

Age: 47	John and Teresa Assadourian, Parents, were appointed Conservators of the Person on 7-5-1984.	NEEDS/PROBLEMS/COMMENTS:
	On 5-23-13, Court Investigator Jennifer Daniel filed this Petition for Transfer to Tulare County Superior Court, with transfer fees and costs waived.	
Aff.Sub.Wit.	Notice of Hearing was sent to all parties and to CVRC on 5-24-13.	
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 6-19-13
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 1 - Assadourian

(1) First and Final Account and Report of Administrator and (2) Petition for Its Settlement, for Allowance of Compensation for Ordinary and Extraordinary Services and (3) for Final Distribution (Prob. C.11640)

DOD: 04/21/11		ROBERT M. RAY , Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 04/04/12 – 02/19/13	
		Accounting - \$7,910.94	
Cont. from		Beginning POH - \$6,444.55	
<input type="checkbox"/>	Aff.Sub.Wit.	Ending POH - \$5,626.13	
<input checked="" type="checkbox"/>	Verified	Administrator (statutory) - \$316.44	
<input checked="" type="checkbox"/>	Inventory	Administrator Costs - \$120.00 (for certified copies of death certificate)	
<input checked="" type="checkbox"/>	PTC	Attorney (statutory) - \$316.44	
<input checked="" type="checkbox"/>	Not.Cred.	Attorney x/o - \$190.00 (itemized by date for 1.9 hours @ \$100/hr. for work performed related to filing of delinquent tax returns and assisting beneficiaries in connection with a brokerage account held outside of the estate)	
<input checked="" type="checkbox"/>	Notice of Hrg	Closing - \$300.00	
<input checked="" type="checkbox"/>	Aff.Mail	Petitioner states that there is a Federal Tax Lien for delinquent income tax due and all remaining cash on hand will be distributed to the Internal Revenue Service to satisfy the outstanding personal income tax lien.	
	Aff.Pub.	Distribution, pursuant to intestate succession, and subject to a Federal Tax Lien, is to:	
	Sp.Ntc.	Internal Revenue Service - \$4,383.25 as payment in full for the outstanding delinquent personal income tax due from the decedent.	
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Reviewed by: JF
Reviewed on: 06/19/13
Updates:
Recommendation:

File 2 - Ray

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

Age: 67		<u>NO TEMPORARY ORDERS</u>		NEEDS/PROBLEMS/ COMMENTS: Matter has been continued on 04/22/2013 and 05/20/2013. The following issues remain: Court Investigator Advised Rights on 03/22/2013. 1. Need Citation. 2. Need video receipt for each conservator pursuant to Local Rule 7.15.8(A). 3. #1g of the petition is not marked regarding medical consent powers. However #9 of the petition is marked stating there is no form of medical treatment for which the proposed conservatee has the capacity to give an informed consent. Need clarification. 4. Capacity Declaration filed 04/19/2013 does not support the Petitioner's request for medical consent and dementia powers.
		JAMES C. WEST , nephew, is petitioner and requests appointment as Conservator of the person, medical consent and dementia powers to administer dementia medications and for placement in a secured perimeter facility.		
Cont. from 042213, 052013		Declaration of Jennifer Lancaster, D.O., 03/21/203. Petitioner states: proposed conservatee suffered a stroke on 06/30/2012 with a total left side hemiparesis. She is unable to dress, bathe, or care for herself, cannot walk, cannot cook, has no coordination, is aggressive, lacks short term memory, her thoughts are unrealistic, she is delusional and she has been diagnosed with dementia.		
	Aff.Sub.Wit.		Declaration of Court Appointed Counsel in Opposition to Petition for Appointment of Conservator of the Person filed 02/19/2013 – states proposed conservatee vehemently opposes the petition for appointment of conservator of her person, and particularly opposes the appointment of her nephew, James C. West as conservator. Proposed Conservatee is seen regularly by her doctor, Jennifer Lancaster. Dr. Lancaster prepared a capacity declaration stating the proposed conservatee is able to attend the court hearing, has capacity to give informed consent to any form of medical treatment, the proposed conservatee does have capacity to give informed consent to placement, a locked secured perimeter facility is not the least restrictive environment appropriate to the needs of the proposed conservatee and while the conservatee would benefit from the administration of medications for dementia, the proposed conservatee has the capacity to give informed consent to their administration. Please see additional page	
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	w/		
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	w/		
	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt	x		
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: LV Reviewed on: 06/20/2013 Updates: Recommendation: File 4 - Manuszak		

Declaration continued

Proposed Conservatee is seen regularly by her doctor, Jennifer Lancaster. Dr. Lancaster prepared a capacity declaration stating the proposed conservatee is able to attend the court hearing, has capacity to give informed consent to any form of medical treatment, the proposed conservatee **does** have capacity to give informed consent to placement, a locked secured perimeter facility is **not** the least restrictive environment appropriate to the needs of the proposed conservatee and while the conservatee would benefit from the administration of medications for dementia, the proposed conservatee **has** the capacity to give informed consent to their administration.

