



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.

| | | | |
|-----------------|---|---|---|
| Age: 41 | <p>MATTHEW MILLER, Brother and Conservator of the Person, is Petitioner.</p> <p>Petitioner states the purpose of this petition is to avoid intestacy and to provide for distribution of the conservatorship estate and the Alison Miller Special Needs Trust. The Conservatee lacks capacity for the proposed action and lacks legal capacity to state a position as to the proposed action. The proposed action is only for the purposes of providing for the ultimate distribution of the conservatorship estate and special needs trust estate on the conservatee's death and will have no adverse effect on the assets available for her care. Petitioner states that the circumstances show the proposed action that Alison Miller, acting as a reasonably prudent person, would take if she had capacity to do so.</p> <p>The conservatee's existing estate plan consists of the special needs trust, which provides that the trust shall terminate on the death of the beneficiary and the trustee shall distribute the undistributed balance of the trust estate as the beneficiary may direct by the exercise of a special power of appointment, etc., subject to federal law requiring notice and reimbursement of state claims (language cited and copy provided). The trust provides that if the Conservatee fails to exercise the special power of appointment, that part must be distributed to her "heirs at law," which would be her father.</p> <p>However, based on the following facts, it is reasonable to conclude that the Conservatee would not provide for her father, but would instead provide for her brothers, Andrew Miller and Matthew Miller.</p> <p>When Alison was four months old, she became disabled after suffering a reaction to an immunization vaccine. Since that time, she has been profoundly handicapped, both physically and mentally. Shortly thereafter, her father abandoned her and has had no contact with her and provided no support in the subsequent 40+ years. Alison has a half-brother, Jeremy Miller, that she has never met.</p> <p>Until her death, Alison's mother had been solely responsible for her care, and since her death, Alison's brothers, Andrew and Matthew, have taken responsibility for her care. Since her father and half-brother have not been a part of her life, it is reasonable to conclude that Alison Miller would prefer that the trust estate be given to her brothers.</p> <p>Petitioner requests an Order authorizing Matthew Miller, as Conservator of the Person of Alison Miller, to execute the attached will under Probate Code §2580(b)(13), and for such other and further relief as the court deems proper.</p> <p>The attached will appoints Petitioner as Executor and devises the estate equally to her two brothers.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: The Special Needs Trust established in 1998 was originally created in this conservatorship file and was later assigned a different case number (09CEPR00502). All assets previously held in the conservatorship estate were transferred to the SNT. Upon the petition of Matthew Miller to become Successor Conservator of the Person and Estate; the Court did not find a need for further conservatorship of the estate, and granted conservatorship of the person only.</p> <p>1. Notice of Hearing was not served on Alison Miller (Conservatee) pursuant to Probate Code §§ 2581(a) and 1460(a)(2).</p> <p>2. Need new order in compliance with Local Rule 7.6.1.D., E. (Probate orders shall be drawn so that their general effect may be determined without reference to the petition on which they are based. The proposed will should be attached to the order, and the signature line should appear at the end.</p> <p>Note: Alison Miller resides at Melendez Family Home, a care home in Terra Bella, CA., and receives services from CVRC.</p> <p>Reviewed by: skc</p> <p>Reviewed on: 7-10-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 - Miller</p> | |
| DOB: 3-20-71 | | | |
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| | | | |
| 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 | | | |
| | | | |
| Aff. Posting | | | |
| Status Rpt | | | |
| UCCJEA | | | |
| Citation | | | |
| FTB Notice | | | |

(1) Third and Final Account and Report of Guardian; (2) Petition for Allowance of Attorneys' Fees and Costs and (3) for Termination of Guardianship [Prob. C. 2620]

| | | |
|--------------------------|--|---|
| Age: 18 DOB: 05/03/94 | KARIN SCHMIDT, mother and Guardian, is Petitioner. | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The Petition indicates that Heather Schmidt turned 18 on May 3, 2012; however, the account period only goes through 03/30/12. The Court may require more information regarding any activity and the status of the property on hand.</p> <p>Note: Petitioner requests to be released from her duties as guardian of the estate; however, the guardian may only be released upon the filing of an Ex Parte Petition for Final Discharge and Order.</p> <p>The relief requested in the Petition does not match the relief stated in the submitted Order. The Order includes a statement that the property on hand be distributed outright to Heather Schmidt (which is not requested in the Petition); and <u>does not</u> request that Karen Schmidt be released from her duties as Guardian of the Estate (which can only be done upon the filing of Ex Parte Petition for Final Discharge and Order)(see note above).</p> |
| | Account period: 04/01/11 – 03/30/12 | |
| Cont. from | Accounting - \$37,710.52 | |
| Aff.Sub.Wit. | Beginning POH - \$37,618.44 | |
| ✓ Verified | Ending POH - \$36,915.52 | |
| Inventory | Guardian - waives | |
| PTC | | |
| Not.Cred. | Attorney - \$312.50 (per itemization for drafting and review of Third and Final Accounting) | |
| ✓ Notice of Hrg | | |
| ✓ Aff.Mail | w/ | |
| Aff.Pub. | Costs - \$395.00 (filing fees) | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | Petitioner states that Heather Schmidt is now 18 and requests that the Guardianship of the Estate be terminated. | |
| Letters | | |
| Duties/Supp | | |
| Objections | Petitioner prays for an Order: | |
| Video Receipt | 1. Approving, allowing and settling the third and final account; | |
| CI Report | 2. Authorizing the attorney fees and costs; and | |
| 9202 | 3. Terminating the Guardianship of the Estate of Heather Schmidt; and | |
| ✓ Order | 4. Releasing Karin Schmidt from her duties as guardian of the estate. | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| FTB Notice | | |

