

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</td> </tr> <tr> <td></td> <td></td> <td><i>(no cash)</i></td> </tr> <tr> <td>Administrator</td> <td>-</td> <td>waives</td> </tr> <tr> <td>Attorney</td> <td>-</td> <td>\$750.00</td> </tr> </table> <p><i>(less than statutory of \$4,150.00; to be paid outside probate;)</i></p>	Accounting	-	\$105,000.00	Beginning POH	-	\$105,000.00	Ending POH	-	\$105,000.00			<i>(no cash)</i>	Administrator	-	waives	Attorney	-	\$750.00	<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																		
			<i>(no cash)</i>																		
Administrator	-		waives																		
Attorney	-		\$750.00																		
Cont. from																					
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<input type="checkbox"/>	Status Rpt																				
<input type="checkbox"/>	UCCJEA																				
<input type="checkbox"/>	Citation																				
<input checked="" type="checkbox"/>	FTB Notice																				
Distribution pursuant to Decedent's Will is to:		<ul style="list-style-type: none"> • TERESA RAMIREZ – 1/3 interest in real property; • HOLLIE M. ARREGUIN –1/3 interest in real property; • DANNELLE D. MILLER –1/3 interest in real property. 																			
Reviewed by: LEG																					
Reviewed on: 9/1/15																					
Updates:																					
Recommendation:																					
File 1 – Miller																					

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

DOD: 01/17/11	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.	NEEDS/PROBLEMS/COMMENTS: 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. 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.
	Inventory & Appraisal, final, filed 10/11/13 - \$198,712.13	
Cont. from 012414, 041814, 052314, 072214, 081914, 102814, 012715, 040715, 060915	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.	
Aff.Sub.Wit.	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.	
Verified		
Inventory		
PTC		
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Notice of Hrg		
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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.

3 Ben H. Smith & Dorothy Jean Smith (CONS/PE) Case No. 11CEPR00782

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

		CATHERINE AMADOR , attorney for MICHAEL H. SMITH, SR. ("Mike"), son, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This petition pertains to the Conservatorship of Ben Smith.</p>
		PUBLIC GUARDIAN was appointed Conservator of the Person and Estate on 01/18/13.	
Cont. from			
	Aff.Sub.Wit.		
✓	Verified	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.	
	Inventory	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.	
	PTC		
	Not.Cred.		
✓	Notice of Hrg	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.	
✓	Aff.Mail	w/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order	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.	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice	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.	
			Reviewed by: JF
			Reviewed on: 09/01/15
			Updates:
			Recommendation:
			File 3 – Smith

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

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: <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. As of 9/2/15, nothing further has been filed. The following issue remains: 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: - Efrain Basilio (maternal grandfather) - Gloria Leticia Benavides (maternal grandmother)	
Cont. from 072815				
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<input type="checkbox"/>	Notice of Hrg			X
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<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Reviewed by: skc				
Reviewed on: 9/2/15				
Updates:				
Recommendation:				
File 8 – Basilio				

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		
<input type="checkbox"/> Aff.Sub.Wit.		
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<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 9/2/15
		Updates:
		Recommendation:
		File 9A – Buchman

9A

Petition to Appoint Guardian of the Person

		TEMPORARY EXPIRES 9/8/15	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of personal service of the Notice of Hearing along with a copy of the petition or Consent and Waiver of Notice for:</p> <ul style="list-style-type: none"> a. Dawn Watts (mother) b. Savana Watts (minor)
		JESSICA LYANN WATTS , sister, is petitioner.	
		Please see petition for details.	
		Court Investigator Report filed on 9/1/15	
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<input type="checkbox"/>	Aff.Sub.Wit.		
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<input checked="" type="checkbox"/>	Notice of Hrg		
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<input type="checkbox"/>	Pers.Serv.	X	
<input checked="" type="checkbox"/>	Conf. Screen		
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<input type="checkbox"/>	Status Rpt		
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<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 9/3/15
			Updates:
			Recommendation:
			File 11 – Watts

12 Abigail Bautista, Khloe Bautista (GUARD/P) Case No. 15CEPR00662

Attorney: Alfred A. Gallegos (for Petitioners Christino Romero and Julia Romero)

Attorney: Hallie S. Ambriz (for Objector/father Edgar Bautista)

Petition for Appointment of Guardian of the Person

		THERE IS NO TEMPORARY	NEEDS/PROBLEMS/COMMENTS:
		CHRISTINO ROMERO and JULIA ROMERO,	<p>1. Proof of service on the paternal grandmother, Guadalupe Bautista does not indicate that the Notice of Hearing was served with a copy of the petition as required.</p>
		maternal grandparents, are petitioners.	
Cont. from		Please see petition for details.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Objections of Father, Edgar Bautista filed on 7/17/15 and 8/4/15.	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Court Investigator Julie Negrete's Report filed on 8/31/15.	
<input checked="" type="checkbox"/>	Aff.Mail	<input type="checkbox"/> W/O	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
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<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 9/2/15
			Updates:
			Recommendation:
			File 12 – Bautista

