



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.

DOD: 08/19/06		JACKIE MCDONALD , former Executor, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 05/11/15 Minute Order from 05/11/15 states: Ms. McDonald represents that Steven Wright has been living in the home and making the mortgage payment of approximately \$560/month.</p> <p>Note: It does not appear that letters have issued to the Public Administrator.</p> <p>1. Petitioner states that the remaining cash on hand at the end of the account period (\$507.25) was paid to David M. Camenson (attorney) as partial payment for preparation of this account; however, Attorneys fee's in estates is set by statute and subject to approval by the Court prior to payment. Petitioner states that she did not know that she needed court approval for payment to an attorney and requests that the Court approve this disbursement to Mr. Camenson as he assisted her in completing the accounting.</p> <p>Note: A status hearing is set for 10/19/15 in this matter.</p> <p>Reviewed by: JF</p> <p>Reviewed on: 07/28/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 - Wright</p>
		Petitioner was removed as Executor and the Public Administrator was appointed successor Administrator on 01/22/15.	
Cont. from 051115		Account period: 08/19/06 – 01/22/15	
	Aff.Sub.Wit.		
✓	Verified	Accounting: \$268,957.45	
✓	Inventory	Beginning POH: \$333,566.08	
✓	PTC	Ending POH: \$250,507.25 (\$507.25 is cash)	
✓	Not.Cred.		
✓	Notice of Hrg	Executor: waived	
✓	Aff.Mail	Attorney: not addressed (Petitioner was initially represented by Roger Krouskup; Substitution of Attorney filed 04/20/10)	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	Preliminary Distribution was made to the beneficiaries as follows:	
	Conf. Screen	Tina Mitchell: household furniture, furnishings and appliances valued at \$2,500.00	
	Letters 10/23/06	Steve Wright: household furniture, furnishings and appliances valued at \$2,500.00	
	Duties/Supp	The following Creditor's Claims have been filed against the estate and fully allowed, but not yet paid:	
	Objections	DFS Services: \$2,037.40	
	Video Receipt	PG&E: \$ 383.66	
	CI Report	FIA Card Services: \$11,225.33	
	9202	n/a	
✓	Order	Petitioner prays for an Order:	
		1. Allowing, settling and approving the First Account; and	
		2. Confirming Petitioner has no other duties to perform for the estate.	
	Aff. Posting	Declaration of Jackie McDonald filed 06/29/15 states: Steven Wright, decedent's son, has been residing in the real property asset of the estate. It was Decedent's wish that Steven be able to continue living in the home until he could establish stable employment purchase the property from the estate. It was agreed upon by the heirs that Steven would remain in the home and pay the mortgage payment and maintain the home. Steven has now established employment and is in the process of purchasing the home from the estate working with the Public Administrator's office.	
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice	n/a	

**2 Anthony Abraugh, Trevar Bolech, Jayden Bolech,
& Selena Bolech (GUARD/P)**

Case No. 08CEPR00851

Petitioner: Daniel Clark (pro per)
 Petitioner: Sherrie Bolech (pro per)
 Guardian: Billy R. Abraugh (pro per)
 Guardian: Regina Clark (pro per)

Petition for Termination of Guardianship

			<p>DANIEL CLARK, father of Selena, and SHERRIE BOLECH, mother, are petitioners.</p> <p>Please see petition for details.</p> <p>Court Investigator Report filed on 6/30/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from 070615				
	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: KT
				Reviewed on: 7/29/15
				Updates:
				Recommendation:
				File 16 – Bolech & Abraugh

Nathaniel, 13	TALINA HURLEY , maternal grandmother, was appointed Guardian of the minors on 11/19/12	NEEDS/PROBLEMS/COMMENTS:
Scarlet, 10		
	On 05/27/14, Guardian's Petition to Fix Residence Outside the State of California was granted.	CONTINUED FROM 06/29/15 Minute Order from 06/29/15 states: Counsel has no updated information to provide today; requests 30 days.
	On 06/24/14, Debra Swenson, maternal grandmother, filed an Ex Parte Application for Temporary Restraining Order Preventing Guardian from Fixing Residence of Minors Outside of California and an Order Shortening Time on Petition to Terminate Order Fixing Minors Residence Outside of California . The Ex Parte Application was granted on 06/24/14 and set a hearing for 07/10/14.	As of 07/28/15, nothing further has been filed.
Cont. from 012615, 030915, 060115, 062915		
<input type="checkbox"/> Aff.Sub.Wit.		
<input type="checkbox"/> Verified		
<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 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		
	At the 07/10/14 hearing, the matter was set for a court trial on 07/24/14.	
	At the Court trial on 07/24/14, the Court found that there was no detriment in allowing the children to move to Oregon and set this matter for a Status Hearing regarding the Establishment of a Guardianship in Oregon.	
	Cover Sheet for Oregon Petition for Appointment of Guardian and Attached Documents filed 02/17/15 attaches a copy of a Petition for Appointment of Guardian in Washington County, Oregon.	
	Status Report filed 05/29/15 states: Talina Hurley, guardian, reports that attorney's in Oregon have informed her that a "registration" needs to take place, but it is unclear at this time what constitutes a "registration". A 90 day continuance is requested to allow time to obtain a "registration".	
		Reviewed by: JF
		Reviewed on: 07/28/15
		Updates:
		Recommendation:
		File 3 - Swenson

