



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.

1 Selvie Hemison Mitchell (CONS/PE) Case No. 12CEPR00172
Attorney Johnson, Summer A. (for Petitioners Kate Singh and Hubert Mitchell, Co-Conservators of the Person)
Attorney Wilkinson, Robert D. (for Petitioner Bruce D. Bickel, Conservator of the Estate)
Probate Status Hearing re: Filing of the Third Account.

Age: 78 years	<p>KATE A. SINGH, niece, and HUBERT MITCHELL, brother, Co-Conservators of the Person, and BRUCE BICKEL, Conservator of the Estate, were appointed on 03/29/2012.</p> <p>Order on Petition for Approval of Second Account and Report of Conservator of the Estate filed 12/02/2014.</p> <p>Minute Order of 12/02/2014 set this Status Hearing for the filing of the Third Account.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Third 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.</p>
Cont. from		
Aff.Sub.Wit.		
Verified		
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Notice of Hrg		
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Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
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Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: LV</p> <p>Reviewed on: 08/27/2015</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 – Mitchell</p>

Nathaniel, 13	TALINA HURLEY, maternal grandmother, was appointed Guardian of the minors on 11/19/12	NEEDS/PROBLEMS/COMMENTS:
Scarlet, 10		
	On 05/27/14, Guardian's Petition to Fix Residence Outside the State of California was granted.	<p><u>CONTINUED FROM 08/03/15</u> Minute Order from 08/03/15 states: Counsel requests 30 days; he is directed to file a declaration with a copy of the Oregon order attached as soon as it is obtained. The matter may come off calendar if the declaration/order is filed timely.</p> <p>Copy of document titled Acceptance of Appointment as Fiduciary filed 08/03/15 states that Talina Hurley was appointed Guardian on 07/30/15 and that she accepts the appointment and willingly subjects herself to the jurisdiction of the Oregon Court.</p> <p>1. Need order appointing Guardian in Oregon. According to document filed 08/03/15, appointment as guardian was ordered on 07/30/15.</p>
Cont. from 012615, 030915, 060115, 062915, 080315	On 06/24/14, Debra Swenson, paternal grandmother, filed an Ex Parte Application for Temporary Restraining Order Preventing Guardian from Fixing Residence of Minors Outside of California and an Order Shortening Time on Petition to Terminate Order Fixing Minors Residence Outside of California. The Ex Parte Application was granted on 06/24/14 and set a hearing for 07/10/14.	
Aff.Sub.Wit.	At the 07/10/14 hearing, the matter was set for a court trial on 07/24/14.	
Verified	At the Court trial on 07/24/14, the Court found that there was no detriment in allowing the children to move to Oregon and set this matter for a Status Hearing regarding the Establishment of a Guardianship in Oregon.	
Inventory	Cover Sheet for Oregon Petition for Appointment of Guardian and Attached Documents filed 02/17/15 attaches a copy of a Petition for Appointment of Guardian in Washington County, Oregon.	
PTC	Status Report filed 08/26/15 states: since the last hearing, the latest document filed in the Oregon proceeding is a General Judgment Transferring Guardianship Proceeding to Juvenile Court filed 08/07/15. Copy of Document attached.	
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: JF
		Reviewed on: 08/26/15
		Updates:
		Recommendation:
		File 2- Swenson

(1) First and Final Account and Report of Personal Representative, (2) Petition for Settlement, for (3) Allowance of Attorneys' Fees for Ordinary Services, Costs, and for (4) Final Distribution

DOD: 4/14/12	SANTOS PEREZ , Administrator, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 8/3/15. Minute order states Counsel represents that there are no funds in the estate; he will file the account in a different format to address the needs listed in the examiner notes. As of 8/27/15 an amended accounting has not been filed.</p> <ol style="list-style-type: none"> 1. Petition proposes to distribute the 1997 Automobile to Petitioner. Petitioner is not an heir to this estate. Therefore the property should be distributed to the heirs. (Revised order states this property has been abandoned – see #3 below) 2. Petition proposes to distribute the real property subject to a life estate in favor of the petitioner, who is not an heir to this estate. Two of the beneficiaries, Mike Chavez and Richard Flores, Jr. have signed a Renunciation in favor of Petitioner for a life estate in the real property. The other two beneficiaries Isabel Alvarez and Sylvia Alaniz have not agreed the property being distributed subject to a life estate. <p>Please see additional page</p>
	Current bond: \$78,000.00	
	Account period: 4/14/12 – 8/21/14	
Conf. from 111014, 011215, 022315, 042015, 060115, 062915, 080315	Accounting - \$96,400.00	
	Beginning POH - \$96,400.00	
	Ending POH - \$96,400.00	
<input type="checkbox"/> Aff.Sub.Wit.	Administrator - waives	
<input checked="" type="checkbox"/> Verified	Attorney (statutory) - \$3,856.00	
<input checked="" type="checkbox"/> Inventory	Costs - \$1,724.70	
<input checked="" type="checkbox"/> PTC	(filing fees, publication, probate referee, bond, recorder fees and certified copies)	
<input checked="" type="checkbox"/> Not.Cred.	Creditor: Department of Health Care Services - \$30,826.13	
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner states he and the decedent lived together in the estate real property since 1987 until decedent's death in 2012. During the time that petitioner resided with decedent on the real property, he paid the mortgage payments each month, the maintenance and upkeep, and the annual property taxes. The decedent and petitioner agreed that petitioner would have a life estate in the property. Petitioner has continued to pay said expenses since the date of death of the decedent. Mike Chavez and Richard Flores, Jr. children of the decedent, executed a Renunciation in Favor of Santos Perez for a Life Estate; Isabel Alvarez and Sylvia Alaniz, daughters of the decedent did not execute such Renunciation.	
<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 checked="" type="checkbox"/> Letters	6/18/13	
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" 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 checked="" type="checkbox"/> FTB Notice		
	Please see additional page.	
Reviewed by: KT		
Reviewed on: 8/27/15		
Updates:		
Recommendation:		
File 3 – Gonzalez		

Petitioner seeks to distribution of a life estate in the real property under the principle of estoppel. The real property will be subject to a lien in favor of the of the Department of Health Care Services of the State of California until the death of Santos Perez, or the sale of the real property, and subject to the lien of Quinlan, Kershaw and Fanucchi, LLP for attorneys' fees and costs with interest at 10% per annum from the date of the order. In addition the property would be distributed subject to a lien in favor of the Department of Health Care Services in the amount of \$30,826.13 with interest accruing at 7% per annum from the date of recording of the Order and subject to a lien in favor of Quinlan, Kershaw and Fanucchi, LLP, for attorney fees and reimbursement of costs of administration.

