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| | | RICHARD G. CENCI , Trustee of the Herman R. Cenci Family (Bypass) Trust, is Petitioner. | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Page 1B is Petitioner's Notice of Motion and Motion for Earnings Withholding Order on Spouse's Community Property Wages.</p> |
| | | Petitioner states he obtained a judgment jointly and severally against TERESE ANN CENCI MCGEE and HERMAN FRANCIS CENCI , beneficiaries of the CENCI FAMILY TRUST OF 1992 , in the principal amount of \$675,287.40, to be paid 65% (\$438,600.00) to the trustee of the Herman R. Cenci Family (Bypass) Trust, and 35% (\$236,687.40) to the trustee of the Esther C. Cenci Survivor's Trust created under the Cenci Family Trust of 1992. In addition, the judgment provides that Terese's interest in the survivor's trust is charged the amount of \$50,000.00. | |
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| | | <p>Petitioner is trustee of the Herman R. Cenci Family (Bypass) Trust (the "Family Trust"), and Bruce D. Bickel is trustee of the Esther C. Cenci Survivor's Trust (the "Survivor's Trust").</p> <p>Petitioner details the assets of the trusts including a 1932 Packard Automobile, cash, personal property, promissory notes, and what Terese and Herman would be entitled to.</p> <p>Petitioner requests that:</p> <ol style="list-style-type: none"> 1. The trustee of the Survivor's Trust be authorized to deduct the amount of \$50,000.00 that was charged to Terese from her share of the Survivor's Trust; 2. The Court order payment of the judgment entered against Terese from her interest in the family trust and the balance of her interest in the survivor's trust as follows: Richard G. Cenci, as trustee of the Family Trust, and Bruce D. Bickel, as trustee of the Survivor's Trust, are ordered to pay Terese's entire interest in the respective trusts to Petitioner to be applied to the satisfaction of the judgment and that Terese take nothing under the terms of the Cenci Family Trust of 1992; 3. The Court order payment of the judgment entered against Herman from his interest in the family trust and the survivor's trust as follows: Richard G. Cenci, as trustee of the Family Trust, and Bruce D. Bickel, as trustee of the Survivor's Trust, are ordered to pay Herman's entire interest in the respective trusts to Petitioner to be applied to the satisfaction of the judgment and that Herman take nothing under the terms of the Cenci Family Trust of 1992. | |
| | | <p>Reviewed by: skc</p> <p>Reviewed on: 6-17-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1B – Cenci</p> | |

Atty Moore, Leslie, sole practitioner (for Agustin Orozco, father of Andy Delgado)
 Atty Rusca, Rosemarie, of Rusca & Rusca (for Martha Delgado, Guardian)

Petition for Termination of Guardianship

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| Andy Age: 5 yrs | AGUSTIN OROZCO, father, is Petitioner. | <p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Page 2B is the Status Hearing.</p> <p>Continued from 4/23/2013. Please refer to Page 2B for notes from the hearing on 4/23/2013.</p> <p>Note: Martha Delgado, maternal grandmother, is the current Guardian of Andy Delgado and his five half-siblings, Isyss Fuerte (age 11), Tess Fuerte (age 9), Cainen Fuerte (age 8), Isla Fuerte (age 4), and Evan Fuerte (age 3).</p> <p>Reviewed by: LEG Reviewed on: 6/20/13 Updates: Recommendation: File 2A – Delgado & Fuerte</p> |
| | MARTHA DELGADO , maternal grandmother was appointed Guardian on 4/28/2011. <i>Personally served 2/21/2013.</i> | |
| Cont. from 042313 | Mother: CRYSTAL PIMENTEL . <i>Personally served 2/21/2013.</i> | |
| Aff.Sub.Wit. | Paternal grandfather: Deceased | |
| ✓ Verified | Paternal grandmother: <i>Not listed</i> | |
| Inventory | Maternal grandfather: Roberto Pimentel. <i>Personally served 3/12/2013.</i> | |
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| Not.Cred. | | |
| Notice of Hrg | Petitioner requests the Guardianship be terminated for the reasons stated in the attached <i>Declaration of Agustin Orozco in Support of Termination of Former Guardian Martha Delgado</i> , as follows: | |
| Aff.Mail | <ul style="list-style-type: none"> • He is the father of Andy Delgado and he did not know he was the biological father until ~January 2011 when a paternity test was done; • As soon as he learned he was the father, he tried to begin to have a relationship with Andy on a regular basis; • He has been around the family since Andy was born; however, he was told by his mother that Mr. [Luis] Fuerte was Andy's father; • In the end of February 2011 when he received notice of the Guardianship action by Andy's grandmother due to Crystal's [the mother] alcohol and drug abuse and neglect of the children, he appeared in Court at the first hearing on 3/8/2011; on 3/8 and on 4/28/2011, the Court told him to further develop a relationship with Andy and try to work with Martha Delgado, the grandmother [Guardian], to establish regular visits; • He has done everything he could do to work out visitation with Ms. Delgado, but she has not been cooperative for nearly two years; he has not missed any weekends since the Court order in June 2012, and only missed about two in the past two years of trying to see his son where he could not go due to illness or work (<i>please refer to photos of Andy and his family attached at Exhibits 1 – 12</i>); | |
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Declaration of Agustin Orozco, continued:

- When he applied to the Court on 6/4/2012 to terminate the guardianship and gain full custody of his son, the Court told him to continue to build his relationship with his son and to try to work things out with Ms. Delgado; the Court eventually granted him visitation every other weekend from Friday at 5:00 pm through Sunday at 5:00 pm; the Court even told Ms. Delgado that she was to cooperate with me and allow more visitation than just weekends, and she was supposed to encourage the visits for the child's best interest;
- He has done everything the Court asked him to do and built a very strong bond with his son; he has been active in his school, met with his teacher regularly and with the principal, and purchased him Leapfrog programs suggested by his teacher; he has taken his son with his family, girlfriend and their daughter, and sometimes his older son to *[the beach and on many outings and activities;]* he attended Andy's school graduation in June 2012, and has taken him to church in what he calls his "nice" shirt *(please see photos attached at Exhibits 1 – 12);*
- He has taken Andy to work with him on a Saturday and Andy helped him a little; and when he got paid for the work he explained to Andy that this is what happens when we work; Andy was so excited to help him and to buy what he needed;
- When he met with Andy's teacher on 10/30/2012, he was told Andy is doing very well in school and that it shows that he has been helping Andy to learn;
- He has always told his son that he loves him and to reassure him that he will love him no matter what;
- He is very concerned for Andy's safety and stability and emotional well-being when he is at Ms. Delgado's house;
- He has a home with his girlfriend of about 4 years, he daughter who knows me as dad, his adult son; Andy is very happy and well cared for when he is at home with their family;
- On or about September 2012, with the help of his attorney, he asked Ms. Delgado in writing for Wednesday evening visits from 5:00 pm to 7:30 pm so he could see his son during the week; they have dinner, or help him with school work, spend time with family, or whatever he needs; Ms. Delgado gave him a very hard time and yelled at him for getting a lawyer, but eventually he was able to see his son on Wednesdays for a few months; recently, Ms. Delgado has given him such a hard time and she causes Andy to cry, so he stopped going on Wednesdays as he can't see him hurt so much.

