



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 Alabart, Javier A. (for Petitioner Alfredo Banda Arriaga, father)
 Atty Fanucchi, Edward L. (for Respondent Maria Luisa Sanchez, purported spouse)
 Atty Kruthers, Heather H. (for Public Administrator, Administrator of the Estate)

Probate Status Hearing Re: Settlement Agreement Filed

DOD: 5/14/2004	<p>ALFREDO BANDA ARRIAGA, father, filed a <i>Petition for Preliminary Distribution of Decedent Estate Assets</i> on 10/2/2013, requesting an order for a preliminary distribution of the estate assets, representing that the Petitioner is the sole-surviving parent of the Decedent, and the sole-surviving devisee of the Will signed by the Decedent on 10/16/1997.</p> <p>MARIA LUISA SANCHEZ, purported spouse, filed an <i>Opposition to Alfredo Banda Arriaga's Petition for Preliminary Distribution of Decedent Estate Assets</i> on 10/25/2013, representing that this Court ruled 6 years ago that distribution of the estate is controlled by the decree of the Mexican court finding that Ms. Sanchez is the sole heir to the Decedent's estate.</p> <p>Order on Arriaga's Petition for Preliminary Distribution of Decedent's Estate's Assets filed on 1/24/2014 denies Arriaga's Petition and declines to distribute further assets to Sanchez. The <i>Order</i> concludes:</p> <ul style="list-style-type: none"> • Court has expressly found that two issues remain to be tried as to the parties' relative claims to the estate: (1) whether Arriaga's challenge to the orders in Sanchez' favor are untimely and barred; or (2) whether Sanchez' challenge to the estate's distribution was untimely, void and barred; • These two issues depend on disputed issues of fact: (1) the address of Arriaga and his wife before and after the time of the filing of the <i>Petition for Probate</i>; (2) the Arriagas' contact, direct or indirect, with the Public Administrator who provided notice of the Petition; and (3) Arriagas' knowledge of the ongoing probate. • Also to be tried is the validity of the order for preliminary distribution to Sanchez, as set forth by the Court in its last order dated 8/21/2013. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 8/4/2014. Minute Order states the Court orders Attorney Alabart to be personally present in Court with the stipulation and explain any disagreement he may have. Clerk's Certificate of Mailing shows a copy of the Minute Order dated 8/4/2014 was mailed to Attorney Alabart on 8/4/2014.</p> <p>1. Need settlement agreement from Attorney Alabart.</p> <p>Notes for Background:</p> <ul style="list-style-type: none"> • Minute Order dated 7/7/2014 states counsel reports that changes have been made to the order. "Order for Settlement and Release" was submitted by Attorney Fanucchi with a runner's tag dated 7/8/2014. • Minute Order dated 4/22/2014 from the Settlement Conference states the Court signs Order Appointing Court Approved Reporter as Official Reporter Pro Tempore. Clients are not present in court. Agreement stated in open court and is on record. Mr. Alabart will prepare the settlement agreement. Status hearing set for 6/6/2014 can come off if agreement filed. The Court Trial date of 6/2/2014 is vacated. • PUBLIC ADMINISTRATOR'S Amended First and Final Account of the Public Administrator was approved on 6/25/2012 via <i>Order After Hearing Settling Amended First and Final Account, etc.</i>, finding that after payment of commissions, fees and costs in the amount of \$19,643.43, there will be \$89,703.10 to distribute upon further Court order regarding entitlement to final distribution. (Note: Sum of \$90,226.70 was subsequently stated by the Court as the balance of the estate; a difference of \$523.60.)
Cont. from 070714, 080414		
Aff.Sub.W		
Verified		
Inventory		
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Notice of Hrg		
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Citation		
FTB Notice		
Reviewed by: LEG		
Reviewed on: 8/13/14		
Updates:		
Recommendation:		
File 1 – Banda-Nieto		

Status Report filed by Attorney Fanucchi on 8/1/2014 for the previous status hearing states [brief sum]: On 4/22/2014, the parties entered into a stipulation for settlement to be prepared by Mr. Alabart; when he did not, counsel herein prepared a Mutual Stipulation and sent it to Mr. Alabart for approval and that of his client; Mr. Alabart would not approve the Stipulation, so counsel prepared an Order for Settlement and Release which was approved by Mr. Alabart and sent to the Court on 7/8/2014; as of [7/31/2014], Mr. Alabart has not provided to counsel the signature of Mr. Arriaga, and calls and emails to Mr. Alabart have not been returned to counsel; the Court is requested to approve the Order for Settlement and Release submitted on 7/8/2014, under its powers of retained jurisdiction per CCP § 664.6.

