

Sixth Account and Report of Trustee, Petition for Approval of Trustee: Petition for Approval of Trustee Fees; and for Allowance of Attorney Fees and Costs

Age: 67	INLAND COUNTIES REGIONAL CENTER, INC.,	NEEDS/PROBLEMS/COMMENTS:
	Trustee, is Petitioner.	
	Account period: 3-1-13 through 2-28-14	<u>CONTINUED FROM 06/30/14</u>
Cont. from: 063014	Accounting: \$187,603.43	As of 07/25/14, nothing further has been filed.
	Beginning POH: \$179,374.95	
	Ending POH: \$180,618.53 (cash)	
<input type="checkbox"/> Aff.Sub.Wit.	Trustee: \$1,358.64 (0.75% paid during account period, per order 8-21-13)	
<input checked="" type="checkbox"/> Verified	Attorney Steven K. Beckett: \$1,870.00 (for 13.35 total attorney and paralegal hours, which includes <i>estimated</i> time for preparation of the notice of hearing and appearance at the hearing)	1. Petitioner requests costs including \$19.95 for postage, which is considered by the Court to be a cost of doing business and not reimbursable pursuant to Local Rule 7.17. This amount will be deducted from the total costs.
<input type="checkbox"/> Inventory	Costs: \$305.95 (for filing fee, courtcall, postage)	
<input type="checkbox"/> PTC	Petitioner states the Court has denied Petitioner the authority to allow Master Trust of California to increase its trustee fees pursuant to the new fee schedule dated 2-14-12. However, on another special needs trust, 04CEPR00105, the Court, in its order dated 8-22-13, did authorize Petitioner to increase its trustee fees to 1% of the funds held in the trust. Honorable Judge Oliver advised Petitioner's attorney to remind him that he had agreed to the increase when this case came up for hearing so that he could approve the increase on this case as well. Therefore, Petitioner requests that it be authorized to take future trustee fees in the amount of 1% of the funds held in the trust to be taken in quarterly payments.	2. Attorney fee request indicates that Petitioner estimated one hour for a total of \$100.00 to prepare the Notice of Hearing form, which as noted above indicated an incorrect date. The Court may require clarification regarding the amount of time spent preparing this simple form.
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<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		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order	Petitioner prays for an order:	Note: The Court will set a status hearing for the filing of the next account as follows:
	1. Settling, allowing and approving the account and report;	<ul style="list-style-type: none"> • <u>Monday, 6-22-15 if a one-year account is required, OR</u> • <u>Monday, 6-20-16 if a two-year account is required</u>
	2. Ratifying, confirming and approving all acts and transactions of trustee as set forth in this account;	If the account has been filed, the above status hearing may be taken off calendar.
	3. Authorizing payment of the attorney's fees and costs;	
<input type="checkbox"/> Aff. Posting	4. Approving payment of trustees fees during this account;	Reviewed by: skc
<input type="checkbox"/> Status Rpt	5. Authorizing Petitioner to take future trustee fees in the amount of 1% of the funds held in the trust to be taken in quarterly payments; and	Reviewed on: 6-25-14
<input type="checkbox"/> UCCJEA	6. Other relief that the Court considers proper.	Updates: 07/25/14 (JF)
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 1 - Appleton

Atty Boyajian, Thomas M., sole practitioner (for Petitioner Richard M. Hernandez)

Atty Bagdasarian, Gary G., sole practitioner (for Petitioner Herbert J. Hernandez)

(1) First and Final Account and Report of Status of Administration of Co-Administrators and Petition for Settlement Thereof; (2) for Allowance of Statutory Attorneys' Fees and Administrator Compensation; (3) for Extraordinary Attorneys' Fees; (4) for Costs Reimbursement and (5) for Final Distribution

DOD: 12/25/2011		HERBERT J. HERNANDEZ and RICHARD M. HERNANDEZ, Co-Administrators, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		Account period: 12/25/2011 – 5/12/2014	
	Aff.Sub.Wit.	Accounting - \$114,064.85	
		Beginning POH - \$113,384.00	
		Ending POH - \$114,064.85	
		(\$50,680.85 cash)	
✓	Verified		
✓	Inventory	Co-Administrators - \$4,421.95	
✓	PTC	(statutory; payable \$2,210.97 to Herbert and \$2,210.97 to Richard;)	
✓	Not.Cred.		
✓	Notice of Hrg	Attorney - \$4,421.95	
✓	Aff.Mail	(statutory; payable \$2,210.97 to Bagdasarian and \$2,210.97 to Boyajian;)	
	Aff.Pub.	Co-Admin. Expenses - \$17,940.46	
		(reimbursement to Herbert of \$16,651.28 per Exhibit C itemization; to Richard of \$1,289.18 per Exhibit D itemization;)	
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen	Costs - \$1,197.00	
		(reimbursement to Boyajian of \$762.00 for filing fee, publication; reimbursement to Bagdasarian of \$435.00 for filing fee;)	
	Letters 110812		
	Duties/Supp		
	Objections	Attorney XO - \$3,915.00	
	Video Receipt	(per Declaration of Attorney Bagdasarian, for 15.40 hours at rates of \$250.00/hour and \$275.00/hour, for representation of Herbert for disagreement between Co-administrators; settlement;)	
	CI Report		
✓	9202		
✓	Order	Attorney XO - \$3,900.00	
	Aff. Posting Status Rpt	(per Declaration of Attorney Boyajian, for 39.9 hours at rate of \$250.00/hour, for representation of Richard for disagreement between Co-administrators; settlement; discount of \$6,075.00 deducted from \$9,975.00 total;)	
	UCCJEA		
	Citation		
✓	FTB Notice	Closing - \$1,828.51	
		~Please see additional page~	
			1. Need revised proposed order containing the correct amount which HERBERT J. HERNANDEZ is to reimburse to the Estate. The correct amount cannot be discerned from the proposed distribution in Paragraph 22, Page 8, and the amount stated in the proposed order is an incorrect figure stated as "\$5,5127.00."
			Reviewed by: LEG
			Reviewed on: 7/23/14
			Updates:
			Recommendation:
			File 2 - Hernandez

Distribution pursuant to intestate succession and agreement between the Co-Administrators is to:

- **RICHARD M. HERNANDEZ** – 5/6th interest in real property on Illinois, 1988 pickup, specified items of personal property (accounts for reimbursement to Estate of **\$6,525.00** for occupancy of real property on Illinois Ave. at rent of **\$225.00** per month for 29 months from 12/25/2011 to 5/25/2014; [plus **\$518.00** difference, source of which amount is unclear] for total reimbursement of **\$7,043.00**;))
- **HERBERT J. HERNANDEZ** – 2008 vehicle, manufactured home, specified items of personal property (accounts for reimbursement by Herbert Hernandez to the Estate the sum of **?**;))
- **CHRISTOPHER FREDERICKSON** – **\$5,929.00 cash** (accounts for deduction of remaining balance of **\$1,147.00** owed to Decedent for a loan made to him;))
- **ZACHARY HERNANDEZ** – **\$6,356.00 cash** (accounts for deduction of **\$720.00** preliminary distribution;))
- **DANIELLE HERNANDEZ** – **\$6,996.00 cash** (accounts for deduction of **\$80.00** preliminary distribution;))
- **SHAWNA ROBLES** – **\$7,076.00 cash.**

Petition for Authorization to Administer Under IAEA with Limited Authority (Prob. C. 8002, 10450).

DOD: 08/30/12	YVETTE BEST , daughter, is Petitioner and requests appointment as Administrator with limited IAEA and without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 06/09/14 Minute Order from 06/09/14 states: Yvette Best is not present. The Court finds there are various issues with this petition and there is no vacancy. Petition denied. Later and off the record, the Court vacates its prior order denying the petition. The Court notes that there was a miscommunication in that Ms. Best's request for a continuance was not conveyed to the Court.</p> <p>1. Katrina Best Kendall was appointed as Administrator of the estate on 11/26/12. Therefore, there is no vacancy.</p>
	Limited IAEA – Need Publication	
Cont. from 060914	Decedent died intestate	
Aff.Sub.Wit.	Residence: Sanger, CA	
Verified	Publication: NEED PUBLICATION	
Inventory		
PTC		
Not.Cred.	Estimated Value of the Estate:	
Notice of Hrg	Personal property - \$400,000.00	
Aff.Mail	Probate Referee: RICK SMITH	
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: JF
		Reviewed on: 07/23/14
		Updates:
		Recommendation:
		File 3A - Best

DOD: 08/30/12	YVETTE BEST , daughter, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 06/09/14 Minute Order from 06/09/14 states: Yvette Best is not present. The Court finds there are various issues with this petition and there is no vacancy. Petition denied. Later and off the record, the Court vacates its prior order denying the petition. The Court notes that there was a miscommunication in that Ms. Best's request for a continuance was not conveyed to the Court.</p> <ol style="list-style-type: none"> The Petition is not verified. Need <i>Notice of Hearing</i>. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> for: <ol style="list-style-type: none"> Katrina Best Kendall (daughter/administrator) Kaitlyn Best (granddaughter) Conrad Best (grandson) Gannon Best (grandson) Need Order.
	Petitioner states she was not informed of the circumstances around her father's death and did not receive notices in the mail. Petitioner states that she saw her mail at her sister's home when she came for a visit and doesn't know why it was not sent to her.	
	Petitioner requests that she be added on as a co-administrator of the estate along with her sister Katrina Best Kendall.	
Cont. from: 060914		
Aff.Sub.Wit.		
Verified	x	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	x	
Aff.Mail	x	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order	x	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 07/23/14
		Updates:
		Recommendation:
		File 3B - Best

(1) First and Final Account and Report of Administrator and (2) Petition for Allowance of Statutory Commissions and Attorneys' Fees; and (3) for Final Distribution

DOD: 08/30/12	KATRINA BEST KENDALL , Administrator, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 07/09/14 Minute Order from 07/09/14 states: The Court notes that Yvette Best is present in court. The Court directs counsel to provide Ms. Best a copy of any documents she is missing. In addition, counsel is directed to ensure that there are no other assets. Counsel to submit a declaration.</p> <p>As of 07/23/14, nothing further has been filed.</p> <ol style="list-style-type: none"> Schedule D (Disbursements) lists 4 disbursements to McCormick Barstow, LLP totaling \$2,132.35. There is no explanation for these fees paid and no request for extraordinary attorney's fees has been made. The Court may require more information concerning these fees. Need Order. Note: the Order must state the dollar amount to be distributed to each heir (Local Rule 7.6.1)
	Account period: 12/12/12 – 04/10/12	
Cont. from 070914	Accounting - \$78,258.22	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH - \$61,251.00	
<input checked="" type="checkbox"/> Verified	Ending POH - \$25,328.18	
<input type="checkbox"/> Inventory	(all cash)	
<input type="checkbox"/> PTC	Administrator - \$3,130.33	
<input type="checkbox"/> Not.Cred.	(statutory)	
<input checked="" type="checkbox"/> Notice of Hrg	Attorney - \$3,130.33	
<input checked="" type="checkbox"/> Aff.Mail w/	(statutory)	
<input type="checkbox"/> Aff.Pub.	Reserve - \$3,000.00	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	Distribution, pursuant to intestate succession, is to:	
<input type="checkbox"/> Letters 12/06/12	Katrina Best Kendall - 1/3	
<input type="checkbox"/> Duties/Supp	Yvette Best - 1/3	
<input type="checkbox"/> Objections	Kaitlyn M. Best - 1/6	
<input type="checkbox"/> Video Receipt	Conrad J. Best - 1/6	
<input type="checkbox"/> CI Report	Gannon A. Best - 1/6	
<input checked="" type="checkbox"/> 9202	Declaration of Yvette Best filed 07/08/14 states: that she was not receiving her mail (her sister was collecting it without her knowledge) and she did not have adequate notice so that she could be a co-administrator along with her sister. Ms. Best indicates that she believes there were more assets than what is accounted for and that Petitioner may have converted some of the assets for her own gain rather than dividing everything equally.	
<input type="checkbox"/> Order x		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		
	Reviewed by: JF	
	Reviewed on: 07/23/14	
	Updates:	
	Recommendation:	
	File 3C – Best	

(1) First and Final Report of Administrator on Waiver of Account and Petition for its Settlement; (2) for Allowance of Statutory and Extraordinary Fees to Attorney for Services; and (3) for Order for Final Distribution Pursuant to Probate Code 3600 et seq.