Facts in Support of Termination

- **Alienation and harm to the child:** He has tried to work with Ms. Delgado in a respectful and peaceful manner; she has continued to cause alienation between him and his son; she physically gets in the child's face and asks the child if he is sure he wants to go to try to convince him not to go; she has often denied him time with his son; it has accelerated to where his son is crying when he goes to pick him up and this is hurting his son emotionally;
- **Harm and neglect; Stay Away Order violated:** Crystal [mother] is staying [at Ms. Delgado's] overnight, and Officer Puga of Huron Police Department is willing to testify to seeing her; on 9/15/13 when they celebrated Andy's birthday at the park, Crystal showed up under the influence of drugs or alcohol, and kept after our son to give her a kiss and saying things like, "come here you little mother f...." to him; she is harming their son by being around him, and Ms. Delgado is not protecting Andy from this kind of behavior by allowing Crystal to stay at the house;

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Declaration of Agustin Orozco, continued:

Facts in Support of Termination, continued:

- **Negligence of the children by Ms. Delgado:** He has driven by Ms. Delgado's house and seen her smoking in the front yard, with the children playing in middle of winter with no shoes on and shorts; Andy has been sick with colds repeatedly; the living conditions in the home are not good for his son; he sleeps in the same bed or bedroom as his grandmother, and there are 4 -5 adults and 6 children living in the 3-bedroom, ½ bath house; she exposes him to his uncle who has a long criminal record and is an active drug addict and alcoholic; she used to rent out her garage for other people to live in until the city shut it down.

Conclusion: It is detrimental to his son to leave him with the Guardian, Ms. Delgado, and is in his son's best interest to remove Ms. Delgado, live with him, his father, and their family at his home; he lives in a 4 bedroom 1 ½ half bath home where he will have his own room; Andy has become close with his half-brother and half-sister; he has been very active in Andy's schooling and will continue to do so; he will continue to include Andy's grandmother and other half siblings in his life, as he has tried to do; he has attached letters of support for his character as a father from people at work, school, and church.

Note re Current Visitation: *Minute Order* dated 6/4/2012 from the hearing on the *Petition for Termination of Guardianship* filed by Agustin Orozco (pro per) on 4/4/2012 states:

- Angelica Lemon is sworn and interprets for Martha Delgado;
- The Court denies the petition;
- The Court grants visitation between Andy and his father as follows: Visitation shall take place on the 1st, 3rd and 5th weekends of every month beginning 6/28/2012;
- Visitation shall be from Friday at 5:00 p.m. until Sunday at 5:00 pm.

Court Investigator Samantha Henson's Report was filed on 4/17/2013 and states the father appears to be making every effort to continue to strengthen his bond with Andy; it appears Andy will need to get more accustomed to being in his father's home before terminating the guardianship would be in Andy's best interest; it is therefore recommended:

- That when summer vacation begins for Andy, he should spend alternating weeks between the guardian and the father's homes;
- That visitation begin at 4:30 PM on Friday and visitation end at 8:30 PM the following Friday;
- Whichever party does not have the minor in their care should have a mid-week visit (Wednesday) from 4:30 PM until 8:30 PM to allow Andy to have a family dinner and visit with his family members;
- That beginning immediately, the father should have one mid-week visit for four hours every week until summer vacation begins;
- That the mother not be allowed around the minor until she can demonstrate to the Court that she does not have any active warrants or pending arrest warrants;
- The Court may wish to consider setting this matter for a Status Hearing at the beginning of August to determine if terminating the guardianship prior to the beginning of the 2013-2014 school year would be in Andy's best interest.

~Please see additional page~

Guardian's Objection to Termination of Guardianship of Andy Delgado filed by Martha Delgado on 4/11/2013 states:

- She was granted guardianship of her daughter's 6 children on 4/28/2011;
- Andy was born on 9/10/2007; my daughter was dating Agustin Orozco at the time she became pregnant and he chose to ignore it;
- We all lived in Huron within blocks of one another and he made no attempt to confirm that he was Andy's father;
- When Andy was born, her daughter and her daughter's other children all lived with her;
- My daughter and the father of her other 5 children, Luis Fuerte, have drug problems; Mr. Fuerte is currently in prison while my daughter is living on the streets;
- When Andy was born, her daughter reconciled with Mr. Fuerte; she disagreed with this and so her daughter would leave the house and she was the sole care provider for Andy;
- During this period of time, she would see Agustin and encourage him to get to know his son; he was using drugs, and never asked for a visit nor did he offer to help out;
- She was the person from the day Andy came home from the hospital that assumed the role on a day to day basis of fulfilling Andy's psychological and physical needs;
- As a result, Andy is very bonded to her and he is also very bonded to his siblings;
- Prior to her filing for guardianship, the Department of Child Support served Agustin Orozco for paternity and child support;
- When Agustin got the paternity results, he came over and told her "I am the father."
- Andy was 4 years old at that time, and Agustin asked me to take him off the child support; she spoke to the case worker who said they couldn't separate the children;
- She does believe Agustin wants to have a relationship with his son; she encourages the visits, but the father has no patience nor understanding that she is the only "parent" Andy has ever known [*emphasis in original*];
- For example, in February 2013, Agustin came to pick up Andy; Andy was hiding behind the water dispenser crying and refused to go; she couldn't get Andy to go with his father so she went outside and asked him to wait until Andy calmed down and come back a little later; she also encouraged Agustin to come in to house, talk to Andy, and maybe his dad could get him to go on the visit; Agustin responded that he wouldn't talk to Andy, "I'll just call the cops." The police came and that scared Andy; a father with a close bond would have gone inside and tried to calm his son down;
- Andy frequently says he doesn't want to go with his father, but he also doesn't want the police to come back and scare him;
- She has made an appointment with a therapist in Hanford for Andy, as he has started wetting the bed and has gone from being depressed to angry;
- There is no communicating with Agustin Orozco over Andy or his feelings; Mr. Orozco blames everyone else for his strained relationship with his son;
- However, she never says anything bad about Andy's father and Mr. Orozco needs to understand that Andy didn't know who Agustin Orozco was until he was 4 years old and the February 2013 example is why Andy's having a hard time bonding;
- If Mr. Orozco could learn that Andy is a person, that his feelings have to be considered, and that it takes not only time but empathy (considering Andy's feeling first and addressing them) to create a parent/child bond, we could expand his visitation;
- At this point, she requests the Court order a probate investigation to include father's criminal history;
- She objects to terminating the guardianship as it would be detrimental to Andy.