Note: Text of West's Ann. Cal. C. C. P. § 664.6. Entry of judgment pursuant to terms of stipulation for settlement: If parties to pending litigation stipulate, in a writing signed by the parties outside the presence of the court or orally before the court, for settlement of the case, or part thereof, the court, upon motion, may enter judgment pursuant to the terms of the settlement. If requested by the parties, the court may retain jurisdiction over the parties to enforce the settlement until performance in full of the terms of the settlement. Credits (Added by Stats.1981, c. 904, p. 3437, § 2. Amended by [Stats.1993, c. 768 \(S.B.252\)](#), § 1; [Stats.1994, c. 587 \(A.B.3600\)](#), § 7.)

Atty Lanier, Brandi

Atty Lanier, Kenneth

Status Hearing Re: Filing of Final Inventory and Appraisal

Age:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR. Calendared in error.</p>
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
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Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 8/13/14
		Updates:
		Recommendation:
		File 3 – Lanier

Petitioner states, continued:

- Ms. Gammon took, concealed and disposed of the property belonging to Petitioner by failing to follow the provisions of the Order;
- Ms. Gammon was represented by Attorney Philip M. Flanigan, who also did not see to the recording of the Order in Fresno County;
- Ms. Gammon's whereabouts are unknown, although she is believed to be living in the State of Texas;
- It is alleged that she is in contempt for disobeying an Order of the Court pursuant to Probate code § 8505(a), and therefore, notwithstanding any other provision, a citation is not necessary to be issued to her and she should be removed as personal representative from the office by a Court Order reciting the facts and without further showing or notice;
- Since Ms. Gammon has concealed and disposed of property belonging to the estate and to Petitioner, and thereafter disposed of said property, it is alleged that Ms. Gammon should be liable for twice the value of the property recovered pursuant to Probate Code § 859, or the sum of **\$122,500.00 (\$61,250.00 times two)**, plus attorney's fees and costs;

Petitioner prays for an Order that:

1. The powers of **JACQUELINE C. GAMMON** as Administrator of the Estate of Rose Mary Freeman be immediately revoked;
2. The Court appoints **SARAH SMITH-BARRY** as Administrator of the Estate of Rose Mary Freeman without bond;
3. **JACQUELINE C. GAMMON** be surcharged the sum of **\$122,500.00** for the actions taken while she was personal representative; and
4. **JACQUELINE C. GAMMON** be additionally surcharged attorney's fees and costs incurred by Petitioner in bringing this Petition and recovering the property concealed by **JACQUELINE C. GAMMON**.

Notes for background:

- **Final Inventory and Appraisal filed 3/30/2011** shows an estate consisting of a **50%** interest in real property on 96 N. Cypress, Clovis, valued at **\$190,000.00** as of 5/24/2006 (valued at **\$380,000.00** as to **100%** interest).
- **Minute Order dated 3/12/2012** from the Probate Status Hearing for filing proof of deposits into a blocked account (pursuant to the *Ex Parte Order on Application to Amend Order to Allow for Blocked Account* filed 12/6/2011) states: Mr. Flanigan informs the Court that the Administrator is living in the residence and the beneficiaries do not want to sell the property. The matter was not continued. The next filing in the matter was the *First and Final Report of Administration on Waiver of Accounting and Petition for Settlement* on 6/14/2013.
- **Order Settling First and Final Report of Status of Administration on Waiver of Accounting and Petition for Settlement Thereof; for Allowance of Attorney's Statutory Compensation; for Reimbursement of Costs Advanced; and for Final Distribution filed 7/18/2013** distributes the estate pursuant to Probate Code § 6402(c) as follows:
 - **JACQUELINE C. GAMMON** – **25%** fee simple interest in real property located at 96 N. Cypress, Clovis; and
 - **SARAH SMITH-BARRY** – **25%** fee simple interest in real property located at 96 N. Cypress, Clovis.

