

DOD: 11/15/2002	PUBLIC ADMINISTRATOR , Successor Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS: Minute Order: Mr. Fallat is appears via Court Call. Mr. Fallat's request for a continuance to conduct discovery is granted. The Court continues the petition and the objection to 07/20/2015.
	Petitioner states: on June 21, 2007, the Court issued a minute order reading, "the court orders the Public Administrator is appointed...Personal Representative Christopher O'Neal is Removed."	
Cont. from 031615	The Court is respectfully referred to the PA's status report filed on 05/20/2014. Therein, the PA reported that she has been unable to make contact with any of the heirs, including the former administrator.	
<input type="checkbox"/> Aff.Sub.Wit.	On 03/29/2004, the former administrator filed a final Inventory and Appraisal showing the value of the estate to be \$145,000.00 consisting solely of real property. The PA was able to determine that Christopher O'Neal put the property in his name, took out a loan against it, and then lost the house to foreclosure. He used part of the loan proceeds to purchase a new pick up, which the PG was able to marshal and sell for \$16,400.00.	
<input checked="" type="checkbox"/> Verified	Christopher O'Neal never filed an accounting with the Court or provided any documents to the PA as directed by the Court. Due to his breach of fiduciary duty as personal representative, he should be surcharged the full value of the estate, \$145,000.00, less the amount recovered, \$16,400, for a total surcharge of \$128,600.	
<input type="checkbox"/> Inventory	On 12/08/2003, proof of a \$50,000 bond was filed, as required by the Court. The bond company that issued it was Western Surety Company. Since it appears the PA will not be able to collect the judgment from Christopher O'Neal, he requests an order directing Western Surety Company, or the successor of that company, to pay the \$50,000 bond to the PA. Proper notice of this hearing will be given to the bond company.	
<input type="checkbox"/> PTC	Wherefore, petitioner prays for an order that:	
<input type="checkbox"/> Not.Cred.	1. The Court find Christopher O'Neal breached his fiduciary duty as personal representative of the above-named estate;	
<input checked="" type="checkbox"/> Notice of Hrg	2. The Court find that Christopher O'Neal's breach cost the estate the amount of \$128,600, and surcharge him that amount;	
<input checked="" type="checkbox"/> Aff.Mail	3. The Court make an order that Western Surety Company, or any successor of that company, be ordered to pay the bond of \$50,000 to the PA; and	
<input type="checkbox"/> Aff.Pub.	4. The Court make any other proper orders.	
<input type="checkbox"/> Sp.Ntc.	Please see additional page for Objection	
<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		
	Reviewed by: LV	
	Reviewed on: 07/15/2015	
	Updates:	
	Recommendation: 1 – O'Neal	
	File 1 – O'Neal	

Objection to Petition for an Order of Surcharge and Demand for Evidentiary Hearing After Completion of Discovery filed on 03/09/2015 by Attorney Timothy J. Tomlin for Western Surety Company states they object to the Petition for surcharge filed by the Fresno County Public Administrator and requests an evidentiary hearing be set in late 2015 to permit WSC sufficient time to defend the allegations raised in the petition.

WSC issued a \$50,000.00 fiduciary bond to secure the faithful performance of fiduciary Christopher O'Neal as administrator. As such, it may be jointly and severally liable for any defalcations committed by Mr. O'Neal. WSC is an "interested person" in this proceeding and is entitled to participate in discovery and otherwise defend the surcharge claim to minimize any potential exposure on the administrator bond.

WSC and the personal representative Christopher O'Neal are entitled to an evidentiary hearing on the allegations raised. Each of the categories of alleged misconduct and related issues must be fully explored prior to the imposition of any surcharge. Ultimately, a trial may have to be set if a settlement cannot be reached and evidence hearing on the allegations. The Court should afford WSC and Mr. O'Neal with an opportunity to defend the allegations. This prevents the injustice of binding the principal and the sureties to the consequences of a proceeding in which there has been an insufficient opportunity to engage in discovery, present evidence, and cross examine the witnesses.

For the foregoing reasons, WSC requests that the Court set an evidentiary hearing with a time estimate of three (3) days for a date in August, 2015.

Attorney LeVan, Nancy J. (for Jonathan Holcomb, Executor)

Probate Status Hearing Re: Failure to File a First Account and/or Petition for Final Distribution

DOD: 10/26/2007	JONATHAN HOLCOMB , son, was appointed Executor with Full IAEA authority without bond on 5/26/2009. Letters issued on 5/26/2009.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 011014, 031114, 081114, 111014, 012615	Pursuant to Probate Code § 8800(b) , Final Inventory and Appraisal was due 9/26/2009. Final Inventory and Appraisal was filed on 3/25/2014 showing an estate value of \$23,738.31 .	Continued from 1/26/2015. Minute Order [Judge Petrucelli] states, in pertinent part, counsel represents that they are still awaiting assets from the state controller, which was estimated up to 180 days' time from last November.
Aff.Sub.Wit.	First account and/or petition for final distribution was due in May 2010.	
Verified	Notice of Status Hearing filed 11/15/2013 set a status hearing on 1/10/2014 for failure to file the inventory and appraisal and first account and petition for final distribution.	
Inventory		
Acct.	Status Report filed on 1/22/2015 for the previous Status Hearing states:	
Not.Cred.	<ul style="list-style-type: none"> Total funds were received from the Principal Financial Group to date is \$7,716.82; A Request for Special Notice and Creditor's Claim were filed by the Franchise Tax Board on 7/7/2009; they have contacted the Franchise Tax Board and received an updated amount of the claim including interest totaling \$625.52, and a check was mailed out [date mailed not provided] with a satisfaction and release of claim form for the Franchise Tax Board to sign and return, which they have not received from the Franchise Tax Board as of this date; The Principal Financial Group sent several dividend checks to the State Controller because the checks were returned to the Principal Financial Group uncashed; it has taken several months and inquiries with the State Controller to find all of the funds received by the State Controller in Decedent's name; there were 4 claims to be made under Ann Marie Holcomb and one under Ann Holcomb; as of this date, they have not received the funds from the State Controller; when the claims were made in November [year not provided], the State indicated it could take up to 180 days to process the claims and receive funds; A Supplemental Inventory and Appraisal is not required because the mutual funds which included the stocks listed on the I & A filed on 3/25/2014 was handled by the Principal; these stocks were liquidated and changed into cash; all of the funds received from the Principal have been included on the I & A and gains and losses will be reflected when the final accounting is completed. 	<ol style="list-style-type: none"> Need first and/or final account, or verified status report or verified Status Report and proof of service of notice of the Status Hearing pursuant to Local Rule 7.5(B).
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: LEG
		Reviewed on: 7/16/15
		Updates:
		Recommendation:
		File 2 – Holcomb

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Objections state Ms. St. Louis' tenure as conservator was fraught with issues. Rather than rehashing the issues herein, Objector directs the Court's attention to the Petition for Removal of Conservator filed 10/10/14, which sets forth the factual and legal issues that arose. Rather than voluntarily resigning, Ms. St. Louis refused to do so and required the petition to be brought. It was only after it became clear that the Court would remove her that she sought leave to resign. Despite numerous efforts over the past year, Ms. St. Louis and her counsel have yet to have any accounting approved. Notwithstanding this failure, Mr. Roberts seeks award of \$50,120 plus costs of \$2,097.10 in this petition. Objector refers to Probate Code §2430(a)(4) and Cal. Rule of Court 7.7565 as the legal standard for attorney fees in conservatorship, and states the request is premature and should be continued until the final account is filed because it is impossible to determine whether the request is reasonable. Mr. Roberts and his staff have already spent significant time attempting to have an accounting approved, which efforts have yielded no benefit to the estate. While Objector recognizes the accounting may be complex, he contends the time spent on the accountings is already excessive and the final account is yet to be completed.

