



ATTENTION

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

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

Thank you for your patience.

4 Sark-Daniel Trust Created 5-6-1990

Case No. 11CEPR00982

Atty Marchini, Joseph M (of BMJ, for Daniel L. Serimian – Beneficiary – Petitioner)

Atty Salisch, Victoria J.(of Lang, Richert & Patch, for Leslie A. Morgan)

Atty Jones, Timothy (of Wanger Jones Helsey, PC, for Donald Serimian and David Serimian)

Petition for Order for Accounting, Surcharge of Trustee, Removal of Trustee, and Instructions to Partition, Terminate and Distribute Trust Estate [Prob. C. 15403, 15642, 16420, 16440, 17200(a), 17200(b)(7)]

		NEEDS/PROBLEMS/COMMENTS:
		<u>OFF CALENDAR</u>
		This case has been consolidated with 11CECG03770 as LEAD.
		Per Minute Order 4-18-12: All further documents filed in the case number of the lead case, followed by the case number of the other consolidated cases. Matter designated complex per Rule of Court. <u>No further filing in Probate Court. June 26, 2012</u> Probate Petition off calendar.
		Reviewed by: skc
		Reviewed on: 6-20-12
		Updates:
		Recommendation:
		File 4A – Sark-Daniel

Atty Marchini, Joseph M (of BMJ, for Daniel L. Serimian – Beneficiary – Petitioner)

Atty Salisch, Victoria J.(of Lang, Richert & Patch, for Leslie A. Morgan)

Atty Jones, Timothy (of Wanger Jones Helsey, PC, for Donald Serimian and David Serimian)

Petition for Order for Accounting, Surcharge of Trustee, Removal of Trustee, and Instructions to Partition, Terminate and Distribute Trust Estate [Prob. C. 15403, 15642, 16420, 16440, 17200(a), 17200(b)(7)]

		NEEDS/PROBLEMS/COMMENTS:
		<u>OFF CALENDAR</u>
		This case has been consolidated with 11CECG03770 as LEAD.
		Per Minute Order 4-18-12: All further documents filed in the case number of the lead case, followed by the case number of the other consolidated cases. Matter designated complex per Rule of Court. <u>No further filing in Probate Court.</u> June 26, 2012 Probate Petition off calendar.
		Reviewed by: skc
		Reviewed on: 6-20-12
		Updates:
		Recommendation:
		File 5A - Serimian

Atty Marchini, Joseph M (of BMJ, for Daniel L. Serimian – Beneficiary – Petitioner)

Atty Salisch, Victoria J.(of Lang, Richert & Patch, for Leslie A. Morgan)

Atty Jones, Timothy (of Wanger Jones Helsey, PC, for Donald Serimian and David Serimian)

Petition for Order for Accounting, Surcharge of Trustee, Removal of Trustee, and Instructions to Partition, Terminate and Distribute Trust Estate [Prob. C. 15403, 15642, 16420, 16440, 17200(a), 17200(b)(7)]

		NEEDS/PROBLEMS/COMMENTS:
		<u>OFF CALENDAR</u>
		This case has been consolidated with 11CECG03770 as LEAD.
		Per Minute Order 4-18-12: All further documents filed in the case number of the lead case, followed by the case number of the other consolidated cases. Matter designated complex per Rule of Court. <u>No further filing in Probate Court.</u> June 26, 2012 Probate Petition off calendar.
		Reviewed by: skc
		Reviewed on: 6-20-12
		Updates:
		Recommendation:
		File 6A - Serimian

Atty Marchini, Joseph M (of BMJ, for Daniel L. Serimian – Beneficiary – Petitioner)

Atty Salisch, Victoria J.(of Lang, Richert & Patch, for Leslie A. Morgan)

Atty Jones, Timothy (of Wanger Jones Helsey, PC, for Donald Serimian and David Serimian)

Petition for Order for Accounting, Surcharge of Trustee, Removal of Trustee, and Instructions to Partition, Terminate, and Distribute Trust Estate [Prob. C. 15403, 15642, 16420, 16440, 17200(a), 17200(b)(7)]

		NEEDS/PROBLEMS/COMMENTS:
		<u>OFF CALENDAR</u>
		This case has been consolidated with 11CECG03770 as LEAD.
		Per Minute Order 4-18-12: All further documents filed in the case number of the lead case, followed by the case number of the other consolidated cases. Matter designated complex per Rule of Court. <u>No further filing in Probate Court. June 26, 2012 Probate Petition off calendar.</u>
		Reviewed by: skc
		Reviewed on: 6-20-12
		Updates:
		Recommendation:
		File 7A – Sark-Leslie