Proposed distribution is to:

Santos Perez	-	1997 Chevy Automobile and a life estate in the real property
Mike Chavez (son)	-	1/4 th Interest in the real property, subject to the life estate.
Isabel Alvarez (daughter)	-	1/4 th Interest in the real property, subject to the life estate.
Richard Flores, Jr. (son)	-	1/4 th Interest in the real property, subject to the life estate.
Sylvia Alaniz (daughter)	-	1/4 th Interest in the real property, subject to the life estate.

Declaration of paralegal Charlene Bullock filed on 3/2/15 states on 1/13/15 she had a voice mail message from Bobbie Coleman of the Recovery Section of the Department of Health Care Services. Mr. Coleman advised that the Department had reviewed the First and Final Account, the Order for Final Distribution, and the lien set forth in said document was acceptable to the Department. Ms. Bullock states that her office has filed Orders for Final Distribution in other probate matters wherein a lien to the Department of Health Care Services is set forth therein, and the Department has accepted those orders each time without having filed a formal consent or letter of consent with the Court.

NEEDS/PROBLEMS/COMMENTS (cont.):

3. Since this matter was first on calendar, the attorney has submitted several proposed orders. Several of the proposed Orders submitted included information not found in the pleadings. Such as, that the 1997 Chevrolet blew an engine in July 2013, was abandoned and its current whereabouts are unknown, distribution of a 50% interest in the real property to daughters Isabelle and Sylvia and the other 50% to sons Mike and Richard subject to a life estate in favor of petitioner. The most recent proposed order now proposes to distribute the 1997 Chevrolet that a previous order stated was whereabouts unknown. The latest proposed order distributes the property to the beneficiaries subject to a lien in favor of DHS and the attorney. Most of the information in these proposed orders is not reflecting in any pleading and not noticed on the beneficiaries. The order cannot reflect things that were not in any pleading and not noticed on all interested parties. **Need Amended Petition.**

Second and Final Account and Report of Conservator

DOD: 01/08/15	BROOKE A. CASTLE , Conservator, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 08/01/15</u></p> <p>1. Need Affidavit for Collection or Transfer of Personal Property from Clayton James Stott pursuant to Probate Code § 13100.</p>
	Account period: 09/22/14 – 06/22/15	
Cont. from 081015	Accounting: \$43,607.28	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH: \$20,286.77	
<input checked="" type="checkbox"/> Verified	Ending POH: \$7,928.46	
<input type="checkbox"/> Inventory	Conservator: waived	
<input type="checkbox"/> PTC	Attorney: \$1,250.00 (ok per Local Rule)	
<input type="checkbox"/> Not.Cred.	Petitioner prays for an Order:	
<input checked="" type="checkbox"/> Notice of Hrg	1. Settling and allowing this second and final account and confirming the acts of the petitioner as conservator;	
<input checked="" type="checkbox"/> Aff.Mail w/	2. Authorizing the attorney's fees; and	
<input type="checkbox"/> Aff.Pub.	3. Authorizing Petitioner to turn over the remaining assets of the conservatorship estate to Clayton James Stott, successor trustee of The Patricia Stoll Gregory Stott Survivor's Trust.	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 2620(c)	Supplement to Second and Final Account and Report of Conservator filed 08/10/15 states: There is currently existing a trust known as the "Patricia Stoll Gregory Stott Survivor's Trust" to which reference is made in the report. The last will of Patricia Stoll Gregory Stott was signed 01/03/08 and references the "Don Claypool Stott and Patricia Stoll Gregory Stott 1986 Family Declaration of Trust, as Amended. The Patricia Stoll Gregory Stott Survivor's Trust is established by the deceased conservatee on 02/15/13 with her share of the assets of the original Stott Family Trust. The Will could not reference the Survivor's Trust, as it was not created until 02/15/13.	
<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		

Continued on Page 2

Reviewed by: JF
Reviewed on: 08/27/15
Updates:
Recommendation:
File 4 - Stott

However, there have been no other or later will found by the conservator. Therefore, this is the only will that can be presented to the court and is the intention of the surviving settlor (decedent, Patricia Stott) to dispose of assets that were under her ownership and control under the terms of the original trust. Under the terms of the original 1986 trust, the surviving settlor, had the exclusive right to the assets assigned to the surviving spouse (the Survivor's Trust) and could amend or alter it at her discretion. Except for the assets currently held by conservatee, all other assets of the decedent are currently held by Clayton James Stott as the successor trustee of the Survivor's Trust. Mr. Stott, as trustee, has appeared in this matter. He is currently represented by Summer Johnson who has also appeared in this matter on Mr. Stott's behalf.

Any declaration of trustee required by Local Rule 7.12.5 would have to be filed by Mr. Stott, as trustee, and submitted to the Court. Mr. Stott has appeared in this matter multiple times and has been the trustee of the Survivor's Trust since December 2012, prior to the death of the conservatee. Any such information that is needed from Mr. Stott under Local Rule 7.12.5 cannot be filed by the conservator. However, information already in the court's file confirms that Clayton James Stott has been and currently is the acting trustee of the Survivor's Trust. (Notification by Trustee Pursuant to Probate Code § 16061.7 attached).

The Affidavit Procedure pursuant to Probate Code § 13100 would have to be prepared by the successor trustee, Mr. Stott, however, that is unnecessary in this action as the conservator need only transfer the conservatorship's remaining assets (after closing expenses) to the trustee pursuant to Probate Code § 2631(c). At that point, the trustee can sign a "Receipt" for said assets for filing with the Court (see Probate Code § 11751).

