



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 for Termination of Guardianship

Age: 8	<p>JEANINE BAKER, Mother, is Petitioner.</p> <p>DOUGLAS and ELIDA BAKER, Maternal Grandparents, were appointed Guardians on 4-11-05.</p> <p>Father: STEWART M. HAMBY - Declaration of Due Diligence filed 2-15-13</p> <p>Paternal grandfather: Stewart L. Hamby Paternal grandmother: Cindy Bruer</p> <p>Siblings: Mackenzi Hamby, Levi Hamby</p> <p>Petitioner states she has worked really hard to have a stable relationship for five years, a stable job for three years, a 3-bedroom house for four years, two reliable cars, and has completed an outpatient rehab in 2009 and has been clean ever since. Petitioner is also concerned about Trenton's well being because he is not attending counseling and should grow up with his siblings, not as a single child. He needs to form a bond with them and the best way for that is to live in the same house with his brother and sister. They get more time that way. His brother and sister are outstanding in school and it would only be right that Trenton joins them. Petitioner feels she has missed out on so much of his life already and is asking the Court to reunite mother with son. Petitioner attaches a letter from the Fresno County Probation Dept. that states her 2-year probation and criminal case were dismissed on 7-27-10. Petitioner submitted additional letters of support on 4-15-13.</p> <p>Court Investigator Charlotte Bien filed a report on 4-4-13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 4-17-13:</u> Ms. Hopper is appearing as counsel for Douglas Baker and Elida Baker. The Court is advised that there is a Family Court hearing on 4/29/13. The Court is provided the following case number for the adoption proceeding involving Jeanine Baker and Elida Baker: #13CEFL00860. Ms. Hopper requests that the proceeds in this matter be stayed pending the Family Court matter. The Court stays and continues these proceedings to 6/12/13. Continued to 6/12/13. Set on 6/12/13 for: Status Hearing Re: Family Court Matter.</p> <p><u>As of 6-6-13, nothing further has been filed.</u></p> <ol style="list-style-type: none"> 1. Need status of family law matter. 2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing per Probate Code §§ 1460(b)(5), 1214 on the following, unless the Court finds diligence and dispenses with notice: <ul style="list-style-type: none"> - Elida Baker (Maternal Grandmother/Guardian) - Cindy J. Hopper (Attorney for Guardians) - Stewart M. Hamby (Father) 	
Cont. from 041713, 061213			
Aff.Sub.Wit.			
✓ Verified			
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Citation			
FTB Notice			
Reviewed by: skc			
Reviewed on: 8-15-13			
Updates:			
Recommendation:			
File 1A - Hamby			

1B
Atty
Atty

Trenton Douglas Hamby (GUARD/P)

Baker, Jeanine (Pro Per – Mother – Petitioner)

Hopper, Cindy (for Douglas and Elida Baker, Douglas and Elida – Maternal Grandparents – Guardians)

Case No. 05CEPR00378

Status Hearing Re: Family Court Matter

Age: 8	<p>DOUGLAS and ELIDA BAKER, Maternal Grandparents, were appointed Guardians on 4-11-05.</p> <p>JEANINE BAKER, Mother, filed a Petition for Termination of Guardianship on 2-15-13.</p> <p>At hearing on 4-17-13, Guardians were represented by Attorney Cindy Hopper and advised the Court that there is a family law matter pending for the adoption of the minor. Attorney Hopper requested that these proceeds be stayed pending the family court matter.</p> <p>The Court stayed and continued this petition to 6-12-13.</p> <p>On 6-12-13, the matter was continued to 8-20-13.</p> <p>As of 8-15-13, nothing further has been filed in this probate guardianship case.</p>	NEEDS/PROBLEMS/COMMENTS:
Cont. from 061213		
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Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 8-15-13
		Updates:
		Recommendation:
		File 1B – Hamby

