



## 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.

<b>DOD: 10-11-04</b>	<b>MALKIA DILLARD</b> , Administrator with Full IAEA without bond, is Petitioner. Petitioner states she is the sole heir and waives accounting.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>See Page 2.</b>
	I&A: \$42,565.84 POH: \$0	
	Administrator (Statutory): Waived Attorney (Statutory): Waived	
<b>Cont from 030514, 052114</b>	Petitioner states the creditor's claim in the amount of \$24.32 filed by the Revenue Reimbursement Division of the City of Fresno on 12-5-06 was paid from Petitioner's personal funds.	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Notice of Hrg</b>	X	
<input type="checkbox"/> <b>Aff.Mail</b>	X	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>	X	
<input type="checkbox"/> <b>Order</b>	X	
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>	<p>Petitioner states all of the assets of the decedent were under \$43,000.00. The assets consisted of bank accounts and an investment account which were transferred prior to the decedent's death to either joint tenancy or solely in the name of a local attorney. One of those assets involved the sale by the attorney of stock which resulted in IRS assessing more than \$25,000.00 in taxes. As a result the IRS levied against the bank accounts of the decedent in 2006 after his death. The Administrator filed a lawsuit against said attorney which resulted in settlement and payment of the assets directly to Petitioner as the decedent's daughter (contents of a safe deposit box) in addition to a \$3,000.00 settlement. Receipt filed 11-3-08.</p> <p>Petitioner states during administration, counsel for petition was also able to obtain a full refund from the IRS in the approximate amount of \$29,000.00 on a levy mentioned above. The refund was paid directly to Petitioner as the sole heir by the IRS.</p> <p>Petitioner states the entire value of assets listed on the I&amp;A (\$42,565.84) was paid directly to Petitioner and an ex parte petition to terminate the probate was sought since no assets came into the estate, but it was denied.</p> <p><b>Petitioner requests that: 1) Administration be brought to a close without accounting; 2) All acts and proceedings of Petitioner as personal representative be confirmed and approved; 3) That the waiver of statutory attorney fees and commissions be approved; 4) That payment of the decedent's assets directly to Petitioner as a result of the lawsuit and IRS refund be approved; 5) That distribution of any other property not now known or discovered be made to Petitioner as sole survivor of the decedent; and 6) that any further orders be made as the Court considers proper.</b></p>	
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 6-26-14
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 1A – Gainous</b>

## NEEDS/PROBLEMS/COMMENTS:

1. The Court may also require clarification as to the Administrator's failure to close the estate within a reasonable time frame.
2. Although I&A includes total assets of \$42,565.84, Petitioner now states that no assets were received into the estate: The \$3,000.00 settlement, the \$29,000.00 IRS refund, and the contents of the safe deposit box were paid directly to the Petitioner. However, this does not account for the other assets inventoried (cash accounts totaling over \$10,000.00) and further appears to be an inappropriate and unauthorized distribution, since the estate was opened in order to pursue the assets, and once received, should have been received by the estate.

Need authority for receipt outside of the estate.

3. Regardless of what is on hand at the present time, the estate did recover assets that were distributed, appropriately or not, to the Petitioner as the sole heir. Therefore, the filing fee for this final petition of \$435 is due.
4. Receipt filed 11-3-08 indicates receipt of various personal property items that were not inventoried or valued, including jewelry, antique coins, other). Personal property must be appraised by the probate referee. Probate Code §8900 et seq.
5. Need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing pursuant to Probate Code §1252 and Request for Special Notice filed 12-8-06 on County of Fresno Revenue Reimbursement Division.
6. Petitioner States the creditor's claim of \$24.32 was paid from her own personal funds; however, no allowance was filed by the petitioner, and no withdrawal was filed by the claimant (County of Fresno).
7. ~~Petitioner does not address notice to the Director of Health Care Services pursuant to Probate Code §9202(a). If notice was required but not completed, continuance for proper notice and time for response is necessary. DHS has four months to respond.~~

*Update: Notice of administration was sent to DHS on 3-7-14. Thereafter, DHS filed a Creditor's Claim for \$28,595.99 and a Request for Special Notice.*

Therefore, need proof of service of Notice of Hearing on DHS with a copy of this petition at least 15 days prior to the hearing per Probate Code §1252.

