

Notice of Motion and Motion for Order to Correct Clerical Error in Judgment and Amend Judgment Nunc Pro Tunc and Alternatively to Modify Void Judgment

DOD: 7/13/1991	MARY S. WATSON is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Order does not comply with Local Rule 7.6.1B – No riders or exhibits may be attached to any order, except as may be otherwise provided on Judicial Council forms. Need new order.</p>
Cont. from	Petitioner states she completed the probate of the decedent in pro per, enlisting the assistance of a paralegal to prepare the petition for final distribution.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	An error occurred in the language of the testamentary trust. The paralegal failed to include language in the testamentary trust that identified the decedent's children.	
<input type="checkbox"/> Inventory		
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<input checked="" type="checkbox"/> Notice of Hrg	Decedent died survived by his wife, Mary S. Watson , his child, Cynthia D. Knott , who is the issue of a prior marriage, and his two stepchildren, Martin R. Claborn and Kimberly Claborn Miller (who was referred to in the Will as Kimberly D. Garrett), who are the children of Mary S. Watson.	
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input type="checkbox"/> Aff.Pub.		
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<input type="checkbox"/> Conf. Screen	Article Second of Decedent's Will identifies his children to include his natural born child and his stepchildren.	
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections	Decedent's Will gives all of his personal property to his wife and Decedent's other assets consisting primarily of Decedent's 1/2 community property interest in certain farmland in trust for the benefit of his wife during her lifetime, and upon the death of Petitioner, to be divided into "as many equal shares as there are children of min then living and children of mine then deceased leaving issue."	
<input type="checkbox"/> Video Receipt		
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<input checked="" type="checkbox"/> Order		
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<input type="checkbox"/> FTB Notice		
	Please see additional page	<p>Reviewed by: KT</p> <p>Reviewed on: 6/19/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 - Watson</p>

Given the language in Article Two of the Will which provides that stepchildren are to be treated as children, upon the death of Petitioner, the Will provides that the assets in the testamentary trust are to be distributed in equal shares to **Cynthia D. Knott, Martin R. Claborn** and **Kimberly Claborn Miller**.

On April 11, 2014 Petitioner met with an estate planning attorney and was advised that the language of the order provided that **Cynthia D. Knott** was the sole remainderman beneficiary of the trust due to the omission of the language that the term "child" or "children" also refer to the Decedent's stepchildren. Petitioner took prompt action to cause this petition to be filed.

The error in the language of the judgment is readily apparent from the judgment roll consisting of the original will, the petition for probate, the order for probate and the judgment of final distribution which clearly does not conform to Decedent's wishes as expressed in the Will.

Alternatively, the Judgment of Final Distribution to Testamentary Trust is a void judgment and is subject to modification because the omission in the language of the judgment resulted in the court exceeding its authority, however unintentionally by rendering a judgment for distribution which was contrary to the intent of the Decedent as expressed in his Will.

Granting modification of the judgment nunc pro tunc is appropriate because Petitioner is still alive and the interests of any remainderman of the testamentary trust have not yet ripened into current interests.

Wherefore Petitioner prays for an order that the following language erroneously and mistakenly omitted for the judgment shall be added to the end of the judgment to conform to the Decedent's intent as expressed in his will: "The terms 'Decedent's child', 'Decedent's children', 'child of Decedent' and 'children of Decedent' as used in this Judgment of Final Distribution and Final Distribution to Testamentary Trust and in the testamentary trust set forth herein shall include Decedent's child Cynthia D. Knott, and step-children Martin R. Claborn and Kimberly Claborn Miller."

Points and Authorities attached to the Petition.

Notice of Motion and Motion to be Relieved as Counsel - Civil

DOD: 08/15/04		<p>PHILIP M. FLANIGAN, attorney for Executor CAROLYN LEWIS, is Petitioner.</p> <p>CAROLYN LEWIS, daughter, was appointed Executor with full IAEA and without bond on 12/06/05. Letters Testamentary were issued on 12/08/05.</p> <p>Petitioner states that he has been unable to contact his client and has an outdated address and telephone number. Ms. Lewis sold the property where she was previously living and several attempts to locate her or obtain a new address and phone number have been unsuccessful. Petitioner states that the inability to contact the client renders it unreasonably difficult to close probate and carry out the representation effectively.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 06/05/14</u></p> <p>Note: It is unclear whether Mr. Flanigan wishes to pursue this Motion based on his filing a First & Final Account (page 2B).</p>
Cont. from 032414, 050114, 060514			
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<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: JF</p> <p>Reviewed on: 06/18/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2A – Geise</p>	

**Amended First and Final Accounting and Report of Status of Administration;
Petition for Settlement Thereof; for Allowance of Statutory Attorney and
Administrator's Compensation; for Reimbursement of Costs Advanced; and
Petition to Close Estate**

DOD: 08/15/04	CAROLYN LEWIS , Executor, is Petitioner.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> The Petition requests that the full statutory fee be paid to the Executor and the Attorney, however, Probate Code § 12205 states that the Court may reduce compensation to the personal representative and/or attorney when the time taken to close the estate exceeds the time prescribed in the code, etc. The decedent died in 2004 and Letters were issued on 12/08/05. No explanation is provided in the Petition indicating that there was a reason for the delay in closing the estate. The Court may consider reducing the requested compensation. The Petition indicates that after payment of the requested statutory fees and costs that \$29,462.17 will be available for distribution to Carolyn Lewis, however, the Examiner calculates there will be \$35,402.17 remaining. Need clarification. Note: It is noted that the Order lists the statutory fees as \$7,000.00 which would result in cash remaining for disbursement of \$29,462.17, however this is the incorrect statutory fee. Need Notice of Hearing and proof of service by mail on all interested parties.
	Account period: 08/15/04 – 06/08/06		
	Accounting - \$200,000.00		
	Beginning POH- \$200,000.00		
	Ending POH - \$44,675.17 (all cash)		
Cont. from	Executor - \$4,000.00 (statutory)		
<input type="checkbox"/> Aff.Sub.Wit.	Attorney - \$4,000.00 (statutory)		
<input checked="" type="checkbox"/> Verified	Costs - \$1,213.00 (filing fees, publication, probate referee)		
<input checked="" type="checkbox"/> Inventory	Distribution, pursuant to decedent's will, is to:		
<input checked="" type="checkbox"/> PTC	Carolyn Lewis- \$29,462.17		
<input checked="" type="checkbox"/> Not.Cred.			
<input type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/>		
<input type="checkbox"/> Aff.Mail	<input checked="" type="checkbox"/>		
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<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters	12/06/05		
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<input checked="" type="checkbox"/> FTB Notice			
Reviewed by: JF			
Reviewed on: 06/19/14			
Updates:			
Recommendation:			
File 2B - Geise			

3 John Robert Ciano (Estate)

Case No. 11CEPR00221

Atty Garland, John F. (for Administrator Irene C. Arslan-Ciano)

