



## 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.

**Atty Knudson, David N. (for Petitioner/Administrator Laura Dozier)**

**First Amended First Account and Report of Administrator, and Petition to set Aside Exempt Personal Property to Surviving Spouse**

<b>DOD: 9/18/2007</b>		<p><b>LAURA DOZIER</b>, surviving spouse/Administrator, is petitioner.</p> <p>Account period: 2/4/2008 – 9/30/2013</p> <p>Accounting -           <b>\$650,755.95</b>                  Beginning POH-       <b>\$650,750.00</b>                  Ending POH -         <b>\$338,000.00</b></p> <p><b>Petitioner states</b> certain assets that were decedent's separate property constitute exempt personal property eligible to be set aside to the surviving spouse pursuant to Probate Code §6510. Petitioner requests the court set aside the following personal property</p> <ul style="list-style-type: none"> <li>• 2005 KTM Motorcycle</li> </ul> <p>Petitioner alleges prior to his death, the decedent had given the motorcycle to Petitioner's son, Chris Johnson. Although the motorcycle had been given to Chris, title remained in the name of the decedent. Petitioner requests the court set aside the motorcycle to Petitioner (and Petitioner will confirm transfer to her son, Chris). In the alternative, Petitioner requests that the court confirm the gift of the motorcycle made prior to the decedent's death.</p> <p>Petitioner states the estate is not yet in a position to close. An action was filed on a rejected creditor's claim. The estate defaulted. The estate now is reviewing the situation to see whether it is possible to file a motion to set aside the default. Petitioner believes it will take an additional 4-6 months to close the estate.</p> <p style="text-align: center;"><b>Please see additional page</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 6/22/15. Minute order states Counsel requests a 60 day continuance. As of 8/10/15 no new documents have been filed.</b></p> <p>1. Petition states the real property on South Cornelia was a single family residence, having been acquired by the decedent prior to his marriage (in April of 2006) to petitioner. Following the decedent's death, Petitioner continued to reside in the home with her sons, and over the next fifteen months paid the mortgage, taxes and insurance on the property. Petitioner was unable to continue to make the payments and as a result the home was foreclosed upon. Petitioner is requesting reimbursement of \$25,050.00 for paying the mortgage from her personal funds. The petitioner and her sons received a benefit from living in the estate property. It appears that the payments towards the mortgage could be considered rents for living in the estate's real property and therefore not reimbursed. - See declaration filed 10/27/14.</p> <p style="text-align: center;"><b>Please see additional page</b></p>
Cont. from 121113, 020314, 022414, 032414, 042114, 051914, 063014, 090314, 042715, 062215			
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		<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 8/10/15</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 1 – Dozier</b></p>	

**Petitioner prays for an order:**

1. That the First Amended First Account and Report of Petitioner be settled, allowed and approved as filed;
2. That all actions of Petitioner as Administrator, as set forth in the petition, account and report be ratified, confirmed and approved;
3. That the Court confirm reimbursement to petitioner of costs and expenses in the amount of \$17,480.00, and that petitioner is owed a balance of \$35,758.09;
4. That the exempt personal property described in the petition be set aside to the surviving spouse or alternatively that the gift of the exempt property to Chris Johnson prior to the decedent's death be ratified, and confirmed;
5. That the administration of the estate continue.

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**NEEDS/PROBLEMS/COMMENTS (cont.):**

2. Petition does not indicate whether or not the residence was marketed for sale during the 15 months Petitioner and her sons resided there after the decedent's death. Probate Code §9600 states the personal representative shall manage the estate to the extent that ordinary care and diligence require that the power be exercised. It appears that ordinary care would include marketing the property for sale rather than letting the property be foreclosed upon. Need more information regarding this property. Was there any attempt to sell the property? - See declaration filed 10/27/14

**Declaration filed on 10/27/14** states the residence on North Cornelia was appraised at \$285,000 at the date of death. However, at the time it had two mortgages against it – one for \$250,338.60 and a second mortgage in the approximate amount of \$33,400.00. Decedent died just prior to the downturn in the market. Mrs. Dozier made the payments on the loans (\$1,370.00 and \$300.00 respectively) for 15 months. Mrs. Dozier tried to communicate with the bank after they began foreclosure proceedings, but they were unwilling to speak with her as administrator – nor were they willing to consider any loan modifications. The property was foreclosed on in October 2009. Public records indicate it sold for \$90,000.00.

