

NEEDS/PROBLEMS/COMMENTS:

1. The Court may require clarification regarding Petitioner's request to dispense accountings and exonerate bond, with reference to Probate Code §2628(a)(3) – All income spent for benefit of Conservatee.

Examiner notes that the Conservatee's income, *exclusive of public benefit payments*, does appear to qualify for dispensing accounts. However, it is difficult to determine from this four-year account what the Conservatee's typical monthly expenses consist of, given the numerous listed payments and disbursements. As noted in review of prior accounts, the disbursements schedule reflects numerous restaurant meals and retail store purchases that are not otherwise explained, as well as expenses related to the home and vehicle not owned by the conservatorship estate.

Probate Status Hearing for Failure to File a Petition for Final Distribution.

Age: 4/23/10	<p>JoANN SORIA was appointed as Administrator, with full IAEA authority and without bond, on 11/8/2010.</p> <p>Letters issued on 11/8/2010.</p> <p>The Department of Health Services filed a creditor's claim on 12/12/12 in the amount of \$74,720.18.</p> <p>Inventory and Appraisal filed on 3/11/14 showing the estate valued at \$100,000.00.</p> <p>The Amended Petition for First and Final Account was dismissed on 10/16/14.</p> <p>Notice of Status Hearing filed on 7/17/15 set this hearing re: Failure to File a Petition for Final Distribution.</p> <p>Notice of the Status Hearing was mailed to Robert Bergin and JoAnn Soria on 7/17/15.</p> <p>Status Report filed on 8/20/15 states the delay in filing the final report and petition in this estate was the pending lawsuit in the estate of decedent's mother, Anita Lucchesi. A settlement was reached in March 2015. A short time after July 22, 2015, a check was written to the Administrator, and an estate account was opened. Mr. Bergin states he was on vacation for a short time in August, but upon his return prepared the petition for final distribution. A creditor's claim was filed by the Department of Health Care Services. The petition provides that the Department will be paid the net amount of funds remaining in the estate after costs of administration. The petition has been sent to the Department for their approval, and it is anticipated that the attorney will hear back within the next five to seven days. As soon as the approval is signed, it, along with the petition will be filed with the court. It is requested that the status hearing be continued to a date after 9/1/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need petition for final distribution.</p>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice	<p>Reviewed by: KT</p> <p>Reviewed on: 8/21/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2 – Lucchesi</p>	

Atty Schacher, Kara, of Paso Robles (for Esperanza S. Boone, Administrator)

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 6/15/2012	ESPERANZA S. BOOKE, sister, was appointed Administrator with Full IAEA authority without bond on 1/9/2013.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 7/23/2015. Minute Order states counsel represents that the litigation in SLO County has been set out to spring of 2016, but does not have the exact date. The Court orders Ms. Schacher to file a verified declaration as to the exact trial date and attach a copy of the SLO docket page verifying. [Declaration of Attorney filed 8/6/2015 complies with Court's request].</p> <p>Note: Prior to the last hearing on 7/23/2015, the Court had not been provided with any concrete demonstration of a pending wrongful death claim since the inception of this case on 11/13/2012. OSC issued 6/12/2015 was dismissed on 7/23/15 based on the representations of Attorney Schacher, who appeared at hearing.</p> <p>The following issues remain:</p> <ol style="list-style-type: none"> 1. Need <i>Final Inventory and Appraisal</i> pursuant to Probate Code § 8800(b), identifying recovered funds from the litigation proceeding. 2. Need first and final account, or current verified Status Report and proof of service of the Status Report pursuant to Local Rule 7.5(B).
	Letters issued on 1/16/2013.	
Cont. from: 030714, 040414, 061215, 072315	Pursuant to Probate Code § 8800(b), Final Inventory and Appraisal was due 5/16/2013.	
Aff.Sub.Wit.		
✓ Verified		
Inventory	X	
Account	X	
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order	<p>Inventory and Appraisal filed on 8/22/2013 shows an estate value of \$0.00, indicating this is a no-asset estate opened in order to allow the personal representative to proceed with a wrongful death claim on behalf of Decedent's heirs.</p> <p>Pursuant to Probate Code § 12200, first account and/or petition for final distribution was due 1/16/2014.</p> <p>Declaration of Attorney filed 8/6/2015 states:</p> <ul style="list-style-type: none"> • She has spoken to ROBERT MAY, Attorney for Esparanza Brook in the Eastern District Court of California, Case [number omitted], and she received a copy of the <i>Order Setting New Dates</i> via email from Mr. May on 7/30/2015, which shows the new trial date in that matter was continued to 2/2/2016; (copy of Order attached; copy of email from Robert May with docket text printout also attached); • She asks that the status hearing be set thereafter on this matter, and that she be allowed to appear by Courtcall at the hearing on 8/26/2015. 	
Aff. Posting		
✓ Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 8/24/14
		Updates:
		Recommendation:
		File 3 – Salinas

Petitioner: Farily, Crystal Denise (pro per Guardian/maternal cousin)

Petitioner: White, Sara L (pro per Petitioner/mother)

Petition for Visitation

		<p>SARA WHITE, mother, is petitioner.</p> <p>Please see petition for details.</p> <p>Declaration of Guardian, Crystal Farily, filed on 8/24/15</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Notice of Hearing.</p> <p>2. Need proof of service of the Notice of Hearing on: a. Chrystal Farily (guardian)</p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			<input checked="" type="checkbox"/>
<input type="checkbox"/>	Aff.Mail			<input checked="" type="checkbox"/>
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order	<input checked="" type="checkbox"/>		
<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: KT</p> <p>Reviewed on: 8/21/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 – White/Rodriguez</p>				

Petition for Independent Powers Authorizing Conservator to Sell Conservatee's Personal Residence

	PUBLIC GUARDIAN , Conservator, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: This petition was originally presented ex parte. Order on the Ex Parte Petition dated 8/14/15 states the court will be addressed at the hearing on 8/26/15.</p>
	Petitioner states at the time the Public Guardian was appointed as conservator, the conservatee was living in the real property, which was her personal residence and business. She moved from the property on 2/6/15.	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory	The Public Guardian asserts that it benefits the conservatee's estate more to sell quickly than to sell through the bid and court confirmation process. The value of the property will decline with each subsequent break in and the costs to insure the vacant property is much higher than property that is lived in.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	The property may prove to be a difficulty sale because it is not just a residence; it has a business attached to it.	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters	Probate Code §2591 allows the court, in its discretion, to make an order granting specific powers if it determines that it would be to the advantage, benefit, and best interest of the estate to do so. The Public Guardian asserts that it would be to the advantage and benefit of the conservatee to sell the real property as quickly as possible.	
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order	Petitioner asserts that the conservatee is unable to understand these proceedings.	
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA	The Public Guardian requests the authority to sell the conservatee's personal residence through an auction at a scheduled date, and without further order of the court.	
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 8/21/15
		Updates:
		Recommendation:
		File 5B – Nishioka

