



## 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.



**2 Samantha Perez & Kevin Perez Hernandez**  
**Atty Perez, Juan (pro per father)**  
**Atty Aguilar, Nellie R (for Petitioner Matilde Lopez)**  
**Status Hearing**

**Case No. 12CEPR01142**

<b>Samantha, 7</b>	<p style="text-align: center;"><b>TEMPORARY EXPIRED 8/7/14</b></p> <p><b>MATILDE LOPEZ</b>, half-sister, is Petitioner.</p> <p>Father: <b>JUAN PEREZ</b></p> <p>Mother: <b>ROSA MARIA HERNANDEZ CISNEROS</b> - Deceased</p> <p>Petitioner, <b>Matilde Lopez</b>, filed a petition to be appointed guardian of her siblings. In her petition she alleged physical and mental abuse by the father. In addition, there were additional statements alleging possible sexual abuse.</p> <p><b>Court Investigator Dina Calvillo'S Report filed 1/30/14.</b></p> <p><b>Minute order dated 2/6/14</b> set this matter for a contested hearing. Visitation was to be determined between the parties with the exception that the father have a minimum of one visit per week with the children.</p> <p>Minute order dated 6/26/14 (Court Trial) set this matter for status hearing.</p> <p>Samantha's Counseling Progress Report filed 8/5/14.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 8/7/14. Minute Order states the Court requires the appearance of Attorney Nellie Aguilar. Temporary not extended.</b></p> <p>1. Need 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>
<b>Kevin, 3</b>		
<b>Cont. from 080714</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
	<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 9/9/14</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 2 – Perez &amp; Hernandez</b></p>	

**3 Frank E. Bandoni (Estate)**

**Case No. 13CEPR00561**

**Atty Koligian, Robert (for Karen Flagler – Administrator/Petitioner)**

**(1) Waiver of Accounting and Petition for Allowance of Commissions and Fees and (2) For Final Distribution**

<b>DOD: 06/22/11</b>	<b>KAREN FLAGLER</b> , Administrator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Accounting is waived.	
<b>Cont. from</b>	I & A - \$222,602.61	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	POH - \$367,515.12	
<input checked="" type="checkbox"/> <b>Verified</b>	Administrator - \$7,452.05 (statutory)	
<input checked="" type="checkbox"/> <b>Inventory</b>	Attorney - \$7,452.05 (statutory)	
<input checked="" type="checkbox"/> <b>PTC</b>	Costs - \$1,357.66 (filing fees, publication, probate referee)	
<input checked="" type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b> w/		
<b>Aff.Pub.</b>	Petitioner states that all estate assets are the community property of decedent and his surviving spouse, Patricia Bandoni.	
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>	<b>Distribution, pursuant to intestate succession, is to:</b>	
<b>Letters</b> 08/08/13	Patricia Bandoni - \$367,515.12 (consisting of cash, stocks and mutual funds)	
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<input checked="" type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<input checked="" type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 09/08/14
		<b>Updates:</b>
		<b>Recommendation:</b> SUBMITTED
		<b>File 3 - Bandoni</b>

**4 John Henry Schafer (Estate)**  
**Atty Martinez, Philip A. (for Executor Steven Anderson)**

**Case No. 13CEPR00901**

**Waiver of Accounting and Petition for Final Distribution and for Allowance of Compensation for all Services Rendered**

<b>DOD: 2-7-13</b>		<p><b>STEVEN ANDERSON</b>, Executor with Full IAEA without bond, is Petitioner.</p> <p>Accounting is waived.</p> <p>I&amp;A: \$269,212.25          POH: \$269,212.25 (\$262,684.00 is cash.)</p> <p>Executor (Statutory): \$8,384.25</p> <p>Attorney (Statutory): \$8,384.25</p> <p>Costs: \$1,324.69 (filing, certified copies, publication, probate referee)</p> <p>Closing: \$1,000.00</p> <p>Distribution pursuant to the decedent's will:</p> <p>Steven Anderson as trustee of the John H. Schafer Trust dated 10-4-02: Entire estate</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input checked="" type="checkbox"/>	<b>PTC</b>		
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w/o		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b> 1-22-14		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by:</b> skc	
		<b>Reviewed on:</b> 9-8-14	
		<b>Updates:</b> 9-9-14	
		<b>Recommendation:</b> SUBMITTED	
		<b>File 4 - Schafer</b>	

**5 George Joaquin Galvan (Estate)**

**Case No. 13CEPR01046**

**Atty Cowin, Michael D. (Pro Per Petitioner)**

**Atty Cowin, Daniel Ray (Pro Per Petitioner)**

**First Amended Petition for Probate of Will and for Letters Testamentary**

<b>DOD: 8-16-13</b>	<b>MICHAEL D. COWIN and DANIEL RAY COWIN</b> , named Co-Executors without bond, are Petitioners.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> Petitioners filed a Petition for Termination of Proceedings on 6-27-14 that was set for 8-4-14. However, there were no appearances on 8-4-14 and the Court continued the matter to 9-22-14 and also set an Order to Show Cause for explanation.</p> <p><b>Note:</b> <u>The progression of this estate matter is highly unusual.</u></p> <p><u>Please see notes on Page 2.</u></p>
<b>Cont. from 031314, 050114, 062614</b>	Full IAEA – ok	
	Will dated: 3-19-04	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Residence: Clovis	
<input checked="" type="checkbox"/> <b>Verified</b>	Publication – Business Journal	
<input type="checkbox"/> <b>Inventory</b>	<b>Estimated Value of the Estate:</b>	
<input type="checkbox"/> <b>PTC</b>	Personal property: \$220,000.00	
<input type="checkbox"/> <b>Not.Cred.</b>	<b>Probate Referee:</b>	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Steven Diebert</b>	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> <input type="checkbox"/> W		
<input type="checkbox"/> <b>Aff.Pub.</b> <input checked="" type="checkbox"/> X		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 9-8-14
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 5 – Galvan</b>

**Examiner's Note re History of this matter:** According to the decedent's will, the heirs to this estate are the decedent's four (4) stepsons, Alvin Leon Cowin, Kenneth Paul Cowin, Michael Dale Cowin, and Daniel Ray Cowin. The will names Michael Dale Cowin, and Daniel Ray Cowin as co-executors.