13 Bri'leeah Cooks (GUARD/P) Case No. 15CEPR00666

Petitioner **Morson, Areka (pro per – paternal grandmother)**

Petition for Appointment of Guardianship of the Person

		<u>TEMPORARY EXPIRES 09/08/15</u>	NEEDS/PROBLEMS/COMMENTS:
		<p>AREKA MORSON, paternal grandmother, is Petitioner.</p> <p style="text-align: center;"><u>Please see petition for details</u></p>	
Cont. from			<p>1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:</p> <ul style="list-style-type: none"> • Brian Cooks (Father) <p>Note: Brian Cook was personally served on 09/01/2015, only 7 days prior to the hearing and not the 15 days as required.</p> <ul style="list-style-type: none"> • Desire Hernandez (Mother) – Unless the Court dispenses with notice. <p>Note: Declaration of Due Diligence filed 09/02/2015 states petitioner received a text message from the mother stating petitioner would see her in court.</p> <p>2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:</p> <ul style="list-style-type: none"> • Deric Cooks (Paternal Grandfather) • Maternal Grandfather (Not Listed) • Mary Hernandez (Maternal Grandmother)
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail	x	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	w/	
✓	Conf. Screen		
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✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
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✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: LV
			Reviewed on: 09/02/2015
			Updates:
			Recommendation:
			File 13 – Cooks

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>	NEEDS/PROBLEMS/COMMENTS:	
		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.	
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.			
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<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	

Petitioner states, continued:

- All Trust property was Settlers' 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 Settlers 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~

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

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			
			Reviewed by: skc	
			Reviewed on: 9/2/15	
			Updates:	
			Recommendation:	
			File 16 – Lindley	

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:
		Note: Notice of Withdrawal of Petition for Limited Conservatorship filed on 8/25/2015 states:
	Court Investigator's Report filed 8/7/2015.	
Cont. from		<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.
<input type="checkbox"/> Aff.Sub.Wit.		
<input type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LEG
		Reviewed on: 9/2/15
		Updates:
		Recommendation:
		File 17 - Landsberg

18 Paige Jean Gross (Estate)

Case No. 15CEPR00765

Petitioner Garcia, Kevin Michael (Pro Per)

Petition for Letters of Special Administration with General Powers

DOD: 07/04/2015	KEVIN MICHAEL GARCIA , petitioner, requests the PUBLIC ADMINISTRATOR , be appointed Special Administrator with general powers.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>The deficiencies with the pleadings include, but are not limited to, the following:</p> <ol style="list-style-type: none"> 1. Petition does not provide reason for the request for Letters of Special Administration. 2. Petition requests the Public Administrator be appointed Special Administrator. Need consent for appointment from the Public Administrator. 3. Petitioner is not listed on #8 of the petition as required and it is unclear what the relationship is to the decedent. 4. #5a(3) or #5a(4) was not answered regarding a registered domestic partner. 5. #5a(7) or #5a(8) was not answered regarding issue of predeceased child. 6. Need Orders. 7. Need Letters. <p>Please see additional page for Status Hearings</p> <p>Reviewed by: LV</p> <p>Reviewed on: 09/02/2015</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18 – Gross</p>
Cont. from	Limited Authority – o.k.	
Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Decedent died intestate	
Inventory	Residence: Fresno	
PTC	Publication: The Business Journal	
Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Estimated value of the Estate:	
<input checked="" type="checkbox"/> Aff.Mail w/	Personal property - \$25,000.00	
<input checked="" type="checkbox"/> Aff.Pub.	Real property - \$160,000.00	
Sp.Ntc.	Less encumbrances - \$32,500.00	
Pers.Serv.	Total - \$152,500.00	
Conf. Screen	Probate Referee: Rick Smith	
Letters x		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order x		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

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

- **Tuesday, 02/09/2016 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal **and**
- **Tuesday, 11/08/2016 at 9:00a.m. in Dept. 303** for the filing of the first account and final distribution.

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

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

	TEMPORARY EXPIRES 9/8/2015		NEEDS/PROBLEMS/COMMENTS:
	General Hearing set for 10/14/2015		
	TONY TAPIA, JR., maternal grandfather, and KIMIKI S. TAPIA, maternal aunt, are Petitioners.		Continued from 8/24/2015. Minute Order states examiner notes provided in open court; parents are to be properly served.
	~Please see Petition for details~		
	Petitioners filed a Declaration on 8/24/2015.		<ol style="list-style-type: none"> 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: <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. 2. UCCJEA form filed on 8/11/2015 does not provide residence information for the last 5 years as required.
Cont. from 082415			
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: LEG
			Reviewed on: 9/1/15
			Updates:
			Recommendation:
			File 19 – Valenzuela