Order to Show Cause Order to Show Cause

	<p>BRUCE BICKEL was appointed conservator of the estate with bond set at \$130,000.00 on 06/18/2015.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>		
	<p>Minute Order of 07/22/2015 set this Order to Show Cause.</p>	<p>Note: Receipt of Bond filed 08/05/2015 in the amount of \$130,000.00.</p>		
<p>Cont. from</p>	<p>Minute Order states: No Appearances – The Court issues an Order to Show Cause to Catherine Amador as to why she should not be sanctioned for failure to appear today or to prove proof of bond having been posted. Ms. Amador is order to be personally present in Court on 08/26/2015.</p>			
<table border="1"> <tr> <td data-bbox="103 422 155 464"></td> <td data-bbox="155 422 391 464">Aff.Sub.Wit.</td> </tr> </table>		Aff.Sub.Wit.		
	Aff.Sub.Wit.			
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	Verified			
<table border="1"> <tr> <td data-bbox="103 506 155 548"></td> <td data-bbox="155 506 391 548">Inventory</td> </tr> </table>		Inventory		
	Inventory			
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	PTC			
<table border="1"> <tr> <td data-bbox="103 590 155 632"></td> <td data-bbox="155 590 391 632">Not.Cred.</td> </tr> </table>		Not.Cred.		
	Not.Cred.			
<table border="1"> <tr> <td data-bbox="103 632 155 674"></td> <td data-bbox="155 632 391 674">Notice of Hrg</td> </tr> </table>		Notice of Hrg	<p>Declaration of Catherine Amador filed 08/14/2015 states the bond was not filed by the deadline set, and no one appeared to explain this failure to the Court at the Status conference. The Court then issued an Order to Show Cause, requiring Ms. Amador to appear personally on 08/26/2015, to explain why the bond had not been posted and why there was not appearance at the status conference. It was and remains Ms. Amador's understanding that it was Mr. Bickel's responsibility to obtain and post the bond, or to explain to the Court why this had not occurred by the date of the status conference. However, Ms. Amador is convinced that his failure to do one or the other was entirely inadvertent. Similarly, Ms. Amador's decision not to attend the hearing was based on her own expectation that he would appear. After learning that the Court had issued the Order to Show Cause, Ms. Amador contacted Mr. Bickel's assistant. Based on the conversation, Ms. Amador is informed that Mr. Bickel thought his staff had made the necessary arrangements to have the bond filed timely with the Court through Mr. Bagdasarian's office Unfortunately, there appears to have been some confusion between the two offices as to who was responsible for what and the filing of the bond was delayed. It was ultimately filed on 08/05/2015.</p>	
	Notice of Hrg			
<table border="1"> <tr> <td data-bbox="103 674 155 716"></td> <td data-bbox="155 674 391 716">Aff.Mail</td> </tr> </table>		Aff.Mail		
	Aff.Mail			
<table border="1"> <tr> <td data-bbox="103 716 155 758"></td> <td data-bbox="155 716 391 758">Aff.Pub.</td> </tr> </table>		Aff.Pub.		
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	Pers.Serv.			
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<table border="1"> <tr> <td data-bbox="103 1010 155 1052"></td> <td data-bbox="155 1010 391 1052">Video Receipt</td> </tr> </table>		Video Receipt		
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<table border="1"> <tr> <td data-bbox="103 1052 155 1094"></td> <td data-bbox="155 1052 391 1094">CI Report</td> </tr> </table>		CI Report		
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<table border="1"> <tr> <td data-bbox="103 1262 155 1304"></td> <td data-bbox="155 1262 391 1304">UCCJEA</td> </tr> </table>		UCCJEA		
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<table border="1"> <tr> <td data-bbox="103 1346 155 1388"></td> <td data-bbox="155 1346 391 1388">FTB Notice</td> </tr> </table>		FTB Notice		
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		<table border="1"> <tr> <td data-bbox="1073 1388 1560 1430">Reviewed by: LV</td> </tr> </table>	Reviewed by: LV	
Reviewed by: LV				
		<table border="1"> <tr> <td data-bbox="1073 1430 1560 1472">Reviewed on: 08/25/2015</td> </tr> </table>	Reviewed on: 08/25/2015	
Reviewed on: 08/25/2015				
		<table border="1"> <tr> <td data-bbox="1073 1472 1560 1514">Updates:</td> </tr> </table>	Updates:	
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		<table border="1"> <tr> <td data-bbox="1073 1514 1560 1556">Recommendation:</td> </tr> </table>	Recommendation:	
Recommendation:				
		<table border="1"> <tr> <td data-bbox="1073 1556 1560 1598">File 7 – Snavely</td> </tr> </table>	File 7 – Snavely	
File 7 – Snavely				

Ms. Amador states she was not aware of the arrangements made between Mr. Bickel's staff and Mr. Bagdasarian's staff. Likewise, Ms. Amador was not informed that both of them thought the bond had in fact been filed timely. Ms. Amador states she was in Court in Handford on the morning of the Status conference. She assumed Mr. Bickel would be appearing to explain the delay in filing the bond, since she had not information about the reason for the delay at that time. Had Ms. Amador known of the confusion or delay, she would have confirmed that either he or Mr. Bagdasarian would be present to explain the situation to the Court. Given that Ms. Amador represents the petitioner on the petition to appoint Mr. Bickel, she can see why the Court would have looked to her for that explanation.

At the time the Petition was filed, Ms. Amador did not have a representation agreement with Mr. Bickel. Further, since then, he has asked Mr. Bagdasarian to fill that role. However, because it appears the Court may have thought Ms. Amador did represent Mr. Bickel, Mr. Bagdasarian has prepared a substitution of attorney form, which all three have signed. Ms. Amador anticipates that the document will have been filed by his office prior to the 08/26/2015 date on the Order to Show Cause.

Ms. Amador requests that the Court vacate the Order to Show Cause and not require her to personally appear to explain why she was not present at the 07/22/2015 Status Conference regarding the filing of the bond. Ms. Amador does not wish to incur unnecessary attorney's fees on behalf of her client, Bryan, to explain the situation further.

DOD: 05/29/14	JOSEPH PATRICK DE LOS REYES, son/Conservator of the Person and Estate, is Petitioner. Bond of \$30,000.00 was filed 04/07/14.	NEEDS/PROBLEMS/COMMENTS:
		See page 25 for related Petition for Probate
	Account period: 04/07/14 – 05/30/14	CONTINUED FROM 07/22/15
Cont. from 042915, 052715, 070115, 072215	Accounting: \$206,338.03 Beginning POH: \$201,076.17 Ending POH: \$199,129.38 (\$9,129.38 is cash)	1. Petitioner states that conservatee's bank closed conservatee's account and paid out the remaining funds to the pay-on-death beneficiaries designated by the conservatee upon the conservatee's death. The Court may require more information about this and/or reimbursement to the conservatorship estate of amounts distributed without court order.
<input type="checkbox"/> Aff.Sub.Wit.		2. Petitioner requests authority to sell the real property asset of the conservatorship estate, which is currently in foreclosure. The Conservatee died on 05/29/14, consequently, the Conservatorship terminated by operation of law on 05/29/14. The Court retains jurisdiction for the purpose of settling the final account of conservator pursuant to Probate Code § 2630. However, since the conservatorship has terminated due to conservatee's death, it appears that the sale of real property should occur in a subsequent probate proceeding after the final account of Conservator has settled and assets distributed to the Administrator of the Estate. The Court may require authority for selling a real property asset of a conservator after the death of a conservatee.
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory	Subsequent Account period: 06/01/14 – 07/15/14	
<input type="checkbox"/> PTC	Accounting: \$209,893.68 Beginning POH: \$199,129.38 Ending POH: \$200,043.19	
<input type="checkbox"/> Not.Cred.	Conservator: waived	
<input checked="" type="checkbox"/> Notice of Hrg	Attorney: waived	
<input checked="" type="checkbox"/> Aff.Mail w/	Petitioner requests that the property on hand consisting of real property, a vehicle, various tools, and miscellaneous furniture and furnishings be distributed to the estate of Wilfred Layvas De Los Reyes. A Probate proceeding for the administration of the estate will be filed with this Court upon the approval of this final account.	
<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	Petitioner prays for an Order that:	
<input checked="" type="checkbox"/> 2620(c)	1. The conservatorship of the Person and Estate terminated by operation of law on 05/29/14, conservatee's date of death;	
<input checked="" type="checkbox"/> Order	2. The Conservator and surety bond be discharged;	
	3. The Amended First and Final Account of Conservator be approved;	
	4. The assets on hand be distributed to the Estate of Wilfred Layvas De Los Reyes;	
	5. And for other such relief as the Court deems proper and just.	
<input type="checkbox"/> Aff. Posting		Reviewed by: JF
<input type="checkbox"/> Status Rpt		Reviewed on: 08/24/15
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 8 – De Los Reyes

Continued on Page 2

Declaration of Joseph Patrick De Los Reyes Regarding Attorney Fees and Closure of Conservatee's Bank Account filed 05/20/15 states:

- 1) He paid, from conservatee's funds, a total of \$956.38 to the Law Office of Mina L. Ramirez and agrees to reimburse the conservatorship estate this amount.
- 2) When Merced School Employees Federal Credit Union was notified of conservatee's death, the credit union automatically closed his bank account and issued checks to the named beneficiaries, as "pay-on-death" payees. Petitioner and his sister were the named beneficiaries.
- 3) Presently, the estate's real property is in foreclosure and is scheduled for a public sale in July 2015. The property appraised for \$175,000.00. There is approximately \$167,000.00 owed on the first mortgage, and \$17,000.00 on the line of equity that the conservatee owes. Petitioner seeks the court's authority to sell the house for either the appraised value or as a short sale.