Michael Cowin previously filed a Petition for Probate of Will requesting to be appointed as Executor alone. However, at the hearing on 1-23-14, Daniel Cowin, the other named co-executor, appeared, and the parties were directed to participate in mediation.

An agreement dated 1-23-14 between Michael Cowin and Daniel Cowin addresses working together to identify assets and includes a list of accounts. The agreement states they are working on a plan for distribution.

On 1-27-14, Michael Cowin's original petition was denied without prejudice and the Court directed that an amended petition be filed and no republication be required.

This Amended Petition for Probate of Will and for Letters Testamentary was filed on 2-11-14 by Michael Cowin, and Daniel Cowin together, and has been continued since then.

A second mediation agreement was filed on 3-10-14 wherein the petitioners appear to agree to various distributions.

Examiner previously that distributions were not appropriate at this time, as the probate estate has not yet been opened.

However, per minute order 3-13-14, the Court was advised that an agreement was reached during mediation, and Petitioners were directed to file a petition to close an estate with no assets.

A Petition to Terminate Proceedings was filed on 6-17-14 and set for hearing 8-4-14; however, there were no appearances and the Court set an Order to Show Cause for 9-22-14 to explain the request.

**Examiner's Note Re Petition to Terminate Proceedings:** Examiner noted for the hearing on 8-4-14 that the Court may require clarification regarding how there was originally estimated to be \$220,000.00 in personal property assets, and the mediation agreements included reference to various accounts and also agreements for distributions, but now according to this petition, this is a "no-asset" estate?

How was it determined that the assets that were originally alleged and later identified in the agreements, were not subject to probate? There is no explanation of how it was determined that the assets were not subject to administration, and no explanation as to the discrepancy in the amounts.

Probate estates are protective proceedings designed to ensure that all interested persons have been given notice, etc. This includes heirs and potential creditors of the decedent, as well as various governmental agencies, such as the Franchise Tax Board and the Dept. of Health Care Services. As such, there are various types of proceedings, and various steps required for each type.

In a probate estate, Court authorization is necessary before any distribution of assets. The mediation services that are available to litigants are not a substitute for the procedures required by law.

Because Petitioners are not represented by legal counsel, Examiner brings up these details for the Court's consideration, even though the will was never admitted to probate and Letters never issued.

**6A Eugene & Evelyn Ford Family Trust**  
 Atty Keeler, William J. (for Petitioner Susan Ford Frantzich)  
 Atty Chielpegian, Mark E. (for Casey S. Rogers – Trustee)

Case No. 14CEPR00485

Petition for Determination of Validity of Trust Amendment; in the Alternative for order Confirming Exercise of Power of Appointment

		<p>SUSAN FORD FRANTZICH, Beneficiary, is Petitioner.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>A demurrer was filed and set for hearing on 8-7-14, and continued to 9-8-14 (Page B).</u></p> <p><u>Therefore, Examiner Notes are not provided at this time.</u></p>
Cont. from 071514, 080714			
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: skc			
Reviewed on: 9-8-14			
Updates:			
Recommendation:			
File 6A - Ford			

6A



**7 Resendo Toscano (CONS/PE)**  
**Atty Kruthers, Heather H. (for Public Guardian – Petitioner)**  
**Atty Rindlisbacher, Curtis D. (Court Appointed for Conservatee)**

**Case No. 14CEPR00641**

**Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C. 1820, 1821, 2680-2682)**

<b>Age: 74</b>		<b><u>TEMPORARY EXPIRES 08/28/14</u></b>		<p><b>PUBLIC GUARDIAN</b>, is Petitioner and requests appointment as Conservator of the Person and Estate without bond.</p> <p><b>Estimated Value of the Estate:</b>  Annual income - \$17,436.00</p> <p><b>Petitioner states:</b> the proposed conservatee is non-ambulatory and uses a wheelchair or travels on his knees where he needs to go. He exhibits poor judgment and cognitive deficits when it comes to his safety. His residence is in very bad condition. The floors and walls are filthy and thou house is infested with cockroaches. There is a very strong odor of urine and feces and many flies. The proposed conservatee claims one of his sons took his Social Security check and he had no food. Adult Protective Services and the Fresno Police have been called to the home numerous times. Conservatorship will ensure that Mr. Toscano's physical and personal needs are continuously met and that his resources are managed for his benefit.</p> <p><b>Petitioner requests</b> the authority to sell the proposed Conservatee's <b>50%</b> interest in his home located at 1310 N. Thorne Ave., Fresno, and authority to retain the services of a licensed real estate broker to assist in the sale of the real property (Note: See page 20 for similar request re: Mr. Toscano's wife who owns the other 50% interest in the home). Declaration of Deputy Public Guardian Anita Harper states that she spoke to Mr. Toscano regarding selling his home and that he didn't want to comment on the subject much and said to do what you have to do about the house.</p> <p><b>Court Investigator Dina Calvillo filed a report on 08/25/14.</b></p>
<b>Cont. from 082814</b>				
	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>			
	<b>Inventory</b>			
	<b>PTC</b>			
	<b>Not.Cred.</b>			
✓	<b>Notice of Hrg</b>			
✓	<b>Aff.Mail</b>	w/		
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
✓	<b>Pers.Serv.</b>	w/		
	<b>Conf. Screen</b>	n/a		
✓	<b>Letters</b>			
	<b>Duties/Supp</b>	n/a		
	<b>Objections</b>			
	<b>Video Receipt</b>	n/a		
✓	<b>CI Report</b>			
	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
✓	<b>Citation</b>			
	<b>FTB Notice</b>			
<b>NEEDS/PROBLEMS/COMMENTS:</b>				
<b><u>CONTINUED FROM 08/28/14</u></b>				
<b>Court Investigator advised rights on 08/18/14.</b>				
<b>Note:</b> Declaration of Hoyle Leigh, M.D. states that Mr. Toscano lacks capacity to give informed medical consent and supports dementia powers, however Petitioner did not request medical consent or dementia powers.				
<b>Note: If the petition is granted status hearings will be set as follows:</b>				
<ul style="list-style-type: none"> <li>• <b>Thursday, January 8, 2015 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <b>and</b></li> <li>• <b>Thursday, October 29, 2015 at 9:00a.m. in Dept. 303</b> for the filing of the first account</li> </ul>				
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.				
<b>Note:</b> The Order/Letters do not include medical consent or dementia powers.				
<b>Reviewed by:</b> JF				
<b>Reviewed on:</b> 09/08/14				
<b>Updates:</b>				
<b>Recommendation:</b>				
<b>File 7 - Toscano</b>				



