



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

(1) Fourteenth and Final Account and Report of Conservator; (2) Petition for Fees, for Termination of Conservatorship Distribution of Assets of Estate and (3) Discharge of Conservator (Prob. C. 1860 & 2620)

DOD: 11-10-10	CALIFORNIA DEPT. OF DEVELOPMENTAL SERVICES, Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		<u>Note: This is the 6th hearing on this final account.</u>
	Account period: 3-1-09 through 11-10-10	<u>Continued from 11-17-11, 2-2-12, 4-5-12, 5-17-12, 6-28-12.</u>
Cont. from 111711, 020212, 040512, 051712, 062812	Accounting: \$34,377.72 Beginning POH: \$14,465.02 Ending POH: \$16,100.50	<u>Minute Order 5-17-12: Attorney Bruce Beland is appearing via conference call. Matter continued to 6-28-12.</u>
Aff.Sub.Wit.		<u>Minute Order 6-28-12: No appearances. The Court sets the matter for OSC Re Sanctions (Page 1B). The Court orders Cynthia Bosco and/or a person from her department to be personally present on 8-2-12.</u>
✓ Verified	Account period: 11-11-10 through 6-30-11	<i>On 7-20-12, Attorney Bruce Beland, Senior Staff Counsel for Dept. of Developmental Services Office of Legal Affairs, filed a declaration. The declaration states the Dept. was served with the OSC on 7-11-12, apparently based on the Court's belief that the Dept. had not filed its account. However, the account was filed and set for hearing on 11-17-11.</i>
Inventory	Accounting: \$18,405.01 Beginning POH: \$16,100.50 Ending POH: \$12,537.04	The following issues remain:
PTC		1. Probate Code §§ 2631 and 13100 allow liquidation and distribution of <u>personal property only</u> in the manner requested. Real property, including undivided interests, is subject to Probate Code §13151, which requires the mandatory judicial council Petition to Determine Succession to Real Property Form DE-310, inventory and appraisal as of the date of death, and noticed hearing.
Not.Cred.	(POH consists of cash in the amount of \$554.93 plus an undivided 1/3 interest of a 3/4 interest in real property, a stove, and an air conditioner)	2. Petitioner also requests to distribute this asset when there is a Medi-Cal lien on the estate. Need authority.
✓ Notice of Hrg	Conservator: \$125.00	3. Need Order.
✓ Aff.Mail W	Attorney: \$40.00	Reviewed by: skc
Aff.Pub.	Petitioner states there is a Medi-Cal claim in the amount of \$108,627.87 and requests that the court authorize payment of the remaining balance of the conservatorship estate on this claim.	Reviewed on: 7-26-12
Sp.Ntc.		Updates:
Pers.Serv.		Recommendation:
Conf. Screen		File 1A - Tortorella
Letters		
Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
9202		
✓ Order	Petitioner prays for an Order: 1. Approving, allowing and settling the final account; 2. Terminating the proceedings herein; 3. Authorizing payment of the conservator's and attorney's fees; 4. Authorizing payment of the remaining balance to the Dept. of Health Services as payment in full on the Medi-Cal claim; 5. Authorizing transfer of the house, stove and air conditioner to the Conservatee's sister; and 6. Discharge of Conservator.	
Aff. Posting		
Status Rpt X		
UCCJEA		
Citation		
FTB Notice		

Order to Show Cause Re: Sanctions; Report on the 14th Account

DOD: 11-10-10	CALIFORNIA DEPT. OF DEVELOPMENTAL SERVICES , Conservator, filed its 14 th and Final Account on 10-13-11.	NEEDS/PROBLEMS/COMMENTS:
Aff.Sub.Wit.	At hearing on 11-17-11, Attorney Bosco appeared via conference call and the matter was continued to 2-2-12.	
Verified		
Inventory		
PTC	On 2-2-12, there were no appearances. The Court continued the matter to 4-5-12. Minute Order 2-2-12 states: The Court authorizes counsel to appear via conference call if the matter has not been resolved by 4-5-12.	
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.	On 4-5-12, Attorney Bosco appeared via conference call. The matter was continued to 5-17-12 to be heard the same day as the related case. (Pages 2A and 2B of this calendar is the continued status hearing for filing of an account for the related deceased conservatee).	
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections	On 5-17-12, Attorney Beland appeared by conference call and the matter was continued to 6-28-12.	
Video Receipt		
CI Report		
9202	On 6-28-12, there were no appearances. The Court set this OSC Re sanctions and sent notice to Conservator.	
Order		
Aff. Posting		
Status Rpt		
UCCJEA	On 7-20-12, Attorney Bruce Beland, Senior Staff Counsel for Dept. of Developmental Services Office of Legal Affairs, filed a declaration. The declaration states the Dept. was served with the OSC on 7-11-12, apparently based on the Court's belief that the Dept. had not filed its account. However, the account was filed and set for hearing on 11-17-11.	
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 7-26-12
		Updates:
		Recommendation:
		File 1B - Tortorella