8. Need order.



Atty Kruthers, Heather H., of County Counsel's Office (for Petitioner Public Guardian)

(1) First and Final Account and Report of Successor Guardian; (2) Petition for Allowance of Compensation to Successor Guardian and her Attorney; and (3) for Distribution

<b>Age: 18 years</b>	<b>PUBLIC GUARDIAN</b> , Successor Guardian of the Estate, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>	<b>Account period: 9/3/2013 – 5/1/2014</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Accounting - <b>\$118,331.46</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Beginning POH - <b>\$118,195.48</b>	
<input checked="" type="checkbox"/> <b>Inventory</b>	Ending POH - <b>\$100,667.46</b> <i>(all cash)</i>	
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>	Successor Guardian- <b>\$199.28</b> <i>(per Local Rule 7.16(D), itemized at Exhibit B)</i>	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	Attorney - <b>\$600.00</b> <i>(per Local Rule 7.16(A), for 4 hours @ \$150/hour, from 7/31/2013 to account;)</i>	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> W/		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input checked="" type="checkbox"/> <b>Sp.Ntc.</b>	Costs - <b>\$461.00</b> <i>(filing fee, certified copies)</i>	
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>	<b>Petitioner prays for an order that:</b>	
<input type="checkbox"/> <b>Duties/Supp</b>	1. The Guardianship of the estate terminated on 2/15/2014, the minor's 18 <sup>th</sup> birthday; and	
<input type="checkbox"/> <b>Objections</b>	2. The First and Final Account and Report of the Guardian is approved, allowed and settled;	
<input type="checkbox"/> <b>Video Receipt</b>	3. Petitioners compensation and attorney fees are authorized; and	
<input type="checkbox"/> <b>CI Report</b>	4. After payment of allowed commissions, fees and costs, distribution of the remaining estate of <b>\$99,407.18</b> be made to the former minor, <b>MATTHEW FULCHER.</b>	
<input checked="" type="checkbox"/> <b>2620</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> LEG
		<b>Reviewed on:</b> 6/27/14
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 2 - Fulcher</b>

**Probate Status Hearing Re: Filing Additional Bond**

<b>Age:</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b><u>OFF CALENDAR</u></b> <b>Additional bond filed</b> <b>06/24/14</b>
<b>DOD:</b>		
<b>Cont. from</b>		
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	
<input type="checkbox"/>	<b>Verified</b>	
<input type="checkbox"/>	<b>Inventory</b>	
<input type="checkbox"/>	<b>PTC</b>	
<input type="checkbox"/>	<b>Not.Cred.</b>	
<input type="checkbox"/>	<b>Notice of Hrg</b>	
<input type="checkbox"/>	<b>Aff.Mail</b>	
<input type="checkbox"/>	<b>Aff.Pub.</b>	
<input type="checkbox"/>	<b>Sp.Ntc.</b>	
<input type="checkbox"/>	<b>Pers.Serv.</b>	
<input type="checkbox"/>	<b>Conf. Screen</b>	
<input type="checkbox"/>	<b>Letters</b>	
<input type="checkbox"/>	<b>Duties/Supp</b>	
<input type="checkbox"/>	<b>Objections</b>	
<input type="checkbox"/>	<b>Video Receipt</b>	
<input type="checkbox"/>	<b>CI Report</b>	
<input type="checkbox"/>	<b>9202</b>	
<input type="checkbox"/>	<b>Order</b>	
<input type="checkbox"/>	<b>Aff. Posting</b>	
<input type="checkbox"/>	<b>Status Rpt</b>	
<input type="checkbox"/>	<b>UCCJEA</b>	
<input type="checkbox"/>	<b>Citation</b>	
<input type="checkbox"/>	<b>FTB Notice</b>	
		<b>Reviewed by: JF</b>
		<b>Reviewed on: 06/27/14</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 4 - Maffeo</b>

Probate Status Hearing Re: Filing Additional Bond

Age:		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b><u>OFF CALENDAR</u></b> <b>Additional bond filed</b> <b>06/24/14</b>
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 06/27/14
		Updates:
		Recommendation:
		File 5 – K. Maffeo