Attorney Knudson states he considered filing for a probate homestead on behalf of his client, but that would have required Mrs. Dozier to take the property subject to the liens against it. It was determined that there was no benefit to her in requesting a probate homestead due to the encumbrances against the property.

Attorney Knudson states the Examiner questions whether or not Mrs. Dozier's request for reimbursement should be offset by the fair rental value of the property. Mr. Knudson states he is informed that the rental property was then not in excess of \$1,000 a month. Even with an offset for rental value, the administrator has made additional payments in trying to preserve the estate asset in the amount of \$10,500 over and above the rental value, and should receive credit for that amount of expenses paid.

**Declaration filed on 10/27/14 (continued):** With respect to the creditor's claim. Mr. Knudson is in negotiations with Fresno County Federal Credit Union, and will soon be filing a motion to set aside the default.

Mrs. Dozier has been advancing funds for the payment on taxes on the Madera County real property; it is not presently listed for sale because there does not seem to be any current market. While it has been used by third parties for grazing cattle, recent thefts of cattle in the area have curtailed its use, and it is not presently producing income.

**Declaration filed on 4/23/15** states an offer of compromise of the creditor's claim has been received by Fresno County Federal Credit Union and is being considered by the Administrator; hopefully the issues will be resolved within the next 30 days. The estate's real property in Madera County is in escrow. The escrow agent confirms that the sale is due to close prior to the end of April 2015. Wherefore is it respectfully requested that the First Account be settled.

**Declaration filed on 6/18/15** states at the hearing on 4/27/15, attorney appeared and advised the court that negotiations were continuing with Fresno County Federal Credit Union concerning the creditor's claim. Those negotiations are ongoing and will hopefully be resolved within two weeks. The Madera real property was sold and escrow closed 4/28/15. Administrator received a check for \$92,377.89. Finalization of the settlement of the Fresno County Federal Credit Union escrow is the remaining issue. Attorney Knudson requests continuance of 60 days to close the estate.

**Note:** If the petition is granted the court will set a status hearing for the filing of the petition for final distribution on **Wednesday, January 20, 2016 at 9:00 a.m. in Dept. 303.**

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

**The declaration filed 10/27/14 raised additional questions.**

1. Mr. Knudson states the Madera County property has been used to graze cattle and is not currently producing income. Was it ever producing income? No income is listed on the receipt schedule for cattle grazing.

Petition for Termination of Guardianship

		See petition for details.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>Continued from 6/15/15, 7/20/15. The following issue remains noted:</p> <ol style="list-style-type: none"> <li>1. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on the minor and all relatives pursuant to Probate Code §1460(b)(5) <u>or</u> consent and waiver of notice: <ul style="list-style-type: none"> <li>- Andrea Arreola (Minor)</li> <li>- Ricardo Arreola (Father)</li> <li>- Ricardo Arreola, Sr. (Paternal Grnadfather)</li> <li>- Theresa Acosta (Paternal Grandmother)</li> <li>- Siblings age 12 or older</li> </ul> </li> </ol> <p><b>Note:</b> Petitioner filed an incomplete Notice of Hearing on 7/15/15; however, the hearing date and most of the service information is not filled in.</p>	
Cont. from 061515, 072015				
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		Reviewed by: skc		
		Reviewed on: 8/10/15		
		Updates:		
		Recommendation:		
		File 6 - Arreola		

Attorney: Michael J. Morris (for Paternal Beneficiaries)

Attorney: Jeffrey L. Wall (for former Administrator Kirk Hagopian and Successor Administrator Gloria Hagopian)

Attorney: Heather H. Kruthers (for former Successor Administrator Public Administrator)

Attorney: Leigh Burnside (for Successor Administrator Gloria Hagopian)