Objector states the request seeks fees for opposing the removal action, and states the decision to oppose the removal petition could not have been motivated by a good-faith belief that it was in the conservatee's best interest to defeat the petition. Ms. St. Louis was unable to literally keep the lights on at the conservatee's home. She failed to pay bills, provide spending money, cancelled appointments, billed excessively for her travel time, sought excessive compensation, etc. Authority cited. She breached numerous fiduciary duties and neglected the Conservatee. The declarations in support of the petition for removal establish that any assertion that Ms. St. Louis believed her opposition was in the best interest of the Conservatee was not in fact objectively reasonable.

Objector states no sufficient detail is given to justify fees for dealing with taxes. Ms. St. Louis failed to pay taxes while acting as conservator, resulting in penalties. The billing memo has entries that deal with addressing Ms. St. Louis' negligence in this regard. Objector contends Ms. St. Louis should be personally responsible for these fees, as they were of no value to the conservatorship estate and were only incurred because of her negligence.

Objector requests:

- 1. The Court continue this matter until the date of the final accounting;**
- 2. No fees are allowed for services rendered in connection with the accountings which have yet to be approved and therefore the request is reduced by \$9,054;**
- 3. No fees are allowed for services rendered in connection with the petition for removal and therefore the request is reduced by \$12,120;**
- 4. No fees are allowed for services rendered in connection with the failure to pay taxes by Ms. St. Louis and therefore the request is reduced by \$2,400; and**
- 5. For all other order the court deems just and proper.**

SEE ADDITIONAL PAGES

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Response to Objections filed 6/12/15 states Petitioner is not sure whether Objector is asking the court to take judicial notice of certain undisclosed filed documents with reference to Page 2, Paragraph 3. If that is the import of the remaining portion of Paragraph 3, it is not in the proper form. The court may of course take notice of the fact that those documents are within the court file, but may not take judicial notice of any of the contents which may be objectionable on numerous grounds, most particularly lack of foundation and hearsay.

Petitioner various statements in the Objections lack foundation and are based upon hearsay, and state a legal conclusion. The petition for fees is not premature. Probate Code §2640(a)(3).

Response to objection that request seeks fees for opposing the removal action: Objector cites *Conservatorship of Lefkowitz* as setting forth the standards by which fees may be granted to a party who unsuccessfully opposes a petition for removal. See Response for discussion. Petitioner submits that a reasonable conservator could at the very least believe that the allegations made against the conservator were thin at best and as long as there was a subjective reason for doing so, the petition to remove Joan St. Louis as trustee (sic) could be challenged.

Petitioner does not understand the objection re insufficient detail as objector points to no detail which is being proffered with regard to the time kept by the attorney for the petitioner.

Petitioner requests that the petition be granted as prayed.

Declaration of Joan St. Louis filed 6/12/15 describes the circumstances and her relationship with the Conservatee and states that in opposing Mr. Grace's petition, she was attempting to fulfill her promise to the Conservatee. She knows what her true feelings were and are relative to those promises: that she would never have to leave her home, that none of Byrum's family would be allowed to care for her, and that when she passed away her house be immediately locked up so that none of Byrum's family could scavenge from the home. The question then is why did she withdraw her opposition? She saw the declarations of all of the family members and knows that the court will most often prefer a family member as conservator. She saw the declaration of Paul Chambers, the report of the Court Investigator (although she thought it was overly solicitous of Mr. Grace and she met with Wanda in Mr. Grace's presence); but most particularly, she learned from her attorney in late November that Deborah Boyett, the court appointed guardian for Wanda, while not necessarily supporting the petition of Mr. Grace, could not support Petitioner in her efforts as conservator. After discussion with her attorney, she decided to withdraw her objection. She cried at the end of the meeting.

Third Amended First and Final Account and Report of Conservator and Petition for Allowance of Compensation to Conservator and Attorneys' Fees and Costs

	<p>JOAN ST. LOUIS, Former Conservator with bond of \$50,000.00, is Petitioner.</p>		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Objection was filed 7/16/15 by Randy Grace, current conservator and Co-Trustee, with Joinder to Objection filed by Wells Fargo Bank, NA, Co-Trustee.</p> <p>See objection for details.</p> <p style="text-align: center;"><u>SEE PAGE 2</u></p>
	<p>Account period: 11/15/12 – 12/31/14</p> <p>Accounting: \$557,542.00 Beginning POH: \$342,061.57 Ending POH: \$133,915.94 (\$118,006.86 cash plus personal property valued at \$15,909.08.)</p>		
	<p>Petitioner states all conservatorship assets were turned over to Successor Conservator Randy Grace on 1/2/15.</p>		
	<p>Conservator: \$29,303.76 (\$17,665.66, plus mileage of \$3,447.10 and reimbursement of \$8,191.00 as set forth in the petition for various grocery and other cash value cards)</p>		
	<p>Attorney: \$16,597.50 (\$15,277.50 plus additional costs of \$1,320.00 for estimated time in connection with the hearings) Petitioner's attorney has filed a petition for attorney's fees requesting \$50,120.00 plus costs of \$2,097.00. By way of this petition, Mr. Roberts is also requesting \$15,277.50 for the period from 2/21/15 through 6/10/15, including an additional four hours in preparing for and attending the hearings, etc.</p>		
	<p>Costs: \$435.00 plus \$60.00 (for filing this petition plus an ex parte filing)</p>		
	<p>See also declarations of David Roberts and Joan St. Louis.</p>		
	<p>Petitioner prays for an order an judgment as follows:</p>		
	<p>1. Settling and allowing the Third Amended First Account and Report;</p>		
	<p>2. Approving and confirming the acts of Petitioner as Conservator of the Person and Estate of Wanda H. Bingham;</p>		
	<p>3. Allowing the sum of \$17,665.00 to be paid to Petitioner from the Survivor's Trust as compensation for her services rendered to the Conservatorship and \$3,447.10 from the Survivor's Trust for mileage reimbursement to Joan St. Louis;</p>		
	<p>4. Allowing the sum of \$16,597.50 to be paid to Lang, Richert & Patch from the Survivor's Trust for legal services rendered from 2/21/15 through 6/10/15 (and post filing fees);</p>		
	<p>5. Allowing the sum of \$495.00 to be paid to Lang, Richert & Patch from the Survivor's Trust as reimbursement of costs advanced to the conservatorship estate during this period.</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		
✓	2620(c)		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

1. Need amended Summary of Account and all applicable schedules in compliance with Probate Code §1060, et seq. It does not appear that the account balances, given the following:

- The Erratas filed 7/8/15 change various figures without amending the summary.
- The summary contains *rounded* figures.
- Changes in form of assets (market values) are inappropriately included as credits.