Report of Sale and Petition for Order Confirming Sale of Real Property (Prob. C. 2540, 10308)

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| Age: 80 | PUBLIC GUARDIAN , Conservator, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: 1. Need publication pursuant to Probate Code §§ 2543, 10300. |
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| | Sale price: \$95,000.00 Overbid: \$100,250.00 | |
| | Reappraisal: \$90,000.00 | |
| <input type="checkbox"/> Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> Verified | | |
| <input type="checkbox"/> Inventory | Property: 4336 E. Gettysburg Fresno, CA 93726 | |
| <input type="checkbox"/> PTC | | |
| <input type="checkbox"/> Not.Cred. | Publication: <i>need publication</i> | |
| <input checked="" type="checkbox"/> Notice of Hrg | | |
| <input checked="" type="checkbox"/> Aff.Mail | Buyers: Dave Schroeder and Kylie Schroeder, husband and wife, as community property | |
| <input type="checkbox"/> Aff.Pub. | | |
| <input type="checkbox"/> Sp.Ntc. | | |
| <input type="checkbox"/> Pers.Serv. | Broker: 5% commission (\$2,375.00) to be split between Paul Benak of Guarantee Real Estate and Michelle Brown and Greg Reitz of Keller Williams Westland Realty | |
| <input type="checkbox"/> Conf. Screen | | |
| <input type="checkbox"/> Letters | | |
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| <input type="checkbox"/> Objections | | |
| <input type="checkbox"/> Video Receipt | | |
| <input type="checkbox"/> CI Report | | |
| <input type="checkbox"/> 9202 | | |
| <input checked="" type="checkbox"/> Order | | |
| <input checked="" type="checkbox"/> Aff. Posting | | |
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| | | Reviewed by: skc |
| | | Reviewed on: 6-18-13 |
| | | Updates: |
| | | Recommendation: |
| | | File 4 – Steinhauer |

Atty Hopper, Cindy J (for James & Rosie Bennett – Petitioners-Maternal Grandparents)
 Atty Cummings, Steven R. (for William Mabrey, father)

Petition for Appointment of Guardian of the Person

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|-------------------------------------|---------------|--|--|----|
| Ambria Age: 6 | | <p style="text-align: center;">TEMPORARY EXPIRES 06/25/2013</p> <p>JAMES BENNETT and ROSIE BENNETT, maternal grandparents, are petitioners.</p> <p>Father: WILLIAM E. MABREY, personally served on 04/23/2013</p> <p>Mother: LISA ALVAREZ, Deceased</p> <p>Paternal Grandfather: Unknown, Order Dispensing with Notice signed 06/06/2013 Paternal Grandmother: Vera A. Hooper</p> <p>Petitioners state: the children's alleged father has a history of drug and alcohol abuse, and domestic violence. The father also has a criminal record with convictions including several drug charges, driving under the influence as well as domestic violence charges. He has also been accused of child molestation of the children's half-sister. CPS became involved and the mother's rights were terminated as she continued to have a relationship with the children's father. At a team decision making meeting held on 07/18/2008 regarding the minor children Ambria and Olivia, it was agreed with CPS that should the mother become unable to care for the children that the maternal grandparents/petitioners would take custody of the children. Petitioner's state that there was a history of domestic violence between the mother and the father which occurred in the presence of the children. The most recent event occurred in November 2012 wherein the father kicked in the mother's door when the children were present which frightened them.</p> <p style="text-align: center;"><u>Please see additional page</u></p> | <p>NEEDS/PROBLEMS/ COMMENTS:</p> <p><u>Minute Order of 05/07/2013:</u> the Court indicates to the parties that it does not believe it is appropriate to appoint counsel for the minors at this time. Parties stipulate to genetic testing. The petitioners are directed to make the children available for testing. Ms. Hopper advises the Court that they are in agreement with allowing the father to communicate with the children telephonically. The Court authorizes father to have supervised visits with the children every Sunday from 9:00am to 6:00pm. Visits to be supervised by the paternal grandmother, Vera Hooper. Parties are advised that this is a temporary order for visitation which will remain in effect pending the next hearing. The temporary guardianship is extended to 06/25/2013. The parties are advised that the Court will extend the temporary guardianship further if it becomes necessary.</p> <p>Court Investigator Samantha Henson to provide:</p> <p style="padding-left: 40px;">1) CI Report 2) Clearances</p> | |
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| | | <p>Reviewed by: LV</p> <p>Reviewed on: 06/20/2013</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 – Mabrey & Bennett</p> | | |

(Petitioner's statement continued)

Petitioners allege that the father has severe alcohol and anger issues and has never been left with the children unsupervised. Petitioners believe that the father is currently residing in an alcohol recovery treatment facility along with registered sex offenders. The father has no home to take the children to or a job to support them. Petitioners believe the motivation for the father wanting custody of the children is that he owes child support arrears and to have custody of the children in a wrongful death lawsuit against the hospital for their mother's death.

Petitioners are concerned for their grandchildren's safety and fear that the father will rip them from the only stable environment that they know. Petitioners state that the father poses an **extreme threat and high risk** to the three children due to the sexual molestation of their half-sister.

Objection of Father, William E. Mabrey, filed on 04/24/2013: states that he objects to the temporary guardianship because the statements made supporting the request are almost completely false, and there is no legal reason why he should not have custody of his children. Under Family Code §3010(B) the children belong with him unless and until he is found to be unfit as their father. He states that while he understands and sympathizes with the petitioner's loss of their daughter and their concern for the safety and wellbeing of their grandchildren, he feels very strongly that it is in the children's best interest to live with their remaining parent. The father does not object to the petitioners having visitation, but he strongly objects to them being given guardianship.

The father states that he and the mother had been engaged to be married however she passed away on 03/13 while suffering from cardiac arrest as she was undergoing chemotherapy. He states that the children have been with him and their mother for most of their lives. It was the event in November 2012 that made him realize that he needed to get help. He states that he and the mother had a fight, he got drunk and kicked the door in because she locked him out but he never raised a finger toward the mother. He then enrolled in the Feed My Shepard Ministries Program. He completed his in-patient treatment program in February of 2013 but decided to stay as the house manager.

The father states that the petitioner's allegations of abuse towards the half sibling are false. He states that the mother's brother informed him that the mother was angry at him and made up a story that the he abused the child. He states he was arrested and was held in jail for 36 hours and was then released. The mother had informed him that CPS conducted an physical and mental health examination of the child and concluded nothing had happened to the child. Five months later he received a letter from the DA saying that no charges would be filed. The father denies that he had ever done anything improper to the child.

Father states that he has found employment and secured a three bedroom apartment. In the meantime his mother lives in a six bedroom home with three rooms available to him and the three children until they can move into the apartment.

