

DOD: 10/01/09	CANDY ATKINS , spouse, was appointed as Administrator without bond and Letters of Administration were issued on 12/03/09.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		
<input checked="" type="checkbox"/> Status Rpt.	After the appointment of Candy Atkins as Administrator, the decedent's Will was located and offered for probate. On 03/25/10 CANDY ATKINS , spouse, was subsequently appointed as Administrator with Will Annexed Letters were issued.	
<input checked="" type="checkbox"/> 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	Status Report filed 08/12/11 by Candy Atkins states that there are no liquid assets of the estate to pay administration expenses and creditor's claims. Decedent's real property in Madera County was being listed for sale.	
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Inventory & Appraisal filed 09/08/11 - \$209,700.00.
	Second Status Report of Personal Representative filed 06/21/12 states: the estate is not is a condition to be closed. The estate has no liquid assets to pay the administration expenses or the creditor's claims. The Administrator has listed the decedent's unimproved real property in Madera County for sale, but the property has not sold. The Administrator has reduced the sales price several times over the last 8 months. A check of comparable sales reveal that there has only been two similar sales in the last three years. The Administrator intends to keep the property listed for sale and requests that the Estate Administration remain open.	
	Reviewed by: JF	
	Reviewed on: 07/20/12	
	Updates:	
	Recommendation:	
	File 2 - Atkins	

First Amended Petition of the First Accounting and Report of the Conservator of the Estate and Person of Jamie McGlashan (Prob. C. 2620)

Age: 89	CRAIG MACGLASHAN , Son and Conservator with bond of \$1,099,584.00, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
DOB: 10-6-22		
	Account period: 5-24-10 through 5-31-11	<u>Continued from 5-23-12</u>
Cont. from 052312	Accounting: \$ 1,762,874.98	Minute Order 5-23-12: Mr. Howk requests a continuance. Matter continued to 7-25-12.
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH: \$ 0.00	As of 1-18-12, nothing further has been filed. The following issues remain: <u>SEE PAGE 2</u>
<input checked="" type="checkbox"/> Verified	Ending POH: \$ 1,661,990.18	
<input type="checkbox"/> Inventory	Conservator: Waived	
<input type="checkbox"/> PTC	Attorney (Estate planning for Conservatee’s late husband): \$800.00	
<input type="checkbox"/> Not.Cred.	Attorney (This accounting): not addressed	
<input type="checkbox"/> Notice of Hrg X	Petitioner states the current bond of \$1,099,584.00 is less than the value of the estate; however, the Conservator is a member of the State Bar and the only child of the Conservatee and requests to leave the bond set at the current amount because to increase the bond is to decrease the estate.	
<input type="checkbox"/> Aff.Mail X	Petitioner requests:	
<input type="checkbox"/> Aff.Pub.	1. Notice of hearing of this account, report and petition have been given as required by State law;	
<input type="checkbox"/> Sp.Ntc.	2. Petitioner be directed to pay the sum of \$800.00 to the Law Office of Howk and Downing, LLP;	
<input type="checkbox"/> Pers.Serv.	3. The Court order that the Conservatee is not able to complete an affidavit of voter registration;	
<input type="checkbox"/> Conf. Screen	4. All acts and transactions of the Conservator as set forth in this Petition be ratified, confirmed and approved.	
<input type="checkbox"/> Letters		Reviewed by: skc
<input type="checkbox"/> Duties/Supp		Reviewed on: 7-18-12
<input type="checkbox"/> Objections		Updates:
<input type="checkbox"/> Video Receipt		Recommendation:
<input type="checkbox"/> CI Report		File 3 - McGlashan
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt X		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

1. **Petitioner states the Beginning Property on Hand is \$0. As previously noted in prior Examiner Notes, the Beginning Property on Hand should be the amount of the Inventory and Appraisals.**

Corr. Partial #1:	\$ 550,929.64
Corr. Partial #2:	\$ 110,000.00
Final:	\$ 424,000.00
Supp #1:	\$ 99,606.25
Total:	\$ 1,184,535.89

Instead, Petitioner indicates \$1,705,851.66 is the amount of "Additional Property Received" during the account period.