4 Carmen Gonzalez (Estate)

Case No. 12CEPR01048

Atty Fanucchi, Edward L. (for Petitioner/Administrator Santos Perez)

(1) First and Final Account and Report of Personal Representative, (2) Petition for Settlement, for (3) Allowance of Attorneys' Fees for Ordinary Services, Costs, and for (4) Final Distribution

DOD: 4/14/12	SANTOS PEREZ , Administrator, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 6/29/15. Minute order states the Court advises that it is not willing to distribute a property that is subject to a lien. Counsel requests time to amend.</p> <p>Note: Counsel has not filed an amended accounting. Counsel has submitted a revised proposed order that is significantly different than the pleadings. It appears that an amended petition should be filed reflecting any changes in distribution with notice to all interested parties.</p> <ol style="list-style-type: none"> Petition proposes to distribute the 1997 Automobile to Petitioner. Petitioner is not an heir to this estate. Therefore the property should be distributed to the heirs. (Revised order states this property has been abandoned – see #3 below) Petition proposes to distribute the real property subject to a life estate in favor of the petitioner, who is not an heir to this estate. Two of the beneficiaries, Mike Chavez and Richard Flores, Jr. have signed a Renunciation in favor of Petitioner for a life estate in the real property. The other two beneficiaries Isabel Alvarez and Sylvia Alaniz have not agreed the property being distributed subject to a life estate. <p>Please see additional page</p>
	Current bond: \$78,000.00	
	Account period: 4/14/12 – 8/21/14	
Cont. from 111014, 011215, 022315, 042015, 060115, 062915	Accounting - \$96,400.00	
Aff.Sub.Wif.	Beginning POH - \$96,400.00	
<input checked="" type="checkbox"/> Verified	Ending POH - \$96,400.00	
<input checked="" type="checkbox"/> Inventory	Administrator - waives	
<input checked="" type="checkbox"/> PTC	Attorney (statutory) - \$3,856.00	
<input checked="" type="checkbox"/> Not.Cred.	Costs - \$1,724.70	
<input checked="" type="checkbox"/> Notice of Hrg	(filing fees, publication, probate referee, bond, recorder fees and certified copies)	
<input checked="" type="checkbox"/> Aff.Mail W/	Creditor: Department of Health Care Services - \$30,826.13	
Aff.Pub.	Petitioner states he and the decedent lived together in the estate real property since 1987 until decedent's death in 2012. During the time that petitioner resided with decedent on the real property, he paid the mortgage payments each month, the maintenance and upkeep, and the annual property taxes. The decedent and petitioner agreed that petitioner would have a life estate in the property. Petitioner has continued to pay said expenses since the date of death of the decedent. Mike Chavez and Richard Flores, Jr. children of the decedent, executed a Renunciation in Favor of Santos Perez for a Life Estate; Isabel Alvarez and Sylvia Alaniz, daughters of the decedent did not execute such Renunciation.	
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
<input checked="" type="checkbox"/> Letters 6/18/13		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice	Please see additional page.	
	Reviewed by: KT	
	Reviewed on: 7/29/15	
	Updates:	
	Recommendation:	
	File 4 – Gonzalez	

Petitioner seeks to distribution of a life estate in the real property under the principle of estoppel. The real property will be subject to a lien in favor of the of the Department of Health Care Services of the State of California until the death of Santos Perez, or the sale of the real property, and subject to the lien of Quinlan, Kershaw and Fanucchi, LLP for attorneys' fees and costs with interest at 10% per annum from the date of the order. In addition the property would be distributed subject to a lien in favor of the Department of Health Care Services in the amount of \$30,826.13 with interest accruing at 7% per annum from the date of recording of the Order and subject to a lien in favor of Quinlan, Kershaw and Fanucchi, LLP, for attorney fees and reimbursement of costs of administration.

Proposed distribution is to:

- Santos Perez - 1997 Chevy Automobile and a life estate in the real property
- Mike Chavez (son) - 1/4th Interest in the real property, subject to the life estate.
- Isabel Alvarez (daughter) - 1/4th Interest in the real property, subject to the life estate.
- Richard Flores, Jr. (son) - 1/4th Interest in the real property, subject to the life estate.
- Sylvia Alaniz (daughter) - 1/4th Interest in the real property, subject to the life estate.

Declaration of paralegal Charlene Bullock filed on 3/2/15 states on 1/13/15 she had a voice mail message from Bobbie Coleman of the Recovery Section of the Department of Health Care Services. Mr. Coleman advised that the Department had reviewed the First and Final Account, the Order for Final Distribution, and the lien set forth in said document was acceptable to the Department. Ms. Bullock states that her office has filed Orders for Final Distribution in other probate matters wherein a lien to the Department of Health Care Services is set forth therein, and the Department has accepted those orders each time without having filed a formal consent or letter of consent with the Court.