Attached to Objection are letters in support of the father obtaining custody of the children.

Declaration of Petitioner, Rosie Bennett, filed 05/17/2013 attached is a letter from the Vice Principal at Jane Addams Elementary School, Juanita Varela, in support of the petition for guardianship.

Declaration of Petitioner, Rosie Bennett, filed 05/17/2013 attached is a letter from Narinder S. Bala, M.D., the children's physician in support of the petition for guardianship.

Please see additional page

Needs/ Problems/Comments

1. 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: Vera A. Hooper (Paternal Grandmother)

Minute Order of 05/02/2013, Judge Nystrom-Geist presiding, states: James and Rosie Bennett are present and sworn potential claimants with their counsel C. Hopper. There has been a temporary guardianship ordered in the Probate case 13CEPR00335, which is set for further hearing on 5/7/13. At this time the Probate Court is exercising jurisdiction over the 3 minor children. Court will continue today's hearing past the Probate hearing date. At this time it appears that Probate is the appropriate forum for this case. Family Law may take action if Probate does not act on this case. The request for joinder would be heard first, if the Probate Court does not grant a guardianship and the father's request for a readiness hearing would follow on that day.

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| DOD: 4-15-13 | | GEORGE J. ELIOPULOS , Brother, is Petitioner and requests appointment as Administrator with Will Annexed without bond. | NEEDS/PROBLEMS/COMMENTS: <u>Note to Attorneys:</u> The Notice of Petition to Administer Estate (Form DE-121) was updated 1-1-13 pursuant to Probate Code §8100. The updated form and language for publication should be used going forward. 1. The court may require bond if the proposed personal representative resides outside California or for other good cause, even if the will waives bond, pursuant to California Rules of Court 7.201(b) and Probate Code 8571. Petitioner resides in Reno, NV, and is not the named Executor. The Court may require bond of \$60,000.00 or waivers from the remaining heirs: - Alex J. Eliopulos - Chris J. Eliopulos - James G. Eliopulos 2. There is no copy of the will attached to the Proof of Subscribing Witness filed 5-14-13 per Probate Code §8220(b) and #1 of the form. Need amended Proof of Subscribing Witness. If granted, the court will set status hearings as follows: <ul style="list-style-type: none"> • Fri 8-9-13 for filing of bond, if required • Fri 11-15-13 for filing of I&A • Fri 11-14-14 for filing first account or petition for final distribution |
| | | Named Executor Shirley Peters and Named Alternate Executor John J. Eliopulos both decline to serve and waive bond. | |
| | | Petitioner is a resident of Reno, NV. | |
| <input checked="" type="checkbox"/> | Aff.Sub.Wit. | X | |
| <input checked="" type="checkbox"/> | Verified | | |
| | Inventory | | |
| | PTC | Full IAEA – ok | |
| <input checked="" type="checkbox"/> | Not.Cred. | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | X Will dated 7-19-92 | |
| <input checked="" type="checkbox"/> | Aff.Mail | W | |
| <input checked="" type="checkbox"/> | Aff.Pub. | Residence: Fresno Publication: Fresno Business Journal | |
| | Sp.Ntc. | | |
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| | Conf. Screen | Estimated Value of Estate: Personal property: \$10,000.00 Real property: \$50,000.00 Total: \$60,000.00 | |
| <input checked="" type="checkbox"/> | Letters | | |
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| | Objections | Probate Referee: Steven Diebert | |
| | Video Receipt | | |
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| Reviewed by: skc | | | |
| Reviewed on: 6-18-13 | | | |
| Updates: | | | |
| Recommendation: | | | |
| File 6 – Eliopulos | | | |

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

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| DOD: 05/12/13 | | <u>LETTERS OF SPECIAL ADMINISTRATION</u> | | NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service by mail of <i>Notice of Petition to Administer Estate</i> at least 15 days before the hearing for: - Tony Simoni (brother) - Any other siblings or other persons entitled to notice. Note: The Notice of Petition to Administer Estate form (DE-121) used is outdated. This form was updated January 1, 2013 and revised the language of #8 regarding Notice to Creditor's. The updated language should also be used in the publication. Note: If the petition is granted status hearings will be set as follows: • Friday, 11/29/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Friday, 08/29/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. 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: 06/18/13 Updates: Recommendation: File 7 – Otrakjian |
| | | <u>EXPIRE 06/25/13</u> | | |
| | | ROSANNA TOROSIAN , niece, is Petitioner and request appointment as Administrator with bond set at \$285,000.00. Limited IAEA – OK Decedent died intestate Residence: Fresno Publication: The Business Journal | | |
| Cont. from | | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | | |
| <input checked="" type="checkbox"/> | Verified | | | |
| <input type="checkbox"/> | Inventory | | | |
| <input type="checkbox"/> | PTC | | | |
| <input type="checkbox"/> | Not.Cred. | | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | | | |
| <input checked="" type="checkbox"/> | Aff.Mail | w/ | | |
| <input checked="" type="checkbox"/> | Aff.Pub. | | | |
| <input type="checkbox"/> | Sp.Ntc. | | | |
| <input type="checkbox"/> | Pers.Serv. | | | |
| <input type="checkbox"/> | Conf. Screen | | | |
| <input checked="" type="checkbox"/> | Letters | | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | | |
| <input type="checkbox"/> | Objections | | | |
| <input type="checkbox"/> | Video Receipt | Estimated Value of the Estate: Personal property - \$285,000.00 Annual income - 2,850.00 Real property - 100,000.00 Total - \$387,850.00 | | |
| <input type="checkbox"/> | CI Report | Probate Referee: RICK SMITH | | |
| <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 | | | |