(1) First and Final Account and Report of Administrator and Petition for its Settlement, (2) for Allowance of Compensation for Attorney's Fees and (3) for Final Distribution

DOD: 1-7-11		<p>IRENE C. ARSLAN-CIANO, Spouse and Administrator with Full IAEA with bond of \$35,000.00, is Petitioner.</p> <p>Account period: 6-1-11 through 5-19-14</p> <p>Accounting: \$ 270,015.60 Beginning POH: \$ 270,015.60 Ending POH: \$ 368.78</p> <p>Petitioner states the house was sold as a short sale and no funds were received by the estate. The vehicle and the stock shares were both sold at a loss. Expenses included maintenance of the house until its sale, accounting expenses, funeral expenses, etc.</p> <p>Administrator (Statutory): Not addressed</p> <p>Attorney (Statutory): \$7,701.92; however, the attorney will accept \$368.78 as total compensation.</p> <p>Petitioner prays for an order that:</p> <ol style="list-style-type: none"> 1) Administration be brought to a close; 2) The first and final account be settled, allowed, and approved as filed; 3) All acts and proceedings of Administrator be confirmed and approved; 4) Petitioner be authorized and directed to pay John F. Garland \$368.78 as statutory compensation; 5) Any other property not now known or discovered that may belong to the estate or in which the decedent may have an interest shall be distributed in equal shares to Irene C. Arslan-Ciano and Katelyn Rhames-Ciano without further order of this Court; and 6) Such further order be made as the Court considers proper. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Petitioner's check for payment of the filing fee was returned. Therefore, need \$435.00 plus returned check charge of \$45.00 for a total of \$480.00.</p> <p>Note: Pursuant to Local Rule 1.1.16, notice of returned check was mailed on 6-2-14. As of 6-19-14, payment has not been received. The Court may take this matter off calendar until fees are paid.</p> <p>Note: The Disbursements Schedule indicates \$435.00 for the above-referenced returned check.</p>
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<input checked="" type="checkbox"/>	Verified		
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<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
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<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters 6-1-11		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
		<p>Reviewed by: skc</p> <p>Reviewed on: 6-19-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3 - Ciano</p>	

Petition to Terminate Authority of Agent for Health Care

	<p>MICHAEL H. SMITH, Son, and FRESNO COUNTY PUBLIC GUARDIAN, Conservator of the Person and Estate, are Petitioners.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont from 052914</p>	<p>Petitioners state the Conservatee's grandson, Michael H. Smith, Jr. ("Butch"), retains the authority to make all medical decisions for the Conservatee pursuant to an advance health care directive signed by the Conservatee on 6-17-11 prior to the conservatorship. This authority was clarified by the Court via a motion brought by the Conservatee, through his attorney on 3-11-13. At that hearing, the Court instructed Butch that he was henceforward to take sole responsibility for all aspects of the Conservatee's health care, including scheduling and transportation to all necessary doctor visits and ensuring that medications were given as directed by his doctors. He was instructed to coordinate and cooperate with staff from Anjaleoni, who provide care from 11am to 7pm several days per week.</p>	<p><u>Minute Order 5-29-14:</u> Parties reach an agreement as set forth by Ms. Kruthers. Parties agree that the authority of the agent for health care will be suspended until further order of the Court. Ben Smith is to be provided with 24 hour care and be tested for TB. In addition, Ben Smith is to be placed in one of Susan Kendakur's facilities for 30 days. Ms. Kruthers is directed to prepare the order.</p>
<p>Aff.Sub.Wit.</p>	<p>Petitioners seek termination of Butch's authority as agent for health care on the ground that he has failed to perform and is unfit to perform the duties required of him under the advance health care directive and is acting in a manner that is clearly contrary to the conservatee's best interest.</p>	<p><u>Update:</u> On 6-2-14, the Conservatee was moved to Golden Care Home in Clovis.</p>
<p>Verified</p>	<p>After numerous hearings and mediation, it was initially determined that the Conservatee could be well served by remaining in his own home with care and supervision provided by Butch and Butch's mother Robin Kent and supplemented by professional services provided by Anjaleoni. Anjaleoni originally cared for the conservatee 7 days per week, which was subsequently reduced per Butch's request to reduce expense. Butch and Robin were to provide more hours of care, including nights. All parties and Anjaleoni staff were to keep a journal regarding the Conservatee's care including meals and medication.</p>	<p><u>Note:</u> Notice of Hearing was served on the Conservatee by email to his attorney, Jeffrey Jaech, and on Michael Smith, Jr. (Butch), by email to his attorney, Randolph Krbechek, with both attorneys' consent, on 5-23-14.</p>
<p>Inventory</p>	<p><u>SEE ADDITIONAL PAGES</u></p>	<p>1. Need order.</p>
<p>PTC</p>		<p><u>Update:</u> On 5-28-14, Randolph Krbechek, attorney for Michael Smith, Jr. (Butch) filed "Memorandum of Points and Authorities in Opposition to Petition." Because this was titled as P&A, it was not charged a filing fee at the counter. <u>However, it appears to be an Objection to the petition; therefore a \$435 filing fee is due. As of 6-18-14, this fee has not been paid.</u></p>
<p>Not.Cred.</p>		<p><u>Additional issue:</u> The document is not verified.</p>
<p>Notice of Hrg</p>		<p>Please note that P&A are not ordinarily summarized in Examiner Notes.</p>
<p>Aff.Mail</p>		<p>Reviewed by: skc</p>
<p>Aff.Pub.</p>		<p>Reviewed on: 6-18-14</p>
<p>Sp.Ntc.</p>		<p>Updates:</p>
<p>Pers.Serv.</p>		<p>Recommendation:</p>
<p>Conf. Screen</p>		<p>File 4 – Smith</p>
<p>Letters</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
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<p>Status Rpt</p>		
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>		

Petitioner states that while the Probate Code gives an agent selected by advance health care directive priority over others, including a conservator, to make health care decisions, it is also possible to terminate such authority when necessary. Probate Code §4766(d). Over the last four months, the Conservatee's care has deteriorated seriously. The Public Guardian has determined that his home is no longer the least restrictive setting where he can receive the care he needs. Moreover, the Public Guardian has determined that Butch is likely not ensuring that the Conservatee is receiving all prescribed medications, that he is not receiving adequate nutrition, and that his personal hygiene needs are not being met. He has bed sores that are being left untreated.

Anjaleoni staff has reported to the Public Guardian that the Conservatee is receiving substandard care from Butch and Robin. For example, he remains unbathed and unshaven unless Anjaleoni is on duty. They fail to get him out of bed until after 11am, leaving him in a soiled diaper and without breakfast. Once up, he spends most of his time sitting alone watching television. He frequently skips meals and is not encouraged to eat. He receives almost no socialization except when Mike and his wife Lisa visit.