**Petition to Determine Succession to Real Property (Prob. C. 13151)**

<b>DOD: 03/14/12</b>	<b>SCOTT MATTESON</b> , son, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	40 days since DOD.	
	No other proceedings.	
<b>Cont. from</b>	I & A - \$129,000.00	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Decedent died intestate.	
<input checked="" type="checkbox"/> <b>Verified</b>	Petitioner requests court determination that decedent's 100% interest in real property located at 230 Sunnyside Ave., Clovis pass to him pursuant to intestate succession.	
<input checked="" type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b> w/		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 09/08/14
		<b>Updates:</b>
		<b>Recommendation:</b> SUBMITTED
		<b>File 9 - Matteson</b>

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

Age:		NEEDS/PROBLEMS/COMMENTS:  <p style="text-align: center;"><b><u>CONTINUED TO 10/14/14</u></b>  <b>Per request of counsel</b></p>
DOD:		
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: JF
		Reviewed on: 09/08/14
		Updates:
		Recommendation:
		File 10 - Berlese

<b>DOD: 10/22/10</b>	<p><b>LEANNE WALKER GRANT</b>, niece, was appointed Administrator with bond fixed at \$7,000,000.00 on 03/12/12. Letters of Administration were issued on 05/16/12.</p> <p><b>First Report of Personal Representative and Petition for its Settlement; Petition to Determine Entitlement to Estate Distribution and to Allow Administration of Estate to Continue</b> filed 06/13/13 and approved on 07/15/13.</p> <p><b>Minute Order from 07/15/13</b> set this matter status regarding preliminary distribution on 11/05/13.</p> <p><b>Inventory &amp; Appraisal, partial No. 1</b> filed 09/20/13 - \$202,328.21</p> <p><b>Inventory &amp; Appraisal, partial No. 2/Final</b> filed 09/20/13 - \$6,763,876.49</p> <p><b>Status Report of Personal Representative filed 07/21/14</b> states: Counsel for the personal representative has prepared a petition for, among other things, settlement of the first account and petition for approval of a significant preliminary distribution of a portion of decedent's estate. Due to travel schedules, the personal representative and her counsel are not able to meet to discuss the proposed petition before the 07/24/14 hearing, but are scheduled to meet on 08/05/14. It is anticipated that a petition will be filed shortly after the 08/05/14 meeting and a continuance to 08/08/14 is requested.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>OFF CALENDAR</u></b></p> <p><b>First Account and Report of Personal Representative, etc. Filed 09/09/14 and set for hearing on 10/20/14</b></p>
<b>Cont. from 110513, 020314, 050514, 072414</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 09/08/14
		<b>Updates:</b> 09/09/14
		<b>Recommendation:</b>
		<b>File 11 – Lowery</b>

**(Terminate the Conservatorship based on the vacancy of the Conservator)**

<b>Age: 58</b>	<p><b>CLYDE M. HUTCHENS</b>, father, now deceased, was appointed Conservator on 05/12/1976. Letters issued on 05/17/1976.</p> <p>Notice of Status Hearing filed 07/13/2014 set this matter for hearing.</p> <p><b>Court Investigator Samantha Henson's report filed 07/25/2014.</b></p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
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<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: LV</b>
		<b>Reviewed on: 09/09/2014</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 12 - Hutchens</b>

Pro Per DeGeorge, Lois (Pro Per Petitioner, Executor)  
 Atty Markeson, Thomas A., of Wild Carter & Tipton (for Valley Stairway, Inc.; Jerry DeGeorge; and Anthony DeGeorge, Jr.)

(1) First and Final Petition and Report of Executor (2) for Final Distribution

<b>DOD: 9/3/2005</b>	<b>LOIS MARIE DeGEORGE</b> , spouse and Executor appointed on <u>7/25/2006</u> with Full IAEA authority without bond, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Continued from 7/24/2014.</b>
		<i>Minute Order</i> states examiner notes are provided to the petitioner. The petitioner is directed to provide notice to Joseph DeGeorge and all other parties legally entitled to notice.
<b>Cont. from 050814, 061214, 072414</b>	<b>Account period: not stated [7/25/06 – 4/1/14]</b> Petition does not state the account period pursuant to Probate Code § 1061 (a). However, based upon this atypical case characterized by lapse of time with few administrative actions taken and the simplified accounting presented, the account period may be presumed to be from the date of appointment and/or date <i>Letters</i> issued, to the date of the execution and verification of this accounting.	<b>Note:</b> <i>Minute Order</i> dated <b>6/12/2014</b> from the previous continuance of this matter states Ms. DeGeorge is directed to provide the required notice to the parties as well as counsel.
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory	X	
<input type="checkbox"/> PTC	X	
<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 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		
	Accounting - <b>\$ not stated</b> Beginning POH - <b>\$ not stated</b> Ending POH - <b>\$ not stated</b>  Executor - <b>waives</b>	
	<b>Petitioner states:</b> <ul style="list-style-type: none"> <li>An Inventory and Appraisal has not been filed with this Court;</li> <li>No actions were taken under Independent Administration of Estates Act (IAEA);</li> <li>The heirs under Decedent's Will are <b>JOSEPH DeGEORGE</b>, grandson, and <b>LISA M. FARMEN</b>, granddaughter;</li> <li>On 11/17/2006, the Executor paid <b>\$100,000.00</b> to <b>JOSEPH DeGEORGE</b> and <b>\$100,000.00</b> to <b>LISA M. FARMEN</b> from the Trust of the Decedent;</li> <li>Executor received no fee for these distributions; Executor is not asking for compensation.</li> </ul>	
	<b>Petitioner prays for an Order of this Court that:</b> <ol style="list-style-type: none"> <li>The administration of the Estate be brought to a close; and</li> <li>The <i>First and Final Petition and Report of Executor for Final Distribution</i> be approved.</li> </ol>	
		<b>Note:</b> Court records do not show a <i>Final Inventory and Appraisal</i> has been filed in this estate pursuant to Probate Code § 8800(b), to inform the Court of any assets that may have been marshalled by the Executor.  <b>~Please see additional page~</b>
		<b>Reviewed by:</b> LEG
		<b>Reviewed on:</b> 9/8/14
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 13 – DeGeorge</b>

