



Thursday, September 15, 2016

The Probate Examiner's Office recommends approval of the following Probate matters:

14 16CEPR00075 Mary Divers (Estate)
18 16CEPR00620 Ruth Nadine Miguel (Estate)

The following Probate matters have been continued at the request of the Petitioner or the Petitioner's attorney:

2 0609019 Wilma Ruth Manuel (Estate)

The following Probate matters are off calendar:

1 05CEPR01215 Juan Fraga Jr. (SNT)
11 15CEPR00454 Edward Santos (Estate)
24 13CEPR00612 Gene Ray Chance (Estate)

Appearance of counsel is recommended for all remaining Probate matters set for hearing.

Thank you.

Dept. 303, 9:00 a.m. Thursday, September 15, 2016

Probate Status Hearing Re: Filing of the Sixth Account

	MIRNA FRAGA , mother, is the Trustee.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR Petition for Sixth Account filed and set for hearing 10/31/2016.</p>
	Account period ending 7/17/14 with a property on hand of \$85,670.89 was approved on 10/15/14.	
	Minute order dated 10/15/14 set this status hearing for the filing of the Sixth Account.	
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
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Notice of Hrg		
Aff.Mail		
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Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT / sef
		Reviewed on: 9/9/16
		Updates: 9/12/2016
		Recommendation:
		File 1- Fraga

2 Wilma Ruth Manuel (Estate)

Case No. 0609019

Attorney David N. Knudson (for Cynthia Blackstock, Executor)

First Amended Second and Final Account and Report of Executor, for Statutory and Extraordinary Fees, and Final Distribution

DOD: 10/8/1997	CYNTHIA BLACKSTOCK , daughter and Executor appointed on 8/26/1998, is Petitioner.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p align="center">CONTINUED TO 10/27/2016 Per Attorney Request</p> <p>Note: Petitioner states she acknowledges that upon entry of an order for final distribution, filing fees must be paid to Court before release of the order, and Petitioner will cause to be paid such appropriate fees as necessary. Court records show the following fees previously waived totaling \$632.00 are due from Petitioner prior to distribution:</p> <ul style="list-style-type: none"> • Fees for 3 certified copies of ex parte order on 10/29/2012 of \$76.50; • Fee for 1 copy of the Minute Order dated 10/5/2012 of \$.50; • Fee for filing Probate Code § 850 petition on 10/25/2012 of \$435.00; • Fee for filing an ex parte Motion to Consolidate of \$60.00; • Fee for filing an ex parte Motion to Quash of \$60.00. <p>1. The <i>Petition</i> states that the real property on Pleasant Avenue is to distributable to CYNTHIA BLACKSTOCK as to an undivided ½ interest, and to ALISHA WATTS and TSION MULUGETA, (the children of ANGELA MANUEL) each as to an undivided ¼ interest. It appears the correct distribution is to CYNTHIA BLACKSTOCK as to an undivided ½ interest, and to the ESTATE OF ANGELA MANUEL as to an undivided ½ interest. Distribution of the ½ interest to the heirs of the ESTATE OF ANGELA MANUEL is not proper in the instant estate, and must be made in a separate proceeding. ~Please see additional page~</p>
Cont. from 022916, 041116, 060616	<u>Account period: 10/1/2013 – 12/31/2015</u>		
Aff.Sub.Wit.	Accounting -	\$190,000.00	
✓ Verified	Beginning POH-	\$190,000.00	
✓ Inventory	Ending POH -	\$190,000.00 <i>(real property)</i>	
PTC	Executor -	waives	
✓ Not.Cred.	Attorney -	\$6,700.00	
✓ Notice of Hrg	<i>(statutory; attorney agrees statutory compensation is to be a lien against the real property distributed to Petitioner;)</i>		
✓ Aff.Mail	Attorney XO - Need declaration <i>(for services listed on Pages 5 to 7 of Petition, including will and trust contest; petition to revoke probate; complaint for ejectment/confirm title; Washington State proceedings; preliminary injunction against foreclosure; unlawful detainer; recovery of funds from Edward Kent; to be a lien against the real property distributed to Petitioner;)</i>		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
✓ 9202	Costs -	\$304.00 <i>(filing fees, certified copies, transcripts)</i>	
Order		X	
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
✓ FTB Notice			
Reviewed by: LEG			
Reviewed on: 9/9/16			
Updates: 9/12/16			
Recommendation:			
File 2- Manuel			

