



## 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.

		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p style="text-align: center;"><b><u>OFF CALENDAR</u></b></p> <p>Fourth Account filed 7/17/15 is set for hearing on 8/26/15.</p>
Cont from 011415, 051315, 061715		
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: 7/17/15
		Updates: 7/20/15
		Recommendation:
		File 1 – Mairena

Attorney Kruthers, Heather H., (for Public Administrator, Successor Administrator)  
 Former Atty Feigel, Sheldon W. (prohibited from practicing law in California effective 1/8/2015)  
 Attorney Rindlishbacker, Curtis D. (for Kenneth Wall, Administrator of the Estate of Camille Smith)

Probate Status Hearing Re: Status of the Estate

DOD: 8/27/2007	PUBLIC ADMINISTRATOR is the Court-appointed Successor Administrator of the Estate by <i>Minute Order</i> dated 3/18/2015.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Page 4</b> is a Status Hearing for the related <i>Estate of Camille Dolores Smith</i> (this Decedent's mother), Case 08CEPR00560.				
Cont. from 012115	MAXIMILLANO GODINEZ, JR., step-son and Successor Administrator appointed on 10/23/2008, was removed as Successor Administrator by <i>Minute Order</i> dated 3/18/2015.	<b>Continued from 3/18/2015.</b> <i>Minute Order</i> states Curtis Rindlisbacher is also present regarding the related case of Camille Dolores Smith (Estate.) The Court vacates the previous order appointing Maximilano Godinez, Jr., as Successor Administrator and appoints the Public Administrator forthwith. Mr. Rindlisbacher represents that distribution from the related matter will occur to the Public Administrator upon issuance of letters.				
Aff.Sub.Wit.						
Verified	<b>Letters of Successor Administration issued to the Public Administrator on 4/9/2015.</b>	1. Need first account and/or petition for final distribution or verified Status Report and proof of service of the Status Report pursuant to Local Rule 7.5(B).				
✓ Inventory						
Bond						
Not.Cred.						
Notice of Hrg						
Aff.Mail						
Aff.Pub.						
Sp.Ntc.						
Pers.Serv.						
Conf. Screen						
Letters	<table border="1"> <tr> <td>Reviewed by: LEG</td> </tr> <tr> <td>Reviewed on: 7/17/15</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 2 – Godinez</td> </tr> </table>	Reviewed by: LEG	Reviewed on: 7/17/15	Updates:	Recommendation:	File 2 – Godinez
Reviewed by: LEG						
Reviewed on: 7/17/15						
Updates:						
Recommendation:						
File 2 – Godinez						
Duties/Supp						
Objections						
Video Receipt						
CI Report						
9202						
Order						
Aff. Posting						
Status Rpt						
UCCJEA						
Citation						
FTB Notice						

**3 William Cooley, Sr. (CONS/PE)**

Case No. 08CEPR00059

Atty Farmer, C. Michael (for Ruby Jones deceased conservator)

Atty LeVan, Nancy J. (for I'Sha Cooley, conservator of the person)

Atty Kruthers, Heather H (for Public Guardian, conservator of the estate)

**Probate Status Hearing for the Filing of the Final Account of Deceased Conservator (Prob.C §2632)**

	<b>RUBY JONES</b> , sister, was conservator of the person and estate from 3/25/08 until her death on 6/5/14.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>I'SHA JONES</b> , daughter, was appointed successor conservator of the person and the <b>PUBLIC GUARDIAN</b> successor conservator of the estate on 9/25/14.	
<b>Cont. from 011415</b>	2 <sup>nd</sup> account of <b>RUBY JONES</b> as conservator for the account period ending 10/31/12 was approved on 4/11/13. Cash assets at the end of the accounting was \$144,267.59.	
<b>Aff.Sub.Wit.</b>	This status hearing was set for the filing of the final accounting of the Deceased Conservator Ruby Jones.	
<b>Verified</b>	Notice of Status Hearing was sent to Attorney Michael Farmer on 10/17/14.	
<b>Inventory</b>	<b>Minute Order dated 1/14/15 states</b> Mr. Farmer represents that he has no original records that have occurred since the last accounting. The Court excuses him from filing another accounting in this matter since he has no documentation to prepare one. Ms. Kruthers will prepare the next account for 11/1/12 through the date of their appointment.	
<b>PTC</b>	<b>Status Report filed on 7/14/15 states</b> the person at the Public Guardian's office who prepares the schedules and other documents necessary for the preparation of conservatee accounts is currently carrying a double workload. As a result, the preparation of account documents has been delayed. Therefore, <b>it is respectfully requested that this matter be set out for another 60 days</b> to allow the Public Guardian to prepare the documents in this matter.	
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 7/17/15</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 3 – Cooley</b>

Status Hearing

<b>DOD: 12/8/1988</b>	<p><b>KENNETH WALL</b>, son, was appointed Administrator with full IAEA authority without bond on 7/8/2008; Letters issued on 7/8/2008.</p> <p><b>First and Final Report of Administrator and Petition for Settlement of Account, for Allowance of Compensation to Administrator and Attorneys for Ordinary Services; and for Final Distribution and Reimbursement of Costs filed 10/30/2014</b> sought to distribute a share of the Estate of Camille Dolores Smith totaling <b>\$35,188.40</b> in cash to <b>MAXIMILANO GODINEZ</b>, Administrator of the Estate of Kelli Michelle Godinez (Decedent's daughter), Case 07CEPR01353;</p> <p><b>Minute Order dated 12/17/2014 [Judge Cardoza]</b> from the hearing on the first and final account in the Estate of Camille Dolores Smith set a Status Hearing on 1/21/2015 for the failure to proceed with administration in the Estate of Kelli Michelle Godinez, Case 07CEPR01353, ordering as follows:</p> <ul style="list-style-type: none"> <li>The Court orders that the <b>\$35,188.40</b> be held by the Petitioner [<b>KENNETH WALL</b>] on behalf of the estate until an administrator is qualified to receive the funds in case 07CEPR01353.</li> </ul> <p><b>Declaration Regarding Status of Distributions filed 3/17/2014 by Attorney Rindlisbacher for the former status hearing states</b> after filing tax returns and payment of taxes, the estate is currently holding funds for the Estate of Kelli Michelle Godinez in the amount of <b>\$35,188.40</b>; the estate is also holding <b>~\$1,100.00</b> in excess funds which will ultimately be distributed to the beneficiaries in appropriate percentages.</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from 012115, 031815</b>		<b>Page 2</b> is a Status Hearing for the related Estate of Kelli Michelle Godinez, Case 07CEPR01353.
<b>Aff.Sub.Wit.</b>		<b>Page 4B</b> is the Status Hearing for filing of an informal accounting of closing reserve.
<b>Verified</b>		<b>Continued from 3/18/2015.</b> Minute Order states counsel represents that distribution will occur to the Public Administrator upon issuance of letters in the related matter of the Kelli Michelle Godinez Estate, 07CEPR01353. If a receipt is filed at least two days prior, then no appearance is necessary on 7/22/2015.
<b>Inventory</b>		1. Need receipt for distribution to the Public Administrator (for Case 07CEPR01353), or verified Status Report and proof of service of the Status Report pursuant to Local Rule 7.5(B).
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report 9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		<b>Reviewed by:</b> LEG
<b>Status Rpt</b>		<b>Reviewed on:</b> 7/17/15
<b>UCCJEA</b>		<b>Updates:</b>
<b>Citation</b>		<b>Recommendation:</b>
<b>FTB Notice</b>		<b>File 4A - Smith</b>

