



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 Neilson, Bruce A. (for Petitioner Teresa Ramirez, Administrator with Will Annexed)

First and Final Account and Report of Administrator and Petition for Its Settlement, for Allowance to Attorney of Compensation for Ordinary Services, and for Final Distribution

DOD: 12/1/2009		<p>TERESA RAMIREZ, daughter and Administrator with Will Annexed, is Petitioner.</p> <p>Account period: 9/2/2010 – 8/5/2015</p> <table> <tr> <td>Accounting</td> <td>-</td> <td>\$105,000.00</td> </tr> <tr> <td>Beginning POH</td> <td>-</td> <td>\$105,000.00</td> </tr> <tr> <td>Ending POH</td> <td>-</td> <td>\$105,000.00 (no cash)</td> </tr> <tr> <td>Administrator</td> <td>-</td> <td>waives</td> </tr> <tr> <td>Attorney</td> <td>-</td> <td>\$750.00 (less than statutory of \$4,150.00; to be paid outside probate;)</td> </tr> </table> <p>Distribution pursuant to Decedent's Will is to:</p> <ul style="list-style-type: none"> • TERESA RAMIREZ – 1/3 interest in real property; • HOLLIE M. ARREGUIN – 1/3 interest in real property; • DANIELLE D. MILLER – 1/3 interest in real property. 	Accounting	-	\$105,000.00	Beginning POH	-	\$105,000.00	Ending POH	-	\$105,000.00 (no cash)	Administrator	-	waives	Attorney	-	\$750.00 (less than statutory of \$4,150.00; to be paid outside probate;)	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i> and proof of service of notice to the following persons pursuant to Probate Code § 1220(a)(1) and (a)(2)(A), and pursuant to § 11000 for settlement of the account: <ul style="list-style-type: none"> • HOLLIE M. ARREGUIN; • DANNELLE D. MILLER. 2. Pursuant to Local Rule 7.12.4, the Court will not order distribution of real property in undivided interests without the written consent of all distributees. Need written consent to be filed with the Court from: <ul style="list-style-type: none"> • TERESA RAMIREZ; • HOLLIE M. ARREGUIN; • DANNELLE D. MILLER. 3. Need proposed order pursuant to Local Rule 7.6.1, containing a statement as to the balance of the estate on hand, and the property to be distributed.
Accounting	-		\$105,000.00															
Beginning POH	-		\$105,000.00															
Ending POH	-		\$105,000.00 (no cash)															
Administrator	-		waives															
Attorney	-		\$750.00 (less than statutory of \$4,150.00; to be paid outside probate;)															
Cont. from																		
<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 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.																	
<input type="checkbox"/>	Conf. Screen																	
<input type="checkbox"/>	Letters		090210															
<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 type="checkbox"/>	Order		X															
<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: LEG</p> <p>Reviewed on: 9/1/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 – Miller</p>																

**Status Hearing Re: Account/Report of Executor on Waiver of Account
 and Petition for Distribution**

DOD: 01/17/11	<p>DEBORAH KAMINE, daughter, was appointed Executor with full IAEA authority and without bond on 05/12/11. Letter Testamentary were issued on 05/12/11.</p> <p>Inventory & Appraisal, final, filed 10/11/13 - \$198,712.13</p> <p>Minute Order from status hearing on 10/25/13 set this matter for status regarding filing the Account/Report of Executor on Waiver of Account and Petition for Distribution.</p> <p>Former Status Report (not verified) filed 10-27-14 by Attorney Franco states at the last status hearing, the Court was informed that there was a delay in closing the estate due to an approximate seven-month wait time with the State of California Unclaimed Property Division for certain Merrill Lynch accounts that had been turned over to the state. At this time, the executor is still waiting on those funds. The Unclaimed Property Division is unable to provide an expected time other than what was previously reported. The estate is otherwise in a position to close and resolution has been reached with beneficiaries regarding assets and the large amount of reimbursement sought by the executor. The funds mentioned herein are needed for the resolution, though, which prevents a partial distribution. Petitioner would appreciate a further continuance of 60 days.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 06/09/2015: Counsel requests an additional 60-90 days. If the petition is filed at least two court days prior, then no appearance is necessary.</p> <p>1. Need First Account or Petition for Final Distribution 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 012414, 041814, 052314, 072214, 081914, 102814, 012715, 040715, 060915		
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		
<u>Please see additional page</u>		
Reviewed by: LV		
Reviewed on: 09/02/2015		
Updates:		
Recommendation:		
File 2 – Blankenship		