Atty

Marchini, Joseph M (of BMJ, for Daniel L. Serimian – Beneficiary – Petitioner)

Atty

Salisch, Victoria J.(of Lang, Richert & Patch, for Leslie A. Morgan)

Atty

Jones, Timothy (of Wanger Jones Helsey, PC, for Donald Serimian and David Serimian)

Petition for Order for Accounting, Surcharge of Trustee, Removal of Trustee and Instructions to Partition, Terminate and Distribute Trust Estate [Prob. C. 15403, 15642, 16420, 16440, 17200(a), 17200(b)(7)]

		NEEDS/PROBLEMS/COMMENTS:
		<u>OFF CALENDAR</u>
		This case has been consolidated with 11CECG03770 as LEAD.
		Per Minute Order 4-18-12: All further documents filed in the case number of the lead case, followed by the case number of the other consolidated cases. Matter designated complex per Rule of Court. <u>No further filing in Probate Court.</u> June 26, 2012 Probate Petition off calendar.
		Reviewed by: skc
		Reviewed on: 6-20-12
		Updates: 6-20-12
		Recommendation:
		File 8A – Sark-Lionel

Amended Petition for Order Instructing Trustee, Confirming Ownership of Trust Assets, and Approving Final Distribution from Trust [Prob. C. 850, 17200(b)(4), (5) & (6)]

DOD: 7-4-10	JANE DELLA FAIN , Successor Trustee of the 2003 ONELLA E. SPEEGLE REVOCABLE TRUST as amended 12-8-03 , is Petitioner.	NEEDS/PROBLEMS/ COMMENTS:
	Petitioner states the trust provides for distribution on the settlor's death of one share to each of the settlor's children who survive her. The settlor was survived by three children, Joyce Onella Lopez, Jean Elisabeth Reeves, and Jane Della Fain. There were also two deceased children.	<p>Note: Notice of Settlement filed 4-17-12 by Attorney Krbechek states the matter has been settled in its entirety, except the terms and conditions of the settlement will not be completed until 6-30-12. A Request for Dismissal will be filed within 45 days of the completion date.</p> <p>1. Petitioner appears to request an order at this time, and also a further order after distributions have been made (#7 of the prayer).</p> <p>The Court may require further petition at a later time for such further order.</p> <p>2. Need order.</p>
Cont. from 042512	The trust contains two parcels of real property and cash and marketable securities with a total balance sheet value of \$322,000.	
<input type="checkbox"/> Aff.Sub.Wit.	Petitioner wishes to sell the real property, pay attorney fees, costs and expenses of administration from the trust assets, and distribute in equal shares to the three surviving children and bring trust administration to a close; however, the three beneficiaries are unable to agree on a distribution in kind.	
<input checked="" type="checkbox"/> Verified	Beneficiary Jean Elisabeth Reeves resides in the residence on N. Wilson and communications have broken down. Further, Ms. Reeves has suggested in the past that she is the owner of the property, and Petitioner also seeks a determination that the trust is the owner of the property (deeds attached).	
<input type="checkbox"/> Inventory	Petitioner prays for an Order:	
<input type="checkbox"/> PTC	1. Confirming that Petitioner as trustee is the holder of title to the real property on N. Wilson, free and clear from all ownership claims or other adverse interests asserted by Jean Elisabeth Reeves;	
<input type="checkbox"/> Not.Cred.	2. Authorizing and instructing Petitioner to engage a real estate broker to market and sell the real property on N. Wilson;	
<input checked="" type="checkbox"/> Notice of Hrg	3. Authorizing and instructing Petitioner to engage a real estate broker to market and sell the real property on N. Van Ness;	
<input checked="" type="checkbox"/> Aff.Mail w/o	4. Upon such sale, authorizing and instructing Petitioner to distribute the cash proceeds therefrom in three equal shares to the beneficiaries after payment of the ordinary and necessary attorney fees, costs and expenses of trust administration;	
<input type="checkbox"/> Aff.Pub.	5. Authorizing and instructing Petitioner to hold \$6,000.00 from the cash on hand to pay projected costs and expenses in connection with trust administration;	
<input type="checkbox"/> Sp.Ntc.	6. Authorizing and instructing Petitioner to distribute the remaining cash and securities held in the trust estate in three equal shares to the beneficiaries;	
<input type="checkbox"/> Pers.Serv.	7. Upon such distributions, for an order terminating the trust; and	
<input type="checkbox"/> Conf. Screen	8. Such other and further relief as the Court may deem just, equitable and proper.	
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order X		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		<p>Reviewed by: skc</p> <p>Reviewed on: 6-19-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 9 - Speegle</p>