Attorney: Rindlisbacher, Curtis D. (for Administrator Kenneth Wall)

Probate Status Hearing re: Filing Informal Accounting

<b>DOD: 12/8/1988</b>	KENNETH WALL is Administrator.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Continued from 6/17/2015.</u> Minute Order states counsel represents that all of the receipts have been signed; he is waiting for his client to sign a declaration.  1. Need informal accounting re: closing reserve or status report pursuant to Local Rule 7.5.
<b>Cont. from 061715</b>	<p><b>Order on First and Final Report of Administrator, etc., filed on 12/17/14</b> approves the First and Final Report includes a closing reserve of <b>\$35,000.00</b> for preparation of final income tax return and payment of any final income taxes on behalf of the estate.</p> <p><b>Minute Order dated 12/17/14</b> set a status hearing on 6/17/2015 for the filing of an informal accounting of the closing reserve.</p>	
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> LEG
		<b>Reviewed on:</b> 7/17/15
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 4B - Smith</b>

**Waiver of Account and First Report of Administratrix, Petition for Settlement, for Allowance of Attorneys' Fees and Costs, for Waiver of Commission, and for Final Distribution.**

<b>DOD: 10/1/08</b>	<b>JO ANN SORIA</b> , Administrator with Will Annexed, is petitioner.		<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Notice of Hearing.  2. Need proof of service of the Notice of Hearing on: a. Jack Lucchesi b. Linda Hofer c. Jo Ann Soria as Administrator of the Estate of Gloria Lucchesi.  3. Need proof of service of the Notice of Hearing along with a copy of the petition on: a. Edward L. Fanucchi – pursuant to his Request for Special Notice.	
	Accounting is waived.			
<b>Cont. from</b>	I & A	- \$400,000.00		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	POH	- \$214,817.20		
<input checked="" type="checkbox"/> <b>Verified</b>	Administrator	- waives		
<input checked="" type="checkbox"/> <b>Inventory</b>	Attorney	- \$800.00 (less than statutory)		
<input checked="" type="checkbox"/> <b>PTC</b>	Costs	- \$496.50 (filing fee, certified copies, recorder fees)		
<input checked="" type="checkbox"/> <b>Not.Cred.</b>	Closing	- \$2,000.00		
<input type="checkbox"/> <b>Notice of Hrg</b>	<input checked="" type="checkbox"/>			
<input type="checkbox"/> <b>Aff.Mail</b>	<input checked="" type="checkbox"/>			
<input type="checkbox"/> <b>Aff.Pub.</b>				
<input type="checkbox"/> <b>Sp.Ntc.</b>				
<input type="checkbox"/> <b>Pers.Serv.</b>	<b>Distribution, pursuant to Decedent's Will, is to:</b>			
<input type="checkbox"/> <b>Conf. Screen</b>				
<input checked="" type="checkbox"/> <b>Letters</b>	11/10/10	Jack Lucchesi - \$52,880.17		
<input type="checkbox"/> <b>Duties/Supp</b>		Jo Ann Soria - \$52,880.17		
<input type="checkbox"/> <b>Objections</b>		Linda Hofer - \$52,880.17		
<input type="checkbox"/> <b>Video Receipt</b>		Jo Ann Soria, as Administrator of the Estate of Gloria Lucchesi - \$52,880.17		
<input type="checkbox"/> <b>CI Report</b>				
<input checked="" type="checkbox"/> <b>9202</b>				
<input checked="" type="checkbox"/> <b>Order</b>				
<input type="checkbox"/> <b>Aff. Posting</b>				
<input type="checkbox"/> <b>Status Rpt</b>				
<input type="checkbox"/> <b>UCCJEA</b>				
<input type="checkbox"/> <b>Citation</b>				
<input checked="" type="checkbox"/> <b>FTB Notice</b>				
				<b>Reviewed by: KT</b>
				<b>Reviewed on: 7/17/15</b>
			<b>Updates:</b>	
			<b>Recommendation:</b>	
			<b>File 5 - Lucchesi</b>	

Attorney: Linda K. Durost (for Petitioner/Administrator Toni Richardson)

**Amended First and Final Report and Account of Administrator; for Allowance of Statutory Attorneys' Fees and Costs; Allowance of Statutory Administrator's Fees and for Final Distribution**

<b>DOD: 6/2/11</b>		<b>TONI RICHARDSON</b> , Administrator, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>This estate was opened using a fee waiver. Filing fees are considered costs of administration. Therefore, the filing fee of \$435.00 is now due for the filing of the initial petition for probate.</li> <li>Need Notice of Hearing for the Amended Petition.</li> <li>Need proof of service of the Notice of Hearing on beneficiary, Bill Richardson.</li> <li>Inventories and appraisals filed total \$183,050.00 and not \$177,550.00 as stated in the accounting. (Reappraisal for sale is just for the sale of the real property. The inventory and appraisal with the date of death value is the correct inventory to use for account purposes.)</li> <li>Statutory fees are calculated incorrectly. Attorney incorrectly included the mortgage payoff as a loss on sale. The correct statutory fees should be \$6,354.79. Calculated on the fee base as follows:  <table style="margin-left: 20px;"> <tr> <td>I &amp; A</td> <td>-</td> <td>\$183,050.00</td> </tr> <tr> <td>Receipts</td> <td>-</td> <td>\$ 543.03</td> </tr> <tr> <td>Gains on sale</td> <td>-</td> <td>\$ 400.00</td> </tr> <tr> <td>Less loss on sale of real property-</td> <td></td> <td>\$ 5,500.00</td> </tr> <tr> <td><b>Total fee base</b></td> <td>-</td> <td><b>\$178,493.03</b></td> </tr> </table> </li> </ol>	I & A	-	\$183,050.00	Receipts	-	\$ 543.03	Gains on sale	-	\$ 400.00	Less loss on sale of real property-		\$ 5,500.00	<b>Total fee base</b>	-	<b>\$178,493.03</b>
I & A	-	\$183,050.00																
Receipts	-	\$ 543.03																
Gains on sale	-	\$ 400.00																
Less loss on sale of real property-		\$ 5,500.00																
<b>Total fee base</b>	-	<b>\$178,493.03</b>																
		Account period 2/22/12 – 2/2015																
<b>Cont. from</b>		Accounting - <b>\$178,548.26</b>																
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$177,550.00</b>																
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$106,186.69</b>																
<input checked="" type="checkbox"/>	<b>Inventory</b>	Attorney - <b>\$4,562.00</b>																
<input checked="" type="checkbox"/>	<b>PTC</b>	Administrator - <b>\$4,562.00</b>																
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Attorney costs (filing fee) - <b>\$435.00</b>																
<input type="checkbox"/>	<b>Notice of Hrg</b>	Reimbursement of costs to Administrator - <b>\$20,488.00</b>																
<input type="checkbox"/>	<b>Aff.Mail</b>																	
<input type="checkbox"/>	<b>Aff.Pub.</b>																	
<input type="checkbox"/>	<b>Sp.Ntc.</b>																	
<input type="checkbox"/>	<b>Pers.Serv.</b>																	
<input type="checkbox"/>	<b>Conf. Screen</b>																	
<input checked="" type="checkbox"/>	<b>Letters</b>	2/22/12 Toni Richardson - \$36,794.14																
<input type="checkbox"/>	<b>Duties/Supp</b>	Bill Richardson - \$36,794.14																
<input type="checkbox"/>	<b>Objections</b>																	
<input type="checkbox"/>	<b>Video Receipt</b>																	
<input type="checkbox"/>	<b>CI Report</b>																	
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<input type="checkbox"/>	<b>UCCJEA</b>																	
<input type="checkbox"/>	<b>Citation</b>																	
<input checked="" type="checkbox"/>	<b>FTB Notice</b>																	
		<b>Distribution, pursuant to intestate succession, is to:</b>																
		Toni Richardson - \$36,794.14																
		Bill Richardson - \$36,794.14																
		<b>Reviewed by: KT</b>																
		<b>Reviewed on: 7/17/15</b>																
		<b>Updates:</b>																
		<b>Recommendation:</b>																
		<b>File 6 - Bonham</b>																