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|------------------------------|
| Reviewed by: JF |
| Reviewed on: 07/10/12 |
| Updates: |
| Recommendation: |
| File 2 - Schmidt |

(1) Third and Final Account and Report of Conservator; Petition for Its Approval; (2) for Allowance of Attorney's Fees and Costs; (3) for Approval of Delivery of Assets and (4) for Discharge of Conservator (Prob. C. 1860, 2320, 2620, 2631, and 2640)

| | | |
|--|---|---|
| DOD: 02/07/12 | BEVERLY A. EDLUND , Conservator with bond of \$30,000.00, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: 1. Pursuant to Probate Code 2620(B) – The final court accounting of the conservator following the death of the conservatee shall include a court accounting for the period that ended on the date of death and a separate accounting for the period subsequent to the date of death. Therefore, need accounting from 11/11/11 – 02/07/12 and subsequent accounting from 02/08/12 – 04/15/12. |
| | <i>Bond is sufficient.</i> | |
| Cont. from | Account period: 11/11/11 – 04/15/12 | |
| <input type="checkbox"/> Aff.Sub.Wit. | Accounting - \$80,748.07 | |
| <input checked="" type="checkbox"/> Verified | Beginning POH - \$75,179.32 | |
| <input type="checkbox"/> Inventory | Ending POH - \$72,275.82 | |
| <input type="checkbox"/> PTC | Conservator - waives | |
| <input type="checkbox"/> Not.Cred. | Attorney - \$2,126.00 (4.55 attorney hours @ \$280/hr. and 7.10 paralegal hours @ \$120/hr. for completion of matters related to the second account and the preparation and filing of this accounting) | |
| <input checked="" type="checkbox"/> Notice of Hrg | Costs - \$807.66 (for filing fees and overnight delivery costs) | |
| <input checked="" type="checkbox"/> Aff.Mail w/ | Petitioner states she received authorization to sell the residence, but it has not yet sold. Consequently, there are insufficient cash funds to pay the court-approved attorney's fees of David N. Knudson (\$7,200.00) and John E. Barrus (\$7,718.75) approved on 08/23/10 and (\$7,297.25) approved on 04/17/12, plus the fees and costs requested with this Petition(\$2,933.66). | |
| <input type="checkbox"/> Aff.Pub. | Petitioner states that she was appointed as Executor of Conservator's Estate in Case No. 12CEPR00194 and Letters were issued to her on 04/04/12. Because the Conservatorship has no funds with which to pay attorney's fees, they will be addressed in the probate proceeding. The property of the conservatorship has been transferred to Petitioner as Executor of the Estate and a receipt on Distribution of the Executor has been filed. | |
| <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 checked="" type="checkbox"/> 2620(c) | | |
| <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 | | |

Petitioner prays for an Order:

- 1) Settling and allowing the third and final account and report of Conservator;
- 2) Authorizing the attorney's fees and costs;
- 3) Authorizing the delivery of the assets of the conservatorship estate to Beverly Edlund, Executor of the Estate of Thomas Dominic Grecco; and
- 4) Upon filing of an Ex Parte Petition for Final Discharge, discharging Petitioner as Conservator of the Estate and discharging Petitioner's bond.

Reviewed by: JF

Reviewed on: 07/11/12

Updates:

Recommendation:

