



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.

Status Report of the Public Administrator filed on 8/5/2013 states the Public Administrator did not locate the whereabouts of the other three beneficiaries. The California Inmate Locator sited and TLO did not show anything for Billie Lee or Willie Lee.

If the Court accepts the allegations of Curtis Lee as set forth in his declaration filed on 12/2/2003, then the Court can determine that Mr. Lee is the only heir. Thus, no other person would be harmed by any purposeful or inadvertent misconduct while acting as administrator.

County Counsel confirmed Probate Referee Rick Smith that he was paid for his appraisal. Mr. Lee would still be responsible for fees owing to the Court.

If the Court does not accept Mr. Lee's allegations, the Public Administrator would need guidance from the Court to continue administering the estate.

Note:

The decedent died on 10/19/1987. It appears she was survived by her four children, former Administrator, Curtis Lee, Billie Lee, Jr., Willie Lee, Jr. and Bertha Lee. In Curtis Lee's declaration filed on 12/3/2003 he states he last saw his sister Bertha at their mother's (decedent) funeral. Mr. Lee states he last saw his brother Willie in 1995 and that he last saw his brother Billie in approximately 1999.

Decedent's Will devised her entire estate to her four children, Curtis, Bertha, Billie and Willie. Since they all survived, regardless if they subsequently died, they (or their estates) are entitled to a share of this estate.

Probate Code § 11850 allows for property to be distributed to the County Treasury where the whereabouts of the distributee is unknown. Therefore it appears that if the whereabouts of the Bertha, Willie and Billie (who are entitled to distribution because they survived their mother) is unknown then the share that would go to Bertha, Billie and Willie should be deposited with the County Treasury.

The inventory and appraisal shows the property of the estate as real property. It is unclear what the current status of the property is, real property or cash. If it is real property, the property may have to be sold and converted to cash in order to be distributed to the County Treasury.

Hearing Re: Request for Instruction

	CURTIS LEE , son, was appointed Administrator with Will Annexed with bond in the amount of \$9,000.00 on 01/13/04.	NEEDS/PROBLEMS/COMMENTS:	
	Bond was filed 02/19/04 and Letters were issued on 03/30/04.		
Cont. from	I & A showing the value of the estate at \$9,000.00 was filed on 03/22/04 and Reappraisal for Sale I & A filed 04/01/01 showed the value of the estate at \$13,000.00.		
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	Minute order dated 11/16/12 states the court on its own motion removes Curtis Lee as the administrator and appoints the Public Administrator.		
Aff.Mail			
Aff.Pub.			
Sp.Ntc.	Letters for Successor Administrator with Will Annexed were issued for the Public Administrator on 12/11/2012.		
Pers.Serv.			
Conf. Screen	The bonding company was mailed notice of Curtis Lee's removal as Administrator on 12/12/12.		
Letters	Minute Order dated 8/23/13 set this status hearing re: Request for Instructions (please see page 2A)		
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: KT
			Reviewed on: 9/9/13
		Updates:	
		Recommendation:	
		File 2B – Baker	

Atty Kruthers, Heather H., of County Counsel's Office (for Petitioner Public Guardian)

(1) Third Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney [Prob. C. 2620; 2623; 2942]