Second Amended First Account and Report of Conservators; Petition for Allowance of Fees to Attorney for Conservators

<b>Age: 41 years</b>		<p><b>MANUEL CHAVEZ</b>, father, and <b>SUSAN CHAVEZ-LEON</b>, sister, Co-Conservators of the Person and Estate, are Petitioners.</p> <p><b>Account period: 12/19/12 - 11/30/13</b></p> <p>Accounting - <b>\$309,801.00</b>                  Beginning POH - <b>\$241,633.00</b>                  Ending POH - <b>\$230,127.00</b>  <i>(\$8,127.00 is cash)</i></p> <p>Conservator - <b>not requested</b></p> <p>Attorney - <b>\$7,950.00</b>  <i>(per declaration and itemization, for 25.00 hours (reduced from 36.90 hours) @ \$265.00 per hour;)</i></p> <p>Costs - <b>\$1,035.00</b>  <i>(filing fees, process service fee; certified copies)</i></p> <p>Bond - <b>\$201,850.00</b>  <i>(sufficient)</i></p> <p><b>Petitioner prays for an order:</b></p> <ol style="list-style-type: none"> <li>Approving, allowing, and settling the [First] Account and acts of Co-Conservators; and</li> <li>Authorizing the Attorney fees and costs advanced to the Conservatorship during the accounting period; and</li> <li>Finding that the Conservatee is not able to complete an affidavit of voter registration and is not entitled to vote.</li> </ol> <p><b>Court Investigator Charlotte Bien's Report filed 9/10/2013.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 5/21/14. As of 6/27/14 no additional documents have been filed.</b></p> <p><b>Problems include but are not limited to:</b></p> <ol style="list-style-type: none"> <li>All amounts listed in the accounting and on the inventory are rounded off. The accounting must include the actual amounts.</li> <li>Corrected Inventory and Appraisal filed on 4/15/14 does not include attachment 2. The property listed on attachment 1 totals \$18,534 and not \$33,621 as listed. Therefore the total for the corrected inventory and appraisal is not \$255,621.</li> <li>Statement of Cash Assets at the beginning of the account lists assets totaling \$19,633. The assets at the beginning of the account period should be the same as listed on the corrected inventory and appraisal.</li> </ol> <p><b>Please see additional page</b></p>
<b>Cont. from 052114</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> W/		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>2620</b> X		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 6/27/14</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 6 – Chavez</b></p>	

4. *Schedule C, Disbursements*, contains entry on 6/15/2013 for attorney's fees of **\$5,971.00** to Lance Armo for costs of suit against **HOLLY BILLINGS** for default on loan. Court may require further information regarding the nature and character of the loan, and justification for these attorney's fees having been paid from the Conservatorship estate in contravention of Probate Code § 2647, which provides that no attorney fees may be paid from the estate of the Conservatee without prior Court order. The estate of the Conservatee is not obligated to pay attorney fees established by any engagement agreement or other contract until it has been approved by the Court. [Note: *Schedule A, Receipts* shows entry dated 6/15/2013 for receipt of **\$9,168.00** in proceeds from collection of judgment against Holly Billings for loan default, resulting in receipt of **\$3,197.00.**]
5. Disbursement schedule includes **\$781.00** for dining out from 12/1/12 – 11/30/13. Disbursement must include the nature and purpose of each item and should not be listed as a lump sum.
6. Disbursement schedule includes a payment of **\$608.00** on 1/30/13 to AT&T. Court may require clarification for this large payment.
7. Petition asks for attorney fees totaling **\$7,950.00**. Attorney fees appear to include duplication of work by the attorney and the paralegal. For instance billing statement includes time for the attorney to prepare all the pleadings and also for the paralegal to prepare all the pleadings. The billing statement includes .30 hours (\$74.50) for the attorney to prepare the Duties of Conservator. In addition the billing statement also includes paralegal time of .20 (\$5.00) to prepare the same form. The only thing that needs to be prepared on the Duties of Conservator form is the case name and case number. The billing statement also includes time to prepare a Petition for Exclusive Authority to Give Medical Treatment that was filed at the same time as the Petition for Appointment of Conservator. This was an unnecessary petition in that the request can be made in Petition for Appointment of Conservator. The fees also include time for the preparation of the amended petition.
8. Need care facility statements for Sierra Vista Skilled Nursing Facility. Probate Code §2620(c)(5).