NEEDS/PROBLEMS/COMMENTS (cont.):

3. Since this matter was first on calendar, the attorney has submitted several proposed orders. Several of the proposed Orders submitted included information not found in the pleadings. Such as, that the 1997 Chevrolet blew an engine in July 2013, was abandoned and its current whereabouts are unknown, distribution of a 50% interest in the real property to daughters Isabelle and Sylvia and the other 50% to sons Mike and Richard subject to a life estate in favor of petitioner. The most recent proposed order now proposes to distribute the 1997 Chevrolet that a previous order stated was whereabouts unknown. The latest proposed order distributes the property to the beneficiaries subject to a lien in favor of DHS and the attorney. Most of the information in these proposed orders is not reflecting in any pleading and not noticed on the beneficiaries. The order cannot reflect things that were not in any pleading and not noticed on all interested parties. **Need Amended Petition.**

5 Natalie Ortega & Vanity Saldivar (GUARD/P) Case No. 13CEPR00151

Petitioner Saldivar, Rosalinda Galvan (pro per – paternal grandmother/Petitioner)

Petitioner Saldivar, Richard (pro per – paternal grandfather/Petitioner)

Petition - Appoint Guardian

Age: 12	<u>NO TEMPORARY REQUESTED</u>		NEEDS/PROBLEMS/COMMENTS:
	<p>RICHARD SALDIVAR and ROSALINDA SALDIVAR, paternal grandparents, are Petitioners.</p>		<p>This Petition pertains to Vanity only.</p> <p>Cutberto & Irene Jimenez were appointed as co-guardians of Natalie on 03/25/15.</p>
	<p>Father: RUSTY SALDIVAR – <i>currently incarcerated</i></p>		
Cont. from 062915	<p>Mother: AMBER STICKLES – <i>Consent & Waiver of Notice filed 04/24/15</i></p>		<p><u>CONTINUED FROM 06/29/15</u> As of 07/28/15, nothing has been filed since the last hearing and the following notes remain:</p>
Aff.Sub.Wit.		<p>Maternal grandfather: CARL SHARP Maternal grandmother: TONYA SHARP</p>	
✓ Verified		<p>Petitioners state that Vanity has lived with them since she was a year old. She is doing well in school and Petitioners are able to provide a home for her.</p> <p>Court Investigator Samantha Henson filed a report on 06/22/15.</p>	<p>1. Need <i>Notice of Hearing</i>.</p> <p>2. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for:</p> <p>a. Rusty Saldivar (father) – <i>personal service needed</i></p> <p>b. Carl Sharp (maternal grandfather) – <i>service by mail sufficient</i></p> <p>c. Tonya Sharp (maternal grandmother) – <i>service by mail sufficient</i></p>
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	x		
Aff.Mail	x		
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: 07/28/15
			Updates:
			Recommendation:
			File 5 – Ortega & Saldivar

Probate Status Hearing re: Proof of Notice to DMV

	FREMONT BANK , former Trustee, petitioned the court for approval of their first and final account.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need declaration of Herb Thomas showing proof that the Trust is a lienholder on the vehicle or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
	HERB THOMAS is the current successor trustee.	
	The first and final account showed that Fremont Bank as Trustee for the Trust purchased a handicap equipped van for the beneficiary and distributed the van directly to the beneficiary.	
	Minute Order dated 6/29/15 states the court orders that the DMV is to be noticed that the Trust shall be the lienholder for the vehicle. Counsel is to submit a declaration verified by Herb Thomas.	
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: KT
		Reviewed on: 7/29/15
		Updates:
		Recommendation:
		File 6 – Bertoldi

Waiver of Accounting and Petition for Allowance of Commissions and Fees and for Final Distribution

DOD: 3/12/11	DENNIS M. VEEH , Son and Executor with Full IAEA without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need revised proposed order in compliance with Local Rule 7.6.1.A: Monetary distributions must be stated in dollars.</p>
	Dennis M. Veeh, as trustee of The Norman M. and Edna E. Veeh Family Trust, waives accounting.	
	I&A: \$150,507.70	
Cont. from 070615	POH: \$150,551.39 (\$107,060.02 cash plus stock)	
<input type="checkbox"/> Aff.Sub.Wit.	Executor (Statutory): Waived	
<input checked="" type="checkbox"/> Verified	Attorney (Statutory): \$5,515.23	
<input checked="" type="checkbox"/> Inventory	Costs: \$1,350.00 (filing, publication, appraisal)	
<input checked="" type="checkbox"/> PTC	Distribution pursuant to Decedent's will:	
<input checked="" type="checkbox"/> Not.Cred.	Dennis M. Veeh, as trustee of The Norman M. and Edna E. Veeh Family Trust: All property on hand	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail W		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
<input checked="" type="checkbox"/> Letters		
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: skc
		Reviewed on: 7/29/15
		Updates:
		Recommendation:
		File 8 - Veeh