**Probate Status Hearing RE: Judgment, Dispute as to Heirs, and Filing of the Petition for Final Distribution.**

<b>DOD: 12/7/11</b>	<p><b>KIRK HAGOPIAN</b>, former Administrator, filed his Second Amended First and Final Account and Report of Administrator which was heard on 5/11/15.</p> <p><b>Minute order from 5/11/15 states</b> the Court accepts the report, but does not approved the actions of, or ratify Mr. Hagopian;s acts as the former Administrator. The Court orders that a surcharge of \$9,000.00 is warranted due to misappropriation of estate assets. Mr. Wall is to prepare an order to be circulated for approval as to form and content. The Court finds that said order will not be the final order. Gloria Hagopian is reinstated as Successor Administrator and is to proceed with filing papers to close the estate. Ms. Burnside's office is in the process of filing an Application for Judgment.</p> <p><b>This status hearing was set by minute order dated 5/11/15.</b></p> <p><b>Background:</b> On 5/27/14 Kirk Hagopian resigned as Administrator and Gloria Hagopian was appointed Successor Administrator. On 1/12/15 the Court temporarily removed Gloria Hagopian as Successor Administrator without prejudice and appointed the Public Administrator as temporary Successor Administrator. On 5/11/15 the Court reinstated Gloria Hagopian as Successor Administrator.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Pleadings filed by Leigh Burnside indicates she represents Gloria Hagopian. Gloria Hagopian was previously represented by Jeffrey Wall. Need substitution of attorney.</li> <li>2. Need Order for former Administrator, Kirk Hagopian's Second Amended First and Final Account and Report of Administrator.</li> </ol> <p><b>Upcoming hearings:</b></p> <p>9/3/15 at 9 a.m. in Dept. 303- Request for Default filed by Successor Administrator Gloria Hagopian (Leigh Burnside attorney).</p> <p>9/10/15 at 9 a.m. in Dept. 303 – Petition to Determine Heirship filed by the paternal heirs of the estate (Michael Morris attorney).</p>
<b>Cont. from</b>		
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<b>FTB Notice</b>		
<b>Reviewed by: KT</b>		
<b>Reviewed on: 8/10/15</b>		
<b>Updates:</b>		
<b>Recommendation:</b>		
<b>File 7 – Smart</b>		

<b>DOD: 4/14/14</b>	<b>FLORINE FURLOW</b> , Companion and sole beneficiary pursuant to the Decedent's will, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  Continued from 7/6/15. As of 8/10/15, nothing further has been filed.  <p style="text-align: center;"><u><b>SEE PAGE 2</b></u></p>
	40 days since DOD	
<b>Cont. from 070615</b>	No other proceedings	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	I&A: \$66,500.00 (real property and personal property including a vehicle and home furnishings)	
<input checked="" type="checkbox"/> <b>Verified</b>	Will dated 11/19/04 devises the entire estate to Petitioner Florine Furlow.	
<input checked="" type="checkbox"/> <b>Inventory</b>	Petitioner requests Court determination that the real and personal property pass to her pursuant to Decedent's will.	
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		<b>Reviewed on:</b> 8/10/15
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 11 - Moore</b>

1. The petition states the decedent's date of death was 4/14/14; however, the original and first amended petitions both indicated 3/14/14 as the date of death. What is the decedent's correct date of death?
2. The decedent's will is not self-proving. Although the will is not being admitted to probate, this summary proceeding does necessarily include a determination of validity of the will. See Probate Code §13151 and commentary. The Court may require Proof of Subscribing Witness (Form DE-131).
3. Petitioner, who is the sole beneficiary according to the will, is one of the subscribing witnesses. It is unclear if there are two other witnesses, or just one (illegible). The Court may require the Proof of Subscribing Witness to be signed by one of the other witnesses, and may also require clarification with regard to the presumption of undue influence as described in Probate Code §6112.
4. The petition is blank at #9a (1) and (2). Was the decedent survived by a spouse, or no spouse? If no spouse, was the decedent divorced or never married, or was the spouse deceased? If the spouse is deceased, need date of death per Local Rule 7.1.1.D. (Note: The original petition indicated divorced or never married, but the first amended petition and this second amended petition are blank.)
5. The petition is blank at #9a (3) and (4). Was the decedent survived by a registered domestic partner, or no registered domestic partner? (Note: The first amended petition indicated no registered domestic partner, but this second amended petition is blank.)
6. The petition is blank at #9a (7) and (8). Was the decedent survived by issue of a predeceased child, or no issue of a predeceased child? (Note: The first amended petition indicated no issue of predeceased child, but this second amended petition is blank.)
7. Petitioner does not state what the decedent's interest in the real and personal property is at #11 or #13. Did the decedent own a 100% interest in the real and personal property?
8. The APN provided for the real property at #13 is 465-212-03; however, the APN on the proposed order is 465-121-03. Need clarification: What is the correct APN for the real property?
9. Need Attachment 14, which should contain the names, ages, and addresses of all persons named in #1, #9, and #10, which would include the petitioner and the decedent's relatives (spouse, if any, children, and dates of death if deceased).
10. Petitioner states at #16 that she is the trustee of a trust that is a devisee under the decedent's will. That does not appear to be the case. The Court may require clarification.