On 07/05/2012, five days after the proposed conservatee's stroke she executed an Advance Health Care Directive, signed by the petitioner, James West, and Jean West, the proposed conservatee's sister. At the same time she executed a durable power of attorney for property management.

The proposed conservatee states she intends to revoke the advance health care directive, because she does not want Jean West or James West to make health care decisions for her.

Proposed conservatee requests that she be present at any further hearings on this matter, and further requests that the conservatorship proceedings be dismissed.

Court Investigator Charlotte Bien Report filed 04/12/2013.

5 In Matter of: Lois Gray Durable Power of Attorney

Case No. 13CEPR00214

Atty Walters, Jennifer L. (for Petitioner Eileen Sutterfield)
Atty Burnside, Leigh (for Respondent/Cross Petitioner Ronald Gray)
Atty Sharbaugh, Catherine (court appointed for principal Lois Gray)
Petition to Compel Agent to Act (Prob. C. 4000, eq)

		EILEEN SUTTERFIELD , child and co-agent pursuant to the Durable Power of Attorney, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 5/22/13. Minute order states Ms. Walters is ordered to provide Ms. Burnside with the monthly statements from December 2012 to the present. The Court orders that the statements also include those from Chase and the Credit Union. The court further orders that both counsels facilitate the listing and sale of the mobile home. Said mobile home is to be sold at an appropriate price and the proceeds are to remain in the escrow account. The Court orders counsel is to be appointed for Lois Gray.</p> <ol style="list-style-type: none"> 1. Need proof of service of the Notice of Hearing on Principal, Lois Gray. Probate Code §4544. 2. Need Order <p>Note: Order on Cross Petition of Ronald Gray contains a place to insert the date that Eileen Sutterfield is to account by.</p> <p>Reviewed by: KT</p> <p>Reviewed on: 6/19/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 – Gray</p>
		Petitioner states this matter concerns the co-agent, Ronald Gray, lack of cooperation in regard to the Power of Attorney and therefore detrimentally affecting the Settlor's property, assets and intent behind drafting the documents.	
Cont. from 050813, 052213		Petitioner alleges Lois Gray, on or about 4/8/2009, executed The Durable Power of Attorney for Management of Property and Personal Matters. Petitioner states she is aware of the terms of the POS. Based on her firsthand knowledge and having read the POS, the Petitioner contends that she and her Co-Agent were designated to pay all necessary debts including the power to sell ownership of the property.	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
✓	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
Please see additional page			

Petitioner states she has requested of the Co-Agent, Ronald Gray, on several occasions to agree to sell the mobile home owned by the Settlor to allow for additional funds to be provided to the assisted living facility. Ronald Gray refuses to participate in the sale unless the funds are provided to a joint trust account. A trust account is not necessary as the proceeds of the sale can be directly provided to Cottonwood for the monthly expenses.

Petitioner requests the Court enter an order that:

1. Lois Gray established the Lois Gray Durable Power of Attorney, on or about April 8, 2009;
2. The Co-Agents named by the Settlor are Eileen Sutterfield and Ronald Gray;
3. Co-Agent Ronald Gray be ordered to participate in the facilitation of the sale of the mobile home owned by the Settlor;
4. For all other relief as the Court deems proper under the circumstances.

Respondent Ronald Gray's Response to Petition to Compel Agent to Act; Cross Petition to Compel Co-Agent to Account and Report filed on 5/2/13. Respondent admits some of the allegations in the petition and denies other allegations in the petition.

Wherefore, Respondent respectfully requests an order:

1. Dismissing the Petition with prejudice;
2. For costs incurred herein;
3. For any and all other relief the Court deems just and proper.

Cross Petition to Compel Co-Agent to Account and Report.