**NEEDS/PROBLEMS/COMMENTS, continued:** The following issues from the last hearing remain:

1. ***Petition*** does not identify the TRUSTEE of the ANTHONY DeGEORGE REVOCABLE LIVING TRUST AGREEMENT, the beneficiary of Decedent's Will. Need Notice of Hearing of the *Petition for Final Distribution on Waiver of Accounting*, together with a copy of the petition, and proof of mailed service of 15 days' notice prior to hearing pursuant to Probate Code §§ 1220, 11000 and 11601 for the TRUSTEE of the ANTHONY DeGEORGE REVOCABLE LIVING TRUST AGREEMENT dated 5/13/1997, as Amended by FOURTH AMENDMENT thereto dated 8/24/2011. (If the Petitioner is the Trustee of said Trust, the *Petition* should specify such to avoid the Court questioning proper service of notice.)
2. Need proposed order pursuant to Local Rule 7.1.1(F) providing that a proposed order shall be submitted with all pleadings that request relief.

Notes Re Distribution: *First and Final Petition and Report of Executor for Final Distribution* does not comply with the provisions for estate accountings pursuant to Probate Code §§ 1061 et seq. The following notes are provided for the Court's consideration with respect to approval of the *Petition*:

- Petitioner states in Paragraph 16 of the *Petition* under the heading "Distribution of Estate" that she distributed a total of **\$200,000.00** to two of Decedent's heirs from the "Trust of Decedent." It is unclear whether Petitioner intends to mean by this statement that the estate contains no assets, or to mean that assets were distributed from the Decedent's Estate to the Decedent's Trust, which is a violation of the Probate Code provisions requiring Court order authorizing distribution of estate assets. It appears Petitioner may have marshalled estate assets, based upon the statement that assets were distributed.
- It is unclear from the *Petition* whether Petitioner served or currently serves as Trustee of the Trust of the Decedent, though as Executor of the Estate she is responsible for distributing to the beneficiary in Decedent's Will, namely the TRUSTEE of the ANTHONY DeGEORGE REVOCABLE LIVING TRUST AGREEMENT dated 5/13/1997, as Amended by FOURTH AMENDMENT thereto dated 8/24/2011, and not directly to the two persons named in the *Petition*, JOSEPH DeGEORGE, grandson, and LISA M. FARMEN, granddaughter, who may be beneficiaries of the Decedent's Trust, but who are not identified as such in the instant *Petition*.

**Notes for Background Re Case History:**

- Lois DeGeorge (represented by Attorney John Fennacy) filed on 5/9/2006 a *Petition for Probate* seeking appointment as Executor of Decedent's Will dated 7/18/2002. Amended *Petition for Probate* was filed on 5/22/2006. Order for Probate appointing Lois DeGeorge as Executor was filed 7/25/2006, and Letters issued on that date.
- Lois DeGeorge (in pro per) filed on 4/3/2007 a *Petition for Order Compelling Central Valley Community Bank to Produce Documents*. Minute Order dated 5/7/2007 states in pertinent part that Jan Boman personally appeared on behalf of Central Valley Community Bank. Ms. Boman reported that Anthony DeGeorge has no assets at the bank as owner or beneficiary since 2002. *Petition* dismissed without prejudice.
- Lois DeGeorge (represented by Attorney Joanne Sanoian) filed on 2/16/2010 a *Petition to Determine Title to and Require Transfer of Personal Property to Estate of Decedent*. Following litigation including demurrer by attorneys for Jerome (Jerry) DeGeorge and Anthony DeGeorge, Jr., the Court issued on 7/19/2010 an Order Dismissing *Petition to Determine Title to and Require Transfer of Personal Property to Estate of Decedent*.
- Lois DeGeorge (represented by Attorney Joanne Sanoian) filed on 7/23/2010 a *First Amended Petition to Determine Title to and Require Transfer of Personal Property to Estate of Decedent*, culminating in an Order Dismissing *Petition* filed July 23, 2010 [by Lois DeGeorge to determine title to estate property], which was entered on 1/3/2011, thereby serving as the end to the litigation that had been ongoing since 2006.

Pro Per Okamura, Suzanne (Pro Per Petitioner, Administrator)

Petition for Final Distribution on Waiver of Accounting

<b>DOD: 6/6/2013</b>		<b>SUZANNE OKAMURA</b> , sister and Administrator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Accounting is waived.	
<b>Cont. from</b>		I & A — <b>\$132,454.00</b>	<p><b>Page 15</b> is the related <i>Estate of Ito Okamura</i>.</p> <ol style="list-style-type: none"> <li><i>Petition</i> is signed but not verified by the Petitioner pursuant to Probate Code § 1021 and CA Rule of Court 7.103.</li> <li>Paragraph 5 of the <i>Petition</i> states a copy of the notice to the Franchise Tax Board is attached as <i>Exhibit A</i>; however, <i>Exhibit A</i> contains a copy of the Internal Revenue Service notice of assignment of employer identification number. Nonetheless, the statement in Paragraph 5 of the <i>Petition</i> indicating that notice was given to the Franchise Tax Board on 10/7/2013 will be sufficient if the Petitioner verifies the <i>Petition</i>.</li> <li><i>Exhibit C, Heirs of Decedent and Proposed Distribution</i> states the Petitioner (Decedent's sister) is the sole heir entitled to <b>100%</b> interest in the estate. However, pursuant to Probate Code § 6402(a)(b), the estate should be distributed to the estate of the Decedent's post-deceased mother, <b>ITO OKAMURA</b>. Need revised <i>Exhibit C</i> and revised proposed order stating the correct distribution to the <b>ESTATE OF ITO OKAMURA</b>.</li> </ol>
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	POH — <b>\$132,454.00</b> (\$1,954.00 is cash)	
<input type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input checked="" type="checkbox"/>	<b>PTC</b>	Administrator — <b>waives</b>	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>	Closing — <b>\$435.00</b>	
<input type="checkbox"/>	<b>Aff.Mail</b>	<b>Distribution pursuant to intestate succession is to:</b>	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>	<p><b>[ESTATE OF ITO OKAMURA] – \$1,954.00 cash</b>, real property, and household furnishings, furniture, and personal belongings, and vehicle.</p>	
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b> 101413		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>	?	
			<b>Reviewed by:</b> LEG
			<b>Reviewed on:</b> 9/9/14
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 14 - Okamura</b>

