



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.

Conservator: Florence Chapman (pro per)

Petition for transfer

		<p>FLORENCE CHAPMAN, mother, was appointed conservator on 5/11/1987.</p> <p>Court Investigator JoAnn Morris filed a Petition for Transfer on 4/23/15 requesting this proceeding be transferred to Santa Barbara County because the conservatee has resided there for over one year, and it is presumed pursuant to Probate Code §2215 that transfer of the conservatorship case to the county of residence is in the best interests of the conservatee.</p> <p>Court Investigator further recommends that the fees and costs related to this transfer be waived.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>If the petition is granted a status hearing will be set on Wednesday, September 9, 2015 at 9:00 a.m. in Dept. 303 for confirmation of receipt of transfer</p>	
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 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: KT</p> <p>Reviewed on: 6/30/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 - Chapman</p>		

Executor Murillo, Joel M. (Attorney/Executor)

Attorney Murphy, Christine M. (Deputy Attorney General – Objector)

Motion to Termination Further Proceedings and Discharge of Personal Representative

DOD: 04/15/05	JOEL MURILLO was appointed Executor with Full IAEA without bond and Letters issued on 02/22/2006.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need Notice of Hearing to be served on all interested parties. 3. Need Notice to the Department of Health Care Services pursuant to the Request for Special Notice filed 07/03/2006.
Cont. from	<p>Petitioner states: in the petition for probate filed 08/26/2005, movant alleged that the value of the assets of decedent subject to probate administration was \$155,000.00. This allegations was based on the best evidence available that decedent died possessed of the real estate at 10651 Fantz, Del Rey, California (the said real estate), which was subject to administration. On June 25, 2014, a final Inventory and Appraisal was filed in this estate reflecting that property. However, the property described above is not now or was it on June 25, 2014, property that is subject to administration. The reason is that on 06/09/2014, in Fresno Superior Court case 14CEPR00329, the court Ordered on the Petition to Determine Succession to Real Property pursuant to Probate Code § 13151 that the said real estate passed to Angelita Garcia. Thus, the said real estate is no longer an asset of this estate, rendering moot the Inventory and Appraisal filed on 06/25/2014.</p> <p>Movant diligently searched for all assets of decedent but failed to discover any property of any kind belonging to the estate that is subject to administration.</p> <p>All costs, expenses, and premiums on surety bonds, incurred in the administration of the estate have been paid.</p> <p>A request for special notice was filed by the California Department of Health Services and notice of the time and place of hearing on this motion was given as required by law.</p> <p>Wherefore, movant prays:</p> <ol style="list-style-type: none"> 1. For an order terminating further proceedings for the administration of the estate. 2. For an order to discharge the personal representative of the estate. 3. For such other orders as the court may deem proper. <p style="text-align: center;"><u>Please see additional page</u></p>	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg x		
<input type="checkbox"/> Aff.Mail x		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input checked="" type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input 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		

Opposition to Motion to Terminate Further Proceedings and Discharge of Personal Representative filed 06/24/2015 by Christine M. Murphy, Deputy Attorney General, states on May 27, 2015, the personal representative of decedent Elvira Rodriguez, Joel Murillo, filed a "Motion to Termination (sic) Further Proceedings and Discharge of Personal Representative". While the Department of Health Care Services (Department) was served with the motion, counsel for the Department was not and did not receive a copy of the motion until mid-June. Department opposes the granting of Motion on the grounds that the Judgment and Judgment Lien against petitioner Joel Murillo, as personal representative, has not been satisfied.

Department obtained a judgment against Joel Murillo, as representative of the Estate of Elvira Rodriguez, on August 9, 2009 in *Shewry v. Murrillo*, Fresno Superior Court Case No. 08CECG03103DRF. Attached here to as Exhibit A is a copy of the Notice of Entry of Judgment and Judgment in that case. Subsequently, a Judgment Lien was recorded against the estate property of decedent at 10651 E. Fantz Ave. Del Rey, California, 93616 (Estate Property). Attached hereto as Exhibit B is a copy of the Judgment lien. The lien remains on the estate property and has not been satisfied by the petitioner.