Age: 85 years	PUBLIC GUARDIAN , Conservator of the Person and Estate, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
DOB: 6/11/1928		
Cont. from	Account period: 7/1/2011 – 6/30/2013	Note: Proposed order contains incorrect totals for the balance of property on hand including the total of cash, which totals have been interlineated to match the correct totals stated in the <i>Petition</i> .
<input type="checkbox"/> Aff.Sub.Wit.	Accounting - \$2,082,728.65	
<input checked="" type="checkbox"/> Verified	Beginning POH - \$1,898,014.61	
<input type="checkbox"/> Inventory	Ending POH - \$1,929,868.18 <i>(\$22,917.14 cash)</i>	
<input type="checkbox"/> PTC	Conservator - \$3,156.00 <i>(11.50 Deputy hours @ \$96/hr and 27.00 Staff hours @ \$76/hr)</i>	
<input type="checkbox"/> Not.Cred.	Attorney - \$2,500.00 <i>(per Local Rule, for two years)</i>	Note: If the <i>Petition</i> is granted, Court will set a status hearing as follows:
<input checked="" type="checkbox"/> Notice of Hrg	Bond fee - \$10,569.88 (OK) <i>(calculated on personal property, average annual income-dividends, pension, and rents)</i>	<ul style="list-style-type: none"> Friday, November 13, 2015 at 9:00 a.m. in Dept. 303 for filing of the next account.
<input checked="" type="checkbox"/> Aff.Mail W/O	Petitioner prays for an Order:	
<input type="checkbox"/> Aff.Pub.	<ol style="list-style-type: none"> Approving, allowing and settling the Third Account; Authorizing the conservator and attorney fees and commissions; and Authorizing payment of the bond fee. 	Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required.
<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	Court Investigator Julie Negrete's Report filed 3/29/2013 recommends the conservatorship of the person and estate continue as is.	
<input checked="" type="checkbox"/> 2620(c)		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: LEG
<input type="checkbox"/> Status Rpt		Reviewed on: 9/9/13
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 3 – Dunlop

Age: 19	IAN KINSEY, brother, was appointed Conservator of the Estate with bond set at \$15,000.00 on 01/29/13.	NEEDS/PROBLEMS/COMMENTS:
DOB: 10/20/1993		
	Bond in the amount of \$15,000.00 was filed on 02/06/13.	<u>CONTINUED TO 09/17/13</u> Per Order Continuing Probate Status Conference signed 09/06/13
	Letters of Conservatorship were issued on 02/08/13.	
Cont. from 052413, 071213	Inventory & Appraisal filed 05/02/13 – shows cash assets of \$250,000.00 from settlement.	<u>CONTINUED FROM 05/24/13</u> Minute order from 05/24/13 states: Counsel requests a continuance.
Aff.Sub.Wit.	Notice of Status Hearing filed 05/06/13 set this matter for status regarding the sufficiency of the bond (\$15,000.00) in light of the Inventory & Appraisal showing cash assets in the amount of \$250,000.00.	
Verified	Clerk's Certificate of Mailing indicates that the Notice of Status Hearing was mailed to attorney Paul Pimentel on 05/06/13.	<ol style="list-style-type: none"> 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.
<input checked="" type="checkbox"/> 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		Reviewed by: JF
Order		Reviewed on: 09/09/13
Aff. Posting		Updates:
Status Rpt		Recommendation:
UCCJEA		File 6 – Kinsey
Citation		
FTB Notice		

Probate Status Hearing Re: (1) Failure to File Inventory & Appraisal; (2) Failure to File a First Account or Petition for Final Distribution [Prob. C. 12200, et seq.]

DOD: 12/21/2005	KAMLJIT K. ASHAT , surviving spouse, was appointed as Administrator with full IAEA authority and without bond on 2/10/2009.	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Continued from 8/16/2013. Minute order states no appearances. The court will consider removing the personal representative at the next hearing if the documents are not filed by 9/12/13. The Court orders William Corwin to be personally present with his client on 9/12/13.</p> <p>1. Need Inventory and Appraisal, first account, petition for final distribution or current written status report pursuant to Local Rule 7.5 which states in all matter set for Status Hearing (unless inventory and appraisal <u>and</u> accounting or petition for final distribution has been filed) verified Status Reports must be filed no later than ten (10) days before the hearing and shall be served on all interested parties.</p>
	At the time of the filing of the Petition for Probate the estate was estimated to be \$2,761,000.00.	
	The decedent died intestate survived by his spouse and three children, one of which is a minor.	
Cont. from 022213, 032213, 051013, 053113, 071913, 081613	Inventory and appraisal was due July 2009.	
Aff.Sub.Wit.	First account or a petition for final distribution was due April of 2010.	
Verified	Notice of Status Hearing was mailed to attorney William Cowin on 12/19/2012.	
Inventory	Status Report filed on 5/30/13 states since the last hearing Attorney Cowin was finally able to have a telephone call with Ms. Ashat and she confirmed that the federal case had been settled and that she would send the settlement documents and litigation cost billings to him. Since he had not received the information, Mr. Corwin states he contacted her again and she reassured him that she was sending the information right away. Mr. Cowin states he has not received the information nor any communication from her since that time, and, accordingly have not been in a position to finalize the documentation to close the probate at this time.	
PTC	On Thursday, May 30 th he was able to contact Mrs. Ashat's husband on his cell phone. He assured Mr. Cowin that he would help Mrs. Ashat gather the requested information and provide the same to him. Mr. Cowin request an additional 30 to 45 days to finalize this probate.	
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: KT</p> <p>Reviewed on: 9/9/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13 - Ashat</p>