**Probate Status Hearing Re: Termination of Proceeding for Deceased Conservatee
(Prob. C. § 1860, et seq)**

DOD: 11-6-09	<p>DEPARTMENT OF DEVELOPMENTAL SERVICES is Conservator.</p> <p>Conservatee died on 11/6/09.</p> <p>The Thirteenth Account was approved on 6/16/09 showing a property on hand balance of \$14,193.12, including an interest in real property.</p> <p>The Court set status hearing for termination of proceedings for deceased Conservatee on 10-12-11.</p> <p>The matter was continued to 11-16-11 and 2-8-12; however, the 2-8-12 hearing was taken off calendar and rescheduled for 5-17-12.</p> <p>On 5-17-12, Attorney Beland appeared via conference call and the matter was continued to 6-28-12.</p> <p>On 6-28-12, there were no appearances. The Court set the matter for OSC Re sanctions and sent notice to Conservator. Minute Order 6-28-12 states: The Court orders Cynthia Bosco and/or a person from her department to be personally present on 8-2-12.</p> <p>On 7-23-12, the Conservator filed Reply to OSC and Petition to Terminate the Conservatorship that states that the limited Conservatee passed away 11-6-09 and conservatorship is no longer required. Conservator requests that the court dismiss the OSC and terminate the conservatorship.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>The following issue remains:</u></p> <p>1. The Reply and Petition to Terminate filed 7-23-12 is not verified by the fiduciary pursuant to Probate Code §§ 1021, 1023 and does not constitute a final account pursuant to Probate Code §§ 2620(b), 2630.</p> <p>Need petition to terminate proceedings for deceased Conservatee pursuant to Probate Code §§ 2620(b), 2630.</p> <p>(POH at the close of the 13th account was \$14,193.12, which included an interest in real property, similar to that of the related case. Examiner notes that in the related case there was a Medi-Cal lien. Because a final account has not been filed in this case, it is unknown if there is a lien, but likely.)</p>
Cont. from 051712, 062812		
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 X		
UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: skc</p> <p>Reviewed on: 7-26-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2A - Tortorella</p>	

Order to Show Cause Re: Sanctions

DOD: 11-6-09	DEPARTMENT OF DEVELOPMENTAL SERVICES is Conservator.	NEEDS/PROBLEMS/COMMENTS:
		<u>The following issue remains:</u>
	Conservatee died on 11/6/09.	
		2. The Reply and Petition to Terminate filed 7-23-12 is not verified by the fiduciary pursuant to Probate Code §§ 1021, 1023 and does not constitute a final account pursuant to Probate Code §§ 2620(b), 2630.
Aff.Sub.Wit.	The Thirteenth Account was approved on 6/16/09 showing a property on hand balance of \$14,193.12, including an interest in real property.	Need petition to terminate proceedings for deceased Conservatee pursuant to Probate Code §§ 2620(b), 2630.
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	The Court set status hearing for termination of proceedings for deceased Conservatee on 10-12-11.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	The matter was continued to 11-16-11 and 2-8-12; however, the 2-8-12 hearing was taken off calendar and rescheduled for 5-17-12.	(POH at the close of the 13 th account was \$14,193.12, which included an interest in real property, similar to that of the related case. Examiner notes that in the related case there was a Medi-Cal lien. Because a final account has not been filed in this case, it is unknown if there is a lien, but likely.)
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt	On 5-17-12, Attorney Beland appeared via conference call and the matter was continued to 6-28-12.	
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt	On 6-28-12, there were no appearances. The Court set the matter for OSC Re sanctions and sent notice to Conservator. Minute Order 6-28-12 states: The Court orders Cynthia Bosco and/or a person from her department to be personally present on 8-2-12.	Reviewed by: skc
UCCJEA		Reviewed on: 7-26-12
Citation		Updates:
FTB Notice		Recommendation:
	On 7-23-12, the Conservator filed Reply to OSC and Petition to Terminate the Conservatorship that states that the limited Conservatee passed away 11-6-09 and conservatorship is no longer required. Conservator requests that the court dismiss the OSC and terminate the conservatorship.	File 2B - Tortorella

3A James W. Little (Estate)

Case No. 08CEPR00870

Atty Keeler, William (of Garvey Schubert Barer, for Norma G. Little – Petitioner)

Atty Milnes, Michael A (for Christopher Brian Little – Executor/Respondent)