1B

Age: 84	SUSAN BROWN , Daughter and Conservator, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Petitioner was appointed as Conservator of the Person with medical consent and dementia medication and placement powers, and as Conservator of the Estate with bond of \$95,480.00, on 11-29-12.</p> <p>Note: Attorney Flora Istanbulian was previously appointed to represent the Conservatee; however, her services as attorney of record were terminated on 1-31-13.</p> <p>Note: I&A filed 3-29-13 includes \$73,646.71 cash, the residence in Clovis, and misc. personal property items.</p> <p>Note: The proposed trust names Petitioner Susan Brown as trustee and another daughter, Cynthia Taylor, as an alternate. The trust provides that upon the death of the beneficiary, the estate would be equally divided among the five children.</p> <p>1. The Court may require clarification with reference to Probate Code §2583; specifically the existing will.</p>
	Petitioner request authorization to execute the attached proposed trust, The WALTER EDWARD EASTWOOD ROVOCABLE TRUST , on behalf of the Conservatee and to transfer into it the assets of the conservatorship estate as of the date of transfer.	
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FTB Notice		
	<p>Petitioner states the Conservatee is 83 years of age, his wife now deceased. He has five adult children, including Petitioner, and Petitioner provides a list of all other relatives entitled to notice under §2581, including grandchildren.</p> <p>The Inventory and Appraisal filed 3-29-13 shows the value of the conservatorship estate as \$202,002.71, of which \$73,646.71 is cash. The Conservatee receives monthly income of approx. \$1,400.00 and his expenses are approx. \$1,400.00.</p> <p>Petitioner states the Conservatee executed a Last Will and Testament in 1987 leaving his estate equally to his five children.</p> <p>Petitioner states that the assets of the conservatorship estate will likely result in the necessity of probate of his estate, with costs exceeding \$8,012.50. The primary purpose of the proposed trust is to avoid expenses of probate. The Conservatee is diagnosed with dementia, Alzheimer's type. He has received the support and love from his entire family and this trust expresses his wishes to have his children share equally in his estate. His children are the natural objects of his bounty and he has expressed the wish to have all of his children be his beneficiaries.</p> <p>Petitioner requests that this Court make an order:</p> <ol style="list-style-type: none"> 1. Authorizing and directing Petitioner to execute the trust attached as Exhibit B; 2. Authorizing and directing Petitioner to transfer property currently held in the conservatorship estate to the trustee of the trust; and 3. For such other and further relief that the court may deem proper. 	
Reviewed by: skc		
Reviewed on: 8-15-13		
Updates:		
Recommendation:		
File 3A – Eastwood		

Age: 84		<p>SUSAN BROWN, Daughter and Conservator, is Petitioner.</p> <p>Petitioner was appointed as Conservator of the Person and Estate on 11-29-12. Petitioner states she is and has been the Conservatee's primary caregiver and requests compensation for care provided from October 2012 through June 2013 at \$10.00/hr for a total of \$8,205.50, plus \$549.45 mileage for travel to and from the Conservatee's residence to provide care. See Exhibit A (Time Cards) and Exhibit B (Mileage).</p> <p>Petitioner also requests to pay her attorney Nance LeVan \$5,946.00 for services provided in connection with the conservatorship as well as with a family law elder abuse restraining order against a grandson. See Exhibit C.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Petitioner provides "Time Cards" that indicate dates and hours, but there is no description of the services provided for each line item. The Court may require clarification per Cal. Rules of Court 7.751(b) and 7.702. The Court may require accounting prior to allowance of compensation pursuant to Cal. Rules of Court 7.752. Examiner notes that Local Rules also contemplate compensation upon completion of the first account. A status hearing is set for 4-4-14 for the filing of the first account. 	
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		<p>Reviewed by: skc</p> <p>Reviewed on: 8-15-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3B – Eastwood</p>		

5 Marilyn Faith Springer (CONS/PE)
 Atty Boyett, Deborah K. (for Conservator David R. Springer)
 Atty Walters, Jennifer L. (court appointed for Conservatee)

Case No. 13CEPR00269

Petition for Payment of Attorney's Fees [Prob. C. 1470 et seq.]