DOD: 3/31/10	JOSEPH WILLIAM MARTIN , Administrator, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued to 8/25/14 at the request of the attorney.</p> <ol style="list-style-type: none"> This case was open using a fee waiver. Filing fees are considered by the court to be a cost of administration therefore filing fees totaling \$1,305.00 will need to be paid prior to the court approving distribution. (Filing fees include \$435.00 for the Petition for Probate filed on 1/18/13; \$435.00 for the Petition to Determine Title filed on 11/4/13; and \$435.00 for this Petition filed on 6/19/14.) Petition does not indicate that notice of the decedent's death was sent to the Director of Health Care Services as required by Probate Code §9202 which states that within 90 days after the date letters are first issued the personal representative shall give notice to the Director of Health Care Services of the decedent's death. The director then has 4 months in which to file a claim. Notice of this hearing was given to the Director of Health Care Services however it does not comply with the requirements of §9202. <p style="text-align: center;">Please see additional page</p>
	Accounting is waived.	
Cont. from	I & A - \$125,873.74	
<input type="checkbox"/> Aff.Sub.Wit.	POH - \$127,424.94	
<input checked="" type="checkbox"/> Verified	Administrator - waives	
<input checked="" type="checkbox"/> Inventory	Attorney (statutory) - \$4,776.22	
<input checked="" type="checkbox"/> PTC	Attorney x/o - \$9,100.00 (40.75 hours @ \$100 – 250/hr for services in connection with the civil litigation and creation of the special needs trust)	
<input checked="" type="checkbox"/> Not.Cred.	Costs - \$1,304.32 (probate Referee, publication, certified copies)	
<input checked="" type="checkbox"/> Notice of Hrg W/	Petitioner states he established the JOSEPH W. MARTIN IRREVOCABLE SPECIAL NEEDS TRUST , ("SNT") dated 1/16/14, Donald Fischer, trustee. The SNT currently contains proceeds from the settlement of the civil litigation by order of the Honorable Kristi Culver-Kapetan in the matter entitled <i>Joseph W. Martin v. Mary Quin, et. al</i> , case no. 12CECG03130 filed on 4/2/14. Petitioner requests the court take judicial notice of the order.	
<input checked="" type="checkbox"/> Aff.Mail	Please see additional page	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
<input checked="" type="checkbox"/> Letters 4/2/13		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
<input checked="" type="checkbox"/> FTB Notice		

Reviewed by: KT
Reviewed on: 7/24/14
Updates:
Recommendation:
File 4 - Martin

Petitioner request the assets of the estate be distributed to Donald E. Fischer, Trustee of the Joseph W. Martin Irrevocable Special Needs Trust dated 1/16/14.

NEEDS/PROBLEMS/COMMENTS (cont.):

3. It appears that the Joseph W. Martin Special Needs Trust established on 1/16/14 is not a valid trust. The requirements for creation of a special needs trust are that the beneficiary must be under the age of 65 at the time of the trust's creation. Mr. Martin is 86. (Title 42 United States Code section 1396p(d)(4)(A)). In addition, the special needs trust would have required prior court approval and continued court oversight.
- 4.
5. Petition requests the court take judicial notice of the order of the Honorable Kristi Culver-Kapetan in the civil case however there is no order attached to the pleadings. The settlement agreement is attached but it is not signed by Judge Culver-Kapetan.
6. Extra ordinary fee requests appear to include attorney services that benefited the administrator, Joseph Martin, personally and not the estate. For instance, Mr. McCloskey states he assisted Mr. Martin in a civil case for financial elder abuse against his daughter, Mary J. Quin entitled *Joseph W. Martin v Mary J. Quin*, case no. 12CECG03130. The action sought to recover assets Mr. Martin alleged were fraudulently taken by his daughter, Mary J. Quin. Mr. Martin was represented by Attorney Babette Fischer in the civil matter and not Mr. McCloskey. Mr. McCloskey also states he assisted in the creation of the Special Needs Trust for Mr. Martin. The special needs trust would be solely for the benefit of Mr. Martin and not for the benefit of the estate. In addition, there are questions regarding the validity of the Special Needs Trust. It appears any attorney fees incurred by the civil case or for Mr. Martin personally should be recovered from Mr. Martin personally outside of the estate. California Rules of Court, Rule 7.702(3) requires the declarant to show the benefit of the services to the estate.

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

DOD: 05/21/14		<p>JAMES C. SCHAEFFER, son/named alternate Executor without bond, is Petitioner.</p> <p>Full IAEA – NEED</p> <p>Will dated 04/16/92</p> <p>Residence: Fresno Publication: NEED</p> <p>Estimated Value of the Estate: Personal property - \$ 2,000.00 Real property - 360,000.00 Total - \$362,000.00</p> <p>Probate Referee: STEVEN DIEBERT</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Proof of Publication.</p> <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Monday, 01/05/15 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Monday, 09/28/15 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required.</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit. s/p		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail w/		
<input type="checkbox"/>	Aff.Pub. x		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: JF</p> <p>Reviewed on: 07/23/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 - Schaeffer</p>	

Status Hearing

Age: 17	<p>PUBLIC GUARDIAN, was appointed Guardian of the Estate on 03/26/14. Letters of Guardianship were issued on 03/26/14.</p> <p>Minute Order from hearing on 03/26/14 set this matter for a status hearing on 07/28/14.</p> <p>Status Report Re: Guardianship filed 07/10/14 by the Public Guardian, states: The Public Guardian has received a one-time lump sum payment in the amount of \$20,242.05 from the Defense Finance and Accounting Service, covering the period from 04/15/13 – 03/31/14. In addition, the Public Guardian received a lump sum payment in the amount of \$5,763.80 from the Survivor's Benefits Plan (SBP). These are funds from her deceased father's SBP, which is an annuity. Her monthly reapportioned annuity amount is \$1,941.00 with \$175.77 set aside for federal taxes, thus netting \$1,765.23. The minor also receives a monthly amount of \$520.70 dependency indemnity compensation from the Veterans Administration, which stops on her 18th birthday. Further, it appears that the minor receives Social Security, which is currently being used to pay her Child Protective Service (CPS) care. The amount she receives is not known because it is paid directly to CPS. As of 06/27/14, the amount in the minor's Public Guardian trust account is \$29,672.21. The Public Guardian sends the minor \$300.00 per month for personal needs. In addition, Kassandra has been awarded the Fry Scholarship, which is part of the post 911 GI Bill given only to qualified children of servicepersons that died while on active duty. The amounts of the post 18th birthday remuneration are unclear and Deputy Harper has called, but has been informed that a signed release is needed from the minor before any info can be released. The guardianship will terminate by operation of law on the minor's 18th birthday on 10/16/14. Therefore, it is requested another status hearing not be set before December 16, 2014 to allow the Public Guardian time to prepare and file her final account for the guardianship.</p>	NEEDS/PROBLEMS/COMMENTS:	
		<p>1. Need Inventory & Appraisal.</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: JF	
		Reviewed on: 07/23/14	
		Updates:	
		Recommendation:	
		File 6 - Higgins	