Atty Boyajian, Thomas M., sole practitioner (for Drake K. Cotton, Executor)

Order to Show Cause Re: Failure to Appear

DOD: 1/17/2013	<p>DRAKE K. COTTON, son, was appointed Executor with Full IAEA authority without bond on 3/12/2014.</p> <p><i>Status Hearing Re: Filing of Final Inventory and Appraisal</i> was not taken off calendar due to defects in the <i>Inventory and Appraisal</i> filed 6/9/2014.</p> <p><i>Minute Order</i> dated 7/18/2014 [Judge Kapetan] from the status hearing states: No appearances. Order to personally appear issued for Thomas Boyajian.</p> <p><i>Order to Show Cause for Failure to Appear</i> filed 7/18/2014 orders Attorney Thomas Boyajian to appear on 8/18/2014 at 9:00 a.m. in Department 303.</p>	NEEDS/PROBLEMS/COMMENTS:
Cont. from		
Aff.Sub.Wit.		
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Notice of Hrg		
Aff.Mail		
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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: 8/13/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 9B – Cotton</p>	

12 Espinola Family Trust of 1990

Case No. 14CEPR00430

Atty Kaufman, Jeffrey; Brawley, Mason, of Berliner Cohen of Merced (for Petitioners Eugene Espinola, Marvin Espinola, and Margaret Corvello, Beneficiaries)

Atty Esraelian, Robyn, of Richardson, Jones & Esraelian (for James Espinola and Irene Espinola St. Martin, Trustees)

Atty Rube, Melvin K., sole practitioner (also for James Espinola and Irene Espinola St. Martin, Trustees)

**Petition for Order Instructing Trustees to Provide Supporting Documentation;
Compelling Trustees to Account; Instructing Trustees to Distribute Trust Assets**

Oliver DOD: 9/1/2006	<p>EUGENE ESPINOLA, MARVIN ESPINOLA and MARGARET CORVELLO, children and Beneficiaries, are Petitioners.</p> <p>Petitioners state:</p> <ul style="list-style-type: none"> • Petitioners are beneficiaries of 3 irrevocable Sub-Trusts created under the ESPINOLA FAMILY TRUST of 1990, namely: SURVIVOR'S TRUST; RESIDUAL TRUST; and MARITAL TRUST (copy of trust attached as Exhibit A); • Petitioners' siblings, JAMES DOUGLAS ESPINOLA and IRENE ESPINOLA ST. MARTIN, are the current Trustees of the Sub-Trusts and are the other two beneficiaries of the Sub-Trusts; • During their administration of the Sub-Trusts, James and Irene have provided deficient accounts and have failed to fully and adequately disclose the Trustees' acts and transactions; • Throughout their administration, the Trustees have failed to promptly respond to Petitioners' questions and requests for information, resulting in increased legal fees and prolonged administration; • Over 2 years have elapsed and the Trustees have made no distributions from the Sub-Trusts, despite the fact that the Sub-Trusts hold ~8 million is assets; • Trustees have liquidated most of the Sub-Trust assets except for commercial real property located in Fresno, and Trustees have indicated they will not make distributions from the Sub-Trusts until the Petitioners accept the accounts and reports they have provided; • However, Petitioners cannot accept the Trustees' accounts and reports because the accounts and reports are deficient, and the Trustees have failed to respond to Petitioners' questions and requests for information; • Petitioners seek Court orders instructing Trustees to provide the previously requested information, compelling Trustees to submit Sub-Trust accountings for 2011, 2012 and 2013 to the Court for approval, and instructing Trustees to distribute the Sub-Trust assets according to trust terms; <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Continued from 7/21/2014. Minute Order states Ms. Esraelian is appearing specially for Attorney Melvin Rube.</p> <p>1. <i>Proof of Service by Mail of the Notice of Hearing</i> filed 5/29/2014 shows both of the Trustees were mailed notice in care of Attorney Robyn Esraelian. Notice sent by mail must be mailed individually and directly to the person entitled to notice pursuant to CA Rule of Court 7.51(a)(1) and (2). Court may require direct notice to the Trustees.</p>	
Virginia DOD: 4/29/2012			Reviewed by: LEG
Cont. from 070714, 072114			Reviewed on: 8/13/14
Aff.Sub.Wit.			Updates:
✓ Verified			Recommendation:
Inventory			File 12 - Espinosa
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail W /			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
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Letters			
Duties/Supp			
Objections			
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CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Petitioners state, continued:

- On 8/18/2009, Virginia Espinola, as sole surviving Trustee following Oliver Espinola's death on 9/1/2006, appointed James and Irene to serve as Co-Trustees with her (*copy of First Amendment to the trust attached as Exhibit B*); James and Irene have continued to serve as Trustees of the Sub-Trusts since Virginia's death on 4/29/2012;
- The Sub-Trusts provide that upon Virginia's death, all of the assets of the Sub-Trusts shall be distributed outright and free of trust among the Settlor's 5 children (**EUGENE ESPINOLA, MARVIN ESPINOLA, MARGARET CORVELLO, JAMES DOUGLAS ESPINOLA** and **IRENE ESPINOLA ST. MARTIN**).
- Status of Trust Administration: Despite the fact that the total value of Sub-Trusts assets is **~\$8 million** (based on asset schedule provided by Trustees on 1/8/2014 showing **~\$4 million** in **SURVIVOR'S TRUST**; **~\$2 million** in **RESIDUAL TRUST**; and **~\$2 million** in **MARITAL TRUST**), the Trustees have not made any distributions to the beneficiaries in the 2 years since Virginia's death;
- The most significant asset held by each of the Sub-Trusts is an undivided interest in a commercial rental property located on Fir Avenue in Fresno; the Sub-Trusts collectively own the entire property has an estimated fair market value of **~\$4.4 million** according to schedule of assets provided by Trustees;
- Petitioners believe the Trustees have rented some of the commercial property but that a portion of the property has been vacant since it was purchased in 2007; according to the fiduciary income tax returns provided by the Trustees, the commercial property generates very little income; 2012 tax returns attributed taxable income to the commercial property of **\$24,575.00**; based on the Trustees estimated value of **\$4.4 million**, this represents an annualized return on investment before taxes of **~0.5%** (1/2 of 2 percent);
- Despite that the commercial property continues to deplete the Sub-Trusts, the Trustees have indicated that they would like to keep the commercial property in the Sub-Trust until it is sold; however, Petitioners believe the Trustees have taken little action to lease or sell the property; although they have hired a broker, the Trustee's attorney indicates the Trustees have only had 3 parties interested in purchasing the commercial property since 2007;
- The Trustees intend to keep the commercial property in the Sub-Trusts until it is sold, yet they have not make any reasonable efforts to sell it, leading Petitioners to the reasonable conclusion that the Trustees are keeping the commercial property in the Sub-Trusts so that they can remain in control of the property and profit from the ongoing administrations of the Sub-Trusts;
- **Petitioners request an order from this Court instructing the Trustees to immediately distribute the commercial property from the Sub-Trusts to the beneficiaries in equal shares.**
- Requests for Trust Accountings for 2011 through 2012: On 6/20/2012, Petitioners' former attorney (Alan Niebel) sent a letter to Trustee's attorney, Ms. Esraelian, requesting an accounting of the Sub-Trusts from 2011 through Virginia's date of death on 4/29/2012 (*see Exhibit B attached to Declaration of Mason L. Brawley filed 5/12/2014*); on 5/29/2013, Petitioners' attorney (Judy Jensen) reiterated the request for accountings from 2011 through Virginia's date of death on 4/29/2012 and requested accountings for 2012 and 2013 (*see Exhibit C attached to Declaration of Mason L. Brawley filed 5/12/2014*); on 8/26/2013, Petitioner's attorney (Mason Brawley) sent another letter to Ms. Esraelian requesting accountings of the Sub-Trusts for 2011, 2012 and the period following Virginia's date of death on 4/29/2012 (*see Exhibit D attached to Declaration of Mason L. Brawley filed 5/12/2014*).

~Please see additional page~

Petitioners state, continued:

- Accountings for 2011 through 2012 are Deficient: The Trustees finally provided the beneficiaries with partial accounts for the Sub-Trust in November 2013, after two additional emails to Ms. Esraelian in October 2013 (*copies of accounts attached as Exhibits C, D, E, F and G*); Petitioners object to these accountings due to several deficiencies [*described in significant detail at lines 12 to 28 on page 5, lines 1 to 22 on page 6 of petition; briefly, deficiencies include such things as:*
 - failing to identify the check numbers and payees of disbursements, which may have been made to themselves or relatives;
 - failing to itemize the individual securities held in investment accounts valued at **\$1,299,990** and **\$216,733**; without that information Petitioners cannot ascertain whether the investments are reasonable and prudent, or whether interest income was adequate;
 - disbursements show penalties on payment to Franchise Tax board which is unexplained as to why trust did not timely pay tax liability;
 - Payments of **\$22,752** for tax preparation services have not been confirmed as made to Irene (Trustee), who is a CPA and prepares the accountings and tax returns for the Sub-Trusts; these expenses may be excessive given that the Trustees did not provide the accountings until November 2013.