File 3 - Greco

| | | | |
|----------------------|---|--|--|
| DOD: 7-1-11 | | <p>DENNIS A. MAXWELL, Administrator with Will Annexed, is Petitioner.</p> <p>Petitioner states at the time of his death, Decedent owned a mobile home situated within one of his ranches, adjacent to his farm office and shop, in which he had allowed LUCIA KENNEDY to reside prior to his death. Decedent lived in a different home on a different parcel of property.</p> <p>Since his death, Ms. Kennedy has continued to reside in the home and has refused to sign a lease to the property and to allow access to the interior to inventory any of Decedent's personal property that may be contained therein.</p> <p>Marv Coit, Inc., a corporation owned entirely by the estate, operates out of the office and shop adjacent to the mobile home. The utilities of the mobile home are not separately metered and all utilities have been paid by the corporation. Ms. Kennedy has contributed no funds toward the payment of any gas, electricity, water, maintenance, or other costs associated with the mobile home.</p> <p>Ms. Kennedy is the mother of Decedent's youngest child, Michael, who does not reside there. Michael is currently a student at The Orme School, a private boarding school in Arizona.</p> <p>Ms. Kennedy purportedly claims a possessory interest in the mobile home. She apparently lived with Decedent at the mobile home on and off before his death, and now claims a right to remain there rent-free.</p> <p>Petitioner states Ms. Kennedy has no family allowance claim because she was not a spouse. Petitioner has offered to lease the mobile home to her, but this offer was rejected through her attorney. Without a lease, she has no rightful claim to possession.</p> <p>Petitioner requests an order under Probate Code §850 directing Ms. Kennedy to immediately turn over possession of the mobile home to Petitioner as Administrator.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Lucia Kennedy, represented by Attorney David Knudson, was appointed Guardian Ad Litem on 9-29-11 for Michael Coit (Decedent's minor son with Ms. Kennedy).</p> <p><u>Note:</u> The Orme School of Arizona filed a Creditor's Claim on 1-6-12 for \$34,664.00. The Administrator filed an allowance of that claim on 3-2-12.</p> <p><u>Note:</u> Ms. Kennedy filed a Creditor's Claim on 4-9-11 for an amount "to be determined" including approx. 180 acres of real property in Firebaugh, which is developed to almonds and pistachio orchards, the value of the increase in real properties and other investments during their relationship together, for assets sufficient to provide support to herself and their son as promised by Decedent, for damages arising from the breach of Decedent's promises to provide and/or transfer property to her at his death, upon which she relied, and for attorney fees incurred in filing the claim. In the attachment, Ms. Kennedy describes her life together with Decedent since 1996. The attachment also contains reference to various trusts. The Administrator filed a Rejection of Creditor's Claim for "any amount" on 4-30-12.</p> |
| 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 | | |
| Aff. Posting | | | |
| Status Rpt | | | |
| UCCJEA | | | |
| Citation | | | |
| FTB Notice | | | |
| Reviewed by: skc | | | |
| Reviewed on: 7-10-12 | | | |
| Updates: | | | |
| Recommendation: | | | |
| File 4A - Coit | | | |

(1) Amended Petition for Attorney Fees and (2) Reimbursement of Costs Advanced (Prob. C. 2640, 2642)

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|---|--|---|----|
| Age: 79 years DOB: 8/2/1932 | <p>JOANNE SANOIAN, attorney for conservator, Katrina Sapien Lozano Pauley, is petitioner.</p> <p>KATRINA SAPIEN LOZANO PAULEY was appointed conservator of the person and estate on 10/26/11 with bond set at \$60,000.00</p> <p>Inventory and appraisal filed on 2/8/12 showing the estate valued at \$37,268.63.</p> <p>Petitioner requests fees in connection with the representation of the Conservator for her petition to be appointed as conservator of the person and estate.</p> <p>Petitioner asks that she be paid from the conservatorship estate and/or the Angelina S. Lozano Living Trust for 38.8 attorney hours @ \$200.00 per hour, 42.05 paralegal hours @ @125.00 per hour and 3.55 legal assistant hours @ \$40.00 per hour for a total of \$10,316.83.</p> <p>Petitioner further requests that she be reimbursed costs in the sum of \$470.00 for the probate referee and filing fee.</p> <p>Services are itemized by date and include review of documents, visits with client, and court appearances.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need order</p> | |
| Cont. from 060412 | | | |
| Aff.Sub.Wit. | | | |
| <input checked="" type="checkbox"/> Verified | | | |
| Inventory | | | |
| PTC | | | |
| Not.Cred. | | | |
| <input checked="" type="checkbox"/> Notice of Hrg | | | |
| <input checked="" type="checkbox"/> 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 | | | |
| | | Reviewed by: KT | |
| | | Reviewed on: 7/11/12 | |
| | | Updates: | |
| | | Recommendation: | |
| | | File 5A - Lozano | |

Atty Mele, James J., of Mele Law Office (for Petitioner Helen Lowe Davis)

(1) First and Final Account and (2) Petition for Settlement of First and Final Account and (3) Final Distribution and for (4) Allowance of Compensation for Ordinary Services for Petitioner and Petitioner's Attorney (Prob. C. 10900, 10951, 11640, 10800, 10810)

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|-------------------------------------|-----------------------|--|----------------------------------|
| DOD: 8/1/2011 | | HELEN LOWE DAVIS , sister and Administrator, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | | Account period: <u>11/9/2011 – 6/9/2012</u> | |
| Cont. from | | Accounting - \$55,305.70 | |
| <input type="checkbox"/> | Aff.Sub.Wit. | Beginning POH - \$54,271.60 | |
| <input checked="" type="checkbox"/> | Verified | Ending POH - \$28,110.88 | |
| <input checked="" type="checkbox"/> | Inventory | | |
| <input checked="" type="checkbox"/> | PTC | Administrator - \$2,132.23 | |
| <input checked="" type="checkbox"/> | Not.Cred. | (statutory) | |
| <input checked="" type="checkbox"/> | Notice of Hrg | | |
| <input checked="" type="checkbox"/> | Aff.Mail | Attorney - \$2,132.23 | |
| | | (statutory) | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | Distribution pursuant to intestate succession is to: | |
| <input type="checkbox"/> | Conf. Screen | HELEN LOWE DAVIS – \$5,961.60 cash; | |
| <input type="checkbox"/> | Letters 110911 | EARLINE WINN – \$5,961.60 cash; | |
| <input type="checkbox"/> | Duties/Supp | THOMAS LOWE – \$5,961.61 cash; | |
| <input type="checkbox"/> | Objections | LONNIE JACKSON – \$5,961.61 cash. | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input checked="" 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 checked="" type="checkbox"/> | FTB Notice | | |
| | | | Reviewed by: LEG |
| | | | Reviewed on: 7/10/12 |
| | | | Updates: |
| | | | Recommendation: SUBMITTED |
| | | | File 6 - Brown |