**Note:** Court will set status hearing as follows:

- **Wednesday, January 28, 2015 at 9:00 a.m. in Dept. 303** for the next accounting.

Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required.

Atty Janisse, Ryan M., of Gilmore, Wood, Vinnard & Magness (for Petitioner Michael Perez)

(1) First and Final Report of Administrator on Waiver of Account and  
 (2) Petition for Final Distribution and for Allowance of Compensation to  
 Attorney's for Ordinary Services

<b>DOD: 10/30/2013</b>	<b>MICHAEL JOSEPH PEREZ</b> , son and Administrator, is Petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Note:</u> <i>Petition</i> does not contain a statement pursuant to Probate Code §§ 216 and 9202(b) regarding notice to the Director of the CA Victim Compensation and Government Claims Board. Petitioner is the sole heir of the estate and such notice appears unnecessary; however, for future reference it should be noted that the <i>Petition</i> should so state.</p> <p><u>Note:</u> Pursuant to Local Rule 7.6.1(F), the proposed order has been altered such that the Page 4 containing only date and signature lines has been removed, and date and signature lines have been inserted on Page 3 of the proposed order for the Court's signature.</p> <p>1. Proposed order does not comply with Local Rule 7.6.1(A) and (D), providing that all probate orders must be complete in themselves, setting forth descriptions of property, monetary distributions stated in dollars, and shall be drawn so their general effect may be determined without reference to the <i>Petition</i> on which they are based. Paragraph 8 of the proposed order includes the real property, but Paragraph 9 states only that the remaining property in the hands of the Administrator shall be distributed to Petitioner, without describing the cash and vehicle property distributions to him. Need revised proposed order.</p>
	Accounting is waived.	
<b>Cont. from</b>	I & A — <b>\$209,490.53</b>	
<b>Aff.Sub.Wit.</b>	POH — <b>\$209,490.53</b> (\$47,590.53 is	
<b>Verified</b>	cash)	
✓ <b>Inventory</b>	Administrator — <b>waives</b>	
✓ <b>PTC</b>	Attorney — <b>\$7,189.81</b> (statutory)	
✓ <b>Not.Cred.</b>	Costs — <b>\$1,645.90</b> (filing fees, probate referee, publication, certified copies, recorder's fees)	
<b>Notice of Hrg</b>	<b>Distribution pursuant to intestate succession is to:</b>	
<b>Aff.Mail</b>	<b>MICHAEL JOSEPH PEREZ – \$ cash</b> , an undivided ½ interest in real property, and an undivided ½ interest in furnishings, furniture, and personal belongings.	
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b> 010914		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
✓ <b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
✓ <b>FTB Notice</b>		
		<b>Reviewed by:</b> LEG
		<b>Reviewed on:</b> 6/27/14
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 7 – Owens</b>