Probate Status Hearing RE: Receipt for Blocked Account

	DEBORAH TITUS , Conservator, petitioned the court for an Order Confirming Sale of Real Property.	NEEDS/PROBLEMS/COMMENTS: 1. Need receipt for blocked account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
	The Order Confirming Sale of Real Property was signed on 7/29/15. The proceeds from the sale were ordered placed into a blocked account.	
	Minute Order dated 7/29/15 set this status hearing for receipt for blocked account.	
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT Reviewed on: 8/24/15 Updates: Recommendation: File 9 – Dolby

First and Final Report of Status of Administration on Account and Petition for
 (1) Compensation to Attorney for Ordinary and Extraordinary Services (2) Compensation to
 Administrator for Ordinary Services (3) Reimbursement of Costs and (4) Final Distribution

DOD: 4/15/14		JOSEPH W. HAYES, JR. , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need property tax certificate. 2. Both the attorney and the administrator are requesting to be reimbursed for the costs of the initial \$435.00 filing fee. 3. Proposed distribution does not distribute the 2013 Honda Dirt Bike and the furniture and furnishings. – Examiner has interlined the order.
		Account period: 4/16/14 – 7/9/15	
Cont. from		Accounting - \$308,168.12	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$293,696.92	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$ 56,293.93	
<input checked="" type="checkbox"/>	Inventory	Attorney (statutory) - \$8,895.99	
<input type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.	Attorney x/o - \$3,106.00 (for sale of real property. 2 hrs. of paralegal time at \$110/hr., 10.20 attorney hours @ \$275-285/hr.)	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.	Attorney costs - \$734.00 (filing fee, certified copies, probate referee)	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen	Administrator (statutory) - \$8,895.99	
<input checked="" type="checkbox"/>	Letters	10/17/14 Administrator costs - \$10,619.43 (for upkeep on the real property prior to sale.)	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections	Holographic Will states, "I Joseph W. Hayes III want my son Garrett to go to my parents Joseph Hayes Jr and Shirley Hayes. Also my assets that I have house, truck, bank accounts and retirement from Caltrans."	
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order	Petitioner proposes that distribution should be to Petitioner, Joseph W. Hayes, Jr. and Shirle Hayes.	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation	Proposed distribution is to:	
<input checked="" type="checkbox"/>	FTB Notice	Joseph W. Hayes, Jr. - \$9,771.26	
		Shirle Hayes - \$9,776.26	
			Reviewed by: 8/24/15
			Reviewed on: KT
			Updates:
			Recommendation:
			File 10 - Hayes

DOD: 9/5/13	<p>CHRISTINA NONINI PERICAS and MARTIN A. NONINI were appointed Co-Administrators with Will Annexed with Full IAEA without bond on 12/9/14.</p> <p>At the hearing on 12/9/14, the Court set this status hearing for the filing of the Inventory and Appraisal.</p> <p>Status Report filed 5/19/15 states an Inventory and Appraisal has been submitted to the Probate Referee for appraisal. There are two items included: One is an undivided interest in real property in San Luis Obispo County that needs to be appraised by the Probate Referee in that county. The other is two units in a limited partnership that was discovered while reviewing the decedent's final personal income tax returns. Information concerning the limited partnership interest is necessary to complete the I&A and was only recently provided by the limited partnership. It is anticipated that it can be filed within the next 30 days. Attorney Simonian will attend the status hearing and can address additional questions at that time.</p> <p>Status Report filed 6/23/15 states additional information concerning the nature of the limited partnership interest was necessary for the Probate Referee to complete the I&A and has now been obtained and provided to the Probate Referee. It is anticipated that the I&A will be filed within 2-3 weeks.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 5/20/15, 6/24/15, 7/22/15.</p> <p>As of 8/21/15, nothing further has been filed.</p> <p>1. Need Inventory and Appraisal pursuant to Probate Code §8800 or current written status report pursuant to Local Rule 7.5.</p>	
Cont. from 052015, 062415, 072215			
Aff.Sub.Wit.			
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Inventory			
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Citation			
FTB Notice			
			<p>Reviewed by: skc</p> <p>Reviewed on: 8/21/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 - Nonini</p>

Petition for Final Distribution on Waiver of Accounting and for Allowance of Statutory Compensation to Attorneys

DOD: 7/28/14		KAREN AZEVEDO , Administrator, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need itemization of costs. 2. Petition does not allege any facts for the court to determine that the property passing to the surviving spouse is community property. 3. Petition does not contain a statement indicated notice to the Franchise Tax Board was performed, as required by Probate Code 9202(c)(1).
		Account in waived.	
Cont. from		I & A - \$536,250.00	
<input type="checkbox"/>	Aff.Sub.Wit.	POH - \$536,250.00	
<input checked="" type="checkbox"/>	Verified	Administrator - waives	
<input checked="" type="checkbox"/>	Inventory	Attorney - \$12,000.00 (less than statutory)	
<input checked="" type="checkbox"/>	PTC	Costs - \$497.74 (\$110.66 has been paid leaving a balance of \$387.08)	
<input checked="" type="checkbox"/>	Not.Cred.	Closing - \$2,000.00	
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<input checked="" type="checkbox"/>	Aff.Mail	W/	
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<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Distribution, pursuant to Intestate succession, is to:

Karen Azevedo, surviving spouse, 100% of the community property consisting of:

- 2014 Diamond C Utility Trailer
- 2002 Yamaha Off Road AT Quad
- 1964 Horse Trailer
- 1988 Chevrolet Flat Bed Truck
- Real property located in Laton

Karen Azevdo, surviving spouse, 1/3 of the decedent's separate property consisting of 50% interest in real property located in Fresno County.

Nicholas Azevedo, Joshua Azevedo and Tyson Azevedo, each, an undivided 1/3 interest in 2/3 of decedent's 50% interest in real property located in Fresno County.

Reviewed by: KT

Reviewed on: 8/24/15

Updates:

Recommendation:

File 12 – Azevedo

Attorney Magness, Marcus; Janisse, Ryan; (for Petitioners Tim Quirk and Laurel Scholar, Successor Co-Trustees)
 Attorney Pascuzzi, Susan L. (for Respondent Lee Kleim)
 Attorney Bonakdar, Roger S. (for Respondent La Jolla Group II Management, Inc.)

Defendants' Notice of Demurrer and Demurrer to Petition for Order Determining Interest in Trust Property; Compelling Former Trustee to Deliver Property to Trustees; and Requiring Former Trustee to Account; Memorandum of Points and Authorities in Support of Demurrer

DOD: 6/16/2010		<p>LA JOLLA GROUP II MANAGEMENT, INC. ("LJG") demurs generally to the entirety of the <i>Petition</i> on the following grounds:</p> <ul style="list-style-type: none"> LJG demurs generally to the entirety of the <i>Petition</i> in that LJG is not now, nor ever was, a trustee of the trust, thereby negating the existence of any substantive rights against LJG, other than potentially as a debtor on a contract; Moreover, the <i>Petition</i> further makes no allegation that LJG holds any "property" of the Trust at all; rather, Petitioners only make a thinly veiled attempt to characterize potential "debt" as "property;" however, "debt" is not "property" as used in the Probate Code; The <i>Petition</i> fails to state facts sufficient to constitute a cause of action pursuant to CCP § 430.10(e); Furthermore, the entire <i>Petition</i> is so uncertain as to the parties and theories of liability that the <i>Petition</i> is rendered uncertain pursuant to CCP § 430.10(f). <p>Memorandum of Points and Authorities attached.</p> <p>Movant states that concurrently with this demurrer, and as an alternative to sustaining the demurrer without leave to amend, LJG seeks a motion to sever the claims against LJG and to have them transferred to the Civil Unlimited division, as Petitioner's claims against LJG appear to be styled as breach of contract claims; as such, adjudication in this forum is inappropriate, and the matter should be referred to the Civil Unlimited division.</p>	<p>NEEDS/PROBLEMS/COMMENTS: Page 13B is the <i>Motion to Transfer Case from Probate to Civil</i>. Page 13C is the <i>First Amended Petition for Order Determining Interest in Trust</i>. Continued from 7/16/2015. <i>Minute Order</i> states Mr. Janisse filed an amended petition yesterday which has been set for 8/26/2015; the Court trails this demurrer to that date just as a precaution, although it pertains to the original petition.</p>
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Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order	X		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: LEG</p> <p>Reviewed on: 8/24/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13A - Boyajian</p>	

Attorney Magness, Marcus; Janisse, Ryan; (for Petitioners Tim Quirk and Laurel Scholar, Successor Co-Trustees)
 Attorney Pascuzzi, Susan L. (for Respondent Lee Kleim)
 Attorney Bonakdar, Roger S. (for Respondent La Jolla Group II Management, Inc.)