**Petition for Compensation of Guardian Ad Litem and Reimbursement of Costs
[Prob. C. 1003(c)]**

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|---|----------------------------------|--|--|
| | | <p>DEBORAH K. BOYETT, Petitioner, was Court-appointed as guardian ad litem for Wanda H. Bingham on 2-23-12 and continues to serve in that role.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> |
| | | | |
| | Aff.Sub.Wit. | <p>Petitioner requests fees in connection with her services as guardian ad litem including review and analysis of petition and responsive documents, trust and sub-trust documents, legal research regarding fees, correspondence, telephone conferences with various counsel, and preparation and appearance at hearings, etc., totaling 30.80 hours, which also includes one hour preparing this petition.</p> <p>Petitioner requests payment from the trust of \$7,238.00 for 30.80 hours @ \$235.00/hr, plus reimbursement for \$395.00 for filing this petition, for a total of \$7,633.00.</p> | |
| ✓ | Verified | | |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| ✓ | Notice of Hrg | | |
| ✓ | Aff.Mail <small>w</small> | | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | <p>Reviewed by: skc</p> <p>Reviewed on: 7-11-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 - Bingham</p> | |
| | CI Report | | |
| | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |

Atty Rube, Melvin K., sole practitioner (for Petitioner Harold L. Peterson)

(1) First and Final Account and Report of Executor and (2) Petition for Its Settlement and for (3) Final Distribution (Prob. C. 11002, 10800, 10810, 11640)

| | | |
|--|---|---------------------------------|
| DOD: 10/6/1999 | HAROLD L. PETERSON , son and Executor, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | Account period: 1/9/2012 – 4/30/2012 | 1. Need proposed order. |
| Cont. from | Accounting - \$0.00 | |
| Aff.Sub.Wit | Beginning POH - \$0.00 | |
| <input checked="" type="checkbox"/> Verified | Ending POH - \$0.00 | |
| <input checked="" type="checkbox"/> Inventory | Executor - \$0.00 | |
| PTC | Attorney - \$0.00 | |
| <input checked="" type="checkbox"/> Not.Cred. | | |
| <input checked="" type="checkbox"/> Notice of Hrg | Petitioner states: | |
| <input checked="" type="checkbox"/> Aff.Mail W/ | <ul style="list-style-type: none"> Pursuant to Decedent's Will, Decedent's estate, which consists entirely of Decedent's right, title and interest in <i>the Note Secured by Deed of Trust</i> dated 1/9/1974 (copy attached as Exhibit 1) and <i>the Deed of Trust and Assignment of Rents</i> dated 1/9/1974 (copy attached as Exhibit 2), is to be distributed to JOHN E. PETERSON, Successor Trustee of the HAROLD E. PETERSON AND ALICE T. PETERSON FAMILY TRUST (copy attached as Exhibit 3) for final distribution to John E. Peterson and Harold L. Peterson, the only children of Decedent and the only beneficiaries of the Trust; In order to effectuate distribution of the Trust assets, John E. Peterson and Harold L. Peterson entered into a <i>Mutual Settlement and Release Agreement</i> whereby John assigned to Harold any and all right, title and interest that John had as beneficiary of the Trust, in the Note, and in the Deed (copy of settlement attached as Exhibit 4); Pursuant to the Will and the <i>Mutual Settlement and Release Agreement</i>, the Court should allow Petitioner to distribute the estate as follows: <ul style="list-style-type: none"> HAROLD L. PETERSON – 100% interest in the <i>Note Secured by Deed of Trust</i>, and the <i>Deed of Trust and Assignment of Rents</i>. JOHN E. PETERSON – 100% interest in any later discovered property. | |
| Aff.Pub. | | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | | |
| Letters 011112 | | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| <input checked="" type="checkbox"/> 9202 | | |
| Order X | | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| <input checked="" type="checkbox"/> FTB Notice | | |
| | | Reviewed by: LEG |
| | | Reviewed on: 7/10/12 |
| | | Updates: |
| | | Recommendation: |
| | | File 8 - Peterson |