9 Ellie Jubily Robertson (GUARD/P)

Case No.14CEPR00944

Petitioner Ritter, Jarrod (Pro Per – Father)
Attorney Donovan, Katherine (for Cindy Robertson – maternal grandmother/guardian)
Petition for Visitation

Age, 3	JARROD RITTER , father, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS: CONTINUED FROM 06/22/15 Minute Order from 06/22/15 states: Ms. Donovan filed a Notice of Non-Availability for today's date. Mr. Ritter is directed to make certain that proper service of his petition has been affected.
	CINDY ROBERTSON , maternal grandmother, was appointed guardian on 02/13/15. – Served by mail on 04/28/15	
	Minute Order from 02/13/15 states: The Court orders that Mr. Ritter should have reasonable visitation and refers the matter for mediation today at 1:30. Any agreement reached should be submitted to the Court for Approval.	
Cont from 051815, 062215	Guardian and father participated in mediation on 02/23/15.	
<input type="checkbox"/> Aff.Sub.Wit.	Minute Order from status hearing re Mediation on 03/09/15 states: The filed mediation agreement becomes the order of the Court; Jarrod Ritter, father, shall have supervised visits every other Saturday from noon to 5pm starting 03/14/15, and every other Wednesday from noon to 5pm starting 03/18/15, supervised by Michael Ritter or Israel Winslow. Mr. Ritter and the supervisor will pick-up and return the minor. Parties agree to 24 hour prior notice is the supervisor is unable to make the visitation, and parties may mutually agree to a different day. Additionally, Jarrod Ritter will have Skype visits every Monday at 5pm and every Thursday at 7pm for no more than 10 minutes.	
<input checked="" type="checkbox"/> Verified	Petition for Visitation filed 04/07/15 by Jarrod Ritter states: [see file for details]	
<input type="checkbox"/> Inventory	Court Investigator Dina Calvillo filed a report on 06/17/15.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input 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 checked="" 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		
		Reviewed by: JF
		Reviewed on: 07/28/15
		Updates:
		Recommendation:
		File 9 – Robertson

10 Prince Perry (GUARD/P)

Case No. 14CEPR00988

Petitioner Adams, Amber (Pro Per – Mother)

Petition for Termination of Guardianship

Age: 1		NEEDS/PROBLEMS/COMMENTS: <u>Continued to 09/02/2015</u> <u>at the request of the Petitioner,</u> <u>Amber Adams.</u>
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: LV
		Reviewed on: 07/29/2015
		Updates:
		Recommendation:
		File 10 – Perry

First and Final Report and Petition for Final Distribution on Waiver of Account and For Allowance of Compensation for Ordinary Services for Petitioner and Petitioner's

Attorney

DOD: 1/14/15		<p>ROXANNA FREEMAN BRANT, Executor with Full IAEA without bond, is Petitioner.</p> <p>Petitioner is the sole heir and waives accounting.</p> <p>I&A: \$1,286,902.80 POH: \$261,830.98 cash plus all inventory assets including various promissory notes, share interest in various business entities.</p> <p>Executor (Statutory): Waives</p> <p>Attorney (Statutory): \$25,869.03</p> <p>Distribution pursuant to Decedent's will is to Roxanna Freeman Brant – entire estate.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
✓	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
✓	FTB Notice			
<p>Reviewed by: skc</p> <p>Reviewed on: 7/29/15</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 11 – Gonzales</p>				

Appraisal

Age:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR</u> Final Inventory & Appraisal filed 04/06/15</p>
DOD:		
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: 07/29/15
		Updates:
		Recommendation:
		File 12 – Bebb

DOD: 01/15/15	<p>DUSTIN C. REYNOLDS, son, was appointed Administrator with Full IAEA and bond set at \$150,000.00 on 03/03/15. Subsequently, Petitioner filed an Ex Parte Petition for Limited Powers and revised Order for Probate reducing the bond. On 03/27/15, a new order appointing Dustin C. Reynolds with Limited IAEA and bond set at \$20,000.00 was filed.</p> <p>Letters of Administration were issued on 04/29/15.</p> <p>Minute Order from hearing on 03/03/15 set this matter for status regarding filing the Inventory & Appraisal.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Inventory & Appraisal and/or current verified status report.
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 on: 07/29/15
		Updates:
		Recommendation:
		File 13 – Reynolds

15A Jovanii Pascale (GUARD/P)

Case No. 15CEPR00410

Petitioner Villalvazo, Roseana (Pro Per – Maternal Great Aunt)

Petition for Appointment of Guardianship of the Person

Age: 13	<u>TEMPORARY EXPIRES 08/03/2015</u>	NEEDS/PROBLEMS/COMMENTS:
	ROSEANA VILLALVAZO, maternal great aunt, is petitioner.	
	<u>Please see petition for details</u>	<p>Minute Order of 06/22/2015: Examiner notes provided in open court. The Court notes that there is a child support case against Justin Lyman with regard to this minor. The court dispenses with notice as to the unknown paternal grandparents. The Court orders Temporary Letters are to issue forthwith.</p> <p>The following issues remain:</p> <ol style="list-style-type: none"> 1. 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"> • Justin – (Father) Unless the Court dispenses with notice 2. Notice of Hearing filed 04/30/2015 showing service on Nicole Mary Donna Clewly, mother, and Joseph Pascale, maternal grandfather, is defective as it is incomplete as to who effectuated service, their address, and date of service. 3. UCCJEA is incomplete. Need minor's residence information for the past 5 years.
Cont. from 062915		
Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		<p>Reviewed by: LV</p> <p>Reviewed on: 07/29/2015</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15A - Pascale</p>
Inventory		
PTC		
Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail		
Aff.Pub.		
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		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
Citation		
FTB Notice		