Petitioners state Butch continuously interferes with Anjaleoni staff's efforts to provide care when they are on duty, such as telling them to leave him alone, he doesn't need to eat. This encourages the Conservatee to refuse to eat. Mike and Lisa have observed similar problems to what is described above. Anjaleoni staff has requested Mike's assistance several times due to Butch's interference with their efforts to provide necessary care such as bathing or meals. Butch's interference has become so troubling that Anjaleoni started taking more aggressive action to serve the Conservatee's needs. With this care, he is more alert, whereas he rarely interacts much under Butch's and Robin's care. He also eats willingly, which he will not do otherwise.

The Public Guardian has therefore determined that it is necessary to change the conservatee's residence to the Autumn Ridge residential care facility where he will receive the care and assistance he needs daily and will benefit from socialization with other residents.

When advised of the Public Guardian's intention to move the Conservatee and the need to obtain a TB test, Butch inquired as to the cost and was informed that it would actually be less than the cost to maintain him in his home with part time care.

Counsel for Mike has repeatedly asked counsel for Butch for permission for the TB test; however, Butch has failed and refused to obtain the test or permit the Public Guardian to do so.

This Court has previously determined that the Conservatee has dementia and lacks capacity to give informed consent for medical treatment or health care issue. Therefore, Petitioners submit that he lacks capacity to execute or revoke an advance health care directive or disqualify a surrogate.

See Declarations in support filed by Catherine Amador (attorney for Michael H. Smith); Stacy Mauro, Deputy Public Guardian; Sundari Susan Kendakur, Administrator of Anjaleoni; and Lisa Smith, wife of Michael H. Smith.

Petitioners request an order:

- 1. Terminating Butch's authority to make medical decisions for Ben pursuant to the advance health care directive signed by the Conservatee on 6-17-11;**
- 2. Confirming its earlier finding that the Conservatee lacks capacity to give informed medical consent for any purpose;**
- 3. Appointing the Public Guardian, the Conservator of the Person and Estate, as the party with authority to make all medical decisions for the Conservatee, including but not limited to scheduling and attending all medical appointments, reporting symptoms to Conservatee's physicians, and directing the administration of medications per the Conservatee's physician's orders, and obtaining all tests necessary to effectuate a change of Conservatee's residence; and**
- 4. Such other and further relief as the Court deems necessary and proper.**

Scotty S. Collins DOD: 10/29/04	SCOTTY V. COLLINS , co-trustee, of the COLLINS FAMILY TRUST – TRUST B , is Petitioner.	NEEDS/PROBLEMS/COMMENTS: CONTINUED FROM 04/14/14
Myrna Collins DOD: 06/15/09	Petitioner states:	1. It appears that Trudy Moxley's disclaimer contains an exception that she retained the right to receive 1/3 of the rent received after Trustor's death from the existing lease on the 80 acres of real property (APN: 055-060-10s) and that the existing lease is expected to terminate in 2024. Therefore, it appears that she is an interested party to this proceeding and would be entitled to Notice. Need proof of service by mail at least 30 days before the hearing of <i>Notice of Hearing</i> to Trudy Moxley. 2. Petitioner is requesting rent on the Blythe Property from 06/15/09 to present in the amount of \$1,000.00 per month; however, it is unclear from the Petition whether there was an agreement for such rent from the other beneficiary/co-trustee (Myrna Trotter). Further, Ms. Trotter was not provided with a copy of this Petition and has not filed a consent to this Petition as co-trustee/beneficiary. The Court may require such consent and/or notice. 3. The Petition makes no mention of any income derived from the 80 acre vineyard, such income is implied in the disclaimer of Trudy Moxley. The Court may require more information. 4. Need Order.
Cont. from 041414	1. The COLLINS FAMILY TRUST – TRUST B was established on 08/17/88 and amended and restated in its entirety on 04/22/99 (the "Trust") and further amended on 04/11/01, 09/19/01 and 03/19/02.	Reviewed by: JF
<input type="checkbox"/> Aff.Sub.Wit.	2. SCOTTY S. COLLINS , died on 10/29/04, whereupon, MYRNA H. COLLINS , became the sole Trustee of the COLLINS FAMILY TRUST and all trusts created under the Trust Agreement. Upon the death of Scotty S. Collins, the following sub-trusts were created:	Reviewed on: 06/19/14
<input checked="" type="checkbox"/> Verified	a. The Collins Family Trust – Trust A; and b. The Collins Family Trust – Trust B.	Updates:
<input type="checkbox"/> Inventory	3. Myrna H. Collins, died on 06/15/09 and upon her death, the Collins Family Trust – Trust B became irrevocable.	Recommendation:
<input type="checkbox"/> PTC	4. Article One of the Third Amendment to the Collins Family Trust, executed on 03/16/02 by Scotty & Myrna Collins ("Settlers"), provides that, upon the death the Settlers, all four of their children (Scotty V. Collins, Myrna H. Trotter, Joyce A. Dauer, and Trudy I. Moxley) are to serve as successor co-trustees.	File 5 – Collins
<input type="checkbox"/> Not.Cred.	5. On 02/26/10, Trudy Moxley executed a Disclaimer of Beneficial Interest in Trust B.	
<input checked="" type="checkbox"/> Notice of Hrg	6. On 03/02/10, Joyce Dauer executed a Disclaimer of Beneficial Interest in Trust B.	
<input checked="" type="checkbox"/> Aff.Mail w/o	7. Due to the disclaimers of Trudy & Joyce, Scotty V. Collins and Myrna H. Trotter are currently the sole remaining co-trustees of the Collins Family Trust – Trust B.	
<input type="checkbox"/> Aff.Pub.	8. Article 11 of the Second Amendment to Restatement of Collins Family Trust Agreement related to distributions upon the death of both Trustors provides that upon the death of the surviving spouse, all of the property in Trust B shall be distributed to the remaining beneficiaries.	Continued on Page 2
<input type="checkbox"/> Sp.Ntc.		
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<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
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<input type="checkbox"/> FTB Notice		

9. The assets of the Collins Family Trust – Trust B consists entirely of two parcels of real property. The first is commonly known as 3584 N. Blythe, Fresno, CA and the other is commonly known as 80 acres of vineyard farmland (APN: 055-060-10s).
10. Myrna Trotter has sole possession of 3584 N. Blythe since approximately 06/15/09 and therefore owes Trust rent in the approximately sum of \$1,000.00 per month from that date. Petitioner requests that this amount be added to the Trust estate.
11. Continuance of the Trust is not necessary to carry out any material purpose of the Trust. Probate Code § 15407, authorizes the court on petition of a trustee to order the termination of a trust if the court determines that the trust purpose is fulfilled.
12. The Petitioner believes and alleges that there is no pending civil action in this state against petitioner arising out of the Trust.