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|--|--|---------------------------------|
| DOD: 03/24/2012 | KENNETH GEORGESON , surviving spouse is petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | No other proceedings | |
| | Decedent died intestate. | |
| Cont. from | | |
| <input type="checkbox"/> Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> Verified | Petitioner states: the petitioner and the decedent were married on April 24, 1977. During the parties marriage, they operated a dairy facility, dba Georgeson Dairy. The dairy facility was allocated a Pooling Certificate #05070 by the California Department of Food and Agriculture. The Polling Certificate #05070 was taken as community property. | |
| <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. | There are no creditors for the business, dba Georgeson Dairy, or on the Pooling Certificate #05070 | |
| <input type="checkbox"/> Conf. Screen | | |
| <input type="checkbox"/> Letters | All of the property in the petition was acquired during the marriage and paid for using funds earned during the marriage. | |
| <input type="checkbox"/> Duties/Supp | | |
| <input type="checkbox"/> Objections | | |
| <input type="checkbox"/> Video Receipt | | |
| <input type="checkbox"/> CI Report | Petitioner requests Court confirmation that 1/2 of the business, dba Georgeson Dairy, and 1/2 of the California Department of Food and Agriculture Pooling certificate #05070 passed to Kenneth Georgeson on the death of Judy Ann Georgeson, aka Judy Georgeson and that the remaining 1/2 of the business, dba Georgeson Dairy, and the California Department of Food and Agriculture Pooling Certificate #05070 is confirmed as belonging to Kenneth Georgeson. | |
| <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: KT / LV |
| | | Reviewed on: 07/09/2012 |
| | | Updates: |
| | | Recommendation: |
| | | File 9 - Georgeson |

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

| | | |
|--|---|---|
| Age: 49 years DOB: 3/21/1963 | <p>THERE IS NO TEMPORARY. No temporary was requested.</p> <p>JANIE JIMENEZ, sister, is petitioner and requests appointment as conservator of the person with medical consent powers.</p> <p>Capacity Declaration – NEED</p> <p>Voting Rights Affected</p> <p>Petitioner states the proposed conservatee has been diagnosed with moderate mental retardation associated with perinatal anoxia, borderline microcephaly, and seizure disorder-absence. In addition she experiences seizures on at least a weekly basis. Ms. Diaz is also diagnosed with multiple sclerosis and relies on a walker or wheelchair to ambulate.</p> <p>Petitioner also seeks the following additional powers:</p> <ol style="list-style-type: none"> 1. The power to access the confidential records and papers of the limited conservatee; 2. The power to consent or withhold consent to marriage or a registered domestic partnership; 3. The power to give or withhold medical consent; 4. The power over the limited conservatee's right to her own sexual contacts and relationships. 5. Irrespective of whether or not petitioner is given control over Ms. Diaz's ability to consent to a valid marriage, Petitioner seeks determination that Ms. Diaz lacks the capacity to enter into a valid marriage. <p>Court Investigator Julie Negrete's Report filed on 6/7/12</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This petition requests appointment of a <u>LIMITED</u> conservator.</p> <p>Court Investigator Advised Rights on 6/6/12.</p> <p>Voting Rights Affected need Minute Order.</p> <ol style="list-style-type: none"> 1. Need Capacity Declaration re: medical consent powers. 2. Need written report of the regional center pursuant to Probate Code § 1827.5 (a). |
| Cont. from 061412 | | |
| 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 | | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| ✓ Citation | | |
| FTB Notice | | |
| <p>Reviewed by: KT</p> <p>Reviewed on: 7/10/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 - Diaz</p> | | |

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

| | | | |
|-------------------------------------|-------------------------|--|---|
| DOD: 02/09/2012 | | <p>HENRY SANCHEZ, brother in law / named executor without bond, is petitioner</p> <p>Full IAEA – o.k.</p> <p>Will dated: 07/08/2005</p> <p>Residence: Reedley Publication: The Business Journal</p> <p>Estimated value of the estate: Personal property - \$5,000.00 Real property - \$100,000.00 Total: -\$105,000.00</p> <p>Probate Referee: Steven Diebert</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Affidavit of Publication in the correct newspaper pursuant to Local Rule 7.9A. Petitioner indicates residence was in Reedley therefore the correct publication should be The Reedley Exponent. Petitioner published in The Business Journal.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 12/21/2012 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 09/20/2013 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> |
| Cont. from | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. s/p | | |
| <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/o | | |
| <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: KT / LV</p> <p>Reviewed on: 07/07/2012</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 - Torres</p> | |

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

| | | | |
|-----------------|-----|---|---|
| DOD: 09/15/2011 | | BARBARA CLUTTER , niece / named executor without bond, is petitioner. Full IAEA – o.k. Will dated: 09/09/1998 Residence: Reedley Publication: Reedley Exponent <u>Estimated value of the estate: ?</u> Probate Referee: Steven Diebert | NEEDS/PROBLEMS/COMMENTS: 1. Petition is incomplete. Page #2 of the Petition is not included. Note: If the petition is granted status hearings will be set as follows: <ul style="list-style-type: none"> • Friday, 12/21/2012 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Friday, 09/20/2013 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. |
| Cont. from | | | |
| Aff.Sub.Wit. | s/p | | |
| 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 | | | |
| Aff. Posting | | | |
| Status Rpt | | | |
| UCCJEA | | | |
| Citation | | | |
| FTB Notice | | | |
| | | Reviewed by: KT / LV | |
| | | Reviewed on: 07/09/2012 | |
| | | Updates: | |
| | | Recommendation: | |
| | | File 12 - Giesbrecht | |