Status Hearing Re: Exoneration of Bond and Dismissal

DOD: 7/4/08		<p><u>This Status Hearing was set by the Court on 1/11/12, on the Petition to Remove Executor (see Page 1A).</u></p> <p>Minute Order 1/11/12 states: Ms. Berger-Hoang and James Clark are appearing via conference call as well as Ken Peace. Ms. Burnside informs the Court that a settlement was submitted to the court in Arizona.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>PAGE 3A IS OFF CALENDAR</u></p> <p><u>Minute Order 6-11-12:</u> Mr. Keeler informs the Court that he is also appearing specially for Mr. Knudson. Matter continued to 8-2-12. The bond remains in place.</p> <p><u>PAGE 3B</u> is the final account of Christopher Brian Little that requests distribution to the successor personal representative of the AZ estate and discharge of Petitioner's surety in this estate.</p>
Cont. from 3/7/12, 3/21/12, 042312, 061112			
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	X		
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: NRN / skc	
		Reviewed on: 7-25-12	
		Updates:	
		Recommendation:	
		File 3A – Little	

3A

PAGE 2

Petitioner states: Decedent's will (admitted to probate 11-3-08) was signed in 2001 prior to his marriage to Objector Norma Little (2004) and nominates Petitioner as Executor and devises his estate to his disabled son and his grandson. The will was not amended after his marriage, but Decedent had entered into an "Antenuptial Agreement" with Objector that purported to deal with significant separate property owned by Decedent and provide distribution to her on his death. Proceedings were established in Pinal County, AZ pursuant to substantial assets there. Objector commenced proceedings in Fresno County, CA, and in response, Petitioner filed for appointment here as well. On 11-3-08, Petitioner was appointed as Executor here.

The CA proceeding was necessary to take control of the Reedley residence and the valuable vehicles that Objector had commenced taking possession of. Upon his appointment, Petitioner took possession of all vehicles for the term of his administration and except for the three (3) vehicles transferred to Objector pursuant to court order 4-23-12, retains possession of the vehicles.

In 2009, Objector filed petitions in this court for family allowance, probate homestead and to determine entitlement to distribution rights, claiming that the Antenuptial Agreement was not valid, and that she was an omitted spouse under California law and thereby claimed a significant portion of the Decedent's estate.

A Settlement was reached 8-4-09 contingent on court approval in AZ and CA provided that property would be provided to Objector and she would withdraw her creditor's claims. The Fresno Court approved the settlement in December 2009; however, the AZ court-appointed guardian for James Little, Decedent's disabled son, objected to the settlement there and the parties took over two years to negotiate and finalize a settlement.

The settlement is between Norma Little (Objector), James D. Little and Jeremy Little (Decedent's heirs under the will) regarding distribution of the AZ and CA estates, and provide for appointment of Childers and Berg in place of Petitioner in the AZ estate. Pursuant to the settlement, on 4-30-12, Petitioner distributed the Reedley residence and three (3) vehicles to Objector.

Petitioner states he retains possession of the remaining eight (8) vehicles. POH Schedule reflects the eight (8) vehicles as the only assets on hand. This CA probate estate never had any cash – all cash was/is being handled by the AZ probate estate.

Petitioner states the only creditor's claims filed are the claims in uncertain amounts filed by Objector, which were all waived and released under the provisions of the settlement.

Petitioner requests to sell as much of the POH (8 vehicles) as necessary to pay the statutory and extraordinary fees, commissions, and costs, and to distribute the remaining vehicles to Childers and Berg for further administration in AZ pursuant to the Settlement Agreement.

NORMA LITTLE, Surviving Spouse, filed an Objection on 7-16-12.

SEE ADDITIONAL PAGE

PAGE 3

Objector states:

- **Petitioner is deceiving the Court in a deliberate effort to overcharge the estate.** The only asset of the California probate estate is the Reedley property valued at \$115,000.00. The 11 vehicles, which account for \$241,265.00 of the \$356,265.00 total inventory value, were previously inventoried in the AZ probate, which is the primary place of administration. A declaration by Roger T. Coventry of Childers and Berg (attached) describes a conversation with Petitioner in which Petitioner disclosed that the vehicles were moved to California during administration, and one of the purposes for that was to increase the total value of assets on which the fiduciary and legal fees would be based.
- **Objector objects to any award of fees to Attorney Milnes.** Petitioner previously agreed in settlement agreements to bear his own attorney's fees and costs. On 9-21-09, a Settlement Agreement executed by Petitioner and Objector states: "settling parties hereto shall bear their own respective costs and attorneys' fees incurred in connection with the agreement and all disputes identified above." (attached). This agreement was addressed by the AZ court on 10-19-10 and Petitioner and his AZ attorney were present when this provision was read.

Additionally, Mr. Milnes has waived any right to \$19,250.00 extraordinary fees by his failure to file the declaration promised in the Final Account. Objector has not been served with any declaration and a review of the docket shows that none was filed. Objector contacted the attorney regarding the declaration, but the attorney has not responded.

Therefore, Objector has no choice but to treat this request as waived. Objector reserves the right to object to such fees should Mr. Milnes ever provide her or the Court with a declaration.