6. Need Allowance or Rejection of Creditor's Claim for the Creditor's Claim of DMC filed on 4/27/12. California Rules of Court, Rule 7.401 states that for each creditor's claim filed the Administrator must (1) Allow or reject the claim (2) serve a copy of the claim on the creditor (3) file a copy with proof of service with the court.
7. Escrow closing statement shows that the Administrator received \$110,594.07 from the sale of the real property. The proceeds were ordered into a blocked account. Receipt for Blocked account shows a deposit of \$105,594.07. A difference of \$5,000. Petitioner states when the sale proceeds were deposited, prior to it being blocked, the bank automatically withdrew \$2,300 to pay the balance of the Decedent's credit card. Petitioner states she paid Sam LaPlaca \$1,000 for roofing work he had done on the residence and another \$1,700.00 for other repairs. Examiner note: The declaration of Petitioner for reimbursement of costs also include a \$1,000 payment to Sam LaPlaca Construction for roofing repairs. Is the \$1000 that petition is asking to be reimbursed in addition to the \$1,000 paid from the proceeds of the real property sale? Court may require receipts for the repairs done from Sam LaPlaca Construction.
8. Warren Felger was the former attorney in this case. Therefore he is entitled to a portion of the statutory attorney fees. Need agreement from the attorneys as to apportionment of the attorney fees. – Attorney Durost states that attempts to discuss the fees with Mr. Felger have gone unanswered. Mr. Felger made numerous errors and failed to communicate with petitioner and advise petitioner properly with respect to the account management. Attorney Durost requests that no part of the statutory fees be attributable to Mr. Felger.
9. Creditor's claim of Toni Richardson includes an entry on 3/10/13 for \$500 to Warren Felger for filing fees. Petitioner states she paid Mr. Felger \$500 for filing fees that apparently he never paid.
10. Petitioner states she distributed \$5,000 and jewelry valued at \$250.00 to her brother Bill Richardson. Need receipts for preliminary distribution.
11. Need order.

**7 Everlener Raymond (Det Succ) Case No. 12CEPR01120**

**Attorney: Randolph Krbechek (for Petitioners)**

**Status Hearing re: Failure to File Documents Required by Minute Order 4/8/15 so that the Order Can be Signed.**

**Dated**

<b>DOD: 7/26/2000</b>	<p><b>MARY MCGEE, RITA JONES, EARL LOCKHART, JR., EVERLENER SMITH, JACKIE LOCKHART, ARTHUR LOCKHART, DAVID LOCKHART, RICKY LOCKHART, JAMES LOCKHART</b>, grandchildren, petitioned the court to determine succession to real property.</p> <p>One of the heirs of the decedent, Opal White, died after the decedent. A Special Administrator is needed in order to sign this petition on her behalf.</p> <p>Minute Order dated 4/8/15 states the Court finds this matter approved upon the filing of an Ex Parte Petition for Special Administration for the sole purpose of signing this petition.</p> <p>A Special Administration Petition was filed for Opal White and is set for hearing on 8/13/15.</p> <p><b>Status Report of Randolph Krbechek filed on 7/2/15</b> states he mailed the required documents to the court on 6/12/15. For some unknown reason the documents were returned to his office by the post office. Mr. Krbechek states the documents were filed with this status report. Mr. Krbechek states the petitioners have complied with the minute order and therefore it is requested that the court cancel this status hearing.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
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<b>Sp.Ntc.</b>		
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<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
	<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 7/20/15</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 7 – Raymond</b></p>	

Petitioner Milton, Shawn Lee (Pro Per Petitioner, Father)

Attorney Splivalo, Michael (for Michael W. Purkey, Jr., and Julie E. Cable Skaggs, Guardians)

Petition for Visitation

Age: 2 years	<p>SHAWN LEE MILTON, father, is Petitioner.</p> <p>MICHAEL W. PURKEY, JR., and JULIE E. CABLE SKAGGS, mother's step-grandfather and the step-grandfather's fiancé, were appointed Co-Guardians on 11/21/2013.</p> <p style="text-align: center;">~Please see Petition for details~</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> Order on Ex Parte Petition for Visitation filed 7/2/2015 set this matter for hearing on 7/22/2015, and requires Petitioner to serve notice to the Guardians with a copy of the petition no later than 15 days prior to the hearing.</p> <p>1. Need proof of service of 15 days' notice prior to hearing of the Notice of Hearing along with a copy of the Petition for Visitation pursuant to the Order on Ex Parte Petition for Visitation and Probate Code § 1460 for the following:</p> <ul style="list-style-type: none"> <li>• Michael W. Purkey, Co-Guardian,</li> <li>• Julie E. Cable Skaggs, Co-Guardian.</li> </ul>	
DOB: 4/1/2013			
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 type="checkbox"/> Notice of Hrg			X
<input type="checkbox"/> Aff.Mail			X
<input type="checkbox"/> Aff.Pub.			
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<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters			
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
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<input type="checkbox"/> CI Report			
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			
Reviewed by: LEG			
Reviewed on: 7/20/15			
Updates:			
Recommendation:			
File 9 – Milton			

**Amended Petition Terminating Conservatorship, Discharging Conservators, Approving First and Final Account, Distribution of Assets, Waiver of Attorney Fees, Waiver of Conservator Fees and Discharge of Bond**