Petition for Termination of Guardianship

Age: 18 years		<p>MARY MORALES, maternal grandmother/successor guardian, is petitioner.</p> <p>Father: PETER GARCIA – whereabouts unknown.</p> <p>Mother: SUSAN MORALES – deceased.</p> <p>Paternal grandparents: unknown Maternal grandfather: Deceased.</p> <p>Former minor, Gerald Ray Morales consents and waives notice.</p> <p>Petitioner states the minor is 18 and a guardianship is no longer necessary.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Notice of Hearing with proof of service on father, Peter Garcia, <u>or</u> consent and waiver of Notice <u>or</u> declaration of due diligence.</p>	
Cont. from 081213				
<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			<input checked="" type="checkbox"/>
<input type="checkbox"/>	Aff.Mail			<input checked="" type="checkbox"/>
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Reviewed by: KT				
Reviewed on: 9/9/2013				
Updates:				
Recommendation:				
File 14A – Morales				

Ex Parte Petition for Withdrawal of Funds from Blocked Account

Age: 18 years	<p>MARY MORALES, maternal grandmother/successor guardian, is petitioner.</p> <p>Father: PETER GARCIA – whereabouts unknown.</p> <p>Mother: SUSAN MORALES – deceased.</p> <p>Paternal grandparents: unknown Maternal grandfather: Deceased.</p> <p>Former minor, Gerald Ray Morales consents.</p> <p>Petitioner requests withdrawal of the funds in the blocked account totaling \$56,817.75. The petition requests distribution of the funds to the former minor, Gerald Ray Morales.</p> <p>Declaration of Gerald Ray Morales attached to the petition states Mr. Morales is asking the court to release the funds from his blocked account. Mr. Morales states since he has turned 18 he is no longer eligible for Social Security benefits and he has no money to pay for his personal needs. The money in the blocked account is his and he is asking the court to release the funds to him.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute order dated 8/12/13 authorized Mary Morales to withdraw \$3,000 from the blocked account.</p>
Cont. from 081213		
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: KT
		Reviewed on: 9/9/2013
		Updates:
		Recommendation:
		File 14B – Morales

Petition for Termination of Guardianship

Age: 18 years	<p>MARY MORALES, maternal grandmother/successor guardian, is petitioner.</p> <p>Accounting - ???</p> <p>Beginning POH - \$51,117.10</p> <p>Ending POH - \$56,843.52</p> <p>Petitioner submits this accounting and prays the responsibility for said accounting be discharged.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>2. Need Notice of Hearing with proof of service on father, Peter Garcia, or consent and waiver of Notice or declaration of due diligence.</p> <p>3. Need Bank Statements pursuant to Probate Code 2620(c).</p> <p>4. Need Order.</p>	
Cont. from 081213			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			X
Aff.Mail			X
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			X
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: KT	
		Reviewed on: 9/9/2013	
		Updates:	
		Recommendation:	
		File 14A – Morales	