- **Objector objects to any release of Mr. Little as fiduciary before both he and his attorney are surcharged for their continued delay in administering the estate pursuant to Probate Code §§ 8804, 9600 et seq, and 12200 et seq.** Mr. Little has failed to make timely payments on the Reedley residence prompting a notice of default from PNC Mortgage (attached).

The Settlement Agreement as well as the minute orders of this court clearly contemplate Mr. Little's resignation as effective upon the transfer of the residence, which has now occurred. Any additional tasks performed by Mr. Little after this date are void and he cannot in the future seek additional compensation for any acts.

Objector prays for an Order:

1. **Deny the account.**
2. **Deny compensation to Petitioner for statutory commissions in connection with defending his petition for removal (\$10,125.30)**
3. **Deny attorney fees and costs to Mr. Milnes for services in connection with his services to the estate (\$10,125.30)**
4. **Deny extraordinary fees to Mr. Milnes (\$19,250.00)**
5. **Surcharge Petitioner and his attorney for their delay in administering the California estate in direct violations of court orders;**
6. **Formally accept Petitioner's resignation and require a final account within 30 days of removal;**
7. **Any and all other relief as the Court deems appropriate.**

SEE ADDITIONAL PAGE

Dept. 303, 9:00 a.m. Thursday, August 2, 2012

PAGE 4

NEEDS/PROBLEMS/COMMENTS (PETITIONER):

1. Need declaration regarding extraordinary attorney fees pursuant to Cal. Rules of Court 7.702, 7.703.
2. Need Notice of Hearing and proof of service on all interested parties per Probate Code §§ 1220, 1252.
3. Need Order.

NEEDS/PROBLEMS/COMMENTS (OBJECTOR):

1. Need proof of service of Notice of Hearing on surety pursuant to Probate Code §1213(a)(2).
2. The Court may require further information regarding calculation of the proposed surcharge.

Petition for Approval of Trustee's Second Account Current, for Approval of Trustee's Fees and for Authorization to Compensate Counsel for the Trustee

Age: 16 DOB: 06/05/96	RONALD DICKEN, PATRICIA DICKEN, KAREN STEELE, and CHRISTOPHER KENNEDY, Co- Trustees with bond of \$460,000.00, are Petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: The Herzog Trust is not a Special Needs Trust. The purpose is to supplement rather than supplant the financial support provided to Lauren, a minor, by her parents by providing extra and supplemental goods and services, and to discharge such income and other tax liabilities as she may incur. Petitioners state that since Lauren is at increased risk for kidney replacement surgery, the general philosophy of the Trustee has been to preserve the corpus of the Trust to pay for such surgery should it become necessary. Because Lauren's ordinary needs are met by her parents, very few disbursements and no distributions were made during this account period.</p> <p>Note: A status hearing will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 09/27/2013 at 9:00a.m. in Dept. 303 for the filing of the third account. <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	Account period: 05/01/11 – 04/30/12	
Aff.Sub.Wit.	Accounting - \$430,894.49	
✓ Verified	Beginning POH - \$413,369.22	
Inventory	Ending POH - \$415,383.84 (\$46,319.22 cash plus securities)	
PTC	Trustees - \$3,100.27 (0.75% of the assets of the trust annually, paid quarterly. Trustees have already been paid \$3,093.00 for this account period. Balance of \$7.27 is due.)	
Not.Cred.	Attorney - \$2,112.00 (for 15.1 hours of Professional services for a total of \$1,678.00 and \$434.00 for costs advanced.)	
✓ Notice of Hrg	Bond is currently \$460,000.00. The Trustees estimate that income in the coming year will be approximately \$15,000.00.	
✓ Aff.Mail w/	Petitioners state that bond should therefore be increased to \$475,000.00. (ok)	
Aff.Pub.	Petitioners pray for an Order:	
Sp.Ntc.	1) Approving, allowing and settling the second account;	
Pers.Serv.	2) Approving the Trustee fees;	
Conf. Screen	3) Increasing the bond to \$475,000.00; and	
Letters	4) Authorizing the attorney fees and costs.	
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: JF</p> <p>Reviewed on: 07/25/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 - Herzog</p>

Petition of Trustee for Approval of Second Account Current, for Approval of Trustee's Fees, for Authorization to Compensate Counsel for the Trustee, and for Authorization to Expend Trust Funds for Travel