<b>DOD: 05/29/14</b>	<b>JOSEPH PATRICK DE LOS REYES,</b> son/Conservator of the Person and Estate, is Petitioner. Bond of \$30,000.00 was filed 04/07/14.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>CONTINUED TO 08/26/15</b> <b>Petition for Probate filed 7/17/15</b>  <b>Minute Order from 07/01/15 states: This matter is continued for a probate proceeding to be initiated. Upon filing of the probate petition, this matter will be continued to the new petition's hearing date in order to trail. If the new petition is filed at least two court days prior, then no appearance is necessary on 07/22/15.</b>
	Account period: <b>04/07/14 – 06/30/14</b>	
<b>Cont. from 042915, 052715, 070115</b>	Accounting: <b>\$206,338.03</b> Beginning POH: <b>\$201,076.17</b> Ending POH: <b>\$199,129.38</b> (\$9,129.38 is cash)	<ol style="list-style-type: none"> <li>Petitioner states that conservatee's bank closed conservatee's account and paid out the remaining funds to the pay-on-death beneficiaries designated by the conservatee upon the conservatee's death. The Court may require more information about this and/or reimbursement to the conservatorship estate of amounts distributed without court order.</li> <li>Petitioner requests authority to sell the real property asset of the conservatorship estate, which is currently in foreclosure. The Conservatee died on 05/29/14, consequently, the Conservatorship terminated by operation of law on 05/29/14. The Court retains jurisdiction for the purpose of settling the final account of conservator pursuant to Probate Code § 2630. However, since the conservatorship has terminated due to conservatee's death, it appears that the sale of real property should occur in a subsequent probate proceeding after the final account of Conservator has settled and assets distributed to the Administrator of the Estate. The Court may require authority for selling a real property asset of a conservator after the death of a conservatee.</li> </ol>
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Subsequent Account period: <b>06/01/14 – 06/30/14</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Accounting: <b>\$199,850.49</b> Beginning POH: <b>\$199,129.38</b> Ending POH: <b>\$190,000.00</b>	
<input type="checkbox"/> <b>Inventory</b>	Conservator: <b>waived</b>	
<input type="checkbox"/> <b>PTC</b>	Attorney: <b>waived</b>	
<input type="checkbox"/> <b>Not.Cred.</b>	Petitioner requests that the property on hand consisting of real property, a vehicle, various tools, and miscellaneous furniture and furnishings be distributed to the estate of Wilfred Layvas De Los Reyes. A Probate proceeding for the administration of the estate will be filed with this Court upon the approval of this final account.	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Petitioner prays for an Order that:</b>	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> w/	<ol style="list-style-type: none"> <li>The conservatorship of the Person and Estate terminated by operation of law on 05/29/14, conservatee's date of death;</li> <li>The Conservator and surety bond be discharged;</li> <li>The Amended First and Final Account of Conservator be approved;</li> <li>The assets on hand be distributed to the Estate of Wilfred Layvas De Los Reyes;</li> <li>And for other such relief as the Court deems proper and just.</li> </ol>	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input checked="" type="checkbox"/> <b>2620(c)</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
	Continued on Page 2	<b>Reviewed by:</b> JF <b>Reviewed on:</b> 07/20/15 <b>Updates:</b> <b>Recommendation:</b> <b>File 11 – De Los Reyes</b>

**Declaration of Joseph Patrick De Los Reyes Regarding Attorney Fees and Closure of Conservatee's Bank Account** filed 05/20/15 states:

- 1) He paid, from conservatee's funds, a total of \$956.38 to the Law Office of Mina L. Ramirez and agrees to reimburse the conservatorship estate this amount.
- 2) When Merced School Employees Federal Credit Union was notified of conservatee's death, the credit union automatically closed his bank account and issued checks to the named beneficiaries, as "pay-on-death" payees. Petitioner and his sister were the named beneficiaries.
- 3) Presently, the estate's real property is in foreclosure and is scheduled for a public sale in July 2015. The property appraised for \$175,000.00. There is approximately \$167,000.00 owed on the first mortgage, and \$17,000.00 on the line of equity that the conservatee owes. Petitioner seeks the court's authority to sell the house for either the appraised value or as a short sale.

**13A Davis 1989 Family Trust (Trust)**

Case No. 14CEPR00298

Atty Burnside, Leigh W. (for Petitioner Joshua Davis – Beneficiary)

**Petition for Order Compelling Trustee to Account and Report**

Thomas J. Davis DOD: 6-5-00	JOSHUA DAVIS, Beneficiary, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
Wealthea Davis DOD: 3-25-98		
Cont from 051914, 061814, 071614, 082714, 101414, 121514, 022314, 033015, 052615	<p><b>Petitioner states he is a beneficiary of the Davis 1989 Family Trust dated 11-17-89 (the Trust) (Exhibit A).</b> On or about the same date, Thomas and Wealthea Davis also created the <b>Davis Family 1989 Life Insurance Trust (the Insurance Trust) (Exhibit B).</b> The Family Trust became irrevocable on the settlors' deaths. The Insurance Trust was already irrevocable during their lifetimes. Petitioner states <b>BRUCE NEILSEN</b> is the successor trustee of both trusts.</p> <p>Petitioner states that following the death of Thomas Davis on 6-5-00, Petitioner, by his agent and CPA Tom Bell, inquired of Trustee Neilsen on multiple occasions about the nature of the Trust assets and timetable for distribution. Petitioner was aware that the decedents had owned real property in California, various stocks and bonds, as well as other assets to which Petitioner and the other named in this petition were beneficiaries.</p> <p>Petitioner has requested that Trustee Neilsen provide him with an account of his administration of the Trust, but Trustee Neilsen has not done so. Additionally, Petitioner believes portions of the trust property that were to be held fbo Trust beneficiaries and Insurance Trust beneficiaries have been used to make loans to beneficiaries other than Petitioner, all to the detriment of Petitioner and other beneficiaries who may have lost their share of Trust and Insurance Trust assets as a result of the breach of his duties to the beneficiaries by Trustee Neilsen.</p>	<p><b>Note:</b> Account and Report filed on 3/26/15 is set for hearing on 5/26/15; however the accounting is not provided in the format required by Probate Code §1060. See Page B.</p> <p><b>Note:</b> On 8-26-14, Joshua Davis, Corey Davis and Brittney Davis filed a separate Petition for Order Compelling Trustee to Account and Report in Case 14CEPR00790, titled "Davis Family 1989 Life Insurance Trust – See Page 10 of this calendar.</p> <p><b>Minute Order 2-23-14:</b> Mr. Neilson represents that the 2014 accounting is not yet back from the accountant. The Court admonishes that this will be the last continuance in this matter and in the related matter of 14CEPR00790 are filed at least two court days prior, then no appearance is necessary on 3/30/15. However, if the accountings are not filed, then a Status Report verified by the client is required as to each matter. Cont to 033015 900 303.</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		
		<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 7/17/15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 13A - Davis</b></p>

**Petitioner states** moreover, Trustee Neilsen has failed to require the execution of notes requirement repayments by the borrowers of the Trust and Insurance Trust assets, and/or that Trustee Neilsen has failed to require the repayment of principal and interest on the Trust and Insurance Trust monies by the borrowers, all to the detriment of Petitioner and the other beneficiaries.