Age: 71 years	<p>JENNIFER WALTERS, petitioner was Court appointed to represent the Conservatee on 4/4/2013.</p> <p>DAVID R. SPRINGER was appointed Conservator of the Person and Estate on 5/7/2013.</p> <p>Petitioner requests fees in connection with the representation of the Conservatee for David R. Springer's petition to appoint a conservator.</p> <p>Petitioner asks that she be paid from the conservatorship estate for 5.4 hours @ \$245.00 per hour for a total of \$1,323.00 and for costs of \$435.00 for the filing fee.</p> <p>Services are itemized by date and include review of documents, visits with client, and court appearances.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
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9202			
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Status Rpt			
UCCJEA			
Citation			
FTB Notice			
Reviewed by: skc			
Reviewed on: 8-15-13			
Updates:			
Recommendation:			
File 5 – Springer			

Age: 8/17/2012		<p>EDWARD SIMPSON, brother, is petitioner and requests appointment as Administrator.</p> <p>Petitioner was appointed special administrator for the sole purpose of speaking with the insurance company. Letters of Special Administration expire on 6/4/13.</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate.</p> <p>Residence: Reedley Publication: Fresno Business Journal</p> <p>Estimated value of the estate: Personal property - \$1,000,000.00</p> <p>Probate Referee: Rick Smith</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 6-4-13, 7-23-13</u></p> <p>Minute Order 7-23-13: Ms. Walters informs the Court that they are still working with the insurance. Ms. Walters requests a continuance.</p> <p>As of 8-15-13, the following issues remain:</p> <ol style="list-style-type: none"> 1. Petition does not address bond. The decedent sole heir is his minor son. Therefore, bond should be set at \$1,000,000.00. 2. Need Letters
Cont. from 060413, 072313			
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		<p>Reviewed by: KT</p> <p>Reviewed on: 8-15-13 (skc)</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6 – Simpson</p>	

8 George Feodor Taylor (Estate)

Case No. 13CEPR00482

Atty McCloskey, Daniel T. (for Gregory L. Taylor – Petitioner – Son)

Atty Anderson, Bonnie J. (for Diane Elizabeth Taylor – Objector)

Amended Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 02/16/2009	GREGORY L. TAYLOR , son is petitioner and requests appointment as Administrator with will annexed without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 07/09/2013: Bonnie J. Anderson appearing on behalf of Diane Taylor, Objector. Joshua F. Richtel appearing for Daniel T. McCloskey on behalf of Gregory Taylor. There is no objection on file by Diane Taylor, objection to be filed in/by statutory time. Petitioners are to lodge appropriate amended documents, will and/or codicil. The Court encourages parties to discuss situation.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 01/17/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 10/17/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p> <p>Reviewed by: LV</p> <p>Reviewed on: 08/16/2013</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8A – Taylor</p>
Cont. from 070913	Named Executor declines to act.	
Aff.Sub.Wit. s/p	Sole heir waives bond	
✓ Verified	Full IAEA – o.k.	
Inventory	Will dated: 08/02/1989	
PTC		
Not.Cred.	Residence: Fresno	
✓ Notice of Hrg	Publication: The Business Journal	
✓ Aff.Mail w/	Estimated value of the Estate	
✓ Aff.Pub.	Personal property - \$200,000.00	
Sp.Ntc.	Probate Referee: Steven Diebert	
Pers.Serv.		
Conf. Screen	Declaration of Gregory Taylor in Support of Petition for Letters of Administration filed 08/05/2013 states that he is the son of the decedent and the petitioner in the within action, filed with above named Court on 05/31/2013 in a Petition for Probate of Will and for Letters Testamentary and authorization to administer under the Independent Administration of Estates Act.	
✓ Letters		
✓ Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202	The Court clerk set the matter for hearing on 07/09/2013. Attached to the petition the Last Will and Testament of George Taylor, the decedent, petitioner's father. The Will nominated Carol Jean Taylor as the Executrix of the Will. Carol Jean Taylor had predeceased the decedent. The Will then nominated Lillian Fumiyo Cox of Grover City, California to serve as Executrix without bond. Lillian Cox declined to act as Executrix pursuant to the Declination to Act as Executor Under Will which was attached to the Petition for Probate.	
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Declaration continued: After filing the Petition for Probate, the matter was set for a hearing and a Notice of Petition to Administer Estate and subsequent Proof of Publication was filed with the Court.

Joshua Richtel, Attorney at Law, of Tuttle & McCloskey, a Professional Corporation, appeared on petitioner's behalf at the hearing on 07/09/2013.

At the hearing, Bonnie J. Anderson, Attorney at Law, spoke to the court regarding representing petitioner's half sister, Diane Taylor.

It is the petitioner's belief that Ms. Anderson advised the court that she represented Diane Taylor and that there was an "amendment" to the Will signed by petitioner's father and his wife.

