



## 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.

**Tenth Report of Successor Trustee and Petition for Its Settlement on Waiver of Account and to Terminate Trust With Consent of All Beneficiaries [Prob. C. 15403 (a), 15405, 15410(c), 17200(b)(4)-(5), & 17200(b)(13)]**

		<p><b>DAVID S. COLBURN</b>, Successor Trustee, is Petitioner.</p> <p><b>Background information:</b></p> <ul style="list-style-type: none"> <li>This matter is a continuing action begun with the administration of the Will of Edith H. Pomeroy under the jurisdiction of this court and the distribution of assets in the estate of Edith H. Pomeroy to the trustee of the trust created under her Will, as set forth in the 1978 order of this Court.</li> <li>David S. Colburn ("Trustee") was appointed Successor Trustee of the Trust pursuant to an order of this Court dated June 27, 2005.</li> <li>The Ninth Report of Successor Trustee, etc., was settled by this Court by order on January 12, 2011, which also accepted the Trustee's resignation and appointed a successor trustee.</li> <li>By minute order dated April 26, 2011, the resignation of the Trustee and appointment of a successor trustee were reversed and the Trustee's appointment ratified.</li> <li>At a status hearing on July 26, 2011, the Trustee's bond was confirmed at \$210,000.00 and the Trustee was ordered to place and maintain the amount of the trust estate in excess of the bond amount in a blocked account.</li> <li>The Trustee complied with the order and a receipt confirming the deposit of assets to a blocked account at Morgan Stanley Smith Barney was filed on 11/15/11.</li> </ul> <p><b>Petitioner states:</b></p> <ol style="list-style-type: none"> <li>Pursuant to the terms of the Trust, Edith Jeanne Pomeroy Johnson Smith aka Jeanne Johnson Smith, and her issue are the beneficiaries of the Trust. Her issue include her three living children, all adults over the age of 25, and her three grandchildren who are minors. The minor grandchildren and unborn beneficiaries are represented by a guardian ad litem appointed by the Court. All beneficiaries and the guardian ad litem have each waived the presentation of a formal accounting for the Trustee's period of service as trustee from the conclusion of the Ninth report in 2011 to the present. Petitioner seeks the Court's order approving and settling the tenth report of Trustee.</li> </ol> <p style="text-align: center;">Continued on Page 2</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>CONTINUED FROM 07/09/12</u></p> <p>1. Need Order.</p>
<b>Cont. from 070912</b>			
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b> w/		
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
	<b>Order</b> x		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 07/31/12</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 1 - Pomeroy</b></p>	

2. Each living adult beneficiary has consented in writing to the termination of the Trust and the report and consent of guardian ad litem representing the interest of the minor grandchildren and unborn beneficiaries, is expected to be on file with the court before the hearing date. **Note: Report of Guardian ad Litem and Consent to Terminate Trust was filed 07/19/12.**
3. California law provides for the termination of a trust upon petition if all the beneficiaries consent to it. The persons above represent all of the beneficiaries of the Trust and each has presented his or her consent to terminate the Trust.
4. If the Trust is ordered terminated, the assets of the Trust should be distributed to the children of Jeanne Johnson Smith. The terms of the Trust provide that, upon the death of Jeanne Johnson Smith, the trust is terminated, divided into shares, administered and distributed.
5. Subparagraph (b) of Paragraph EIGHT directs that, upon the death of Jeanne Johnson Smith (aka EDITH JEANNE POMEROY JOHNSON SMITH), the Trust be divided into *"as many equal shares as there are then living issue of EDITH JEANNE POMEROY JOHNSON SMITH, plus one share for each then deceased issue of EDITH JEANNE POMEROY JOHNSON SMITH who leaves issue then surviving....."* (the use of the word "issue" in the above sentence is misleading. Petitioner believes that the reference to the "living issue of EDITH JEANNE POMEROY JOHNSON SMITH" is intended to mean the living children of EDITH JEANNE POMEROY JOHNSON SMITH. This interpretation is consistent with the remaining language of subparagraph (b), which indeed refers to the allocation of trust shares to "children" by continuing, allocating a share to "each child of EDITH JEANNE POMEROY JOHNSON SMITH then living and one such share...for the benefit of the issue by right of representation, of each then deceased child of...EDITH JEANNE POMEROY JOHNSON SMITH who leaves issue then surviving." Share are to be distributed outright to beneficiaries age 25 and over. All of the children of EDITH JEANNE POMEROY JOHNSON SMITH are alive and over the age of 25. There are no deceased children with or without surviving issue.
6. Jeanne Johnson Smith has indicated in writing that she has no interest in receiving any further benefit from the Trust. She has indicated her wish to see the trust estate divided equally among her three children upon termination of the Trust.
7. Alternatively, distribution of the Trust might be based on the calculation of actuarially-based interests. This might result in a portion of the trust corpus being distributable to Mrs. Johnson Smith. However, there are significant inheritance tax consequences in the United Kingdom where Mrs. Johnson Smith is domiciled and has lived for years, to her receipt of a distribution from the termination of the Trust. Any amount she received would be added to her estate and heavily taxed at her death, to the detriment of her surviving family members. Mrs. Johnson Smith states that she is more than adequately supported by her current income and assets and that she has no use for any further income or principal from the Trust and she has endorsed the distribution of the trust assets at termination solely to her three children.