Petitioner states the Trust estate was to be divided into 12 separate trusts immediately on the death of both settlors. Petitioner made inquiries of Trustee Neilsen as to what is held in the trust created for Petitioner, but Trustee Neilsen has not provided the requested information or any meaningful response. Petitioner is informed and believes that Trustee Neilsen has, without consent or knowledge of several of the beneficiaries, used Trust and/or Insurance Trust assets to fund business transactions initiated by other beneficiaries, all to the detriment of Petitioner and other beneficiaries.

Petitioner has been unable to determine what has been done with what portion of the Insurance Trust assets and the Trust assets which were to have been segregated from the rest of the Trust property and Insurance Trust property for Petitioner's benefit.

**Petitioner requests the Court order as follows:**

1. Directing Trustee Bruce Neilsen to prepare and file a complete account and report of his administration of the Davis 1989 Family Trust and the Davis 1989 Life Insurance Trust for the period of June 6, 2000 through March 31, 2014, inclusive;
2. Directing Trustee Bruce Neilsen to set the Account and Report for hearing and give notice of same pursuant to §17203;
3. Awarding Petitioner reasonable attorneys' fees and costs incurred in this matter; and
4. Granting any and all other relief as the Court deems just and proper.

**SEE ADDITIONAL PAGES**

**NEEDS/PROBLEMS/COMMENTS:**

~~1. This petition requests accountings for two separate trusts. The two separate trusts have separate terms, separate assets, and separate purposes, and as such consideration by the Court requires separate petitions, separate notice, separate files, separate filing fees, and ultimately separate accountings.~~

~~The Court may designate this case number as the Family Trust file and direct Petitioner to initiate a separate proceeding regarding the Life Insurance Trust.~~

**Update: On 8-26-14, Joshua Davis, Corey Davis and Brittney Davis filed a separate Petition for Order Compelling Trustee to Account and Report in Case 14CEPR00790, titled "Davis Family 1989 Life Insurance Trust – See Page 7 of this calendar.**

2. Also, per its terms, the Family Trust was to immediately divide into twelve (12) separate trusts, only one of which was for Petitioner's benefit. Need clarification and authority regarding the scope of the request for accounting(s).

Note: The language in the instruments differentiates between division into separate trusts and into separate shares, as contemplated by the Life Insurance Trust.

3. Notice appears to have been mailed to six people as couples, rather than as individuals entitled to direct notice. The Court may require amended direct service pursuant to Cal. Rules of Court 7.51.

4. Probate Code § 17200(b)(7) provides that the Court can compel the trustee to provide information or account if the trustee has failed to provide the requested information within 60 days after the beneficiary's reasonable written request. Here, Petitioner states that he requested information after the settlors' deaths, which was approx. 14 years ago, but Petitioner does not state if any recent written request was made pursuant to § 17200(b)(7), or what response was received, if any, pursuant to the written request. The Court may require clarification as to whether this petition may be prematurely filed pursuant to § 17200(b)(7) and may require continuance for formal request and response. (Note: The requests should be separated for each trust pursuant to the above items.)

5. Need revised order.

Atty Neilson, Bruce A. (Attorney Trustee – Petitioner)

Account and Report of Trustee and Petition for its Settlement

	<b>BRUCE NEILSON</b> , Trustee of the <b>DAVIS 1989 FAMILY TRUST</b> , dated 11/17/89, submits the account and report of administration as set forth in Exhibit A.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Minute Order 5/26/15:</b> Mr. Neilson is admonished that the accounting needs to be in the proper format. Additionally, he is to report back to the Court regarding the status of the tax extension at the 7/22/15 hearing.  <b>Status Declaration filed 7/20/15 states</b> Mr. Neilson received communication from Julie Filmore of Moore Gider, the CPA firm for the trust, advising that she had been unavailable to provide accounting due to a death in her family, and that the other CPA with knowledge of the trust, Tom Bell, had been on vacation. She requested an additional 30 days to complete the accounting. Mr. Neilson contacted Mr. Klassen attorney for objecting parties, who advised that he did not have an objection to the continuance. Accordingly, Mr. Neilson requests a continuance to a date after 8/22/15.  1. This Account is not in the form required by Probate Code §1060 and therefore cannot be reviewed by Examiner.
	Account period: 1/1/04 – 12/31/13	
<b>Cont. from 052615</b>		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> <b>Verified</b>	The Trustee declares that he has read the account and report as prepared by Moore, Grider CPAs and knows the contents thereof.	
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Notice of Hrg</b>	<b>Objection to Account was filed 5/21/15 by Joshua Davis, Corey Davis, and Britney Davis. See Objection for details.</b>	
<input type="checkbox"/> <b>Aff.Mail</b>		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input checked="" type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 7/17/15
		<b>Updates:</b> 7/20/15
		<b>Recommendation:</b>
		<b>File 13B - Davis</b>

**Petition for Order Compelling Trustee to Account and Report**

		<b>JOSHUA DAVIS, COREY DAVIS and BRITTNEY DAVIS</b> , beneficiaries, are petitioners.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Please see related case on page 13.</b></p> <p>1. Need Order</p>
		Petitioners state Settlor <b>Wealthea Davis</b> died on 3/25/98 and <b>Thomas J. Davis</b> died on 6/5/00 – more than 14 years ago.	
Cont. from 121514, 022315, 033015, 033015, 052615		<b>BRUCE NEILSON</b> ("Trustee Neilson") is successor Trustee.	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
<b>Please see additional page.</b>			<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 7/17/15</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 15A – Davis Life</b></p>

Moreover, Petitioners believe that Trustee Neilson has failed to require the execution of notes requiring repayment by the borrowers of the Insurance Trust assets, and/or that Trustee Neilson has failed to require repayment of principal and interest on the Insurance Trust monies by the borrowers, all to the detriment of Petitioners and the other Beneficiaries to whom loans were not made.

Petitioners believe that Trustee Neilson has transferred property belonging to the beneficiaries of the Insurance Trust in a manner that diminishes Petitioners' rights as beneficiaries under the Insurance Trust. Petitioners submit Trustee Neilson has refused to share information with Petitioners concerning what has been done with the assets of the Insurance Trust, and that such refusal constitutes a violation of Probate Code §16060 which states the trustee has a duty to keep the beneficiaries "reasonably informed of the trust and its administration."

Further, Petitioners believe that Trustee Neilson has made substantially greater distributions to some beneficiaries than to others, in a manner which is inconsistent with the terms of the Insurance Trust. Some beneficiaries have been distributed or loaned far more than their "share" of the trust assets. Petitioners have been distributed far less than their "shares" and the Insurance Trust does not appear to hold sufficient assets to provide Petitioners with the assets to which they are entitled.

Petitioners request this Court order Trustee Neilson to provide a complete account and report of his administration of the Insurance Trust for the period from June 6, 2000 through the present.

Petitioners allege that Trustee Neilson should be personally surcharged for any damages resulting from his mismanagement of the Insurance Trust and failure to provide the beneficiaries with information as provided by law.