This appears to include the existing inventoried assets plus the interests received from the Conservatee's husband upon his death, *but with updated account totals. This is not a correct accounting summary.*

POH should include the assets as inventoried, and *Additional Property Received* would include the Conservatee's husband's joint tenancy interests in any joint tenancy assets received at his death – not the entire value of the asset at the date of his death.

Note: Petitioner states at Page 3 Line 9 that all accounts were held in joint tenancy; *therefore, they were not part of the Conservatee's estate until the death of her husband. This is not correct. Regardless of the how accounts are held, the Conservatee's interest in those accounts is part of the conservatorship estate.*

Petitioner may be confusing conservatorship estates with decedent estate practice regarding accounts held in joint tenancy. In a decedent's estate, a joint tenancy account is not an asset of the estate because it reverted to the joint tenant upon death. However, a Conservator is responsible for the Conservatee's interest in a joint tenancy account upon appointment, and as such, the Conservatee's portion of the account is an asset of the conservatorship estate. When the joint tenant passes away, as in this case, that joint tenant's interest at his date of death a "receipt" to the conservatorship estate.

In this case, the assets inventoried included the Conservatee's 50% community property interest in various accounts and real and personal property. If held in joint tenancy, then upon the death of her husband, the conservatorship estate received his portion which would be reflected as "receipts" on the accounting. *(The "receipt" is not the entire asset.)*

Due to the incorrect organization of assets/receipts in this accounting, Examiner is unable to determine if it balances correctly. Amended account is necessary.

2. **Need clarification re: prayer.** Petitioner requests an order that the Conservatee is not able to complete an affidavit of voter registration. The original conservatorship order from 5-25-10 included this finding pursuant to Probate Code §1910 and Elections Code §§2208, 2209, and the minute order from the hearing on 5-25-10 was mailed to the Fresno County Election Office. It does not appear circumstances have changed. Why is this request included?

3. **Petitioner states bond is insufficient, but requests to leave as is because:** He is an attorney, he is the only child, and because much of the estate is in bonds and savings which he does not need to use to provide care for the Conservatee and because to increase bond is to decrease the estate. **Examiner notes Probate Code §2320(c)(4) and Cal. Rules of Court 7.207 require sufficient bond, including cost of recovery, for conservators of the estate.**

Therefore, need updated calculation of the appropriate bond amount based on amended accounting per #1 above. Alternatively, the Court may require blocked accounts. Status hearing will be set for increased bond and/or proof of blocked account(s) upon clarification.

4. **Petitioner requests to pay Attorney Howk \$800.00 associated with estate planning completed for the Conservatee's late husband during his lifetime. Examiner notes that this would be a fee associated with his estate, not the Conservatee's estate. Further, the "Description of Liabilities" indicates that it is an estimated amount.**

Note: Petitioner's previous request to establish a trust for the Conservatee was denied on 7-11-11, and Petitioner states that her husband died before he could sign the trust that was prepared for him (these requested fees). A declaration filed 6-8-11 states that rather than send a separate bill, the fees were added to the fees for the Conservatee's bill.

Note: At that time, it was unclear from the itemization how much was the total associated with the husband's estate planning; however, per minute order 8-1-11, the Court considered the issue of attorney fees, and approved certain fees and stated the "\$840 to be billed separately." Here, \$800 is requested, but no itemization is provided.

5. **Attorney Howk does not address attorney fees associated with this account period. Need clarification.**
6. **As previously noted in prior Examiner Notes, need itemization for the following disbursements:**
Attorney Costs: \$2,743.04
Conservator Expenses paid prior to establishment of conservatorship: \$947.50
(Attorney appears to break down the \$2,743.04 by noting that "filing fees/cert. fees 4/7/10-2/2/11 were \$1,975.00; however, this breakdown is not sufficient.)
7. **Numerous "inventory" lists are attached to this accounting. Need clarification as to the purpose of these lists. Are they different from the Inventory and Appraisal assets?**
8. **Examiner is not able to completely review based on these items. There may be additional issues upon review of an amended accounting per #1 above.**

(1) Amended Administrator's Petition for Waiver of Accounting, (2) Statutory Attorney Fees, and (3) Final Distribution Under Probate Code 11600