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

Age: 81	<u>TEMPORARY EXPIRES 07/28/14</u>	NEEDS/PROBLEMS/COMMENTS:	
	<p>SHARON SHRIVES, non-relative (friend), is Petitioner and requests appointment as Conservator of the Person with medical consent and dementia powers to administer medications and for placement in a secured perimeter facility and for appointment as Conservator of the Estate with bond set at \$40,000.00.</p> <p>Estimated Value of the Estate: Personal property: \$ 16,000.00 Annual income: \$ 19,528.00 Recovery: \$ 3,553.00 Total bond required: \$ 39,081.00</p> <p>Declaration of Paul A. Griffin, M.D. supports request for dementia powers and medical consent powers.</p> <p>Petitioner states the proposed Conservatee is 81 years old and suffers from severe dementia as well as other medical issues. He needs constant 24 hour supervision and cannot be left alone. Further, he is unable to manage his financial resources or to resist fraud or undue influence. Petitioner states that she has been his care-giver for many years.</p> <p>Court Investigator Jennifer Young filed a report on 07/17/14.</p>	Court Investigator advised rights on 07/02/14.	
		1. Need CI Report from Tulare County.	
Cont. from			Note: If the petition is granted, status hearings will be set as follows:
<input type="checkbox"/> Aff.Sub.Wit.			• Monday, 08/25/15 at 9:00a.m. in Dept. 303 for filing of the bond;
<input checked="" type="checkbox"/> Verified			• Monday, 01/05/15 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and
<input type="checkbox"/> Inventory			• Monday, 09/28/15 at 9:00a.m. in Dept. 303 for the filing of the first account
<input type="checkbox"/> PTC			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.
<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		Reviewed by: JF	
<input type="checkbox"/> Aff. Posting		Reviewed on: 07/23/14	
<input type="checkbox"/> Status Rpt		Updates:	
<input type="checkbox"/> UCCJEA		Recommendation:	
<input checked="" type="checkbox"/> Citation		File 7 - Mardis	
<input type="checkbox"/> FTB Notice			

8 Celine Yang (GUARD/P)
Atty Chang, Joan (pro per – co-guardian/Petitioner)
Atty Chang, Tou (pro per – co-guardian)
Atty Her, Za Zoua (pro per – co-guardian)

Case No. 13CEPR00295

Petition for Termination

Age: 9	JOAN CHANG , maternal aunt/co-guardian, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Termination of Guardianship or Consent and Waiver of Notice or Declaration of Due Diligence</i> for: <ol style="list-style-type: none"> a. Alexander Yang (father) b. Za Zoua Her (maternal grandmother/co-guardian) 2. Proof of Service filed 07/23/14 indicates that notice was mailed to the paternal grandparents on 07/21/14, which is less than the required 15 days before the hearing. Proof of service regarding notice to Tou Chang states that she was personally served on 07/23/14, again less than the required 15 days' notice. <p>Note: There is a proof of service attached to the Notice of Hearing indicating personal service to Nou Yang in Vadnais Heights, MN on 07/18/14. It is unclear who Nou Yang is and it also appears that Nou Yang is the person who signed the proof of service as the person who served the notice. It is unclear whether Nou Yang was the person served or whether another person was served and the wrong name was listed in the proof of service. Need clarification.</p>
	JOAN CHANG, TOU CHANG , maternal aunts, and ZA ZOUA HER , maternal grandmother, were appointed as co-guardians on 06/12/13. – <i>Tou Chang personally served on 07/23/14</i>	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Father: ALEXANDER YANG Mother: PAI YANG CHANG – deceased	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Paternal grandfather: YONG YIA YANG – Served by mail on 07/21/14 Paternal grandmother: CHONG CHANG – Served by mail on 07/21/14	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	w/	
<input type="checkbox"/> Aff.Pub.	Maternal grandfather: NOU CHANG – deceased	
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv.	w/	
<input type="checkbox"/> Conf. Screen	Petitioner states that the minor has been solely in her care since January 2014 even though she is a co-guardian along with Tou Chang and Za Zoua Her. Petitioner requests that Tou Chang be removed as a co-guardian because she cannot provide a safe and stable home environment for Celine.	
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report	Court Investigator Jennifer Young filed a report on 07/22/14.	
<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: JF	
	Reviewed on: 07/25/14	
	Updates:	
	Recommendation:	
	File 8 - Yang	

Pro Per Okamura, Suzanne (Pro Per Administrator)