Pro Per Okamura, Suzanne (Pro Per Petitioner, Administrator)

Petition for Final Distribution on Waiver of Accounting

<b>DOD: 6/23/2013</b>	<b>SUZANNE OKAMURA</b> , sister and Administrator, is Petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>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 11000 for settlement of the account, or waivers of notice: <ul style="list-style-type: none"> <li>• <b>JERROD WILLIAM WHITE</b>, grandson;</li> <li>• <b>EILEEN REIKO NITASAKA</b>, named alternate executor.</li> </ul> </li> <li>2. <i>Petition</i> is signed but not verified by the Petitioner pursuant to Probate Code § 1021 and CA Rule of Court 7.103.</li> <li>3. Paragraph 5 of the <i>Petition</i> states a copy of the notice to the Franchise Tax Board is attached as <i>Exhibit A</i>; however, <i>Exhibit A</i> contains a copy of the Internal Revenue Service notice of assignment of employer identification number. Nonetheless, the statement in Paragraph 5 of the <i>Petition</i> indicating that notice was given to the Franchise Tax Board on 10/7/2013 will be sufficient if the Petitioner verifies the <i>Petition</i>.  <p align="center">~Please see additional page~</p> </li> </ol>
	Accounting is waived.	
<b>Cont. from</b>	I & A — <b>\$383,670.01</b>	
<b>Aff.Sub.Wit.</b>	POH — <b>\$383,670.01</b> (\$1,465.84 is cash)	
<b>Verified</b>	X	
<b>Inventory</b>		
<b>PTC</b>	Administrator — <b>waives</b>	
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	X	
<b>Aff.Mail</b>	X	
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
✓ <b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>	?	

NEEDS/PROBLEMS/COMMENTS, continued:

4. The Last Will and Testament of **ITO OKAMURA** makes the following quoted devise: "I devise, bequeath and give my **PROPERTY, ESTATE, BANK ACCOUNTS, BENEFICIARY ENTITLEMENTS, AND INSURANCE SETTLEMENTS** to **SUZANNE OKAMURA**." The label "Beneficiary Entitlements" is ineffective to devise any property, as designation of a beneficiary is only changed by requesting the change through the holder of the property to be distributed to the designated beneficiary, such as a pension fund company. Similarly, the label "Insurance Settlements" is also ineffective to devise any property, as the insurance proceeds pass to the designated beneficiary, and the beneficiary is only changed by request to the insurance company. Petitioner does not make clear whether there exist alternate designated beneficiaries for the following estate assets that have been inventoried:

4. "Life Insurance – Protective insurance, beneficiary to Daniel Okamura;"
5. "403(b) – Valic, beneficiary to Daniel Okamura."

Daniel Okamura pre-deceased the Decedent, thus his designations as beneficiary of the assets are no longer effective. If alternative beneficiary designations exist for the above assets, the assets would pass to the designated beneficiaries; if no alternative designations exist, it appears the Petitioner **SUZANNE OKAMURA, JERROD WILLIAM WHITE** and **EILEEN REIKO NITASAKA** may all be beneficiaries of this estate based upon the Decedent's Will.

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

<b>Age: 2</b>	<b><u>TEMPORARY EXPIRES 09/11/2014</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>ADRIANA BREWER</b> , non-relative, is Petitioner.	<b>Minute Order of 07/28/2014:</b> The petitioner is advised that she is responsible for providing notice to the parties specifically, the paternal grandparents, maternal grandmother, and the father.
	Father: <b>DERRICK KING</b> , Declaration of Due Diligence filed 08/20/2014	<b>Minute Order of 06/09/2014:</b> Father needs to be served.
	Mother: <b>EVONIESHA SMITH</b>	<b>Minute Order of 04/08/2014:</b> Ms. Smith is directed to provide her contact information to the Clerk's office forthwith.
	Paternal grandparents: NOT LISTED	<b>The following issues remain:</b>
	Maternal grandfather: NOT LISTED	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:
	Maternal grandmother: TRINA SMITH	<ul style="list-style-type: none"> <li>Derrick King (Father) – Unless the Court dispenses with Notice.</li> </ul>
	<b>Petitioner states</b> that she is Kylie's godmother and has been caring for Kylie on and off most of her life. Petitioner states that she is the only mother Kylie knows as her real mother has been in and out of her short life. Petitioner states that guardianship is needed in order for her to be able to seek medical treatment and financial assistance to meet Kylie's needs. Also, Kylie's mother has recently stated she wanted to take Kylie again. Petitioner wants to continue to provide a safe and stable home for Kylie.	Note: Declaration of Due Diligence filed 08/20/2014 states that the father is in prison and that his mother and the child's mother would not give him any information as to which prison he is in.
	<b>Opposition of Biological Mother Evoniesha Smith to Petition for Guardianship by Adriana Brewer and/or Any Other Person Over Minor Kylie Lynee Smith, filed on 04/04/2014</b> states she never received notice from any person of the court hearing set on 04/08/2014 in this matter, or any other court proceedings. Ms. Smith states she never received notice that Adriana Brewer, or any other person, was attempting to obtain guardianship over her daughter. Ms. Smith states that she discovered that there was a guardianship hearing for permanent guardianship by calling around to the courthouse and making inquiries after her suspicions were aroused by Adriana Brewer's behavior and statements.	<ul style="list-style-type: none"> <li>Evoniesha Smith (Mother)</li> </ul>
	<b><u>Please see additional page</u></b>	<b>Reviewed by:</b> LV
<input type="checkbox"/> Aff.Sub.Wit.		<b>Reviewed on:</b> 09/08/2014
<input checked="" type="checkbox"/> Verified		<b>Updates:</b>
<input type="checkbox"/> Inventory		<b>Recommendation:</b>
<input type="checkbox"/> PTC		<b>File 16 – Smith</b>
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	x	
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input checked="" type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 9202		
<input 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		