Petitioner states:

- During the full course of administration of the estate, the estate has lacked sufficient funds to pay creditors claims; after giving notice to beneficiaries and receiving no objections, Petitioner entered into an agreement encumbering the estate's real property on Pleasant in Fresno, which loan was necessary to cure back property taxes; the estates real property will be distributed subject to said encumbrance;
- Franchise Tax Board claim filed 8/28/1998 for **\$348,196.00** was withdrawn; claim of **MICKEY MANUEL, SR.**, for **\$4,000,000.00** was rejected on 1/6/1999, and no action was brought on the rejected claim; the claim of **MICKEY MANUEL, SR.**, for **\$29,000.00** was filed 8/23/2012 after the claim filing period, the claim was rejected, an action was brought on the rejected claim [12CECL05667], and the action was consolidated into the probate action;
- *Partial Inventory No. 1* is the final inventory for the estate and shows all of the assets of the estate; no other assets have come into Petitioner's possession;
- The assets remaining for distribution consist of a residence with an appraised value of **\$190,000.00**; the estate consists of the Decedent's separate property; Petitioner believes the residence has a current fair market value of **~\$300,000.00**;
- The estate has debts and expenses of administration which have not been paid; Petitioner proposes to distribute the residence subject to the recorded lien [loan noted above] and subject to a lien for expenses of administration, including statutory attorney fees and extraordinary fees approved by the Court;
- Decedent's will devises the real property on Pleasant to Petitioner **CYNTHIA BLACKSTOCK** and **ANGELA MANUEL**, Decedent's daughter, who subsequently died, leaving two daughters: **ALISHA WATTS**, and **TSION MULUGETA**; accordingly, the real property residence on Pleasant is distributable to Petitioner **CYNTHIA BLACKSTOCK** as to undivided ½ interest, and to **ALISHA WATTS**, and **TSION MULUGETA**, each as to undivided ¼ interest;
- Prior to the hearing on this petition, Petitioner will file the consents of the distributees to receive the property in undivided interests; Petitioner has also been discussing acquiring the interests of the children of Alisha Watts pursuant to an assignment. In the event that occurs, Petitioner will further amend this petition to allow distribution accordingly.
- Decedent's Will devises the residence in Kent, Washington to her grandchildren, **ALISHA WATTS**, **TSION MULUGETA**, and **LEONARD WILLIAMS** in equal shares; that residence was misappropriated and stolen by Decedent's son, **MICKEY MANUEL, JR.**, and despite initiating ancillary proceedings in Washington State, no part of it was recovered, and the gift has lapsed;
- Decedent's Will devises tangible personal property to Petitioner, which she took possession of and declares the property had no significant value, for which she waives an accounting;
- Decedent's Will gives **\$1.00** to **MICKEY MANUEL, JR.**, with the intent that he be disinherited; Petitioner is unaware of his residence, save that she believes he is out of the state of California under threat of prosecution for criminal activity;
- All the rest, residue and remainder of the estate is distributable to Petitioner;
- Special Notice requested by the Franchise Tax Board was withdrawn; special notice was requested by **MICKEY MANUEL, SR.**, and Petitioner believes he died in the summer of 2015.

~Please see additional page~

2 Second Additional Page, Wilma Ruth Manuel (Estate) Case No. 0609019

Distribution pursuant to Decedent's Will is to:

- **CYNTHIA BLACKSTOCK** – ½ interest in the residence on Pleasant in Fresno, subject to specified liens, as follows:
 - (a) The existing note and deed of trust of **~\$42,000.00**;
 - (b) Statutory fees payable to Attorney Knudson of **\$6,700.00**;
 - (c) Extraordinary fees payable to Attorney Knudson in an amount as approved by the Court **[Need amount]**;
 - (d) Costs advanced of **\$304.00**;

[and]

- **[ESTATE OF ANGELA MANUEL]** – ½ interest in the residence on Pleasant in Fresno, subject to specified liens, as follows:
 - (e) The existing note and deed of trust of **~\$42,000.00**;
 - (f) Statutory fees payable to Attorney Knudson of **\$6,700.00**;
 - (g) Extraordinary fees payable to Attorney Knudson in an amount as approved by the Court **[Need amount]**;
 - (h) Costs advanced of **\$304.00.**

NEEDS/PROBLEMS/COMMENTS, continued:

2. Need declaration in support of attorney's extraordinary fee request.
3. Need proposed order per Local Rule 7.1.1(F).

Probate Status Hearing Re: Filing Fifth Account

	PUBLIC GUARDIAN is the Trustee.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need fifth account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
	Account period ending 8/28/15 with a property on hand of \$80,702.37 was approved on 10/22/15.	
	Minute order dated 10/22/15 set this status hearing for the filing of the Fifth Account.	
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Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 9/9/16
		Updates:
		Recommendation:
		File 3- Hernandez

**4 Alexis Cedano, Victor Cedano, Gabriel Cedano, Noah Cedano, Jayden Cedano, Reyna Cedano, Victoria Cedano, Jonah Cedano (GUARD/P)
Case No. 11CEPR00795**

Petitioner: Jennifer Cedano (pro per)
Objector: Raul Pallares, Jr. (pro per)

Petition for Visitation

		JENNIFER CEDANO, mother, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This petition is as to NOAH and GABRIEL only.</p> <p>Continued from 8/4/16. Minute order states Raul Pallares, Jr., guardian, represents that he was noticed 3-4 weeks ago. The Court directs Petitioner to properly notice the minors.</p> <p>1. Proof of service of <i>Notice of Hearing</i> of petition for visitation filed 9/12/2016 shows mailed service to Gabriel and Noah (minors) on 5/6/2016. However, item 2 of proof of service is incomplete re: address of person serving the notice.</p>	
		RAUL PALLARES, JR. paternal cousin, was appointed as guardian of Noah and Gabriel on 11/16/11		
Cont. from 040716, 061616, 080416		Please see petition for details.		
	Aff.Sub.Wit.			
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	Inventory			
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	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	w/		
	Aff.Pub.			
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	Conf. Screen			
	Letters			
	Duties/Supp			
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	Order	X		
	Aff. Posting			
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	Citation			
	FTB Notice			
				Reviewed by: KT / sef
				Reviewed on: 9/8/16
			Updates: 9/12/2016	
			Recommendation:	
			File 4- Cedano	

Attorney Marcus A. Torigian, of Selma (for Petitioner Olga Eliza Teran)

Petition to Fix Residence Outside of California

		<p>OLGA ELIZA TERAN, maternal grandmother and Guardian of the Person appointed on 6/21/2012, is Petitioner.</p> <p align="center">~Please see Petition for details~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> If the <i>Petition</i> is granted:</p> <ul style="list-style-type: none"> • Within 30 days of the move to Arizona, Petitioner must file with the Court and serve on all interested parties a <i>Post-Move Notice of Change of Residence of Ward</i>. • Petitioner must establish a guardianship or its equivalent in Arizona within 4 months of the date of the Court's order fixing residence outside California, pursuant to Probate Code 2352(d). • A Status Hearing will be set on Wednesday, March 15, 2017, at 9:00 a.m. in Department 303 for filing proof of the establishment of a guardianship in Arizona. Pursuant Local Rule 7.5, upon filing with the Court satisfactory proof of establishment, the status hearing will come off calendar and no appearance will be required. 																																																																			
<p>Cont. from</p> <table border="1"> <tr><td><input type="checkbox"/></td><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Verified</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Inventory</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>PTC</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Not.Cred.</td><td></td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Notice of Hrg</td><td></td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Aff.Mail</td><td>W/</td></tr> <tr><td><input type="checkbox"/></td><td>Aff.Pub.</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Sp.Ntc.</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Pers.Serv.</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Conf. Screen</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Letters</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Duties/Supp</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Objections</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Video Receipt</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>CI Report</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>9202</td><td></td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Order</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Aff. Posting</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Status Rpt</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>UCCJEA</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Citation</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>FTB Notice</td><td></td></tr> </table>				<input type="checkbox"/>	Aff.Sub.Wit.		<input checked="" type="checkbox"/>	Verified		<input type="checkbox"/>	Inventory		<input type="checkbox"/>	PTC		<input type="checkbox"/>	Not.Cred.		<input checked="" type="checkbox"/>	Notice of Hrg		<input checked="" type="checkbox"/>	Aff.Mail	W/	<input type="checkbox"/>	Aff.Pub.		<input type="checkbox"/>	Sp.Ntc.		<input type="checkbox"/>	Pers.Serv.		<input type="checkbox"/>	Conf. Screen		<input type="checkbox"/>	Letters		<input type="checkbox"/>	Duties/Supp		<input type="checkbox"/>	Objections		<input type="checkbox"/>	Video Receipt		<input type="checkbox"/>	CI Report		<input type="checkbox"/>	9202		<input checked="" type="checkbox"/>	Order		<input type="checkbox"/>	Aff. Posting		<input type="checkbox"/>	Status Rpt		<input type="checkbox"/>	UCCJEA		<input type="checkbox"/>	Citation		<input type="checkbox"/>
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Page 2