Defendants' Notice of Motion and Motion to Transfer Case from Probate to Civil Division; Memorandum of Points and Authorities in Support of Motion

DOD: 6/16/2010		<p>LA JOLLA GROUP II MANAGEMENT, INC. ("LJG") specially appears (limited appearance, reserving all objections, defenses, and rights) and moves this Court to issue an Order severing the claims as to LJG and transferring them to the Civil Unlimited division of the Fresno County Superior Court.</p> <p>Motion is brought pursuant to Probate Code § 856.5 on the grounds that Petitioner's claims against LJG appear to be styled as breach of contract claims; Probate Code § 856.5 provides that "the court may not grant a petition under this chapter if the court determines that the matter should be determined by a civil action." As such, adjudication in this forum is inappropriate, and the matter should be referred to the Civil Unlimited division.</p> <p>Memorandum of Points and Authorities attached.</p> <p>Petitioner has styled his Petition as to LJG as a Breach of Contract" cause of action for failure to pay debts owed to the Trust; therefore, Respondent requests that any claims as to LJG be severed from the Petition and transferred to the Unlimited Civil Division.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 7/16/2015. Minute Order states Mr. Janisse filed an amended petition yesterday which has been set for 8/26/2015; the Court trails this notice of motion to that date just as a precaution.</p> <p>1. Motion is captioned as a <i>Motion to Transfer Case from Probate to Civil Division</i>; however, the actual motion requests not that the entire Probate case be transferred from Probate to Civil, but rather that any claim as to the La Jolla Group (LJG) be severed from the <i>Petition</i> and transferred to the Unlimited Civil Division, requiring distinct determination by the Court for severance of claims.</p>
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Video Receipt			
CI Report			
9202			
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Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: LEG	
		Reviewed on: 8/24/15	
		Updates:	
		Recommendation:	
		File 13B - Boyajian	

Attorney Magness, Marcus; Janisse, Ryan; (for Petitioners Tim Quirk and Laurel Scholar, Successor Co-Trustees)
 Attorney Pascuzzi, Susan L. (for Respondent Lee Kleim)
 Attorney Bonakdar, Roger S. (for Respondent La Jolla Group II Management, Inc.)

First Amended Petition for Order: Determining Interest in Trust Property; Compelling Former Trustee to Deliver Property to Trustees; Requiring Former Trustee to Account; Compelling Redress for Breach of Book Account; Compelling Redress for Breach Certain Written Agreements

DOD: 6/16/2010		<p>TIM QUIRK and LAUREL SCHOLAR, accountants of the Decedent and Successor Co-Trustees, are Petitioners.</p> <p>Petitioners state:</p> <ul style="list-style-type: none"> On 7/13/2000, Alan Boyajian, as Trustor and Trustee, created the ALAN BOYAJIAN LIVING TRUST OF 2000 (copy attached as Exhibit 1); Alan Boyajian amended the Trust as follows: First Amendment on 7/1/2008 (copy attached as Exhibit 2); Second Amendment on 5/4/2010 (copy attached as Exhibit 3); and Third Amendment on 5/11/2010 (copy attached as Exhibit 4); The Trust terms provide that LEE KLEIM, Decedent's business partner, shall serve as the sole Successor Trustee, and in the event he is unable or unwilling to serve, then SUSAN L. MOORE and LAUREL SCHOLAR shall serve as successor co-trustees; in the event either of them is unable or unwilling to serve, then TIM QUIRK shall serve with the remaining individual; LEE KLEIM accepted the office of Trustee and served in such capacity from date of Decedent's death until his resignation on 2/13/2013 (copy of resignation attached as Exhibit 5); Subsequently, LEE KLEIM denied signing the resignation; LEE KLEIM later voluntarily signed a second resignation which was prepared and notarized by SUSAN L. MOORE (copy attached as Exhibit 6); <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>1. Causes of Action for breach of contract as asserted in the <i>First Amended Petition</i> appear to be inappropriate requests for relief in the instant petition related to Trust administration.</p>
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<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: LEG</p> <p>Reviewed on: 8/24/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13C – Boyajian</p>	

Petitioners state, continued:

- **SUSAN L. MOORE** declined to act as successor co-trustee (*copy attached as Exhibit 7*);
- **TIM QUIRK** and **LAUREL SCHOLAR** ("Co-Trustees") accepted the office of co-trustees on 2/26/2013 and have been acting as successor co-trustees since such time;
- Co-Trustees acted as the accountants for Decedent during his life and for the Trust after his death, and are aware of and have access to various issues with the Trust administration that would not readily be available without such familiarity;
- Decedent and **LEE KLEIM** were business partners, and they formed a number of entities as follows:
 - **LA JOLLA GROUP II GENERAL PARTNERSHIP** – Decedent and Kleim were general partners (the General Partnership);
 - **LA JOLLA GROUP II MANAGEMENT, INC.** – Decedent and Kleim formed this corporation (the Corporation);
 - **LA JOLLA GROUP II LIMITED PARTNERSHIP** – Decedent and Kleim formed this partnership with the La Jolla Group II Management Corporation as the general partner, and Decedent and Kleim as Limited Partners (the Limited Partnership); subsequent to its formation, the Limited Partnership was never capitalized and the initial and final tax return showing zero activity was filed in 2010; the Limited Partnership was then dissolved and the assets of the General Partnership were transferred to the Corporation of which Decedent and Kleim held equal shares;
 - **ASSIGNMENT OF BUSINESS INTERESTS TO TRUST** – Decedent assigned all of the above business interests to the Trust (*copy of assignment attached as Exhibit 8*).
- **Dual Role as Trustee and Corporate Owner:** Upon Decedent's death, **LEE KLEIM** became the sole officer/director of the Corporation; he also became the Trustee of the Trust; this arrangement created numerous conflicts of interest; Kleim treated the entity as his alter ego;
- While Kleim was removed from involvement in the Corporation due to lack of capacity, his family is now operating it on his behalf;
- **Purchase of Corporation and Limited Partnership:** Pursuant to a Buy Sell Agreement executed by Kleim and Decedent before Decedent's death, the Decedent's Limited Partnership interest was to be purchased for **\$375,000.00** at his death;
- Kleim in his individual capacity, as Trustee of the Trust, as President and Secretary of the Corporation and the Limited Partnership, entered into an agreement memorializing the fact that the Limited Partnership was never capitalized (*copy of unexecuted agreement attached as Exhibit 9*);
- The Trust's interest in the Corporation was purchased outright for **\$12,500.00** and the Trust's interest in the Limited Partnership (which had been transferred to the Corporation) was purchased by Kleim for **\$375,000.00** from the Trust (*copy of the Promissory Note evidencing the sale of the Limited Partnership attached as Exhibit 10*);
- While the Trust's interest in the Corporation was purchased outright for **\$12,500.00**, Kleim has been making interest-only payments at **4.5%** on the purchase of the Trust's interest in the Limited Partnership (which had been assigned to the Corporation);

~Please see additional page~

Petitioners state, continued:

- **Debts Owed by Corporation to Trust:** The Co-Trustees are aware of at least four (4) transactions under which the Trust lent its assets to the Corporation:
 - **Loan of \$263,388.39 in connection with real property on 1521 E. Fedora, Fresno** (*copy of unsigned promissory note attached as Exhibit 11*); the Fedora loan is due 7/1/2015; interest payments were made on the Fedora loan from 8/1/2008 through 5/3/2010, but ceased at Decedent's death with no explanation provided; interest and principal have not been paid despite demand and the Corporation is now in default;
 - **Loan of \$100,000.00 in connection with real property on 3767 E. Huntington, Fresno** (*copy of unsigned promissory note attached as Exhibit 12*); the Huntington loan was due 3/2/2010; no payments were ever made on the Huntington loan and the property was sold in May 2009; this debt was entered in Corporation books as book account and was maintained in normal course of business; payment has not been made despite demand and the Corporation is now in default;
 - **Loan of \$50,000.00 in connection with real property on 437 Keats, Clovis;** the Corporation's employees indicate there was no written note for this transaction but it was carried on Corporation's books as a book account; no payments were ever made on the Keats loan; payment has not been made despite demand and the Corporation is now in default;
 - **Unsecured Loan of \$100,000.00 to Corporation** from Trust to Corporation in 2008, per decedent telling accountants (Co-Trustees) that he and Kleim each loaned **\$100,000.00** to the General Partnership; at the time of this explanation by Decedent, Kleim knew of and did not dispute the representation; Kleim has not provided anything in connection with this loan despite requests and now even disputes the loan ever existed;
- Kleim asked Co-Trustees for information regarding money owed to Trust while he acted as Trustee, which was provided by Co-Trustees to Kleim; Kleim executed a verified under penalty of perjury IRS form 8939 verifying the existence of the above debts (*copy attached as Exhibit 13*); Kleim now disavows the validity of these debts; Kleim never disavowed any book account debt while acting as Trustee, but now that he is no longer Trustee he now questions the debts even though he has access to all Corporation's books and cannot point to evidence suggesting the debts were not valid; Kleim and Corporation are essentially saying they aren't paying these debts because Alan is no longer here to prove they are valid; this position is in bad faith and violates Kleim's fiduciary duties;
- **Violation of Buy-Sell Agreement:** Pursuant to the agreement entered into by Kleim and the Trust, any distributions to Kleim or his family members in excess of **\$5,000.00** per month require a corresponding distribution to the Trust of an equivalent amount to be applied against the principal of the promissory note; Co-Trustees requested an accounting of all distributions and compensation to Kleim and his family members from the Corporation and from Kleim himself; all assert no such payments were made in excess of **\$5,000.00**, but refuse to provide any information to substantiate their claim;
- **Request for Information by Co-Trustees:** Through their attorney, Co-Trustees sent Kleim and the Corporation a formal request to provide information; the request was prompted by several holes in the information and documentation turned over to the Co-Trustees by Kleim; Co-Trustees assert there are valuable Trust assets which have not been delivered to them and suspect Kleim committed multiple breaches of trust; Kleim breached his fiduciary duties as Trustee and now intends to obfuscate these breaches by refusing to account and deliver the requisite documentation;