For example:

- Line 2, additional property, indicates \$20,909; however, Second Errata filed 7/8/15 refers to this line and provides supplemental inventories totaling \$19,700.00.

- Line 13c, total property on hand at end of account period, indicates \$133,916; however, Second Errata filed 7/8/15 provides a revised schedule of non-cash assets, which it appears would change this summary figure.

- Line 8, disbursements, indicates \$177,543; however, Disbursements appear to actually total \$178,592.76.

- Petitioner includes the figure of \$246,083 as a credit, with reference to Schedule F, which is the schedule of changes in form of assets containing market values for various accounts. This is not appropriate as a credit. See Probate Code §1061, 1063(b) re reporting changes in form of assets, 1064.

2. Based on the above, it is unclear what the actual figure for assets on hand at the end of the account period is. Summary of Account indicates \$118,007.00 in cash (actually \$118,006.86 per Schedule E Cash, held in various accounts), plus personal property valued at \$15,909.00, which appears to be an *incorrect value* for the earrings, which, per the I&A, have a carry value of \$14,700.00.

The Second Errata filed 7/8/15 revises Schedule E Non-Cash assets to reflect FMV and Carry Value for assets including a money market account, household furnishings, a vehicle, and the earrings, but does not revise the summary.

Note: It is unclear why the money market account is considered a non-cash asset. See Prob. Code §8901 re appraisal as cash asset. Further, the figures provided do not correspond to the figure in the account statement provided.

3. Petitioner requests reimbursement for the filing fee for this petition; however, as an amended petition, there was no filing fee. Therefore, \$435.00 has been removed from the order.
4. The petition appears to request reimbursement of \$8,151.00, but this amount is not included in the prayer or the order.
5. Objections detail additional issues.

Petition for Termination of Guardianship

	See petition for details.	NEEDS/PROBLEMS/COMMENTS: Continued from 6/15/15. The following issues remain: 1. Need Notice of Hearing. 2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on the minor and all relatives pursuant to Probate Code §1460(b)(5) or consent and waiver of notice: - Andrea Arreola (Minor) - Ricardo Arreola (Father) - Olivia Torres (Mother) - Ricardo Arreola, Sr. (Paternal Grandfather) - Theresa Acosta (Paternal Grandmother) - Grace Hernandez (Maternal Grandmother) - Siblings age 12 or older <u>Note:</u> Petitioner filed an incomplete Notice of Hearing on 7/15/15; however, the hearing date and most of the service information is not filled in.
Cont. from 061515		
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	x	
Aff.Mail	x	
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: 7/15/15
		Updates:
		Recommendation:
		File 4 - Arreola

Mother Carrillo, Whitnie (Pro Per – Mother – Petitioner)

Guardian Musgrave, Shelly A. (Pro Per – Paternal Grandmother – Guardian)

Petition for Termination of Guardianship

	See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The server's information is not on the proofs of service for the relatives. See Notices of Hearing filed 7/10/15. The Court may require amended proofs of service.</p>
Cont. from 061515		
<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 checked="" 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 type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: skc
		Reviewed on: 7/15/15
		Updates:
		Recommendation:
		File 5 - Musgrave

Attorney: Heather H. Kruthers (for Petitioner/former conservator, Public Guardian)

Attorney: Curtis D. Rindlisbacher (Court appointed for Conservatee)

Conservator: Gregory Ramirez (pro per)

Conservator: Silvia M. Torres-Ramirez (pro per)

First and Final Account and Report of Conservator; Petition for Allowance of Compensation to Conservator and her Attorney

		PUBLIC GUARDIAN , Former Conservator, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: GREGORY RAMIREZ and SILVIA TORRES- RAMIREZ were appointed successor Conservators on 4/21/15.</p>
		Account period: 1/14/14 – 5/5/15	
Cont. from		Accounting - \$25,754.19	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$10,732.11	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$ 2,903.49	
<input type="checkbox"/>	Inventory	Conservator - \$10,150.64	
<input type="checkbox"/>	PTC	(87.86 Deputy hours @ \$96/hr and 22.58 Staff hours @ \$76/hr)	
<input type="checkbox"/>	Not.Cred.	Attorney - \$1,500.00 (less than allowed per Local Rule)	
<input checked="" type="checkbox"/>	Notice of Hrg	Bond fee - \$25.00 (o.k.)	
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.	Court fees - \$182.00 (certified copies)	
<input type="checkbox"/>	Sp.Ntc.	Petitioner request that due to the insufficiency of the estate to pay the fees and commissions that a lien be imposed upon the estate for any unpaid balances of the authorized fees and commissions.	
<input type="checkbox"/>	Pers.Serv.	Petitioner prays for an Order:	
<input type="checkbox"/>	Conf. Screen	1. Approving, allowing and settling the first and final account;	
<input type="checkbox"/>	Letters	2. Authorizing the conservator and attorney fees and commissions;	
<input type="checkbox"/>	Duties/Supp	3. Payment of the bond fee and court fees;	
<input type="checkbox"/>	Objections	4. Authorize petitioner to impose a lien on the estate for any unpaid balances of authorized fees and commission.	
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 7/15/15
			Updates:
			Recommendation:
			File 6 – Patrick

Petitioner/Conservator: Cynthia C. Thomas (pro per)

Petitioner/Conservator: Pamela J. Thomas (pro per)

First Account Current, Report of Co-Conservators and Petition for its Settlement, for Approval of Gifts to Relatives, and for Allowance of Co-Conservators' Compensation and Mileage Reimbursement

	CYNTHIA C. THOMAS and PAMELA J. THOMAS , Co-Conservators, are petitioners.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: <ol style="list-style-type: none"> a. Gloria Coyle (conservatee) 3. Need proof of service of the Notice of Hearing along with a copy of the petition on: <ol style="list-style-type: none"> a. Jared Marshall – Pursuant to Request for Special Notice filed on 6/1/15. 4. Accounting was not verified. Probate Code § 1021. 5. Disbursement Schedule includes credit card payments totaling 3,619.00 without stating the nature and purpose of the disbursement. Probate Code § 1062(b). If the payments are for purchases made by the conservatee prior to the establishment of the conservatorship then the petition should state that including the beginning and ending balances of the accounts. Probate Code § 1064(a)(2). If there are liabilities at the end of the account then the accounting should include a schedule showing said liabilities. Probate Code § 1063(g). Please see additional page <p>Reviewed by: KT Reviewed on: 7/15/15 Updates: Recommendation: File 7 – Coyle</p>
	Account period: 1/29/14 – 1/31/15		
	Accounting - \$290,328.00		
	Beginning POH - \$238,381.05		
	Ending POH - \$263,996.74		
	Current bond: \$65,790.60		
	Conservator (Cynthia)- \$2,342.91 71 hours @ \$30/hr and 380.20 miles @ \$0.56/mile for medical appointments, taxes, moving the conservatee, etc.)		
	Petitioner state they advanced, from their personal funds, \$5,000.00 to Dowling Aaron Inc. for attorney fees and costs in the initiation of the conservatorship. Petitioners requests reimbursement of the \$5,000.00 (\$2,500 each).		
	Petitioners state prior to their appointment, conservatee's daughter, Julia Coyle, had the conservatee sign a transfer document transferring the conservatee's 2007 Toyota Corolla to her and took possession of the vehicle. After their appointment, Petitioners tried to gain possession of the vehicle but where unsuccessful. After conferring with their attorney regarding the cost of recovery, it was believed to be in the best interest of not to pursue recovery.		
	Please see additional page		
Cont. from			
Aff.Sub.Wit.			
Verified	X		
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	X		
Aff.Mail	X		
Aff.Pub.			
Sp.Ntc.	X		
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
2620(c)			
Order	X		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