**Petitioner prays for an Order:**

1. Finding that notice has been given as required by law or waived by interested parties;
2. Settling and approving the Tenth Report of the Successor Trustee;
3. Terminating the Trust created under the Will of Edith H. Pomeroy; and
4. Ordering distribution of the assets of the Trust as requested.

Atty Gin, Robert W.  
Atty Dias, Michael A.

Petition for Removal of Mary M. Davis as Executor of Estate Compelling Account and Report of Administration of Estate Appointment of Lynette Lucille Duston and Warren Leslie Davis as Successor Co-Executors of Estate, Removal of Mary M. Davis as Trustee of The Testamentary Trusts, Compelling Account and Report information Regarding the Testamentary Trusts and Appointment of Warren Leslie Davis as Successor Trustee of the Testamentary Trust [Prob. C. 8420, 8421, 8500, 8501, 8502, 8800, 8804, 10950, 10952, 12200, 12204, 12205, 15642, 15645, 15660, 15680, 16420 and 17200(b)]

Age:		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>CONTINUED TO 8-29-12</u></b> Per request from Attorney Michael Dias' office.</p>
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
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Notice of Hrg		
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Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 7-30-12
		Updates:
		Recommendation:
		File 2 - Davis

**Petition for Order Fixing and Allowing Attorneys' Fees (Prob. C. 1472)**

		<p><b>DONNA M. STANDARD</b>, private counsel for Conservatee Harry Sager, is Petitioner.</p> <p><b>PUBLIC GUARDIAN</b> was appointed Conservator of the Person and Estate on 3-2-12.</p> <p><b>Petitioner requests</b> fees in connection with the representation of the Conservatee for the Petition for Appointment of Probate Conservator.</p> <p>Petitioner asks that she be paid from the Conservatee's estate at total of \$1,587.50 for 11.2 hours @ \$125/hr (\$1,400.00), plus 1.5 hours in preparation of this petition and attendance at the hearing.</p> <p>Services are itemized by date and include review of documents, visits with client, court appearance.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> Petitioner included 1.5 hours combined for preparation of this petition and attendance at the hearing. If the petition is preapproved and attendance is not required, the Court may reduce the fees accordingly.</p>
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b> <small>w</small>		
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 7-30-12</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 3 - Sager</b></p>	

**Petition by Executor to Determine Ownership of Estate Property and for Order Authorizing and Directing the Transfer of Estate Property to Claimant [Prob. C. 100 & 850 et seq]**

<b>DOD: 4/28/2001</b>	<b>MAY ISSA LORAH</b> , Executor, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Petitioner was appointed as Executor without bond on 4/2/12.	
<b>Cont. from 071212</b>	<b>Petitioner alleges</b> at the time of her death, decedent was married to Murched Mike Issa, who survived her but later died on 11/12/10. Decedent and Murched were married on 9/24/1960 in Beirut, Lebanon. At the time of their marriage they did not have anything. All assets acquired during their marriage were done so with community property earnings.	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
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<b>Aff.Pub.</b>		
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<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
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<input checked="" type="checkbox"/> <b>Order</b>		
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<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
<b>Please see additional page</b>		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 7/31/12</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 4A - Issa</b>

Petitioner believes that as of 4/28/2001 (date of decedent's death) ½ of the community property interest in Quetico LLC belonged to the decedent. This 12.5% is being inventoried in this estate.

