



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.

Attorney: Janet L. Wright (for Petitioner/Conservator Gerald Blum)

Petition for Approval of Ninth Account and Report, for Reduction of Bond and for Allowance of Payment of Attorney and Accountant Fees

		<p>GERALD H. BLUM, Conservator, is petitioner.</p> <p>Please see petition for details.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Petition requests that the bond be reduced to \$100,000.00. Pursuant to Probate Code §2320 and CRC 7.207 bond could be reduced to \$110,750.00. Need original billing statements from Garden Manor. <u>Note:</u> Petitioner filed a statement from Joan Black stating Mr. Blum has paid her \$2,400 per month from 1/1/14 – 12/31/15. Probate Code §2620(c)(5) requires the <u>original</u> billing statements. Petition requests the authority to pay conservatee \$400 per month for her personal expenses. Accounting shows that Mr. Blum has already been paying Conservatee \$400 per month since Dec. 2014. Order does not comply with Local Rule 7.6.1C. Orders settling accounts shall contain a statement as to the balance of the estate on hand specifically noting the amount of cash included in the balance. <p>Please see additional page</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 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: KT</p> <p>Reviewed on: 8/22/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1- Blum</p>			

Note: If the petition is granted status hearings will be set as follows:

- **Wednesday, 03/28/2018 at 9:00a.m. in Dept. 303** for the filing of the ninth account.

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.

Probate Status Hearing RE: Next Accounting

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR.</u> Fourth Account filed and set for hearing on 9/21/16.</p>
Cont. from		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<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.	
<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 type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: KT
		Reviewed on: 8/22/16
		Updates:
		Recommendation:
		File 2- Mora

Petitioner Nena Soledad Saiz (Pro Per, maternal aunt)

Petition for Appointment of Guardian of the Person

		NO TEMPORARY REQUESTED	NEEDS/PROBLEMS/COMMENTS:
		<p>NENA SOLEDAD SAIZ, maternal aunt and Godmother, is Petitioner.</p> <p><i>~Please see Petition for details~</i></p>	
Cont. from			<p>1. Need <i>Notice of Hearing</i> and proof of personal service of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian</i>, or <i>Consent to Appointment of Guardian and Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i>, for:</p> <ul style="list-style-type: none"> • Ursula Reyes, mother; • Jerry Rodriguez, father. <p><i>~Please see additional page~</i></p>
<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 type="checkbox"/>	CI Report	X	
<input type="checkbox"/>	Clearances	X	
<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: LEG
			Reviewed on: 8/22/16
			Updates:
			Recommendation:
			File 3- Moreno/ Ockletree/ Rodriguez

3 Additional Page, King Raul Rodriguez (GUARD/P) Case No. 09CEPR00409

NEEDS/PROBLEMS/COMMENTS. continued:

2. Need proof of service by mail of the *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence*, for:
 - paternal grandparents;
 - Alex Reyes, maternal grandfather;
 - Patricia Garcia, maternal grandmother;
 - Anaya Tonette Moreno, sibling, if age 12 or over;
 - Phillip Okletree, sibling, if age 12 or over;
 - Maddox Reyes, sibling, if age 12 or over.

3. *Confidential Guardian Screening* form filed 6/27/2016 has no response at Item 3, and does not contain an attachment explaining the response to Item 8. (Note: *Petitioner attached a statement to the Petition which the Court may regard as sufficient to address the defects in the Confidential Guardian Screening form filed 6/27/2016.*)

4A Logan Dean Posey (GUARD/P)

Case No. 09CEPR00746

Petitioner: Leslie Ann Neuman (pro per)

Attorney: Nancy J. Stegall (for Objector Guardians)

