



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.

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

DOD: 3/9/2013	MARIA GALLEGOS , surviving spouse, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 8/13/2013.</p> <ol style="list-style-type: none"> 1. There does not appear to be a provision in the Probate Code that would allow an individual to assign or disclaim their right in a summary proceeding. Therefore all who succeed to the property must petition. If after all those entitled receive the property they can then transfer their interest in the property to the petitioner. 2. Pursuant to Probate Code §282 a Disclaimer of Interest acts if the disclaimant predeceased the creator of the interest (decedent). Therefore, the issue of those disclaiming would then be entitled to the disclaimed property. That is assuming disclaimers could be used in summary proceedings which it appears that they cannot.
	40 days since DOD.	
	No other proceedings	
Cont. from 060413, 070913	I & A - \$45,000.00	
<input type="checkbox"/> Aff.Sub.Wit.	Decedent died intestate.	
<input checked="" type="checkbox"/> Verified	Petitioner requests Court determination that decedent's interest in real property located 5078 E. Platt in Fresno passes to her pursuant to intestate succession and assignments of interest from decedent's children.	
<input type="checkbox"/> Inventory	Disclaimer of Interest filed on 6/11/2013.	
<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: 8/7/2013
		Updates:
		Recommendation:
		File 4 – Gallegos

Petition to Fix Residence Outside the State of California

Jose (15)	MARIBEL VEGA , Sister and Guardian, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Note: This petition applies only to the minor Jose. Selena has turned 18 and is no longer subject to guardianship. Minute Order 7-9-13: The Court requires Ms. Vega to provide the address of the mother in Mexico. Examiner Notes hand to Guardian in open Court. The Court dispenses with notice. The Court will allow Jose to go to Mexico to live with his mother, however, when Jose leaves the Court will require notice as to his form of transportation and the date he left. Continued to: 8/13/13 at 9 am in Dept. 303 Re: Determine Return or Termination of Guardianship. As of 8-8-13, nothing further has been filed. The following issue remains: 1. Petitioner provides a phone number, but no address for the proposed residence in Mexico. The Court may require clarification. Note: All relatives originally consented to guardianship; however, at this time, it is unclear from the petition if the minor or any other relatives are aware of this plan or petition.
	Petitioner was appointed Guardian of Selena and Jose on 2-18-10 after their mother was deported.	
Cont. from 070913	Father: JOSE MARTINEZ CERVANTES	
Aff.Sub.Wit.	Mother: MARIA VILLALOBOS	
Verified	Paternal grandparents: Deceased	
Inventory	Maternal grandmother: Deceased	
PTC	Maternal grandfather: Francisco Coronado	
Not.Cred.	Siblings: Selena Martinez, Leopoldo Villalobos, Jr., Jeanette Villalobos	
Notice of Hrg	Petitioner requests to fix the residence of the minor with his mother in Mexico. Petitioner states Jose has not been doing good in school, gets in trouble too much. He thinks he needs to spend time with his mom in Mexico to see if that would help him change. Petitioner estimates that he would stay for about 1 year.	
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: 8-8-13
		Updates:
		Recommendation:
		File 6 – Martinez

Ruby, age 7	TEMP EXPIRES 8-13-13	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 7-9-13: On the Courts own motion Temporary Guardianship is granted, Letters expire 8-13-13. Father is to be noticed of hearing. Continued to: 8/13/13 at 9 am in dept. 303.</p> <p>As of 8-8-13, nothing further has been filed. The following issues remain:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1510 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on both parents: <ul style="list-style-type: none"> - Buck Plumlee (Father) - Clarissa Maldonado (Mother) <p><i>Note: Father is reportedly in Fresno County Jail. Petitioner should be able to arrange service.</i></p> <p><i>Note: Petitioner filed a Declaration of Due Diligence re Mother; however, it only states "unknown" and does not indicate any efforts to locate or serve her.</i></p> 3. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1510 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ul style="list-style-type: none"> - Betty Gomez (Paternal Grandmother)
Adam, age 5	CARMEN GONZALEZ, Maternal Grandmother, is Petitioner.	
	Father: BUCK PLUMLEE - Fresno County Jail	
Cont. from 070913	Mother: CLARISSA MALDONADO - Declaration of Due Diligence filed 5-7-13	
Aff.Sub.Wit.	Paternal Grandfather: Deceased	
✓ Verified	Paternal Grandmother: Betty Gomez	
Inventory	Maternal Grandfather: Deceased	
PTC	Petitioner states the mother abandoned the children. She doesn't know her whereabouts, but she knows she is not doing well and is not responsible right now. Petitioner feels she needs help and the safest place for the children is with her until the mother gets better.	
Not.Cred.	Court Investigator Jennifer Young filed a report on 7-2-13.	
Notice of Hrg	X	
Aff.Mail	X	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	X	
✓ Conf. Screen		
✓ Letters		
✓ Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
✓ Clearances		
✓ Order		
Aff. Posting		
Status Rpt		
✓ UCCJEA		
Citation		
FTB Notice		
Reviewed by: skc		
Reviewed on: 8-8-13		
Updates:		
Recommendation:		
File 9 – Plumlee		