The remaining 12.5 % interest in Quetico, LLC represents the community property interest of Murched Mike Issa. Petitioner is further informed and believes that the additional 2.5% interest referred to in agreement was the decedent's community property and belonged to the decedent. Petitioner believes that this remaining 12.5% interest in Quetico, LLC was a portion of the 15% which was relinquished pursuant to the agreement.

As a consideration for the surrender of the 15% of the interest in Quetico, LLC, Murched Mike Issa received a lump sum total of \$420,778.30 in cash or cash equivalent, monthly stipend and various benefits as set forth in the agreement.

Murched Mike Issa passed away on 11/12/10 in San Diego County. A probate proceeding for the Estate of Murched "Mike" Issa was established in the Superior Court of California, County of San Diego, under case number 37-2011-01150022-PR-LS-NC. Among the assets claimed to belong to Murched Mike Issa and inventoried in the Estate of Murched "Mike" Issa were a 10% interest in Quetico, LLC and a Promissory Note between Murched Mike Issa and Quetico, LLC.

It is requested that the Court confirm to the Estate of Olivia Issa her interest in Quetico LLC and further that the Estate of Murched "Mike" Issa, case no. 37-2011-01150022-PR-LS-NC has no interest in that asset.

**Petitioner prays for an Order:**

1. Confirming the ownership of the decedent Olivia Issa a 10% interest in Quetico, LLC;
2. Confirming that the Estate of Murched "Mike" Issa Superior Court of California, County of San Diego, case number 37-2011-01150022-PR-LS-NC has no interest in Quetico, LLC; and
3. For such other relief as the court deems proper.

**Notice of Motion and Motion for Transfer of Petition to San Diego Superior Court and Request for Award of Attorney Fees and Costs**

<b>DOD: 4/28/2001</b>	<b>JANE B. LORENZ</b> , Special Administrator of the Estate of Murched Mike Issa, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Petition/motion is not signed or verified by the Petitioner/fiduciary. Probate Code §1020 requires a petition, objection, response, report or account filed pursuant to the Probate Code to be signed by all of the petitioners, objectors or respondents or by all persons making the report or account. Probate Code §1021 requires petitions, reports and accounts filed pursuant to the Probate Code to be verified.  2. Need Notice of Hearing. (Judicial Council form DE-120) (California Rules of Court Rule 7.101(a))  3. Need proof of service of the Notice of Hearing on: a. Steven Alkema, Esq. (pursuant to Request for Special Notice filed on 5/7/12).
<b>Cont. from</b>	<b>Petitioner moves the Court</b> for an order transferring May Lorah Issa's Petition by Executor to Determine Ownership of Estate Property and for and Order Authorizing and Directing Transfer of Estate Property to Claimant to the Superior Court County of San Diego, North County Division, to be heard in conjunction with Estate of Murched Mike Issa, case no. 37-2011-00150022-PR-LS-NC. The motion is made pursuant to CCP 396b and 397(a), on the ground that pursuant to Probate Code §853 and CCP §395.1, the pending Petition has been filed in the wrong Court, and should have been filed in San Diego.	
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>	X	
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	X	
<b>Aff.Mail</b>	X	
<b>Aff.Pub.</b>		
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<b>CI Report</b>		
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<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
	<b>Petitioner further moves the Court</b> for an Order awarding her attorney fees and costs pursuant to CCP §396(b) in the total amount of \$4,085.00, consisting of \$3,600.00 in attorney fees and \$435.00 in costs.	
	<b>Points and Authorities in Support of motion to transfer filed on 7/5/2012 by Petitioner, Jane B. Lorenz, Special Administrator of the Estate of Murched Mike Issa.</b>	
	<b>Points and Authorities re: Venue filed on 7/11/12 by May Issa Lorah, Executor of the Estate of Olivia T. Issa.</b>	
	<b>Supplemental Points and Authorities re: Venue filed on 7/26/12 by May Issa Lorah, Executor of the Estate of Olivia T. Issa.</b>	
<b>Reviewed by: KT</b>		
<b>Reviewed on: 7/31/12</b>		
<b>Updates:</b>		
<b>Recommendation:</b>		
<b>File 4B - Issa</b>		