Petition for Termination of Guardianship

		LESLIE ANN NEUMAN, mother, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		DEAN POSEY and KATHY POSEY, maternal grandparents, were appointed guardians on 11/9/09.	
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.	Please see petition for details.	
<input checked="" type="checkbox"/>	Verified	Response of Guardians to Leslie A. Neuman's Request to Terminate Guardianship filed on 8/19/16	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	Memorandum of Points and Authorities in Support Regarding Termination of Guardianship and Counsel for Minor filed on 8/19/16.	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	Court Investigator Report filed on 8/22/16	
<input checked="" type="checkbox"/>	Pers.Serv.	W/	
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 8/22/16
			Updates:
			Recommendation:
			File 4A- Posey

4A

Attorney Poochigian, Mark S. (for Petitioner Antonette Gutierrez, Successor Trustee)

Petition for Determination of Right to Surcharge Beneficiary's Interest, or in the Alternative, Enforce Money Judgment against Trust Beneficiary

DOD: 10/7/2005	ANTONETTE GUTIERREZ , daughter and Successor Trustee, is Petitioner.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 5/2/2016. Minute Order states counsel requests an additional 90 days due to the pending bankruptcy action.</p> <p>Note for background: Minute Order dated 11/9/2015 from the last hearing states Mr. Poochigian requests 60 days due to the Stay of Proceedings filed by Attorney Nunez on behalf of Raymond Renteria in U.S. Bankruptcy Court.</p> <p>Notes:</p> <ul style="list-style-type: none"> • Notice of Stay of Proceedings filed by Attorney Nunez on 8/6/2015 shows this matter is automatically stayed with regard to RAYMOND RENTERIA caused by filing in U.S. Bankruptcy Court on 7/24/2015. • Order Settling Second and Final Account, etc., filed 11/12/2015 in the Erlinda Gutierrez Estate, Case #06CEPR00207, distributes the \$86,229.95 money judgment against RAYMOND RENTERIA to the estate heirs in their respective percentages. <p>The following issue from the last hearing remains:</p> <ol style="list-style-type: none"> 1. Need proposed order pursuant to Local Rule 7.1.1(F).
	~Please see Petition for details~		
Cont. from 081015, 092115, 110915, 011116, 050216			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W /	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	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: 8/19/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 – Gutierrez</p>

6 Additional Page, Augustine J. Pedemonte Trust Case No. 11CEPR00192

Petitioner states, continued:

- Probate Code §15602(b) allows the Court to “excuse a requirement of a bond . . . The Court may not, however, excuse the requirement of a bond . . . except under compelling circumstances. For the purposes of this section, a request by all the adult beneficiaries of a trust that bond be waived . . . for their trust is deemed to constitute a compelling circumstance.”
- Petitioner and his Daughters, who are all the adult beneficiaries of the Trust under Probate Code §15602(b), have all now agreed that it is in their best interest as beneficiaries of the Trust to excuse the requirement of a bond by Trustee (*Exhibit A contains waivers of bond signed by each beneficiary*); Bruce Bickel, the current Trustee of the Trust, consents to the waiver of bond (*consent attached as Exhibit B*);
- Petitioner requests that the court excuse the requirement of bond by the Trustee of the Trust.

Petitioner prays for an order of this Court:

1. Excusing the requirement of bond by Bruce D. Bickel, as Trustee of the Augustine J. Pedemonte Trust dated April 13, 1983;
2. That the Trustee may not sell or encumber any shares of Pedemonte Properties, Inc., or Maria-Nina Investments, without a properly noticed hearing to all interested parties; and
3. Discharging and releasing the surety, Suretec Insurance Company, from liability on its bond in the amount of **\$250,000.00**, effective on the date of the order entered in this proceeding.

Petitioner states, continued:

- Probate Code §15602(b) allows the Court to “excuse a requirement of a bond . . . The Court may not, however, excuse the requirement of a bond . . . except under compelling circumstances. For the purposes of this section, a request by all the adult beneficiaries of a trust that bond be waived . . . for their trust is deemed to constitute a compelling circumstance.”
- Petitioner and his Daughters, who are all the adult beneficiaries of the Trust under Probate Code §15602(b), have all now agreed that it is in their best interest as beneficiaries of the Trust to excuse the requirement of a bond by Trustee (*Exhibit A contains waivers of bond signed by each beneficiary*); Bruce Bickel, the current Trustee of the Trust, consents to the waiver of bond (*consent attached as Exhibit B*);
- Petitioner requests that the court excuse the requirement of bond by the Trustee of the Trust.