Petitioner has a copy of the document that he was informed and believes that Ms. Anderson alleges is an amendment to the Will of the decedent. A true and correct copy of the document is attached as Exhibit A.

It is the petitioner's belief that the document is not a valid codicil to the Will of his father, George Taylor. The document lacks two witness' signatures. The document is purportedly signed by both petitioner's father and mother at the same time of signing and, to the best of his knowledge, there are no separate codicils of either decedent. The document purports to be an amendment to "the will of George and Carol Taylor" and petitioner is aware of no joint will between the decedent and his wife.

Without two witnesses' signatures, the document was determined by petitioner's attorney not to be a valid codicil. Nonetheless, petitioner is prepared upon appointment, to petition the court and allow the court to decide through a petition process whether or not the "amendment" is a valid codicil without the signatures and with the confusing reference.

To date, petitioner's attorney has not received any written opposition and/or objection as required both under the Probate Code and Local Rules of Court. Petitioner's attorney did receive a letter when he requested Ms. Anderson to provide a copy of the document she claimed was the codicil. Petitioner's attorney received the two page letter that is attached as Exhibit B.

To date, no written objection has been received to the appointment, and therefore reserve the right to further amend this declaration in anticipation of the need to respond thereto.

Objections to Amended Petition for Letters of Administration, Authorization to Administer Under the Independent Administration of Estates Act and Probate of Will and Codicils filed by Attorney Bonnie J. Anderson, Esq on 08/15/2013 states Objector, Diane Elizabeth Taylor, an individual, objects to the amended petition filed by Gregory L. Taylor in the matter of the Estate of George Feodor Taylor, and alleges as follows:

Please see additional page

At all times alleged herein, Objector was and is a resident of the city and county of Fresno, California, and the natural child (daughter) of Decedent and his first wife.

At all times alleged herein, Petitioner was and is a resident of the city and county of Fresno, California, the son of the Decedent and his second wife and, since approximately February 16, 2009, the owner or purported owner of one-half of the real property identified and described in Paragraph 3.b of the Initial Petition and Amended Petition.

On February 16, 2009, Decedent died in Fresno County, California.

At the time of his death, Decedent was a resident of the City of Clovis, Fresno County, California, and the owner or previous owner of the real property located in the city of Clovis, Fresno County, California, identified and described in Paragraph 3.b. of the Initial Petition and Amended Petition, and the owner or previous owner of personal property i.e., cash, retirement accounts, bank accounts, household furnishings, etc. all of which have been intentionally omitted from identification and description from Paragraph 3.c. of the verified Initial Petition and verified Amended Petition by Petitioner.

Petitioner was aware of Decedent's death within 24 hours of the Decedent's death.

Petitioner did not file a petition to probate within 30 days of learning of Decedent's death as required under Probate Code §§ 8000, 8001, 8200 and failed to notify the Objector of the inheritance until such information was revealed to her by another interested person and co-beneficiary, Ashlee Sophia Taylor, whose name and information was intentionally omitted by Petitioner in the verified Initial Petition and verified Amended Petition.

Objector is informed, believes and thereon alleges that on or about 05/31/2013, Petitioner filed his verified Initial Petition for probate of a document dated 08/02/1989, purporting to be the last will of Decedent; for appointment of Petitioner as administrator, and for full authority to administer the estate under the Independent Administration of Estates Act.

The verified Initial Petition contains false claims and omits material information pertaining to Decedent's estate, Decedent's last will and testament executed in 2006 and identifies all interested persons as require under Probate Code § 8002.

On 07/09/2013, Objector, through her counsel of record, timely and in accordance with Probate Code § 1043 orally objected to the Initial Petition and requests of Petitioner.

On 07/09/2013 the Court ordered and Amended Petition be filed by Petitioner with all amendments and/or codicils and Objector to file and serve her written objections to the Initial Petition within the time proscribed by law.

Objector is informed, believes and thereon alleges that on or about 08/05/2013, petitioner filed his verified Amended Petition with outdated attachments and the same false and incomplete information contained in the Initial Petition and with an undated and inadmissible Declaration of Gregory Taylor in Support of Petition for Letters of Administration with exhibits, including the 2006 amendment to the 1989 Document executed by Decedent on 11/07/2006.