NEEDS/PROBLEMS/COMMENTS (cont.):

6. Petition requests reimbursement of \$5,000.00 that was paid to the attorney from the personal funds of the Petitioners. Need copy of the attorney billing statement showing what was paid. (Declaration states an itemization is attached, however no itemization is attached.)
 7. Need proposed order.
-

Petitioners request approval of gifts made from the conservatorship estate as follows:
\$100.00 to Conservatee's granddaughter, Kimberly Franco and her husband for their 25th wedding anniversary.
\$50.00 to Conservatee's granddaughter, Kerri Peterson and her family for Christmas gifts.

Petitioners request bond be increased \$119,287.67.

Petitioners pray for an Order:

1. Approving, allowing, and settling the first account and report of co-conservators;
2. Gifts to family members be approved and ratified;
3. Authorization to pay Conservator, Cynthia Thomas, \$2,342.91 for services to the conservatorship estate;
4. Petitioners be directed to file an additional bond in the amount of \$53,578.67 for a total bond of \$119,287.67;
5. Petitioners be authorized to pay Cynthia Thomas and Pamela Thomas \$2,500 each (for a total of \$5,000.00) as reimbursement of attorney's fees and costs paid out-of-pocket in this conservatorship proceeding.

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

- **Wednesday, September 14, 2015** at 9:00 a.m. in Department 303, for the filing of the increased bond.
- **Wednesday, March 29, 2017** at 9:00 a.m. in Department 303, for the filing of the second 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.

Court Investigator Julie Negrete's Report filed on 2/2/15.

8 Joseph A. Meme (Estate)

Case No. 14CEPR00050

Attorney Wade, David D. (of Roseville, Ca. for Kenneth Meme – Petitioner – Executor)

Petition for Final Distribution Upon Waivers of Accounting, for Attorney's Fees for Ordinary Services and for Reimbursement of Costs Advanced

DOD: 08/11/2013		KENNETH MEME , Executor, is petitioner	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> The petition proposes to distribute real property in undivided interests. Pursuant to Local Rule 7.12.4A – The court will not order distribution of real property in undivided interests absent the written consent of all distributees. Need consent from distributees. Attorney requests reimbursement of Courier Fee in the amount of \$111.85 and Court Call appearance fee in the amount of \$86.00. Pursuant to Local Rule 7.17b(7) these fees are considered a cost of doing business, and are not reimburseable. Order does not comply with Local Rule 7.6.1a <i>all orders or decrees in probate matters must be complete in themselves. Orders shall set forth all matters ruled on by the court, the relief granted, and the names of persons, descriptions of property and/or amounts of money affected with the same particularity required of judgments in general civil matters. Monetary distributions must be stated in dollars, and not as a percentage of the estate. Need new order.</i>
		Accounting is waived	
		I&A - \$176,848.38	
		POH - \$165,544.21	
Cont. from		(Cash is \$15,544.21)	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input checked="" 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 checked="" type="checkbox"/>	Letters	03/25/14	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<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: LV
			Reviewed on: 07/16/2015
			Updates:
			Recommendation:
			File 8 - Meme

11 Isaiah Zayne Ross (GUARD/P)

Case No. 14CEPR00341

Petitioner Hoyos, Lisa Marie (Pro Per – maternal aunt)

Petitioner Hoyos, Jeremy Joseph (Pro Per – maternal uncle)

Petition for Appointment of Guardianship of the Person

		<u>TEMPORARY EXPIRES: 07/20/15</u>	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service fifteen (15) 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: <ul style="list-style-type: none"> • Paternal Grandparents (Unknown) • Connie Hoyos (Maternal Grandmother)
		JEREMY HOYOS and LISA HOYOS, maternal uncle and aunt, are Petitioners.	
Cont. from		<u>Please see petition for details</u>	
<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 checked="" type="checkbox"/>	Pers.Serv.	w/	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input 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 checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 07/15/2015
			Updates:
			Recommendation:
			File 11 – Ross

12 Jayden L. McCray & Jaylen S. McCray (GUARD/P) Case No. 14CEPR00850

Guardian **BARAJAS, MARY (pro per – maternal grandmother/guardian)**

Petitioner **Barajas, Sylvia (pro per – mother)**

Petition for Visitation

		SYLVIA BARAJAS , mother, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 06/29/15 Minute Order from 06/29/15 states: Parties suggest that Carlos Manzo be the supervisor of the visits. If Mr. Manzo agrees, the previously ordered visitation every Saturday from 11am to 2pm is to resume forthwith. Parties are to bring additional names of possible supervisors to the 07/20/15 hearing.</p> <p>Note: Per Minute Order dated 02/04/15, Petitioner currently has supervised visits every Saturday from 11:00am to 2:00pm. Visits to be supervised by Leticia and Edward Barajas.</p> <p>Reviewed by: JF</p> <p>Reviewed on: 07/16/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 - McCray</p>
		MARY HELEN BARAJAS , maternal grandmother, was appointed guardian on 11/10/14. – <i>Personally served on 06/23/15</i>	
Cont. from 062915			
	Aff.Sub.Wit.		
✓	Verified	Petitioner states that she enrolled in Pathways, a substance abuse treatment center on 04/20/15 and is currently taking classes for domestic violence and anger management and will be starting parenting classes soon. She further states that she is being randomly drug tested and has a sponsor. She requests unsupervised visits with her twins 3 times a week. She would like visits Wednesday, Saturday and Sunday from 10:00am to 6:00pm. She states that the previously ordered supervised visits have stopped.	
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	w/	
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections	Declaration filed 06/24/15 attaches letters from Pathways to Recovery and Marjaree Mason Center confirming that Sylvia Barajas is currently enrolled in their programs. Also attached are negative drug tests and a letter from Exzeria Phillips stating that she is Sylvia's sponsor.	
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Petition for Attorney Fees

		CURTIS RINDLISBACHER is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner was court appointed to represent the Conservatee on 9/29/14.	
		The Fresno County Public Guardian was appointed Conservator of the Person and Estate on 11/3/14.	
<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		
			Petitioner requests fees in connection with the representation of the Conservatee for the period from 9/29/14 through the present. Petitioner asks that he be paid the sum of \$2,778.00 for 7.8 attorney hours @ \$325-335/hr and 2.0 paralegal hours @ \$110/hr, plus \$435.00 for filing fee for this petition. Services are itemized by date and include review of documents, communication with Public Guardian, County Counsel, meeting with Conservatee, appearance at hearings, and preparation of this petition. Petitioner includes an estimated 1.5 hours for appearance at this hearing.
			Reviewed by: skc
			Reviewed on: 7/15/15
			Updates:
			Recommendation:
			File 13 – Craig