After the filing of the judgment lien, Joel Murillo initiated another action to probate the estate property of the decedent Elvira Rodriguez. (Matter of Elvira Rodriguez, Fresno Superior Court, Case No. 14CEPR00329.) In the later action, the Court issued an order dated 06/09/2014, determining that the estate property of Elvira Rodriguez succeed to the beneficiary of the Will, Angelita Garcia.

Department opposes the granting of the present motion on the grounds that the judgment against petitioner Joel Murillo, as personal representative in the above-entitled matter, and the judgment lien, have not been satisfied. Thus, any order of discharge would not be appropriate without satisfaction of the judgment and lien.

Further, denial of the motion to discharge Joel Murillo, as personal representative, will preserve the Department's claim and avoid further litigation. Department is concerned that because of the multiple proceedings probating the estate property there may be a later challenge by Angelita Garcia to the legitimacy of the Department's lien against the Estate Property. The Department wants to avoid the need for a Court action pursuant to Welfare and Institutions Code section 14009.5 against Angelita Garcia as a recipient of estate property or an action for payment from the personal representative. Thus, the Department respectfully requests that the Court deny the motion seeking to terminate further proceedings and to discharge Joel Murillo as personal representative until the judgment is satisfied by either settlement involving the beneficiary of the Estate Property, recognition of the lien by Angelita Garcia, or payment of the Department's claim.

Also, the parties are presently in settlement discussions regarding the satisfaction of the Department's Judgment and lien. Department, thus, requests that the Court continue this motion to allow for the entry of a settlement agreement addressing the issues raised by the outstanding judgment and requests a continuance until at least August 14, 2015 for the drafting of said settlement agreement.

For the foregoing reasons, Department respectfully requests the Court deny the motion or, in the alternative, continue the motion to allow for the entry of settlement agreement.

Attorney: Rusca, Rodney R. (for Petitioner Heather Huffman, mother)

Guardian: Nora S. Yerena (Pro Per, maternal aunt)

Petition for Visitation

Age: 10 years	HEATHER HUFFMAN, mother, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS: Continued from 6/18/2015. Minute Order states Nora [Huffman Yerena, Guardian] is provided with contact information for Ann Thomas, Ph.D., and is to contact her regarding setting up appointment for child and mother. She is allowed to inquire into other neutral psychologists that will work with her schedule if needed. No changes to current visitation except Court is ordering a supervised visit, by Nora, tomorrow 6/19/2015 from 6pm to 8pm at McDonalds Playplace in Watsonville near Guardian's home. Only the mother is to be at the visit.</p> <p>Note: Declaration of RODNEY RICHARD RUSCA Re: Independent Health Provider was filed 6/29/2015.</p> <p>1. Declaration of Nora Yerena, Guardian, filed 6/25/2015 states she is asking that this case be transferred to Santa Cruz County, where the child resides. A petition for transfer pursuant to Probate Code § 2212 and 2213, is not currently before the Court, and the Guardian must file such petition in a separate pleading in this case, and must provide notice of the petition pursuant to Probate Code § 2214.</p>
	NORA SUE HUFFMAN (YERENA) maternal aunt, was appointed Guardian on 1/4/2012.	
Cont. from 052815, 061815	~Please see Petition for details~	
Aff.Sub.Wit.	Declaration filed 4/20/2015 by ALEXANDER WILLIAM WARD, mother's boyfriend.	
✓ Verified	Declaration filed by NORA S. YERENA (previously Huffman) on 5/27/2015.	
Inventory	Declaration filed by NORA S. YERENA on 5/27/2015 contains an attached 4-page letter to the Court.	
PTC	Supplemental Petition for Visitation and Declaration was filed by Petitioner HEATHER HUFFMAN on 5/28/2015.	
Not.Cred.	Declaration of Ricardo Yerena-Perez, Guardian's husband, filed 6/11/2015.	
✓ Notice of Hrg	Declaration of Cynthia Ash, family friend, filed 6/11/2015.	
Aff.Mail	Declaration filed by NORA S. YERENA (previously Huffman) on 6/25/2015.	
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		
		Reviewed by: LEG
		Reviewed on: 6/30/15
		Updates:
		Recommendation:
		File 3 – O’Ryan