**16 In Re: The Restated Campbell Family Trust**

**Case No. 15CEPR00474**

Attorney Schorling, Douglas D. (for Kevin S. Campbell – Beneficiary – Petitioner)

Attorney Roberts, Gregory J. (for Billie J. Campbell – Trustee – Respondent)

**Petition to Compel Trustee to Account**

Jerry W. Campbell DOD: 8/4/00	See petition for details.	NEEDS/PROBLEMS/ COMMENTS:
		<u>Minute Order 7/6/15</u> : Mr. Roberts represents that it seems the issues in this matter can be resolved and requests a continuance.
		As of 8/10/15, nothing further has been filed.
Cont from: 062215, 070615		<u>Note</u> : Declaration of Douglas D. Schorling in Response to Response to Petition was filed 6/29/15.
<input type="checkbox"/> Aff.Sub.Wit.		<ol style="list-style-type: none"> <li>1. Petitioner provides names and addresses of the "other beneficiaries;" however, Probate Code §17201 requires the petition to list of each person <u>entitled to notice</u>. Need complete list of each person entitled to notice in this proceeding, including Petitioner's own information.</li> <li>2. Notice of Hearing filed 6/3/15 indicates service mailed on <u>July 29, 2015</u>. Need amended Notice of Hearing reflecting service at least 30 days prior to the hearing date per Probate Code §17203.</li> </ol>
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<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 16 - Campbell

Attorney **Hogue, David M. (for Petitioners)**

**Petition - Determine Succession**

<b>DOD: 07/17/14</b>	<b>SUSAN L. DAVIS, RANDALL K. SASAKI, BETTY G. SASAKI, KELLY J. ROBERTSON, and SCOTT J. SASAKI,</b> adult children of decedent, are Petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>CONTINUED FROM 07/01/15</u>
<b>Cont. from 070115</b>	40 days since DOD	
<input checked="" type="checkbox"/> <b>Aff.Sub.Wit.</b>	No other proceedings	
<input checked="" type="checkbox"/> <b>Verified</b>	I & A - \$115,000.00	
<b>Inventory</b>	Will dated 02/02/12 devises residue of estate to her 5 children.	
<b>PTC</b>	Petitioners request Court determination that decedent's 100% interest in real property located at 1018 S. Riverview, Reedley, CA pass to them pursuant to decedent's will.	
<b>Not.Cred.</b>		
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<b>FTB Notice</b>		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 08/10/15
		<b>Updates:</b>
		<b>Recommendation:</b> SUBMITTED
		<b>File 17 – Sasaki</b>

**Petition for Letters of Administration**

<b>DOD: 6/5/06</b>		<p><b>JAIME MICHAEL GONZALEZ</b>, Son, is Petitioner and requests appointment as Executor with Full IAEA without bond.</p> <p>Full IAEA – need publication</p> <p>Decedent died intestate</p> <p>Residence: Reedley, CA Publication: Need publication</p> <p>Estimated value of estate: unclear</p> <p>Probate Referee: Steven Diebert</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>Continued from 7/6/15. As of 8/10/15, nothing further has been filed.</p> <p><u>Need amended petition based on, but not limited to, the following issues:</u></p> <ol style="list-style-type: none"> <li>1. Petitioner does not indicate in the caption that he is seeking authorization to administer under the Independent Administration of Estates Act (IAEA); however, Petitioner checked box #2c requesting full authority under IAEA.</li> <li>2. Petitioner requests appointment as executor, but indicates that the decedent died intestate. If there is no will, then it appears Petitioner should request appointment as Administrator, not Executor.</li> <li>3. The petition is unclear at #3c re character and estimated value of estate. Petitioner indicates the figure “270,00” at both annual income and real property.</li> <li>4. The petition is blank at #3d re petitioner’s request to waive bond.</li> <li>5. Petitioner states at #5a(2)(b) that the decedent’s spouse is deceased. Need date of death of deceased spouse pursuant to Local Rule 7.1.1.D.</li> </ol> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p>
<b>Cont. from 070615</b>			
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		<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 8/10/15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 18 - Hernandez</b></p>	