Former Status Conference Statement filed 01/26/2015 states there still exists a delay in closing the estate due to a delay in receiving money from the State of California Unclaimed Property Division for certain Merrill Lynch accounts of the decedent that had been turned over to the State. At prior hearings on this matter, the Court was informed that the Unclaimed Property Division informed the Executor that there was an approximate 7 month waiting time from application for unclaimed property to receipt of funds. The claim was made in July of 2014, and was resubmitted in November due to certain errors in the original claim. As of the time of the filing of this status report, the Executor is still waiting for those funds from the State of California. The Executor received the notices attached as Exhibit A from the Unclaimed Property Division. That the State is backed up due to budget cuts and shortage of staff.

The estate is otherwise in a position to close, however, the funds from the Unclaimed Property Division represent the only liquid cash assets of the estate. A resolution has been reached with beneficiaries regarding the Estate assets and the large amount of reimbursements sought by the Executor. The funds from the Unclaimed Property Divisions unfortunately are needed for the resolution, preventing a partial Petition for Final Distribution, Petitioner would appreciate a further continuance of 60-90 days.

Status Report filed 06/08/2015 states on 05/15/2015, the Executor received a letter from State Controller advising that the claim for Dow Chemical stock, or cash equivalent, was approved. As stated in the letter, the Claims Unit needs to research the history of the security in order to determine its value. The letter goes on to state the process of researching the claim value can take up to 9 months for stocks requiring more extensive research. The estate is otherwise in a Petition to close, however, the funds from the Unclaimed Property Division represent the only liquid cash assets of the estate. The funds from the Unclaimed Property Divisions unfortunately are needed for the resolution, preventing a partial Petition for Distribution. The Dow stock was valued at approximately \$8,500 in the first and final Inventory and Appraisal. It will take another 90 days before the value of the Dow Stock is known. Petitioner would appreciate a further continuance of 60-90 days.

Attorney Krbechek, Randolf (for Mike "Butch" Smith, Jr. – grandson/Petitioner)
 Attorney Amador, Catherine A (for Michael H. Smith, Sr. – son)
 Attorney Kruthers, Heather H (for Public Guardian – Conservator)

Petition for Attorney's Fees

		<p>CATHERINE AMADOR, attorney for MICHAEL H. SMITH, SR. ("Mike"), son, is Petitioner.</p> <p>PUBLIC GUARDIAN was appointed Conservator of the Person and Estate on 01/18/13.</p> <p>Petitioner states that she has represented Mike since May 2012 when he and his daughter Jenna Smith ("Jenna") hired her to attempt to resolve issues of isolation and neglect of BEN H. SMITH ("Ben"). At that time, Ben was living in his own residence with his grandson Michael H. Smith, Jr. ("Butch") and Butch's mother. Ben's wife DOROTHY JEAN SMITH ("Jean") had recently been conserved and was residing in a nursing facility at that time.</p> <p>Petitioner attempted to resolve numerous issues which arose between Mike and Jenna and other family members and friends on one hand and Butch on the other.</p> <p>Petitioner requests fees in connection with the representation of Mike and Jenna throughout the numerous hearings and proceedings that were held during the pendency of this matter.</p> <p>Petitioner asks that she be paid from the conservatorship estate for 68.6 hours @ \$250/hr. equaling \$17,150.00 as reasonable compensation for the services performed and provided, plus reimbursement for costs in the amount of \$891.00 for a total request of \$18,041.00.</p> <p>Services are itemized by date and include preparation of documents, meetings with clients, correspondence/working with County Counsel and Counsel for the Conservatee, attendance at hearings.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This petition pertains to the Conservatorship of Ben Smith.</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 type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: JF</p> <p>Reviewed on: 09/01/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3 – Smith</p>	

Attorney Istanbulian, Flora (for Janice Atwater-Epperson, Administrator with Will Annexed)