**Continued from previous page:** Ms. Smith opposes any and all attempts of Adriana Brewer and/or any other person to have temporary guardianship, permanent guardianship or any form of custody over her daughter. Ms. Smith states that she has known Adriana Brewer for a few years. Several months ago Ms. Smith was having a difficult time financially and was in a transitional period. During this time period Adriana Brewer began helping care for the minor child. Once Ms. Smith got back on her feet she requested Adriana Brewer to return the child to her however she refused and told her that the legal system was involved. This led Ms. Smith to make inquiries and discovering that there was a 04/08/2014 hearing regarding permanent guardianship over the child. To date Ms. Smith has not had the opportunity to read or review any documents in the court file because she resides in Los Angeles County. Ms. Smith respectfully requests that this Honorable Court deny the request for guardianship and order Adriana Brewer to immediately return custody of the minor to the mother. This will allow the child to be with her mother, the person who has her best interest, and her three siblings.

Additionally, if this Honorable Court is inclined to grant permanent guardianship of her daughter to Adriana Brewer, or any other person, Ms. Smith respectfully requests that this court continue the matter so that she may respond appropriately.

**Declaration filed by Evoniesha Smith, Mother, on 04/07/2014** states Ms. Brewer has been a good temporary provider for the minor child, looking at her Facebook page reflects the love and reflects the selfishness motives of wanting to take the child away from Ms. Smith, mother. Ms. Smith states she went through a moment of despair and needed support. She thanks her for that. Ever since January 27<sup>th</sup> Ms. Smith has wanted to gain natural custody of her child back so she can raise her child.

Declaration also includes several documents including Facebook page photos, Verification of Benefits for the child, Money Order for the care of the minor child to Adriana Brewer, Immunization Records for the child.

**Declaration filed by Evoniesha Smith, Mother, on 06/09/2014** states the father is not on the birth certificate or doesn't want to take DNA.

**Declaration filed by Trinia Smith, Maternal Grandmother, on 09/04/2014** states that she is filing Evoniesha Smith's Section 8 Voucher for the Courts. Attached is a Housing Choice Voucher Program from the U.S. Department of Housing and Urban Development.

**DSS Social Worker Tracy Miller's report filed 04/07/2014.**

**Needs/ Problems / Comments continued:**

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:

- Paternal Grandfather (Not Listed)
- Paternal Grandmother (Not Listed) – Unless the Court dispenses with notice.

**Note:** Declaration of Due Diligence filed on 08/20/2014 states Rena Grandmother lives somewhere in Las Vegas. The child's mother would not give her any information or her last name.

- Maternal Grandfather (Not Listed)
- Trina Smith (Maternal Grandmother)

**Note:** A Declaration of Due Diligence filed on 08/20/2014 which states "grandfather" however it does not indicate whether this is for the maternal or paternal grandfather. It states that the mother would not give her any information on the man that is supposed to be the child's grandfather.

3. Proof of Service on Trina Smith filed 09/08/2014 is incomplete and does not provide the date or place of mailing.

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 5-23-12		<p><b>RANDY LOVEJOY and JENNIFER MARIE PRICE</b>, Friends, are Petitioners.</p> <p>40 days since DOD</p> <p>No other proceedings</p> <p>I&amp;A: \$70,000.00</p> <p>Will dated 3-10-10 devises decedent's entire estate to Petitioners.</p> <p>Petitioners request Court determination that Decedent's real property located at 3992 E. Marcus in Friant, CA, passes to them, each as to an undivided one-half interest.</p> <p><b>On 8-20-14, the Fresno County Public Administrator filed an Objection.</b></p> <p><b>Objector states the petition is moot because the estate consisting solely of real property was already administered by the Public Administrator pursuant to Probate Code §7660(a)(2). This case was first reported to the Public Administrator by the Coroner on 5-24-12, the day after the decedent died. The PA researched the estate and determined there was no personal property to be sold and the house had over \$100,000 in liens against it, including a bail bond and back taxes. The property was worth no more than \$50,000, so it could not be sold. It was expected to go to tax sale. Therefore, it appeared there was no estate to probate at that time.</b></p> <p><b>In May 2014, Wayne Fox, Supervising Environmental Health Specialist, contacted the PA and explained that the property had come to the attention of the Fresno County Board of Supervisors because it was a reported drug house next to a school. The PA visited the property with a Sheriff Deputy, who reported that they check on the house daily. He also advised that Randy Lovejoy reported that he was handling the estate.</b></p> <p><b>On 5-1-14, the PA contacted Mr. Lovejoy, who stated that the property was his pursuant to a will he found on a guitar he took from the residence, but the debt was not his. The PA explained that the debt was on the residence and the PA was probating the estate due to the liens and condition of the property. Mr. Lovejoy then filed this petition on 5-13-14.</b></p> <p><b>Also on 5-13-14, Mr. Fox provided information regarding the status of the house as a "local drug house and trash dump." The property has been extensively vandalized and is extremely dilapidated and most likely need to be torn down.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Note: Pursuant to the objection, this petition is moot and should be denied and dismissed as the property has already been administered by the Public Administrator.</u></p> <p><u>Therefore, this petition cannot go forward. The following Examiner Notes remain for reference only:</u></p> <ol style="list-style-type: none"> <li>1. Need filing fee of \$435.00. This petition was filed with a fee waiver; however, because the asset valued at \$70,000.00 is requested to be distributed to Petitioners. Therefore, the filing fee is due prior to distribution.</li> <li>2. Petitioners do not state Decedent's interest in the property. Did the decedent own a 100% interest in the property?</li> <li><del>3. Decedent's will is not self-proving. The Court may require Proof of Subscribing Witness (DE-131) pursuant to Probate Code §8220.</del></li> <li>4. Need order (DE-315).</li> </ol>
Cont'd from 062614			
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	X		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
<b>SEE ADDITIONAL PAGES</b>			

Page 2

Objection (Cont'd): Various appraisals and contractors recommended demolition. The bail bondsman agreed to file a deed of reconveyance, and released the lien of \$110,000.00. The Franchise Tax Board, which was owed \$86,000.00, agreed to take whatever could be paid.