Please see additional page

Objector is informed, believes and thereon alleges that on 08/05/2013, at 4:20pm, Petitioner's Amended Petition with outdated attachments and the same false and incomplete information contained in the Initial Petition and an undated and inadmissible Declaration of Gregory Taylor with exhibits were personally delivered to Objector's counsel. Objector is further informed, believes and thereon alleges that Petitioner did not serve an Amended Notice with his Amended Petition and undated Declaration as required by law and/or local rule.

As of the date the verification to this Objection was signed, Petitioner did not provide notice of his Amended Petition with the undated and inadmissible Declaration of Gregory Taylor with exhibits or updated attachments to and accurate information within the Amended Petition upon all interested persons required which pleading restates and supersedes the Initial Petition for all purposes as required by law and/or local rule.

As of the date the verification to this Objection was signed, the Objector has not received service of the Amended Notice, amended Petition or proof of publication of the Amended Notice as required by Probate Code §§ 8003, 8110, 8120 and 8250.

This Objection is filed within the time proscribed under Fresno County Local Rule, 7.4.2.

Objector is a person interested in the devolution of the estate of Decedent and entitled to object to admission of the 1989 Document to probate in that Objector is the natural daughter of Decedent and his first wife, an interested person and beneficiary under the 2006 Amendment which was intentionally omitted from the false and verified Initial Petition and false and verified Amended Petition.

Objector is a person interested in the personal property omitted and not identified or described by Petitioner in Paragraph 3.c of his verified and false Initial Petition and verified and false Amended Petition because she is a beneficiary of Decedent and Petitioner has taken, spent, used, fraudulently transferred, concealed, concerted and/or otherwise hypothecated Objector's inheritance without the lawful right to do so and in violation of Decedent's wishes set forth in the 2006 Amendment.

Objector obtained a copy of the 2006 Amendment on or about 07/08/2013.

In accordance with the wishes of Decedent as set forth in the 2006 Amendment, Petitioner has already distributed to co-beneficiary and Respondent Ashlee Sophia Taylor a monetary inheritance in the approximate and partial amount of \$65,000.00 with additional amounts to have been disbursed pursuant to the 2006 Amendment and the right to occupancy and/or ownership of the real property described in Paragraph 3.b. of the Initial Petition and Amended Petition.

Probate of the 1989 Document should be denied on the following grounds:

- 1989 Document is not Decedent's last will and testament.
- Prior to the Decedent's death, he had executed the 2006 Amendment in which, inter alia, he devised a portion of his estate to Objector, a nephew of Objector and Petitioner, William Theodore (Taylor) Spicer, and Objector's daughter, Ashlee Sophia Taylor.
- The 2006 Amendment changed the distribution of properties and monies in the 1989 Document.
- The verified Initial Petition and Amended Petition each contain fraudulent claims, information and material omissions of fact and information statutorily required which are and were known to Petitioner at all times prior to, during and after his execution of the fraudulent documents filed with this court.
- Petitioner filed his false and verified Initial Petition and Amended Petition as a means to further delay and/or avoid disbursing the monetary inheritance to Objector in accordance with the 2006 Amendment while fraudulently failing to disclose the 2006 Amendment which is the Decedent's last will and testament.