DOD: 2/20/11	PUBLIC ADMINISTRATOR was appointed on the court's own motion as Successor Administrator on 7/31/13.	NEEDS/PROBLEMS/COMMENTS: Minute order dated 3/26/15 states Counsel requests 90 days; if the final accounting is filed at least two court days prior, then no appearance is necessary on 7/2/15. 1. Need current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from 102913, 052114, 112014, 032615	JULIE FULCHER , ex-wife, was appointed as Administrator with Full IAEA without bond on 8/23/11. Ms. Fulcher was removed and the Public Administrator appointed on 7/31/13.	
Aff.Sub.Wit.	The intestate heirs are the Decedent's two children, one of whom is a minor.	
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: KT Reviewed on: 6/29/15 Updates: Recommendation: File 5 – Fulcher

Third Account and Report of the Trustees of the Kyle Yang Special Needs Trust; Petition to Settle Account; Petition for Order Authorizing Trustees Fees on Account; and Petition to Fix and Allow Trustee Fees and Attorney Fees; Petition for Instruction to Allow Additional Care Manager Fees

		LEE ANN HITCHMAN and BRUCE HITCHMAN , professional fiduciary Co-Trustees, are Petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Disbursement schedule shows a payment of \$435.00 on 2/20/14 for the filing of the Second Account. The \$435.00 was returned to the attorney on 2/26/14. The amount charged for the filing of the Second Account was \$200.00, paid on 3/10/14. Therefore it appears that \$135.00 should be returned to the trust estate.</p> <p>Note: Disbursement schedule also includes \$86.00 for CourtCall on 4/17/14. Effective 1/1/15 Local Rule 7.17B considers telephonic appearance costs to be a part of the cost of doing business, and are not reimbursable costs.</p> <p>Reviewed by: KT</p> <p>Reviewed on: 6/30/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6 - Yang</p>
		Account period: 12/1/2012 – 11/30/2013	
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.	Accounting - \$258,729.72	
<input checked="" type="checkbox"/>	Verified	Beginning POH - \$228,748.38	
<input type="checkbox"/>	Inventory	Ending POH - \$229,304.03 <i>(\$42,433.79 is cash; non-cash assets consist of Merrill Lynch investment portfolio)</i>	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Co-Trustees - \$5,840.50 <i>(Declaration and itemizations attached. 19.30 hours @ \$85.00/hour Staff rate and 33.60 hours @ \$125.00/hour trustee rate.)</i>	
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	Attorney - \$4,795.00 <i>(Declaration and itemization attached. 9.2 hours @ \$350.00 per hour totaling \$3,220.00 plus \$1,575.00 for <u>anticipated</u> time for emailing Trustees, reviewing and responding to probate notes, preparing, filing and serving notice, reviewing file and preparing for hearing, and attending hearing.)</i>	
<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	Bond - \$259,551.00 <i>(sufficient)</i>	
<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		
		Petitioners seek the Court's instruction regarding the continuation of payment to the Care Managers to assist the beneficiary's parents in procuring services applicable to the beneficiary's special needs.	
		Please see additional page	

Petitioners state (cont.): Petitioners request this Court's authority to continue with the services of the Care Manager and to spend up to \$5,000.00 over the next 15 months for services to benefit the beneficiary.

The Care Managers have developed a positive relationship with the beneficiary and his family. The work with the Care Manager has resulted in the Beneficiary receiving mental health services, identifying additional services for the beneficiary and assisting with enrollment in an appropriate high school to allow him to pursue his goals in the health care field. The Care Managers have assisted with finding appropriate resources through the County, scheduled necessary appointments, secured a Hmong translator and generally assisted the parents in procuring and managing services for the beneficiary. The Petitioners believe that the beneficiary has made significant progress emotionally and educationally and it is important to continue with the services of the Care Managers.

Petitioners pray for an Order:

1. Approving, allowing and settling the Third Account and Report of Trustees;
2. Authorize and fix fees to Petitioners in their capacity as Trustees in the sum of \$5,840.50;
3. Authorizing Petitioners to pay their attorney the sum of \$4,795.00 for legal services rendered;
4. The Court authorize Trustee's to pay themselves up to \$200.00 per month on account of Trustee's compensation beginning 5/1/15 and continuing for a period not to exceed 15 months, or until further order of this court;
5. The Court authorize the trustee to continue the Care Managers services to the beneficiary and to spend up to \$5,000 over the next 15 months for those services.