DOD: 5/11/2006		SHELBY BENSON, Administrator with bond of \$154,000.00, is petitioner.		NEEDS/PROBLEMS/COMMENTS:	
				CONTINUED FROM 06/25/12	
Cont. from 052212, 062512		<p>Accounting is waived. Petitioner states that beneficiary Catherine Laurie died intestate after the decedent. No formal probate has or will be conducted for Catherine Laurie. All of Catherine Laurie's heirs at law have signed waivers of accounting and an Affidavit Pursuant to Probate Code § 13100-13115.</p>		<p>1. Beneficiary Catherine Laurie died on 1/26/2010, after the decedent. Pursuant to Probate Code 10954(b)(5) if the person entitled to distribution in an estate is deceased, the waiver of account shall be executed <u>by the personal representative of the estate</u>. Petitioner states that no administration for the estate of Catherine Laurie is or will be conducted and has provided waivers of account signed by the intestate heirs of Catherine Laurie - Gerald Laurie, Tyler Laurie, and KC Dotson. Need authority allowing the intestate heirs of a deceased beneficiary to waive accounting.</p>	
<input type="checkbox"/>	Aff.Sub.Wit.				
<input checked="" type="checkbox"/>	Verified				
<input checked="" type="checkbox"/>	Inventory				
<input checked="" type="checkbox"/>	PTC				
<input checked="" type="checkbox"/>	Not.Cred.				
	Notice of Hrg	X			
	Aff.Mail	X			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.				
	Conf. Screen				
	Letters	5/12/11			
	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
<input checked="" type="checkbox"/>	9202				
<input checked="" type="checkbox"/>	Order		<p>Distribution, pursuant to intestate succession, is to:</p> <p>Shelby Benson - \$63,177.28 (1,550.33 shares)</p> <p>Catherine Laurie - \$63,177.28 (1,550.33 shares)</p> <p>David Blesh - \$63,177.28 (1,550.33 shares)</p>	<p>2. The Amended Petition states that 1/3 of the estate was distributed to Catherine Laurie and that Catherine Laurie died after the decedent. The Petitioner states that an Affidavit Pursuant to Probate Code § 13100-13155 was signed by Catherine Laurie's heirs as the successors to her interest in the estate. The Court may require authority allowing such a distribution as part of the administration of this estate.</p> <p>3. The Amended Petition states that distribution has been made of <u>all</u> the assets of the estate to the three beneficiaries pursuant under IAEA; however, Probate Code § 10501 lists preliminary and final distributions as actions requiring court supervision. Probate Code § 11623 states the personal representative may <u>petition the court for authority to make preliminary distributions</u>. However the aggregate of all property distributed shall not exceed 50% of the net value of the estate. <u>In this case the Petitioner distributed all of the assets of the estate and did not petition the court for authority to make preliminary distributions.</u></p> <p style="text-align: center;">Please see additional page</p>	
	Aff. Posting			Reviewed by: JF	
	Status Rpt			Reviewed on: 07/19/12	
	UCCJEA			Updates:	
	Citation			Recommendation:	
<input checked="" type="checkbox"/>	FTB Notice			File 4 - Blesh	

NEEDS/PROBLEMS/COMMENTS (continued):

4. The cost reimbursement request includes \$34.99 for copy and courier costs. Pursuant to Local Rule 7.17 B, these costs are considered by the Court to be part of the cost of doing business and are not reimbursable costs or fees.
5. The Amended Petition states that notice was mailed to the Franchise Tax Board (FTB) as required by Probate Code 9202(c)(1) and attaches a letter dated 05/23/12 on the attorney's letterhead notifying the FTB of the administration of the estate. However, no proof of service is provided verifying that the letter was served on the FTB and when the notice was mailed. Need proof of service of Notice to the FTB. Further, the court may wish to continue the matter for a period of 90 days to allow the FTB an opportunity to file a claim.
6. Need Notice of Hearing.
7. Need proof of service of the Notice of Hearing on all interested parties.