		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Note:</u> The proposed Conservatee resides in Salinas, California.</p> <p>Monterey County Court Investigator advised rights on 4-2-14.</p> <p><u>SEE PAGE 3</u></p>
<p>Cont. from 020614, 040314</p>	<p><b>TEMP GRANTED 2-25-14 EXPIRES 4-3-14, extended to 7-2-14 (Note: The Court granted authority to sell the proposed conservatee’s residence and ordered bond of \$230,230.00. However, bond has not been filed and Temp Letters have not issued)</b></p>	<p><b>Reviewed by:</b> skc</p>
<p><input type="checkbox"/> Aff.Sub.Wit.</p>	<p><b>MARIA DE LOS ANGELES RODRIGUEZ</b>, Step-Granddaughter, is Petitioner and requests appointment as Conservator of the Person with medical consent powers and dementia medication and placement powers, and as Conservator of the Estate additional powers as specified below and bond of \$26,862.00.</p>	<p><b>Reviewed on:</b> 6-27-14</p>
<p><input checked="" type="checkbox"/> Verified</p>	<p><b>Voting rights affected.</b></p>	<p><b>Updates:</b></p>
<p><input type="checkbox"/> Inventory</p>	<p><b>A Capacity Declaration was filed 1-15-14.</b></p>	<p><b>Recommendation:</b></p>
<p><input type="checkbox"/> PTC</p>	<p><b>An Amended Capacity Declaration was filed 5-8-14.</b></p>	<p><b>File 8 – Arevalo</b></p>
<p><input type="checkbox"/> Not.Cred.</p>	<p><b>Estimated value of estate:</b></p>	
<p><input checked="" type="checkbox"/> Notice of Hrg</p>	<p>Personal property: \$2,500.00</p>	
<p><input checked="" type="checkbox"/> Aff.Mail <span style="float:right">W</span></p>	<p>Public assistance benefits: \$3,984.00/year</p>	
<p><input type="checkbox"/> Aff.Pub.</p>	<p>Real property: \$194,800.00</p>	
<p><input type="checkbox"/> Sp.Ntc.</p>	<p><b>Petitioner states</b> the proposed Conservatee resides in a care facility in Salinas, CA. She first began to exhibit signs of dementia in 2007. She attempted to commit suicide by overdose. She was hospitalized for many weeks, spent some time in rehab, and was then released to her husband. IHSS provided in home care, but she was extremely uncooperative. She did not sleep and refused to eat or shower and had temper tantrums. She was moved to Fresno and hospitalized briefly, then returned to Salinas where she was placed at the Windsor care facility by her husband in 2009. Her husband has now passed away. The proposed Conservatee is not ambulatory due to a blood clot in her leg.</p>	
<p><input checked="" type="checkbox"/> Pers.Serv. <span style="float:right">W</span></p>	<p><b>SEE ADDITIONAL PAGES</b></p>	
<p><input checked="" type="checkbox"/> Conf. Screen</p>		
<p><input checked="" type="checkbox"/> Letters</p>		
<p><input checked="" type="checkbox"/> Duties/Supp</p>		
<p><input type="checkbox"/> Objections</p>		
<p><input checked="" type="checkbox"/> Video Receipt</p>		
<p><input checked="" type="checkbox"/> CI Report</p>		
<p><input type="checkbox"/> 9202</p>		
<p><input checked="" type="checkbox"/> Order</p>		
<p><input type="checkbox"/> Aff. Posting</p>		
<p><input type="checkbox"/> Status Rpt</p>		
<p><input type="checkbox"/> UCCJEA</p>		
<p><input checked="" type="checkbox"/> Citation</p>		
<p><input type="checkbox"/> FTB Notice</p>		

**Page 2**

Petitioner states the proposed Conservatee has no known biological relatives and is dependent on her husband's family, all of whom reside in Fresno County. Petitioner intends to maintain the proposed Conservatee in her current care facility and proposes to manage her real property as well. Because Petitioner resides in Fresno County, the expense associated with bringing this petition and necessary court appearances and filings will be substantially lower if the matter is filed in Fresno County. Petitioner believes minimizing the expense of the conservatorship petition and process is in the best interest of the proposed Conservatee.

Petitioner requests authority to rent or sell the proposed conservatee's home in Salinas, CA, in order to generate income for her care. No one is living in the home at present, and Petitioner is concerned it will be vandalized if left vacant.

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**Court Investigator Jennifer Daniel filed reports on 1-30-14, 3-27-14.**

**Court Investigator Michael A. Atteridge of Monterey County Superior Court filed an Investigator's Report on 5-30-14.**

**SEE ADDITIONAL PAGES**

NEEDS/PROBLEMS/COMMENTS:

1. The proposed Conservatee resides in Salinas, California, which is Monterey County. Need status update re Petitioner's plan to find placement for the proposed Conservatee in Fresno County.
2. Petitioner requests dementia medication and placement powers, and the Monterey County Court Investigator agrees; however, the Capacity Declarations do not support the request for dementia medication and placement powers.
3. As previously noted, Petitioner requests to either rent or sell the proposed conservatee's real property (former residence) in Monterey County; however, Petitioner does not state whether this has been discussed with the proposed Conservatee pursuant to Probate Code §2540. Need clarification. Note: Any sale would require Court confirmation pursuant to applicable code.
4. At hearing on 2-24-14, the Court granted Petitioner the authority to sell the real property and ordered bond of \$230,230.00. Bond has not been filed, and extended Letters have not issued. Need status update regarding the residence and the bond.