Cross Petitioner, Ronald Gray, alleges:

On 4/8/2009 Lois Gray executed a Durable Power of Attorney for Management of Property and Personal Affairs (DPOA) appointing her children, Ronald Gray (Mr. Gray) and Eileen Sutterfield (Ms. Sutterfield) as her co-agents.

In conjunction with the DPOA, Lois Gray also executed the Lois Gray Living Trust (the Trust).

The Trust estate consists of two parcels of real property and a mobile home, none of which has substantial value. The Trust has no liquid assets, but Mr. Gray is informed and believes that Lois Gray has one or more bank accounts at Chase Bank held in her name individually, from which her living expenses have been, and are being paid. Mr. Gray is further informed that Ms. Sutterfield is named as a co-owner of said account(s) solely for the purpose of facilitating the payments of Lois Gray's bills and expenses. Ms. Sutterfield has not provided Mr. Gray with copies of the monthly statements of a Chase Bank checking account belonging to Lois Gray since approximately November 2012, despite repeated requests.

Please see additional page

Recently, Ms. Sutterfield began demanding that Mr. Gray assist her in selling the mobile home to pay for Lois Gary's board and care at the assisted living facility. She also stopped providing Mr. Gray with copies of the monthly bank statements. Ms. Sutterfield has also refused Mr. Gray's request to meet to resolve the matter of how best to take care of their mother's finances. Mr. Gray suggested, for example, that he and Ms. Sutterfield establish a bank account in their capacity as co-trustees of the trust to hold all funds for the benefit of their mother. Ms. Sutterfield, however, has refused to do so and continues to refuse to provide information regarding the status of their mother's funds, which funds are now under the exclusive control of Ms. Sutterfield.

For the foregoing reasons, Mr. Gray request that the Court order Ms. Sutterfield to account and report regarding the joint bank account at Chase Bank that she shares with Lois Gray, as well as any toher account she owns with Lois Gray, for the period commencing August 1, 2012 through April 30, 2013.

Wherefore, Petitioner prays for an Order:

1. That Ms. Sutterfield account and report for the funds contained in all accounts that she owns with Lois Gray for the period commencing August 1, 2012 through April 30, 2013.
2. That Cross-Petitioner be awarded his costs incurred herein, and;
3. That the Court order any and all other relief it deems just and proper.

Supplement in Support of Cross-Petition filed on 5/16/13. Ronald Gray states that it is his belief that the funds in the Chase Bank account are the property of Mrs. Gray, and that Eileen has not deposited any of her own personal funds into said account. Accordingly pursuant to Probate Code §5301(a), all of the funds in the account belong to Mrs. Gray.

Ronald Gray alleges Eileen has admitted that the funds in the Chase Bank account are exclusively the property of Mrs. Gray and, upon Mrs. Gray's death are to be distributed to the beneficiaries of Mrs. Gray's trust.

Since December 2012, Eileen has refused Donald's request to provide copies of the Chase Bank account statements to Ronald notwithstanding his is the co-agent of Mrs. Gray under a property executed Durable Power of Attorney. Ronald states he met with Eileen on May 14, 2013, and again requested she provide him with copies of the statements, but Eileen continues to refuse to do so in the grounds that she is a co-owner of the account and has no obligation to share any information with Ronald. Ronald visited a branch of Chase Bank on or about 5/10/2013, with a copy of the DPOA and requested copies of the statements, but bank personnel would not provide them.

Eileen continues to withhold information from him relative to Mrs. Gray's finances, yet demands that he agree to sell Mrs. Gray's mobile home, which is actually an asset of the Mrs. Gray's living Trust. Eileen however has been unwilling to agree to deposit the sale proceeds into a Trust account titled in the names of both Ronald and Eileen as co-Trustees. Due to Eileen's refusal to do so, as well as her refusal to share Mrs. Gray's financial information with him, Ronald has not agreed to the sale of the mobile home.

Please see additional page

Petitioner Eileen Sutterfield's Response to Respondent Ronald Gray's Cross-Petition to Compel Co-Agent to Account and Report and Supplement in Support of Cross-Petition to Compel Co-Agent to Account and Report was filed 5/21/13. Cross Respondent states since the execution of the DPOS and the Trust, Lois Gray has been diagnosed with dementia and suffered a stroke. Lois Gray is currently residing in a care facility in Fresno. Cross Respondent admits that the Trust estate contains two parcels of real property and a mobile home. Cross-Respondent admits that the Trust has no liquid assets. Cross-Respondent further admits that she has not provided Mr. Gray monthly bank statements of a Chase bank account since November 2012. Cross-Respondent denies that she has refused Mr. Gray's attempts to meet and resolve the matter of how best to take care of their mother's finances.