| | | |
|--|--|---|
| DOD: 9-18-07 | LAURA E. DOZIER , spouse, was appointed Administrator with Full IAEA, without bond on 02/04/08. Letters of Administration were issued on 02/04/08. | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 11-30-12: Counsel informs the Court that he may have to withdraw as he is not getting any cooperation from his client who is not responding to any telephone calls or letters. The Court accepts counsel's representation that the lack of cooperation from his client is impairing his ability to move forward with this matter. The Court sets the matter for an Order to Show Cause on 1/22/13 regarding Laura Dozier's failure to fulfill responsibilities of administration; failure to communicate with counsel; failure to fulfill duties to beneficiaries, and imposition of sanctions in the amount of \$200.00. The Court orders Laura Dozier to be present on 1/22/13. Continued to 1-22-13 at 9am in Dept 303. Set on 1-22-13 at 9am in Dept 303 for Order to Show Cause Re: Failure to Fulfill Responsibilities of Administration; Failure to Communicate with Counsel; Failure to Fulfill Duties to Beneficiaries; Imposition of Sanctions in the Amount of \$200.00.</p> <p>Minute Order 1-22-13: Mr. Knudson advises the Court that he still needs additional information from Laura Dozier. He further advises that there is a creditor's claim from Fresno County Federal Credit Union. Mr. Knudson requests a continuance. Matter continued to 3/26/13. The Court orders Laura Dozier and David Knudson to be personally present on 3/26/13. Laura Dozier provides the following contact information to the Court: 1423 Griffith Wy, 93705; telephone # 477-9623. Continued to 3/26/13. OSC is dismissed.</p> <ol style="list-style-type: none"> Need first account or petition for final distribution, or verified status report. The Court may require notice of further status hearings on the parties that have requested special notice of these proceedings. <p>Additional Notes: Creditor's claims of Fresno County Federal Credit Union, Citibank and American Ambulance have been filed in this matter. A request for Special Notice has been filed by Sandra Dozier & Fresno County Federal Credit Union.</p> <p>Reviewed by: skc</p> <p>Reviewed on: 6-17-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8 - Dozier</p> |
| Cont. from 062012, 072712, 113012, 012213, 032613, 050713 | I&A Partial No. 1 filed 12/02/08 reflects \$333,000.00 including real property in Madera County. | |
| Aff.Sub.Wit. | I&A Final filed 12/02/08 reflects \$317,750.00 including real property in Fresno County and various vehicles. (Total I&A: \$647,750) | |
| Verified | On 3-15-12, a Notice of Pendency of Action was filed stating that a Complaint for Money Due has been filed in 12CECG00823 MWA to recover money lent to the Decedent. | |
| Inventory | Upon receipt of the Notice of Pendency of Action, the Court set status hearing for 6-20-12 for failure to file a first account or petition for final distribution. | |
| PTC | At hearing on 6-20-12 , the Court set status conference on 7-27-12 and ordered Ms. Dozier to be personally present. Attorney Knudson provided an address for her. | |
| Not.Cred. | Status Report filed 7-19-12 stated that until the Madera County property is sold, there will not be any funds to pay creditors or make distribution, and it is anticipated that with the gradually improving real estate market, it may be possible to sell. Ms. Dozier requested that the administration be allowed to continue. | |
| Notice of Hrg | At hearing on 7-27-12 , Counsel advised that the property consists of 40 acres of undeveloped property in the Coarsegold area, which was appraised at \$333,000, but is worth less. The Court set further status hearing for 11-30-12. | |
| Aff.Mail | At hearing on 11-30-12 , OSC was set for 1-22-13 re Laure E. Dozier's failure to communicate with counsel. | |
| Aff.Pub. | At hearing on 1-22-13 , Ms. Dozier was present and the OSC was dismissed. Mr. Knudson requested continuance. The Court ordered Ms. Dozier and Mr. Knudson to be personally present at the continued hearing on 3-26-13. | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | | |
| Letters | | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| FTB Notice | | |

| | | |
|-------------------|---|--|
| Age: 4 | IRENE GALLARDO, paternal grandmother, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: CONTINUED FROM 05/07/13 Minute Order from 05/07/13 states: The Petitioner is informed that the guardian, mother and father need to be served. As of 06/18/13, nothing further has been filed. <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing for: <ul style="list-style-type: none"> - Lucy Gallardo (guardian) - Richard Gallardo (father) - Stacy Argumedo (mother) |
| | LUCY GALLARDO, paternal great aunt, was appointed guardian on 11/06/12. | |
| Cont. from 050713 | Father: RICHARD GALLARDO | |
| Aff.Sub.Wit. | Mother: STACY ARGUMEDO | |
| ✓ Verified | Paternal grandfather: DECEASED | |
| Inventory | Maternal grandparents: UNKNOWN | |
| PTC | Petitioner states that she has attempted to have visits with Azlyn numerous times, but the guardian has made it very difficult. The guardian will only allow visits if Petitioner goes to her house and discusses it with her family. Petitioner states that she feels threatened at the guardians home and feels that meeting her in a public place for a one on one discussion is more appropriate. Petitioner states that the guardian has refused to meet her in a public place and denies visitation. | |
| Not.Cred. | Declaration of Irene Gallardo filed 05/06/13 attaches letters of recommendation stating that she would be a good guardian for her granddaughter Azlyn. | |
| 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: JF |
| | | Reviewed on: 06/18/13 |
| | | Updates: |
| | | Recommendation: |
| | | File 9 – Gallardo |

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

| | | | |
|------------------------------|---|---|---|
| Age: 11 months | <u>TEMPORARY EXPIRES 06/25/13</u> | | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 03/12/13</u> Minute Order from 03/12/13 states: Janet Macklin, the paternal grandmother, is present in court. The parties agree to participate in mediation on 03/14/13 at 9:30am regarding visitation. Matter continued to 06/25/13. The temporary is extended to 06/25/13.</p> <ol style="list-style-type: none"> 1. Need proof of personal service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person or Consent & Waiver of Notice or Declaration of Due Diligence</i> for: <ul style="list-style-type: none"> - Darwin Bush, Jr. (father?) Note: A notice of hearing for the hearing on the Temporary Guardianship was filed 01/28/13 reflecting personal service on Mr. Bush on 01/11/13, it is unclear however, if he was also served with a copy of the documents and also with a Notice of Hearing regarding the hearing on 03/12/13. 2. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person or Consent & Waiver of Notice or Declaration of Due Diligence</i> for: <ul style="list-style-type: none"> - Paternal grandparents - Maternal grandfather |
| | <p>DONYALE KINGSBY, maternal grandmother, is Petitioner.</p> <p>Father: DARWIN BUSH, JR. – <i>Personally served on 01/11/13</i></p> <p>Mother: SHAKIRA MONIQUE ROSEMOND – <i>Personally served on 01/15/13</i></p> <p>Paternal grandfather: NOT LISTED Paternal grandmother: JANET MACKLIN</p> <p>Maternal grandfather: NOT LISTED</p> <p>Petitioner alleges that the mother is incarcerated and the father is unknown. Petitioner states that the mother gave Petitioner custody of the child.</p> <p>Court Investigator Samantha Henson filed a report on 03/05/13.</p> | | |
| Cont. from 031213 | | | |
| 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 | | x | |
| 9202 | | | |
| ✓ Order | | | |
| Aff. Posting | | | |
| Status Rpt | | | |
| ✓ UCCJEA | | | |
| Citation | | | |
| FTB Notice | | | |
| Reviewed by: JF | | | |
| Reviewed on: 06/18/13 | | | |
| Updates: | | | |
| Recommendation: | | | |
| File 10 - Bush | | | |