Petitioners allege that Trustee Neilson's failure to segregate the Insurance Trust assets as provided for in the Insurance Trust constitutes a breach of his fiduciary duties as Trustee.

As a proximate result of Trustee Neilson's breach of trust, there has been an extreme depletion of the Insurance Trust assets which would be available for distribution to Petitioners if not for the wrongful distributions and loans made by Trustee Neilson. Petitioners believe that Trustee Neilson's breach of trust has resulted in damages to Petitioners and the Insurance Trust in an amount not less than \$533,000.

**Wherefore, Petitioners request the Court order the following:**

1. Directing Trustee Bruce Neilson to prepare and file a complete account and report of his administration of the Davis Family 1989 Life Insurance Trust for the period of 6/6/2000 through 8/15/2014, inclusive;
2. Directing Trustee Bruce Neilson to set the Account and Report for hearing and give notice of same pursuant to Probate Code §17203;
3. Awarding Petitioners reasonable attorneys' fees and costs incurred in this matter;
4. Surcharging Trustee Bruce Neilson as appropriate according to proof.

Petitioner: Bruce Neilson (pro per)

Attorney: Leigh W. Burnside (for Objectors Joshua Davis, Corey Davis, Brittany Davis)

Account and Report of Trustee and Petition for Its Settlement

	<b>BRUCE A. NEILSON</b> , Trustee, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Please see related case on page 13.</b></p> <p><b>Continued from 5/26/15. Minute Order states</b> Mr. Neilson is admonished that the accounting needs to be in the proper format. Additionally, he is to report back to the Court regarding the status of the tax extension at the 7/22/15 hearing.</p> <p><b>Status Declaration filed 7/20/15 states</b> Mr. Neilson received communication from Julie Filmore of Moore Gider, the CPA firm for the trust, advising that she had been unavailable to provide accounting due to a death in her family, and that the other CPA with knowledge of the trust, Tom Bell, had been on vacation. She requested an additional 30 days to complete the accounting. Mr. Neilson contacted Mr. Klassen attorney for objecting parties, who advised that he did not have an objection to the continuance. Accordingly, Mr. Neilson requests a continuance to a date after 8/22/15.</p> <p><b>2. This Account does not comply with Probate Code §1060 and therefore has not been reviewed by Examiner.</b></p>
<b>Cont. from 052615</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 7/17/15</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 15B – Davis</b>

**Status Hearing re: Filing of the Inventory and Appraisal**

<b>DOD: 4/14/15</b>	<b>DENNIS RODRIGUEZ</b> and <b>MAXINE RODRIGUEZ</b> , were appointed co-conservators of the estate without bond on 3/17/15.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>	Minute Order dated 3/17/15 set this status hearing for the filing of the inventory and appraisal.	<ol style="list-style-type: none"> <li>1. Need 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.</li> <li>2. There is an outstanding balance owing in this case of \$480.00 for the court investigation on the appointment of a temporary conservator.</li> </ol>
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 7/20/15</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 17 – Rodriguez</b>

Probate Status Hearing Re: Filing the Inventory and Appraisal

<b>DOD: 1/23/15</b>	<p><b>CHRISTOPHER B. DAVIS</b>, sole heir, was appointed Administrator with full IAEA and bond set at \$482,000.00 on 4/1/15.</p> <p>Bond of \$482,000.00 was filed on 4/15/15 and Letters issued.</p> <p>Christopher B. Davis is a resident of Arizona.</p> <p><b>Minute order dated 4/1/15</b> set this status hearing for the filing of the inventory and appraisal.</p> <p>Inventory and appraisal filed on 5/6/15 shows an estate valued at \$525,000.00.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Bond was set at \$482,000 based on the estimated value of the estate as stated in the Petition for Probate. Inventory and appraisal shows the value of the estate at \$525,000.00. The court may require bond an additional bond of \$43,000.00</p>
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> KT</p> <p><b>Reviewed on:</b> 7/17/15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 19 – Davis</b></p>

20

Shirley Adams (CONS/PE)

Case No. 15CEPR00272

Attorney

Krbechek, Randolph (for Kismet Burroughs – Son – Petitioner)

Attorney

Boyett, Deborah K. (Court appointed for Proposed Conservatee)

Interested Person

Adams, Paulette (Pro Per – Sister)

Petition for Appointment of Probate Conservator of the Person and Estate (Prob.

C. 1820, 1821, 2680-2682)

		See petition for details.	<p><b>NEEDS/PROBLEMS/ COMMENTS:</b></p> <p>Court Investigator advised rights on 4/14/15</p> <p>Voting rights affected – need minute order.</p> <p><u>Note:</u> Petitioner resides in Altadena, California.</p> <p><u>Minute Order 6/22/15:</u> The Capacity Declaration is accepted for filing in open court. The Court appoints the Public Guardian as Temporary Conservator of the Person without prejudice forthwith. Parties are encouraged to discuss the deed issue between now and the next hearing.</p> <p><u>Note:</u> Letters of Temporary Conservatorship issued to the Public Guardian on 6/26/15 and expire 7/22/15.</p> <p>As of 7/15/15, nothing further has been filed. The following issues remain:</p> <p style="text-align: center;"><u><b>SEE ADDITIONAL PAGES</b></u></p> <p>Reviewed by: skc</p> <p>Reviewed on: 7/17/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 20 - Adams</p>	
Con from 050415, 062215				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
✓	Video Receipt			
✓	CI Report			
	9202			
	Order			X
	Aff. Posting			
	Status Rpt			
	UCCJEA			
✓	Citation			
	FTB Notice			

Page 2

As of 7/17/15, the following issues have not been addressed:

**NEEDS/PROBLEMS/COMMENTS:**

1. Attachment 1f is not sufficient to request dementia powers under probate Code §2356.5. Mandatory Judicial Council Form GC-313, Attachment Requesting Special Orders Regarding Dementia, must be used to request powers under Probate Code §2356.5. Amendment may be required, since this attachment is mandatory, contains mandatory information, and was not included with service.
2. Need proof of personal service of Citation with a copy of the petition, and all appropriate attachments, as noted above, at least 15 days prior to the hearing on proposed Conservatee, Shirley Adams pursuant to Probate Code §1824.

Note: A "Proof of Service" filed 5/26/15 indicates service of a citation and petition, but the Citation has not been filed, and it does not appear that #1 above has been cured or that such attachment was served.

3. Need Capacity Declaration with Dementia Attachment. The Capacity Declaration filed in open court on 6/22/15 does not contain the dementia attachment (Mandatory Judicial Council Form GC-335A) in support of the apparent request for dementia powers (see #1 above).
4. The Court may require clarification as to the necessity for authority to sell the Proposed Conservatee's former residence without Court confirmation, proper publication and noticed hearing, with reference to Probate Code §§ 2540(b) and 2543. The petition does not indicate any urgency.
5. Need order.