~Please see additional page~

Petitioners state, continued:

- The Trust is owed significant sums of money by Kleim and the Corporation; despite Kleim acknowledging the debts and failing to pay them while he was Trustee, he now questions whether they are even valid; neither he or the Corporation are willing to pay; the Corporation is in breach of several agreements; Kleim has never accounted;
- **Request for Relief:** *[Citations to Probate Code omitted]*
 - **Co-Trustees' have Duty to Pursue Claims** against third parties to protect and enhance the Trust; Co-Trustees unable to perform this obligation because Kleim has refused to provide the information and documentation necessary to do so;
 - **Kleim is Required to Account** upon his resignation, but such an accounting was never prepared or provided; Kleim should be compelled to account for his actions as trustee, which is necessary to provide the starting point from which Co-Trustees can prepare the fiduciary accounting they are required to prepare by law;
- *[The following Causes of Action, as numbered in Petition, are asserted:]*
 1. Kleim has a duty to provide and Accounting upon his resignation;
 2. Liability for Fedora Loan – Open Book Account;
 3. Liability for Huntington Loan – Open Book Account;
 4. Liability for Keats Loan – Open Book Account;
 5. Liability for **\$100,000.00** Loan – Open Book Account;
 6. Breach of Fiduciary Duty;
 7. Breach of Contract –Buy Sell Agreement.

Petitioners pray for an Order that:

1. **LEE KLEIM** be ordered to file an accounting with the Court within 60 days of hearing on this *Petition*;
2. **The Corporation** is liable for the payment of the principal and interest of the Fedora Loan, the Huntington Loan, the Keats Loan, and the **\$100,000.00** book account;
3. **LEE KLEIM** be required to deliver all Trust assets to the Co-Trustees within 15 days of hearing on this *Petition*;
4. **LEE KLEIM** be held liable for his breaches of fiduciary duty while acting as trustee and a judgment be entered for all of the damages according to proof;
5. **LEE KLEIM** be held liable to double damages;
6. **LEE KLEIM** be held liable for the Trust's costs and expenses, including attorney fees for bringing this action;
7. **The Corporation** be required to deliver all Corporate records and an accounting showing payment to Kleim and his family;
8. **The Corporation** be found liable for breaching the buy-sell agreement and the Trust awarded damages in the amount to be proven at trial, for failing to make distributions to the Trust;
9. **The Corporation** be required to deliver all information, documentation, and records for the Trust it has in possession within 15 days of hearing on this *Petition*; and
10. **LEE KLEIM** be required to pay Petitioners reasonable attorney fees and costs associated with bringing this *Petition*.

Probate Status Hearing Re: Filing of the Inventory and Appraisal

		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR.</u> Inventory and Appraisal filed on 8/18/15.
Cont. from		
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<input type="checkbox"/>	Video Receipt	
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<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: KT
		Reviewed on: 8/24/15
		Updates:
		Recommendation:
		File 14 – Beatty

DOD: 12/28/14	<p>DEBORAH A. HARPER, Spouse, was appointed Administrator with Full IAEA with bond of \$185,000.00 on 5/13/15.</p> <p>At the hearing on 5/13/15, the Court set this status hearing for the filing of bond.</p> <p>Letters have not yet issued.</p> <p>Declaration of Deborah Harper filed 7/8/15 states after submitting her bond application, she was informed that she did not qualify due to her credit, and was asked if anyone would co-sign the bond application with her. A co-signer was found, but due to the co-signer's credit, she still did not qualify for bond.</p> <p>Ms. Harper therefore requests the Court modify the order appointing her as administrator by:</p> <ul style="list-style-type: none"> i. Reducing her authority from Full to Limited authority; or ii. Granting full authority and requiring that any estate cash or sale proceeds be deposited into a blocked account. <p>With the above-listed adjustments to the order, she is confident that she can efficiently, timely and responsibly administer this relatively modest estate to the Court's satisfaction.</p> 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 6/24/15: Ms. Peck reports that her client did not qualify for bond and requests a reduction to limited authority and an order that the proceeds go into a blocked account. The Court revokes its previous orders and the issued Letters subject to reissuing on 7/29/15.</p> <p>Minute Order 7/29/15: Ms. Harper is directed to contact Ms. Peck by phone today.</p> <p>As of 8/21/15, nothing further has been filed. The following issues remain noted:</p> <ol style="list-style-type: none"> 1. Notice of Hearing was served <u>without</u> a copy of the declaration filed 7/8/15. Rather, a copy of the original petition was attached. Need clarification of whether notice of this request to waive bond was properly served. 2. The petition originally indicated \$10,000.00 in personal property with \$100.00 annual income and real property valued at \$174,000.00; therefore bond was fixed at \$185,000.00. <p>While amending to limited authority may alleviate the need for bond regarding the real property, bond may still be necessary for the personal property, the nature of which is unknown.</p> <p>The Court may require waivers of bond (DE-142) from the decedent's three adult children, or may require clarification regarding the nature of the personal property, and if cash, may require blocking.</p>
Cont. From: 062415, 072915		
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Notice of Hrg		
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Citation		
FTB Notice		
Reviewed by: skc		
Reviewed on: 8/21/15		
Updates:		
Recommendation:		
File 15 - Harper		

Attorney Erlach, Mara M. (for Christina F. Rendino – surviving spouse/Petitioner)

Petition for Letters of Administration; Authorization to Administer Under the Independent Administration of Estates Act

DOD: 09/23/14	CHRISTINA F. RENDINO , surviving spouse, is Petitioner, and requests appointment as Administrator without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>See Page 16B for a Spousal Property Petition filed by Petitioner.</p> <p><u>CONTINUED FROM 06/24/15</u> Minute Order from 06/24/15 states: Counsel reports that he may file a Spousal Property Petition, but has not yet made that determination. He requests 60 days, and is directed to contact the court clerk if he decides to file said petitions so that the dates can be consolidated.</p> <p>1. Petitioner requests appointment without bond and a waiver of bond was filed on behalf of decedent's mother, Mercedes Rendino; Petitioner signed the waiver of bond on behalf of decedent's mother as her attorney-in-fact. The Court may require more information and/or authority for waiving bond by power of attorney.</p> <p>Note: If the Petition is granted, Status Hearings will be set as follows:</p> <ul style="list-style-type: none"> • Wednesday, January 27, 2016 at 9:00am in Dept. 303 for filing of the Inventory & Appraisal; and • Wednesday, October 26, 2016 at 9:00am in Dept. 303 for filing of the First Account and/or Petition for 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>
	Full IAEA – OK	
Cont. from 061715, 062415	Decedent died intestate	
<input type="checkbox"/> Aff.Sub.Wit.	Residence: Fresno	
<input checked="" type="checkbox"/> Verified	Publication: The Business Journal	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Estimated Value of the Estate:	
<input checked="" type="checkbox"/> Notice of Hrg	Personal property - \$ 40,000.00	
<input checked="" type="checkbox"/> Aff.Mail w/o	Annual income - 500.00	
<input checked="" type="checkbox"/> Aff.Pub.	Real property - 200,000.00	
<input type="checkbox"/> Sp.Ntc.	Total - \$240,500.00	
<input type="checkbox"/> Pers.Serv.	Probate Referee: RICK SMITH	
<input type="checkbox"/> Conf. Screen	Declaration of Joseph J. Doerr re Information Pertaining to Petition of Christina Rendino for Letters of Administration and Waiver of Bond	
<input checked="" type="checkbox"/> Letters	filed 06/16/15 states: He prepared the durable power of attorney (DPOA) that Mercedes Rendino executed nominating Christina Rendino as her attorney in fact. He is familiar with both the document and with the intent of the principal in making the DPOA. The authority to waive bond in a proceeding in which the principal stood to inherit property is implicit not only in the estate planning power of the DPOA but also in the general power and authority Mercedes Rendino intended to give to her agent. Further, on 05/06/15 Mercedes Rendino assigned her interest in the Decedent's estate to Christina Rendino by and through her DPOA. The DPOA provides at Article II, Section 3, Subsection (j) – no person shall be disqualified from receiving gifts or any other benefit from the Principal by reason of serving as Agent. Accordingly, Christina Rendino is the sole beneficiary of the estate and has therefore waived bond.	
<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		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		<p>Reviewed by: JF</p> <p>Reviewed on: 08/24/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16A - Rendino</p>