Petition for Visitation

	See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on Guardians Codie and Nicholas Azevedo. (Notice of Hearing filed 7/13/15 has their names filled in on the proof of service, but no service information, so it does not appear that they were served.) 2. The Court may require notice of this petition to the father and other relatives as well.
<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 type="checkbox"/>	Aff.Mail	
<input type="checkbox"/>	Aff.Pub.	
<input type="checkbox"/>	Sp.Ntc.	
<input checked="" type="checkbox"/>	Pers.Serv.	W
<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	
<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: skc
		Reviewed on: 7/15/15
		Updates:
		Recommendation:
		File 14 - Freitas

Probate Status Hearing RE: Filing of the Amended Petition

	<p>CELESTE DEMERA, PATRICK J. DEMERA, ALICE KITAHARA, and JAMES V. DEMERA, Co-Trustees of the James and Marie DeMera Family Trust, filed Petition for Instructions and for Approval of Advancement Agreement and Abide-By Agreement on 3/17/15.</p> <p>At the hearing on 5/4/15, counsel stated he needs to amend the petition. The Court set this status hearing for the filing of the amended petition.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: On 7/1/15, a Request for Dismissal was entered for the petition; however, the request did not request to dismiss the entire action, so it appears this matter remains on calendar for the filing of an amended petition.</p> <p>1. Need amended petition.</p>
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 7/15/15
		Updates:
		Recommendation:
		File 15 – Demera

DOD: 12/7/14		HENRY MICHAEL PADILLA, JR. , Son, is Petitioner and requests appointment as Administrator with Full IAEA without bond.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 050415		All heirs waive bond.	<p>Continued from 5/4/15. The following issues remain:</p> <ol style="list-style-type: none"> Petitioner lists Michelle Nino at #8, but does not state her relationship to the decedent. Need clarification. Need proof of service at least 15 days prior to the hearing of Notice of Petition to Administer Estate (DE-121) on Michelle Nino pursuant to Probate Code §8110. (Note: Ms. Nino waived bond, but notice is still required.) <p>Note: If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> Monday, Dec. 14, 2015 for filing the Inventory and Appraisal Monday, Oct. 17, 2016 for filing the first account or petition for final distribution. <p>If the proper items are filed prior to the status hearing dates pursuant to Local Rule 7.5, the status hearings may come off calendar.</p>
<input type="checkbox"/>	Aff.Sub.Wit.	Full IAEA – ok	
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Decedent died intestate	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	Residence: Fresno Publication: Business Journal	
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail	Estimated value of estate: Personal property: \$ 1,000.00 Real property: \$155,000.00 Total: \$156,000.00	
<input checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	Probate Referee: Rick Smith	
<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		
<input type="checkbox"/>			
			Reviewed by: skc
			Reviewed on: 7/15/15
			Updates: 7/17/15
			Recommendation:
			File 16- Padilla

Petition for Appointment of Guardian of the Person (Prob. Code §1510)

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing (Form GC-020). 2. Need proof of service of Notice of Hearing with a copy of the petition on the minor and all relatives pursuant to Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Carlos Reyes (Minor) - Alberto Reyes (Father) - Paternal Grandfather - Paternal Grandmother - Maternal Grandfather - Maternal Grandmother	
Cont. from 061515				
	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			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 7/15/15	
			Updates:	
			Recommendation:	
			File 17 - Reyes	

Petition for Appointment of Guardian of the Person (Prob. Code §1510)

	See petition for details.	NEEDS/PROBLEMS/COMMENTS: 1. The Notice of Hearing served on Felipa Arredondo and Ruby Martinez is blank and the attached proof of personal service does not indicate that a copy of the petition was included in the service on Felipa Arredondo (paternal grandmother) and Ruby Martinez (maternal grandmother). The Court may require further service pursuant to Probate Code §1511. 2. If diligence is not found, need service on paternal grandfather and maternal grandfather pursuant to Probate Code §1511.
Cont. from 061515		
<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 checked="" type="checkbox"/>	Pers.Serv.	W
<input checked="" type="checkbox"/>	Conf. Screen	
<input checked="" type="checkbox"/>	Letters	
<input checked="" type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input checked="" type="checkbox"/>	CI Report	
<input checked="" type="checkbox"/>	Clearances	
<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: skc
		Reviewed on: 7/15/15
		Updates:
		Recommendation:
		File 18 - Saavedra

Status Re: Filing of the Accounting

		DANIEL CABALLERO and BALDEMAR MARTINEZ , beneficiaries, are petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR.</u> Accounting filed and set for hearing on 9/1/15.</p>
		Petitioners state they are the grandchildren of the Settlor Opal E. Gramenz.	
Cont. from 060115			
	Aff.Sub.Wit.		
✓	Verified	Opal E. Gramenz was the mother of two children, RANDE L. GRAMENZ and LUCINDA G. MARTINEZ .	
	Inventory		
	PTC	Lucinda G. Martinez died in 1998 predeceasing Opal.	
	Not.Cred.		
✓	Notice of Hrg	Lucinda was survived by four children, DANIEL CABELLERO, KENNETH M. CABELLERO, BALDEMAR MARTINEZ and PRISCILLA MARTINEZ .	
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	Opal E. Gramenz died on 12/28/12.	
	Conf. Screen	Opal E. Gramenz' son RANDE L. GRAMENZ , is the Successor trustee of the Gramenz Family Living Trust Agreement.	
	Letters		
	Duties/Supp	The Trust provides that upon the death of the Trustor the Trust is to divide into as many equal shares as there are children of the Trustor then living and children of the Trustor then deceased leaving issue then living.	
	Objections	The Trustor is to allocate one share for each living child and one share for the then living issue of a deceased child for who it shall be further subdivided in to sub-shares by right of representation.	
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA	Petitioners state on 1/21/15, he requested that Trustee, Rande L. Gramenz provide them with an accounting of the Trust.	
	Citation		
	FTB Notice	No accounting has been produced.	
		Please see additional page.	<p>Reviewed by: KT</p> <p>Reviewed on: 7/15/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 19 - Gramenz</p>

19 In Re: Gramenz Family Living Trust Agreement Case No. 15CEPR00398

Petitioners state Rande L. Gramenz has failed to submit the requested account, and not account was made in the six months preceding Petitioners' request. Rande L. Gramenz has failed in his duty to account. Petitioners are therefore entitled to an accounting of the Trust.

Petitioners pray for an order that:

1. **RANDE L. GRAMENZ** be ordered to file and serve a code compliant accounting of the Trust within 45 day of the issuance of the order;
2. For costs, and for such other and further relief as the Court deems just and proper.