<b>DOD: 3/13/2009</b>		<p><b>Special Administration Expires 8/8/12.</b></p> <p><b>MINDY S. KEMP-BROWN</b>, surviving spouse, was appointed Special Administrator without bond on 8/8/11.</p> <p>Letters of Special Administration issued on 8/8/2011.</p> <p>Petitioner was appointed as Special Administrator of the purpose of filing a complaint in Washington D.C. as part of a class action claim. Additionally, the Special Administrator was given the authority to sign all subsequent documents on behalf of the estate in order to prosecute the law suit including but not limited to discovery requests, pleadings and other necessary documents. The Special Administrator also has the authority to enter into a settlement on behalf of the estate.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need current status report.</p>
<b>Cont. from</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
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<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			

Petition for Withdrawal of Funds from Blocked Account

Age: 18 years DOB: 1/16/1994	FRANCISCO FLORES, former minor, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	RAMON FLORES, uncle, and REV. CRAIG HARRISON, friend, were appointed co-guardians on 7/13/1998.	1. Petition does not state the balance of the blocked account. 2. Need <i>Notice of Hearing</i> . 3. Need proof of service of the <i>Notice of Hearing</i> along with a copy of the Petition on: a. Ramon Flores (guardian) b. Rev. Craig Harrison (guardian)
Cont. from	All funds were ordered placed into a blocked account.	
Aff.Sub.Wit.		
✓ Verified	Property on hand at the end of the first account (8/30/99) shows a balance of \$6,086.13.	
Inventory		
PTC	Additional deposits of:	
Not.Cred.		
Notice of Hrg X	<ul style="list-style-type: none"> <li>\$4,829.84 on 1/7/2000</li> <li>\$10,000.00 on 2/4/2000</li> </ul>	
Aff.Mail X		
Aff.Pub.	Petitioner requests withdrawal of the funds in the blocked account.	
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: 7/31/12
		Updates:
		Recommendation:
		File 9 - Flores

Age: 15		<p><b>NO TEMPORARY REQUESTED</b></p> <p><b>JULIO and JESSICA ALMODOVAR</b>, Brother and Sister-in-law, are Petitioners.</p> <p>Father: <b>JEFFREY ALLIN CUBERO</b> - Consent and Waiver of Notice filed 6-6-12</p> <p>Mother: <b>IRMA RAMOS (Deceased)</b></p> <p>Paternal Grandfather: Juan Cubero (Deceased) Paternal Grandmother: Delores Cubero - Served by mail 7-18-12 Maternal Grandfather: Miguel Ramos (Deceased) Maternal Grandmother: Ramona Martinez - Served by mail 7-18-12</p> <p><b>Petitioners state</b> the mother passed away in June 2011 and the minor has been in the Petitioners' care and control since that time. The father has participated only minimally in the minor's life and has been in and out of incarceration. The father has signed a consent. The minor also consents. Guardianship is necessary to obtain health insurance for the minor. The minor is struggling with coping with his mother's death and being removed from the only family he has ever known would not be in his best interest.</p> <p><b>Court Investigator Samantha Henson to file report, clearances.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u><b>Court Investigator to file report, clearances.</b></u></p>	
DOB: 12-4-96				
Aff.Sub.Wit.				
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✓	Letters			
✓	Duties/Supp			
Objections				
Video Receipt				
	CI Report			X
	Clearances			X
✓	Order			
Aff. Posting				
Status Rpt				
✓	UCCJEA			
Citation				
FTB Notice				
<p><b>Reviewed by: skc</b></p> <p><b>Reviewed on: 7-31-12</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 10 - Cubero</b></p>				