Petitioner prays for an order of this Court:

4. Excusing the requirement of bond by Bruce D. Bickel, as Trustee of the Augustine J. Pedemonte Trust dated April 13, 1983;
5. That the Trustee may not sell or encumber any shares of Pedemonte Properties, Inc., or Maria-Nina Investments, without a properly noticed hearing to all interested parties; and
6. Discharging and releasing the surety, Suretec Insurance Company, from liability on its bond in the amount of **\$250,000.00**, effective on the date of the order entered in this proceeding.

Status RE: Settlement

	<p>GERALD ISHII, Beneficiary and Co-Trustee, filed Petition of Beneficiary to Remove Successor Co-Trustees, Appoint Temporary Successor Trustee, and for Payment of Attorneys' Fees and Costs on 5/17/12. The petition was set for hearing on 7/2/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont. from 012516, 052316</p>	<p>LESLIE ISHII, Beneficiary and Co-Trustee, filed Objection on 6/21/12.</p>	<p>Minute Order 5/23/16: Counsel represent that they are still working on the settlement and making progress, request 90 days.</p>
<p>Aff.Sub.Wit.</p>	<p>The hearing on 7/2/12 was continued numerous times, and after numerous status and settlement hearings, at the settlement conference hearing on 1/5/15, the parties represented that they are working on agreement, and the Court set this status hearing re the agreement for 4/13/15.</p>	
<p>Verified</p>	<p>The status hearing re the agreement was then continued to 4/13/15, 7/13/15, and finally 10/19/15. On 10/19/15, the Court set an Order to Show Cause hearing for 11/30/15 as to Gerald Ishii as to why he should not be removed as co-trustee for failure to resolve the matter and to Edward L. Fanucchi as to why he should not be sanctioned for his failure to appear.</p>	<p>Reviewed by: skc</p>
<p>Inventory</p>	<p>Status Declaration of Leigh W. Burnside filed 5/17/16 states last year, as the parties were working toward completion of the settlement, Gerald Ishii proposed that the agreement include a lot line adjustment involving separate, adjacent parcels of agricultural property owned by him and Les Ishii. The parcels are not held in the trust and are not part of the underlying dispute between the parties. Les nevertheless agreed to adjust the line dividing the parcels to give additional acreage to Gerald Ishii, but there remained details to resolve concerning the location of the proposed new line. These details have been resolved, but Ms. Burnside's client (Les Ishii) has asked for access rights to Gerald Ishii's parcel for the limited purpose of accessing and maintaining certain agricultural equipment located near the new line. Presently, Ms. Burnside is awaiting a response from Gerald Ishii's counsel to this request.</p>	<p>Reviewed on: 8/22/16</p>
<p>PTC</p>	<p>SEE PAGE 2</p>	<p>Updates:</p>
<p>Not.Cred.</p>		<p>Recommendation:</p>
<p>Notice of Hrg</p>		<p>File 8- Ishii</p>
<p>Aff.Mail</p>		
<p>Aff.Pub.</p>		
<p>Sp.Ntc.</p>		
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p>Letters</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>		
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>		

Page 2

Declaration of Leigh W. Burnside (Cont'd) states a written settlement agreement has been prepared and circulated among the parties, attorneys, and accountants. If Gerald Ishii approves Les Ishii's request for limited access rights, the only addition will be the physical description of the access area. All other terms have been approved.

The attorney recognizes that the resolution of this matter has taken much longer than the Court, the attorneys and the parties anticipated, and she apologizes for the delay. She assures the Court that she and attorney Jay Kelly continue to work to bring this matter to a close and appreciate the Court's continued patience.