Cross-Respondent admits that Mrs. Gray added her daughter Eileen Sutterfield to the account. Cross-Respondent admits that she has not deposited any of her own personal funds into the account. Cross-Respondent admits that Mr. Gray is a co-agent under a properly executed Durable Power of Attorney. Cross-Respondent continues to refuse to provide Cross-Petitioner with copies of statements on the ground she is a co-owner of the account and has no obligation to share any information with Cross-Petitioner.

Cross-Respondent alleges Cross-Petitioner has absolutely no authority to bring his cross-petition under Probate Code sections 4236 and 4241. Probate Code § 4236 states that an "attorney-in-fact shall keep records of all transactions entered into by the attorney-in-fact on behalf of the principal." That may be true when Cross-Petitioner acts as an agent under a DPOA to conduct transactions, but Cross-Respondent is not using or acting as an Agent under Mrs. Gray's DPOA to conduct transactions for Mrs. Gray and Cross-Respondent's joint Chase checking account. Mrs. Gray added Cross-Respondent to her Chase checking account several years ago. Mrs. Gray did not specifically state to Cross-Petitioner why she added her only that she wanted Cross-Respondent as a co-owner of the Chase checking account. Cross-Respondent is a co-owner of the Chase checking account and has a right of survivorship.

Cross-Respondent states she has no duty to pay her mother's finances with the funds from the joint account, but chooses to do so as co-owner. By operation of law, Cross-Respondent becomes the sole owner of the Chase account and can choose to give the money to the Trust after her mother's death. That doesn't make the funds in the joint account automatically "Trust fund." Mrs. Gray's intent is clear she did not want her checking account funds to be part of her Trust, and she wanted to daughter to be a co-owner of her Chase checking account with right of survivorship. Cross-Respondent simply has no duty under the Probate Code to account and report to Cross-Petitioner for her and Mrs. Gray's joint account.

Cross-Petitioner has stated that he as a co-agent under the DPOA is refusing to sell Mrs. Gray's mobile home because he wants to see the bank statements from the joint checking account, even though he is aware that the vacant mobile home is costing \$700.00 per month. Cross-Petitioner's actions are harmful and not in the best interest of the principal, Mrs. Gray. Cross-Petitioner's actions and delay in selling the mobile home are unreasonable and unjustified.

Wherefore, Cross-Petitioner respectfully requests that the Court deny the Cross-Petitioner in his entirety.

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

DOD: 10-6-08	EDDIE L. HENDERSON aka ED HENDERSON, Son, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	40 days since DOD	
	No other proceedings	
<input type="checkbox"/> Aff.Sub.Wit.	I&A: \$140,200.00	
<input checked="" type="checkbox"/> Verified	(real and personal property)	
<input checked="" type="checkbox"/> Inventory	Decedent died intestate	
<input checked="" type="checkbox"/> PTC	Petitioner requests Court determination that the	
<input type="checkbox"/> Not.Cred.	decedent's 100% interest in certain real	
<input type="checkbox"/> Notice of Hrg	property located at 1520 E. Englewood in	
<input type="checkbox"/> Aff.Mail	Fresno and personal property including	
<input type="checkbox"/> Aff.Pub.	household furniture and furnishings and other	
<input type="checkbox"/> Sp.Ntc.	personal effects passes to him pursuant to	
<input type="checkbox"/> Pers.Serv.	intestate succession.	
<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 on: 6-19-13
		Updates:
		Recommendation: SUBMITTED
		File 6 - Morrison

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 03/16/13		PATTI BIBB , sister/named Executor without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Status hearings will be set as follows:</p> <ul style="list-style-type: none"> • 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. <p>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.</p>	
		Full IAEA – OK		
Cont. from		Will dated: 03/06/12		
<input type="checkbox"/>	Aff.Sub.Wit.	s/p		
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory	Residence: Fresno		
<input type="checkbox"/>	PTC	Publication: The Business Journal		
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg	Estimated value of the estate:		
<input checked="" type="checkbox"/>	Aff.Mail	w/		
<input type="checkbox"/>	Aff.Pub.	Personal property - \$ 31,500.00		
<input type="checkbox"/>	Sp.Ntc.	Annual income - 100.00		
<input type="checkbox"/>	Pers.Serv.	Real property - 110,000.00		
<input type="checkbox"/>	Conf. Screen	Total - \$141,600.00		
<input checked="" type="checkbox"/>	Letters	Probate Referee: STEVEN DIEBERT		
<input checked="" 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: 06/19/13
			Updates:	
			Recommendation: SUBMITTED	
			File 8 - Munday	