Age: 13 DOB: 12/19/98	RONALD DICKEN, PATRICIA DICKEN, KAREN STEELE, and CHRISTOPHER KENNEDY , Co-Trustees with bond of \$465,000.00, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 05/01/11 – 04/30/12	Note: A status hearing will be set as follows:
Cont. from	Accounting - \$429,120.44	• Friday, 09/27/2013 at 9:00a.m. in Dept. 303 for the filing of the third account.
✓ Aff.Sub.Wit.	Beginning POH - \$415,602.74	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.
✓ Verified	Ending POH - \$400,463.79 (\$51,405.10 cash plus securities)	
Inventory	Conservator - \$3,117.00 (0.75% of the assets of the trust annually, paid quarterly. Trustees have already been paid \$3,132.00 for this account period which resulted in an overpayment of \$15.00. Petitioner refunded \$8.00 on 07/06/11, but still owes \$7.00, which will be shown as a receipt in the next account.)	
PTC	Attorney - \$2,666.00 (for 19 hours of Professional services for a total of \$2,232.00 and \$434.00 for costs advanced.)	
Not.Cred.	Bond is currently \$465,000.00. The Trustees estimate that income in the coming year will be approximately \$15,000.00. Petitioners state that bond should therefore be reduced to \$460,000.00. (ok)	
✓ Notice of Hrg	Petitioners state that Christopher has requested that his parents take him to Alaska because he studied Alaska the previous school year. Petitioners feel this activity is appropriate and beneficial for Christopher and request authorization to expend Trust funds to reimburse Christopher's parents \$3,556.00, the cost of passage for Christopher and one parent.	
✓ 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	Petitioners pray for an Order: 5) Approving, allowing and settling the second account; 6) Approving the Trustee fees; 7) Reducing the bond to \$460,000.00; 8) Authorizing the attorney fees and costs; and 9) Authorizing the attorney to expend trust funds to reimburse Christopher's parents \$3,556.00 for travel to Alaska.	Reviewed by: JF Reviewed on: 07/25/12 Updates: Recommendation: File 5 - Martin

Petition for Termination of Conservatorship of the Person and Estate and for Fees for Temporary Conservator and Her Attorney (Prob. C. 1861, 2942)

<p>Age: 84 DOB: 02/23/28</p>	<p>PUBLIC GUARDIAN, temporary conservator of the person and estate, is Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>																																																									
	<p>Petitioner states:</p>	<p><u>Note:</u> A Conservator may only be discharged upon filing an Ex Parte Petition for Final Discharge and Order. The Examiner has interlined the order to state that the Public Guardian will be discharged as conservator upon the filing of an Ex Parte Petition for Final Discharge and Order.</p>																																																									
<p>Cont. from</p> <table border="1" style="width: 100%;"> <tr><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td><input checked="" type="checkbox"/> Verified</td><td></td></tr> <tr><td>Inventory</td><td></td></tr> <tr><td>PTC</td><td></td></tr> <tr><td>Not.Cred.</td><td></td></tr> <tr><td><input checked="" type="checkbox"/> Notice of Hrg</td><td></td></tr> <tr><td><input checked="" type="checkbox"/> Aff.Mail</td><td>w/</td></tr> <tr><td>Aff.Pub.</td><td></td></tr> <tr><td>Sp.Ntc.</td><td></td></tr> <tr><td>Pers.Serv.</td><td></td></tr> <tr><td>Conf. Screen</td><td></td></tr> <tr><td>Letters</td><td></td></tr> <tr><td>Duties/Supp</td><td></td></tr> <tr><td>Objections</td><td></td></tr> <tr><td>Video Receipt</td><td></td></tr> <tr><td>CI Report</td><td></td></tr> <tr><td>9202</td><td></td></tr> <tr><td><input checked="" type="checkbox"/> Order</td><td></td></tr> <tr><td>Aff. Posting</td><td></td></tr> <tr><td>Status Rpt</td><td></td></tr> <tr><td>UCCJEA</td><td></td></tr> <tr><td>Citation</td><td></td></tr> <tr><td>FTB Notice</td><td></td></tr> </table>	Aff.Sub.Wit.		<input checked="" type="checkbox"/> Verified		Inventory		PTC		Not.Cred.		<input checked="" type="checkbox"/> Notice of Hrg		<input checked="" type="checkbox"/> Aff.Mail	w/	Aff.Pub.		Sp.Ntc.		Pers.Serv.		Conf. Screen		Letters		Duties/Supp		Objections		Video Receipt		CI Report		9202		<input checked="" type="checkbox"/> Order		Aff. Posting		Status Rpt		UCCJEA		Citation		FTB Notice		<ol style="list-style-type: none"> The Public Guardian was appointed temporary conservator of the person and estate on 09/26/11. Temporary Letters were issued on 10/05/11 and extended thereafter as required to accomplish the application for conservatee's Medi-Cal benefits and placement in an appropriate facility. The conservatee is now on Medi-Cal and the facility where he resides, Sierra Vista Healthcare Center, is the payee for his benefits. Therefore there is no longer a need for conservatorship of the estate. In addition, the conservatee's son can make medical decisions on his behalf and therefore a conservatorship of the person is no longer necessary either. Therefore, Petitioner requests that the conservatorship of the person and estate be terminated. Neither Petitioner nor her attorney have received fees for services on behalf of the Conservatee and requests compensation as follows: <table style="margin-left: 20px;"> <tr><td>Conservator</td><td>-</td><td>\$2,871.76 (25.56 Deputy hours @ \$96/hr. and 5.50 Staff hours @ \$76/hr.)</td></tr> <tr><td>Attorney</td><td>-</td><td>\$840.00 (Per itemization for 5.6 attorney hours at \$150.00/hr.)</td></tr> </table> <p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> Finding that the conservatorship of the person and estate is no longer necessary and terminating the conservatorship; Authorizing the Public Guardian fees and attorney fees; and Discharging the Public Guardian as conservator of the person and estate. 	Conservator	-	\$2,871.76 (25.56 Deputy hours @ \$96/hr. and 5.50 Staff hours @ \$76/hr.)	Attorney	-	\$840.00 (Per itemization for 5.6 attorney hours at \$150.00/hr.)	<table border="1" style="width: 100%;"> <tr><td>Reviewed by: JF</td></tr> <tr><td>Reviewed on: 07/26/12</td></tr> <tr><td>Updates:</td></tr> <tr><td>Recommendation:</td></tr> <tr><td>File 7 - Persons</td></tr> </table>	Reviewed by: JF	Reviewed on: 07/26/12	Updates:	Recommendation:	File 7 - Persons
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<input checked="" type="checkbox"/> Order																																																											
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UCCJEA																																																											
Citation																																																											
FTB Notice																																																											
Conservator	-	\$2,871.76 (25.56 Deputy hours @ \$96/hr. and 5.50 Staff hours @ \$76/hr.)																																																									
Attorney	-	\$840.00 (Per itemization for 5.6 attorney hours at \$150.00/hr.)																																																									
Reviewed by: JF																																																											
Reviewed on: 07/26/12																																																											
Updates:																																																											
Recommendation:																																																											
File 7 - Persons																																																											