Atty Poochigian, Mark S., of Baker Manock & Jensen (for Petitioner J. R. Vera)

Petition for Letters of Special Administration

DOD: 3/4/2010		<p>J. R. VERA, brother and Successor Co-Trustee of the P.R. VERA LIVING TRUST dated 2/6/1998, is Petitioner and requests appointment of HOOVER VERA, Successor Co-Trustee, as Special Administrator with <u>no IAEA</u> authority without bond. (Co-Trustees have waived bond.)</p> <p>Full IAEA – <i>Not applicable</i></p> <p>Decedent's Will dated 2/6/1998 was admitted to probate by <i>Minute Order</i> on 6/8/2011.</p> <p>Residence – Fresno Publication – <i>Not applicable</i></p> <p>Estimated value of the Estate: <table> <tr> <td>Personal property</td> <td>-</td> <td>\$597,000.00</td> </tr> <tr> <td>Total</td> <td>-</td> <td>\$597,000.00</td> </tr> </table> </p> <p>Probate Referee: Steven Diebert (<i>if needed</i>)</p>	Personal property	-	\$597,000.00	Total	-	\$597,000.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Notes:</p> <ul style="list-style-type: none"> Proposed order and letters do not include an expiration date for the appointment of special administrator; an expiration date of 2 months from the date of appointment is suggested for completion of the limited purpose of this special administration (distribution of assets); therefore, an expiration date of Friday, September 28, 2012 has been inserted at Item 3(d)(4) of the proposed order and Item 2(b)(3) of the <i>Letters of Special Administration</i>. If <i>Petition</i> is granted, Court will set a status hearing as follows: Friday, September 28, 2012 at 9:00 a.m. in Dept. 303 for (1) filing of receipt of distribution from Co-Trustees (P.R. VERA LIVING TRUST is sole beneficiary of the estate); and (2) submission of the Ex Parte Petition for Final Discharge and Order. <p>Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the date listed, the hearings will be taken off calendar and no appearance will be required.</p>
Personal property	-		\$597,000.00						
Total	-		\$597,000.00						
Cont. from									
Aff.Sub.W									
✓ Verified									
Inventory									
PTC									
Not.Cred									
✓ Notice of Hrg									
✓ Aff.Mail	W/ O								
Aff.Pub.	N/A								
Sp.Ntc.									
Pers.Serv.									
Conf. Screen									
Aff. Post									
Duties/S									
Objection									
Video Receipt									
CI Report									
9202									
✓ Order									
Letters									
Status Rpt									
UCCJEA									
Citation									
FTB Notice									
		<p>Reviewed by: LEG</p> <p>Reviewed on: 7/19/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 - Vera</p>							

Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C. 1820, 1821, 2680-2682)

Age: 62 years		<p><u>Temporary (estate only) Expires 7/25/12</u></p> <p>PUBLIC GUARDIAN is petitioner and requests appointment as Conservator of the Estate.</p> <p>Estimated value of the Estate: Personal property - \$157,000.00</p> <p>Petitioner states the conservatee is an attorney but is no longer eligible to practice. He has a history of injuries (including injuries to his head) as a result of auto and bicycle accidents. In addition, he has a history of alcohol abuse. As a result of the accidents, Mr. Lee has extensive memory loss. Mr. Lee inherited approximately \$200,000 from his mother's estate. In the past three months he has gone to the bank with "friends" and has withdrawn approximately \$43,000. There is no indication where this money is spent.</p> <p>Court Investigator Charlotte Bien's Report filed on 5/8/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Advised Rights on 5/3/12.</p> <p>Minute Order dated 7/20/12 states per request of County Counsel the Court dismisses Conservatorship of the person only. Mr. Lee opposes conservatorship. Parties are to file a declaration on status of the person and estate including the nearest AA meetings to Mr. Lee's residence. Phone plan to be worked out between Mr. Lee and Public Guardian. Later and off the record the Court extends the temporary Letters to 7/25/12.</p> <p>Note: If a conservatorship of the estate only is established will need a new order.</p>
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	W/		
Aff.Pub.			
Sp.Ntc.			
✓ Pers.Serv.			
Conf. Screen			
✓ Letters			
Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
✓ Citation			
FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 7/19/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6A - Lee</p>	