Status Report filed 5/19/16 by Attorney Edward L. Fanucchi states it is his understanding that the outstanding issues have been resolved, as have some minor issues re allowing Les Ishii to enter Gerald Ishii's parcel to maintain agricultural equipment near the lot line. Attorney Burnside is now drafting the section for access, and there should be no issues approving this final portion of the settlement. Please understand that as the CPAs have agreed on the final figures to be included in the settlement agreement, the remaining issues will be resolved in short order. He and Attorney Burnside are committed to bringing this matter to a close and he sees no issues that will prevent that from occurring within the next 45 days.

Attorney Heather H. Kruthers (for Public Administrator)

Probate Status Hearing Re: Filing of an Accounting

DOD: 10/3/2012	<p>PUBLIC ADMINISTRATOR was appointed Successor Administrator by <i>Minute Order</i> dated 10/27/2014 and by <i>Order After Hearing Appointing Successor Trustee</i> filed 2/20/2015.</p> <p>Minute Order dated 4/25/2016 from the hearing on the Petition to Compel Account states the Public Administrator remains as the Successor Trustee; Ms. Kruthers states they will file an accounting. No appearance is necessary at the status hearing if the petition is filed at least two court days prior. Status hearing set on 8/29/2016 for filing of an accounting.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need accounting of the trust per Minute Order of 4/25/2016.</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		
		Reviewed by: LEG
		Reviewed on: 8/22/16
		Updates:
		Recommendation:
		File 11- Howard

Status RE: Report from the Public Administrator

DOD: 10/31/15	<p>HISTORY: Kevin Earl Morris, Jr., grandson, filed a Petition for Probate of a will dated 1/22/90 on 1/26/16.</p> <p>Dale Boust, named executor of a will dated 10/21/15, filed an objection that stated there are insufficient assets to require a probate and made allegations regarding the petitioner.</p> <p>On 5/16/16, the Court denied the Petition and appointed the Public Administrator to review the estate, and set this status hearing re report from Public Administrator.</p> <p>Status Report filed 7/22/16 states the PA asserts there is no need for a probate of the estate. According to a declaration filed by Dale Boust, a longtime friend of the decedent and named executor in the decedent's will, a bank account with an approx. balance of \$85,000 had a "pay on death" provision naming Wayne Morris as beneficiary. That amount was collected via affidavit. See report re status of vehicle and personal property believed to be in possession of Kevin Morris, Jr. Mr. Boust stated he has a small bank account established for the estate with about \$1,500.00, from which he has been paying final debts, and will distribute the remainder to Wayne Morris, beneficiary of the original bank account. With the distribution of the payable on death account to the decedent's brother, there are an insignificant amount of estate assets to continue a court probate. The named executor has taken actions consistent with the will to settle the decedent's final affairs. Any action to recover the 10 year old care and personal property from Kevin Morris, Jr., should be pursued by the decedent's brother and daughter, who according to the will are 1/3 beneficiaries. The PA asserts that there is no estate to probate and requests this matter be closed and that she be discharged as administrator.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 7/25/16: Objections need to be filed by 8/8/16.</p> <p>As of 8/22/16, nothing further has been filed.</p> <p>Examiner's Note: Letters of Special Administration were requested from the PA rather than full appointment because the original petition for probate had not been published; therefore jurisdiction has not been established for this matter. It does not appear Letters haven been submitted for issuance.</p>
Cont. from 072516		
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: skc</p> <p>Reviewed on: 8/22/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14- Morris</p>	

Attorney Kim M. Herold (for H. F. Rick Leas, Trustee)

Probate Status Hearing Re: Filing of the Bond

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR Proof of Bond filed 8/8/2016</p>
Cont. from		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<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.	
<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 type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: LEG
		Reviewed on: 8/22/16
		Updates:
		Recommendation:
		File 17- Marez

Attorney Kim M. Herold (for H. F. Rick Leas, Trustee)

Probate Status Hearing Re: Filing of the Bond

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR Proof of Bond filed 8/8/2016</p>
Cont. from		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<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.	
<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 type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: LEG
		Reviewed on: 8/22/16
		Updates:
		Recommendation:
		File 18- Marez