Probate Status Hearing re: Proof of Notice to DMV

	FREMONT BANK , former Trustee, petitioned the court for approval of their first and final account.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof that the Trust is a lienholder on the vehicle.</p>
	HERB THOMAS is the current successor trustee.	
	The first and final account showed that Fremont Bank as Trustee for the Trust purchased a handicap equipped van for the beneficiary and distributed the van directly to the beneficiary.	
	Minute Order dated 6/29/15 states the court orders that the DMV is to be noticed that the Trust shall be the lienholder for the vehicle. Counsel is to submit a declaration verified by Herb Thomas.	
	Status Report filed on 8/26/15 states Vicki Bertoldi, the beneficiary's mother was contacted and verified that she did have the title to the vehicle. Per declarant's request Ms. Bertoldi released title to Charities Pooled Trust (CPT). Unfortunately, Ms. Bertoldi signed on an incorrect line and the DMV would not accept that signature. Ms. Bertoldi is obtaining a replacement copy of the title and will forward it to CPT. Once received CPT will be able to complete the process of adding CPT as a lienholder on the vehicle's title and to provide proof that the Trust is a lienholder.	
Cont. from 080315		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
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Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202 Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 8/27/15
		Updates:
		Recommendation:
		File 5 – Bertoldi

Petitioner/Conservator: Cynthia C. Thomas (pro per)

Petitioner/Conservator: Pamela J. Thomas (pro per)

First Account Current, Report of Co-Conservators and Petition for its Settlement, for Approval of Gifts to Relatives, and for Allowance of Co-Conservators' Compensation and Mileage Reimbursement

		CYNTHIA C. THOMAS and PAMELA J. THOMAS, Co-Conservators, are petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Proof of service of the Notice of Hearing on Mr. Marshall did not include a copy of the petition as required. Disbursement Schedule includes credit card payments totaling 3,619.00 without stating the nature and purpose of the disbursement. – Petitioners state they were making payments on credit cards they found in the conservatee's possession. They made a complaint to the Fresno City Police Department regarding elder abuse of the conservatee by their sister, Julia Coyle. They believe the debt was fraudulently incurred by their sister. They have written to the credit card companies and it is possible that the credit card companies will waive the debt. <p>Please see additional page</p> <p>Reviewed by: KT</p> <p>Reviewed on: 8/27/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6 – Coyle</p>
		Account period: 1/29/14 – 1/31/15	
Cont. from 072015			
	Aff.Sub.Wit.	Accounting - \$290,328.00	
✓	Verified	Beginning POH - \$238,381.05	
	Inventory	Ending POH - \$263,996.74	
	PTC	Current bond: \$65,790.60	
	Not.Cred.	Conservator (Cynthia)- \$2,342.91 (71 hours @ \$30/hr and 380.20 miles @ \$0.56/mile for medical appointments, taxes, moving the conservatee, etc.)	
✓	Notice of Hrg	Petitioner state they advanced, from their personal funds, \$5,000.00 to Dowling Aaron Inc. for attorney fees and costs in the initiation of the conservatorship. Petitioners request reimbursement of the \$5,000.00 (\$2,500 each).	
✓	Aff.Mail	Petitioners state prior to their appointment, conservatee's daughter, Julia Coyle, had the conservatee sign a transfer document transferring the conservatee's 2007 Toyota Corolla to her and took possession of the vehicle. After their appointment, Petitioners tried to gain possession of the vehicle but where unsuccessful. After conferring with their attorney regarding the cost of recovery, it was believed to be in the best interest of not to pursue recovery.	
	Aff.Pub.		
	Sp.Ntc.	X	
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	2620(c)		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS (cont.):

3. Petition requests reimbursement of \$5,000.00 that was paid to the attorney from the personal funds of the Petitioners. Billing statement provide includes items that are not reimbursable (Local Rule 7.17) photocopy charges (\$58.50), and online research (\$11.35).
 4. Bond should be increased to \$133,035.00 pursuant to Probate Code 2320(c)4 and California Rules of Court 7.207.
 5. Need proposed order.
-

Petitioners request approval of gifts made from the conservatorship estate as follows:
\$100.00 to Conservatee's granddaughter, Kimberly Franco and her husband for their 25th wedding anniversary.

\$50.00 to Conservatee's granddaughter, Kerri Peterson and her family for Christmas gifts.

Petitioners request bond be increased \$119,287.67. As an addendum petitioners would like to request that bond not be increased – Please see needs/problems/comments # 4 above.

Petitioners pray for an Order:

1. Approving, allowing, and settling the first account and report of co-conservators;
2. Gifts to family members be approved and ratified;
3. Authorization to pay Conservator, Cynthia Thomas, \$2,342.91 for services to the conservatorship estate;
4. Petitioners be directed to file an additional bond in the amount of \$53,578.67 for a total bond of \$119,287.67;
5. Petitioners be authorized to pay Cynthia Thomas and Pamela Thomas \$2,500 each (for a total of \$5,000.00) as reimbursement of attorney's fees and costs paid out-of-pocket in this conservatorship proceeding.

Court Investigator Report filed on 2/2/15.

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

- **Wednesday, September 30, 2015** at 9:00 a.m. in Department 303, for the filing of the increased bond.
- **Wednesday, March 29, 2017** at 9:00 a.m. in Department 303, for the filing of the second account.

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

Petition for Final Settlement and Final Distribution, Waiver of Account, and for Allowance of Statutory Fees for the Executor and the Attorney

DOD: 1/17/13		<p>DRAKE K. COTTON, Executor, is petitioner.</p> <p>Accounting is waived.</p> <p>I & A - \$235,000.00 POH - \$235,000.00</p> <p>Executor - \$8,050.00 (greater than statutory, see note #2)</p> <p>Attorney - \$8,050.00 (greater than statutory, see note #2)</p> <p>Distribution, pursuant to Decedent's Will, is to:</p> <p>Drake K. Cotton - real property located at 6555 N. Raisina in Fresno and 1425 E. Calwa in Fresno.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR. Order signed on 8/19/15</p>
Cont. from 081015			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg W/O		
<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 checked="" type="checkbox"/>	Letters 3/14/14		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" 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 checked="" type="checkbox"/>	FTB Notice		
		<p>Reviewed by: KT</p> <p>Reviewed on: 8/21/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 - Cotton</p>	