Petitioner: Alfredo Hurtado (pro per)

Petitioner: Flor De Maria Hurtado (pro per)

Petition to Appoint Guardian of the Person

		<p>THERE IS NO TEMPORARY. No Temporary was requested.</p> <p>ALFRED HURTADO and FLOR DE MARIA HERTADO, paternal uncle and aunt, are petitioners.</p> <p>See petition for details.</p> <p>Court Investigator Jennifer Daniel's Report filed on 7/10/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</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 checked="" type="checkbox"/>	Pers.Serv.			
<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: KT		
		Reviewed on: 7/15/15		
		Updates:		
		Recommendation:		
		File 20 - Cerrillos		

21 Skarlett Lopez, Natalia Lopez (GUARD/P) Case No. 15CEPR00526

Petitioner: Ana Torres (paternal grandmother - pro per)

Petitioner: Emily Alvarez (maternal great-grandmother - pro per)

Petition to Appoint Guardian of the Person

		<p>THERE IS NO TEMPORARY. No temporary was requested.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal 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. Ramon Torres (father) b. Victoria Morales (mother) 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. Sabino Lopez (paternal grandfather) b. Unknown maternal grandfather c. Natalie Alvarez (maternal grandmother)
		<p>EMILY ALVAREZ, maternal great grandmother, and ANA TORRES, paternal grandmother, are petitioners.</p>	
Cont. from		<p>Please see petition for details.</p>	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	<p>Court Investigator Dina Calvillo's Report filed on 7/13/15.</p>	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		<input checked="" type="checkbox"/>
<input type="checkbox"/>	Aff.Mail		<input checked="" type="checkbox"/>
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		<input checked="" type="checkbox"/>
<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		
			<p>Reviewed by: KT</p>
			<p>Reviewed on: 7/16/15</p>
			<p>Updates:</p>
			<p>Recommendation:</p>
			<p>File 21 – Lopez</p>

23 James Bissell Andersen (Estate) Case No. 15CEPR00017

Attorney Bergin, Robert E, JR (for Scott James Andersen – Administrator)

Probate Status Hearing Re: Filing Inventory and Appraisal

DOD: 08/19/2013	<p>SCOTT JAMES ANDERSEN, nephew, was appointed Administrator with Will Annexed on 02/09/2015 with full IAEA and without bond.</p> <p>Letters issued on 02/10/2015.</p> <p>Final Inventory and Appraisal filed 05/06/2015 shows an estate valued at \$215,000.00. – Please see Examiner note #1</p> <p>Minute Order of 02/09/2015 set this matter for hearing for the filing of the Final Inventory and Appraisal.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR.</u> Final Inventory and Appraisal filed 07/16/2015.</p> <p>Minute Order of 07/06/2015: Counsel will be filing an amended Inventory and Appraisal; if it is filed at least two court days prior to 07/20/2015, then no appearance is necessary on that date.</p> <ol style="list-style-type: none"> The Inventory and Appraisal filed 05/06/2015 indicates in the caption that it is the "Final" however the box indicating "a portion" of the estate was checked. Is the Inventory and Appraisal filed on 05/06/2015 a portion or the final? Need clarification. Need <u>Final</u> Inventory and Appraisal 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.
Cont. from, 060815, 070615		
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: LV
		Reviewed on: 07/15/2015
		Updates: 07/17/2015
		Recommendation:
		File 23 - Anderson

24 Ariana Bastida, Aiden Gonzales (GUARD/P) Case No. 15CEPR00624

Petitioner **Gonzalez, Anita M (pro per – maternal grandmother)**
Petition - Appoint Temporary Guardian

Ariana, 7	<u>GENERAL HEARING: 08/25/15</u>	NEEDS/PROBLEMS/COMMENTS:
Aiden, 2	ANITA GONZALEZ , maternal grandmother, is Petitioner.	<p>CONTINUED FROM 07/06/15 Minute Order from 07/06/15 states: Elaine Gonzales represents that Roman Diaz is living in her home in Selma along with the minors and she denies any use or selling of narcotics. The Court orders Elaine Gonzales to report to Global Drug Testing forthwith and submit a drug test. Anita Gonzalez is to report as well as pay the cost of the test. The test results are to be brought to court on 07/20/15. The Court orders that Anita Gonzalez have visitation with the minors today, 07/06/15 from 2pm to 8:30pm.</p> <p>1. Need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for:</p> <p style="margin-left: 20px;">a. Jose Bastido (Ariana's father)</p> <p style="margin-left: 20px;">b. Aiden's father</p>
	Father (Ariana): JOSE BASTIDO – currently incarcerated in Mexico Father (Aiden): UNKNOWN	
	Mother: ELAINE GONZALES – personally served on 06/25/15	
Cont. from 070615	Paternal grandparents: NOT LISTED	
<input type="checkbox"/> Aff.Sub.Wit.	Maternal grandfather: ELEAZAR GONZALEZ	
<input checked="" type="checkbox"/> Verified	Petitioner states [see Petition for details].	
<input type="checkbox"/> Inventory	Supplemental Declaration filed 07/08/15 by Anita Gonzalez, Petitioner, states: [see file for details].	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv. w/		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input 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 checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 07/16/15
		Updates:
		Recommendation:
		File 24 – Bastida & Gonzalez

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

DOD: 7-1-06	JONATHAN VAUGHAN , Son, is Petitioner and requests appointment as Administrator with Limited IAEA without bond.	NEEDS/PROBLEMS/COMMENTS:
		Minute Order 6/2/15: Continued to allow time for the publication defect to be cured.
		Minute Order 7/7/15: Continued per request of counsel.
Cont from 032315, 050415, 060215, 070715	Limited IAEA – ok Decedent died intestate	The following issue remains noted:
<input type="checkbox"/> Aff.Sub.Wit.		1. The Fresno Bee publication used outdated language regarding notice to creditors. See Probate Code §8100 and Form DE-121, Notice of Petition to Administer Estate, which was updated 1/1/13. The Court may require amended publication.
<input checked="" type="checkbox"/> Verified	Residence: Miramonte, CA Publication: Fresno Bee	Note: If granted, the Court will set status hearings as follows:
<input type="checkbox"/> Inventory		<ul style="list-style-type: none"> • Tues, Aug. 25, 2015 for the filing of bond, if required • Tues, Dec. 22, 2015 for the filing of the inventory and appraisal • Tues, Oct. 18, 2016 for the filing of the first account or petition for final distribution.
<input type="checkbox"/> PTC	Estimated value of estate: Personal property: Unknown, if any Real property: \$78,000.00	If the proper items are on file pursuant to local rules, the status hearings may be taken off calendar.
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Probate Referee: Rick Smith	
<input checked="" type="checkbox"/> Aff.Mail		
<input checked="" type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Petitioner requests bond be waived because the estate consists solely of real property upon which Petitioner currently resides. Waivers have been obtained from only two of the heirs; however, Petitioner requests that if the property is sold, any proceeds be placed into a blocked account.	
<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		Reviewed by: skc
<input type="checkbox"/> Status Rpt		Reviewed on: 7-15-15
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 25 - Vaughan

26 Gene Ray Chance (Estate)

Case No. 13CEPR00612

Atty Standard, Donna M (for Walter Sherwood Chance – Petitioner – Executor)