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 04/02/13	TERESA ESPINOZA , named Executor without bond is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Petitioner is a named Executor in the will, but her name, address and relationship to the decedent are not listed in item 8 of the Petition. Note: Status hearings will be set as follows: <ul style="list-style-type: none"> • 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.
	Full IAEA – OK	
	Will dated 06/14/05	
Cont. from	Residence: Fresno	
<input type="checkbox"/> Aff.Sub.Wit.	Publication: The Business Journal	
<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	Estimated Value of the Estate:	
<input checked="" type="checkbox"/> Aff.Mail w/o	Personal property - \$297,500.00	
<input type="checkbox"/> Aff.Pub.	Annual income - 2,975.00	
<input type="checkbox"/> Sp.Ntc.	Real property - 100,000.00	
<input type="checkbox"/> Pers.Serv.	Total - \$400,475.00	
<input type="checkbox"/> Conf. Screen	Probate Referee: RICK SMITH	
<input checked="" type="checkbox"/> Letters		
<input checked="" 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: 06/19/13
		Updates:
		Recommendation:
		File 9 - Espinosa

DOD: 03/09/13		RENEE DAUER and MARJORIE DAUER-PIPER , granddaughters, are Petitioners and request appointment as Co-Administrators with without bond.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		Full IAEA – OK	<p>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.</p> <p>Note: Status hearings will be set as follows:</p> <ul style="list-style-type: none"> • 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. <p>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.</p>
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Decedent died intestate	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	Residence: Biola Publication: The Business Journal	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	Estimated Value of the Estate: Real property - \$55,000.00	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	Probate Referee: RICK SMITH	
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen	Reviewed by: JF	
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp	Reviewed on: 06/19/13	
<input type="checkbox"/>	Objections	Updates:	
<input type="checkbox"/>	Video Receipt	Recommendation: SUBMITTED	
<input type="checkbox"/>	CI Report	File 10 - Dauer	
<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: 12-21-12		JAIME VASQUEZ and CARO CARUSO, Grandson and Granddaughter, are Petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>CONTINUED TO 7-23-13</u> Per attorney request</p> <ol style="list-style-type: none"> In this summary proceeding, the Court is limited to making a determination that the property passes to the appropriate successor according to the decedent's will, which is The Rosa Haydee Lopez Living Trust dated April 3, 2011. See Probate Code §§ 13150 and 13006 (definition of successor). Therefore, the Court cannot make the determination as requested that property passes to Petitioners directly. <i>Note: Petitioners provide a copy of the trust, which indicates that Petitioners are the successor co-trustees. The Court can authorize distribution to Petitioners as co-trustees in this summary proceeding, but not directly.</i> <u>Need clarification:</u> Petitioners provide a copy of the trust, which lists the subject property as an asset of the trust on Schedule A. If the property is <u>already</u> an asset of the trust, this petition for summary proceeding is inappropriate. Petitioners may wish to research and consider the appropriate options for passing property if Court order is necessary. Need date of death of the decedent's deceased spouse per Local Rule 7.1.1.D. Need proof of service of <u>Notice of Hearing</u> at least 15 days prior to the hearing on the following persons per Probate Code §§ 13153, 1220: - Miriam C. Acevedo (daughter) - Michael Pura (grandson) <i>Note: Although these heirs are disinherited by the trust, they are entitled to notice of hearing on this proceeding.</i> <u>If this matter goes forward</u>, need revised order determining succession to Petitioners as co-trustees of the trust.
		40 days since DOD	
Aff.Sub.Wit.		No other proceedings	
✓ Verified		I&A: \$95,000.00 (real property only)	
✓ Inventory		Will dated 4-3-11 devises the estate, after certain specific bequests, to The Rosa Haydee Lopez Living Trust dated April 3, 2011.	
✓ PTC		Petitioners state that they are the beneficiaries of the trust and request court determination that the decedent's 100% interest in certain real property in Reedley, CA, passes to them in undivided 50% interests each.	
Not.Cred.			
✓ Notice of Hrg	X		
✓ Aff.Mail	W		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
Reviewed by: skC			
Reviewed on: 6-19-13			
Updates: 6-20-13			
Recommendation:			
File 11 - Lopez			

