



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.

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution [Prob. C. 12200, et seq.]

DOD: 12-1-02	RICHARD ALLEN CANADA , Son, was appointed Administrator with Full IAEA with bond of \$17,000.00 on 5-4-04.	NEEDS/PROBLEMS/COMMENTS:
		Minute Order 4-12-13: Counsel informs the Court that Mr. Canada has agreed to work with him with respect to this matter.
	Bond of \$17,000.00 was filed and Letters issued on 5-7-04.	Minute Order 6-21-13: No appearances. The Court removes Richard Canada as the administrator and appoints the Public Administrator as the personal representative. Continued to 9-20-13.
Cont from 041213, 062113, 092013, 120613, 022714, 052814	Inventory and Appraisal filed 7-6-04 indicates a total estate value of \$90,000.00 consisting of real property located at 2365 South Lily in Fresno.	Minute Order 9-20-13: Ms. Kruthers informs the Court that she will be filing a petition for surcharge and will provide notice to the bonding company at that time. The Court sets the matter for an Order to Show Cause on 12/6/13 regarding failure to appear and imposition of sanctions in the amount of \$500.00 as to Richard Canada. Richard Canada is ordered to be personally present on 12/6/13. Continued to: 12/6/13 at 09:00a.m. in Dept 303. Set on: 12/6/13 at 09:00a.m. in Dept 303 for: Order to Show Cause Re: Failure to Appear; Imposition of Sanctions in the Amount of \$500.00
Aff.Sub.Wit.	On 2-25-13, Attorney C. Michael Farmer filed a Notice of Change of Address, which prompted review of the status of this case.	1. Need first account or petition for final distribution <u>or current status report.</u>
Verified	On 3-1-13, the Court set status hearing for 4-12-13 for failure to file a first account or petition for final distribution.	2. Need proof of service of Notice of Hearing with a copy of the status report on parties that have requested special notice pursuant to Probate Code §1252.
Inventory	The matter was continued to 6-21-13. On that date, there were no appearances. The Court removed Mr. Canada and appointed the FRESNO COUNTY PUBLIC ADMINISTRATOR.	Note: The file indicates that the decedent left a spouse who relocated to Lapu Lapu City, Philippines, after the decedent's death, and two adult children, including the Administrator, who reside in Fresno.
PTC	Status Report filed 9-9-13 states the Public Administrator has attempted to contact the former administrator by contacting his daughter and the attorney; however, has not been able to make contact. The former administrator's former attorney, C. Michael Farmer, reported that the former administrator may have distributed the proceeds from the sale of the house, the only asset, to him and his sister. If so, the surviving spouse did not receive her 1/3 share, and none of the several creditors were paid. The Public Administrator will continue to attempt to find the former administrator, and requests the Court set an Order to Show Cause requiring Mr. Canada to personally appear, and that this matter be set out for at least 60 days to allow time to investigate.	Note: There have been numerous creditor's claims filed in this estate totaling \$11,748.70.
Not.Cred.		Reviewed by: skc
Notice of Hrg		Reviewed on: 7-17-14
Aff.Mail		Updates:
Aff.Pub.		Recommendation:
Sp.Ntc.		File 1A - Canada
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Atty Keeler, William J. (for Petitioner Susan Jean Frantzich)

Atty Cobb, Lee S.W. (for Objector Casey S. Rogers)

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

DOD: 12-23-13	SUSAN JEAN FRANTZICH, Daughter, is Petitioner and requests appointment as Executor with Full IAEA without bond.	NEEDS/PROBLEMS/COMMENTS:
		Note: Competing petition filed by Casey Scott Rogers is set for hearing on 8-20-14.
		Note: Related trust matter 14CEPR00485 has an upcoming hearing date of 8-7-14 (Ms. Frantzich's petition and Mr. Rogers' demurrer thereon).
<input type="checkbox"/> Aff.Sub.Wit.	Full IAEA – need publication	
<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	Will dated: 7-9-09 1 st Codicil dated 10-28-09 2 nd Codicil dated 5-10-12 3 rd Codicil dated 3-14-13 4 th Codicil (Holographic Writing) dated 3-6-13	1. Petitioner is not the named Executor. Decedent's 3 rd Codicil dated 3-14-13 nominates Casey Scott Rogers as Executor and James M. Bell as first alternate Executor. If both fail to act, then Petitioner, along with her two siblings, Nancy Lee Ford and Patricia Elaine Coffman, are named as 2 nd alternate co-executors.
<input checked="" type="checkbox"/> Aff.Mail		Petitioner states Mr. Rogers and Mr. Bell have failed to act and requests that she be appointed as sole Executor, but does not state why she should be appointed without the other named 2 nd alternate co-executors.
<input type="checkbox"/> Aff.Pub.	Residence: Clovis Publication: need	Need authority for appointment or declinations to serve from Mr. Rogers, Mr. Bell, Ms. Ford, and Ms. Coffman.
<input type="checkbox"/> Sp.Ntc.		Note: Mr. Rogers has filed a competing petition that is set for hearing on 8-20-14. It would appear he has priority under §8420.
<input type="checkbox"/> Pers.Serv.	Estimated value of estate: Unknown	2. Petitioner requests appointment without bond because the will waives bond for named executors. However, Petitioner is named as 2 nd alternate executor along with two additional co-executors. Therefore, need waivers of bond from all heirs or estimated value of estate for basis of bond. Probate Code §8002(a)(4).
<input type="checkbox"/> Conf. Screen		3. Need publication. Probate Code §8120.
<input type="checkbox"/> Letters	Probate Referee: Steven Diebert	4. Need dates of death of the decedent's deceased spouse and all other deceased relatives listed at #8. Local Rule 7.1.1.D.
<input checked="" type="checkbox"/> Duties/Supp		
<input checked="" type="checkbox"/> Objections	Casey Scott Rogers, Grandson, Named Executor, and Trustee of Eugene M. and Evelyn I. Ford Family Trust, filed his Opposition to this petition as well as a competing petition on 7-11-14 that is set for hearing on 8-20-14.	
<input type="checkbox"/> Video Receipt	Opponent requests the Court deny this petition for the reasons provided. Opponent specifically objects to admission of the handwritten document dated on or about 3-6-13 to probate. See Opposition for details.	
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: skc
<input type="checkbox"/> Status Rpt		Reviewed on: 7-17-14
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 8 - Ford