15B Jovanii Pascale (GUARD/P) Case No. 15CEPR00410

Petitioner Villalvazo, Roseana (Pro Per – Maternal Great Aunt)

Hearing - Fee Waiver

		NEEDS/PROBLEMS/COMMENTS:
Cont. from 062915		
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: LV
		Reviewed on: 07/29/2015
		Updates:
		Recommendation:
		File 15B - Pascale

15B

Petitioner: Janette Laphy (pro per)

Petition for Appointment of Guardian of the Person

		TEMPORARY EXPIRES 8/3/15	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 6/22/15. Minute order states Maria Bethell, mother, represents that her mother's name is Trinidad Saaverda and that she lives near Milburn and Brawley. As of 7/28/15 the following issues remain:</p> <ol style="list-style-type: none"> 1. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence for: <ol style="list-style-type: none"> a. Martin Frank Orozco (father) 2. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence for: <ol style="list-style-type: none"> a. Trinidad Saaverda, maternal grandmother - unless the court dispenses with notice.
		<p>JANET LAPHY, paternal grandmother, is petitioner.</p> <p>Please see petition for details.</p>	
Cont. from 062215			
	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: KT
			Reviewed on: 7/29/15
			Updates:
			Recommendation:
			File 16 - Orozco

DOD: 3/10/15	<p>KATHIE LIVERMORE, JANET CURTISS, and LANA CRAVEN, Daughters, are Petitioners.</p> <p>40 days since DOD</p> <p>I&A: \$175,000.00 (real property located at 4319 N. Feland in Fresno)</p> <p>Will dated 3/1/15 devises the entire estate to the decedent's three living children (Petitioners).</p> <p>Petitioners request Court determination that the decedent's 100% interest in the real property passes to them in one-third undivided interests each.</p>	NEEDS/PROBLEMS/COMMENTS:
Cont. from 062215		
<input checked="" type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory		
PTC		
Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail <input type="checkbox"/> 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		
		Reviewed by: skc
		Reviewed on: 7/29/15
		Updates:
		Recommendation: SUBMITTED
		File 17 – Livermore

18 Fredrick Holley (Spousal) Case No. 15CEPR00519
Petitioner DeShazor-Holley, Laura R. (Pro Per – Surviving Spouse)
Spousal Property Petition

DOD: 10/27/2014	LAURA R. DESHAZOR-HOLLY , surviving spouse, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 06/29/2015: Examiner notes provided in open court.</p> <p>1. Attached to the petition is an Interspousal Transfer Deed reflecting that Laura R. Holley, wife, grants to Frederick R. Holley, husband, the real property as his sole and separate property. Therefore it appears the property is the separate property of the decedent and not community property. Probate Code § 6401 provides that the petitioner would be entitled to 1/3 interest and the decedent's two children would be entitled to a 2/3rd interest.</p> <p>Note: Declaration filed 07/28/2015 requests co-ownership of the real property between the spouse and the two children however this procedure can only be used to pass property to the surviving spouse therefore it appears that the petitioner will need to commence another type of procedure to pass the property as requested.</p> <p>2. Order is incomplete. Need new order.</p>
	No other proceedings	
	Decedent died intestate	
Cont. from 062915		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Petitioner requests court confirmation that 100% of the property located at 5594 W. Swift Ave., Fresno, Ca. and 2013 Ford Fusion SE Hybrid pass to the petitioner.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Declaration filed by Petitioner on 07/28/2015 states she requests acquisition of title, possession and 1/3 rd interest in real property by intestate succession. The two adult children Garret R. Holley and Sierra J. Holley are both entitled to 1/3 rd interest. Petitioner is requesting co-ownership of property as joint tenancy with right of survivorship for Laura R. DeShazor-Holley, Garret R. Holley and Sierra J. Holley.	
<input checked="" type="checkbox"/> Aff.Mail	w/o	
<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		
<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: LV
		Reviewed on: 07/29/2015
		Updates:
		Recommendation:
		File 18 - Holley