Petition to Compel Custodian under California Uniform Transfers to Minor Act to Account; and Termination of Custodianship

		NICHOLAS MACHADO is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Order. Local Rule 7.1 states a proposed Order shall be submitted with all pleadings that request relief. If the proposed order is not received in the Probate Filing Clerk's Office ten (10) days before the scheduled hearing, a continuance may be required. 2. Probate Code §3920.5 states that the minor receives the custodial property at age 18. Unless the transfer (to the custodial account) specifies another time (not later than the time the minor attains 25 years of age). The petition does not state if the transfer contained language to delay the transfer beyond age 18. If the custodial account contains language that delays the transfer past age 18 a successor custodian may be needed.
		Petitioner alleges:	
		<ul style="list-style-type: none"> • He is 20 years old and a resident of Fresno County. • While under the age of majority, ARTHUR MACHADO ("custodian") was designated as custodian for Petitioner under the California Uniform Transfer to Minor's Act and property was transferred to him as such custodian. • Custodian has never accounted for his acts as custodian. • Petitioner believes the Custodian held and managed at least two accounts for Petitioner's benefit at Fresno County Federal Credit Union and Fidelity Investments. • Petitioner believes the Custodian has converted roughly \$9,099.13 from the Fresno County Credit Union while such custodial property was under his possession and control. • On 5/3/2013, Petitioner made a written demand that the Custodian immediately return the converted property, plus interest, and account for custodial property under his possession and control. • Custodian however did not respond to the written demand. • Petitioner now seeks an accounting for all custodial property under Custodian's possession and control for the benefit of Petitioner, and for the imposition of damages for the wrongful conduct of Custodian. • Petitioner seeks further order immediately terminating the custodianship, and compelling Custodian to immediately turn over possession and control of all custodial property. 	
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		Reviewed by: KT	
		Reviewed on: 6/20/13	
		Updates:	
		Recommendation:	
		File 12 – Machado	

Wherefore, Petitioner prays as follows:

1. That this Court order **ARTHUR MACHADO** to account for all custodial property held for the benefit of **NICHOLAS MACHADO** that was at any time or now is in his possession, custody or control.
2. That his Court order the termination of the custodianship for the benefit of **NICHOLAS MACHADO**, and further order **ARTHUR MACHADO** to execute all necessary documents to immediately turn over all custodial property to **NICHOLAS MACHADO**.
3. For compensatory damages.
4. For punitive damages.
5. For prejudgment and post-judgment interest at the maximum rate allowable by law.
6. For reasonable attorney's fees and costs, according to proof.
7. For costs of suit herein.
8. For such other and further relief that the Court may deem proper.

Age: 3 weeks		GENERAL HEARING 8-13-13	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> The Court may require clarification regarding Ms. Palms' relationship to the child – Petition states great-aunt and family friend, and also states god-sister to maternal grandma. However, the petition states the grandmother's name is unknown, and a god-sister is not a relative. Petitioners state the father is unknown. The Court may require further diligence or notice pursuant to Probate Code §2250(e). Ms. Palms' Confidential Guardian Screening Form is incomplete – need explanations for various answers provided. <p>This information is necessary to determine whether the guardianship investigation is done by the Court or by DSS pursuant to Probate Code §1513(a).</p>
		<p>MELVA PALMS, Great-Aunt and Family Friend, along with LANDREA TOWNSEND, Mother, are Petitioners.</p> <p>Father: Unknown Paternal Grandparents: Unknown Maternal Grandparents: Unknown</p> <p>Petitioners state the hospital was concerned about the mother's ability to care for the baby due to her diagnosis of bipolar. They talked about adoption, but decided long-term guardianship would be best. The mother has expressed that she can't handle another child. This way, she can still be in his life. "2 moms are better than 1."</p> <p>Ms. Townsend states her pregnancy was not planned. She has a 2-year-old that she can barely take care of, and Ms. Palms can provide for the baby and give him a good home to grow up in. She is worried that she will be too stressed. She and Ms. Palms have a good relationship and Ms. Palms helps her take care of her 2-year-old also. She is willing to do what the baby needs</p>	
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	Notice of Hrg	X	
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Reviewed by: skc			
Reviewed on: 6-19-13			
Updates:			
Recommendation:			
File 14 – Townsend-Palms			