Petitioner requests:

1. An Order terminating The Collins Family Trust – Trust B.
2. The distribution of the trust estate (consisting of 2 parcels of real property) to Scotty V. Collins and Myrna H. Collins, as tenants in common.
3. Distribution of a sum equal to one-half of the rental value of the Blythe property in the possession of Myrna H. Collins to Scotty V. Collins from 06/15/09 to the date of this order.
4. On acknowledgement of receipt of trust assets by Scotty V. Collins and Myrna H. Collins, an order discharging them from all of their duties and responsibilities as trustees of The Collins Family Trust – Trust B.
5. Costs of suit herein.

Note: See cases 10CEPR00213 and 11CEPR00089 for matters related to this Trust.

- 6 Florence I. Caglia Family Trust (Trust)
- 7 Frank S. Caglia Survivor's Trust (Trust)
- 8 Florence I. Caglia Non-Exempt Marital Trust
- 9 Florence I. Caglia Exempt Marital Trust (Trust)

- Case No. 14CEPR00362
- Case No. 14CEPR00363
- Case No. 14CEPR00364
- Case No. 14CEPR00365

Atty Schrimp, Roger M. (of Modesto, CA, for Trustees Richard M. Caglia and Sally M. Caglia)
 Atty Torres-Silva, Bernadette (Pro Per Beneficiary – Objector)
 Atty Helon, Marvin T. (for Beneficiaries Mary Ann Torres and Bernadette Boyle)
 Petition for Instructions and Approval of Accounts Pursuant to Prob. C. 17200

Florence I. Caglia DOD: 2-4-96	RICHARD M. CAGLIA and SALLY M. CAGLIA , Trustees, are Petitioners.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> The above matters will be called as scheduled at 9:00 in Dept. 303; however, parties will be directed to report to Dept. 72 at the Main Courthouse for hearing assignment. Due to the complex nature of the petitions, summaries of the pleadings and accounts are not provided online.
Frank S. Caglia DOD: 6-7-07		
	BERNADETTE TORRES-SILVA , granddaughter of Frank and Florence Caglia and daughter of Mary Ann Torres, filed a Response on 6-10-14.	
	MARY ANN TORRES and BERNADETTE BOYLE , daughters of Frank and Florence Caglia, filed a Response on 6-16-14.	
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<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input checked="" 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		
		Reviewed by: skc
		Reviewed on: 6-19-14
		Updates:
		Recommendation:
		File 7 – Caglia

Probate Status Hearing Re: Failure to File the Inventory and Appraisal and for Failure to File a First Account or Petition for Final Distribution

	ARTHUR K. O'BRIEN, JR., son, appointed executor with full IAEA authority without bond on 07/14/2006.	NEEDS/PROBLEMS/COMMENTS: Minute Order of 05/09/2014: No appearances. The Court notes that this is the second continuance without an appearance by Ruth Ratzlaff. Ruth Ratzlaff is ordered to be personally present on 06/23/2014. The Court will consider issuing an Order to Show Cause if there is no appearance by counsel at the next hearing. Copy of Minute Order mailed to Attorney Ruth E. Ratzlaff on 05/16/2014. 1. Need Inventory and Appraisal and First Account or Petition for Final Distribution 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.
	Letters issued on 07/19/2006.	
Cont. from 022814, 050914	Inventory and Appraisal was due 12/2006.	
Aff.Sub.Wit.	First Account or Petition for Final Distribution was due 09/2007.	
Verified	Notice of Status Hearing was mailed to Attorney Ruth E. Ratzlaff and Arthur K. O'Brien, Jr. on 11/22/2013.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV Reviewed on: 06/19/2014 Updates: Recommendation: File 10 – O'Brien

11 **Lillian Salwasser (Estate)** Case No. 07CEPR00104
 Atty **Matthai, Edith (for Craig A. Houghton – Objector)**
 Atty **Manock, Charles K. (for George Salwasser/Executor of the Estate of Lillian Salwasser)**
 Atty **Chielpegian, Michael S (for Marvin Salwasser/Administratoor with Will Annexed of Walter Salwasser Respondent)**
 Atty **Wright, Janet L. (for George Salwasser/Executor)**
 Atty **Farley, Michael L. (of Visalia, for Gary E. Salwasser - Beneficiary)**
Status Hearing

	George Salwasser is Executor.	NEEDS/PROBLEMS/COMMENTS:
	An Amended and Restated First Account was filed on 1-13-10 and has been continued with reference to additional ongoing matters in this and other related cases.	Status Report filed 8-7-13 states an amended tax return is being prepared and will be submitted to the IRS upon completion by Craig Houghton of Baker Manock & Jensen. At this time, Mr. Houghton is still not in possession of sufficient information in regards to the amended tax matters to provide Ms. Wright with the information needed to close the estate. It is requested that the status hearing be continued to 10-4-13.
	This status hearing was set on 4-26-13.	Status Report filed 1-8-14 requests at least an additional 45 days.
Cont. from 060713, 080913, 100413, 011014, 041014, 050814	This status report filed 6-6-13 by Attorney Janet Wright states counsel met and conferred on 5-16-13 with attorneys Craig Houghton and Mark Poochigian of Baker Manock & Jensen, who represented the Executor in his initial appointment through December 2008, and in various extraordinary matters, and with Executor, to review the proposed Petition for Final Distribution on Waiver of Account.	Minute Order 1-10-14 states Ms. Wright requests a 90-day continuance.
Aff.Sub.Wit.	It was determined that in order to close the estate pursuant to the Memorandum of Settlement Agreement entered into by beneficiaries Gary Salwasser and George Salwasser after mediation, certain matters would need to be addressed:	Status Report filed 4-8-14 requests an additional 30 days.
Verified	<ol style="list-style-type: none"> 1. Amendment to estate tax return 2. Inventory and Appraisal for promissory notes (preliminary payment history attached) 	Status Report filed 5-7-14 requests an additional 30 days.
Inventory	Once the amendment to the estate tax return is completed, it should be possible to create a formula taking into account the allocation of fees and costs pursuant to the agreement and any credits due beneficiaries which would allow the petition to be filed and estate to be closed.	Status Report filed 6-19-14 states the CPAs are finalizing a claim for refund. Continuance to 7-9-14 is requested.
PTC		1. Need amended account / petition for final distribution.
Not.Cred.		Reviewed by: skc
Notice of Hrg		Reviewed on: 6-18-14
Aff.Mail		Updates: 6-20-14
Aff.Pub.		Recommendation:
Sp.Ntc.		File 11 – Salwasser
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Probate Status Hearing Re: Filing of Receipt for Blocked Account