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

| | | |
|---|---|--|
| Age: 11 years | <u>TEMPORARY EXPIRES 6/25/2013</u> | NEEDS/PROBLEMS/COMMENTS: |
| | NICOLE McGUIRE , cousin, is petitioner. | <p>Continued from 5/7/13. Minute order states Mother objects to the petition. The court is informed that the child is living with Amber Summers while he finishes the school year. The court investigator is ordered to contact the mother.</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. Kris O'Bannon (mother) 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. Paternal grandfather b. Maternal grandparents |
| | Father: MATTHEW GIBSON – consents and waives notice. | |
| Cont. from 050713 | Mother: KRIS O'BANNON – present in court on 5/7/13. | |
| <input type="checkbox"/> Aff.Sub.Wit. | Paternal grandfather: unknown | |
| <input checked="" type="checkbox"/> Verified | Paternal grandmother: Pam Garcia – consents and waives notice. | |
| <input type="checkbox"/> Inventory | Maternal grandparents: not listed. | |
| <input type="checkbox"/> PTC | Petitioner states the father was given full custody due to the mom's drug use and now the father has left the child and has started drugs again. The child has no stable adult who can make legal decisions for him. | |
| <input type="checkbox"/> Not.Cred. | Court Investigator Samantha Henson's Report filed on 4/26/2013. | |
| <input type="checkbox"/> Notice of Hrg | | |
| <input type="checkbox"/> Aff.Mail | | |
| <input type="checkbox"/> Aff.Pub. | | |
| <input type="checkbox"/> Sp.Ntc. | | |
| <input type="checkbox"/> Pers.Serv. | | |
| <input 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: 6/19/13 |
| | | Updates: |
| | | Recommendation: |
| | | File 11A – O'Bannon |

12 Sylvia Marie Garcia & Andrew Bobby Garcia (GUARD/P) Case No. 13CEPR00339

Atty Garcia, Sylvia H. (pro per – paternal grandmother/Petitioner)

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

| | | | | | |
|------------|---------------|---|--|---|--|
| Sylvia, 12 | | <u>TEMPORARY EXPIRES 06/25/13</u> | | NEEDS/PROBLEMS/COMMENTS: | |
| Andrew, 9 | | SYLVIA H. GARCIA, paternal grandmother, is Petitioner. | | <ol style="list-style-type: none"> 1. Need proof of personal service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ul style="list-style-type: none"> - Robert Garcia (father) - Rigoberta Garcia (mother) - Sylvia Garcia (minor) 2. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ul style="list-style-type: none"> - Bobby Garcia (paternal grandfather) - George Cabrera (maternal grandfather) | |
| | | Father: ROBERT GARCIA | | | |
| | | Mother: RIGOBERTA GARCIA | | | |
| Cont. from | | Paternal grandfather: BOBBY GARCIA | | | |
| | Aff.Sub.Wit. | Maternal grandfather: GEORGE CABRERRA | | | |
| ✓ | Verified | Maternal grandmother: MARIA RODRIGUEZ – Served by mail on 05/30/13 | | | |
| | Inventory | Siblings: ILLIANA CABRERRA, MONIQUE HERNANDEZ, SAMANTHA HERNANDEZ, MARISOL HERNANDEZ – all served by mail on 05/30/13 | | | |
| | PTC | TESSA GARCIA (7), ROBERT GARCIA (3), CHRISTOPHER ESQUIVEL (5) | | | |
| | Not.Cred. | Petitioner states: Guardianship is necessary because neither parent can provide a safe and stable home for the children. The mother's boyfriend abused the children and the father also abuses the children. CPS placed the children with Petitioner and recommended that she obtain guardianship. | | | |
| ✓ | Notice of Hrg | Court Investigator Charlotte Bien filed a report on 06/14/13. | | | |
| ✓ | Aff.Mail | | | | |
| | Aff.Pub. | | | | |
| | Sp.Ntc. | | | | |
| | Pers.Serv. | X | | | |
| ✓ | Conf. Screen | | | | |
| ✓ | Letters | | | | |
| ✓ | Duties/Supp | | | | |
| | Objections | | | | |
| | Video Receipt | | | | |
| ✓ | CI Report | | | | |
| | 9202 | | | | |
| ✓ | Order | | | | |
| | Aff. Posting | | | | |
| | Status Rpt | | | | |
| ✓ | UCCJEA | | | | |
| | Citation | | | | |
| | FTB Notice | | | | |
| | | | | Reviewed by: JF | |
| | | | | Reviewed on: 06/18/13 | |
| | | | | Updates: | |
| | | | | Recommendation: | |
| | | | | File 12 – Garcia | |

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

| | | |
|--|--|---------------------------------|
| Age: 17 | <u>NO TEMPORARY REQUESTED</u> | NEEDS/PROBLEMS/COMMENTS: |
| | MARTIN GALINDO , brother, is Petitioner. | |
| | Father: GUADALUPE COVARRUBIAS | |
| Cont. from | Mother: CONSUELO GALINDO - <i>deceased</i> | |
| <input type="checkbox"/> Aff.Sub.Wit. | Paternal grandparents: NOT LISTED | |
| <input checked="" type="checkbox"/> Verified | Maternal grandfather: NOT LISTED | |
| <input type="checkbox"/> Inventory | Maternal grandmother: DELIA GALINDO | |
| <input type="checkbox"/> PTC | Petitioner states that the minor's mother is deceased and her father handed over custody of her through CPS. Petitioner states that he has cared for the minor on and off her whole life and feels that it is in her best interest to continue living with him. | |
| <input type="checkbox"/> Not.Cred. | Court Investigator Julie Negrete filed a report on 06/14/13. | |
| <input type="checkbox"/> Notice of Hrg | | |
| <input type="checkbox"/> Aff.Mail | | |
| <input type="checkbox"/> Aff.Pub. | | |
| <input type="checkbox"/> Sp.Ntc. | | |
| <input type="checkbox"/> Pers.Serv. | | |
| <input 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: JF |
| | | Reviewed on: 06/18/13 |
| | | Updates: |
| | | Recommendation: |
| | | File 13 – Covarrubias |