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 6/6/2013	SUZANNE OKAMURA, sister, was appointed Administrator with Limited IAEA without bond 10/3/2013. Letters issued on 10/14/2013.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page 10 is the related <i>Estate of Ito Okamura</i>.</p> <p>Continued from 6/30/2014. Minute Order [Judge Smith] set the matter for an Order to Show Cause (please refer to Page 9B.)</p> <p>Note Re Estate Assets: This Decedent is the pre-deceased son of the Decedent on Page 10 of this calendar, ITO OKAMURA (DOD 6/23/2013.) Based upon the Will of ITO OKAMURA all personal property passes to the Petitioner, with the estate residue to 2 other named persons.</p>
Cont. from 030714, 051614, 063014	Pursuant to Probate Code § 8800(b), <i>Final Inventory and Appraisal</i> was filed on 9/24/2013 showing as estate value of \$132,454.00.	
Aff.Sub.Wit.		
Verified		
✓ Inventory	Background:	
PTC	<ul style="list-style-type: none"> • Minute Order dated 10/3/2013 from the hearing on the Amended Petition for letters of administration set the matter for a Status Hearing for filing of the final inventory and appraisal on 3/7/2014. • Minute Order dated 3/7/2014 [Judge Hamlin] from the Status Hearing for filing of the Inventory and Appraisal states: No appearances. The Court orders that the assets not be wasted until the final inventory and appraisal has been filed and the creditors have been paid. The Court directs that a copy of the examiner notes be sent to Suzanne Okamura. The Court will expect the inventory and appraisal, or a status report to be filed before the next hearing. Failure to file said document(s) will result in the issuance of an order to show cause regarding contempt. Matter continued to 5/16/2014. Suzanne Okamura is ordered to be personally present on 5/16/2014. • Clerks' Certificate of Mailing filed 3/7/2014 shows a copy of the <i>Minute Order</i> dated 3/7/2014 and Examiner Notes were mailed to Suzanne Okamura on 3/7/2014. • Minute Order dated 5/16/2014 states: No appearances. Matter continued to 6/30/2014. The Court orders Suzanne Okamura to be personally present on 6/30/2014 if the inventory and appraisal has not been filed. • Clerk's Certificate of Mailing filed 5/16/2014 shows a copy of the <i>Minute Order</i> dated 5/16/2014 was mailed to Suzanne Okamura on 5/16/2014. 	
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		
		<p>Reviewed by: LEG</p> <p>Reviewed on: 7/23/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 9A – Okamura</p>

Pro Per Okamura, Suzanne (Pro Per Administrator)

Order to Show Cause Re: Removal of Suzanne Okamura as Administrator and Appointment of the Public Administrator

DOD: 6/6/2013	<p>SUZANNE OKAMURA, sister, was appointed Administrator with Limited IAEA without bond 10/3/2013.</p> <p>Letters issued on 10/14/2013.</p> <p>Minute Order dated 6/30/2014 [Judge Smith] from the last Status Hearing for filing of the Inventory and Appraisal states: No appearances. The Court sets the matter for an Order to Show Cause on 7/28/2014 regarding the removal of Suzanna Okamura as administrator, and the appointment of the Public Administrator as the personal representative. Suzanne Okamura is ordered to be personally present on 7/28/2014.</p> <p>Clerk's Certificate of Mailing filed 7/1/2014 shows the <i>Order to Appear</i> filed 7/1/2014 and the <i>Minute Order</i> dated 6/30/2014 were mailed to Suzanne Okamura on 7/1/2014 at the following address: [omitted]</p>	<p>NEEDS/PROBLEMS/COMMENTS:</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: 7/23/14
		Updates:
		Recommendation:
		File 9B - Okamura

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 6/23/2013	<p>SUZANNE OKAMURA, daughter, was appointed Executor with Limited IAEA authority without bond on 10/3/2013. Letters issued on 10/14/2013.</p>	NEEDS/PROBLEMS/COMMENTS:
		Page 9 is the related <i>Estate of Daniel Kazuo Okamura</i> .
Cont. from 030714, 051614, 063014	<p>Final Inventory and Appraisal was filed on 9/18/2013 showing an estate consisting of cash and life insurance proceeds valued at \$383,670.00.</p>	Continued from 6/30/2014 , Minute Order [Judge Smith] set the matter for an Order to Show Cause (please refer to Page 10B.)
<input type="checkbox"/> Aff.Sub.Wit.		<p>Note Re Estate Assets: Based upon the Will of ITO OKAMURA all personal property passes to the Petitioner, with the estate residue to JERROD WILLIAM WHITE and EILEEN REIKO NITASAKA.</p>
<input type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory	<p>Background:</p> <ul style="list-style-type: none"> Minute Order dated 10/3/2013 from the hearing on the Amended Petition for letters of administration set the matter for a Status Hearing for filing of the final inventory and appraisal on 3/7/2014. Minute Order dated 3/7/2014 [Judge Hamlin] from the Status Hearing for filing of the Inventory and Appraisal states: No appearances. The Court orders that the assets not be wasted until the final inventory and appraisal has been filed and the creditors have been paid. The Court directs that a copy of the examiner notes be sent to Suzanne Okamura. The Court will expect the inventory and appraisal, or a status report to be filed before the next hearing. Failure to file said document(s) will result in the issuance of an order to show cause regarding contempt. Matter continued to 5/16/2014. Suzanne Okamura is ordered to be personally present on 5/16/2014. Clerks' Certificate of Mailing filed 3/7/2014 shows a copy of the Minute Order dated 3/7/2014 and Examiner Notes were mailed to Suzanne Okamura on 3/7/2014. Minute Order dated 5/16/2014 states: No appearances. Matter continued to 6/30/2014. The Court orders Suzanne Okamura to be personally present on 6/30/2014 if the inventory and appraisal has not been filed. Clerk's Certificate of Mailing filed 5/16/2014 shows a copy of the Minute Order dated 5/16/2014 was mailed to Suzanne Okamura on 5/16/2014. 	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		<p>Reviewed by: LEG</p> <p>Reviewed on: 7/23/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10A – Okamura</p>

Pro Per Okamura, Suzanne (Pro Per Executor)

Order to Show Cause Re: Removal of Suzanne Okamura as Executor and Appointment of the Public Administrator

DOD: 6/23/2013	<p>SUZANNE OKAMURA, daughter, was appointed Administrator with Limited IAEA without bond 10/3/2013.</p> <p>Letters issued on 10/14/2013.</p> <p>Minute Order dated 6/30/2014 [Judge Smith] from the last Status Hearing for filing of the Inventory and Appraisal states: No appearances. The Court sets the matter for an Order to Show Cause on 7/28/2014 regarding the removal of Suzanna Okamura as administrator, and the appointment of the Public Administrator as the personal representative. Suzanne Okamura is ordered to be personally present on 7/28/2014.</p> <p>Clerk's Certificate of Mailing filed 7/1/2014 shows the <i>Order to Appear</i> filed 7/1/2014 and the <i>Minute Order</i> dated 6/30/2014 were mailed to Suzanne Okamura on 7/1/2014 at the following address: [omitted]</p>	NEEDS/PROBLEMS/COMMENTS:
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: 7/23/14
		Updates:
		Recommendation:
		File 10AB - Okamura