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

| | | |
|--|---|---|
| DOD: 02/25/2012 | PEGGY ANN MASON , named Trustee of the Helen C. Hickey Trust, is petitioner. | <p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need attachment 11 containing (1) the legal description of the real property and its APN and (2) decedent's interest in the property. 2. Need Notice of Hearing 3. Pursuant to Probate Code § 1208, need proof of service of the Notice of Hearing on the following persons: <ul style="list-style-type: none"> • Michael Lynn Hickey • Patrick Wade Hickey 4. Need Order |
| | 40 Days since DOD | |
| | No other proceedings | |
| Cont. from | | |
| <input type="checkbox"/> Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> Verified | I & A - \$70,000.00 | |
| <input checked="" type="checkbox"/> Inventory | | |
| PTC | Will dated: 01/01/2012 – devises entire estate to Peggy Ann Mason as Trustee of the Helen C. Hickey Testamentary Trust. | |
| Not.Cred. | | |
| Notice of Hrg | x | |
| Aff.Mail | x | |
| Aff.Pub. | | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | Petitioner requests Court determination that decedent's interest in the real property located at 1742 W. Buckingham Way, Fresno, Ca. 93705 pass to Peggy Ann Mason, as trustee of the Helen C. Hickey Testamentary Trust pursuant to decedent's will. | |
| Letters | | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | x | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| FTB Notice | | |
| | | Reviewed by: KT / LV |
| | | Reviewed on: 07/10/2012 |
| | | Updates: |
| | | Recommendation: |
| | | File 13 - Hickey |

Petition for Probate of Will and for Letters Testamentary (Prob. C. 8002, 10450)

| | | | |
|------------------------|----------------------|--|---|
| DOD: 05/05/2012 | | DAVID MORSE , named executor without bond, is petitioner. | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Affidavit of Publication in the correct newspaper pursuant to Local Rule 7.9A. Petition indicates that the decedent's residence was in Squaw Valley therefore the correct publication should be either the Fresno Bee or The Business Journal. Petitioner published in The Reedley Exponent.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 12/21/2012 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Friday, 09/20/2013 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> |
| | | | |
| | | | |
| Cont. from | | Full IAEA- o.k. | |
| | Aff.Sub.Wit. | s/p | |
| ✓ | Verified | Will dated: 05/20/2008 | |
| | Inventory | | |
| | PTC | Residence: Squaw Valley | |
| | Not.Cred. | Publication: Reedley Exponent | |
| ✓ | Notice of Hrg | | |
| ✓ | Aff.Mail | w | |
| ✓ | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | Probate Referee: Rick Smith | |
| ✓ | Letters | | |
| ✓ | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| | | Reviewed by: KT / LV | |
| | | Reviewed on: 07/09/2012 | |
| | | Updates: 07/10/2012 | |
| | | Recommendation: | |
| | | File 14 – Weaver | |

Spousal or Domestic Partner Property Petition (Prob. C. 13650)

| | | | |
|-------------------------------------|----------------------|--|---------------------------------|
| DOD: 03/22/2012 | | MARGARET L. ANDERSON , surviving spouse is petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | | | |
| | | No other proceedings. | |
| Cont. from | | Will dated 10/27/1988 devises entire estate to spouse, Margaret L. Anderson. | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | Petitioner states: that the decedent's will provides that his entire estate shall pass to Petitioner. | |
| <input type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | Petitioner requests Court confirmation that ½ of the property located at 6141 N. West Ave. #102, Fresno, California, ½ of the 2007 Acura and 2009 Acura be passed to her and that the remaining ½ is confirmed as belonging to Margaret L. Anderson. | |
| <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 | | Reviewed by: KT / LV |
| <input type="checkbox"/> | Status Rpt | | Reviewed on: 07/09/2012 |
| <input type="checkbox"/> | UCCJEA | | Updates: |
| <input type="checkbox"/> | Citation | | Recommendation: |
| <input type="checkbox"/> | FTB Notice | | File 15 - Anderson |