Probate Status Hearing Re: Status on Estate and Report of Budget

Age: 62 years	Temporary (estate only) Expires 7/25/12	NEEDS/PROBLEMS/COMMENTS: 1. Need declarations as to the status of the person and estate.
	PUBLIC GUARDIAN was appointed temporary conservator of the person and estate on 4/27/12.	
Cont. from		
Aff.Sub.Wit.	At the hearing on the temporary appointment the court extended the Public Guardian's temporary appointment to 5/30/12 [the hearing on the general appointment].	
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	At the hearing on the general appointment [5/30/12] the court continued the matter to 6/20/12 at 11:30 a.m. and also set a status conference.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	At the status conference on 6/20/12 per request of County Counsel the Court dismissed the Conservatorship of the person only. Mr. Lee opposed the conservatorship. Parties were ordered to file a declaration on status of the person and estate including the nearest AA meetings to Mr. Lee's residence. Phone plan was to be worked out between Mr. Lee and Public Guardian. Later and off the record the Court extended the temporary Letters to 7/25/12.	
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 7/19/12
		Updates:
		Recommendation:
		File 6 - Lee

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

DOD: 04/06/2012	REBECCA R. FINDERUP , daughter / named executor without bond, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 01/04/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 09/27/2013 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Cont. from	Full IAEA – o.k.	
<input checked="" type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Will dated: 09/09/06	
Inventory		
PTC		
Not.Cred.	Residence: Fresno Publication: The Business Journal	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	W	
<input checked="" type="checkbox"/> Aff.Pub.	Estimated value of the estate: Personal property - \$250,000.00 Total: - \$250,000.00	
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Probate Referee: Rick Smith	
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
Reviewed by: KT / LV		
Reviewed on: 07/20/2012		
Updates: 07/24/2012		
Recommendation: Submitted		
File 8 - Bodmer		

9 **Alexandro Leandro Lomeli Gutierrez (GUARD/P)** Case No. 09CEPR00971
 Atty **Torrez, Santos Valencia** (pro per Guardian/maternal uncle)
 Atty **Flores, Maria Lidia V.** (pro per Guardian/maternal aunt)
 Atty **Gutierrez, Fany Valencia** (pro per Petitioner/mother)

Petition for Termination of Guardianship

Age: 10 years	FANY VALENCIA GUTIERREZ , mother, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: a. Martin Lomeli Soto (father) b. Susana Valencia (maternal grandmother)
Cont. from	SANTOS VALENCIA TORREZ and MARIA LIDIA FLORES , maternal uncle and aunt, were appointed guardians on 3/3/2010. – both guardians consent and waive notice.	
<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	Father: MARTIN LOMELI SOTO Paternal grandfather: unknown Paternal grandmother: unknown Maternal grandfather: Leandro Gutierrez Maternal grandmother: Susana Valencia	
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	Petitioner states the guardians no longer want to be responsible for Alexandro.	
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt	Court Investigator Jennifer Daniel's Report filed on 7/16/12.	
<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: 7/19/12
		Updates:
		Recommendation:
		File 9 – Aleman, Lomeli, Ponce & Almarez

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

DOD: 12/25/2011		HERBERT J. HERNANDEZ , son, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Need Amended Petition based on, but not limited, to the following</p> <ol style="list-style-type: none"> 1. Fee waiver was filed with this matter. Filing fees are considered by the court to be costs of Administration and must be paid prior to the court signing an order for distribution. Therefore a filing fee of \$395.00 is now due. 2. Pursuant to the petition the decedent was also survived by another son, Richard Hernandez. Pursuant to Probate Code 13152 all who succeed to the property must petition. 3. #5 of the petition was not answered regarding whether decedent died intestate or testate. 4. #9a(1) of the petition is incomplete as to whether the decedent was divorced / never married or spouse is deceased. 5. #9a(3) of the petition is incomplete as to issue of a predeceased child. 6. Need Notice of Hearing. 7. Need proof of service on Petition to Determine Succession to Real Property. 8. Need Inventory & Appraisal completed by the probate referee. 9. The legal description of the real property provided on the Order Determining Succession to Real Property is not consistent with what is on the Petition.
		40 days since DOD	
		No other proceedings	
Cont. from		I & A - ?	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory	X	
	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: KT / LV /KT
			Reviewed on: 07/23/2012
			Updates:
			Recommendation:
			File 10 - Hernandez

Atty Torres, Javier Gomez (pro per Petitioner/paternal grandfather)

Atty Torres, Rosalba C (pro per Petitioner/paternal grandmother)