**21 Burl Donald Kitchen (Estate)**

**Case No. 15CEPR00319**

Attorney Bagdasarian, Gary G. (for Beverly E. Kitchen – spouse/Petitioner)

**Petition for Probate of Letters of Administration; Authorization to Administer Under IAEA**

(Prob. C. 8002, 10450)

<b>DOD: 10/31/14</b>	<b>BEVERLY E. KITCHEN</b> , surviving spouse, is Petitioner, and requests appointment as Administrator without bond.	<p><b>NEEDS/PROBLEMS/ COMMENTS:</b></p> <p><b>CONTINUED FROM 06/17/15</b></p> <p>1. Petitioner requests appointment without bond stating that there are no assets in the estate at this time. All beneficiaries/heirs have not waived bond. The Court may require more information.</p>
	Full IAEA – OK	
	Decedent died intestate	
<b>Cont. from 051115, 061715</b>	Residence: Fresno Publication: The Business Journal	
<b>Aff.Sub.Wit.</b>		
✓ <b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
✓ <b>Notice of Hrg</b>		
✓ <b>Aff.Mail</b>	w/	
✓ <b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
✓ <b>Letters</b>		
✓ <b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
✓ <b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
	<p><b>Estimated Value of the Estate:</b> \$0.00 - <b>Petitioner states</b> that the only assets of the estate are rights of competing heirs as beneficiaries of a life insurance policy and individual retirement account. There are no other assets in the estate at this time.</p> <p><b>Probate Referee:</b> RICK SMITH</p> <p><b>Opposition and Objection to Petition for Letters of Administration and Petition for Production of Will</b> filed 06/16/15 states: Objector believes the decedent did not die intestate, but executed a will on 07/11/80. Objector is not aware of the will being modified or revoked. Objector believes that Petitioner is aware of the will. The will leaves all of decedent's separate property to Objector. The will nominates Beverly Kitchen as Executor. If Petitioner does not offer decedent's will for probate and seek her appointment as Executor, Objector will, upon production of the will, petition for probate of the will of a lost will, if the will is shown or determined to be lost. Petitioner prays that the Petition be denied and directing Beverly Kitchen to deposit the original will of the decedent. [Copy of will dated 07/11/80 attached].</p> <p><b>Response to Opposition and Objection to Petition for Letters of Administration and Petition for Production of Will</b> filed 07/17/15 states: Petitioner has no recollection of executing the documents attached to the opposition and has no knowledge of the whereabouts of any of these documents. The Petitioner also does not know the whereabouts of either of the witnesses to either of the wills (Gloria Helms and Beverly Fielder). Petitioner requests that the Court approve her Petition for Letters of Administration based on the intestacy of Burl Kitchen and appoint her as Administrator of the Estate.</p>	
	<b>Reviewed by:</b> JF	
	<b>Reviewed on:</b> 07/20/15	
	<b>Updates:</b>	
	<b>Recommendation:</b>	
	<b>File 21 - Kitchen</b>	

Petitioner Gomez, Christina Rose (pro per – sister)  
 Petition - Appoint Guardian

Age: 5 mos.	<b><u>TEMPORARY EXPIRES 07/22/15</u></b>		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>This petition pertains to Michael only.</p> <p>Felipe Ibarra, paternal cousin, filed a petition for guardianship of Daniel &amp; Jose that is set for hearing on 08/27/15.</p> <p><b><u>CONTINUED FROM 06/17/15</u></b></p> <p>1. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent &amp; Waiver of Notice <u>or</u> Declaration of Due Diligence for:</p> <p>a. Maternal grandfather</p>
	<p><b>CHRISTINA ROSE GOMEZ</b>, sister, is Petitioner.</p> <p>Father: <b>JOSE IBARRA</b> – deceased</p>		
Cont. from 061715	<p>Mother: <b>DOLORES MACIAS-IBARRA</b> – Consent &amp; Waiver of Notice filed 04/09/15; Personally served on 06/14/15</p>		
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	w/o		
<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 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><b>Petitioner states</b> [see Petition for details].</p> <p><b>Court Investigator Samantha Henson filed a report on 06/10/15.</b></p>			
<p><b>Reviewed by:</b> JF</p>			
<p><b>Reviewed on:</b> 07/20/15</p>			
<p><b>Updates:</b></p>			
<p><b>Recommendation:</b></p>			
<p><b>File 22 - Ibarra</b></p>			

<p><b>Anna Hepner</b> <b>DOD: 4/24/08</b></p>	<p><b>JERRY PRUDEK</b>, Beneficiary, is Petitioner.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
	<p><b>Petitioner states GLENN J. HEPNER, JIMMY A. HEPNER, GEORGE HEPNER, JR., and DOLLIE SIMPSON</b> have served as successor trustees since the death of their mother. The trust holds various acreage in Fresno County. Other assets are unknown.</p>	<p>1. Probate Code §17200(b)(7) provides that proceeding to compel account may be commenced if the trustee has failed to submit a requested account within 60 days after written request of the beneficiary and no account has been made within six months preceding the request.</p>
<p><b>Cont. from 060815</b></p>		
<p><input type="checkbox"/> <b>Aff.Sub.Wit.</b></p>		
<p><input checked="" type="checkbox"/> <b>Verified</b></p>	<p>Petitioner alleges that the co-trustees have reviewed a proposal for distribution as set forth on Exhibit B. No action has been taken to effect such distribution due to lack of agreement among the co-trustees.</p>	<p><b>Petitioner states his proposed distribution was reviewed, no action taken, but does not state whether written request for account was made. If not, this petition may be premature.</b></p>
<p><input type="checkbox"/> <b>Inventory</b></p>		
<p><input type="checkbox"/> <b>PTC</b></p>		
<p><input type="checkbox"/> <b>Not.Cred.</b></p>		
<p><input checked="" type="checkbox"/> <b>Notice of Hrg</b></p>		
<p><input checked="" type="checkbox"/> <b>Aff.Mail</b> <span style="float:right">w</span></p>	<p>The beneficiaries are Glenn J. Hepner, Jimmy A. Hepner, and George Hepner, Jr., each as to a 1/4 interest, and Dolly Simpson and Jerry Prudek each as to a 1/8 interest. Jerry Prudek is successor to Evelyn Prudek.</p>	
<p><input type="checkbox"/> <b>Aff.Pub.</b></p>		
<p><input type="checkbox"/> <b>Sp.Ntc.</b></p>		
<p><input type="checkbox"/> <b>Pers.Serv.</b></p>		
<p><input type="checkbox"/> <b>Conf. Screen</b></p>		
<p><input type="checkbox"/> <b>Letters</b></p>		
<p><input type="checkbox"/> <b>Duties/Supp</b></p>	<p>Petitioner requests distribution in accordance with the First Amendments, which provides that "if my children are unable to agree on how the property is to managed or divided, then the property shall be sold and the proceeds divided in the proportions indicated above."</p>	<p>2. Need order.</p>
<p><input type="checkbox"/> <b>Objections</b></p>		
<p><input type="checkbox"/> <b>Video Receipt</b></p>		
<p><input type="checkbox"/> <b>CI Report</b></p>		
<p><input type="checkbox"/> <b>9202</b></p>		
<p><input type="checkbox"/> <b>Order</b> <span style="float:right">x</span></p>	<p>Petitioner requests a full and complete accounting in accordance with Probate Code §16063 pursuant to Probate Code §16062, 16063, and 17200. Further administration of trust assets is not necessary, and the remaining assets should be liquidated and distributed.</p>	
<p><input type="checkbox"/> <b>Aff. Posting</b></p>		
<p><input type="checkbox"/> <b>Status Rpt</b></p>		
<p><input type="checkbox"/> <b>UCCJEA</b></p>		
<p><input type="checkbox"/> <b>Citation</b></p>		
<p><input type="checkbox"/> <b>FTB Notice</b></p>	<p><b>Petitioner prays for relief against the co-trustees as follows:</b></p>	<p><b>Reviewed by:</b> skc</p>
<p></p>	<p>1. An order compelling the successor trustees to account for any trust assets collected or received by them;</p>	<p><b>Reviewed on:</b> 7/20/15</p>
<p></p>	<p>2. An order settling the accounts and passing upon the acts of each of the co-trustees;</p>	<p><b>Updates:</b></p>
<p></p>	<p>3. An order determining to whom property shall pass or be delivered upon termination of the trust;</p>	<p><b>Recommendation:</b></p>
<p></p>	<p>4. An order for termination of the trust;</p>	<p><b>File 23 - Hepner</b></p>
<p></p>	<p>5. For such other and further relief as the Court may deem just, equitable, and proper.</p>	