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

DOD: 3/19/2014	<p>JANICE ATWATER-EPPERSON, daughter, was appointed Administrator with Will Annexed with Full IAEA authority without bond on 7/8/2014.</p> <p>Letters issued on 7/8/2014.</p> <p>Pursuant to Probate Code § 8800(b), <i>Final Inventory and Appraisal</i> was filed 11/12/2014 showing an estate value of \$380,757.45.</p> <p>Pursuant to Probate Code § 12200, first account and/or petition for final distribution was due 7/8/2015.</p> <p><i>Minute Order</i> dated 7/8/2014 from the hearing on the petition for probate set this status hearing on 9/8/2015 for filing of the first account and/or petition for final distribution.</p> <p><i>Status Report</i> filed 8/17/2015.</p>	NEEDS/PROBLEMS/COMMENTS:
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 <small>w/</small>		
<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 checked="" type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
	Reviewed by: LEG	
	Reviewed on: 9/1/15	
	Updates:	
	Recommendation:	
	File 4 – Jackson	

Attorney De Goede, Dale A. (for Successor Co-Executors Christopher Miller and Brian Miller)

Probate Status Hearing Re: Filing of the First Account

DOD: 2/21/2014	<p>CHRISTOPHER MILLER and BRIAN MILLER, sons, were appointed Successor Co-Executors on 3/12/2015, following the death of Executor MARGARET A. MILLER (DOD 1/18/2015.)</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR</p> <p><i>Order For Final Distribution on Waiver of Accounting was filed 3/12/2015.</i></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: 9/1/15
		Updates:
		Recommendation:
		File 6 – Miller

7 Mateo Araujo, Jazmine Barrera (GUARD/P) Case No. 15CEPR00417

Petitioner Hernandez, Jose Luis, Jr. (pro per – non-relative/Petitioner)
Petitioner Hernandez, Juana Hernandez De (pro per – non-relative/Petitioner)
Petition - Appoint Guardian of the Person

Jazmine, 16	<u>TEMPORARY EXPIRES 09/08/15</u>		NEEDS/PROBLEMS/COMMENTS:
Mateo, 11	JOSE LUIS HERNANDEZ, JR. and JUANA HERNANDEZ , non-relatives, are Petitioners.		<u>CONTINUED FROM 07/28/15</u> As of 09/01/15, nothing further has been filed and the following notes remain:
	Father: MIGUEL GARCIA – Declaration of Due Diligence filed 05/27/15		<p>1. Need proof of service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:</p> <ul style="list-style-type: none"> a. Miguel Garcia (father) – personal service needed* b. Leo Garcia Heudade (paternal grandfather) – service by mail sufficient* c. Marta Garcia Heudade (paternal grandmother) – service by mail sufficient* d. Rafael Curado Linares (maternal grandfather) – service by mail sufficient* <p>* Unless diligence is found, declarations of due diligence filed 05/27/15 state that the whereabouts of these individuals is unknown</p>
Cont. from 062315, 072815	Mother: KARLA ARAUJO BARRERA – personally served on 05/26/15		
<input type="checkbox"/> Aff.Sub.Wit.	Paternal grandfather: LEO GARCIA HEUDADE – Declaration of Due Diligence filed 05/27/15		
<input checked="" type="checkbox"/> Verified	Paternal grandmother: MARTA GARCIA HEUDADE – Declaration of Due Diligence filed 05/27/15		
<input type="checkbox"/> Inventory	Maternal grandfather: RAFAEL CURADO LINARES – Declaration of Due Diligence filed 05/27/15		
<input type="checkbox"/> PTC	Maternal grandmother: MARIA RAMIREZ – deceased		
<input type="checkbox"/> Not.Cred.	Siblings: RUBY HERNANDEZ (6), DANIEL HERNANDEZ (2)		
<input type="checkbox"/> Notice of Hrg	Petitioners state [see Petition for details].		
<input type="checkbox"/> Aff.Mail	Court Investigator Julie Negrete filed a report on 06/16/15.		
<input type="checkbox"/> Aff.Pub.	DSS Social Worker Maria Holguin's report was received on 07/27/15.		
<input type="checkbox"/> Sp.Ntc.			
<input checked="" type="checkbox"/> Pers.Serv.			
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input checked="" type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: JF
			Reviewed on: 09/01/15
			Updates:
			Recommendation:
			File 7 – Araujo & Barrera