First Account and Report of Status of Administrator of Estate

DOD: 10/16/2011		<p>WALTER SHERWOOD CHANCE, Executor, is petitioner.</p> <p>Account period: 07/12/2013- 01/31/2015</p> <p>Accounting - \$175,373.59 Beginning POH - \$165,000.00 Ending POH - \$173,960.16 (\$8,960.16 is cash)</p> <p>Executor – Not requested at this time</p> <p>Attorney – Not requested at this time</p> <p>Petitioner states: the estate is not in a condition to be closed at the present time until a sale of real property has occurred. At time of sale petitioner would request that upon confirmation of the sale and receipt of all proceeds from the sale of the real property that those funds be distributed pursuant to the Private Covenant/Contract which has been deemed the Last Will of Decedent, Gene Ray Chance.</p> <p>Wherefore:</p> <ol style="list-style-type: none"> 1. Petitioner requests the First Account and Report of Administrator be allowed and approved as filed; 2. The costs of this proceeding be ordered paid by the estate in portions determined by the Court at the time of closing the estate. 3. For such other and further order the Court may deem just and proper. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Executor was appointed with limited IAEA authority and funds to be placed into a blocked account. Any sale of real property would require court confirmation.</p> <p>Continued from 07/07/2015 per request of the Attorney.</p> <p>Minute Order of 06/30/2015: Counsel represents that she has not received a receipt from her client, but she is attempting to contact him. The court orders that the receipt or a declaration verified by Walter Chance be filed by 07/06/2015.</p> <p>4. Order appointing personal representative orders all funds of the estate to be placed in a blocked account. Accounting shows income from rents in the amount of \$9,000 and disbursements of \$1,988.33. Supplement to the First Account and Report of Status of Administration of the Estate filed 06/15/2015 states “the cash amounts presently in the Estate are held by Sabine Bank in a blocked interest bearing account” however there is no evidence of a receipt for blocked account having been filed with the court. Need proof of funds placed in a blocked account.</p> <p>Please see additional page</p>	
Cont. from 051915 063015, 070715				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input checked="" 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 checked="" type="checkbox"/>	Letters	11/26/13		
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input checked="" 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 checked="" type="checkbox"/>	FTB Notice			
Reviewed by: LV				
Reviewed on: 07/15/2015				
Updates:				
Recommendation:				
File 26 - Chance				

5. A Supplemental Inventory and Appraisal was filed 05/28/2015 showing real property located at 3527 Hopewell Rd. Squaw Valley valued at \$100,000.00, this address differs from the real property listed on the Inventory and Appraisal filed 01/10/2014 however both have the same APN number. Also listed is real property adjacent to 35427 Hopewell Rd. Squaw Valley estimated at \$35,000.00 that does not include an APN. It is unclear if the Supplemental Inventory and Appraisal is indeed a Supplemental or is it in fact a corrected Inventory and Appraisal. Need clarification.
6. If the material facts have changed, such as the value of the assets, then need amended petition.
7. Need Order.

Note: If the petition is granted status hearings will be set as follows:

- **Tuesday, 07/19/2016 at 9:00a.m. in Dept. 303** for the filing of the Second 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.

27 Savanna Watts, Sandra Watts (GUARD/P) Case No. 15CEPR00661

Petitioner Watts, Jessica Lyann (pro per – sister)

Petition for Appointment of Temporary Guardian of the Person

	<u>TEMPORARY GRANTED EX PARTE:</u>		NEEDS/PROBLEMS/COMMENTS:
	<u>TEMPORARY EXPIRES 07/20/15</u>		
	<u>GENERAL HEARING: 09/08/15</u>		<ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for: <ol style="list-style-type: none"> a. James Watts (father) b. Dawn Watts (mother) c. Savanna Watts (minor)
Cont. from	JESSICA WATTS, sister, is Petitioner.		
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified	Father: JAMES WATTS		
<input type="checkbox"/> Inventory	Mother: DAWN WATTS		
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.	Paternal grandparents: DECEASED		
<input type="checkbox"/> Notice of Hrg	x	Maternal grandfather: DANNY ANDERSON	
<input type="checkbox"/> Aff.Mail	Maternal grandmother: GAIL ANDERSON		
<input type="checkbox"/> Aff.Pub.	Petitioner states [see Petition for details].		
<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			
<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 checked="" type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: JF
			Reviewed on: 07/16/15
			Updates:
			Recommendation:
			File 27 – Watts

		INLAND COUNTIES REGIONAL CENTER, INC., Trustee, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Upon discussion, the issue previously noted re use of unrealized gains/losses has been removed for this matter. The following issues remain noted:</p> <p>1. The Court may require a more detailed description of the trustee's services rendered and itemization of time spent in performance of the trustee's duties pursuant to Cal. Rule of Court 7.776(6) and 7.903(c)(8) and Probate Code §2646.</p> <p style="text-align: center;"><u>SEE PAGE 2</u></p> <p>Reviewed by: skc Reviewed on: 7/15/15 Updates: 7/17/15 Recommendation: File 29 – Allen</p>
		ROBERT BRITTON , Trust Officer, Master Trust of California, verified the petition.	
Cont. from 071315		Account period: 11/1/13 – 2/28/15	
	Aff.Sub.Wit.	Accounting: \$108,017.43	
✓	Verified	Beginning POH: \$104,074.26	
	Inventory	Ending POH: \$100,428.96 (cash)	
	PTC		
	Not.Cred.	Trustee: \$1,295.46 (1% of the funds held in the trust in quarterly fees)	
✓	Notice of Hrg	Attorney: \$1,697.50 (for 2.55 attorney hours @ \$250/hr, including 1 hour estimated for court appearance, and 10.6 paralegal hours @ \$100/hr, including 1 hour estimated time for preparation of Notice of Hearing, itemized per declaration)	
✓	Aff.Mail	Costs: \$86.00 (CourtCall appearance)	
	Aff.Pub.	Petitioner states Petitioner had been using the new fee scheduled dated 2/14/12 on other special needs trusts being administered by Petitioner and inadvertently followed the new fee schedule on this case for the fourth quarter 2013, first quarter 2014, and second quarter 2014 even though the new fee schedule was not approved by the court. The trust has been refunded the difference of \$794.96, which will be reflected in the next account period. There are no individual account statements because this is a pooled investment fund; therefore, a breakdown of trustee fees is provided in a table in the petition at Page 5. Petitioner requests authority to allow Master Trust of California to continue taking trustee fees in the amount of 1% of the trust assets in quarterly trustee fees.	
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	2620	X	
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

SEE PAGE 2

Petitioner requests that:

1. This account be settled, allowed and approved;
2. All acts and transactions of the trustee as set forth in this account and report or relating to the matters set forth therein be ratified, confirmed and approved;
3. The Court authorize Petitioner to pay its attorney, Steven K. Beckett, the sum of \$1,697.50 from Jack N. Allen, Jr.'s trust funds held by Master Trust of California for legal services rendered to the trust estate during the accounting period;
4. The Court authorize Petitioner to pay its attorney, Steven K. Beckett, the sum of \$86.00 from Jack N. Allen, Jr.'s trust funds held by Master Trust of California for advanced costs of administration;
5. The Court approve payment of \$2,272.29 as trustee fees paid to Master Trust of California which had been approved but unpaid during the last accounting period;
[Examiner's Note: This payment was approved in the Court's Order filed 7/8/14.]
6. The Court approve payment of \$1,295.46 as trustee fees paid to Master Trust of California during this accounting period and that the additional \$794.96 in trustee fees that were inadvertently taken shall be refunded to the trust and be reflected in the next accounting period;
7. That Petitioner be authorized to continue taking 1% of the trust assets in quarterly trustee fees; and
8. Other relief that the Court considers proper.