NEEDS/PROBLEMS/COMMENTS (cont):

2. Order on Second Account allowed \$1,260.00 in anticipated attorney fees. Attorney fees declaration for the Third Account does not include an itemization of those anticipated fees. Need itemization of charges for the anticipated time.
3. 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.

Note: Court will set a status hearing as follows:

- **Wednesday, June 15, 2016 at 9:00 a.m. in Dept. 303** for filing of the fourth account.

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.

DOD: 4-4-13	BETTY A. PATE , Daughter, was appointed as Executor with Full IAEA without bond on 7-24-13 and Letters issued on 8-2-13.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 4/9/15: Parties are still awaiting the refund from the Tax Board. If the accounting is filed at least two court days prior, then no appearance is necessary on 7/2/15.</p> <p>As of 6/30/15, nothing further has been filed.</p> <p>1. Need first account or petition for final distribution or <u>current</u> written status report pursuant to Local Rule 7.5.</p>	
Cont. from 091914, 111914, 010815	At the hearing on 7-24-13, the Court set this status hearing for the filing of the first account or petition for final distribution.		
Aff.Sub.Wit.			
Verified			
Inventory	Inventory and Appraisal filed 4-24-14 indicates a total estate value of \$644,428.38 consisting of real property, an Installment Note secured by deed of trust with assignment of rents, and a vehicle.		
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.	The first account or petition for final distribution is now due. Probate Code § 12200.		
Sp.Ntc.			
Pers.Serv.			
Conf. Screen	Status Report filed 9-16-14 states the only real property of the estate has been sold and the only impediment to closing the estate is settlement with the California Franchise Tax Board. The Executrix has taken the position that no taxes are due to the State from the sale and is discussing said issue with the Board. Upon resolution, the estate should be in a position to close.		
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting	Status Report filed 11-14-14 states there have been continuing efforts by the estate representative to conclude this issue with the tax board. The attorney is informed and believes that once this issue of tax liability is resolved, the estate should be in a position to be closed.		
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: skc
			Reviewed on: 6/30/15
			Updates:
		Recommendation:	
		File 13 - Guidi	

Atty Joy, Maurice E. (for Administrator Staci Ann Ragan)

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 7/27/2013	STACI ANN RAGAN , daughter, was appointed Administrator with Full IAEA authority without bond on 11/20/2013.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;">OFF CALENDAR</p> <p><i>Waiver of Accounting and Petition for Final Distribution filed 6/24/2015, is set for hearing on 8/4/2015.</i></p> <p>Continued from 4/23/15. Minute Order states no appearance is required on 6/4/15 if the petition is filed by 6/2/15, however, if the petition is not filed then a verified Status Report is to be filed by 6/2/15 and Staci Ragan is ordered to be personally present.</p>
Cont. from 042315, 060415	Amended Letters issued on 1/16/2014.	
Aff.Sub.Wit.	Pursuant to Probate Code § 8800(b), Final Inventory and Appraisal was filed 6/2/2014 showing an estate value of \$764,265.07 .	
Verified		
Inventory		
PTC	Pursuant to Probate Code § 12200, first account and/or petition for final distribution was due 1/16/2015.	
Not.Cred.		
Notice of Hrg	Minute Order dated 11/20/2013 set this status hearing for filing of the first account and/or petition for final distribution.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	Status Report of Stacie Ann Ragan filed 1/12/2015 for previous status hearing states:	
Conf. Screen	<ul style="list-style-type: none"> Declarant has not completed all duties required of her with respect to administration of the estate in that the escrow was opened for the sale of real property owned by the estate; Notice of Proposed Action was served on all persons affected by the sale but the escrow is contingent upon the obtainment of a lot line adjustment, and this has caused a delay in the close of escrow; A deed adjusting the lot line has been signed very recently and it is anticipated that upon the recording of the deed, the escrow will close shortly thereafter; Declarant will then be in a position to file a Petition for Final Distribution of the estate with the Court. 	
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: LEG</p> <p>Reviewed on: 6/30/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8 - Hamlin</p>

Petitioner Mendoza, Isaias (pro per – paternal cousin)

Petitioner Cantor, Misaela (pro per – paternal cousin)