8 Joseph A. Meme (Estate)

Case No. 14CEPR00050

Attorney Wade, David D. (of Roseville, Ca. for Kenneth Meme – Petitioner – Executor)

Petition for Final Distribution Upon Waivers of Accounting, for Attorney's Fees for Ordinary Services and for Reimbursement of Costs Advanced

DOD: 08/11/2013	KENNETH MEME , Executor, is petitioner	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 07/20/2015: The Court orders David Wade to be personally present or present via Court Call on 08/31/2015 to explain why he should not be sanctioned for his failure to appear today.</p> <p>Clerk's Certificate of Mailing shows the minute order was mailed to Attorney David Wade and Kenneth Meme on 07/20/2015</p>
	Accounting is waived	
	I&A - \$176,848.38	
	POH - \$165,544.21	
	(Cash is \$15,544.21)	
Cont. from 072015	Executor – Waives	
<input type="checkbox"/> Aff.Sub.Wit.	Attorney - \$6,305.45	
<input checked="" type="checkbox"/> Verified	(Statutory)	
<input checked="" type="checkbox"/> Inventory	Costs (Attorney) - \$615.00	
<input type="checkbox"/> PTC	Proposed Distribution, pursuant to Decedent's Will, is to:	
<input checked="" type="checkbox"/> Not.Cred.	Kenneth Allen Meme – cash in the amount of \$2,155.94; ¼ interest in decedent's residence located at 527 W. Fresno St. Fowler, Ca.	
<input checked="" type="checkbox"/> Notice of Hrg	Carol Ann Wilkinson – cash in the amount of \$2,155.94; ¼ interest in decedent's residence located at 527 W. Fresno St. Fowler, Ca.	
<input checked="" type="checkbox"/> Aff.Mail w/	Diane Louise Meme - cash in the amount of \$2,155.94; ¼ interest in decedent's residence located at 527 W. Fresno St. Fowler, Ca.	
<input type="checkbox"/> Aff.Pub.	Sandra Marie Meme - cash in the amount of \$2,155.94; ¼ interest in decedent's residence located at 527 W. Fresno St. Fowler, Ca.; 2007 Toyota Camry.	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters 03/25/14		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" 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 checked="" type="checkbox"/> FTB Notice		
		Reviewed by: LV
		Reviewed on: 08/26/2015
		Updates:
		Recommendation:
		File 8 - Meme

Attorney Martinez, Philip A.; Smith, Sydney A. (for Petitioner Kirsten Amy Elves, Executor)

Petition for Settlement of First and Final Account, for Final Distribution, and for Allowance of Compensation for All services Rendered

DOD: 1/14/2014	KIRSTEN AMY ELVES , daughter and Executor, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. <i>Summary of Account</i> lists charges as \$252,799.78, while credits are listed as \$252,733.27, resulting in an unexplained difference of \$66.51, causing the accounting not to balance. Charges must equal credits as provided by Probate Code § 1061(c). Need clarification and/or amended account pursuant to Probate Code § 1060 et seq.</p> <p>2. Pursuant to Probate Code § 10800(b), statutory fee base calculation uses the total amount of the appraisal value of the property in the inventory, plus gains over the appraisal value on sales, which gains of \$10,000.00 have not been included in the statutory fee calculation in the <i>Petition</i>, with fees stated as \$7,848.75. Correct statutory fee calculates as \$8,048.75, resulting in an undercharge of \$200.00 in statutory fees and commissions (\$400.00 total).</p> <p>~Please see additional page~</p>
Cont. from	Account period: 4/14/2014 – 7/1/2015	
<input type="checkbox"/> Aff.Sub.Wit.	Accounting - \$252,733.27	
<input checked="" type="checkbox"/> Verified	Beginning POH - \$242,437.65	
<input checked="" type="checkbox"/> Inventory	Ending POH - \$214,439.09 (\$174,439.09 cash)	
<input checked="" type="checkbox"/> PTC	Executor - [\$7,848.75] (less than statutory)	
<input checked="" type="checkbox"/> Not.Cred.	Attorney - [\$7,848.75] (less than statutory)	
<input checked="" type="checkbox"/> Notice of Hrg	Costs - \$1,365.00 (filing fees, probate referee, publication, certified copies)	
<input checked="" type="checkbox"/> Aff.Mail	Closing - \$1,000.00 (for any liabilities including income tax deficiencies, penalties and interest; costs of arranging distribution of assets; preparation of and work with regard to income tax returns;)	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters 041414		
Duties/Supp		
Objections		
Video Receipt	Petitioner states:	
CI Report	<ul style="list-style-type: none"> On 2/13/2015 she made preliminary distributions to Decedent's daughters [the 3 heirs] of \$10,000.00 each pursuant to Probate Code § 10520 without loss to creditors or injury to the estate or any interested person; The estate remaining after the \$30,000.00 in preliminary distributions exceeds \$150,000.00 and all distributees under Decedent's Will received equal distributions; 	
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
<input checked="" type="checkbox"/> FTB Notice	~Please see additional page~	
		Reviewed by: LEG
		Reviewed on: 8/26/15
		Updates:
		Recommendation:
		File 9 – Anderson

9 Additional Page Bruce John Anderson (Estate) Case No. 14CEPR00176

Distribution pursuant to Decedent's Will and to *Consent to Distribution* filed 7/17/2015 is to:

- **JAMIE NICOLE CASTRO** – automobile, various personal property, **\$11,666.66** as cash value of 1/3 interest in real property, and 1/3 of remaining cash on hand consisting of **[\$43,458.87 cash?]**;
- **ALISON JORDAN ANDERSON** – various personal property, **\$1,333.33** as cash value of 1/3 interest in automobile, **\$11,666.66** as cash value of 1/3 interest in real property, and 1/3 of remaining cash on hand consisting of **[\$43,458.87 cash?]**;
- **KIRSTEN AMY ELVES** – various personal property, **\$1,333.33** as cash value of 1/3 interest in automobile, entire interest in real property, and 1/3 of remaining cash on hand consisting of **[\$43,458.87 cash?]**

NEEDS/PROBLEMS/COMMENTS, continued:

3. Need revised proposed order pursuant to Local Rule 7.6.1, containing a statement as to the balance of the estate on hand, specifically noting the amount of cash included in the balance, and the cash amounts to be distributed.