NEEDS/PROBLEMS/COMMENTS (Cont'd):

2. **Local Rule 7.17.B.5. effective 1/1/15 disallows reimbursement of telephonic appearance costs as a cost of doing business and not reimbursable. The Court may disallow the \$86 requested.**

Attorney Marchini, Joseph M.; Fashing, Peter G. (for Petitioner Daniel L. Serimian)
 Attorney McLaughlin, II, William T. (for Petitioner Leslie Morgan)
 Attorney Knudson, David N. (for Competing Petitioners David M. Serimian and Marlon D. Serimian)

Petition for Letters of Administration; Authorization to Administer Under the Independent Administration of Estates Act

DOD: 12/1/2014	DANIEL L. SERIMIAN , nephew, and LESLIE MORGAN , niece, are Petitioners and request appointment of the PUBLIC ADMINISTRATOR as Administrator without bond.		NEEDS/PROBLEMS/COMMENTS: This matter will be heard in Dept. 72 at 8:30 a.m. Page 1B is the competing <i>Petition for Probate of Will and for Letters Testamentary</i> filed by David Serimian and Marlon Serimian. Continued from 6/23/2015. Note: Petitioners request the Public Administrator be appointed without indicating whether the Public Administrator consents to serve as administrator. <i>Proof of Service by Mail</i> filed 6/4/2015 shows the Public Administrator and County Counsel were served notice of the petition on 6/4/2015. 1. Need proposed letters for appointing the Public Administrator. ~Please see additional page~
Cont. from 062315	Full IAEA — OK		
Aff.Sub.Wit.	Decedent died intestate.		
✓ Verified	Residence — Selma		
Inventory	Publication — Selma Enterprise		
PTC	Estimated value of the Estate: Unknown		
Not.Cred.	Probate Referee: Steven Diebert		
✓ Notice of Hrg	Petitioners state:		
✓ Aff.Mail	<ul style="list-style-type: none"> • Petitioners are plaintiffs in a lawsuit filed against Decedent before his death (11CECG03770); • Petitioners are interested persons under Probate Code § 48 and have standing to initiate these proceedings under Probate Code § 8000(a); • Petitioners filed this petition to institute a proceeding so that they may file a timely Creditor's Claim; • Petitioners have no knowledge whether the Decedent left a will and accordingly have alleged that the Decedent died intestate; • Petitioners do not wish to serve as administrator although entitled to serve under Probate Code § 8461(g)); • The Public Administrator has next priority under Probate Code § 8461. 		
✓ Aff.Pub.	~Please see additional page~		
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters	X		
✓ Duties/Supp			
✓ Objections	W/O POS		
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: LEG
			Reviewed on: 7/16/15
			Updates:
			Recommendation:
			File 1A - Serimian

Objection to Petition for Letters of Administration filed by DAVID M. SERIMIAN and MARLON D. SERIMIAN on 6/11/2015 states:

- Objectors have filed a Petition for Probate of Will and Letters Testamentary, seeking admission of Decedent's Will dated 5/15/2007 to probate [please refer to Page 1B];
- Petitioners are named as co-executors under the will, and seek to commence administration of the estate;
- A [Supplemental Declaration in Support of Petition for Probate of Will and for Letters Testamentary] showing good cause was filed 6/11/2015 explaining the reasons for the delay in filing the petition for probate;
- **Supplemental Declaration filed 6/11/2015 states** good cause is demonstrated by (1) Decedent's estate presented several complex business and tax issues that the family had to consider prior to filing the petition for probate, and to determine the best overall approach; (2) fact-gathering was the first step, and establishing a methodology for collecting information regarding assets as to which assets were part of the probate estate, which are held in trusts, and which are community property or joint tenancy; (3) at all times since the Decedent's death, Petitioners (beneficiaries) were consulting with each other and were of like mind that they did not feel any need to immediately initiate probate proceedings until the issues were sorted out and carefully evaluated;
- As Decedent's sons, Petitioners have priority over the Public Administrator in administering their father's estate;
- Circumstances and general knowledge of which the Court may take judicial notice concerning recent staff changes in the Fresno County Public Administrators office further indicate that the Public Administrator is not the appropriate agency to administer the Decedent's estate;
- **It is respectfully requested that the Petition of Daniel L. Serimian and Leslie Morgan be denied, and that the Petition of David M. Serimian and Marlon D. Serimian for letters testamentary be granted; and that the Decedent's Will be admitted to probate [at hearing set for 7/20/2015].**

NEEDS/PROBLEMS/COMMENTS, continued:

Note: If *Petition* is granted, Court will set Status Hearings as follows:

- **Thursday, January 7, 2016 at 8:30 a.m. in Dept. 72** for the filing of final inventory and appraisal; and
- **Tuesday, September 20, 2016 at 8:30 a.m. in Dept. 72** for the filing of first account and/or petition for final distribution.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

1B Donald M Serimian (Estate)

Case No. 15CEPR00530

Attorney Marchini, Joseph M.; Fashing, Peter G., (for Petitioner Daniel L. Serimian)
 Attorney McLaughlin, II, William T., (for Petitioner Leslie Morgan)
 Attorney Knudson, David N., (for Competing Petitioners David M. Serimian and Marlon D. Serimian)

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

DOD: 12/1/2014		DAVID M. SERIMIAN and MARLON D. SERIMIAN , sons and named Executors without bond, are Petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Affidavit of Publication</i> pursuant to Probate Code §§ 8120 – 8124, and Local Rule 7.9. — <i>Declaration to Accompany Proof of Publication</i> filed 7/17/2015 contains attached copy of publication in <i>Selma Enterprise</i>, to be filed with the Court upon receipt by mail. 2. Need proposed order pursuant to Local Rule 7.1.1 (F) which provides a proposed order shall be submitted with all pleadings that request relief.—Proposed order submitted 7/17/2015. 3. Proposed letters signed by the Petitioners are not marked at the affirmation at Item 2 as required. Need revised proposed letters. <p>Note: If <i>Petition</i> is granted, Court will set Status Hearings as follows:</p> <ul style="list-style-type: none"> • Thursday, January 7, 2016 at 8:30 a.m. in Dept. 72 for the filing of final inventory and appraisal; and • Tuesday, September 20, 2016 at 8:30 a.m. in Dept. 72 for the filing of first account and/or petition for final distribution. <p>Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken 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 /	
<input type="checkbox"/>	Aff.Pub.	X	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters	X	
<input checked="" type="checkbox"/>	Duties/Sup		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order	X	
		<p>Full IAEA — Need publication—<i>Declaration to Accompany Proof of Publication</i> filed 7/17/2015 indicates amended publication in the <i>Selma Enterprise</i> containing the information for Dept. 72 at 8:30 a.m. on 7/20/2015 was published as required.</p> <p>Will dated — 5/15/2007</p> <p>Residence — Selma Publication — Need publication Selma Enterprise</p> <p>Estimated value of the Estate: Personal property — \$500,000.00 _____ Total _____ \$500,000.00</p> <p>Probate Referee: Steven Diebert</p>	
<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: LEG</p> <p>Reviewed on: 7/16/15</p> <p>Updates: 7/17/15</p> <p>Recommendation:</p> <p>File 1B - Serimian</p>			