Please see additional page

8 (additional page) **George Feodor Taylor (Estate) Case No.13CEPR00482**

- Petitioner has acted with unclean hands in and about the matters pertaining to the false and verified Initial Petition, the false and verified Amended Petition and the 2006 Amendment in that, for example, from and after Decedent's death Petitioner took, used, transferred, gifted, concealed, converted or otherwise hypothecated the monetary inheritance due Objector and other assets of the estate, engaged in threats and intimidation in an effort to prevent disclosure of the 2006 Amendment and bequests identified therein, breached a fiduciary duty to maintain and protect the assets of Decedent's estate, falsified documents pertaining to Decedent's assets and bequests, failed to provide notice of death to all persons and/or entities as required by law thereby exposing the estate to potential and/or actual tax and/or other liabilities, as alleged herein.
- Petitioner has engaged in fraud and misrepresentation in all matters pertaining to Decedent's estate and the 2006 Amendment including without limitation,
 - a) the filing of a false petition for probate – initial and amended,
 - b) filing of a false and undated declaration not based on personal knowledge and thus lacking in evidentiary value as a matter of law (C.C.P. § 585(d),
 - c) fraudulently presenting the 1989 Document which Petitioner knew and knows is not Decedent's last will and testament,
 - d) falsely decrying the existence and validity of the 2006 Amendment under which Petition has operated from and after Decedent's death, to Petitioner's benefit and Objector's detriment.
 - e) falsely denying and thereafter refusing to disclose the existence of the 2006 Amendment and bequest to Objector contained therein until such information was disclosed to Objector by interested person and co-beneficiary, Respondent Ashlee Sophia Taylor,
 - f) making repeated material representations and promises to Objector that Petitioner would deliver to Objector the monetary inheritance left to her by Decedent under the 2006 Amendment which representations and promises Petitioner knew to be false at the time they were made and which were made with the intent to obtain and which did obtain Objector's reasonable reliance, and to delay and/or avoid delivery of the monetary inheritance bequeathed to Objector, when all the while Petitioner was simultaneously exploiting Objector's reasonable trust in Petitioner, Objector's brother, during which time he took, used, transferred, gifted, concealed, converted or otherwise hypothecated the monetary inheritance due Objector and other assets of the estate, thereby causing damage and harm to Objector.
- The Court lacks jurisdiction in that Petitioner's false and verified Initial Petition and Amended Petition are legal fictions Petitioner created and field in an attempt to create jurisdiction of what is a civil dispute in this probate court instead of civil court where a breach of contract dispute is more properly venued, to wit, Petitioner is in breach of an oral and written agreement under which Petitioner agreed to pay the monetary inheritance of \$20,000.00 left to Objector in the 2006 Amendment, and has failed to do so despite multiple representations and promises to do so, despite demand.
- Petitioner filed his false and verified Initial Petition and Amended Petition to avoid having to account for and disclose the full value of the Decedent's estate including the personal property assets which Objector is informed, believes and thereon alleges Petition has already spent transferred, gifted, concealed converted, or otherwise hypothecated without the lawful right to do so, which assets of Decedent's estate Petitioner has completely omitted from Paragraph 3.c. in his false and verified Initial Petition and Amended Petition.

Please see additional page

8 (additional page) George Feodor Taylor (Estate) Case No.13CEPR00482

Petitioner obtained the assets of Decedent's estate by fraudulent and unlawful means including without limitation: converting the assets; using threats and intimidation to prevent the disclosure of the 2006 Amendment; breached of his fiduciary duty to decedent, his estate and named beneficiaries by failing to act with the highest of good faith and fair dealing, to avoid taking any unfair advantage of Decedent and beneficiaries in the management and control of Decedent's estate, and by failing to protect the assets of the state and to take appropriate actions to secure the assets of the estate including without limitation assets when requested.

- Petitioner has knowingly and under penalty of perjury and present false documents to the court and Objector, to wit, a false Initial Petition and a false Amended Petition which omits material information pertaining to Decedent's estate, the 2006 Amendment, and the named and information of all interested persons entitled to notice of the Initial Petition and Amended Petition, an undated and inadmissible declaration, and has further failed to provide any notice of the Amended Petition to each of the individuals identified in the false initial Petition and false Amended Petition as evidenced by the proof of service attached to the false Amended Petition.
- From and after Decedent's death, Petitioner has acted under the 2006 Amendment which supersedes the 1989 Document.
- Objector is informed, believes and thereon alleges that upon and after Decedent's death Petitioner took possession and secreted all monetary accounts, retirement accounts, cash, bank accounts, and other personal property of the Decedent's estate, location and value of all assets including those that Petitioner spent, transferred, gifted, concealed, converted or otherwise hypothecated without the lawful right to do so.
- Petitioner has not established any grounds to support the requested orders and has instead twice falsely proffered the 1989 Document as the last will and testament of Decedent which at all times referred to herein Petitioner knew and knows is not the operative testamentary document of decedent.
- Objector alleges petitioner has failed to meet his burden of proof as to the admissibility and validity of the 1989 Document, therefore the Court must deny petitioner's requests.

Wherefore, Objector prays:

1. That the 1989 Document be denied probate;
2. That Objector be awarded reasonable attorney's fees according to proof;
3. That Objector be awarded costs of suit;
4. For such other and further relief as the Court deems proper.