Atty Upton, Andrea M. (for Petitioner Holly Foley)
 Atty Kruthers, Heather (for Public Administrator)

Petition to Compel Account

DOD: 10-3-12		<p>HOLLY FOLEY, Beneficiary, is Petitioner.</p> <p>Petitioner states the trust was created 3-29-05 by Virginia Howard as Settlor and Trustee and amended and restated in its entirety on 7-4-11, and amended again on 8-12-11. Petitioner is informed and believes that VICTORIA HOWARD is currently the sole trustee, VAUGHN HOWARD having resigned on or about 6-23-14.</p> <p>Petitioner states Virginia Howard died 10-3-12. Petitioner alleges the value of the trust at her death was over \$600,000.00.</p> <p>On 5-16-14, Petitioner, through counsel, made a written request for an account of the trust. On 5-28-14, following the sale of certain real property owned by the trust, Petitioner again requested a full and complete account of the remaining assets. Petitioner is entitled to receive an account per Probate Code §16062.</p> <p>On or about 4-15-13, Petitioner received an inventory of trust assets from the trustee's former legal counsel, but has not received anything since that date. More than 60 days have elapsed since Petitioner's written request for a full account; therefore, this petition is appropriate under Probate Code §17200(b) and Petitioner requests an order of this Court instructing the trustee to deliver an account of the transactions of the trust to Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: On 10-27-14: The Court removed Victoria Howard as the trustee and appointed the Public Administrator as the successor trustee.</p> <p><u>Continued from 9-29-14, 10-27-14, 1-26-15, 4-27-15, 6-29-15. The following issues remain noted for reference:</u></p> <ol style="list-style-type: none"> 1. Petitioner states Fresno County is the proper venue pursuant to Probate Code §17005 (a)(1) (principal place of administration); however, the current trustee, Victoria Howard, resides in <u>Red Oak, Iowa</u>, and the most recent former trustee, Vaughn Haward, resides in <u>Omaha, Nebraska</u>. Need clarification as to how Fresno County, CA, is the proper venue for this petition. 2. Petitioner provides the names and addresses of the beneficiaries, but does not state if these are all of the people <u>entitled to notice</u> pursuant to Probate Code §17201. Need clarification. 3. Petitioner mentions receipt of an inventory from the "Trustee's <u>former</u> legal counsel." Pursuant to Probate Code §1214, if the trustee is currently represented, notice is required to be served on the attorney, and Probate Code §17203 requires 30 days' notice. <p>The Court may require clarification as to how Petitioner knows that the trustee is no longer represented by the attorney who provided the inventory, and may require continuance for notice to the attorney for the trustee, if any.</p> <p>Note: The trust and amendments were prepared by Attorney Gilbert B. Fleming of Fresno, CA. Is this the attorney that served the inventory? If so, is this the basis for venue in Fresno?</p> <p style="text-align: center;">SEE ADDITIONAL PAGES</p> <p>Reviewed by: skc</p> <p>Reviewed on: 8/26/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 - Howard</p>	
Cont. from 092914, 102714, 012615, 042715, 062915				
<input type="checkbox"/>	Aff.Sub.Wit.			
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<input checked="" type="checkbox"/>	Notice of Hrg			
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<input type="checkbox"/>	Aff.Pub.			
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<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
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<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
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Page 2

First Supplement to Petition to Compel Account filed 10-22-14 states Attorney Gilbert Fleming continued to assist the trustees until about January 2014. Thereafter, Mr. Fleming continued to principally administer the trust from Fresno County, where the decedent resided and where both trust accounts and real property were located.

Petitioner is informed and believes that the remaining assets consist of a very small amount of money in the trust account, the trustee having depleted the account while still residing in Fresno, and the trust's interest in an investment fund.

No petition to transfer administration has been filed pursuant to § 17401 and Section 12.05 of the trust. Accordingly, administration continues to be Fresno County and venue is proper in Fresno County.

Though counsel for petitioner have repeatedly inquired as to whether the trustee has retained new counsel after Mr. Fleming withdrew in January 2014, Petitioner is informed and believes that the trustee has not, and remains unrepresented.

The following additional Examiner's Notes remain noted for reference:

Probate Code §17002 states:

17002. (a) The principal place of administration of the trust is the usual place where the day-to-day activity of the trust is carried on by the trustee or its representative who is primarily responsible for the administration of the trust.

(b) If the principal place of administration of the trust cannot be determined under subdivision (a), it shall be determined as follows:

(1) If the trust has a single trustee, the principal place of administration of the trust is the trustee's residence or usual place of business.

(2) If the trust has more than one trustee, the principal place of administration of the trust is the residence or usual place of business of any of the cotrustees as agreed upon by them or, if not, the residence or usual place of business of any of the cotrustees.

If Mr. Fleming withdrew as counsel for the trustees, how did administration of the trust continue in Fresno without him? Pursuant to Probate Code §17002, the principal place of administration follows the trustee.

§17400 applies to trusts that are already before the Court. That is not the case here, and the trust section referenced does not appear to require petition to the Court for transfer. The trust has never been before this Court.

If Mr. Fleming's former representation of the trustee is the basis for Fresno as venue, Mr. Fleming is entitled to Notice of Hearing on Mr. Fleming at least 30 days prior to the hearing pursuant to §17203 and §1214.