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

| | | | |
|----------------|----------------------|--|---|
| Age: 18 | | NO TEMP REQUESTED | NEEDS/PROBLEMS/COMMENTS: <u>Court Investigator advised rights on 6-12-13</u> <u>Voting rights affected</u> - <u>Need minute order</u> <ol style="list-style-type: none"> 1. Petitioners request powers under Probate Code §2590; however, do not request conservatorship of the estate or provide any explanation of the situation that necessitates such powers. Need clarification. 2. Petitioners do not request medical consent powers under Probate Code §2355; however, a capacity declaration was provided that indicates that such powers might be appropriate. Need clarification. If medical consent powers are to be considered, the Court may require amended petition and service on the proposed Conservatee. 3. Notice of Hearing filed 6-11-13 indicates only 14 days' notice to CVRC. Probate Code §1822(e) requires <u>30 days' notice</u>. The Court may continue the matter for appropriate time. |
| | | JOHN and APRIL BUTTERFIELD , Parents, are Petitioners and request appointment as Co-Conservators of the Person only. | |
| | Aff.Sub.Wit. | Petitioners also request orders authorizing independent exercise of powers under Probate Code §2590. | |
| ✓ | Verified | | |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | VOTING RIGHTS AFFECTED | |
| ✓ | Notice of Hrg | A capacity declaration was filed 5-15-13. | |
| ✓ | Aff.Mail | Petitioners state the proposed Conservatee was diagnosed with Fragile X Syndrome at age 3. He remains low-functioning and is likely to remain that way indefinitely. He is indifferent to his physical health and will not obtain proper nutrition or hydration without constant supervision. He pays almost no heed to personal safety and has entered roadways without watching for traffic. He is unable to interact appropriately with other people and often fails to remember who people are unless he sees them daily. Although he is good at basic arithmetic, he does not comprehend money. He does not make independent decisions and will simply do what he is told. | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| ✓ | Pers.Serv. | | |
| ✓ | Conf. Screen | | |
| ✓ | Letters | | |
| ✓ | Duties/Supp | | |
| | Objections | | |
| ✓ | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| ✓ | Order | Court Investigator Julie Negrete filed a report on 6-18-13. | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| ✓ | Citation | | |
| | FTB Notice | | |
| | | Reviewed by: skc | |
| | | Reviewed on: 6-18-13 | |
| | | Updates: 6-19-13 | |
| | | Recommendation: | |
| | | File 14 – Butterfield | |

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

| | | |
|-----------------------|--|---|
| Jade (13) | TEMP GRANTED EX PARTE EXPIRES 6-25-13 | NEEDS/PROBLEMS/COMMENTS: <u>SEE PAGE 2</u> |
| Roman (2) | GENERAL HEARING 8-12-13 | |
| Samuel (1) | ARIANNA MANCERA , Maternal Aunt, is Petitioner and requests appointment of LORRAINE MANCERA and DIANE MANCERA , Maternal Aunts, as Co-Guardians. | |
| Aff.Sub.Wit. | Father (Jade): MODESTO BULOSAN | |
| ✓ Verified | Father (Roman and Samuel): UNKNOWN | |
| Inventory | Mother: DIAMOND TINE PAULA MANCERA BULOSAN | |
| PTC | Paternal Grandfather (Jade): Unknown | |
| Not.Cred. | Paternal Grandmother (Jade): Unknown | |
| Notice of Hrg | Paternal Grandfather (Roman and Samuel): Unknown | |
| Aff.Mail | Paternal Grandmother (Roman and Samuel): Unknown | |
| Aff.Pub. | Unknown | |
| Sp.Ntc. | Paternal Grandmother (Roman and Samuel): Unknown | |
| Pers.Serv. | Unknown | |
| ✓ Conf. Screen | Maternal Grandfather: Unknown | |
| Letters | Maternal Grandmother: Maria Paz Mancera - Deceased | |
| ✓ Duties/Supp | Petitioner states Jade was under guardianship with the maternal grandmother since she was 11 months old; however, the guardian passed away three years ago, and the family did not know that they should notify the Court. The mother also recently turned over Jade's half-brothers Samuel and Roman to a family member stating that she could not care for them. The family member picked them up from what he believes was a crack house. The mother told him she was homeless. He brought them to the mother's sisters, since they have been caring for Jade and are the best people to care for the boys as well. The family is fearful that the mother will attempt to remove the children from their care – they were brought to the family filthy and hungry with matted hair and smelling of urine, ill-fitting clothes and no shoes. Temporary guardianship is necessary immediately. | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | X | |
| Citation | | |
| FTB Notice | | |
| | Reviewed by: skc | |
| | Reviewed on: 6-18-13 | |
| | Updates: | |
| | Recommendation: | |
| | File 15 – Bulsan & Suarez | |

Page 2

NEEDS/PROBLEMS/COMMENTS:

1. **Need clarification:** Arianna Mancera is the Petitioner in this case, rather than the proposed guardians Lorraine Mancera and Diane Mancera. As a relative, Arianna can file this petition under Probate Code § 1510, but she is not otherwise a party to the case. Examiner notes that for Court fees to be waived, all petitioners must qualify. The Court may require clarification or separate requests for fee waivers from the proposed guardians, or payment of fees.
2. **Need clarification:** Is the child's name "**Ramon**" or "**Roman?**" The name is spelled both ways on the documents. Also: Need this child's birthdate (DOB is listed as "08/??/2008").
3. **Need clarification:** It appears Jade resides with Diane Mancera, and Roman and Samuel reside with Lorraine Mancera. Is Petitioner requesting that Diane and Lorraine be appointed as Co-Guardians of all three minors, or is Petitioner requesting that Diane be appointed Jade's guardian and Lorraine be appointed Roman's and Samuel's guardian?
4. **Need UCCJEA (Form GC-120) per Probate Code §§ 1510(f), 1512** containing residence history for each minor for the past 5 years as well as information regarding other cases.
5. **Need Notice of Hearing.**
6. **Need proof of personal service of Notice of Hearing with a copy of the Temp Petition at least five court days prior to the hearing per §2250(e) or consent and waiver of notice or declaration of due diligence on:**
 - Jade Bulosan (minor, age 13)
 - Modesto Bulosan (father)
 - Father of Roman and Samuel
 - Diamondtine Paula Mancera Bulosan (mother)

Note: *Petitioner state Modesto Bulosan was deported to the Philippines due to criminal behavior and his whereabouts are unknown, and the father of Samuel and Roman is unknown to Petitioner. The mother's whereabouts are unknown.*