	<p>TEMP (ESTATE ONLY) EXPIRES 5-12-14</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont. from 032213,042613,061 413, 100413, 011014, 051214</p>	<p>VANCE SEVERIN and TERRI SEVERIN, Brother and Sister of Mr. Salzman's wife, Stacy Salzman, were appointed as Temporary Co-Conservators of the Person and Estate without bond (bond upon permanent appointment) on 9-25-12.</p>	<p>Note: On 1-7-13, the general conservatorship petition was withdrawn. See Minute Order. The temp conservatorship is limited to the sale of the property.</p>
<p>Aff.Sub.Wit.</p>	<p>At a hearing on 11-5-12, the Court set this status hearing for the filing of the I&A.</p>	<p>1. Need receipt for blocked account (sale proceeds) 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>
<p>Verified</p>	<p>On 12-10-12, The Temporary Co-Conservators were authorized to sell the Conservatee's real property, with proceeds to be deposited into a blocked account.</p>	
<p>Inventory</p>	<p>At hearing on 1-7-13, the petition for conservatorship of the <u>person</u> was withdrawn, and the conservatorship of the <u>estate</u> was extended to 3-29-13, but limited to the sale of the property and negotiate and settle with the Conservatee's creditors, including California Franchise Tax Board and IRS.</p>	
<p>PTC</p>	<p>Also on 1-7-13, the Court set a status hearing for filing of the First or Final Account of Temporary Conservator.</p>	
<p>Not.Cred.</p>	<p>Inventory and Appraisal filed 5-22-13 reflects Mr. Salzman's 50% interest in the real property valued at \$75,000.00.</p>	
<p>Notice of Hrg</p>	<p>Status Report filed 6-12-13 states the house has been on the market for 20 days listed at \$417,000.00. It has been completely rehabilitated and looks terrific. There are some issues with the contractor who did the rehabilitation that will need to be worked out once a solid offer is received. The Co-Conservators and spouse are hopeful that an offer will be made soon and are considering adjusting the listing price downward. The Co-Conservators request temporary conservatorship be extended 60-90 days to complete their limited powers to sell the house, place the money in a blocked account, and file their first and final account.</p>	
<p>Aff.Mail</p>	<p>Status Report filed 10-2-13 states the matter has taken on a life of its own over the past few weeks. An offer is pending in the \$260,000 range, even though the Conservators anticipated offers in the \$400,000 range. Apparently the contractor did not have a license and after a disagreement, went to the residence and ripped out fixtures and appliances, leaving the residence a mess. She thereafter recorded a mechanic's lien in the amount of \$150,000.00 against the property. ON the attorney's advice, the Conservators filed a complaint with the Fresno County District Attorney. They are working with the title company to bond around the mechanic's lien to close escrow.</p>	
<p>Aff.Pub.</p>	<p>Status Report filed 5-7-14 states escrow closed 4-18-14.</p>	
<p>Sp.Ntc.</p>		
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p>Letters</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>		
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>		
<p></p>		<p>Reviewed by: skc</p>
<p></p>		<p>Reviewed on: 6-18-14</p>
<p></p>		<p>Updates:</p>
<p></p>		<p>Recommendation:</p>
<p></p>		<p>File 12A - Salzman</p>

DOD: 12/18/2012	PAULA ROBINSON was appointed as Special Administrator with Limited IAEA authority and without bond on 6/17/2013.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 111813, 051914	Letters of Special Administration expired on 5/19/14.	1. Need 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.
Aff.Sub.Wit.	Petitioner was appointed for the limited purpose of pursuing actions to recover assets of the decedent held by others.	
Verified		
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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: 6/18/14
		Updates:
		Recommendation:
		File 13 – Crawford

		RACHELLE DIANE YOUNG , Mother, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Petitioner resides in Ponchatoula, Louisiana.</p> <p>Minute Order 8-20-13: The Court notes for the minute order that it has considered the stability and circumstances involving the minor. The Court continues the matter to 6/23/14. Mother is ordered to provide the court investigator her contact information as well as any other relevant information once she has moved to her new location. The court investigator is ordered to follow-up on mother's living circumstances in Louisiana. The Court will anticipate hearing from the minor in person at the next hearing. Continued 6/23/14</p> <p>Note: On 5-16-14, Mario Manfredo (Father) filed a Petition for Termination of Guardianship that has been set for hearing on 7-16-14.</p> <p>As of 6-20-14, the following issues remain:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of Notice of Hearing on all relatives pursuant to Probate Code §1460(b)(5), including: <ul style="list-style-type: none"> - Mario Manfredo (Father) - Ralph Manfredo (Paternal Grandfather) - Nanette LaVaughn Young (Maternal Grandmother) - Johnny Lee Young (Maternal Grandfather) - Heather Nicole Young (Minor, now age 12)
		CINDY HARRISON , Paternal Grandmother, was appointed guardian on 10-26-07.	
Cont from 082013		Father: MARIO MANFREDO	
	Aff.Sub.Wit.	Paternal Grandfather: Ralph Manfredo	
✓	Verified	Maternal Grandmother: Nanette LaVaughn Young	
	Inventory	Maternal Grandfather: Johnny Lee Young	
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order	<p>Petitioner states at the time guardianship was established, she had just lost her son and was very depressed. Petitioner has been understanding not wanting to hurt Cindy and appreciate everything she has done, but she wants her daughter back, and her daughter wants to live with her. Petitioner states she can't have anymore kids and she is her world and she wants to be there for everything in her life. She needs her mom. Petitioner attaches an additional letter describing that Heather has spent summers with her, and wants to live with her. The letter also describes that the guardian sometimes goes to the casino and either takes the minor or leaves her home alone. The letter states she is sorry to not be there in court, but she has a job in Louisiana and needs it in order to provide for Heather. A letter from Heather was filed on 7-15-13 requesting to live with her mother in Louisiana. Petitioner filed additional declarations in support of her petition on 8-19-13.</p> <p>Guardian Cindy Harrison filed a Declaration on 8-19-13 detailing her concerns with termination.</p> <p>Court Investigator Julie Negrete filed a Report on 8-14-13 and a Supplemental Report on 6-18-14.</p>	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
SEE PAGE 2			
		Reviewed by: skc	
		Reviewed on: 8-16-13	
		Updates:	
		Recommendation:	
		File 14 – Young	