Spousal Property Petition

DOD: 09/23/2014	CHRISTINA F. RENDINO , surviving spouse, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 08/10/2015: Matter continued due to the late filed declaration in response to the Examiner's notes.</p> <ol style="list-style-type: none"> This case was initiated by the filing of the Petition for Letters of Administration listing the surviving spouse, Christina F. Rendino, and Mercedes D. Rendino, mother, as intestate heirs. The Petition for Probate has not yet been granted and letters have not issued. Petitioner has now filed this Spousal Property Petition. Mercedes D. Rendino, Mother, assigned her interest of the decedent's estate to the petitioner prior to her passing on 05/16/2015. There does not appear to be a provision in the Probate Code that would allow an individual to assign or disclaim their right in a summary proceeding. Petition does not set forth enough facts for the Court to determine that it is indeed community property. Need Attachment 7 setting forth the following: <ol style="list-style-type: none"> The date the petitioner and decedent were married. The date the property was acquired. That all the property the petitioner is asking to pass was acquired during the marriage using community property funds and was not received by gift, devise or bequest.
	Decedent died intestate	
Cont. from 081015	Petition states: the decedent died intestate. At the time of the decedent's death, the only heir-at-law surviving him, other than petitioner, was the decedent's mother, Mercedes D. Rendino. Mercedes D. Rendino died on 05/16/2015, however, prior to her death, Mercedes D. Rendino assigned her interest in the decedent's estate to the petitioner. The assignment of interest was filed in the proceeding on 06/16/2015, as an exhibit to the Declaration of Joseph J. Doerr.	
<input type="checkbox"/> Aff.Sub.Wit.		
<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		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters	If the within petition is granted, petitioner, hereby requests that the hearing scheduled for 08/26/2015 for the appointment of petitioner as administrator of the decedent's estate be taken off calendar and the pending petition for letters of administration be dismissed for lack of property in the decedent's estate requiring administration.	
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order	Petitioner requests Court confirmation that 100% of the real property located at 5090 N. Roosevelt Ave. Fresno, Ca. and 36532 Franklin Ave. Madera, Ca. pass to the petitioner.	
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
<u>Please see additional page</u>		
Reviewed by: LV		
Reviewed on: 08/25/2015		
Updates:		
Recommendation:		
File 16B – Rendino		

Declaration of John Hastrup in Response to Examiner Notes filed 08/07/2015 states Gregg D. Rendino (decedent) died intestate. At the time of the Decedent's death, his heirs-at-law consisted of his surviving spouse (Christina) and his mother, Mercedes D. Rendino (Mercedes). The decedent did not leave issue. All of the separate property of the Decedent was distributable one-half to Christina and on half to Mercedes in accordance to Probate Code § 6401(C)(2)(B). Mercedes died on 05/06/2015, but prior to her death she assigned her interest in the Decedent's property to Christina. The Assignment is valid and operates over the interest in the Decedent's property to which Mercedes was entitled, regardless of the method used to clear title to the Decedent's property. Any property or interest therein, which is not unlawful to possess, may be transferred or assigned by the owner. The right to inherit property of a Decedent may be lawfully assigned and the fact that such property may pass through a summary of proceedings to effect distribution does not diminish the operation of such assignment.

Since the Spousal Property Petition does not characterize any property of the Decedent as community property and does not request the passage of community property to the surviving spouse or the confirmation of the surviving spouse's community property, the date of marriage and the date and circumstances under which the property was acquired are not germane to the Spousal Property Petition in this instance. Whether the property is a separate property or community, the result is the same in this case. Christina is the sole beneficiary by operation of law and by the assignment from Mercedes. The result would be the same under a formal probate proceeding with the appointment of a personal representative.

Probate Code § 13650 was designed to set aside property passing to a Decedent's surviving spouse without delay and expense of a formal probate proceeding. There are no facts in this case that would preclude the use of a spousal property set-aside. Moreover, under Probate Code Sections 13550 and 13551, the surviving spouse is personally liable for the debts of the deceased spouse, so the interest of any creditors of the Decedent will not be compromised by this procedure or outcome.

**17 Damian Cortez-Dervinskcas, Courtney Cortez-Dervinskcas
(GUARD/P) Case No. 15CEPR00496**

Petitioner Subia, Rose A. (Pro Per – Maternal Grandmother)

Petition for Appointment of Guardianship of the Person

Damian Age: 5	<p><u>TEMPORARY EXPIRES 08/26/2015</u></p> <p>ROSE A. SUBIA, maternal grandmother, is petitioner.</p> <p><u>Please see petition for details</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 07/15/2015: Examiner notes handed in open court. The Court orders that temporary Letters shall issue forthwith.</p> <p>The following is the only issue remaining:</p> <ol style="list-style-type: none"> 1. 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: <ul style="list-style-type: none"> • Paternal Grandmother (Not Listed)
Courtney Age: 7		
Cont. from 071515		
Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
Inventory		
PTC		
Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv. w/		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
Objections		
Video Receipt		
<input checked="" type="checkbox"/> CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 08/25/2015
		Updates:
		Recommendation:
		File 17 – Cortez-Dervinskcas

Age: 8		<p><u>TEMPORARY EXPIRES 08/26/2015</u></p> <p>ABEL WRATE and YER WRATE, paternal uncle and aunt, are petitioners.</p> <p><u>Please see petition for details.</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 07/14/2015: The Court indicates that it is willing to keep this matter here in Fresno, and orders that Temporary Letters issue forthwith to preserve the status quo. The matter is continued for Petitioner to make diligent efforts to locate and notice the maternal grandparents. The Court will allow detailed facebook or text message contact; proof of service or declarations of due diligence are to be filed at least two court days prior to 08/26/2015.</p>
Cont. from 071415			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input type="checkbox"/>	Verified		
<input checked="" 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 checked="" type="checkbox"/>	Pers.Serv.	w/	
<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 checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Reviewed by: LV			
Reviewed on: 08/25/2015			
Updates:			
Recommendation:			
File 18 – Her			

Petitioner: Anthi Renteria (pro per)

Petition for Appointment of Guardian of the Person

		<p>THERE IS NO TEMPORARY. No temporary was requested.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
		<p>ANTHI RENTERIA, maternal grandmother, is petitioner.</p>	<p>1. Need Notice of Hearing.</p>
<p>Cont. from</p>		<p>Please see petition for details.</p>	<p>2. Need proof of personal service of the Notice of Hearing along with a copy of the petition or Consent and Waiver of Notice or Declaration of Due Diligence for:</p> <p>a. Father</p> <p>b. Regina Singh-Gill (mother) – unless the court dispenses with notice.</p>
<input type="checkbox"/>	<p>Aff.Sub.Wit.</p>		
<input checked="" type="checkbox"/>	<p>Verified</p>	<p>Court Investigator Jennifer filed on 8/20/15.</p>	<p>3. Need proof of service of the Notice of Hearing along with a copy of the petition or Consent and Waiver of Notice or Declaration of Due Diligence for:</p> <p>a. Paternal grandparents</p> <p>b. Maternal grandfather</p>
<input type="checkbox"/>	<p>Inventory</p>		
<input type="checkbox"/>	<p>PTC</p>		
<input type="checkbox"/>	<p>Not.Cred.</p>		
<input type="checkbox"/>	<p>Notice of Hrg</p>	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	<p>Aff.Mail</p>	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	<p>Aff.Pub.</p>		
<input type="checkbox"/>	<p>Sp.Ntc.</p>		
<input type="checkbox"/>	<p>Pers.Serv.</p>	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	<p>Conf. Screen</p>		
<input checked="" type="checkbox"/>	<p>Letters</p>		
<input checked="" type="checkbox"/>	<p>Duties/Supp</p>		
<input type="checkbox"/>	<p>Objections</p>		
<input type="checkbox"/>	<p>Video Receipt</p>		
<input checked="" type="checkbox"/>	<p>CI Report</p>		
<input type="checkbox"/>	<p>9202</p>		
<input checked="" type="checkbox"/>	<p>Order</p>		
<input type="checkbox"/>	<p>Aff. Posting</p>		
<input type="checkbox"/>	<p>Status Rpt</p>		
<input checked="" type="checkbox"/>	<p>UCCJEA</p>		
<input type="checkbox"/>	<p>Citation</p>		
<input type="checkbox"/>	<p>FTB Notice</p>		
			<p>Reviewed by: KT</p>
			<p>Reviewed on: 8/25/15</p>
			<p>Updates:</p>
			<p>Recommendation:</p>
			<p>File 19 – Singh-Gill</p>

20 Manuel Torres (GUARD/P)

Case No. 15CEPR00629

Petitioner Valdez, Veronica (pro per – maternal aunt)

Petitioner Gonzales, Victoria Elizabeth (pro per – maternal aunt)