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

Age: 2 DOB: 11/03/11	<u>TEMPORARY EXPIRES 07/28/2014</u>	NEEDS/PROBLEMS/COMMENTS:
	ADRIANA BREWER , non-relative, is Petitioner.	Minute Order of 06/09/2014: Father needs to be served.
	Father: DERRICK KING	
	Mother: EVONIESHA SMITH	Minute Order of 04/08/2014: Ms. Smith is directed to provide her contact information to the Clerk's office forthwith.
Cont. from 040814, 060914	Paternal grandparents: NOT LISTED	The following issues remain:
<input type="checkbox"/> Aff.Sub.Wit.	Maternal grandfather: NOT LISTED Maternal grandmother: TRINA SMITH	1. Need Notice of Hearing.
<input checked="" type="checkbox"/> Verified	Petitioner states that she is Kylie's godmother and has been caring for Kylie on and off most of her life. Petitioner states that she is the only mother Kylie knows as her real mother has been in and out of her short life. Petitioner states that guardianship is needed in order for her to be able to seek medical treatment and financial assistance to meet Kylie's needs. Also, Kylie's mother has recently stated she wanted to take Kylie again. Petitioner wants to continue to provide a safe and stable home for Kylie.	2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Derrick King (Father) • Evoniesha Smith (Mother)
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<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	Opposition of Biological Mother Evoniesha Smith to Petition for Guardianship by Adriana Brewer and/or Any Other Person Over Minor Kylie Lynee Smith, filed on 04/04/2014 states she never received notice from any person of the court hearing set on 04/08/2014 in this matter, or any other court proceedings. Ms. Smith states she never received notice that Adriana Brewer, or any other person, was attempting to obtain guardianship over her daughter. Ms. Smith states that she discovered that there was a guardianship hearing for permanent guardianship by calling around to the courthouse and making inquiries after her suspicions were aroused by Adriana Brewer's behavior and statements.	3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Paternal Grandparents (Not Listed) • Maternal Grandfather (Not Listed) • Trina Smith (Maternal Grandmother)
<input checked="" type="checkbox"/> Duties/Supp		
<input checked="" type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 9202		
<input 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		
	<u>Please see additional page</u>	Reviewed by: LV
		Reviewed on: 07/25/2014
		Updates:
		Recommendation:
		File 11 – Smith

Continued from previous page: Ms. Smith opposes any and all attempts of Adriana Brewer and/or any other person to have temporary guardianship, permanent guardianship or any form of custody over her daughter. Ms. Smith states that she has known Adriana Brewer for a few years. Several months ago Ms. Smith was having a difficult time financially and was in a transitional period. During this time period Adriana Brewer began helping care for the minor child. Once Ms. Smith got back on her feet she requested Adriana Brew to return the child to her however she refused and told her that the legal system was involved. This led Ms. Smith to make inquiries and discovering that there was a 04/08/2014 hearing regarding permanent guardianship over the child. To date Ms. Smith has not had the opportunity to read or review any documents in the court file because she resides in Los Angeles County. Ms. Smith respectfully requests that this Honorable Court deny the request for guardianship and order Adriana Brewer to immediately return custody of the minor to the mother. This will allow the child to be with her mother, the person who has her best interest, and her three siblings.

Additionally, if this Honorable Court is inclined to grant permanent guardianship of her daughter to Adriana Brewer, or any other person, Ms. Smith respectfully requests that this court continue the matter so that she may respond appropriately.

Declaration filed by Evoniesha Smith, Mother, on 04/07/2014 states Ms. Brewer has been a good temporary provider for the minor child, looking at her Facebook page reflects the love and reflects the selfishness motives of wanting to take the child away from Ms. Smith, mother. Ms. Smith states she went through a moment of despair and needed support. She thanks her for that. Ever since January 27th Ms. Smith has wanted to gain natural custody of her child back so she can raise her child.

Declaration also includes several documents including Facebook page photos, Verification of Benefits for the child, Money Order for the care of the minor child to Adriana Brewer, Immunization Records for the child.

DSS Social Worker Tracy Miller's report filed 04/02/2014.

Pro Per Calderon, Christina (Pro Per Petitioner, maternal grandmother)

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

Diamonique Age: 10		<p style="text-align: center;">TEMPORARY EXPIRES 7/28/2014</p> <p>CHRISTINA CALDERON, maternal grandmother, is Petitioner.</p> <p>Father: CHRISTOPHER CORY BOUCHER</p> <p>Mother: CHRISTINA A. BOUCHER</p> <p>Paternal Grandfather: Joe Boucher Paternal Grandmother: Patricia Boucher</p> <p>Maternal Grandfather: Joe Calderon</p> <p>Petitioner states the children have been residing with her for about four years, the mother is homeless and on meth, and when she comes around she yells, curses and argues with the Petitioner in front of the children. Petitioner states the children do not want to live with their parents, the father lives in Nebraska in the Air Force, and he has to be deployable to stay in the Air Force.</p> <p>Court Investigator Jennifer Daniel's Report was filed on 7/21/2014.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Minute Order dated 6/10/2014 from the hearing on the temporary petition states the Court directs that the father be personally served for the [7/28/2014] hearing. The Court Investigator is ordered to speak with the children.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of the Notice of Hearing with a copy of the Petition for Appointment of Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence, for: <ul style="list-style-type: none"> • Christina A. Boucher, mother; • Christopher Cory Boucher, father. 3. Need proof of service by mail of the Notice of Hearing with a copy of the Petition for Appointment of Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence, for: <ul style="list-style-type: none"> • Joe Boucher, paternal grandfather; • Patricia Boucher, paternal grandmother; • Joe Calderon, maternal grandfather. 	
Victoria Age: 9				
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.			X
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input checked="" type="checkbox"/>	Clearances			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Reviewed by: LEG		
		Reviewed on: 7/24/14		
		Updates:		
		Recommendation:		
		File 12 - Boucher		

Pro Per Banks, Julie (Pro Per Petitioner, maternal grandmother)