Attorney: Sheri R. Mount (for Petitioner Eleanor Mora Mejia, biological maternal grandmother)

Petition for Appointment of Guardian of the Person

		TEMPORARY EXPIRES 8/8/2016	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 8/8/2016. Minute Order states continued for completion of the investigation and curing of the service defects.</p> <p>The following issue from the last hearing remains:</p> <p>1. Need proof of service by mail of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian</i>, or <i>Consent to Appointment of Guardian and Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i>, for:</p> <ul style="list-style-type: none"> • Any paternal grandparents; • Adoptive maternal grandparents; • All siblings of the proposed ward age 12 or over (<i>the 14 siblings listed in the petition are not identified as to age.</i>)
		<p>ELEANOR MORA MEJIA, biological maternal grandmother of adopted proposed ward, is Petitioner.</p> <p style="text-align: center;">~Please see Petition for details~</p>	
Cont. from 062016, 080816			
<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 checked="" type="checkbox"/>	Pers.Serv.	w/	
<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	X	
<input type="checkbox"/>	Clearances	X	
<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		
		<p>Reviewed by: LEG</p> <p>Reviewed on: 8/19/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 20 - Lopez</p>	

Page 2

In 2010, Petitioner as successor trustee conveyed the subject property pursuant to the terms of the trust in equal undivided 50% interests to Trust A and Trust B.

Petitioner states in 2012, the Trustor applied to refinance the subject property, and the lender approved the Trustor's loan application on the condition that the Trustor hold title to the subject property in his individual capacity until the refinancing transaction was completed.

On or about 12/5/12, Petitioner as trustee granted the subject property to Gaylaird K. Bissell individually in compliance with the requirements of the refinancing lender, and the loan was approved. As part of the refinance escrow, a grant deed was prepared to accomplish reconveyance to the trust from the trustor, in his individual capacity, as intended by the trustors (unexecuted copy attached). Petitioner states he executed the Grant Deed as requested by the escrow holder; however, for reasons unknown, the escrow holder failed to effectuate recordation of any grant deed of reconveyance. (Petitioner states in retrospect, the reconveyance Grant Deed incorrectly identified Petitioner as the grantor rather than Gaylaird Bissell.)

As a result, at the time of his death in 2014, the subject property was held by Gaylaird K. Bissell in his individual capacity rather than in the trusts, as intended.

Petitioner is informed and believes that the trustor, through the error and omission of the refinancing escrow holder, did not complete the final step of trustor's refinancing plan by failing to reconvey the subject property to the trusts upon completion of the refinancing. Petitioner believes it was at all times the trustor's intent to maintain in place the estate plan and to distribute the family's estate through the trusts, and the trustor had no intent to alter the trusts or estate plan.

Petitioner states venue is proper in Fresno County as the real property, the principal place of administration, and Petitioner's attorneys are located in Fresno County, CA.

Petitioner prays for an order that:

1. The Marlene G. Bissell Family Trust (Trust B) under declaration of living trust dated 5/31/04 is valid;
2. The real property described herein is an asset of the Marlene G. Bissell Family Trust as to an undivided 50% interest, and subject to the management and control of William Bradley Bissell as sole successor trustee;
3. Successor Trustee William Bradley Bissell is empowered and authorized to engage in any conduct necessary to include the subject property in Trust B and to sell, grant, convey or transfer such property; and
4. For such other orders as the Court may deem proper.

SEE ADDITIONAL PAGES

Page 3 – NEEDS/PROBLEMS/COMMENTS:

Note: It appears the Notices of Hearing for the two related matters reflected switched case numbers; however, given that the matters are set for hearing together, Examiner only notes this issue to doublecheck for future notice purposes, subject to #1 below.