8 Robert C. Hodgkiss (CONS/P)

Case No. 11CEPR00113

Atty Kruthers, Heather (for Petitioner/Conservator Public Guardian)

Atty Teixeira, J. Stanley (Court appointed for Conservatee)

Petition for Commissions and Fees for the Public Guardian and Her Attorney (Prob. C. 2640, 2902)

Age: 84 years DOB: 6/14/1928	PUBLIC GUARDIAN , Conservator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from	Petitioner states they were appointed temporary conservator of the person and estate by minute order on 3/30/2011. The Public Guardian was appointed general conservator of the person only on June 21/2011 and Letters issued on 3/22/11.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Petitioner states services were provided for which they seek payment. There is no conservatorship of the estate. The conservatee's wife was to apply for medi-cal on his behalf, and to handle all community assets. It is petitioner's understanding that anything that was not covered by medi-cal would be paid from community assets of the wife.	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters	Petitioner seeks payment as follows:	
<input type="checkbox"/> Duties/Supp	Conservator - \$1,220.00 (per declaration and itemization, 11.55 deputy hours @\$96.00 per hour and 1.50 staff hours @ \$76.00 per hour)	
<input type="checkbox"/> Objections	Attorney - \$945.00 (per declaration and itemization, 6.3 hours @ \$150.00 per hour)	
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order	Petitioner prays for an order that Beverly Hodgkiss, conservatee's spouse, pay all fees approved herein.	
<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: 7/26/12
		Updates:
		Recommendation:
		File 8 - Hodgkiss

		JOANNE SANOIAN , Petitioner, was Court appointed to represent the Conservatee on 6-12-12.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: §1472(a)(2) states: If the court determines that the person has the ability to pay all or a portion of the sum, the court shall order the conservator of the estate or, if none, the person, to pay in any installments and in any manner the court determines to be reasonable and compatible with the person's financial ability.</p> <p>1. The Court may require further information regarding the Conservatee's ability to pay to make a finding under §1472(a)(2) for payment as requested.</p> <p>Examiner notes that the minute order from 6-27-12 states: Mr. Vallis informs the Court that Mr. Reeves' total income including Social Security is \$4,000.00.</p>	
		Donna Day was appointed Conservator of the Person with medical consent powers on 6-28-12.		
	Aff.Sub.Wit.	<p>Petitioner requests fees in connection with the representation of the Conservatee for the petition to appoint a conservator.</p> <p>Petitioner requests payment of \$1,000.00, which includes 5.95 hours @ \$300.00/hr (including an estimated 1.5 hours for preparation of this petition and attendance at the hearing.</p> <p>Petitioner states that although the initial Order Appointing Counsel orders fees to be paid "by the County of Fresno," pursuant to Probate Code Section 1472(b), Petitioner has been advised that the Conservatee has the ability to pay for the services rendered pursuant to Probate Code §1472(a)(2).</p>		
✓	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: skc</p> <p>Reviewed on: 7-26-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 - Reeves</p>	

Amended Petition for Probate of Will and for Letters Testamentary (Prob. C. 8002, 10450)