Ex Parte Petition for Withdrawal of Funds from Blocked Account

| | | |
|--|---|--|
| Age: 8 | <p>MARIA ALVAREZ-GARCIA, Maternal Grandmother, Guardian, and Trustee, is Petitioner.</p> <p>Petitioner filed this Ex Parte Petition for Withdrawal of Funds from Blocked Account on 6-1-12. for withdrawal of \$2,908.65 for vacation for Beneficiary and three (3) family members.</p> <p>Petitioner states the trust is a discretionary, spendthrift trust with the purpose of supplementing public resources and benefits. The term "special needs" is defined in the trust as the requisites for maintaining Adam's good health, safety, and welfare and include special equipment, programs of training, education and habilitation, travel needs and recreation, which are related to and made reasonably necessary by Adam's disabilities.</p> <p>Article Four, Paragraph 1 provides that the trustee may pay to or apply for the benefit of the life beneficiary as much of the trust net income or principal as she, in her discretion, considers necessary or advisable from time to time to meet his special needs.</p> <p>Sections 4.2.2 and 4.2.4 specifically state that distributions may be made for a vacation for Adam and three immediate family members. Petitioner would like to take Adam to Disneyland. The Disneyland Hotel has a room that will accommodate his special needs.</p> <p>For the room and park tickets for Adam, Petitioner and her husband, and one other family member to assist with Adam's care, the cost would be \$2,508.65. The estimate for food and gas is \$400.00. Petitioners request the Court approve withdrawal of \$2,908.65 for this trip.</p> <p>The current value of the trust is \$142,109.67 with monthly annuity payments to the trust of \$1,151.00 for 23 more years. After the disbursements for the above reimbursements there are sufficient assets to continue to provide for the reasonably foreseeable special needs of Adam. Petitioner requests the Court approve the withdrawal of funds.</p> | <p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Note: Petitioner filed an Ex Parte Petition for Withdrawal of Funds from Blocked Account on 5-15-12, which included a request for %5,717.09 for a trip for the beneficiary and eight (8) family members to Disneyland. The Court set the matter for hearing on 5-29-12.</p> <p>Minute Order 5-29-12: The Court denies the request for funds for Disneyland. The Court approves the remaining items. Counsel to submit a revised order.</p> <p>Petitioner submitted an Order for Withdrawal of Funds from Blocked Account after that hearing that included the approved expenses, <i>and also included \$1,745.06 for "vacation for 4."</i></p> <p>Pursuant to the minute order of 5-29-12, that line item was stricken upon signature on 5-31-12.</p> |
| DOB: 10-31-03 | | |
| Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> Verified | | |
| Inventory | | |
| PTC | | |
| Not.Cred. | | |
| <input checked="" type="checkbox"/> Notice of Hrg | | |
| <input checked="" type="checkbox"/> Aff.Mail w | | |
| Aff.Pub. | | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | | |
| Letters | | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| <input checked="" type="checkbox"/> Order | | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| FTB Notice | | |
| Reviewed by: skc | | |
| Reviewed on: 7-11-12 | | |
| Updates: | | |
| Recommendation: | | |
| File 16 - Carbajal | | |

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

| | | | | | | |
|---------------------------|----------------------|--|--|---|--|--|
| Age: 12/12/2009 DOB: 2 | | GENERAL HEARING 09/04/2012 | | NEEDS/PROBLEMS/COMMENTS: | | |
| | | <p>SOPHIA QUINTANAR, paternal grandmother, is petitioner</p> <p>Father: DONICIO CARLOS RAMIREZ</p> <p>Mother: CATHRINE GARCIA, declaration of due diligence filed 07/02/2012</p> <p>Paternal grandfather: Carlos Ramirez Navarro</p> <p>Maternal grandparents: Unknown</p> <p>Petitioner alleges: that the mother asked the petitioner to pick up the child on February 5th and mother has never come back for the child. Father is currently incarcerated. Petitioner states the mother is unable to provide stability for the child. The child is forced to stay with whoever will house them and that mother's friends look like drug addicts.</p> <p>Petitioner requests to be excused from giving notice to the mother because her address is unknown.</p> | | <p>1. Need Notice of Hearing</p> <p>2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:</p> <ul style="list-style-type: none"> • Donicio Carlos Ramirez (Father) • Cathrine Garcia (Mother) – Unless the Court dispenses with notice <p>Note: Declaration of Due Diligence filed on the mother states that petitioner has no personal information about the mother and that the petitioner has not had contact with the mother since 02/05/2012 when she pick up the child, however, the Declaration of Due Diligence was signed on 05/29/2012. Perhaps the Petitioner has had contact since then.</p> | | |
| Cont. from | | | | | | |
| | Aff.Sub.Wit. | | | | | |
| ✓ | Verified | | | | | |
| | Inventory | | | | | |
| | PTC | | | | | |
| | Not.Cred. | | | | | |
| | Notice of Hrg | x | | | | |
| | Aff.Mail | | | | | |
| | Aff.Pub. | | | | | |
| | Sp.Ntc. | | | | | |
| | Pers.Serv. | x | | | | |
| | Conf. Screen | | | | | |
| ✓ | Letters | | | | | |
| ✓ | Duties/Supp | | | | | |
| | Objections | | | | | |
| | Video Receipt | | | | | |
| | CI Report | | | | | |
| | 9202 | | | | | |
| ✓ | Order | | | | | |
| | Aff. Posting | | | | | |
| | Status Rpt | | | | | |
| ✓ | UCCJEA | | | | | |
| | Citation | | | | | |
| | FTB Notice | | | | | |
| | | | | Reviewed by: KT / LV | | |
| | | | | Reviewed on: 07/10/2012 | | |
| | | | | Updates: | | |
| | | | | Recommendation: | | |
| | | | | File 17 - Molina | | |