Note: If granted, status hearings will be set as follows:

- **Wed 8-20-14** 9:00 a.m. in Department 303, for the filing of the bond.
- **Wed 11-12-14** at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal.
- **Wed 11-11-15, 2015** at 9:00 a.m. in Department 303, for the filing of the first account.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

<b>NO TEMP REQUESTED</b>			<b>NEEDS/PROBLEMS/COMMENTS:</b>
<p><b>HEATHER MARIE ROSWELL</b>, Daughter, is Petitioner and requests appointment as Conservator of the Person with Medical consent powers and with dementia medication and placement powers.</p> <p><b>Voting rights <u>NOT</u> affected</b></p> <p><b>A Capacity Declaration was filed 4-22-14.</b></p> <p><b>Petitioner states</b> she had been her father's live-in care provider since 2010 due to his dementia diagnosis, including cooking, managing doctor appointments, providing transportation, paying bills, etc. Care has been increasingly difficult due to his condition, causing his behavior to endanger Petitioner and her children. He is currently admitted in the hospital and needs a conservator to apply for Medi-Cal and further assist in placement.</p> <p><b>Court Investigator Dina Calvillo filed a report on 5-21-14.</b></p>			
<b>Cont from 052814</b>			Reviewed by: skc
<input type="checkbox"/>	Aff.Sub.Wit.		Reviewed on: 6-26-14
<input checked="" type="checkbox"/>	Verified		Updates:
<input type="checkbox"/>	Inventory		Recommendation:
<input type="checkbox"/>	PTC		File 10 - Cervantes
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	X	
<input type="checkbox"/>	Aff.Mail	X	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	X	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt	X	
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation	X	
<input type="checkbox"/>	FTB Notice		

**12 Gloria Medina (Estate)**

**Case No. 14CEPR00477**

**Atty Mele, James J. (for Petitioner Diana Medina)**

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

<b>DOD: 11/6/13</b>	<b>DIANA MEDINA</b> is Petitioner and requests appointment as Administrator without bond.		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> <li><b>Wednesday, December 12, 2014</b> at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal.</li> <li><b>Wednesday, September 9, 2015</b> at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
	All heirs waive bond.		
	Full IAEA – o.k.		
<b>Cont. from</b>	Decedent died intestate		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Residence: Fresno		
<input checked="" type="checkbox"/> <b>Verified</b>	Publication: Fresno Business Journal		
<input type="checkbox"/> <b>Inventory</b>	<b>Estimated value of the estate:</b>		
<input type="checkbox"/> <b>PTC</b>	<b>Real property- \$69,500.00</b>		
<input type="checkbox"/> <b>Not.Cred.</b>	<b>Probate Referee: Steven Diebert</b>		
<input type="checkbox"/> <b>Notice of Hrg</b>			
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	W/O		
<input checked="" type="checkbox"/> <b>Aff.Pub.</b>			
<input type="checkbox"/> <b>Sp.Ntc.</b>			
<input type="checkbox"/> <b>Pers.Serv.</b>			
<input type="checkbox"/> <b>Conf. Screen</b>			
<input checked="" type="checkbox"/> <b>Letters</b>			
<input checked="" type="checkbox"/> <b>Duties/Supp</b>			
<input type="checkbox"/> <b>Objections</b>			
<input type="checkbox"/> <b>Video Receipt</b>			
<input type="checkbox"/> <b>CI Report</b>			
<input type="checkbox"/> <b>9202</b>			
<input checked="" type="checkbox"/> <b>Order</b>			
<input type="checkbox"/> <b>Aff. Posting</b>			
<input type="checkbox"/> <b>Status Rpt</b>			
<input type="checkbox"/> <b>UCCJEA</b>			
<input type="checkbox"/> <b>Citation</b>			
<input type="checkbox"/> <b>FTB Notice</b>			
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 6/27/14</b>
			<b>Updates:</b>
			<b>Recommendation: SUBMITTED</b>
			<b>File 12 - Medina</b>