Petitioner **Ervin A. Palacios Cabrales (Pro Per – Step-Father – Petitioner)**

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

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 7/28/15:</u> The Court dispenses with notice to the unknown father and paternal grandparents. The maternal grandparents are to be properly noticed.</p> <p>As of 9/2/15, nothing further has been filed. The following issue remains:</p> <p>1. 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:</p> <ul style="list-style-type: none"> - Efrain Basilio (maternal grandfather) - Gloria Leticia Benavides (maternal grandmother) 	
Cont. from 072815				
	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			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
<p>Reviewed by: skc</p> <p>Reviewed on: 9/2/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8 – Basilio</p>				

9A L. Ruth Buchman Credit Bypass Trust Case No. 15CEPR00609

Attorney **Magness, Marcus D. (for Jeri Buchman Weil – Trustee – Petitioner)**

Attorney **Brennan, Stacey (of Sacramento, for Objectors Jan van Lienden and Jill Buchman)**

Petition to Approve: (1) First Account and Report; and (2) Second and Final Account and Report; and Petition for Instructions [Prob. Code §17200(b)(5), (b)(6)]

Ruth Buchman DOD: 12/9/01	See petition, objections for details.	NEEDS/PROBLEMS/COMMENTS: <u>Minute Order 7/28/15</u> : Continued due to the late filed objection. Ms. Brennan represents that she will also be filing a Breach of Trust petition. Counsel is to come on 9/8/15 prepared with an agreed upon Tuesday for trial assignment.
Roy Buchman DOD: 12/13/13		
Cont. from 072815		
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		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	Reviewed by: skc	
	Reviewed on: 9/2/15	
	Updates:	
	Recommendation:	
	File 9A – Buchman	

Petitioner Ingram, Eric Deon (Pro Per – Paternal Step-Grandfather)

Petitioner Ingram, Maritza Montejano (Pro Per – Paternal Grandmother)

Petition for Appointment of Guardianship of the Person

Age: 4	<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:	
	<p>MARITZA INGRAM, paternal grandmother, and ERIC INGRAM, paternal step-grandfather, are petitioners.</p> <p style="text-align: center;"><u>Please see petition for details</u></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.		n/a	
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input checked="" type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
		Reviewed by: LV	
		Reviewed on: 09/02/2015	
		Updates:	
		Recommendation:	
		File 10 – Flores	

14 James Martin Temple, Jr. and Bobbye Sisk Temple Family Trust
Case No. 15CEPR00720

Attorney Coleman, William H. (for Petitioner James Martin Temple, Jr., Trustee)

**Petition for Order Approving Modification of Trust Terms under
 Probate Code Sections 15403, 15409, 17200**

Bobbye DOD: 6/16/2014	<p>JAMES MARTIN TEMPLE, JR., Settlor and Trustee, is Petitioner.</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> On 4/14/1998, Petitioner and his wife, Bobbye Sisk Temple, executed the JAMES MARTIN TEMPLE, JR. AND BOBBYE SISK TEMPLE FAMILY TRUST as Settlers, which they amended and restated on 9/9/2003 (<i>copy of amended trust attached as Exhibit A</i>); Petitioner is the surviving spouse of Bobbye and the sole current beneficiary under the Trust, and all subtrusts which may be established under it; Petitioner and Bobbye have 4 children: KARIN SISK TEMPLE, ERIC MARTIN TEMPLE, GRETCHEN TEMPLE LOUDEN and LISA M. BROTT; and 3 grandchildren: KATHRYN SISK TEMPLE DEFFEBACH, SARAH GREENE TEMPLE DEFFEBACH, and ANNE ELIZABETH TEMPLE DEFFEBACH [<i>a minor</i>]; it is unlikely that there will be any other grandchildren; Signed consents to the Petition are attached as <i>Exhibit B</i>, except from ANNE ELIZABETH TEMPLE DEFFEBACH, minor granddaughter; Petitioner proposes modification of the TEMPLE FAMILY TRUST to allow the allocation of Bobbye's share to the TEMPLE FAMILY TRUST/SURVIVOR'S TRUST rather than to the TEMPLE FAMILY TRUST/BYPASS TRUST; <p style="text-align: center;">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Paragraph 5 of the <i>Petition</i> states all of the presumed remainder beneficiaries, being Petitioner and Bobbye's children and grandchildren, with the exception of ANNE ELIZABETH TEMPLE DEFFEBACH (age 17), have consented to the proposed modification. <i>Petition</i> goes on to state that the interests in the subject of this <i>Petition</i> of the presumed remainder beneficiaries are identical to those of their issue, including ANNE ELIZABETH TEMPLE DEFFEBACH and the Settlers' other unborn issue, and therefore such unborn issue and other ascertained beneficiaries are adequately represented and no guardian ad litem is needed. Based upon Petitioner's submission of signed consents from all of the adult presumed remainder beneficiaries, the Court may require a guardian ad litem be appointed for the minor granddaughter, ANNE ELIZABETH TEMPLE DEFFEBACH, and for any of the Settlers' unborn issue.</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 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: LEG			
Reviewed on: 9/2/15			
Updates:			
Recommendation:			
File 14 – Temple			