The PA accepted an offer from Table Mountain Rancheria and the property was sold. After commissions and sale expenses, \$22,943.90 was paid toward the tax lien. The PA received \$2,025.00 for fees and additional taxes.

Therefore, there is no property to go to Mr. Lovejoy, so his petition is moot and should be dismissed.

**Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C. 1820, 1821, 2680-2682)**

<b>Age: 28 years</b>	<b>TEMPORARY EXPIRED 7/31/14</b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Court Investigator Advised Rights on 6/20/14.</b></p> <p><b>Continued from 7/31/14. Minute order states The court requests a declaration from Mr. Miligan as to the status of the [civil] case. If the matter is ready for trial, any proposed settlement information and address the limited proceeds for settlement. Petitioner is instructed to cure the defects in the examiner notes.</b></p> <p>1. If Conservatorship of the Estate is granted bond will be required pursuant to Probate Code §2320. Or in the alternative, the court could order the proceeds of the settlement into a blocked account.</p>
	<b>SHEILA R. SCOTT</b> , mother, is petitioner and requests appointment as conservator of the person with medical consent powers and conservator of the estate without bond.	
	<b>Estimated value of the estate: \$0</b>	
<b>Cont. from 070114, 073114</b>	<b>Declaration of Stephen Grossman, M.D., 5/22/14</b> supports the request for medical consent powers.	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	<b>Petitioner states</b> the proposed conservatee cannot breathe or eat on her own. She cannot talk or move her limbs. She cannot care for herself in any way. She cannot make financial decisions on her own behalf.	
<input checked="" type="checkbox"/> <b>Verified</b>	<b>Court Investigator Jennifer Young's Report filed on 6/25/14.</b>	
<input type="checkbox"/> <b>Inventory</b>	<b>Supplemental Report of Court Investigator Jennifer Young filed on 6/27/14.</b>	
<input type="checkbox"/> <b>PTC</b>	<b>Probate Referee: Rick Smith</b> (if conservatorship of the estate is granted)	
<input type="checkbox"/> <b>Not.Cred.</b>	<b>Please see additional page</b>	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b> W/		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input checked="" type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input checked="" type="checkbox"/> <b>Video Receipt</b>		
<input checked="" type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input checked="" type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 9/9/14</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 18 - Foster</b>

**Declaration of David L. Milligan filed on 8/7/14 states** he is the attorney of record in the action for Plaintiff J.L. Scott, Odessor Scott and Quinana Lasalle Foster v. Jason Cabusas, Aurelio Babusas, Claudia Carraco Solis, Jose Jesus Maruez and Does 1 through 25, case no. 13CECG00019. Ms. Foster's case is pending resolution. Currently there is an offer of \$20,000. It is Mr. Milligan's recommendation that Ms. Foster accept this offer based on several factors. It is a reasonable offer based on Mr. Milligan's knowledge and expertise. Ms. Foster will net less than \$9,000. This is not final since the outcome cannot be determined until all the liens are reduced.

**Note:** If the conservatorship of the estate is granted, status hearings will be set as follows:

- **Wednesday, October 22, 2014** at 9:00 a.m. in Department 303, for the filing of the bond or receipt for blocked account.
- **Wednesday, February 11, 2015** at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal.
- **Wednesday, November 18, 2015** at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.

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 Appointment of Probate Conservator of the Person (Prob. C. 1820)**

		<p><b>MANILA VANG</b>, Sister, is Petitioner and requests appointment as Probate Conservator of the Person with medical consent powers.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Court Investigator advised rights on 8-26-14.</b></p> <p>1. <b>Need Capacity Declaration (Form GC-335) in support of request for medical consent powers.</b></p>
		<p><b>Voting rights <u>not</u> affected</b></p>	
	Aff.Sub.Wit.	<p><i>A Capacity Declaration (GC-335) has not yet been filed to support the request for medical consent powers.</i></p>	
✓	Verified		
	Inventory	<p><b>Petitioner states</b> her sister has had various medical issues since birth and at this time is also mentally ill.</p>	
	PTC		
	Not.Cred.	<p><b>Court Investigator Dina Calvillo filed a report on 9-3-14.</b></p>	
✓	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: 9-9-14
			Updates:
			Recommendation:
			File 20 – Le Chang

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

<b>DOD: 01/12/2011</b>	<b>LOGAN WILLIAM DURHAM</b> , is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>The deficiencies with the pleadings include, but are not limited to, the following:</b>  1. Petitioner is not listed on #8 of the petition as required and it is unclear what the relationship is to the decedent.  2. Need original will to be deposited with the Court pursuant to Probate Code §8200(a)(1).  3. Copy of the decedent's Will is not attached as required.  4. Petition states that the will is dated 02/12/2011 however the date of death of the decedent is 01/12/2011. Need clarification.  5. #2b(1), #2b(2), #2b(3), #b(4) was not answered regarding petitioner being appointed as Executor, Administrator, Administrator with Annexed or Special Administrator.  6. #2c was not answered regarding full or limited authority.  7. #2d(1), #2d(2) or #2d(3) of the petition regarding bond is incomplete.
	Full IAEA - ?	
	Will dated: 02/12/2011	
<b>Cont. from</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	x Residence: Squaw Valley	
<input checked="" type="checkbox"/> <b>Verified</b>	Publication: Need	
<input type="checkbox"/> <b>Inventory</b>	<b>Estimated value of the Estate</b>	
<input type="checkbox"/> <b>PTC</b>	Personal property - \$60,000.00	
<input type="checkbox"/> <b>Not.Cred.</b>	Real property - \$240,000.00	
<input type="checkbox"/> <b>Notice of Hrg</b>	<b>Total - \$300,000.00</b>	
<input type="checkbox"/> <b>Aff.Mail</b>	Probate Referee: Steven Diebert	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>	x	
<input type="checkbox"/> <b>Duties/Supp</b>	x	
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input type="checkbox"/> <b>Order</b>	x	
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> LV
		<b>Reviewed on:</b> 09/09/2014
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 21 - Durham</b>

**Needs / Problems / Comments continued:**

8. #3f regarding Appointment of Personal Representative is incomplete.
9. Page 3 of the petition was not completed therefore it is unclear as to who the heirs or beneficiaries are and who would be entitled to notice.
10. Need Affidavit of Publication.
11. Need Notice of Petition to Administer Estate.
12. Need Duties & Liabilities, Mandatory Judicial Council Form DE-147.
13. Need Confidential Supplement to Duties & Liabilities of Personal Representative, Mandatory Judicial Council Form DE-147S.
14. Need Order.
15. Need Letters.