Petition - Appoint Guardian of the Person

Age: 4 mos.	TEMPORARY EXPIRES 06/04/15		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 06/04/15</p> <p>Petitioners are Spanish speaking.</p>
	<p>ISAIAS MENDOZA and MISAELA CANTOR, paternal cousins, are Petitioners.</p>		
	<p>Father: HILDEBERTO DE LA CRUZ – Consent & Waiver of Notice filed 04/01/15</p>		
Cont. from 060415	<p>Mother: CHHORVIN PECH – Consent & Waiver of Notice filed 04/01/15</p>		
<input type="checkbox"/> Aff.Sub.Wit.	<p>Paternal grandfather: JOSE DE LA CRUZ – served by mail on 04/03/15</p>		
<input checked="" type="checkbox"/> Verified	<p>Paternal grandmother: LEODEGARIA AGRIPINO – served by mail on 04/03/15</p>		
<input type="checkbox"/> Inventory	<p>Maternal grandfather: YOEUP PECH – served by mail on 04/03/15</p>		
<input type="checkbox"/> PTC	<p>Maternal grandmother: VETH MY – personally served on 06/14/15</p>		
<input type="checkbox"/> Not.Cred.	<p>Petitioners state [see Petition for details].</p>		
<input checked="" type="checkbox"/> Notice of Hrg	<p>Court Investigator Dina Calvillo filed a report on 04/27/15.</p>		
<input checked="" type="checkbox"/> Aff.Mail	w/		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.	n/a		
<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: 06/29/15
			Updates:
			Recommendation:
			File 11 – De La Cruz

12 Reuben Nelson (Estate) Case No. 15CEPR00376

Atty Walters, Jennifer L. (for Frank Underwood – Petitioner)

Petition for Letters of Administration; Authorization to Administer Under IAEA

DOD: 05/26/2005	FRANK UNDERWOOD , is petitioner and requests appointment as Administrator without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Petitioner is also the petitioner on Page #13. Decedent, Reuben Nelson, is the father of the Decedent, Susan Nelson, on page #13.</p> <p>Minute Order of 05/21/2015: Counsel requests 40 days.</p> <p>The deficiencies with the pleadings include, but are not limited to, the following:</p> <ol style="list-style-type: none"> 1. Need date of death of the deceased spouse pursuant to Local Rule 7.1.1D. 2. #5a(3) or #5a(4) was not answered regarding a registered domestic partner. 3. Petitioner is not listed on #8 of the petition as required and it is unclear what the relationship is to the decedent. 4. The issue of bond has not been addressed on the petition at #3d(1) or #3d(2). 5. Need Notice of Petition to Administer Estate. <p>Please see additional page</p> <p>Reviewed by: LV</p> <p>Reviewed on: 06/29/2015</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 - Nelson</p>
Cont. from 052115	Full IAEA – o.k.	
Aff.Sub.Wit.	Decedent died intestate	
<input checked="" type="checkbox"/> Verified	Residence: Fresno	
Inventory	Publication: The Business Journal	
PTC		
Not.Cred.	Estimated value of the Estate:	
Notice of Hrg	Personal property - \$175,000.00	
Aff.Mail		
<input checked="" type="checkbox"/> Aff.Pub.	Probate Referee: Steven Diebert	
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

7. Need proof of service of the Notice of Petition to Administer Estate pursuant to Probate Code §8110 on the following:
- Charlie Nelson
 - Jenny Nelson
 - Michael Nelson

Note: If granted, the Court will set status hearings as follows:

- **Thursday, December 03, 2015** for filing the Inventory and Appraisal
- **Thursday September 01, 2016** for filing the first account or petition for final distribution.

If proper items are on file prior to the filing dates pursuant to local rules, the status dates may come off calendar.