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

Chase Age: 5 yrs		<p style="text-align: center;">TEMPORARY EXPIRES 7/28/2014</p> <p>JULIE BANKS, maternal grandmother, is Petitioner.</p> <p>Father: JOSE CARLOS MACIAS; <i>consents and waives notice.</i></p> <p>Mother: CAROL WELLS; <i>consents and waives notice.</i></p> <p>Paternal grandfather: Unknown Paternal grandmother: Miyo Macias</p> <p>Maternal grandfather: Nick Wells</p> <p>Petitioner states neither parent is capable of caring for the children due to their drug abuse, there is no one else who would like to help care for them, and she loves them and is capable of caring for them and does not want them to go into the system.</p> <p>Petitioner requests to be excused from giving notice to the maternal grandfather, whom she has not seen or heard from for the past 10 years.</p> <p>Court Investigator Julie Negrete's Report was filed on 7/22/2014.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of service by mail of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of 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"> • Miyo Macias, paternal grandmother; • Paternal grandfather; • Nick Wells, maternal grandfather, <i>if Court does not excuse notice per Petitioner's request.</i> 	
Chance Age: 3 yrs				
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 type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input checked="" type="checkbox"/>	Clearances			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: LEG</p> <p>Reviewed on: 7/24/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13 - Macias</p>		

Pro Per Strother, Lisa (Pro Per Petitioner, mother)
 Pro Per Williams, Orlando (Pro Per Petitioner, brother)

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

Age: 30 years	LISA STROTHER , mother, and ORLANDO WILLIAMS , brother, are Petitioners and request appointment as Co-Conservators of the Person with medical consent powers.	NEEDS/PROBLEMS/COMMENTS: Court Investigator Advised Rights on 7/2/2014. Voting Rights Affected – Need Minute Order. 1. <i>Petition</i> requests medical consent [and dementia] powers. Need <i>Medical Capacity Declaration</i> (Judicial Council form GC-335) in support of Petitioner's request pursuant to Probate Code § 1890(c). 2. Need <i>Conservatorship Video Viewing Certificate</i> pursuant to Local Rule 7.15.9(A). <p style="text-align: center;">~Please see additional page~</p>
Cont. from	Need Capacity Declaration.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Voting Rights Affected.	
<input type="checkbox"/> Inventory	Petitioners state the proposed Conservatee has recently been diagnosed with paranoid schizophrenia and has become delusional and he admittedly takes drugs regularly, including meth and marijuana. Petitioners state the proposed Conservatee often refuses to eat or take any medication, as he believes people (including Petitioners) are trying to poison him and that the food is contaminated. Petitioners state the proposed Conservatee was dishonorably discharged from the U.S. military in March 2012, and Petitioners are disputing the dishonorable discharge and seeking Veteran's assistance. Petitioners state the proposed Conservatee is obsessed with violence and guns and seeks out confrontation, and on one occasion he was attacked at a store in December 2013 and his shoulder was dislocated in the attack. Petitioners state the proposed Conservatee is convinced there is a conspiracy against him and people are trying to kill him, and his erratic behavior is getting worse, he is gone for days at a time, and on 4/12/2014 he was diagnosed with schizophrenia after being found in the middle of the street attempting to be hit by cars. Petitioners state the proposed Conservatee refuses to take his antipsychotic medication and his mental health is rapidly declining.	
<input type="checkbox"/> Cap. Dec.	X	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv.		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt	X	
<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 checked="" type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
~Please see additional page~		
Reviewed by: LEG		
Reviewed on: 7/24/14		
Updates:		
Recommendation:		
File 14 - Williams		

Petitioners request the Court's assistance in having the proposed Conservatee evaluated by a doctor to complete the *Capacity Declaration*, which will more than likely not be filed prior to the hearing, as the Petitioners are having difficulty finding a doctor that is willing to complete the form, since the only doctors who have seen the proposed Conservatee are emergency room physicians, none of whom are willing to complete the *Capacity Declaration*. Petitioners state the proposed Conservatee has no primary care physician, fears medical treatment and doctors and refuses to go visit a doctor, as he believes everyone is conspiring to kill or hurt him.

Court Investigator Dina Calvillo's Report was filed on 7/23/2014.

NEEDS/PROBLEMS/COMMENTS, continued:

Note: Probate Code § 2356(a) provides no conservatee may be placed in a mental health treatment facility under this Probate Code division against the will of the conservatee; therefore, the proposed conservatee cannot be placed for even temporary residence in a locked facility and given antipsychotic medication against his will. Involuntary civil placement of a proposed conservatee in a mental health treatment facility may be obtained only pursuant to § 5150 or 5350 of the Welfare and Institutions Code (commonly known as LPS Conservatorship.)

Petition for Appointment of Temporary guardianship of the Person.

Marissa, 10	GENERAL HEARING: 09/16/14		NEEDS/PROBLEMS/COMMENTS:
Desiree, 6	NORMA OROZCO , maternal grandmother, is Petitioner.		
	Father: HECTOR ESCOBEDO – <i>Consent & Waiver of Notice filed 07/14/14</i>		
	Mother: TONI OROZCO – <i>Personally served on 07/20/14</i>		
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory	Paternal grandfather: FERNANDO ESCOBEDO		
<input type="checkbox"/> PTC	Paternal grandmother: ELVIRA ESCOBEDO		
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg	Maternal grandfather: ANTONIO OROZCO		
<input type="checkbox"/> Aff.Mail			
<input type="checkbox"/> Aff.Pub.	Petitioner states that her granddaughters are in danger because their mother is an alcoholic and abuses prescription drugs.		
<input type="checkbox"/> Sp.Ntc.	She goes back and forth to Tijuana to visit her abusive husband who was deported and was arrested when she was there.		
<input checked="" type="checkbox"/> Pers.Serv. w/	Petitioner fears for the safety of her granddaughters.		
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: JF
			Reviewed on: 07/25/14
			Updates:
			Recommendation:
			File 14 - Escobedo

Pro Per Makaroff, Gloria (Pro Per Petitioner, maternal grandmother)