Age: 1		<u>TEMPORARY EXPIRES 08/03/15</u>		NEEDS/PROBLEMS/COMMENTS:
		<p>JANELL GONZALES, paternal grandmother, is Petitioner.</p> <p>Father: JOSEPH GONZALES – Consent & Waiver of Notice filed 06/02/15</p> <p>Mother: KARINA CASTRO – Consent & Waiver of Notice filed 06/02/15</p> <p>Paternal grandfather: HENRY GONZALES – served by mail on 06/03/15</p> <p>Maternal grandfather: BOBBIE CASTRO – served by mail on 06/03/15</p> <p>Maternal grandmother: CRYSTAL FOWLER – served by mail on 06/03/15</p> <p>Petitioner states: [see Petition for details].</p> <p>Court Investigator Jennifer Daniel filed a report on 07/28/15.</p>		
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	w/		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	n/a		
✓	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: 07/29/15
				Updates:
				Recommendation:
				File 19 – Castro

Efren, 9	<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: a. Efren Ortega, Jr. (father) – <i>personal service required</i> b. Crystal Arciniega (mother) – <i>personal service required</i> c. Paternal grandfather – <i>service by mail ok</i> d. Maternal grandparents – <i>service by mail ok</i>	
Isac, 8	CARMELITA NANEZ-MENDOZA , paternal grandmother, is Petitioner.		
Eric, 8	Father: EFREN ORTEGA, JR.		
Jazmine, 7	Mother: CRYSTAL ARCINIEGA		
Xavier, 5	Paternal grandfather: NOT LISTED		
Ivan, 4	Maternal grandparents: NOT LISTED		
Cont. from	Petitioner states [see Petition for details].		
<input type="checkbox"/> Aff.Sub.Wit.	Court Investigator Julie Negrete filed a report on 07/27/15.		
<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 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: 07/29/15 Updates: Recommendation: File 20 – Ortega/Arciniego	

21 The Cauwels Revocable Living Trust, Dated September 30, 2002

Case No. 15CEPR00592

Page 2

Petitioner states: In the original trust created 9/30/02, excluding specific gifts, Settlor left 55% of his assets to Petitioner with the remainder split between his three other children, Respondents Naomi Wright, and Pamela Jackson, and John Cauwels. The only substantive change in the First Amendment was the retention of John Cauwels' share in trust.

In October of 2014, Pamela and Naomi teamed up to execute a scheme to alter and amend Settlor's estate plan. At Naomi's initial request, Settlor was evaluated by a Dr. Kumari Iyer who declared him incapable of making legal or financial decisions (*not attached*). Shortly thereafter, Settlor's health deteriorated to the point where he required admission to the VA Central Health Care Home in Fresno.

On 11/30/14, Petitioners created a fill-in-the-blank form letter as Settlor's "attorney-in-fact," instructing all third parties, including Petitioner, that they could no longer visit Settlor in the hospital (Exhibit D). Respondents misrepresented to VA hospital staff that Petitioner was a threat to Settlor's health and safety, prompting the latter to deny Petitioner access to see his father during the waning moments of his life. Respondents justified their actions by stating that three physicians had stated that Settlor no longer had mental capacity.

Respondents then began a practice of manipulation and undue influence by telling Settlor that Petitioner intended to sell and destroy all of his assets, leaving them with nothing, and hired an attorney to come to the VA hospital for the purpose of amending the trust.

On 12/19/14, approx. two (2) weeks after Respondents represented that Settlor lacked mental capacity, and while still a resident at the VA hospital, Settlor purportedly executed the Alleged Amendment, drastically altering the terms of the trust and removing Petitioner as a successor co-trustee.

Settlor died 1/12/15, less than a month after the Alleged Amendment was executed, and on 2/9/15, Petitioner received notice under Probate Code §16061.7.

Shortly thereafter, Petitioner received a 60 day notice to vacate the real property in which he has resided for nearly all of his life.

As a result of Respondents' persistent and pervasive manipulation and undue influence, Settlor altered his trust in a manner than he would not have otherwise intended.

SEE ADDITIONAL PAGES

Page 3

Petitioner provides legal argument and states the settlor was incapacitated as defined *per se* by Paragraph 8.6(a) of the trust. Further, the Alleged Amendment is complex in nature, requiring a heightened degree of mental capacity that Settlor simply did not have. Although the design of the Alleged Amendment seemingly grants Petitioner and John the ability to reside in their respective properties for the term of their lives, any such right of occupancy is eroded by multiple and convoluted subsections of discretionary trustee authority. Respondents have demonstrated their intent to evict Petitioner and John by way of their 60 day notice, something not likely considered or discussed with Settlor.

Given its complexity, it is without question that a heightened degree of mental capacity was necessary than that held by Settlor at the time of its execution.

Petitioner states Settlor was deemed incapacitated prior to execution of the Alleged Amendment, with reference to a letter from Dr. Kumari Iyer that read, in part, that Settlor was "not capable of making legal or financial decisions." The opinion of Dr. Iyer, combined with the definition of incapacity in Paragraph 8.6(a) of the trust (see First Amendment Page 25), establish that Settlor lacked capacity to legally execute the Alleged Amendment.

Petitioner states Respondents unduly influenced Settlor by misrepresenting Petitioner's intentions regarding the assets of the trust, and represented to hospital staff that Petitioner was trying to take advantage of the trust. Such statements are found in the Progress Notes of Dr. Neil A. Smith for December 17, 2014, attached as Exhibit F.