Petition for Appointment of Temporary Conservatorship of the Person and Estate

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|---|---|--|--|
| Age: 75 | <u>TEMPORARY GRANTED EX PARTE;</u> <u>EXPIRES 06/25/13</u> | | NEEDS/PROBLEMS/COMMENTS: Court Investigator advised rights on 06/14/13. 1. The Petition is not marked at item 1(c) regarding bond. Effective 1/1/2008, pursuant to CRC 7.207, except as otherwise provided by statute, every conservator or guardian of the estate appointed after 12/31/2007, must furnish a bond, including a reasonable amount for the cost of recovery to collect the bond under Probate Code 2320(c)(4)). Based on the stated estimated value of the estate, bond should be set at \$22,000.00. 2. Need proof of personal service at least 5 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Conservator</i> on the proposed conservatee. 3. Need proof of service by mail at least 5 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Conservator</i> for: - Rosemary Mendoza (sister) - Lance Servantes (grandson) |
| | <u>PERMANENT HEARING 07/16/13</u> | | |
| Cont. from | DAMIAN SERVANTES, grandson, is Petitioner and requests appointment as Temporary Conservator of the Person and Estate. | | |
| <input type="checkbox"/> Aff.Sub.Wit. | | | |
| <input checked="" type="checkbox"/> Verified | | | |
| <input type="checkbox"/> Inventory | | | |
| <input type="checkbox"/> PTC | | | |
| <input type="checkbox"/> Not.Cred. | | | |
| <input checked="" type="checkbox"/> Notice of Hrg | | | |
| <input checked="" type="checkbox"/> Aff.Mail | w/ | Petitioner states that the proposed conservatee's health and mental state have declined significantly recently. The family believed that the proposed conservatee was being cared for by her son Michael, however, it has been discovered that she was often being left for days or weeks at a time and it is suspected that Michael may have been financially abusing the proposed conservatee. Petitioner states that Michael is a meth addict and has an extensive criminal history. Petitioner states that temporary conservatorship is necessary in order to ensure the proposed conservatee's safety and well-being. Court Investigator Samantha Henson filed a report on 06/18/13. | |
| <input type="checkbox"/> Aff.Pub. | | | |
| <input type="checkbox"/> Sp.Ntc. | | | |
| <input type="checkbox"/> Pers.Serv. | x | | |
| <input checked="" type="checkbox"/> Conf. Screen | | | |
| <input type="checkbox"/> Letters | x | | |
| <input checked="" type="checkbox"/> Duties/Supp | | | |
| <input type="checkbox"/> Objections | | | |
| <input type="checkbox"/> Video Receipt | | | |
| <input checked="" type="checkbox"/> CI Report | | | |
| <input type="checkbox"/> 9202 | | | |
| <input type="checkbox"/> Order | 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: JF |
| | | | Reviewed on: 06/19/13 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 16 – Cowling |

Petition for Termination of Guardianship

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|---|---|---|
| Age: 6 | JACOB LUNA and MELISSA TORRES , maternal uncle and aunt/Guardians, are Petitioners. | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 06/10/13 Minute Order from 06/10/13 states: The Court orders the parties to participate in mediation on 06/20/13 at 1:30pm. Mediation to address the circumstances regarding termination of the guardianship.</p> <p>See Page 17B for Petition to Terminate the Guardianship filed by the mother, Daniella Luna.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Termination of Guardianship <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ul style="list-style-type: none"> - PJ Fritcher (father) - James Fritcher (paternal grandfather) - Brenda Ford (paternal grandmother) - Daniel Luna (maternal grandfather) - Kathy Remke (maternal grandfather) |
| | Petitioners were appointed as Co-Guardians of the Person on 11/17/11. | |
| Cont. from 061813 | Father: PJ FRITCHER | |
| <input type="checkbox"/> Aff.Sub.Wit. | Mother: DANIELLA LUNA – Also filed a Petition to Terminate Guardianship | |
| <input checked="" type="checkbox"/> Verified | Paternal grandfather: JAMES FRITCHER | |
| <input type="checkbox"/> Inventory | Paternal grandmother: BRENDA FORD | |
| <input type="checkbox"/> PTC | Maternal grandfather: DANIEL LUNA | |
| <input type="checkbox"/> Not.Cred. | Maternal grandmother: KATHY REMKE | |
| <input type="checkbox"/> Notice of Hrg | Petitioners state that the mother and maternal grandmother have made caring for the minor very stressful. There have been numerous incidents of verbal attacks, hostile phone calls, texts, posts on social media, and in person verbal attacks as well. Petitioners state that the hostility displayed by the mother and maternal grandmother has caused so much stress that they can no longer continue to care for the minor and also care for their own children. Petitioners therefore request that the guardianship be terminated. | |
| <input type="checkbox"/> Aff.Mail | Court Investigator Jennifer Daniel filed a report on 06/10/13. | |
| <input type="checkbox"/> Aff.Pub. | | |
| <input type="checkbox"/> Sp.Ntc. | | |
| <input type="checkbox"/> Pers.Serv. | | |
| <input type="checkbox"/> Conf. Screen | | |
| <input type="checkbox"/> Letters | | |
| <input type="checkbox"/> Duties/Supp | | |
| <input type="checkbox"/> Objections | | |
| <input type="checkbox"/> Video Receipt | | |
| <input type="checkbox"/> CI Report | | |
| <input type="checkbox"/> 9202 | | |
| <input checked="" type="checkbox"/> Order | | |
| <input type="checkbox"/> Aff. Posting | | |
| <input type="checkbox"/> Status Rpt | | |
| <input type="checkbox"/> UCCJEA | | |
| <input type="checkbox"/> Citation | | |
| <input type="checkbox"/> FTB Notice | | |
| | | <p>Reviewed by: JF</p> <p>Reviewed on: 06/18/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 17A – Fritcher</p> |

Petition for Termination of Guardianship

| | | |
|---|---|---|
| Age: 6 | DANIELLA LUNA , mother, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: CONTINUED FROM 06/10/13 Minute Order from 06/10/13 states: The Court orders the parties to participate in mediation on 06/20/13 at 1:30pm. Mediation to address the circumstances regarding termination of the guardianship. 3. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Termination of Guardianship or Consent & Waiver of Notice or Declaration of Due Diligence</i> for: - PJ Fritcher (father) - James Fritcher (paternal grandfather) - Brenda Ford (paternal grandmother) - Daniel Luna (maternal grandfather) - Kathy Remke (maternal grandfather) |
| | JACOB LUNA and MELISSA TORRES , were appointed co-guardians of the person on 11/17/11. | |
| Cont. from 061813 | Father: PJ FRITCHER | |
| <input type="checkbox"/> Aff.Sub.Wit. | Mother: DANIELLA LUNA | |
| <input checked="" type="checkbox"/> Verified | Paternal grandfather: JAMES FRITCHER | |
| <input type="checkbox"/> Inventory | Paternal grandmother: BRENDA FORD | |
| <input type="checkbox"/> PTC | Maternal grandfather: DANIEL LUNA | |
| <input type="checkbox"/> Not.Cred. | Maternal grandmother: KATHY REMKE | |
| <input checked="" type="checkbox"/> Notice of Hrg | Petitioner states that since she has been doing so well, the guardians have stated they would give her back custody of Daniel. | |
| <input type="checkbox"/> Aff.Mail | Court Investigator Jennifer Daniel filed a report on 06/10/13. | |
| <input type="checkbox"/> Aff.Pub. | | |
| <input type="checkbox"/> Sp.Ntc. | | |
| <input checked="" type="checkbox"/> Pers.Serv. | | |
| <input type="checkbox"/> Conf. Screen | | |
| <input type="checkbox"/> Letters | | |
| <input type="checkbox"/> Duties/Supp | | |
| <input type="checkbox"/> Objections | | |
| <input type="checkbox"/> Video Receipt | | |
| <input type="checkbox"/> CI Report | | |
| <input type="checkbox"/> 9202 | | |
| <input checked="" type="checkbox"/> Order | | |
| <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: JF |
| | | Reviewed on: 06/18/13 |
| | | Updates: |
| | | Recommendation: |
| | | File 17B – Fritcher |