Until such time as a full and complete account for each year is received, Petitioners are unable to assert additional objections with specificity.

- Petitioner's requests for further information from the Trustee: Upon receipt by Petitioners and their review, on 1/23/2014 Petitioners requested explanations and supporting documentation for several transactions, and supplemented their request in an email to Ms. Esraelian on 2/25/2014 (*see Exhibit D attached to Declaration of Mason L. Brawley filed 5/12/2014*);
- Trustees still have not provided the requested information or filed the accountings with the Court, despite that an additional two months have lapsed since Ms. Esraelian's reply on 3/11/2014 stating that the Trustees were preparing the accountings for court approval;
- Petitioners requests for information are reasonable and the Trustees are required to provide the requested information in accordance with Probate Code § 16061.
- Trustees have breached their duties to the Beneficiaries: [*List of duties breached include:*
 - Duty to Administer the Trust according to its Terms
 - Duty to Deal Impartially with Beneficiaries
 - Duty to Make Trust Assets Productive
 - Duties to Account and Furnish Information

Until such time as a full and complete account for each year is received, Petitioners are unable to assert additional breaches of trust with specificity.

- Trustees' failure to properly account for the Sub-Trusts, refusal to comply with Petitioners' reasonable requests for information and breaches of fiduciary duties has cause unnecessary delay in the administration of the Sub-Trusts; the legal expenses uncured are driven entirely by Trustees' failures to perform their duties as required;
- Any expense uncured by the Trustees' in complying with this Petition should be borne personally by the Trustees and should not be an expense of the Trust.

~Please see additional page~

Petitioners pray for the following Court orders:

1. Instructing Trustees to prepare a complete and thorough accounting of each of the Sub-Trusts in accordance with Probate Code § 1061 through 1063, and 16060 through 16063 for the period of 1/1/2011 through 12/31/2013, and to submit such accountings to the Court for approval **no later than 30 days after the date of the order;**
2. Instructing the Trustees to provide responses to questions and requests for supporting documentation emailed to Ms. Esraelian on 1/23/2014 and 2/25/2014;
3. Instructing the Trustees to distribute the assets held by the Sub-Trusts to the beneficiaries; and
4. That the legal fees and costs incurred by **JAMES DOUGLAS ESPINOLA** and **IRENE ESPINOLA ST. MARTIN**, as the Trustees, in complying with the foregoing orders shall be borne by **JAMES DOUGLAS ESPINOLA** and **IRENE ESPINOLA ST. MARTIN** personally.

Response of Irene E. St. Martin and James D. Espinola, Co-Trustees of the Espinola Family Trust of 1990, to the Petition for Order 1) Instructing Trustees to Provide Supporting Documentation; 2) Compelling Trustees to Account; and Instructing Trustees to Distribute Trust Assets was filed by Melvin Rube on behalf of Irene E. St. Martin and James D. Espinola, Co-Trustees, on 7/18/2014.

- Respondents admit and deny specified paragraphs of the *Petition*;
- Regarding allegations set forth on Page 5, line 1 through line 6, line 24, the Respondents submit the documents, listed below:
 - Accounting of the **MARITAL TRUST** from 1/1/2011 through 12/31/2011 attached as Exhibit 1;
 - Accounting of the **RESIDUAL TRUST** from 1/1/2011 through 12/31/2011 attached as Exhibit 2;
 - Accounting of the **MARITAL TRUST** from 1/1/2012 through 12/31/2012 attached as Exhibit 3;
 - Accounting of the **RESIDUAL TRUST** from 1/1/2012 through 12/31/2012 attached as Exhibit 4;
 - Accounting of the **SURVIVOR'S TRUST** from 4/29/2012 through 12/31/2012 attached as Exhibit 5;
 - Accounting of the **MARITAL TRUST** from 1/1/2013 through 12/31/2013 attached as Exhibit 6;
 - Accounting of the **RESIDUAL TRUST** from 1/1/2013 through 12/31/2013 attached as Exhibit 7;
 - Accounting of the **SURVIVOR'S TRUST** from 1/1/2013 through 12/31/2013 attached as Exhibit 8;
- Regarding allegations set forth on Page 6, Paragraph 6, line 25 through Page 7 line 8, the Respondents submit the documents, listed below:
 - Response to 2011 Schedule C Disbursements Questions attached as Exhibit 9;
 - Response to 2012 Schedule C Disbursements Questions attached as Exhibit 10;

Respondents pray for an order denying and dismissing the petition, and for costs.