11 Melissa Dale Guiba (Estate)

Case No. 14CEPR01033

Attorney Kruthers, Heather H. (for Public Administrator)

Probate Status Hearing RE: Filing of the Inventory and Appraisal

DOD: 03/26/2014	RAMON GUIBA , spouse, petitioned the Court to be appointed as Administrator. An Objection was filed by Angela Burke, daughter.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Inventory and Appraisal 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.</p>
Cont. from	PUBLIC ADMINISTRATOR , was appointed pursuant to the minute order of 04/06/2015. Minute Order states: The Court has serious concerns about the abilities of Ramon Guiba to properly execute the demands of a Personal Representative and appoints the Public Administrator forthwith. The Court orders Ramon Guiba and Angela Burke to cooperate with the Public Administrator and turn over any and all estate documents.	
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: LV
		Reviewed on: 08/27/2015
		Updates:
		Recommendation:
		File 11 - Guiba

DOD: 11/21/2014	JACOB C. LILES , grandson, was appointed Administrator with full IAEA authority without bond on 04/06/2015.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Final Inventory and Appraisal 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.</p>
	Letters issued on 04/06/2015.	
Cont. from	Partial No. 1 Inventory & Appraisal filed 07/10/2015 shows an estate valued at \$126,000.00.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.	Minute order of 04/06/2015 set this status hearing for the filing of the Inventory and Appraisal.	
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 on: 08/27/2015
		Updates:
		Recommendation:
		File 12 – Reily

13 **Lisa Love Rodriguez, Marcelo Eric Rodriguez, and**
Lorenzo Garcia Rodriguez (GUARD/P) Case No. 15CEPR00258
 Petitioner Rebecca Rodriguez (Pro Per – Paternal Grandmother – Petitioner)
 Petitioner Pablo Rodriguez, Jr. (Pro Per – Paternal Step-Grandfather – Petitioner)

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

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: Minute Order 7/27/15: The Court grants one last continuance for service as to the maternal grandfather. The following remains noted: 1. If diligence is not found, need notice to Maternal Grandfather Ricardo Garcia per Probate Code §1511.	
Cont from 051815, 062215, 072715				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
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✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 8/26/15	
			Updates:	
			Recommendation:	
			File 13 - Rodriguez	

DOD: 12/7/14		<p>HENRY MICHAEL PADILLA, JR., Son, is Petitioner and requests appointment as Administrator with Full IAEA without bond.</p> <p>All heirs waive bond.</p> <p>Full IAEA – ok</p> <p>Decedent died intestate</p> <p>Residence: Fresno Publication: Business Journal</p> <p>Estimated value of estate: Personal property: \$1,000.00 Real property: \$155,000.00 Total: \$156,000.00</p> <p>Probate Referee: Rick Smith</p>	<p>NEEDS/PROBLEMS/COMMENTS: <u>Continued from 5/4/15, 7/20/15</u> <u>The following is a NEW issue:</u> 1. Petitioner listed himself and Michelle Nino at #8 of the petition, but did not provide Ms. Nino's relationship to the decedent.</p> <p>Declaration of Michelle Nino filed 8/17/15 states she is one of two children of the decedent and waives NOTICE and also waives ANY INTEREST in the estate.</p> <p>Ms. Nino's declaration appears to be an irrevocable disclaimer of interest as discussed in Probate Code §§ 265, 275 et seq.</p> <p>Pursuant to Probate Code §282, a disclaimer, when effective, is irrevocable and binding, and the disclaimed interest shall descend to the issue of the disclaimant as if the disclaimant had predeceased the decedent.</p> <p><u>Therefore, need clarification:</u> Does Ms. Nino have issue that will now be heir(s) to her share of the estate? If so, need their information pursuant to #8 of the petition, and need waivers of bond from them. Note that bond cannot be waived if there are minor heirs.</p> <p><u>Note:</u> If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> Monday, February 1, 2016 for filing the Inventory and Appraisal Monday, January 9, 2017 for filing the first account or petition for final distribution. <p>If the proper items are filed prior to the status hearing dates pursuant to Local Rule 7.5, the status hearings may come off calendar.</p>
Cont. from 050415, 072015			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	x		
Aff.Mail	x		
✓ Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
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✓ Order			
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Status Rpt			
UCCJEA			
Citation			
FTB Notice			
Reviewed by: skc			
Reviewed on: 8/25/15			
Updates:			
Recommendation:			
File 14- Padilla			

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

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 6/15/15, 7/20/15</p> <p>1. Petitioner did not provide the names of the paternal grandparents or the maternal grandfather.</p> <p>Notice of Hearing filed 8/21/15 shows service on the minor, the father, and the maternal grandmother, and also shows service on a Roberto Reyes, but it is unclear who this person is. Is Roberto Reyes the paternal grandfather?</p> <p>Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on:</p> <ul style="list-style-type: none"> - Paternal Grandfather - Paternal Grandmother - Maternal Grandfather 	
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<input type="checkbox"/>	Aff.Pub.			
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<input checked="" type="checkbox"/>	Pers.Serv.			W
<input checked="" type="checkbox"/>	Conf. Screen			
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		Reviewed by: skc		
		Reviewed on: 8/26/15		
		Updates:		
		Recommendation:		
		File 15 - Reyes		

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

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 6/15/15, 7/20/15.</p> <p><u>Minute Order 7/20/15:</u> Maria Vargas and Ruby Martinez are to file written objections by 8/3/15 or the Court will not consider them.</p> <p>As of 8/26/15, nothing further has been filed.</p> <p>The following issue remains noted:</p> <ol style="list-style-type: none"> 1. The Notice of Hearing served on paternal grandmother Felipa Arredondo and maternal grandmother Ruby Martinez is blank and the attached proof of personal service does not indicate that a copy of the petition was included in the service. The Court may require further service pursuant to Probate Code §1511. 	
Cont. from 061515, 072015				
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		Reviewed by: skc		
		Reviewed on: 8/26/15		
		Updates:		
		Recommendation:		
		File 16 - Saavedra		

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 7/27/15:</u> The Court admonishes that the same defects remain in this matter and grants one last continuance for Ms. Palms to get them cured.</p> <p>As of 8/26/15, nothing further has bene filed. The following issues remain:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of Notice of Hearing with a copy of the petition per Probate Code §1511 at least 15 days prior to the hearing or consent and waiver of notice on: <ul style="list-style-type: none"> - Thurman Ligons (Father) - Laquandra Kinchen Ligons (Mother) 3. Need proof of service of Notice of Hearing with a copy of the petition per Probate Code §1511 at least 15 days prior to the hearing or consent and waiver of notice or declaration of due diligence on: <ul style="list-style-type: none"> - Paternal Grandmother - Maternal Grandfather Nick Kinchen - Maternal Grandmother Cassandra Miles - Siblings age 12 or older
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<input type="checkbox"/>	Aff.Sub.Wit.		
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<input type="checkbox"/>	DSS Report	X	
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			Reviewed by: skc
			Reviewed on: 8/26/15
			Updates:
			Recommendation:
			File 17 - Ligons