DOD: 11/17/11		JUDY TOLER , daughter/named Executor without bond, is Petitioner. Full IAEA – ok Will dated: 09/15/11 Residence: Clovis Publication: The Business Journal <u>Estimated Value of the Estate:</u> Personal property - \$55,000.00 Annual income - 93,000.00 Real property - 0.00 Total - \$148,000.00 Probate Referee: RICK SMITH	NEEDS/PROBLEMS/COMMENTS: 1. Need Letters. Note: If the petition is granted status hearings will be set as follows: <ul style="list-style-type: none"> • Friday, 12/07/2012 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal; and • Friday, 10/04/2013 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
Cont. from			
Aff.Sub.Wit.	s/p		
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	w/		
✓ Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters	x		
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
Reviewed by: JF			
Reviewed on: 07/26/12			
Updates:			
Recommendation:			
File 11 - Barnes			

Age: 5	<p align="center"><u>GENERAL HEARING 09/19/12</u></p> <p>ANTONIO SANDOVAL and ALICIA SANDOVAL, paternal grandfather and step-grandmother, are Petitioners.</p> <p>Father: TONY SANDOVAL – deceased</p> <p>Mother: BRITTANI FANCIULLO</p> <p>Paternal grandmother: JOSEPHINE SANDOVAL</p> <p>Maternal grandfather: UNKNOWN</p> <p>Maternal grandmother: SHARI FANCIULLO</p> <p>Petitioners state that Frankie's father is deceased and his mother is using drugs. Frankie is currently in their care and the mother agrees that he is better off with them until she can better care for him. The mother was arrested in January 2012 and is facing criminal charges. She was also evicted from her apartment.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service at least 5 court days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian of the Person or Consent and Waiver of Notice or Declaration of Due Diligence for: - Brittani Fanciullo (mother) 	
DOB: 06/02/07			
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			x
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			x
✓ 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: 07/26/12	
		Updates:	
		Recommendation:	
		File 13 - Sandoval	

Atty Gosselin, DeAnna (pro per – half-sister/Co-Guardian)
 Atty Gosselin, Jacob (pro per – brother-in-law/Co-Guardian)
 Atty Toby, Melissa Mae (pro per – mother)
 Atty Gamulin, Martin H. (for Kelly Huggins – father)
 Atty Attashian, Zepure (for Joyce Betz – paternal grandmother/Petitioner)

Petition for Appointment of Temporary Guardianship of the Person

GENERAL HEARING 09/04/12		NEEDS/PROBLEMS/COMMENTS:
Age: 8		<p>Note: Father, Kelly Huggins, has filed a Petition to Terminate the Guardianship. The hearing on the Petition to Terminate is set for 09/04/12.</p> <ol style="list-style-type: none"> There are currently duly appointed Guardians of the minor; therefore there is no vacancy at guardian. Need Order. Need <i>Notice of Hearing</i>. Need proof of personal service at least 5 Court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Guardian of the Person</i> <u>or</u> Consent and Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ul style="list-style-type: none"> - Melissa Toby (mother) - Deanna Gosselin (Guardian) - Jacob Gosselin (Guardian)
DOB: 09/19/03		
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		
<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 type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order	x	
<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 align="center">JOYCE BETZ, paternal grandmother, is Petitioner.</p> <p>DEANNA GOSSELIN and JACOB GOSSELIN, half-sister and brother-in-law, were appointed Co-Guardians of the Person and Letters were issued on 12/01/11.</p> <p>Father: KELLY HUGGINS – <i>consent & waiver of notice filed 07/18/12</i></p> <p>Mother: MELISSA TOBY</p> <p>Paternal grandfather: DECEASED</p> <p>Maternal grandfather: UNKNOWN Maternal grandmother: DONNA TOBY</p> <p>Siblings: Jennifer Huggins, Cody Huggins, Shiloh Huggins</p> <p>Petitioner states that the current guardians have prevented the paternal family from having contact with Irene. Petitioner states that she is concerned for Irene's well-being and stability while in the care of the guardians as they both have criminal history and drug and alcohol abuse is suspected. Because the guardians have isolated Irene, the rest of her family are prevented from seeing how she is doing and the type of environment and behaviors she is being exposed to. Irene's father is scheduled to be released from Chino prison at the end of July. Petitioner states that she is willing to maintain guardianship as long as necessary to ensure appropriate and safe contact between Irene and her parents. Petitioner further states that she does not know where the guardians and Irene are currently living and believes they may have moved to Stockton.</p> <p>Declaration of Keith Huggins, paternal uncle, filed 07/18/12 states that he does not believe that the Co-Guardians are in Irene's best interest. He reiterates that the Co-Guardians have past criminal and CPS history and have been isolating Irene from contact with the rest of her family. Mr. Huggin also alleges that Jacob Gosselin sells Marijuana. He further states that Petitioner Joyce Betz has virtually raised Irene since birth and has been the most stable and constant parental figure in her life. He feels that Joyce Betz is the most appropriate guardian for Irene.</p>		
		Reviewed by: JF
		Reviewed on: 07/26/12
		Updates:
		Recommendation:
		File 14 - Huggins