Age:	<p><b>TEMPORARY GRANTED EX PARTE EXPIRES 6-19-12, extended to 8-8-12.</b></p> <p>Father: <b>JEFFREY TODD HICKS</b></p> <p>Mother: <b>SHERRY LYNN NEAL</b></p> <p>Paternal Grandfather: Ronald James Hicks                  Paternal Grandmother: Mary D'Alessio</p> <p>Maternal Grandfather: Larry Neal                  Maternal Grandmother: Unknown</p> <p><b>Petitioners state the children are in their custody at this time.</b> Petitioners state the parents are homeless and living on the streets in Eugene, Oregon, and sent the children to stay with Petitioners for the summer stating that they just couldn't take the children anymore and the father was having severe mental illness issues and wanted to check himself into an inpatient psychiatric hospital. Petitioners state the parents told them they have resorted to panhandling and selling plasma.</p> <p>Petitioners state that the children arrived on an Alaskan Airlines flight on 5-26-12 dirty, hungry, and complaining of pain (<i>Kilian had a black eye and the children complained of pain in other areas - arm, ribs, teeth, etc.</i>). Their suitcases were filled with dirty toys, very small clothes, and were crawling with bugs. Petitioners state the children are very scared and withdrawn, apologize constantly for being bad, and were threatened not to talk about anything because "daddy would go to jail."</p> <p><b>Petitioners contacted Kingsburg Police</b>, who have been in contact with <b>Eugene, Oregon Police</b>, and an arrest warrant is in the process of being issued with regard to Kilian's injuries, which include being punched in the face and spanked with a belt that left bruising and abrasions. Petitioners have also spoken to CPS. Additional details regarding the parents' lifestyle and children's behavior are provided, including pictures drawn by the children.</p> <p style="text-align: center;"><b>SEE PAGE 2</b></p>	NEEDS/PROBLEMS/ COMMENTS:	
DOD:			<p><b>Minute Order 6-19-12 (Temp):</b> Sherry Neal (mother) and Larry Neal (maternal grandfather) appear via Courtcall. Ms. Neal is not in favor of Guardianship. Court extends Temporary Letters until 8/8/12. Parents may have phone visits 1 time a week. Times to be arranged between parties. There is to be no talking critical about each other around children.</p> <p>1. <b>Need Notice of Hearing for this hearing.</b></p> <p>2. <b>Need proof of personal service of Notice of Hearing at least 15 days prior to the hearing per Probate Code §1511 on:</b>                  - Jeffrey Todd Hicks (Father)                  - Sherry Lynn Neal (Mother)</p> <p>3. <b>Need proof of service of Notice of Hearing at least 15 days prior to the hearing per Probate Code §1511 on:</b>                  - Ronald James Hicks (Paternal Grandfather)                  - Mary D'Alessio (Paternal Grandmother)                  - Larry Neal (Maternal Grandfather)                  - Maternal Grandmother</p>
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
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Notice of Hrg		X	
Aff.Mail		X	
Aff.Pub.			
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Pers.Serv.		X	
✓ Conf. Screen			
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✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
✓ Clearances			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 7-31-12	
		Updates:	
		Recommendation:	
		File 11 - Hicks	

**PAGE 2****Sherry Neal and Jeffrey Hicks (Parents) filed an Objection on 6-16-12. Objectors state:**

- The claims made by Petitioners have been dismissed by law enforcement and CPS. Petitioners have been given power of attorney until 8-26-12 which allows them to seek and give medical treatment necessary for the children and enroll them in child care if needed. This agreement was made between the parents and Penny Kyle at the parents' request.
  - If guardianship is deemed necessary by the courts, Parents request that it be given to Danijela and Leiland Pittman ("godparents"), who have agreed to be responsible for the minors in case of emergency issues with the parents.
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**Court Investigator Charlotte Bien filed a report on 7-25-12.**