		ROBERT P. AVOLIO, ESQ. , is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner states he is a member in good standing of the Bar of the State of New Jersey and is a partner with the law firm of Avolio & Hanlon, P.C.	Note: On 6/8/15, Walter Leach, III, and Alfred Leach filed an Amended Petition to Invalidate Trust Restatement for Lack of Capacity; Undue Influence, Elder Abuse.
	Aff.Sub.Wit.		
✓	Verified	Petitioner states he has been admitted to practice before 16 Courts. See petition for list.	On 7/23/15, the matter was set for trial with a 5-7 day time estimate. Mandatory Settlement Conference Statements are due by 2/23/16. Settlement Conference is set for 3/8/16. Trial is set for 4/5/16.
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg	Petitioner hereby respectfully applies for admission practice <i>pro hac vice</i> in the Superior Court of California, County of Fresno representing Walter Leach III and Alfred W. Leach, Petitioners in the above-entitled action. His local co-counsel in this case is Woodford G. Rowland, Esq., an attorney who is a member of the bar of this Court in good standing and who maintains an office in California.	1. Notice of Hearing filed 7/24/15 indicates mailing to Respondent Susan Leach Hansen c/o her attorney, Donald R. Forbes, and to Attorney Woodford G. Rowland, Esq., attorney for Petitioners Walter Leach, III, and Alfred W. Leach only.
✓	Aff.Mail	w	
	Aff.Pub.		
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	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
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	9202		
✓	Order		The Court may require direct notice to all persons entitled to notice as listed in the Amended Petition filed 6/8/15 pursuant to Probate Code §1214 and Cal. Rule of Court 7.51.
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 8/26/15
			Updates:
			Recommendation:
			File 18 – Leach

19 Skarlett Lopez, Natalia Lopez (GUARD/P) Case No. 15CEPR00526

Petitioner: Ana Torres (paternal grandmother - pro per)

Petitioner: Emily Alvarez (maternal great-grandmother - pro per)

Petition to Appoint Guardian of the Person

	THERE IS NO TEMPORARY. No temporary was requested.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 7/20/15. Minute order states the examiner notes were handed in open court. As of 8/27/15 the following issues remain:</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 or Declaration of Due Diligence on: <ol style="list-style-type: none"> a. Ramon Torres (father) b. Victoria Morales (mother) 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 on: <ol style="list-style-type: none"> a. Sabino Lopez (paternal grandfather) b. Unknown maternal grandfather c. Natalie Alvarez (maternal grandmother)
	EMILY ALVAREZ , maternal great grandmother, and ANA TORRES , paternal grandmother, are petitioners.		
	Please see petition for details.		
	Court Investigator Report filed on 7/13/15.		
Cont. from 072015			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
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✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT
			Reviewed on: 8/27/15
			Updates:
			Recommendation:
			File 19 – Lopez

Petition for Appointment of Guardian Ad Litem

		<p>JOHN R. MOORE, JR, Trustee of the Moore Family Trust, is petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR.</u> Dismissal entered on 8/26/15.</p> <p>1.</p>	
Cont. from 080315				
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	Letters			
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	Video Receipt			
	CI Report			
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✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: KT	
			Reviewed on: 8/27/15	
			Updates:	
			Recommendation:	
			File 20A - Moore	

20B In Re: The Moore Family Trust dated 01/02/1990 Case No. 15CEPR00601
Attorney: Marcella Downing (for Petitioners John R. Moore, Jr. and Melinda Marilyn Wheeler)

Petition for Order Approving Modification of Trust Terms and Appointment of Guardian Ad Litem

		<p>JOHN R. MOORE, JR. and MELINDA MARILYN WHEELER, successor Trustees, are petitioners.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR.</u> Dismissal entered on 8/26/15.</p>				
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		<table border="1"> <tr> <td>Reviewed by: KT</td> </tr> <tr> <td>Reviewed on: 8/27/15</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 20B – Moore</td> </tr> </table>	Reviewed by: KT	Reviewed on: 8/27/15	Updates:	Recommendation:	File 20B – Moore
Reviewed by: KT							
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Updates:							
Recommendation:							
File 20B – Moore							

Petitioner Charleena T. Mack (Pro Per Petitioner)

Petition for Appointment of Guardian of the Person

		NO TEMPORARY REQUESTED	<p>CHARLEENA T. MACK, maternal aunt, is Petitioner.</p> <p style="text-align: center;">~Please see Petition for details~</p> <p>Court Investigator's Report was filed on 8/18/2015.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need proof of personal service of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian, or Consent to Appointment of Guardian and Waiver of Notice</i>, for: <ul style="list-style-type: none"> • Mark Hadley, father, if Court does not find due diligence per Declaration filed 7/29/2015. 2. Need proof of service by mail of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian, or Consent to Appointment of Guardian and Waiver of Notice</i>, for: <ul style="list-style-type: none"> • Paternal grandparents, if Court does not find due diligence per Declaration filed 7/29/2015. 3. <i>Notice of Hearing</i> filed 7/29/2015 which shows service of notice to Charles Mack, maternal grandfather, on 7/27/2015 does not include the hearing date, time, and Department in Item 4(a) of the <i>Notice</i>.
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.	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 checked="" type="checkbox"/>	Clearances			
<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: 8/27/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 21 – Hadley</p>	

22 Brandon Casner, Matthew Casner (GUARD/P) Case No. 15CEPR00641

Petitioner Mcginnis, Angela (Pro Per – Cousin – Petitioner)

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

	See petition for details.	NEEDS/PROBLEMS/COMMENTS:
		1. According to the Court Investigator’s report, the minors are currently under a guardianship in Tulare County.
		Therefore, need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Cindy Marqheim (Guardian)
<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 checked="" type="checkbox"/>	Clearances	
<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: 8/26/15
		Updates:
		Recommendation:
		File 22 – Casner