	<p>JESUS N. GONZALEZ, Father, is Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS: <u>Continued from 6-11-13, 7-30-13, 9-10-13, 10-8-13, 12-13-13, 3-3-14, 4-21-14.</u> See following pages.</p>			
<p>Cont. from 061113, 073013, 091013, 100813, 121313, 030314, 042114</p>	<p>MARIA IBARRA, Maternal Grandmother, was appointed Guardian on 6-26-08. - served by mail 5-27-13</p>	<p>Minute Order 10-8-13: Ms. Ibarra is being assisted by an interpreter. Mr. Gonzalez informs the Court that he has an appointment with the counselor today. The Court indicates to the parties that it is not changing the visitation time and they are to mutually agree on a location for visitation to take place during the winter months. The Court orders that Jesus and his father participate in conjoint counseling with a licensed clinical therapist for the purpose of facilitating unsupervised visits. In the event that a licensed therapist is not available in Firebaugh, arrangements are to be made elsewhere with a licensed therapist. Ms. Aguilar is ordered to notify the therapist that the Court will be expecting a report as to how conjoint counseling is progressing. Continued to 12/3/13.</p>			
<table border="1"> <tr> <td data-bbox="99 510 162 548"></td> <td data-bbox="162 510 362 548">Aff.Sub.Wit.</td> <td data-bbox="362 510 448 548"></td> </tr> </table>		Aff.Sub.Wit.		<p>Mother: Patricia Rodriguez (Deceased)</p>	<p>Minute Order 12-13-13: Counsel informs the Court that father and child are in the process of registering with County Mental Health for an evaluation. Counsel requests continuance. The Court orders that all orders remain in full force and effect. Matter continued to 3-3-14. The Court will entertain an order shortening time if necessary.</p>
	Aff.Sub.Wit.				
<table border="1"> <tr> <td data-bbox="99 548 162 588">✓</td> <td data-bbox="162 548 362 588">Verified</td> <td data-bbox="362 548 448 588"></td> </tr> </table>	✓	Verified		<p>Paternal Grandfather: Jose Gonzalez</p>	
✓	Verified				
<table border="1"> <tr> <td data-bbox="99 588 162 627"></td> <td data-bbox="162 588 362 627">Inventory</td> <td data-bbox="362 588 448 627"></td> </tr> </table>		Inventory		<p>Paternal Grandmother: Josefina Gonzalez</p>	
	Inventory				
<table border="1"> <tr> <td data-bbox="99 627 162 667"></td> <td data-bbox="162 627 362 667">PTC</td> <td data-bbox="362 627 448 667"></td> </tr> </table>		PTC		<p>Maternal Grandfather: Lorenzo Rodriguez</p>	
	PTC				
<table border="1"> <tr> <td data-bbox="99 667 162 707"></td> <td data-bbox="162 667 362 707">Not.Cred.</td> <td data-bbox="362 667 448 707"></td> </tr> </table>		Not.Cred.		<p>Petitioner requests to have custody of his son and to have his case reviewed.</p>	
	Not.Cred.				
<table border="1"> <tr> <td data-bbox="99 707 162 770">✓</td> <td data-bbox="162 707 362 770">Notice of Hrg</td> <td data-bbox="362 707 448 770"></td> </tr> </table>	✓	Notice of Hrg		<p>Petitioner sees no reason for his son to be with his grandmother when he is fully capable and willing to be fully responsible for his son.</p>	
✓	Notice of Hrg				
<table border="1"> <tr> <td data-bbox="99 770 162 810">✓</td> <td data-bbox="162 770 362 810">Aff.Mail</td> <td data-bbox="362 770 448 810">w/o</td> </tr> </table>	✓	Aff.Mail	w/o	<p>Petitioner doesn't feel the visitation that he is allowed is sufficient to fully bond with his son, especially now that he will be having a sibling.</p>	
✓	Aff.Mail	w/o			
<table border="1"> <tr> <td data-bbox="99 810 162 850"></td> <td data-bbox="162 810 362 850">Aff.Pub.</td> <td data-bbox="362 810 448 850"></td> </tr> </table>		Aff.Pub.		<p>Petitioner believes it is in his son's best interest to be closer to his little brother and father than the 2 hours a week that is currently allowed (sometimes less because the grandmother arrives late).</p>	
	Aff.Pub.				
<table border="1"> <tr> <td data-bbox="99 850 162 890"></td> <td data-bbox="162 850 362 890">Sp.Ntc.</td> <td data-bbox="362 850 448 890"></td> </tr> </table>		Sp.Ntc.		<p>Petitioner believes his son needs a father figure and he and his wife are able to provide a stable house for his son. Petitioner states there is no need for his son to continue living with his grandmother when he has a loving father who wants to be a part of his life.</p>	
	Sp.Ntc.				
<table border="1"> <tr> <td data-bbox="99 890 162 930"></td> <td data-bbox="162 890 362 930">Pers.Serv.</td> <td data-bbox="362 890 448 930"></td> </tr> </table>		Pers.Serv.		<p>SEE ADDITIONAL PAGES</p>	<p>Reviewed by: skc</p>
	Pers.Serv.				
<table border="1"> <tr> <td data-bbox="99 930 162 970"></td> <td data-bbox="162 930 362 970">Conf. Screen</td> <td data-bbox="362 930 448 970"></td> </tr> </table>		Conf. Screen			<p>Reviewed on: 6-18-14</p>
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<table border="1"> <tr> <td data-bbox="99 970 162 1010"></td> <td data-bbox="162 970 362 1010">Letters</td> <td data-bbox="362 970 448 1010"></td> </tr> </table>		Letters			<p>Updates:</p>
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<table border="1"> <tr> <td data-bbox="99 1010 162 1050"></td> <td data-bbox="162 1010 362 1050">Duties/Supp</td> <td data-bbox="362 1010 448 1050"></td> </tr> </table>		Duties/Supp			<p>Recommendation:</p>
	Duties/Supp				
<table border="1"> <tr> <td data-bbox="99 1050 162 1089"></td> <td data-bbox="162 1050 362 1089">Objections</td> <td data-bbox="362 1050 448 1089"></td> </tr> </table>		Objections			<p>File 15 – Rodriguez</p>
	Objections				
<table border="1"> <tr> <td data-bbox="99 1089 162 1129"></td> <td data-bbox="162 1089 362 1129">Video Receipt</td> <td data-bbox="362 1089 448 1129"></td> </tr> </table>		Video Receipt			
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<table border="1"> <tr> <td data-bbox="99 1129 162 1169">✓</td> <td data-bbox="162 1129 362 1169">CI Report</td> <td data-bbox="362 1129 448 1169"></td> </tr> </table>	✓	CI Report			
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<table border="1"> <tr> <td data-bbox="99 1289 162 1329"></td> <td data-bbox="162 1289 362 1329">Status Rpt</td> <td data-bbox="362 1289 448 1329"></td> </tr> </table>		Status Rpt			
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	FTB Notice				

Page 2

Court Investigator Jennifer Young filed a report on 7-26-13.

Minute Order 7-30-13: Also present in the courtroom is Jesus Rodriguez. Rosie Valdivinos is sworn and interprets for Maria Ibarra. Ms. Ibarra objects to the petition. Visitation between father and the minor is ordered as follows: visitation shall be every Sunday from 1:00 p.m. to 5:00 p.m. at a place mutually agreed upon by the parties. Father is ordered not to expose the minor to any horror movies or encourage any horse play with other children that may be uncomfortable for the minor. **The Court orders the court investigator to contact the Carmen Meza Center regarding the minor's therapy. Parties enter into a waiver of confidentiality for said purpose.** Continued to 9/10/13.