(1) First and Final Accounting and Report of Conservator of Person and Estate, (2) Petition for Allowance of Termination of Conservatorship and Discharge of Conservator

DOD: 12-6-13	JAMES P. STAICER , Son and Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 6-29-12 through 7-1-13	
	Accounting: \$18,840.07 / \$993.68	<ol style="list-style-type: none"> The accounting is not in compliance with Probate Code §2620(b), which requires a separate accounting for the period after the conservatee’s date of death. The Court may require clarification or amendment. Petitioner did not use the mandatory Judicial Council forms for accounting. See Forms GC-400 (Summary), etc. The accounting does not balance – Charges and Credits do not match. Probate Code §1060 et seq. See Exhibit E. Need clarification. <i>Note: It is unclear if there is anything left at this time in the conservatorship estate. The narrative appears to indicate that all funds have been transferred to the Conservatee’s trust; however, the Summary indicates \$17,840.39 as POH at the end of the account period. Need clarification.</i> The Court may require itemization for attorney fees pursuant to Cal. Rules of Court 7.751(b).
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH: \$18,512.37	
<input checked="" type="checkbox"/> Verified	Ending POH: \$17,840.39	
<input type="checkbox"/> Inventory	Conservator: Not requested	
<input type="checkbox"/> PTC	Attorney: \$4,500.00 (for 25 hours at a reduced rate of \$180/hr)	
<input type="checkbox"/> Not.Cred.	Petitioner states conservatorship was necessary to enable Petitioner to access a 403(b) retirement account that was not transferred into the Conservatee’s trust when it was created. American United Life Insurance Company was not satisfied that the Trust, the Advance Health Care Directive, or the Special Power of Attorney could be used to transfer the funds into the trust; therefore conservatorship was necessary. After issuance of letters, the transfer was allowed. The account was never utilized by the conservatorship estate or accessed by Petitioner because funds never became necessary before the Conservatee’s death. Petitioner has provided trust account statements as a reference to clarify the status of the accounts.	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" 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 checked="" type="checkbox"/> 2620(c)		
<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	<p>Petitioner requests an order:</p> <ol style="list-style-type: none"> Approving, allowing, and settling the account; Terminating the conservatorship; discharging the conservator and the surety on the bond; and Authorizing payment of \$4,500.00 to the attorney for legal services to the conservatorship during the account period. 	

Reviewed by: skc
Reviewed on: 8-16-13
Updates:
Recommendation:
File 9 – Staicer

(1) First and Final Accounting and Report of Conservator of Person and Estate, (2)
Petition for Allowance of Termination of Conservatorship and Discharge of
Conservator

Age: 90	JAMES P. STAICER , Son and Conservator, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>5. Petitioner did not use the mandatory Judicial Council forms for accounting. See Forms GC-400 (Summary), etc.</p> <p>6. The accounting does not balance – Charges and Credits do not match. Probate Code §1060 et seq. Need clarification.</p> <p>7. The Beginning POH listed in the Summary does not match the amount listed on the I&A filed 9-28-12.</p> <p>8. The Court may require itemization for attorney fees pursuant to Cal. Rules of Court 7.751(b).</p>	
	Account period: 6-29-12 through 7-1-13		
	Accounting: \$66,168.79 / 66,675.39		
	Beginning POH: \$66,657.39 (does not match I&A)		
	Ending POH: \$0.00		
	Conservator: Not requested		
	Attorney: \$4,500.00 (for 25 hours at a reduced rate of \$180/hr)		
<input type="checkbox"/> Aff.Sub.Wit.	<p>Petitioner states conservatorship was necessary to enable Petitioner to access an annuity that was not transferred into the Conservatee's trust when it was created. American United Life Insurance Company was not satisfied that the Trust, the Advance Health Care Directive, or the Special Power of Attorney could be used to transfer the funds into the trust; therefore conservatorship was necessary. After issuance of letters, the transfer was allowed. The account was never utilized by the conservatorship estate or accessed by Petitioner because funds never became necessary before the Conservatee's death. Petitioner has provided trust account statements as a reference to clarify the status of the accounts. Petitioner further states conservatorship is no longer necessary and has become detrimental to the Conservatee and his estate due to the associated costs.</p> <p>Petitioner requests an order:</p> <ol style="list-style-type: none"> 4. Approving, allowing, and settling the account; 5. Terminating the conservatorship; discharging the conservator and the surety on the bond; and 6. Authorizing payment of \$4,500.00 to the attorney for legal services to the conservatorship during the account period. 		
<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 checked="" type="checkbox"/> CI Report			
<input checked="" type="checkbox"/> 2620(c)			
<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			
		<p>Reviewed by: skc</p> <p>Reviewed on: 8-16-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 – Staicer</p>	