Petition for Appointment of Guardian of the Person

Age: 1	<u>TEMPORARY EXPIRES 08/26/15</u>		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 07/07/2015: Christina Torres, mother, represents that the father of the minor is unknown. Ms. Torres's sobriety date is 07/04/2015 for marijuana and 07/03/2015 for meth.</p> <ol style="list-style-type: none"> 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: <ul style="list-style-type: none"> • Father (Unknown) – Unless the court dispenses with Notice. <p>Note: Declaration of Due Diligence filed 08/12/2015 states the mother is unaware of who the father is.</p> 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: <ul style="list-style-type: none"> • Paternal Grandparents (Unknown) – Unless the Court dispenses with notice. <p>Note: Declaration of Due Diligence filed 08/12/2015 states the mother is unaware of who the father is so there is no knowing who the grandparents are.</p>
	<p>VICTORIA GONZALES and VERONICA VALDEZ, maternal aunts, are Petitioners.</p> <p><u>Please see petition for details</u></p>		
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
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			
Reviewed by: lv			
Reviewed on: 08/25/2015			
Updates:			
Recommendation:			
File 20 – Torres			

Petitioner: Dena Sheree Vasquez (pro per)

Petition for Appointment of Guardian of the Person

		TEMPORARY EXPIRES 8/26/15	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: <ol style="list-style-type: none"> a. Maria Felix (mother) b. Emmanuel Vasquez (minor) c. Anabeth Vasquez (minor) 2. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: <ol style="list-style-type: none"> a. Oralia Vasquez (paternal grandmother)
		<p>DENA SHEREE VASQUEZ, stepmother, is petitioner.</p> <p>Please see petition for details.</p> <p>Court Investigator Report filed on 8/3/15</p>	
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<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 type="checkbox"/>	Aff.Mail	X	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	X	
<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 checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 8/24/15
			Updates:
			Recommendation:
			File 21 – Vasquez

Petitioner: Maria Alegre Nunuz (pro per)

Petition for Appointment of Guardian of the Person

		TEMPORARY EXPIRES 8/26/15	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of the Notice of Hearing along with a copy of the petition or Consent and Waiver of Notice on: <ol style="list-style-type: none"> a. Eron Nunez (father) – unless the court dispenses with notice. b. Perla Napoles (mother) – unless the court dispenses with notice. 3. Need proof of service of the Notice of Hearing along with a copy of the petition or Consent and Waiver of Notice on: <ol style="list-style-type: none"> a. Benito Nunez (paternal grandfather) b. Martina Morales (paternal grandmother) c. Maternal grandparents. 4. UCCJEA is incomplete. Need the minor's residence information from 2010 – 8/2014. 5. Petition does not include the names and current addresses of the maternal grandparents.
		MARIA ALEGRE NUNEZ , cousin, is petitioner.	
		Please see petition for details.	
Cont. from		Court Investigator Report filed on 8/20/15	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	X	
<input type="checkbox"/>	Aff.Mail	X	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	X	
<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 checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Reviewed by: KT			
Reviewed on: 8/25/15			
Updates:			
Recommendation:			
File 22 – Nunez			

DOD: 05/22/15		RUTH RUGGIERI TYSON , sister, is Petitioner and requests appointment as Administrator with Will Annexed with bond set at \$110,000.00.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Bond of \$110,000.00 filed 08/07/15</p> <p>Note: Status Hearings will be set as follows:</p> <ul style="list-style-type: none"> • Wednesday, January 27, 2016 at 9:00am in Dept. 303 for filing of the Inventory & Appraisal; and • Wednesday, October 26, 2016 at 9:00am in Dept. 303 for filing of the First Account and/or Petition for 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>
Cont. from		Petitioner is a resident of Lutz, Florida	
<input type="checkbox"/>	Aff.Sub.Wit.	s/p	
<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/o	
<input checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input 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		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Full IAEA – OK	
		Will dated 03/02/79	
		Residence: Fresno Publication: The Business Journal	
		Estimated Value of the Estate: Personal property - \$ 20,000.00 Real property - 90,000.00 Total - \$110,000.00	
		Probate Referee: STEVEN DIEBERT	
		Reviewed by: JF	
		Reviewed on: 08/24/15	
		Updates:	
		Recommendation: SUBMITTED	
		File 23 – Ruggieri	

DOD: 05/19/15		MATTHEW SIMONE , son/named Executor without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Status Hearings will be set as follows:</p> <ul style="list-style-type: none"> • Wednesday, January 27, 2016 at 9:00am in Dept. 303 for filing of the Inventory & Appraisal; and • Wednesday, October 26, 2016 at 9:00am in Dept. 303 for filing of the First Account and/or Petition for 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>	
		Full IAEA – OK		
		Will dated 03/02/10		
Cont. from		Residence: Fresno		
<input type="checkbox"/>	Aff.Sub.Wit.	s/p		<p>Reviewed by: JF</p> <p>Reviewed on: 08/25/15</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 24 – Simone</p>
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory	Publication: The Business Journal		
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail	w/		
<input checked="" type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input 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			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

DOD: 05/29/14	JOSEPH DE LOS REYES , son, is Petitioner and requests appointment as Administrator without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Confidential Supplement to Duties and Liabilities of Personal Representative (form DE-147S).</p>
	Full IAEA – OK	
Cont. from	All heirs waive bond	
<input type="checkbox"/> Aff.Sub.Wit.	Decedent died intestate	
<input checked="" type="checkbox"/> Verified	Residence: Fresno	
<input type="checkbox"/> Inventory	Publication: The Fresno Bee	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Estimated Value of the Estate:	
<input checked="" type="checkbox"/> Notice of Hrg	Personal property - \$15,000.00	
<input checked="" type="checkbox"/> Aff.Mail w/	Real property - <9,000.00>	
<input checked="" type="checkbox"/> Aff.Pub.	Total - \$6,000.00	
<input type="checkbox"/> Sp.Ntc.	Probate Referee: RICK SMITH	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp x		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 08/24/15
		Updates:
		Recommendation:
		File 25 – De Los Reyes

26 Nickolas Gutierrez, Matthew Gutierrez (GUARD/P) Case No. 15CEPR00723

Attorney Bakergumprecht-Davies, Kathleen (for Sonia Covarubias-Gutierrez – Petitioner)

Petition for Appointment of Temporary Guardian (Prob. Code §2250)

	See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>The following issues remain noted:</u></p> <ol style="list-style-type: none"> 1. <u>Need clarification re Petitioner's name and Father's name:</u> In some places it appears as "Covarrubias-Gutierrez" and in some places it appears as Gutierrez-Covarrubias." Petitioner signs her name using Gutierrez only. The father, Petitioner's brother, is listed as "Gutierrez-Covarrubias," but appears on the birth certificate as Gutierrez only. Also, Sometimes Covarrubias is spelled with two "Rs" and sometimes one. 2. Need proof of <u>personal</u> service on both parents at least five court days prior to the hearing pursuant to Probate Code §2250(e). Service by mail is insufficient. 3. Letters submitted are incomplete and are not signed by the petitioner. Need <u>completed, signed</u> letters.
Cont. from 080515		
<input type="checkbox"/> Aff.Sub.Wit.		
<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.	X	
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters	X	
<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		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 8/21/15
		Updates:
		Recommendation:
		File 26 – Gutierrez

Age: 8	<u>GENERAL HEARING: 10/13/15</u>		NEEDS/PROBLEMS/COMMENTS:
	<p>GILBERT RUELAS, non-relative, is Petitioner.</p> <p>Father: ROBERT MEDINA – <i>Consent & Waiver of Notice filed 08/11/15</i></p> <p>Mother: ALEXANDRIA SMITH</p> <p>Paternal grandfather: UNKNOWN Paternal grandmother: ERNESTINA MEDINA</p> <p>Maternal grandfather: BRIAN SMITH – <i>Consent & Waiver of Notice filed 08/11/15</i> Maternal grandmother: CLAUDIA NOE</p> <p>Petitioner states [see Petition for details].</p>		<p>1. Need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Guardian of the Person</i> <u>or</u> <i>Consent and Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for:</p> <p>a. Alexandria Smith (mother)</p>
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
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<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	w/		
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<input type="checkbox"/> Pers.Serv.	x		
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
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<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
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<input type="checkbox"/> FTB Notice			
			Reviewed by: JF
			Reviewed on: 08/25/15
			Updates:
			Recommendation:
			File 27 – Smith

28 Hailey Turner-Hope, Caitlyn Turner-Hope (GUARD/P) Case No. 15CEPR00787

Petitioner Carey, Erica (pro per – sister)