Petition for Appointment of Temporary Guardianship of the Person

Age: 2 years	<p>Temporary Granted Ex Parte By Judge W. Kent Hamlin. TEMPORARY EXPIRES 7/25/12</p> <p>GENERAL HEARING 9/11/12</p> <p>JAVIER GOMEZ TORRES, paternal grandfather and ROSALBA C. TORRES, paternal grandmother, are petitioners.</p> <p>Father: JAVIER TORRES, Jr.</p> <p>Mother: MARISOL GUILLEN GARIBAY</p> <p>Maternal grandfather: Unknown Maternal grandmother: Selma Molina</p> <p>Petitioners state the mother was living with them when the minor was born. Father was, and continues to be incarcerated. In September 2011 mom moved out of the home and left the minor in the care of the petitioners. Mom visited the minor every Tuesday and Wednesday. The mother began dating Ricardo Ramos who is facing criminal charges of child rape along with 10 other charges. The mother continues to stay with Ricardo and stated she is going to marry him. On July 6, 2012 mom showed up to pick the minor up for a visit and never returned with the minor. Mom is refusing to bring the minor back and has her with Ricardo. Petitioners feel the mother is putting the minor in harm's way. Petitioners are requesting a temporary guardianship to protect the minor.</p> <p>Please see additional page</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service, 5 court days prior to the hearing, of the Notice of Hearing along with a copy of the temporary petition or Consent and Waiver of Notice or Declaration of Due Diligence for: <ol style="list-style-type: none"> a. Javier Torres, Jr. (father) b. Marisol Garibay (mother) 	
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.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input checked="" type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 7/19/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 - Torres</p>	

Objections of Marisol Garibay, mother, filed on 7/19/12 states she has had the minor in her physical custody since birth. The father of her daughter is currently incarcerated at Corcoran State Prison for violation of a gang enhancement, attempted murder, and crimes against another person. He is currently serving a 10 year term. Objector states she was 6 months pregnant when the father became incarcerated. During this time Objector states she lived with her mother and often stayed with Ms. Torres [Petitioner]. When the minor was born she continued to go back and forth between her mother's home and Ms. Torres' home, but her primary home was with her mother. In June 2010 she occupied her own apartment and has been there for the past 2 ½ years. Objector states she has allowed her daughter to visit her grandparents [petitioners] and given permission for her to visit her incarcerated father. Visiting with the father has always been an issue. Objector does not feel that her daughter should visit a prison setting every weekend. The father is placed in "Administrative Segregation" due to his manipulation and the influence he has on the general population of inmates. The father is very influential and is a validated gang member. Objector feels his heavy involvement in the gang will lead to retaliation against his immediate family putting the minor in danger. Objector is also concerned because the grandfather, Javier Torres abuses alcohol and cocaine. The address Petitioners gave is a known place where rooster fights and gambling are performed and for illegal drug activity. Objector states she has personally witnessed numerous violent altercations at this home due to alcohol abuse. The grandmother [petitioner] has been very helpful however she smokes and exposes the minor to second hand smoke. She also has a problem with gambling and Objector fears for the safety of the minor should she decide to go to the casino and leave the minor with the drunk grandfather. Objector states the minor is her number one priority and the allegations of her residing with her ex-boyfriend are untrue. Objector states she has never taken her daughter around Ricardo (ex-boyfriend) due to the nature of his case. Objector states she is very protective of her daughter. She has never given up her rights other than for medical consent for insurance, because it was in the best interest of the minor in case of an emergency during visitations. Objector believes that the minor should be in her care. Objector states she is a good person and she has a clear criminal record, she does not abuse drugs and she is in perfect health and able to care for her child.