Court Investigator Jennifer Young filed a report on 9-3-13.

Guardian Maria Ibarra filed a declaration on 9-6-13. Ms. Ibarra states Jesus has always been in her custody since the death of his mother on 10-31-05. Jesus' mother was murdered with a kitchen knife. Her throat was cut open and Jesus was found on top of his mother's dead body covered in blood (at age 1½). The police turned him over to Ms. Ibarra that day. Shortly after the murder, Ms. Ibarra spoke with Mr. Gonzalez, who stated she could keep Jesus as long as he could use his SSN for his taxes. He did not participate in Jesus' life. When Jesus was two years old, Ms. Ibarra allowed overnight visits. During the visits, Jesus slept on pillows on the floor with the family dog. Mr. Gonzalez never returned him on time and she always had to pick him up. On one occasion, he wasn't even present, and Jesus was running around unsupervised with the grandfather getting drunk with his friends. A police report was made. In 2008, Jesus came home with a burn on his hand. Jesus told her that his aunt Karina was mad at him and grabbed his hand and burned it. A police report was made. Also, Jesus was always starving upon return from his visits.

Of great concern to Ms. Ibarra is the fact that Mr. Gonzalez was inconsiderate of what happened to Jesus. He had him watch the movie "Chucky" where a doll is murdering people with a knife. Mr. Gonzalez should have been more conscious of the fact that Jesus' mother was killed with a knife. Jesus was traumatized.

Ms. Ibarra states that even now, he continues to have little regard for Jesus' needs, and Mr. Gonzalez lacks maturity when it comes to Jesus' care. Recently he forced horseplay (fight) with Jesus' cousins, and tried to block Ms. Ibarra from seeing with a chair.

Further traumatizing Jesus, Mr. Gonzalez had Ms. Ibarra served with court papers in front of Jesus. The person was rude and disrespectful, demanding to see photo identification or verification of her address. She felt forced to show her PGE bill. Jesus was scared that he was going to be removed from her home.

Ms. Ibarra states she regularly attends church on Sunday afternoons. Jesus enjoys this because that is when his friends go to service too. Mr. Gonzalez refuses to change the visitation schedule so Jesus can attend. Ms. Ibarra would like visits to be Sundays 9-12.

Ms. Ibarra is not opposed to the court ordering Mr. Gonzalez to attend therapeutic visits with Jesus and his counselor. She has attended some sessions, and believes he should also.

Mr. Gonzalez pays only \$128/month child support. Ms. Ibarra pays \$60-70/week in child care. Mr. Gonzalez takes no interest in helping pay for school supplies, uniforms, medical bills, and **refuses to provide her with his insurance card or a letter stating he is not covered. The providers will not accept Medi-Cal because their system shows he has an insurance provider.** Jesus suffers from asthma and this is creating a hardship. Ms. Ibarra cannot afford these bills. All she needs from him is the insurance card.

SEE ADDITIONAL PAGES

Dept. 303, 9:00 a.m. Monday, June 23, 2014

Page 3

Minute Order 9-10-13 states: Ms. Valdivinos is sworn and interprets for Maria Ibarra. Maria Ibarra objects to the petition. Counsel is directed to facilitate counseling between father and child. Matter continued to 10/8/13.

Declaration of Jesus N. Gonzalez filed 10/03/2013 disputes the claims of the guardian, Maria Ibarra. Mr. Gonzalez is seeking to increase his visitation with the minor child to include overnight visits in order for him to become more familiar with his family and become a stronger part of their lives. Mr. Rodriguez states that both he and the guardian shared custody of Jesus, the minor child, without a structured agreement and transportation of the child was done by both parties as well as the father's sister. The father states that when the child would visit his family he always had a comfortable place to sleep, not on the floor. He states the child was with him one time while watching movie clips on You-Tube and there were a few clips from the movie "Chucky" as well as other comedies, cartoons and other genres. The father states the child did not seem disturbed by any of the movie clips. Mr. Gonzalez states that the safety of his son is always held in high regards. He says that Jesus is a normal 10 year old who regularly plays with all of his cousins. Mr. Gonzalez states that he has always been and is willing to help with the child's needs. He states he has purchased shoes, clothing and other items outside of the dollar amount taken for child support. He states that the guardian makes it difficult to bring gifts from family members since she is an active Jehovah's Witness and has gotten upset with Mr. Gonzalez's mother for taking a birthday cake to celebrate with the child during one of the visits. Mr. Gonzalez states that he has provided the guardian with a letter for the child's medical coverage.

Mr. Gonzalez' Declaration (Cont'd):

Attached to the declaration are pictures of the child with the father in response to the allegations that the child does not want to visit with the father.

Confidential Supplemental Investigator's Report filed 10-1-13 by Court Investigator Jennifer Young.

Minute Order 10-8-13: Ms. Ibarra is being assisted by an interpreter. Mr. Gonzalez informs the Court that he has an appointment with the counselor today. The Court indicates to the parties that it is not changing the visitation time and they are to mutually agree on a location for visitation to take place during the winter months. The Court orders that Jesus and his father participate in conjoint counseling with a licensed clinical therapist for the purpose of facilitating unsupervised visits. In the event that a licensed therapist is not available in Firebaugh, arrangements are to be made elsewhere with a licensed therapist. Ms. Aguilar is ordered to notify the therapist that the Court will be expecting a report as to how conjoint counseling is progressing. Continued to 12/3/13.

Minute Order 12-3-13: Counsel informs the Court that father and child are in the process of registering with County Mental Health for an evaluation. Counsel requests a continuance. The Court orders that all orders remain in full force and effect. Matter continued to 3/3/14. The Court will entertain an order shortening time if necessary. Continued to 3-3-14 at 9am in Dept 303. All other orders remain in full force and effect.

Minute Order 3-10-14: Matter continued to 4-21-14.

Minute Order 4-21-14: Mr. Gonzalez was provided with guardian's phone number. Parties are to give one another 24 hours if they can not make a visit. Court needs a report from the therapist regarding progress and viability on when visits may increase by hours and/or non-supervised visits. Continued 6/23/14 at 9am in Dept 303.

As of 6-18-14, nothing further has been filed.