Petition for Appointment of Temporary Guardian of the Person

Hailey, 9	<p align="center"><u>GENERAL HEARING: 10/13/15</u></p> <p>ERICA CAREY, half-sister, is Petitioner.</p> <p>Father: WILLIAM SKAGGS – <i>Declaration of Due Diligence filed 08/24/15</i></p> <p>Mother: MELINDA TURNER – <i>Consent & Waiver of Notice filed 08/13/15</i></p> <p>Maternal grandfather: PHILLIP SKAGGS - <i>deceased</i></p> <p>Maternal grandmother: ELLAMAE SKAGGS</p> <p>Paternal grandfather: JOHN TURNER - <i>deceased</i></p> <p>Paternal grandmother: BOBBI GODDARD</p> <p>Siblings: TARYN HOPE (21) – <i>Consent & Waiver of Notice filed 08/13/15</i>, ANDREW SKAGGS, DARBY SKAGGS, CRAIG SKAGGS</p> <p>Petitioner states [see Petition for details].</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Declaration of Due Diligence filed 08/24/15 states that father, William Skaggs', whereabouts are unknown. If diligence is not found need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Guardian of the Person</i> or <i>Consent & Waiver of Notice</i> for William Skaggs (father).
Caitlyn, 9		
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<input type="checkbox"/> Aff.Sub.Wit.		
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<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
	<p>Reviewed by: JF</p> <p>Reviewed on: 08/25/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 28 – Turner-Hope</p>	

29 Alveon LaJuan Moultrie (GUARD/E) Case No. 14CEPR00956

Guardian Moultrie, Alvin (Pro Per – Father – Guardian of the Estate)

Probate Status Hearing Status RE: Filing of the Inventory and Appraisal.

	ALVIN MOULTRIE, Father, was appointed Guardian of the Estate without bond on 3/24/15.	NEEDS/PROBLEMS/COMMENTS: Note: On 8/24/15, Mr. Moultrie filed the Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account, which shows that the minors' funds are held in blocked accounts. Therefore, the status hearing regarding the filing of that receipt has been taken off calendar, but this status hearing re filing of the I&A remains. Note: On 8/24/15, Mr. Moultrie also filed a Petition for Withdrawal of Funds from Blocked Account that is set for hearing on 10/6/15. 1. Need Inventory and Appraisal per Probate Code §2610 or written status report per Local Rule 7.5.
	At the hearing on 3/24/15, the Court set this status hearing for the filing of the Inventory and Appraisal.	
Cont. from 072115, 072915, 081915		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
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Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
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Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 8/21/15
		Updates: 8/24/15
		Recommendation:
		File 29B – Moultrie

	ALVIN MOULTRIE, Father, was appointed Guardian of the Estate without bond on 3/24/15.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: On 8/24/15, Mr. Moultrie filed the Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account, which shows that the minors' funds are held in blocked accounts. Therefore, the status hearing regarding the filing of that receipt has been taken off calendar, but this status hearing re filing of the I&A remains.</p> <p>Note: On 8/24/15, Mr. Moultrie also filed a Petition for Withdrawal of Funds from Blocked Account that is set for hearing on 10/6/15.</p> <p>2. Need Inventory and Appraisal per Probate Code §2610 or written status report per Local Rule 7.5.</p>
	At the hearing on 3/24/15, the Court set this status hearing for the filing of the Inventory and Appraisal.	
Cont from 072115, 072915, 081915		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
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Notice of Hrg		
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Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 8/21/15
		Updates:
		Recommendation:
		File 30B - Moultrie

1A Cailyn Sky Mendoza (GUARD)

Case No. 08CEPR00223

Attorney Margoian, Michael J. (for Petitioners James Willhoit and Georgette Willhoit)
 Attorney Hopper, Cindy J. (for Samantha Willhoit, mother)
 Petitioner Mendoza, Angel (Pro Per Petitioner, paternal grandfather)
 Petitioner Garcia, Rebecca (Pro Per Petitioner, paternal grandmother)

Petition to Modify Existing Visitation Order

		<p>JAMES WILLHOIT and GEORGETTE WILLHOIT, maternal grandparents and Co-Guardians, are Petitioners.</p> <p>Petitioners seek an order suspending the existing orders for visitation between the minor and her birth mother and father and paternal grandparents, and modifying the terms and conditions of the Order filed 10/23/2008 as it relates to visitation.</p> <p align="center">~Please see Petition for details~</p> <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This matter will be heard in Department 72 at 8:30 a.m.</p> <p><u>Page 1B</u> is the <i>Petition for Visitation, Notice of Motion, etc.</i>, filed by Samantha Willhoit, mother.</p> <p><u>Page 1C</u> is the <i>Petition for Modifying Existing Orders for More Visitation, etc.</i>, filed by Rebecca Garcia, paternal grandmother, and Angel Mendoza, paternal grandfather.</p> <p><u>Continued from 8/13/2015.</u> Minute Order states: Parties stipulate to continuance to 8/26/2015 at 8:30 a.m. in Dept. 72 for assignment (to be heard at 9:30 a.m.; time estimated is ½ day.) Father, James Mendoza, was just served today. Parties are not ready to proceed today. Court grants motion for order shortening time for Attorney Cindy Hopper to file a petition for visitation on behalf of the mother today. The petition is to be served upon Rebecca Garcia and James Mendoza by overnight delivery; Attorney Michael Margosian agrees to accept service on his office by fax. The Court directs that the Probate Investigator to interview the child, Cailyn, the paternal grandmother, Rebecca Garcia, the mother Samantha Willhoit, the father, James Mendoza, and the Guardians, James and Georgette Willhoit, then prepare a follow-up report to the Court in advance of the 8/26/2015 hearing.</p>	
Cont. from 081315				
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<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input checked="" type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order	X		
<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: LEG</p> <p>Reviewed on: 8/21/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1A – Mendoza</p>		

Declaration in Opposition filed by REBECCA GARCIA and ANGEL MENDOZA, paternal grandparents, on 8/12/2015.

Samantha Willhoit's Response and Objections to Petitioner's Request to Modify Existing Visitation Order filed on 8/12/2015.

Petition for Opposition [i.e. Objection to] Permanent Guardianship and Modifying Existing Order for More Visitations Unsupervised filed by JAMES MENDOZA, father, on 8/21/2015.

Attorney Margojian, Michael J. (for Petitioners James Willhoit and Georgette Willhoit)
 Attorney Hopper, Cindy J. (for Samantha Willhoit, mother)
 Petitioner Mendoza, Angel (Pro Per Petitioner, paternal grandfather)
 Petitioner Garcia, Rebecca (Pro Per Petitioner, paternal grandmother)

Petition for Visitation; Notice of Motion; Supporting Declaration in Support of Petition for Visitation

		SAMANTHA WILLHOIT, mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner seeks a formal order for visitation with the minor.	
		~Please see Petition for details~	<p>Note: This matter will be heard in Department 72 at 8:30 a.m.</p> <p>1. Per Minute Order dated 8/13/2015, need proof of service of notice of the Petition for Visitation; and Notice of Motion; etc. to Rebecca Garcia, paternal grandmother, and James Mendoza, father, by overnight delivery.</p> <p>Note: Proof of Service by Facsimile filed 8/17/2015 shows the instant Petition for Visitation; and Notice of Motion; etc. was served by facsimile to Attorney Michael Margosian, to Rebecca Garcia, paternal grandmother, and to James Mendoza, father, on 8/13/2015. Per Minute Order dated 8/13/2015, only Attorney Margosian agreed to accept service by fax.</p>
Cont. from		<p>Notice of Motion for Modification of Child Visitation was filed 8/13/2015; Declaration of Samantha Willhoit in Support of Notice of Motion for Child Visitation was filed 8/13/2015; these documents reiterate the statements in the Petition for Visitation filed 8/13/2015 by Samantha Willhoit.</p>	
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<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order	X	
<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: LEG</p> <p>Reviewed on: 8/21/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1B – Mendoza</p>

Attorney Margoian, Michael J. (for Petitioners James Willhoit and Georgette Willhoit)
 Attorney Hopper, Cindy J. (for Samantha Willhoit, mother)
 Petitioner Mendoza, Angel (Pro Per Petitioner, paternal grandfather)
 Petitioner Garcia, Rebecca (Pro Per Petitioner, paternal grandmother)

**Petition to Modify Existing Visitation Orders for More Visitation; and
 Opposing Permanent Guardianship; Supporting Declaration**

		<p>REBECCA GARCIA, paternal grandmother, and ANGEL MENDOZA, paternal grandfather, are Petitioners.</p> <p>~Please see Petition for details~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: This matter will be heard in Department 72 at 8:30 a.m.</p> <p>1. <i>Petition</i> is signed but not verified by Petitioners pursuant to Probate Code § 1021 and CA Rule of Court 7.103. (Note: This issue is raised based on a procedural defect; however, it does not require amendment of the Petition.)</p>
Cont. from			
Aff.Sub.Wit.			
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Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order	X		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: LEG	
		Reviewed on: 8/21/15	
		Updates:	
		Recommendation:	
		File 1C - Mendoza	