Examiner's Note: Exhibit F is the 60-day Notice to Quit. Progress Notes do not appear to be attached.

Petitioner states Respondents have acted only for their own personal benefit and should be removed as Successor Trustees, and the Alleged Amendment should be set aside as Settlor lacked mental capacity and was unduly influenced.

Petitioner requests the following:

- 1. An order confirming that Petitioner is a successor trustee of the trust;**
- 2. An order determining that the First Amendment is valid and enforceable;**
- 3. An order determining that the Alleged Amendment is invalid and unenforceable;**
- 4. An order restraining Respondents from exercising any powers or privileges as successor trustee;**
- 5. An order compelling Respondents to account for any trust assets collected or received as successor trustees.**

22A In Re: The Moore Family Trust dated 01/02/1990 Case No. 15CEPR00601
Attorney: Marcella Downing, Marcella (for Petitioner John R. Moore, Jr.)

Petition for Appointment of Guardian Ad Litem

		JOHN R. MOORE, JR , Trustee of the Moore Family Trust, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner seeks the appointment of JASON MICHAEL WHEELER (cousin of the minor) as Guardian Ad Litem for BRIANNE SHEMIAH MOORE (minor).	<p>1. A person may not act as a guardian ad litem unless he or she is an attorney or is represented by an attorney. The pleading do not say whether or not Mr. Wheeler is an attorney or represented by an attorney.</p> <p>2. Order grants Mr. Wheeler the authority to take the minor's distribution and hold it in an FDIC insured interest bearing account for her benefit until she turns 21 years of age. Mr. Wheeler will not have to account but is required to send a copy of the bank statement annually. A guardian ad litem is not the same as a guardian of the estate. Therefore, it appears that Mr. Wheeler would not be able to take control of the minor's funds without being appointed as guardian of her estate.</p>
Cont. from		Petition states the appointment arises out of issues regarding the consent to modification or termination of a trust.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input 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		
<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: 7/29/15
			Updates:
			Recommendation:
			File 22A - Moore

Petitioner states, continued:

- Petitioner believes that Rosemary intended for the Triplex to be held as part of the Trust estate and to be administered and distributed under the terms of the Trust, including the Computershare account and the Promissory Note;
- Petitioner believes that Karnig intended for the Karnig Assets to be held as part of the Trust estate and to be administered and distributed under the terms of the Trust, including the Computershare account and the Promissory Note;
- Trust terms state Settlers declare they have set aside and hold in Trust [emphasis in original] the property described in Schedule A attached to the Trust (*copy of schedule A attached with Exhibit A*), and the property list in Schedule A includes real property, promissory notes and receivable and security interests in real and personal property, bank accounts, savings and loan accounts [etc.], and provides that all property belonging to Karnig and Rosemary Cloud not otherwise described in the instrument is part of the Trust estate;
- Taken together, the Trust and Schedule A show that Karnig and Rosemary intended for all of their property, including the Triplex, Karnig Assets, Computershare Account, and the Note, to be assigned to the Trust and held for the benefit of its beneficiaries, even if such assets were not titled in the name of the Trust;
- Settlers also executed a certain Assignment dated 1/8/2008 which transferred and assigned all of Settlers' right, title and interest in all property in Exhibit A of the Assignment to the Trust (*copy of Assignment and Exhibit A attached as Exhibit D*);
- The Assignment shows it was Settlers' intent to transfer and assign the Triplex, Karnig Assets, Computershare Account, and the Note, among other assets, to the Trust;
- Rosemary's Will is a pour-over will which bequeaths all property constituting part of Rosemary's estate to the Trust (*copy attached as exhibit E*), and if the assets were probated all would end up as part of the Trust estate and pass pursuant to the Trust;
- Karnig's Will is a pour-over will which bequeaths all property constituting part of Karnig's estate to the Trust (*copy attached as exhibit F*), and if the assets were probated all would end up as part of the Trust estate and pass pursuant to the Trust.

Petitioner prays for an Order that:

1. The Triplex, Karnig Assets, Computershare Account, and the Note, are subject to the management and control of Petitioner as Successor Trustee of the Trust; and
2. Petitioner's interest in the Triplex, Karnig Assets, Computershare Account, and the Note, is confirmed and transferred to the Trust.

Attorney Callister, Jared R. (for Petitioner Charles W. Henry, Settlor)

Petition for Order Approving Modification and Termination of Trust Under Probate Code Sections 15409 and 15404