Probate Status Hearing Re: Failure to File the Inventory and Appraisal and for Failure to File a First Account or Petition for Final Distribution

DOD: 06/13/2003	RICHARD MONIZ and HELEN MONIZ, were	NEEDS/PROBLEMS/COMMENTS:
	appointed Executors with full IAEA authority	
	without bond on 09/30/2002.	Minute Order of 07/07/2014: Counsel
	Letters issued on 02/23/2004.	reports that he has been unable to locate
Cont. from 020714,	Inventory and Appraisal was due	Richard Moniz and Helen Moniz.
032814, 053014,	02/23/2004.	Minute Order of 05/30/2014: No
070714	First Account or Petition for Final Distribution	appearances. The Court sets the matter
Aff.Sub.Wit.	was due on 11/2004.	for an Order to Show Cause on
Verified	Notice of Status Hearing was mailed to	07/07/2014 regarding failure to appear.
Inventory	Michael Milnes, Attorney, Richard Moniz,	The Court orders Michael Milnes to be
PTC	and Helen Moniz on 11/20/2013.	personally present on 07/07/2014.
Not.Cred.		Copy of Minute Order mailed to Michael
Notice of Hrg		Milnes on 05/30/2014.
Aff.Mail		Minute Order of 02/07/2014: No
Aff.Pub.		appearances. Mr. Milnes is directed to
Sp.Ntc.		contact his clients regarding this matter.
Pers.Serv.		Copy of Minute Order mailed to Michael
Conf. Screen		Milnes on 03/06/2014.
Letters		1. Need Final Inventory and Appraisal
Duties/Supp		and First Account or Petition for Final
Objections		Distribution or current written status
Video Receipt		report pursuant to Local Rule 7.5
CI Report		which states in all matters set for
9202		status hearing verified status reports
Order		must be filed no later than 10 days
Aff. Posting		before the hearing. Status Reports
Status Rpt		must comply with the applicable
UCCJEA		code requirements. Notice of the
Citation		status hearing, together with a copy
FTB Notice		of the Status Report shall be served
		on all necessary parties.
		Reviewed by: LV
		Reviewed on: 08/13/2014
		Updates:
		Recommendation:
		File 17 – Gracie

Petition for Termination of Guardianship

Age: 10	EBONY JOHNSON , mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 05/19/14</u> 1. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Termination of Guardianship</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: a. Darrell Carter, Jr. (father)
	DARRELL CARTER, SR. , paternal grandfather, was appointed guardian on 09/16/13. – <i>Personally served on 04/18/14</i>	
	Father: DARRELL CARTER, JR.	
Cont. from 051914	Paternal grandmother: ROSEMARY JOHNSON – deceased	
Aff.Sub.Wit.	Maternal grandfather: JB JOHNSON – Consent & Waiver of Notice filed 03/17/14	
✓ Verified	Maternal grandmother: GWENDOLYN BABER – Consent & Waiver of Notice filed 03/17/14	
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
Aff.Mail	x	
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		
	<p>Petitioner states that she can provide a home and life for Essence now. She has been clean and sober for 13 months and is currently in maintenance attending NA meetings 4-5 times a week. She graduated from a women's support group and has completed a parenting class. She is currently residing in transitional housing through a program she completed with her 2 other daughters. Petitioner feels that it is in Essence's best interest that she be back with her mother.</p> <p>Court Investigator JoAnn Morris filed a report on 05/12/14.</p> <p>Declarations filed by Darrell Carter, Guardian on 08/13/14 attaches letters from Darrell Carter, Jr. (father) and Darrell Carter (guardian) expressing that they both feel that the guardianship should remain in place at this time to allow both of the parents more time to exhibit stability and sobriety.</p>	
		Reviewed by: JF Reviewed on: 08/13/14 Updates: Recommendation: File 21 - Carter