Age: 10		<u>GENERAL HEARING 11/04/14</u>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>ANTONIA C. GARCIA</b> , maternal grandmother, is Petitioner.		<p>1. Need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Guardian of the Person</i> <u>or</u> Consent &amp; Waiver of Notice <u>or</u> Declaration of Due Diligence for:</p> <p>a. Guadalupe Garcia (mother)</p> <p><b>Note:</b> Petitioner was previously appointed as guardian of this minor on 02/24/06. The guardianship was terminated on 05/02/13 upon the petition of the mother.</p>	
		Father: <b>TONY PENA, JR.</b> – <i>deceased</i>			
		Mother: <b>GUADALUPE GARCIA</b>			
Cont. from		Paternal grandfather: ANTONIO PENA – <i>deceased</i>			
<input type="checkbox"/>	Aff.Sub.Wit.	Paternal grandmother: MARIA SEGURA			
<input checked="" type="checkbox"/>	Verified	Maternal grandfather: ADAN GARCIA – <i>deceased</i>			
<input type="checkbox"/>	Inventory	<b>Petitioner alleges</b> that the mother uses drugs and is under the influence most of the time. She is abusive and aggressive. Petitioner states that she fears for her safety as well as the minor's with the mother living in the home.			
<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 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: JF	
				Reviewed on: 09/09/14	
				Updates:	
				Recommendation:	
				File 22 - Pena	

23 **Kylie-Rae W.K. Shostak and Kayla-Raine F.N. Shostak (GUARD/P)**

Case No. 13CEPR00573

Atty Hawkins, Richard Jr. (pro per – non-relative/Petitioner)  
 Atty Hawkins, Jennifer L. (pro per – non-relative/Petitioner)

**Petition for Appointment of Temporary Guardian of the Person**

Kylie-Rae, 15		<p align="center"><b><u>GENERAL HEARING 11/04/14</u></b></p> <p><b>RICHARD HAWKINS, JR. and JENNIFER HAWKINS</b>, non-relatives, are Petitioners.</p> <p>Father: <b>CAESAR SHOSTAK</b> – <i>Consent &amp; Waiver of Notice filed 08/27/14</i>                  Mother: <b>JENNIFER STARR</b> – <i>deceased</i></p> <p>Paternal grandfather: UNKNOWN                  Paternal grandmother: <b>PIXIE SHOSTAK</b> – <i>Consent &amp; Waiver of Notice filed 08/27/14</i></p> <p>Maternal grandfather: <b>TOM STARR</b> – <i>deceased</i>                  Maternal grandmother: <b>LAURA STARR</b> – <i>Consent &amp; Waiver of Notice filed 08/27/14</i></p> <p><b>Petitioners allege</b> that they were good friends of the mother's and the girls use to visit their house regularly. Petitioners state that the girls currently have Medi-Cal insurance. Kylie has some urgent medical needs that need to be addressed, but Medi-Cal is taking a long time to approve necessary tests. Petitioner request temporary guardianship so that they can add the girls to their private insurance and get the needed medical care asap.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>Elizabeth Shields, maternal aunt, was appointed guardian on 10/18/13. Ms. Shields filed a Petition for Termination of Guardianship that is set for hearing on 11/04/14. Until the guardianship of Ms. Shields is terminated, there is no vacancy at guardian.</p> <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of personal service at least 5 court days before the hearing of Notice of Hearing with a copy of the <i>Petition for Appointment of Temporary Guardian of the Person</i> <u>or</u> Consent &amp; Waiver of Notice <u>or</u> Declaration of Due Diligence for:                         <ol style="list-style-type: none"> <li>a. Elizabeth Shields (guardian/maternal aunt)</li> </ol> </li> </ol>	
Kayla-Raine, 14				
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			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			
		<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 09/09/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 23 - Minors</b></p>		

<b>DOD: 6-5-13</b>	<b>FRANCISCO E. ALVAREZ</b> , Successor Trustee, is Petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li><b>Petitioner provided a copy of the trust, but did not provide a copy of the Schedule A that lists the house. The Court may require a copy of Schedule A.</b></li> <li><b>Notice of Hearing filed 8-19-14 indicates mailing on 8-19-14, which is only 23 days prior to the hearing. Probate Code §17203 requires 30 days' notice. Continuance for proper time for notice may be necessary.</b></li> </ol>
	Petitioner states Settlor Edith Corinne Nelson created the trust on 2-15-05. The Settlor died on 6-5-13.	
<b>Cont. from 090214</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>	Petitioner states the trust is now terminable and distributable according to its terms.	
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>	Schedule A of the trust reflects intended conveyance and transfer by the Settlor to the trust of her interest in certain real property on Brooke Avenue in Fresno. The trust also references the property by address at Article Five, Section 5.3(c). However, due to health issues, the Settlor did not record a trust transfer deed before her death.	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	w/o	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>	On the same date as the trust, the Settlor also executed a pour-over will that names the trust as the sole beneficiary of the estate.	
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>	Petitioner states he has caused Notification of the Death of the Settlor and the Irrevocability of the Trust to be served upon beneficiaries pursuant to §16061.7 and no person has brought action to contest the trust.	
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>	<b>Petitioner prays for an order confirming the validity of the trust and that the property be determined to constitute an asset of the trust, and subject to the management and control of Petitioner as trustee, and for such other and further orders as the Court considers proper.</b>	
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 8-27-14
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 24- Nelson</b>