Frances DOD: 7/12/2011		<p>CHARLES W. HENRY, surviving Settlor, is Petitioner.</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> • Petitioner and his wife, FRANCES J. HENRY, executed a trust agreement creating the CHARLES & FRANCES HENRY FAMILY TRUST (copy attached as Exhibit A); • The Trust provided that at the first settlor's death, all Trust assets would pass and flow into a survivor's trust, for the benefit of the surviving settlor, unless the assets were disclaimed by the surviving settlor, which would be disclaimed into a bypass trust; • The Trust further provides that at the death of the surviving settlor, all assets in the bypass trust if formed by disclaimer would pass in equal shares to the Settlor's living children; • At the time of Frances Henry's death, Petitioner and Frances Henry had a combined estate of ~\$1.3 million; initially it was anticipated that Petitioner would not exercise his rights of disclaimer [in order to take advantage of tax exemption explained at page 2 of Petition]; however, due to Congressional inaction [regarding tax exemption, as explained in Petition], and at the recommendation of Petitioner's CPA and Attorney, Petitioner executed a Disclaimer (copy attached as Exhibit B), by virtue of which ~\$400,000.00 and real property in Madera ("Disclaimed Assets") were transferred to the CHARLES W. HENRY BYPASS TRUST, and the remainder of the assets were allocated to the CHARLES W. HENRY SURVIVOR'S TRUST; Petitioner is the current trustee of these trusts; • While the Disclaimer was prudent in 2011, Congress finally passed a bill which rendered the Disclaimer moot, and because of this change Petitioner desires to modify and terminate the Bypass Trust so that all assets are transferred to the Survivor's Trust as if no disclaimer had been made; <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
				<p>Reviewed by: LEG</p> <p>Reviewed on: 7/29/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 24 – Henry</p>

Petitioner states, continued:

- Petitioner and the Trust's remainder beneficiaries, **JOHN P. HENRY** and **HEATHER A. BROMFIELD**, Petitioner's children, request that the Bypass Trust be terminated due to the change in tax laws and that all of the Bypass Trust assets be transferred and allocated to the Survivor's Trust;
- The drastic changes in the law that occurred after the execution of the Henry Family Trust and the Disclaimer were not reasonably anticipated by the Settlers and as a result will no longer meet the Settlers' intended purposes for establishing the Family Trust in the first place;
- The Bypass Trust requires filing and preparation of annual tax returns and other matters that are an undue burden on Petitioner; not allowing the modification of Trust as requested would thwart the Trust's and Settlers' original purposes;
- Under Probate Code § 15409, this Court is justified in modifying and terminating the Bypass Trust to allow all Bypass Trust assets to pass to the Survivor's Trust;
- Petitioner and the remainder beneficiaries all consent to this Petition, and under Probate Code § 15404 the Court is authorized to grant the modification and termination (*consents attached as Exhibit C*).

Petitioner prays for an Order:

1. Finding that notice was properly provided; and
2. Approving the modification and termination of the Bypass Trust so that the Bypass Trust be terminated and all assets of the Bypass Trust pass to and transfer to the Survivor's Trust.

See petition for details.			<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of <u>personal</u> service of Notice of Hearing with a copy of the temp petition at least five court days per Probate Code §2250(e) on:</p> <ul style="list-style-type: none"> - Stephen Joseph Smith (Father) - Taylor Vaillancourt (Mother)
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	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: skc
			Reviewed on: 7/29/15
			Updates:
			Recommendation:
			File 25 – Vaillancourt

Petitioner Flores, Luis J. (Pro Per Petitioner, former step-father)

Petition for Appointment of Temporary Guardian of the Person

		<u>General Hearing set for 9/22/2015</u>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of five (5) court days' notice by personal service of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence</i> for: <ul style="list-style-type: none"> • Roseline Mattinson, mother; • Julio Espuro, father, if Court does not find due diligence.
		LUIS J. FLORES, former step-father, is Petitioner.	
		~Please see <i>Petition for details</i> ~	
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		
			<p>Reviewed by: LEG</p> <p>Reviewed on: 7/29/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 26 – Velasco-Castell</p>

**28 Rebecca Alvarez, Nicholas Alvarez, and Samuel Alvarez
(GUARD/P)**

Case No. 15CEPR00718

Petitioner Espinoza, Sonia (Pro Per – Non-Relative – Petitioner)

Petition for Appointment of Temporary Guardian of the Person (Prob. Code §2250)

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of personal service of Notice of Hearing with a copy of the temp petition at least five court days prior to the hearing per Probate Code §2250(e) on: - Ernesto Alvarez, Sr. (Father) - Rebecca Bills (Mother)	
	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: skc	
			Reviewed on: 7/29/15	
			Updates:	
			Recommendation:	
			File 28 – Alvarez	

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 7/27/15. The following issues remain:</u></p> <ol style="list-style-type: none"> 1. Need proof of <u>personal</u> service of Notice of Hearing <u>with a copy of the temp petition</u> at least five court days prior to the hearing pursuant to Probate Code §2250(e) <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence for both parents: <ul style="list-style-type: none"> - Ramon Castro (Father) - Nicole Hinojosa (Mother) <p><u>Note:</u> Petitioner filed Notice of Hearing indicated <u>mailed</u> service <u>without</u> a copy of the petition.</p> 2. Court records indicate a presently pending Family Court matter. Petitioners may wish to seek joinder in the family law proceeding and request relief from that court pursuant to Local Rule 7.15.7.
Cont. from 7/27/15			
	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		
<p>Reviewed by: skc</p> <p>Reviewed on: 7/28/15</p> <p>Updates: 7/26/15</p> <p>Recommendation:</p> <p>File 29 – Hinojosa</p>			