**14 First Additional Page, James Martin Temple, Jr. and Bobbye Sisk Temple Family Trust
Case No. 15CEPR00720**

Petitioner states, continued:

- All Trust property was Settlor's community property, and was to be divided and distributed ½ to the **TEMPLE FAMILY TRUST/SURVIVOR'S TRUST** and ½ to the **TEMPLE FAMILY TRUST/BYPASS TRUST**;
- The **TEMPLE FAMILY TRUST/SURVIVOR'S TRUST** remains revocable and amendable by the Petitioner during his lifetime;
- The **TEMPLE FAMILY TRUST/BYPASS TRUST** is irrevocable, subject to Petitioner's special power of appointment discussed below;
- An exception to distribution is the "Cambria Property" on Exeter Lane in Cambria, the Trust's interest in which is provided to be distributed to the Trustee of the **SISK TEMPLE CAMBRIA TRUST** created by Settlor on 9/9/2003, and of which Petitioner is sole Trustee (*copy of Cambria Trust attached as Exhibit D*); upon Petitioner's death, the Cambria Trust will continue to be held in trust with the Cambria Property being made available to Petitioner and Bobbye's children and issue; under the Cambria Trust, a majority of the Petitioner and Bobbye's children can terminate the Cambria Trust, or if there is only one child remaining, then by consent of the one living child and the oldest of Petitioner's then living grandchildren;
- Petitioner has a lifetime power of appointment and a testamentary power of appointment, as Surviving Settlor, allowing him the power to direct the distribution of all or any part of the **TEMPLE FAMILY TRUST/BYPASS TRUST** to any one or more persons or entities other than Petitioner, his estate, his creditors or creditors of his estate, on such terms and conditions as Petitioner desires;
- Failing the exercise of his power of appointment, then upon Petitioner's death the **TEMPLE FAMILY TRUST/BYPASS TRUST** estate shall be divided into equal shares, one for each then living child of Petitioner and Bobbye, and one for each deceased child with issue who survive Petitioner;
- Under the terms of the **TEMPLE FAMILY TRUST/BYPASS TRUST**, the share of each beneficiary will continue to be held in Trust;
- Petitioner exercised his power of appointment under **TEMPLE FAMILY TRUST** section 6.3 by executing a codicil to his will dated 7/16/2015, which was executed prior to this *Petition*, specifying that distribution of the shares for each of Petitioner's children who survive him are to be outright and free of trust rather than continue to be held in trust (*copy of codicil attached as Exhibit C*); thus, if Petitioner passed away today, the outright beneficiaries of the **SURVIVOR'S TRUST** and the **BYPASS TRUST** would be Petitioner's children;
- The modification of the **TEMPLE FAMILY TRUST** proposed by the *Petition* is to make the administration of the Trust simpler and to take into account the increase in estate tax exemption from 2003 to 2014; [*Please refer to Paragraph 9 of the Petition for details of tax law and ramifications*];
- The allocation of a deceased settlor's share of a living trust estate to a trust such as the **TEMPLE FAMILY TRUST** was, in 2003 when the Trust was executed, a common and recommended estate plan to minimize estate tax on the death of the surviving spouse;
- In 2003 the estate tax exemption was **\$1,000,000.00**; at that time in order for the Deceased Spouse's exemption of **\$1,000,000.00**, to be used, the Deceased Spouse's property needed to be allocated to an irrevocable trust such as the **TEMPLE FAMILY TRUST/BYPASS TRUST** in order to preserve it and keep that portion of the estate out of the Surviving Spouse's estate for federal estate tax purposes; such a bypass trust requires a separate fiduciary income tax return which would otherwise not be required;