Petitioner Ramirez, Maria Anita (Pro Per Petitioner, mother)

Petition for Appointment of Probate Conservator

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><b>OFF CALENDAR</b></p> <p>Amended Petition for Probate Conservator filed 7/16/2015 is set for hearing on 8/27/2015.</p>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 7/20/15
		Updates:
		Recommendation:
		File 24 – Ramirez

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

		See petition for details.	NEEDS/PROBLEMS/COMMENTS:
			Minute Order 7/8/15: Petitioner represents that the juvenile matter is set for 9/14/15 in 99C. Matter continued to 7/22/15.
Cont. from 060315, 070815			1. <u>As previously noted:</u> This minor is a ward of the Juvenile Delinquency Court. Therefore, this Probate Court does not have jurisdiction to grant a temporary or general guardianship for this minor. Petitioner may wish to pursue placement in the proper Court.
	Aff.Sub.Wit.		
✓	Verified		<u>If this petition goes forward, the following issues exist:</u>
	Inventory		
	PTC		2. Need Child Information Attachment (GC-210CA).
	Not.Cred.		
	Notice of Hrg	X	3. Need Notice of Hearing.
	Aff.Mail		
	Aff.Pub.		4. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 on: - Minor Imani Byrd - Mother (Name not provided)
	Sp.Ntc.		
	Pers.Serv.	X	5. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 on the grandparents who did not waive notice.
✓	Conf. Screen		
	Letters	X	6. Notice to the minor's juvenile probation officer / County of Fresno may also be required.
✓	Duties/Supp		
	Objections		Reviewed by: skc
	Video Receipt		Reviewed on: 7/17/15
✓	CI Report		Updates:
	Clearances	X	Recommendation:
	Order	X	File 25 - Byrd
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

<b>Age: 7</b>	<b>CECILIA RODRIGUEZ</b> , mother was appointed Guardian of the Estate on 10/29/13 with all proceeds (\$40,000.00) to be deposited into a blocked account.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>DOB: 08/16/07</b>		
<b>Cont. from 041515, 071515</b>	On 10/15/13, Guardian filed a Petition for Authority to Expend Money for Support and/or Maintenance and/or Education of Minor.	<b>CONTINUED FROM 07/15/15</b>
<b>Aff.Sub.Wit.</b>		<b>Minute Order from 07/15/15 states: Counsel is to file a school completion plan that includes how long it will take Ms. Rodriguez to complete her program, what she has completed so far, what hours she is in school, and the costs of the classes by 07/20/15.</b>
<b>Verified</b>		
<b>Inventory</b>	On 04/15/14, the Court granted Guardian's Petition for Authority to Expend Money, etc. allowing Guardian to withdraw \$1,000.00 per month from the blocked account beginning 04/15/14 and continuing for 12 months without further court order. <b>Minute Order from 04/15/14</b> set this hearing for a status hearing on 07/15/15.	<b>As of 07/20/15, nothing further has been filed.</b>
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>	<b>Declaration of Cecilia Rodriguez filed 7/2/15 states</b> since the 4/29/14 order was signed, 12 months have passed wherein she was authorized to withdraw \$1,000.00 each month, plus \$870.00 for legal expenses, from the blocked trust account. On 4/15/15, the Court did not grant her Petition for Authority to Expend Money for Support and/or Maintenance and/or Education of Minor, and the matter was continued to 7/15/15 seeking further proof why \$1,000/month is necessary for the support, maintenance and education of the minor.	
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		<b>Reviewed by: JF</b>
<b>Status Rpt</b>		<b>Reviewed on: 7/20/15</b>
<b>UCCJEA</b>		<b>Updates:</b>
<b>Citation</b>		<b>Recommendation:</b>
<b>FTB Notice</b>	<b>SEE PAGE 2</b>	<b>File 26 – Rodriguez</b>

Page 2

**Declaration of Cecilia Rodriguez filed 7/2/15 (Cont'd):**

The following expense are incurred monthly for the comfortable and suitable support and/or maintenance and/or education of the minor:

- Rent: \$574.00
- Food and household supplies: \$376.00
- Utilities and telephone: \$140.00
- Clothing: \$25.00
- Child care: \$600.00 (1/2 for Chrystina)
- Transportation: \$620.00 (gas, insurance, and car payment)

Ms. Rodriguez states prior to her husband's death, he was the main provider for the family and always worked. Ms. Rodriguez worked seasonally in field work only and otherwise cared for Christopher. She was pregnant with Chrystina at the time of her husband's death.

She is currently renting an apartment and resides there with Christopher and Chrystina, both of the children from her marriage with her deceased husband. This is in the best interests of Christopher and Chrystina.

This year, she worked a total of 48 hours a week for one month at Sunstall, a solar company. She obtained this position through a temp staffing agency. On Monday 4/27/15, she will start a job at a winery in quality control, where she will earn \$11/hour. She will be employed approx. 3 months, but is hopeful it will transpire into something long term to support herself and her children.

When working, the children are at a daycare, which takes and picks up Christopher from school and watches him before and after school. Chrystina stays there all day. The daycare charges \$30/day for both children.

Ms. Rodriguez states she currently receives transitional food stamps to help feed the children, which will end in August 2015. She is borrowing a vehicle from her cousin to provide transportation to school, doctor, grocery store for the benefit of the children. She pays gas, insurance, car payment. The most recent bank account statement shows cash on hand as of 12/31/14 of \$30,132.54.

Ms. Rodriguez respectfully prays for an order for authorization as guardian of the estate of Christopher Rodriguez to withdraw \$1,000/month without further court order to be expended for the comfortable and suitable support and/or maintenance and/or education of Christopher Rodriguez, including but not limited to rent, food, household supplies, utilities and phone, clothing and transportation, until further order of this court, or as the court may deem proper.