Age: 19	<p>NO TEMPORARY REQUESTED</p> <p>PATSY ZUNIGA, Mother, is Petitioner and requests appointment as Conservator of the Person and Estate without bond. (Note: Estate denied per minute order 3-6-12)</p> <p>Voting Rights affected</p> <p>A copy of a Capacity Declaration was filed 1-24-12.</p> <p>Petitioner states the proposed conservatee was born with Down Syndrome and is unable to provide for her own physical health, clothing or shelter. She is unaware of the costs of shelter or food and does not have capacity to seek medical attention if needed. The paternal grandparents have been caring for her since she was two months old, but are now "getting up in years" and it is increasingly difficult for them to care for her.</p> <p>Petitioner requests appointment as Conservator of the Estate without bond because she is a full time student and lacks the funds to post bond. Specifically, Petitioner requests the ability to administer any and all financial obligations and/or accounts in regards to the proposed conservatee's assets and debt, and for care, custody and control of all real property, if any, including the right to sell, convey, or transfer, or maintenance/collection of rents on rental property, if any.</p> <p>Petitioner states that although the proposed conservatee currently resides in Fresno, it would be in her best interest to reside in Stanislaus County. Petitioner is ready and able to provide adequate living arrangements. Petitioner states that when they see each other, the proposed conservatee begs to come home with Petitioner. Petitioner attached copies numerous letters in support of the petition from friends and family.</p> <p>Court Investigator Samantha Henson filed a report on 2-29-12 and a Supplemental Report on 5-10-12.</p> <p style="text-align: center;">SEE PAGE 2.</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p><u>Court Investigator advised rights on 2-15-12.</u></p> <p><u>Voting rights affected-Need minute order.</u></p> <p><u>Continued from 3-6-12.</u></p> <p><u>Minute Order 3-6-12: Examiner notes are provided to counsel. The Court denies the Petition for Appointment of Conservator of the Estate and continues the Petition for Appointment of Conservator of the Person to 5/15/12. The Court orders that a court investigator contact all the parties for purposes of determining suitability.</u></p> <p><u>Minute Order 5-15-12: Matter continued to 6-26-12 at the request of counsel. Parties appearing advised of the continuance.</u></p> <p><u>Note: Petitioner resides in Modesto, CA. The proposed conservatee (Krishna) resides in Fresno with her paternal grandparents, Eddie and Linda Galaviz, who were formerly her legal guardians in Case #0522953.</u></p> <p><u>As of 6-20-12, nothing further has been filed. The following issues remain:</u></p> <p style="text-align: center;">SEE PAGE 2</p>
DOB: 7-2-92		
Cont. from 030612, 051512		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified X		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail W		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv. W		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input checked="" type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input checked="" type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
Reviewed by: skc		
Reviewed on: 6-20-12		
Updates		
Recommendation:		
File 10A - Galaviz		

NEEDS/PROBLEMS/COMMENTS (Continued):

1. Attorney Ben Roberts did not sign the Petition.
2. If Petitioner is seeking medical consent powers, need original Capacity Declaration.

Note: Petitioner does not request medical consent powers at 1.g. of the Petition. Petitioner states the original Capacity Declaration was filed in Stanislaus County and provides a copy; however, this Court may require an original.

If requested, the Court may also require amended petition and service on all parties of the additional request for medical consent powers.

3. Notice of Hearing filed 2-8-12 indicates the paternal grandparents (with whom Krishna resides) were served together rather than individually per Cal. Rule of Court 7.51(a)(1). The Court may require amended service.
- Examiner notes that the paternal grandparents Linda and Eddie Galaviz have been attending the hearings, along with a "Mary Smith." Examiner is unsure who "Mary Smith" is.
4. Need proof of service of Notice of Hearing with a copy of the Petition at least 30 days prior to the hearing on the Regional Center pursuant to Probate Code §1822(e).

Note: The above items have been noted since the first hearing on 3-6-12.

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONFIDENTIAL</u></p>
Cont. from 030612, 051512		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 6-20-12
		Updates:
		Recommendation:
		File 10B – Galaviz