Age: 7	MARISA CATHLEEN OLSON, guardian/maternal grandmother, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Marisa Cathleen Olson was appointed guardian on 09/29/2010.	
Cont. from	Father: RAYMOND DAVID ROBICHAUD, personally served on 06/06/2014	
<input type="checkbox"/> Aff.Sub.Wit.	Mother: RAINE NICHOLE SAM, consents and waives notice	
<input checked="" type="checkbox"/> Verified	Paternal Grandfather: Raymond Robichaud, Sr., served by mail on 04/25/2014	
<input type="checkbox"/> Inventory	Paternal Grandmother: Beverly Tucker- Robichaud, served by mail on 04/25/2014	
<input type="checkbox"/> PTC	Maternal Grandfather: Lenard L. Olson, consents and waives notice	
<input type="checkbox"/> Not.Cred.	Petitioner states: the mother has completed a 2 ½ month rehab program in Riverside, Ca which also included daily parenting classes, anger management classes, group and family group counseling, NA meetings, step work and relapse prevention.	
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner states the mother is clean and sober, is in a loving and stable relationship.	
<input checked="" type="checkbox"/> Aff.Mail w/	Court Investigator Julie Negrete's report filed 06/17/2014.	
<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: LV
		Reviewed on: 06/19/2014
		Updates:
		Recommendation:
		File 16 - Robichaud

Amended Petition for Probate of Will and for Letters of Administration with Will Annexed

DOD: 1-8-14		DENNIS H. JOHNS , Son and Named Executor without Bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Proposed personal representative is a resident of Alaska. Probate Code § 8571 states notwithstanding a waiver of bond, the court in its discretion may require a nonresident personal representative to give a bond in an amount determined by the court. If bond is required, it should be set at \$302,477.00. <u>Note:</u> If granted, the Court will set status hearings as follows: <ul style="list-style-type: none"> • Thurs 8-7-14 for filing of bond • Thurs 8-30-14 for filing the Inventory and Appraisal • Thurs 8-28-15 for filing the first account or petition for final distribution. If the proper items are on file pursuant to local rules, the status hearings may be taken off calendar.
		Petitioner is a resident of Sterling, Alaska.	
	Aff.Sub.Wit.	S/P	
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		
✓	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Full IAEA – ok	
		Will dated 1-14-08	
		Residence: Fresno Publication: Business Journal	
		Estimated value of estate: Personal property: \$ 5,000 Annual income: \$ 9,000 (from real property) Real property: \$288,477 Total: \$302,477	
		Probate Referee: Rick Smith	
		Reviewed by: skc	
		Reviewed on: 5-6-14	
		Updates:	
		Recommendation:	
		File 17 - Johns	

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

Mia age: 4	<p style="text-align: center;">TEMPORARY EXPIRES 6/23/14</p> <p>CHRISTOPHER LEWIS and HEATHER LEWIS, Maternal grandfather and maternal step-grandmother, are petitioners.</p> <p>Father: ALAN MADDAMMA</p> <p>Mother: JACQUELINE MADDAMMA – further notice waived per minute order dated 5/6/14.</p> <p>Paternal grandfather: Deceased Paternal grandmother: Carla Propes Maternal grandmother: not listed.</p> <p>Petitioners state the father is living in New Jersey. Father and mother separated in December and without notifying father, mother took the children to Fresno. Mom began using methamphetamine again. CPS became involved after she left the children in a motel room with two known Bulldog gang members.</p> <p>Court Investigator Jennifer Young's Report filed on 6/17/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or consent and waiver of notice or declaration of due diligence on: <ol style="list-style-type: none"> a. Alan Maddamma (father) <p>Note: Father signed the nomination, but not the consent and waiver of notice portion of the form.</p> 3. Need proof of service of the Notice of Hearing along with a copy of the Petition or consent and waiver of notice or declaration of due diligence on: <ol style="list-style-type: none"> a. Carla Propes (paternal grandmother) b. Unknown maternal grandmother. 4. Petitioner, Heather Lewis, is the step-grandmother. In the petition Heather is listed as the grandmother. However the biological grandmother should be listed. 	
Olivia age: 2			
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.			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 type="checkbox"/> 9202			
<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			
Reviewed by: KT			
Reviewed on: 6/19/14			
Updates:			
Recommendation:			
File 18 - Maddamma			

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

Age: 6 years		<u>TEMPORARY EXPIRES 6/23/14</u>		<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service fifteen (15) 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: <ul style="list-style-type: none"> • Orrin V. Fuller (Father) • Melissa Calderon (Mother) 3. Need proof of service fifteen (15) 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: <ul style="list-style-type: none"> • Anthony Fuller (Paternal Grandfather) • Jeraldine McCoy Koontz (Paternal Grandmother) • Maternal Grandparents (Unknown) 4. Need Order. 5. Need Letters.
		<p>ANTOINETTE M. FULLER, paternal aunt, is petitioner.</p>		
		<p>Father: ORRIN V. FULLER</p>		
Cont. from		<p>Mother: MELISSA CALDERON</p>		
	Aff.Sub.Wit.		<p>Paternal grandfather: Anthony Fuller</p>	
✓	Verified		<p>Paternal grandmother: Jeraldine McCoy-Koontz.</p>	
	Inventory		<p>Maternal grandparents: Unknown</p>	
	PTC			
	Not.Cred.			
	Notice of Hrg	X	<p>Petitioner states the minor's father has recently spoken of returning the minor to his home for a visit. Since then the minor has been telling Petitioner and other family members of the abusive things taking place in her father's household. Petitioner believes the minor's statements that she is being abused, neglected and possibly even molested. The minor is living in constant fear of returning to her father.</p>	
	Aff.Mail	X		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	X		
✓	Conf. Screen			
	Letters	X	<p>Attached to the petition are photos of the child.</p>	
✓	Duties/Supp			
	Objections		<p>Objection to Temporary Guardianship filed 05/12/2014 states the petition is full of untruths and that this is a ploy by the petitioner to obtain a child because she is not capable of having child herself. The father states he has never abused his child in any way either sexually or physically. He states that the petitioner was at one time in a mental institution because of her ramblings about being abused. The father denies any domestic violence between him and his fiancée. He states that the photos that the petitioner provided with the alleged bruising on the child were taken a week after the child was in the petitioners care.</p>	
	Video Receipt			
	CI Report			
	9202			
	Order	X		
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
<u>Please see additional page</u>				
Reviewed by: LV				
Reviewed on: 06/19/2014				
Updates:				
Recommendation:				
File 19 -Fuller				

Father's Objection continued from previous page: The father states that the child has always lived with him and on occasion would visit the petitioner. He states the last time the child went to visit was March 2014 and when it came time to bring the child the petitioner always had excuses. The father states that CPS did have calls about him but that the call probably came from the petitioner and all calls have been unfounded including the most recent one in April 2014.

Father states that everything the petitioner has alleged is just that accusations. She has no facts or evidence to support her request. Her main goal is to obtain a child.

Civil Subpoena for Personal Appearance at Trial or Hearing filed by Attorney Reynaldo C. Pulido on 05/28/2014 ordering Megan Lagrasse be present on 06/23/2014. Proof of service attached shows service was made on 05/27/2014.

Civil Subpoena for Personal Appearance at Trial or Hearing filed by Attorney Reynaldo C. Pulido on 05/28/2014 ordering Steffani Harris be present on 06/23/2014. Proof of service attached shows service was made on 05/27/2014.

Court Investigator Dina Calvillo's report filed 06/17/2014.