15 Corey M. Gill & Vivyan M. Gill (GUARD/P)
Atty Gill, Michael S. (pro per – paternal grandfather/Petitioner)
Atty Gill, Susan J. (pro per – paternal grandmother/Petitioner)

Case No. 12CEPR00638

Petition for Appointment of Temporary Guardianship of the Person

		<u>GENERAL HEARING 09/18/12</u>	NEEDS/PROBLEMS/COMMENTS:	
Corey, 12 DOB: 09/30/99		<p>MICHAEL S. GILL and SUSAN J. GILL, paternal grandparents, are Petitioners.</p> <p>Father: COREY L. GILL Mother: KRISTI M. GILL</p> <p>Maternal grandfather: MARIO CASTRO – <i>consent & waiver of notice filed 07/19/12</i> Maternal grandmother: MARIA CASTRO – <i>consent & waiver of notice filed 07/19/12</i></p> <p>Petitioners state that the father has ongoing drug abuse issues and the mother is more concerned with staying in a relationship with the father than providing a safe home for the children. The children stay with various family members every weekend. Petitioners state that in 2000, the father hit Corey in the face when he was 5 months old resulting in hospitalization. The father was arrested but served little jail time. The mother was given custody of the children and was supposed to divorce the father, but she did not follow through with the divorce. Petitioners state that the father has disappeared for days at a time on drug binges and has been taken to a psychiatric facility for drug induced psychosis. Petitioners state that the children are afraid of their father because of his unpredictable behavior. Petitioners state that the parents are planning to move to San Antonio and they are fearful that the children will suffer without family support as family members have frequently taken the children in to shield them from their father's drug use. Petitioners state that the parents are charming, manipulative adults who present a façade of respectability but their friends and relatives no longer trust or believe them. Petitioners further state that the parents were evicted from their home and are currently homeless, having been in 5 different homes in the last 2-3 weeks. Petitioners fear for the children's safety and want to protect them from being further neglected and psychologically abused.</p>	<ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service at least 5 court days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardianship or Consent and Waiver of Notice or Declaration of Due Diligence for: <ul style="list-style-type: none"> - Corey L. Gill (father) - Kristi M. Gill (mother) - Corey M. Gill (minor) 3. Need Child Information Attachment for Vivyan. 	
Vivyan, 6 DOB: 05/02/06				
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			
<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 type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
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<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: JF Reviewed on: 07/26/12 Updates: Recommendation: File 15 – Gill	

Atty Richardson, Robert (Pro Per – Maternal Grandfather – Petitioner)

Atty Richardson, Tina (Pro Per – Maternal Step-Grandmother – Guardian)

Petition for Visitation

Aliah, age 3	<p>ROBERT RICHARDSON, Maternal Grandfather, is Petitioner.</p> <p>TINA RICHARDSON, Maternal Step-Grandmother, was appointed guardian of Aliah on 6-18-09 and Jasmine on 6-2-10.</p> <p>Father (Aliah): Unknown Father (Jasmine): David Massey, Jr. - <i>Notice dispensed per minute order 6-2-10 unless whereabouts become known</i></p> <p>Mother: Darnisha Lafay Richardson - <i>Notice dispensed per minute order 6-2-10 unless whereabouts become known</i></p> <p>Petitioner previously filed a petition for visitation that was denied by the Court on 11-28-11.</p> <p>Petitioner states the last time he came to court requesting visitation of his biological granddaughters the Court denied his request because of lies that his now-ex-wife told the Court. But she is not their biological grandmother, she is was just Petitioner's wife.</p> <p>Petitioner states the guardian was issued a restraining order on 12-22-11 because of lies she told the Court, but immediately after court, up until 4-19-12, Petitioner was having regular weekend visits with his granddaughters. The reason those visits were cut short is contained in a police report made on 4-25-12 after his son moved from the guardian's home due to abuse. Since then, the children have not been able to communicate or visit with Petitioner or their 17-month-old little brother.</p> <p>Petitioner states on 4-14-12 his 2-year-old granddaughter walked into the bedroom while he was changing her little brother and pointed to his penis and said "dick." That's not a word that a 2-year-old has in her vocabulary. Petitioner requests that if the Court doesn't give him visitation that his granddaughter be removed from the guardian's home. Petitioner requests that the Court take all of this information under consideration when making a final decision.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Petitioner's previous petition for visitation was <u>denied</u> on 11-28-11. The Court found that it is not in the best interest of the minors to grant the petition.</p> <p>Note: The guardian Tina Richardson has an active restraining order against Petitioner that expires 12-22-12 in 11CEFL07236.</p>
Jasmine, age 2		
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
✓ Pers.Serv. W		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Reviewed by: skc
Reviewed on: 7-26-12
Updates:
Recommendation:
File 16 - Richardson