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 10		<u>TEMPORARY EXPIRES 08/20/2013</u>		NEEDS/PROBLEMS/COMMENTS:	
		DEBBIE WRIGHT , non-relative, is petitioner.		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:	
		Father: ANDY CONTRERAS , served by mail on 07/16/2013		<ul style="list-style-type: none"> Andy Contreras (Father) – was served by mail on 07/16/2013 however personal service is required pursuant to Probate Code § 1511. Lalaina Delgado (Mother) 	
Cont. from 071513		Mother: LALAINA DELGADO		2. Need proof of 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:	
<input type="checkbox"/>	Aff.Sub.Wit.	Paternal Grandfather: Unknown		<ul style="list-style-type: none"> Paternal Grandfather Maternal Grandparents 	
<input checked="" type="checkbox"/>	Verified	Paternal Grandmother: Mary Tapia, deceased		3. Petition indicates that the child may be a member of or eligible for membership in the Cherokee Nation. Therefore, a Notice of Child Custody Proceeding for Indian Child (Form ICWA-030), must be served together with copies of petition and all attachments, including this form, on the child's parent; any Indian custodian; any Indian tribe that may have a connection to the child; the Bureau of Indian Affairs (BIA), and possibly the U.S. Secretary of the Interior, by certified or registered U.S. Mail, return receipt requested. (Please see Probate Code 1460.2, and CA Rules of Court 7.1015)	
<input type="checkbox"/>	Inventory	Maternal Grandparents: Unknown			
<input type="checkbox"/>	PTC				
<input type="checkbox"/>	Not.Cred.				
<input type="checkbox"/>	Notice of Hrg	Petitioner states: that she is the ex-girlfriend of the minor's father. She states that on 05/02/2013, Social Worker, Staci Moffatt, appeared at her home and informed her that she is not legally able to administer the minor's daily medication for ADHD and that guardianship would be required. Petitioner alleges that the child's father was arrested at the petitioner's home on 03/10/2013 and currently remains incarcerated on two counts of indecent exposure. The father attended a hearing on 11/10/2011 in Kings County for indecent exposure. Petitioner alleges that the father was exposing himself and masturbating in public where children were present. Petitioner states that the mother left the child when he was nine months old and has only spoken with his mother once in his life. Petitioner alleges that the paternal aunt, Yadira Sanchez, has had the child reside with her at times however the child informed the petitioner that his fifteen year old cousin has been molesting him since he was four years old in his aunt's home.			
<input type="checkbox"/>	Aff.Mail				
<input type="checkbox"/>	Aff.Pub.				
<input type="checkbox"/>	Sp.Ntc.				
<input type="checkbox"/>	Pers.Serv.				
<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 type="checkbox"/>	CI Report				
<input type="checkbox"/>	9202				
<input checked="" type="checkbox"/>	Order				
<input type="checkbox"/>	Aff. Posting	Declaration filed 07/17/2013 which include numerous letters in support of the petition for guardianship.		Reviewed by: LV	
<input type="checkbox"/>	Status Rpt			Reviewed on: 08/15/2013	
<input checked="" type="checkbox"/>	UCCJEA			Updates:	
<input type="checkbox"/>	Citation			Recommendation:	
<input type="checkbox"/>	FTB Notice			File 14 – Contreras	
		<u>Please see additional page</u>			

14 (additional page) Jovannie Andy Contreras (GUARD/P) Case No. 13CEPR00381

Court Investigator Julie Negrete's Supplemental Investigator's Report filed 07/10/2013.

DSS Investigator Keith M. Hodge, DSS, and Staci Moffatt, DSS, report filed 08/14/2013.

Note: A blank copy of the *Notice of Child Custody Proceeding for Indian Child* (Form ICWA-030) is in the file to hand to petitioner at the hearing. Petitioner should complete the form and return it to the probate clerk for mailing.

Dept. 303, 9:00 a.m. Tuesday, August 20, 2013