Petition for Probate of Will and for Letters Testamentary: Authorization to Administer Under the Independent Administration of Estates Act

DOD: 03/28/2015		<p>FRANK UNDERWOOD, is petitioner and requests appointment as Administrator with will annexed without bond.</p> <p>Full IAEA – o.k.</p> <p>Holographic Will dated: 06/16/2000</p> <p>Residence: Fresno</p> <p>Publication: The Business Journal</p> <p>Estimated value of the Estate:</p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$1,000.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$160,000.00</td> </tr> <tr> <td>Total</td> <td>-</td> <td>\$161,000.00</td> </tr> </table> <p>Probate Referee: Rick Smith</p>	Personal property	-	\$1,000.00	Real property	-	\$160,000.00	Total	-	\$161,000.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 05/21/2015: Counsel requests 40 days.</p> <p>The deficiencies with the pleadings include, but are not limited to, the following:</p> <ol style="list-style-type: none"> #5a(3) or #5a(4) was not answered regarding a registered domestic partner. #5a(7) or #5a(8) was not answered regarding issue of predeceased child. Petitioner is not listed on #8 of the petition as required and it is unclear what the relationship is to the decedent. Need proof of holographic instrument. The issue of bond has not been addressed on the petition at #3d(1) or #3d(2). Need Notice of Petition to Administer Estate. <p>Please see additional page</p>
Personal property	-		\$1,000.00									
Real property	-		\$160,000.00									
Total	-		\$161,000.00									
Cont. from 052115												
<input type="checkbox"/>	Proof of Holographic Inst.		x									
<input checked="" type="checkbox"/>	Verified											
<input type="checkbox"/>	Inventory											
<input type="checkbox"/>	PTC											
<input type="checkbox"/>	Not.Cred.											
<input type="checkbox"/>	Notice of Hrg	x										
<input type="checkbox"/>	Aff.Mail	x										
<input 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											
<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: LV</p> <p>Reviewed on: 06/29/2015</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13 - Nelson</p>									

7. Need proof of service of the Notice of Petition to Administer Estate pursuant to Probate Code §8110 on Charlie Nelson.

Note: If granted, the Court will set status hearings as follows:

- **Thursday, December 03, 2015** for filing the Inventory and Appraisal
- **Thursday September 01, 2016** for filing the first account or petition for final distribution.

If proper items are on file prior to the filing dates pursuant to local rules, the status dates may come off calendar.

Petition to Determine Succession to Real Property

DOD: 4/4/12		<p>ANTHONY SHAMOAN and JAMYE LYNN DUDEK are petitioners.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>Will dated: 8/28/08 devises entire estate to Val Davis provided she survives the decedent by 60 days. Ms. Davis died on 5/2/12, after the decedent, but less than 60 days. Will provides that if Ms. Davis does not survive then the estate passes to Anthony Shamoan and Jayme Dudek in equal shares.</p> <p>I & A - \$135,000.00</p> <p>Petitioners request Court determination that Decedent's 100% interest in real property located at 1006 N. Kady in Reedly pass to them in equal shares.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
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<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: KT</p> <p>Reviewed on: 6/30/15</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 14 - Shamoan</p>	

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 1/17/13	<p>DRAKE K. COTTON was appointed Executor with full IAEA and without bond on 3/12/14.</p> <p>Letters issued on 3/14/14.</p> <p>I & A filed on 6/9/14 showing the estate valued at \$235,000.00</p> <p>Minute Order dated 2/18/15 set this status hearing for the filing of the first account or petition for final distribution.</p> <p>Former Unverified Status Report of attorney Thomas Boyajian filed on 4/21/15 states they are currently in the process of completing the Petition for Final Distribution.</p> <p>Former Unverified Status Report of attorney Thomas Boyajian filed on 6/19/15 states the Petition for Final Distribution has been signed by the Executor and returned to their office. They are in the process of implementing the filing of the petition.</p> <p>Minute order dated 6/25/15 states no appearance is necessary on 7/2/15 if the petition is filed at least two court days prior.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need First Account/Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from 042415, 062515		
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Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: KT</p> <p>Reviewed on: 6/29/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 21 - Cotton</p>

	See petition for details.		NEEDS/PROBLEMS/COMMENTS: Note: This matter will be heard in Dept. 72 at 8:30 a.m. 1. Notice of Hearing filed 6/26/15 indicates on the "Proof of Service by Mail" that the parents were personally served as required by Probate Code §2250(e), but does not include any details regarding the service (date, time, location), and Petitioner did not use the proper form for Proof of Personal Service of Notice of Hearing GC-020(P). The Court may require further proof of personal service.
	Aff.Sub.Wit.		
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	Inventory		
	PTC		
	Not.Cred.		
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	CI Report		
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✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc Reviewed on: 6/30/15 Updates: Recommendation: File 1 - Milam