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

<p>Madison & Marilyn Age: 1 yr (twins)</p>	<p>TEMPORARY GRANTED EX PARTE EXPIRES 7/28/2014</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
	<p><u>General Hearing set for 9/17/2014</u></p>	<p><u>Note: Domestic Violence Restraining Order issued in Family Law Case 13CEFL06132 [Judge Tharpe] which expires 12/18/2018.</u> Restrained person is VICTOR TORREZ, and protected person is DASHA MAKAROFF and family household members MARILYN MAKAROFF and MADISON MAKAROFF. Child custody and visitation order issued on 12/18/2013 at the same time as the restraining order is as follows: Sole legal/physical custody to mother; no visitation to father pending further order of the Court.</p>
<p>Cont. from</p>	<p>GLORIA MAKAROFF, maternal grandmother, is Petitioner.</p>	
<p><input type="checkbox"/> Aff.Sub.Wit.</p>	<p>Father: VICTOR H. TORREZ</p>	
<p><input checked="" type="checkbox"/> Verified</p>	<p>Mother: DASHA STARR MAKAROFF</p>	
<p><input type="checkbox"/> Inventory</p>	<p>Paternal grandfather: Unknown</p>	
<p><input type="checkbox"/> PTC</p>	<p>Paternal grandmother: Unknown</p>	
<p><input type="checkbox"/> Not.Cred.</p>	<p>Maternal grandfather: <i>Not listed</i></p>	
<p><input type="checkbox"/> Notice of Hrg</p>	<p>Petitioner states the children have been in Petitioner's care for ~6 weeks, as there is a pending investigation by the Department of Social Services (DSS) and Petitioner was required by DSS to seek an immediate temporary guardianship of the children.</p>	
<p><input type="checkbox"/> Aff.Mail</p>	<p>Petitioner states the mother has ongoing issues with habitual substance abuse and is presently mandated by DSS to participate in an inpatient rehabilitation facility (copy of DSS letter attached.) Petitioner states the father has a lengthy history of domestic violence against the mother (copies of restraining orders attached) and a 5-year domestic violence restraining order was issued against the father protecting the children. Petitioner states one of the children requires immediate physical therapy which Petitioner cannot secure without temporary guardianship.</p>	
<p><input type="checkbox"/> Aff.Pub.</p>		
<p><input type="checkbox"/> Sp.Ntc.</p>		
<p><input type="checkbox"/> Pers.Serv.</p>	<p><input checked="" type="checkbox"/></p>	
<p><input checked="" type="checkbox"/> Conf. Screen</p>		
<p><input type="checkbox"/> Letters</p>		
<p><input checked="" type="checkbox"/> Duties/Supp</p>		
<p><input type="checkbox"/> Objections</p>		
<p><input type="checkbox"/> Video Receipt</p>		
<p><input type="checkbox"/> CI Report</p>		
<p><input type="checkbox"/> 9202</p>		
<p><input type="checkbox"/> Order</p>		
<p><input type="checkbox"/> Aff. Posting</p>		
<p><input type="checkbox"/> Status Rpt</p>		
<p><input checked="" type="checkbox"/> UCCJEA</p>		
<p><input type="checkbox"/> Citation</p>		
<p><input type="checkbox"/> FTB Notice</p>		
		<p>Reviewed by: LEG</p>
		<p>Reviewed on: 7/25/14</p>
		<p>Updates:</p>
		<p>Recommendation: File 16 – Makaroff</p>

NEEDS/PROBLEMS/COMMENTS, continued:

Note: Petitioner states the mother's whereabouts are unknown and she may be presently in a confidential residential treatment facility, and therefore cannot be served with notice; Petitioner attaches a letter dated 7/2/2014 signed by **BETTY JO ADERHOLD, PLDH**, of the Dept. of Social Services, stating Dasha Makaroff (mother) "will be unavailable for an undetermined amount of time," and that Petitioner has been provided with temporary Medi-Cal cards for the minors by the Department of Social Services.

1. If Court does not dispense with notice to the father (based upon restraining orders) and to the mother (based upon DSS letter re: unavailability), need *Notice of Hearing*, and proof of five (5) court days' notice by personal service of the *Notice of Hearing* with a copy of the *Petition for Appointment of Temporary Guardian*, or *Consent to Appointment of Guardian and Waiver of Notice*, or a *Declaration of Due Diligence* for:
 - Dasha Makaroff, mother;
 - Victor Torrez, father.

Pro Per Ybarra, Jacqueline (Pro Per Petitioner, daughter)

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

DOD: 3/18/2014	JACQUELINE YBARRA , daughter, is Petitioner and requests appointment as Administrator without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Petition to Administer Estate</i> and proof of mailed notice pursuant to Probate Code § 8110 for the following person: <ul style="list-style-type: none"> • Andre Ybarra, relationship to Decedent unspecified. 2. Need <i>Affidavit of Publication</i> pursuant to Probate Code §§ 8120 – 8124, and Local Rule 7.9. 3. Item 2(d)(1) and 3(d)(3) of the <i>Petition</i> request bond not be required because all heirs at law are adults and have waived bond. However, <i>Petition</i> does not contain waivers of bond as <i>Attachment 3(d)(3)</i>. 4. Item 3(c) of the <i>Petition</i> states Decedent's estate consists of personal property estimated at \$4,000.00. It appears a more appropriate procedure for Petitioner may be the Probate Code §§ 13100 – 13116 provisions for <i>Affidavit Procedure for Collection or Transfer of Personal Property</i>. Petitioner may choose to obtain the form entitled <i>Declaration for Transfer of Personal Property Without Probate</i> available from the Probate Clerk's office. Alternatively, Petitioner may choose to seek legal advice such as calling the Attorney Referral Service (phone number (559) 264-0137) for options other than opening a probate proceeding for the subject property.
Cont. from	Full IAEA — ?	
<input type="checkbox"/> Aff.Sub.Wit.	Decedent died intestate.	
<input checked="" type="checkbox"/> Verified	Residence — Fresno	
<input type="checkbox"/> Inventory	Publication — Need	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	Estimated value of the Estate:	
<input type="checkbox"/> Aff.Mail	Personal property - \$4,000.00	
<input type="checkbox"/> Aff.Pub.	Total - \$4,000.00	
<input type="checkbox"/> Sp.Ntc.	Probate Referee: Rick Smith	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LEG
		Reviewed on: 7/24/14
		Updates:
		Recommendation:
		File 17 - Ybarra