Pro Per Clay, Sonia (Pro Per Petitioner, maternal grandmother)

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

Age: 1 ½ years		<u>General Hearing set for 9/10/2012</u>		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need <i>Notice of Hearing</i>.</p> <p>2. Need proof of five (5) court days' notice by personal service of the <i>Notice of Hearing</i> and a copy of the <i>Petition for Appointment of Temporary Guardian</i>; or <i>Consent to Appointment of Guardian and Waiver of Notice</i>; or a <i>Declaration of Due Diligence</i>, for:</p> <ul style="list-style-type: none"> Teonna Johnson, mother; Lorenzo Johnson, Sr., father. <p>Note: <i>Child Information Attachment</i> does not list the paternal grandparents and maternal grandfather, all of whom will need to be served with notice of hearing prior to the general hearing on 9/10/2012.</p>
		<p>SONIA CLAY, maternal grandmother, is Petitioner.</p>		
Cont. from		<p>Father: LORENZO LAMAR, SR.</p>		
	Aff.Sub.Wit.	<p>Mother: TEONNA JOHNSON</p>		
✓	Verified	<p>Paternal grandfather: <i>Not listed</i></p>		
	Inventory	<p>Paternal grandmother: <i>Not listed</i></p>		
	PTC	<p>Maternal grandfather: <i>Not listed</i></p>		
	Not.Cred.	<p>Petitioner states the mother is incarcerated and the father has never been in the child's life since the child was born. Petitioner states she will provide the child with housing, food, clothing, medical care, love and support.</p>		
	Notice of Hrg	X	<p>Petitioner attached to the <i>Petition</i> a letter written by the child's mother stating she gives the Petitioner temporary custody of her son because as of 7/9/2012, she will have to turn herself into the Fresno County Jail for a minimum of 6 months, and she is not sure if she will be getting her son back after she is released because she has to get herself stable and wants to keep her son in a good and safe environment.</p>	
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	X		
✓	Conf. Screen			
	Aff. Posting			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
✓	Letters			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
<p>Reviewed by: LEG</p>				
<p>Reviewed on: 7/19/12</p>				
<p>Updates:</p>				
<p>Recommendation:</p>				
<p>File 12 - Lamar</p>				

Pro Per Duchan, Winifred C. (Pro Per Petitioner, maternal grandmother)

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

Paul Age: 14 yrs	<p>TEMPORARY GRANTED EX PARTE EXPIRES 7/25/2012</p> <p>General Hearing set for 9/11/2012</p> <p>WINIFRED C. DUCHAN, maternal grandmother, is Petitioner.</p> <p>Father: WILLIAM P. REYES</p> <p>Mother: CHRISTINE A. REYES; <i>consents and waives notice.</i></p> <p>Paternal grandfather: <i>Deceased</i> Paternal grandmother: Rosa P. Reyes</p> <p>Maternal grandfather: Joseph L. Duchan; <i>Declaration of Due Diligence filed 7/13/2012.</i></p> <p>Petitioner states the children have always lived in her home, and the mother recently left for six days with no contact at all to stay at a drug house. Petitioner states the mother is now out of her house and Petitioner has stopped her from taking the children to drug houses, and the mother signed over her rights to the children to Petitioner knowing it is in the children's best interest. Petitioner states the father, who is now married, has been a Bulldog gang member for many years, and has had very little contact with the children for the last 7 years, having had only 4 visits with them since December 2011, and he does not support them or take any interest in them. Petitioner states she has been the one providing care for the children during their lives and she feels she is the best person to take proper care of them.</p> <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Petitioner attached to the UCCJEA filed on 7/13/2012 a copy of the Order RE: Child Custody and Visitation filed 9/22/2006 in Case #06CEFL00836, ordering the mother sole legal and physical custody and the father supervised visits.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing and proof of five (5) court days' notice by personal service of the Notice of Hearing and a copy of the Petition for Appointment of Temporary Guardian, or Consent to Appointment of Guardian and Waiver of Notice, for: <ul style="list-style-type: none"> • William P. Reyes, father. (Note: Father filed objections on 7/18/2012.) 2. Item 3 of Confidential Guardian Screening form filed on 7/13/2012 is incomplete re: felony or misdemeanor. 	
Consuelo Age: 9 yrs			
Saul Age: 6 yrs			
Cont. from			
Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			X
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			X
<input checked="" type="checkbox"/> Conf. Screen			
Aff. Posting			
<input checked="" type="checkbox"/> Duties/S			
<input checked="" type="checkbox"/> Objections			
Video Receipt			
CI Report			
9202			
Order	X		
Letters	X		
Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
Citation			
FTB Notice			
<p>Reviewed by: LEG</p> <p>Reviewed on: 7/19/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13 - Reyes</p>			

Objection to Guardianship by William P. Reyes, father, filed on 7/18/2012 states:

- He feels the [maternal] grandmother will take his kids out of town and he will never see them again;
- The [maternal] grandmother is disabled;
- He would like to have custody of his children since the mother does not want them and he does.