~Please see additional page~

Petitioner states, continued:

- Two things occurred in 2013 which made that plan unnecessary; specifically, in 2013 the estate tax exemption for each individual was made permanent at **\$5,250,000.00** to be indexed for inflation annually;
- In 2014 when Bobbye died, the estate tax exemption was **\$5,340,000.00**; further, the Deceased Spouse's unused exclusion was made portable; the **TEMPLE FAMILY TRUST** became unnecessary for purposes of maintaining the exemption;
- Petitioner alleges Bobbye was not aware of the effect of the changes in the estate tax law and the ability to plan without the use of a "Bypass Trust" and that Bobbye would have agreed and consented to the changes sought by this *Petition* in order to eliminate the need for a separate fiduciary income tax return for the **TEMPLE FAMILY TRUST/BYPASS TRUST** and simplify the administration of the trust for Petitioner and her family;
- *[Please refer to Paragraph 12 of the Petition, Page 5, for proposed modified trust terms];*
- The proposed modified terms will allow the entire trust estate, and not just Petitioner's ½ interest in it, to be allocated and distributed to the **TEMPLE FAMILY TRUST/SURVIVOR'S TRUST**.

Petitioner prays the Court make an order that the terms of the TEMPLE FAMILY TRUST be modified as specified in the *Petition*.

15 Donald J. Long and Marlene J. Long Declaration of Trust dated 7/18/02
 Case No. 15CEPR00729

Attorney Esraelian, Robyn L. (for Co-Trustees Mitchell J. Long and Charles C. Long)

Petition for Order Confirming that Property is a Trust Asset

		See petition for details.	NEEDS/PROBLEMS/COMMENTS:	
	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			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: skc		
		Reviewed on: 9/2/15		
		Updates:		
		Recommendation:		
		File 15 – Long		

Attorney Thomas, Lanier (for Settlor Marguerite Lindley)

Petition to Terminate Trust and Transfer Corpus to Settlor

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need order. See Local Rules 7.1.1.F and 7.6.1.</p>	
	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: skc</p> <p>Reviewed on: 9/2/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16 – Lindley</p>	

Attorney Hergenroether, Michael R. (for Petitioner Lola Elaine Jones)

Petition for Appointment of Limited Probate Conservator

		LOLA ELAINE JONES, great aunt, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Court Investigator's Report filed 8/7/2015.	<p>Note: Notice of Withdrawal of Petition for Limited Conservatorship filed on 8/25/2015 states:</p> <ul style="list-style-type: none"> Petitioner withdraws the Petition for Appointment of Limited Probate Conservator set for hearing on 9/8/2015 at 9:00 a.m. in Dept. 303. Petitioner will re-file the petition in Mariposa County at the recommendation of the Court Investigator.
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: 9/2/15
			Updates:
			Recommendation:
			File 17 - Landsberg

Pro Per Petitioner Tony Tapia, Jr. (Pro Per Petitioner, maternal grandfather)

Pro Per Petitioner Kimiki S. Tapia (Pro Per Petitioner, maternal aunt)

Petition for Appointment of Temporary Guardian of the Person

		<u>TEMPORARY EXPIRES 9/8/2015</u>	NEEDS/PROBLEMS/COMMENTS:
		<u>General Hearing set for 10/14/2015</u>	
		<p>TONY TAPIA, JR., maternal grandfather, and KIMIKI S. TAPIA, maternal aunt, are Petitioners.</p> <p style="text-align: center;">~Please see Petition for details~</p> <p>Petitioners filed a Declaration on 8/24/2015.</p>	<p><u>Continued from 8/24/2015.</u> Minute Order states examiner notes provided in open court; parents are to be properly served.</p> <p>1. Need Notice of Hearing and proof of five (5) court days' notice by personal service of the Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian, or Consent to Appointment of Guardian and Waiver of Notice, for:</p> <ul style="list-style-type: none"> • Eusebia Mireles, father, if Court does not find due diligence per Declaration filed 8/11/2015; and 8/24/2015. • Crystelle Valenzuela, mother, if Court does not find due diligence per Declaration filed 8/11/2015. <p>2. UCCJEA form filed on 8/11/2015 does not provide residence information for the last 5 years as required.</p>
Cont. from 082415			
<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: 9/1/15
			Updates:
			Recommendation:
			File 19 – Valenzuela