| | | |
|--|---|--|
| Age: 2 | <p>SHANA JOHNSTON, mother, is Petitioner.</p> <p>BETTY NICHOLLS, paternal grandmother, was appointed as Guardian and Letters were issued on 12/14/11. – served by mail on 06/18/12</p> <p>Father: RONALD MOORE – served by mail on 06/18/12</p> <p>Paternal grandfather: RICKY DOWD – served by mail on 06/18/12</p> <p>Maternal grandparents: DECEASED</p> <p>Petitioner states that she would like to have court ordered visitation so that she can see her daughter on a regular basis.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Notes to Judge: Per CI report from Ms. Nicholls guardianship petition, the mother has extensive criminal history dating back to 1995 and on-going substance abuse issues. On 09/15/09 her probation was revoked and she was sentenced to a 6 year prison term. She was incarcerated when the guardianship was established and consented to the guardianship.</p> <p>No Order is in the file, the Court may wish to make visitation order by minute order only. Alternatively, if the Court prefers, Examiner can prepare an Order After Hearing.</p> |
| DOB: 08/30/09 | | |
| 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 type="checkbox"/> Order x | | |
| <input type="checkbox"/> Aff. Posting | | |
| <input type="checkbox"/> Status Rpt | | |
| <input type="checkbox"/> UCCJEA | | |
| <input type="checkbox"/> Citation | | |
| <input type="checkbox"/> FTB Notice | | |
| | | <p>Reviewed by: JF</p> <p>Reviewed on: 07/11/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18 - Moore</p> |

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

| | | | |
|---|---|--|-----|
| Age: 16 years DOB: 4/11/96 | <p>THERE IS NO TEMPORARY. Temporary was denied on 6/25/12 (no appearance).</p> <p>PETER JEFFERY GARZA, Father, is Petitioner and requests appointment as Guardian of the Estate without bond.</p> <p>Mother: Deceased Paternal Grandfather: Deceased Paternal Grandmother: Manuela Garza Maternal Grandfather: Thomas Sanchez Maternal Grandmother: Deceased Siblings: Jessica Garza and Noemi Garza (both adults)</p> <p>Estimated value of estate: \$292,000.00 (personal property - life insurance proceeds)</p> <p>Petitioner states the minor's mother was murdered. The minor along with his sisters is beneficiary of various life insurance proceeds, but many of the companies will not pay or communicate with Petitioner until guardianship of the estate is established.</p> <p>Specifically, Sun Life is waiting to pay \$94,000, Fosters is waiting to pay \$198,000, and Allstate is waiting to pay on a retirement fund their mother had in a sum that has yet to be determined. These funds are available to this minor's sisters, but Allstate refuses to even speak to Petitioner without Letters of Temporary Guardianship of the Estate.</p> <p>Petitioner states the funds will go into trust for him until he reaches majority and can manage his own funds.</p> <p>Probate Referee: Steven Diebert.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of <u>personal</u> service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice for: <ol style="list-style-type: none"> a. Peter Jeffery Garza, Jr. 3. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: <ol style="list-style-type: none"> a. Manuela Garza (paternal grandfather). b. Thomas Sanchez (maternal grandfather) c. Jessica Garza (sibling) d. Noemi Garza (sibling) 4. Petitioner requests that no bond be required and does not address whether or not the funds will be placed into a blocked account. Local Rule 7.8.11 states absent a showing of good cause it is the policy of the court to block all funds in guardianship estates. <p>Note: If the guardianship is granted the court will set status hearings as follows:</p> <ul style="list-style-type: none"> • Friday, August 31, 2012, at 9:00 a.m. in Dept. 303 for the filing of the receipt for blocked account; • Friday, November 16, 2012, at 9:00 a.m. in Dept. 303 for the filing of the inventory and appraisal; and • Friday, September 13, 2013, at 9:00 a.m. in Dept. 303 for the filing of the first account. <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> | |
| Cont. from | | | |
| Aff.Sub.Wit. | | | |
| ✓ Verified | | | |
| Inventory | | | |
| PTC | | | |
| Not.Cred. | | | |
| Notice of Hrg | | | X |
| Aff.Mail | | | X |
| Aff.Pub. | | | |
| Sp.Ntc. | | | |
| Pers.Serv. | | | X |
| ✓ Conf. Screen | | | |
| ✓ Letters | | | |
| ✓ Duties/Supp | | | |
| Objections | | | |
| Video Receipt | | | |
| CI Report | | | n/a |
| 9202 | | | |
| ✓ Order | | | |
| Aff. Posting | | | |
| Status Rpt | | | |
| UCCJEA | n/a | | |
| Citation | | | |
| FTB Notice | | | |
| <p>Reviewed by: KT</p> <p>Reviewed on: 7/11/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 19 - Garza</p> | | | |

Dept. 303, 9:00 a.m. Monday, July 16, 2012