkbox"/>	<b>Pers.Serv.</b> W/		
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" 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 checked="" 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 checked="" type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> KT</p> <p><b>Reviewed on:</b> 6/17/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 16- Gomez</b></p>	

**17 Martin Garcia Atayde and Sebastian Garcia Atayde (GUARD/P)**  
**Case No. 16CEPR00303**

Petitioner Ortega, Armida Hogan (Pro Per – Maternal Grandmother – Petitioner)

**Petition for Appointment of Guardian of the Person**

	See petition for details.	NEEDS/PROBLEMS/COMMENTS:
		<u>Minute Order 5/18/16</u> : Elizabeth Atayde, mother, represents that she only received the Notice of Hearing without a copy of the petition. The Court orders Elizabeth Atayde to return the minors to Armida Ortega today by 5pm. The Court further orders that CPS do a safety and welfare check immediately upon the minors' return. Written objections are to be filed and properly served at least 15 days prior to 6/22/16. The Court orders supervised visitation for Elizabeth Atayde. See Minute Order for further details.
		<u>Note</u> : As of 6/17/16, no objections have been filed. The following issues remain noted:
		1. Need Notice of Hearing.
		2. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 on both parents <u>or</u> consent and waiver of notice <u>or</u> dec of due diligence on: - Elizabeth Atayde (Mother) - Martin Avelar (Father)
		3. Petitioner filed declarations of due diligence re the paternal grandparents on 6/17/16. If diligence is not found, proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> further diligence on: - Paternal Grandfather Martin Garcia - Paternal Grandmother Teresa Avelar
		4. Need result of inquiry re Native American ancestry per Minute Order 4/12/16, and Notice of Child Custody Proceeding for Indian Child (Form ICWA-030) for notice as appropriate.
		Reviewed by: skc
		Reviewed on: 6/17/16
		Updates:
		Recommendation:
		File 17- Atayde
Cont. from 051816		
<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.	X	
<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 checked="" type="checkbox"/> Clearances		
<input checked="" 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		