1. A copy of the petition was not included with the Notice of Hearing on beneficiaries Stephen Bissell and Jeffery Bissell pursuant to Probate Code §851. Need continuance for at least 30 days' notice with a copy of the petition.
2. The trust names Bruce Bissell as second successor trustee; therefore, he is entitled to Notice of Hearing with a copy of the petition pursuant to Probate Code §§ 851, 17203. Need continuance for at least 30 days' notice to Bruce Bissell, unless he is deceased.
3. The trust, amendment to trust, assignments, and 2004 Grant Deed were executed by Gaylaird K. Bissell as attorney-in-fact for Marlene G. Bissell under a Durable Power of Attorney dated 9/17/02. Although the trust instrument refers to the authority created by Section 13 of the DPOA, the Court may require a complete copy of DPOA to confirm Gaylaird's authority to execute the trust and related documents on Marlene's behalf for finding of validity.
4. The Court may require clarification regarding the circumstances of Gaylaird's resignation as co-trustee on 2/5/09, and the subsequent circumstances of the 2012 refinancing transaction, which occurred almost four years later at the end of 2012. Petitioner states the Trustor (Gaylaird) applied to refinance the subject property; however, no documents appear to have been executed by Gaylaird himself. Petitioner as Trustee executed the Grant Deed to Gaylaird individually (Exhibit K), and states at Line 24 on Page 4 that he (Petitioner) executed the proposed reconveyance deed that was never recorded.

Petition for Order Confirming Successor Trustee and Trust Assets

Marlene Bissell DOD: 10/2/04	WILLIAM BRADLEY BISSELL , Successor Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Gaylaird Bissell DOD: 12/10/14	Petitioner states Trustors Gaylaird and Marlene Bissell created the Gaylaird K. Bissell and Marlene G. Bissell Family Trust on 5/31/04. Gaylaird was appointed as sole trustee and Petitioner was named as successor trustee. At all times herein, Marlene was represented by Gaylaird, her husband and attorney-in-fact under Durable Power of Attorney dated 9/17/02.	Note: Page 24 is the related matter (Re: The Marlene G. Bissell Family Trust (Trust A), Case No. 16CEPR00741.
	The trust at Schedule A provides that the trustee has been or will be designated as owner of all real and personal property, and the trustors concurrently executed assignments assigning and transferring all right title and interest in and to their real and personal property. In addition, Gaylaird executed a pour-over will. Petitioner states the trust was later amended as to distribution; however, the distributive provisions are not at issue in this petition.	<u>SEE ADDITIONAL PAGES</u>
<input type="checkbox"/> Aff.Sub.Wit.	Upon Marlene's death on 10/2/04, the trust estate was divided into two subtrusts: The Gaylaird K. Bissell Family Trust (Trust A) and the Marlene G. Bissell Family Trust (Trust B). Gaylaird remained the sole trustee of both trusts until 5/21/07, when he appointed Petitioner to serve with him as co-trustee. Gaylaird resigned as co-trustee on 2/5/09 and relinquished all duties to Petitioner as sole successor trustee.	Reviewed by: skc
<input checked="" type="checkbox"/> Verified	Contemporaneously with the creation of the family trust, the trustors executed a grant deed recorded 6/3/04 conveying certain residential real property to the trustee. (See petition for legal description and APN. See Exhibit K for common address.)	Reviewed on: 8/23/16
<input type="checkbox"/> Inventory	<u>SEE ADDITIONAL PAGES</u>	Updates:
<input type="checkbox"/> PTC		Recommendation:
<input type="checkbox"/> Not.Cred.		File 24- Bissel
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/o		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

Page 2

In 2010, Petitioner as successor trustee conveyed the subject property pursuant to the terms of the trust in equal undivided 50% interests to Trust A and Trust B.

Petitioner states in 2012, the Trustor applied to refinance the subject property, and the lender approved the Trustor's loan application on the condition that the Trustor hold title to the subject property in his individual capacity until the refinancing transaction was completed.