Page 2

**NEEDS/PROBLEMS/COMMENTS (CONT'D):**

6. The petition is blank at #5a(3) and (4). Was the decedent survived by a registered domestic partner or no registered domestic partner?
7. The petition is blank at #5a(7) and (8). Was the decedent survived by issue of a predeceased child or no issue of a predeceased child?
8. Petitioner lists a Frances Lopez at #8, but does not state her relationship to the decedent. Note: if there are any other relatives or heirs, they should also be listed, with their relationship to the decedent, at #8. If deceased, list their dates of death.
9. Need publication pursuant to Probate Code §8120 and Local Rule 7.9.
10. Need Notice of Petition to Administer Estate.
11. Need proof of service of Notice of Petition to Administer Estate at least 15 days prior to the hearing pursuant to Probate Code §8110 on Frances Lopez and any other persons entitled to notice. (Note: If there are any others, they should be listed, along with their relationship to the decedent, at #8.)
12. Need waiver of bond from Frances Lopez and any others heirs. Note: See #3 above for clarification re amount of appropriate bond.
13. This petition was filed with a fee waiver. If assets are distributed pursuant to this proceeding, all filing and court fees will be due.

**Note:** If an amended petition is filed, please properly tumble the documents pursuant to Cal. Rule of Court 2.134.

**Note:** If granted, the Court will set status hearings as appropriate for the filing of bond, the filing of the Inventory and Appraisal pursuant to Probate Code §8800, and the filing of the first account or petition for final distribution pursuant to Probate Code §12200. At this time, dates are not provided since it does not appear the petition is in a condition to go forward.

**Petition for Probate of Will and for Letters of Administration with Will Annexed and IAEA**

<b>DOD:12/24/12</b>		<p>The <b>PUBLIC ADMINISTRATOR</b> is Petitioner and requests appointment as Administrator with Will Annexed with Full IAEA.</p> <p>Full IAEA – ok</p> <p>Will dated 9/17/12</p> <p>Residence: Fresno Publication: Business Journal</p> <p>Estimated value of estate: Personal property: \$192,125.66</p> <p>Probate Referee: Steven Diebert</p> <p><b>Petitioner states</b> the named executor Robert Michael Orchard is deceased (DOD 3/10/15).</p> <p><b>Note:</b> If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> <li>Monday, Dec. 7, 2015 for filing the Inventory and Appraisal</li> <li>Monday, Oct. 3, 2016 for filing the first account or petition for final distribution</li> </ul> <p>If the proper items are on file pursuant to Local Rule 7.5, the status hearings may come off calendar.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 7/6/15.</b></p> <p>1. Petitioner lists only the beneficiaries of the decedent's trust at #8 without providing their relationships to the decedent. However, #8 should list: 1) all persons mentioned in the will, living or deceased, and 2) all persons named or checked in items 2, 5, 6, and 7, in addition to the trust beneficiaries, along with each person's relationship to the decedent, and dates of death if deceased. Need declaration with all of the required information for #8.</p> <p><b>Note:</b> Declaration Regarding Due Diligence filed 7/30/15 states David Corbett was the trustee of the decedent's trust. An address was found for him in Colorado, but mail was returned "NO SUCH NUMBER." Declarant researched the matter and found only email addresses. There were no other addresses and no telephone numbers. Declarant sent an email to the email addresses found and all were returned "undeliverable."</p>
<b>Cont. from 070615</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b> S/P		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> W		
<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 8/10/15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p>File 19 - Orchard</p>	