See petition for details.			<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>1. Need proof of personal service of Notice of Hearing with a copy of this general petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on:</p> <ul style="list-style-type: none"> - Brian Ruffner (Father) - Karen Todd-Lopez (Mother) <p>2. Need proof of service of Notice of Hearing with a copy of this general petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on:</p> <ul style="list-style-type: none"> - Mike Ruffner (Paternal Grandfather) - Jean Ruffner (Paternal Grandmother)
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 8/27/15
			Updates:
			Recommendation:
			File 23 – Ruffner

24 Wesley J. Hammond Living Trust Case No. 15CEPR00703
Attorney Markeson, Thomas A. (for Doris M. Gile – Successor Trustee – Petitioner)
Petition for Order Confirming Trust Assets (Probate Code Section 850(a)(3))

DOD: 10/26/14	DORIS M. GILE , Successor Trustee and sister of the Decedent, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS:
	Petitioner states the Decedent created his trust on 8/3/12. He died 10/26/14. Although no Exhibit A was found, the Trust at Article Three, Section 1 identifies the assets set forth on Exhibit A “and any other property that is permitted by law to be held in trust...” In addition, the Decedent also executed a separate Assignment to Trust and a pour-over will. The Assignment assigns and transfers to Wesley J. Hammond, or his successors in trust, any property that would otherwise be subject to probate on his death, including without limitation all real property, securities, financial investments, etc.	
<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 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>The Decedent was also the Successor Trustee of his parents' trust, the Hammond Living Trust, at his death, but did not complete administration. Petitioner has assumed the duties of successor trustee for that trust as well, and has made distribution of a one-third interest in the following assets to the Decedent:</p> <ul style="list-style-type: none"> • A one-third interest in the real property located at 13150 South Henderson Road • A one-third beneficial interest under a Deed of Trust With Assignment of Rents re APN 042-100-11; • A one-third beneficial interest under a Deed of Trust With Assignment of Rents re: Parcel 1 (APN 042-020-065S), Parcel 2 (042-020-64 (Portion)), Parcel 3 (042-020-64 (Portion)), and Parcel 4 (APN 042-020-64) <p>The evidence shows the Decedent intended that the assets be transferred to and a part of the trust. Under California law, that is sufficient to find that the assets are subject to the trust and under the management and control of the trustee. See petition for authority.</p> <p>Petitioner prays for an order that the properties set forth above (legal descriptions provided) are subject to the trust, held by the trustee on behalf of the trust and are under the management and control of Petitioner as trustee; and such other orders as the Court deems just and proper.</p>	

Reviewed by: skc
Reviewed on: 8/27/15
Updates:
Recommendation:
File 24 – Hammond

Page 2

Petitioner states: Through counsel, Petitioner notified the other beneficiaries by letter on 10/24/14 of this conversation and indicated to the beneficiaries that Petitioner was inclined to follow the Settlor's wish by distributing an equal share to Austin Jerrad Harrison if all beneficiaries were in agreement. No objections have been received.

Petitioner therefore requests instructions from the Court regarding distribution of the trust estate pursuant to Paragraph 4.2(b) of Section 4 of the Declaration of Trust, and requests an order from the Court ascertaining beneficiaries and determining to whom property shall pass upon termination of the trust.

Alternatively, Petitioner suggests that this court consider modifying the trust pursuant to § 15409 to provide for an equal distribution share to Austin Jerrad Harrison under the grounds that his birth was a circumstance not known to Settlor and not anticipated by Settlor at the time the Declaration of Trust was executed.

Petitioner proposes distribution to the ten beneficiaries, including Austin Jerrad Harrison, pursuant to Paragraph 4.3 of Section 4 of the Declaration of Trust, which provides that if any beneficiary is under age 25, his or her share shall be distributed to Michelle McClelland (Petitioner) as Custodian for that beneficiary under CUTMA. Petitioner proposes distribution to all ten (10) of the beneficiaries in the amount of \$44,973.72 each in this manner. See Schedule E.

Petitioner requests an order that:

1. The first and final account of petitioner as trustee be settled, allowed, and approved as filed;
2. All acts and proceedings of the petitioner as trustee be confirmed and approved;
3. Petitioner be authorized to retain \$20,000.00 in cash for closing expenses and to pay liabilities, and to distribute the balance of the unexpended reserve as set forth in Schedule E of the accounting, without further Court order after the closing expenses and liabilities have been paid;
4. Petitioner be authorized and directed to pay herself \$4,500.00 as compensation for her service as successor trustee;
5. Distribution of the trust in Petitioner's hands be made to the persons entitled to it, as set forth in the petition; and
6. Such further order be made as the Court considers proper.

		See petition for details.	NEEDS/PROBLEMS/ COMMENTS:	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
N/A	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: skc	
			Reviewed on: 8/27/15	
			Updates:	
			Recommendation:	
			File 27 – Thompson	

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing for this temp hearing. 2. Need proof of personal service of Notice of Hearing with a copy of the temp petition at least five court days prior to the hearing per Probate Code §2250(e) <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Luciano Garcia (Father) 3. Petitioner filed a faxed copy of the mother's nomination and consent. The Court may require the original, or personal service per Probate Code §2250(e). 4. Petitioner states the paternal grandparents' names are unknown; however, notice of the general petition has been mailed to Benjamin Garcia Torres and Mari De Luz Gonzalez in Jalisco Mexico. Are these the paternal grandparents? Need clarification for the general hearing on 10/19/15.	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	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: 8/27/15	
			Updates:	
			Recommendation:	
			File 28 – Huaracha	

Petitioner: Diocelina Perez Velazquez (pro per)

Petition for Appointment of Guardian of the Person

		TEMPORARY EXPIRES 8/31/15	NEEDS/PROBLEMS/COMMENTS:
		DIOCELINA PEREZ VELAZQUEZ, maternal aunt, is petitioner.	
Cont. from		Please see petition for details.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Court Investigator Report filed on 8/4/15.	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	N/A	
<input type="checkbox"/>	Aff.Mail	N/A	
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<input type="checkbox"/>	Video Receipt		
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<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 8/26/15
			Updates:
			Recommendation:
			File 21 – Hernandez