On or about 12/5/12, Petitioner as trustee granted the subject property to Gaylaird K. Bissell individually in compliance with the requirements of the refinancing lender, and the loan was approved. As part of the refinance escrow, a grant deed was prepared to accomplish reconveyance to the trust from the trustor, in his individual capacity, as intended by the trustors (unexecuted copy attached). Petitioner states he executed the Grant Deed as requested by the escrow holder; however, for reasons unknown, the escrow holder failed to effectuate recordation of any grant deed of reconveyance. (Petitioner states in retrospect, the reconveyance Grant Deed incorrectly identified Petitioner as the grantor rather than Gaylaird Bissell.)

As a result, at the time of his death in 2014, the subject property was held by Gaylaird K. Bissell in his individual capacity rather than in the trusts, as intended.

Petitioner is informed and believes that the trustor, through the error and omission of the refinancing escrow holder, did not complete the final step of trustor's refinancing plan by failing to reconvey the subject property to the trusts upon completion of the refinancing. Petitioner believes it was at all times the trustor's intent to maintain in place the estate plan and to distribute the family's estate through the trusts, and the trustor had no intent to alter the trusts or estate plan.

Petitioner states venue is proper in Fresno County as the real property, the principal place of administration, and Petitioner's attorneys are located in Fresno County, CA.

Petitioner prays for an order that:

1. The Gaylaird K. Bissell Family Trust (Trust A) under declaration of living trust dated 5/31/04 is valid;
2. The real property described herein is an asset of the Gaylaird K. Bissell Family Trust as to an undivided 50% interest, and subject to the management and control of William Bradley Bissell as sole successor trustee;
3. Successor Trustee William Bradley Bissell is empowered and authorized to engage in any conduct necessary to include the subject property in Trust A and to sell, grant, convey or transfer such property; and
4. For such other orders as the Court may deem proper.

SEE ADDITIONAL PAGES

Page 3 – NEEDS/PROBLEMS/COMMENTS:

Note: It appears the Notices of Hearing for the two related matters reflected switched case numbers; however, given that the matters are set for hearing together, Examiner only notes this issue to doublecheck for future notice purposes, subject to #1 below.

1. A copy of the petition was not included with the Notice of Hearing on beneficiaries Stephen Bissell and Jeffery Bissell pursuant to Probate Code §851. Need continuance for at least 30 days' notice with a copy of the petition.
2. The trust names Bruce Bissell as second successor trustee; therefore, he is entitled to Notice of Hearing with a copy of the petition pursuant to Probate Code §§ 851, 17203. Need continuance for at least 30 days' notice to Bruce Bissell, unless he is deceased.
3. The Court may require clarification regarding the circumstances of Gaylaird's resignation as co-trustee on 2/5/09, and the subsequent circumstances of the 2012 refinancing transaction, which occurred almost four years later at the end of 2012. Petitioner states the Trustor (Gaylaird) applied to refinance the subject property; however, no documents appear to have been executed by Gaylaird himself. Petitioner as Trustee executed the Grant Deed to Gaylaird individually (Exhibit K), and states at Line 24 on Page 4 that he (Petitioner) executed the proposed reconveyance deed that was never recorded.

Petitioner Fernando Ruben Moreno (Pro Per, brother)
 Petitioner Angelique Marie Olquin (Pro Per, sister in law)

Petition for Appointment of Temporary Guardian of the Person

		<u>General Hearing set for 10/17/2016</u>	NEEDS/PROBLEMS/COMMENTS:
		FERNANDO RUBEN MORENO, brother, and ANGELIQUE MARIE OLQUIN, brother's girlfriend, are Petitioners.	
Cont. from		<i>~Please see Petition for details~</i>	<ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of five (5) court days' notice by personal service of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Guardian</i>, or <i>Consent to Appointment of Guardian and Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i> for: <ol style="list-style-type: none"> 4. Brandy L. Averitt, mother; 5. Fernando A. Moreno, father. <p>Note: UCCJEA form filed on 8/15/2016 does not provide residence information for the last 5 years as required, stating "unknown, [the child] moves a lot."</p>
<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		
<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 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: LEG
			Reviewed on: 8/22/16
			Updates:
			Recommendation:
			File 25- Moreno