Petition for Appointment of Temporary Conservatorship of the Estate

Age: 76 years	Temporary Conservatorship of the Estate was granted ExParte on 7/19/12.	NEEDS/PROBLEMS/COMMENTS: 1. Petitioners request appointment without bond. Probate Code §2320(a) states except as otherwise provided by statute, every person appointed as conservator shall, before letters are issued, give a bond approved by the court. Probate Code §2321 states notwithstanding any other provision of law, the court in a conservatorship proceeding may not waive the requirement of a bond or reduce the amount of bond required without a good cause determination by the court which shall include a determination by the court that the conservatee will not suffer harm as a result of the waiver or reduction of the bond. Court may require authority to waive bond. If bond is required it should be set at \$36,102.00.									
	<u>TEMPORARY EXPIRES 7/25/12</u>										
	<u>GENERAL HEARING 8/22/12</u>										
Cont. from	<p>VICTORIA L. REYES and STEPHANIE E. CALLAHAN, daughters, are petitioners and requests appointment as conservator of the estate without bond.</p> <p>Petitioners were previously appointed conservators of the person only on 4/26/11.</p> <p>Estimated value of the estate:</p> <table style="width: 100%; border: none;"> <tr> <td>Personal property</td> <td style="text-align: right;">-</td> <td style="text-align: right;">\$ 2,000.00</td> </tr> <tr> <td>Annual income</td> <td style="text-align: right;">-</td> <td style="text-align: right;">\$30,820.00</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">-</td> <td style="text-align: right;">\$32,820.00</td> </tr> </table> <p>Petitioners state prior to filing for conservatorship of the estate, Petitioners had been managing their mother's financial affairs under a power of attorney on file with Bank of America. However, in June 2012, Petitioners were informed by the bank that the bank had undergone a "system change" and the power of attorney under which they had been acting could not be located and Petitioners would no longer be able to access the account. Petitioners are seeking a temporary conservatorship of the estate so that their mother's needs and care can continue with minimum interruption.</p> <p>Court Investigator Jennifer Daniel's Report filed on 7/20/12</p>		Personal property	-	\$ 2,000.00	Annual income	-	\$30,820.00	Total	-	\$32,820.00
Personal property			-	\$ 2,000.00							
Annual income			-	\$30,820.00							
Total			-	\$32,820.00							
<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 checked="" 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: KT
Reviewed on: 7/20/12
Updates: 7/24/12
Recommendation:
File 14 - Quintana

**Petition for Letters of Administration; Authorization to Administer Under IAEA
(Prob. C. 8002, 10450)**

DOD: 10/01/2009	VALERIE E. SILVA , daughter is petitioner and requests appointment as Administrator without bond.	NEEDS/PROBLEMS/COMMENTS: <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 01/04/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 09/27/2013 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
	All heirs waive bond.	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Full IAEA- o.k.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Decedent died intestate	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Residence: Fresno Publication: The Business Journal	
<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		
<input checked="" type="checkbox"/> Duties/Supp	Probate Referee- Steven Diebert	
<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: KT / LV
		Reviewed on: 07/20/2012
		Updates:
		Recommendation: Submitted
		File 7 - Silva

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

DOD: 04/06/2012	REBECCA R. FINDERUP , daughter / named executor without bond, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need name and date of death of decedent's spouse per Local Rule 7.1.1D. 2. #5a(3) or #5a(4) of the Petition regarding registered domestic partner was not answered. 3. Copy of the will was not attached to the Proof of Subscribing Witness as required. <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 01/04/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Friday, 09/27/2013 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Cont. from	Full IAEA – o.k.	
<input checked="" type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Will dated: 09/09/06	
Inventory		
PTC		
Not.Cred.	Residence: Fresno Publication: The Business Journal	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	Estimated value of the estate: Personal property - \$250,000.00 Total: - \$250,000.00	
<input checked="" type="checkbox"/> Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	Probate Referee: Rick Smith	
Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT / LV
		Reviewed on: 07/20/2012
		Updates:
		Recommendation:
		File 8 - Bodmer