Petitioner states legal services were rendered by Kimberly L. Mayhew of Caswell Bell & Hillison, LLP who had provided legal services and costs in connection with obtaining the judgments listed as Exhibits B and C.

Declaration of Kimberly L. Mayhew, Esq., filed 7/25/16 states as of 4/1/15, Caswell Bell & Hillison LLP ceased operating and she became of counsel at Lang, Richert & Patch, where she continued to represent the former administrator and the current successor administrator. Attorney Mayhew states her billing rate is \$295/hr.

The breakdown of fees between the two firms is **\$4,634.50** to Caswell Bell & Hillison, LLP, and **\$11,357.50** to Lang, Richert & Patch, **of which \$1,681.50 was paid** by Union Bank as sanctions on the motion to compel compliance. **Therefore, the fees owed to LRP are \$9,676.00, plus \$112.50 in costs, for a total of \$9,788.50.** Costs consist of a Courtcall charge of \$86 for a case management conference and two delivery charges for \$13.25 each.

Petitioner states Heberger & Company provided accounting services to the estate in the amount of **\$3,095.00** pursuant to invoices of 2/29/16 and 3/31/16 attached.

Petitioner alleges that the legal services and accounting services rendered were to the advantage of the estate and in the best interests of the persons interested in the estate.

Petitioner requests an order as follows:

1. Petitioner be authorized to pay the sum of \$4,634.50 to the law firm of Caswell Bell & Hillison, LLP;
2. Petitioner be authorized to pay the sum of \$9,788.50 to the law firm of Lang, Richert & Patch;
3. Petitioner be authorized to pay the sum of \$3,095.00 to Heberger & Company for accounting services; and
4. For such other orders as the Court deems just and proper.

Attorney: Gary Bagdasarian (Petitioner/Court Appointed Attorney for Conservatee)

Attorney: J. David Petrie (Co-Counsel of Gary Bagdasarian)

Attorney: Heather H. Kruthers (for Public Guardian, Conservator)

Petition for Compensation for Representation of Conservatee

		<p>GARY BAGDASARIAN and J. DAVID PETRIE, attorneys, are petitioners.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Mr. Bagdasarian was court appointed to represent the Conservatee by minute order dated 12/16/14. J. David Petrie was not court appointed but did associate in as counsel on 8/31/15. Need authority that allows a court appointed attorney to associate another attorney serve with him. Need proof of service of the Notice of Hearing along with a copy of the Petition on Anna Lisa Young pursuant to her Request for Special Notice filed on 4/14/16.
		<p>Petitioners state GARY BAGDASARIAN was court appointed to represent the conservatee on 11/25/14 [sic]. By Association of Counsel filed on 8/31/15, J. DAVID PETRIE was associated as trial counsel to represent RAYMOND PIRIE.</p>	
<p>Cont. from</p>			
<input type="checkbox"/>	Aff.Sub.Wit.	<p>Fees are to be paid by the conservatorship estate for services rendered by GARY BAGDASARIAN and J. DAVID PETRIE.</p>	
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	<p>The services rendered by GARY BAGDASARIAN to the conservatee were from 11/25/14 through 5/12/16. The services rendered by J. DAVID PETRIE as trial counsel were from 8/13/15 through 3/25/16. All services were for the benefit and in the best interest of the Conservatee.</p>	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	<p>Background (briefly): Mr. Pirie appeared to be the victim of elder abuse by Anna Lisa Young, the niece of Mr. Pirie's deceased spouse. Ms. Young was the Power of Attorney for Mr. Pirie. APS and the Public Guardian became involved and the Public Guardian began proceedings to be appointed as conservator of the person and estate. Prior to the Public Guardian filing for Conservatorship Mr. Bagdasarian prepared a Revocation of the Power of Attorney with Mr. Pirie which was executed on 11/25/14.</p>	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	<p>Please see additional page</p>	
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<input type="checkbox"/>	FTB Notice		
			<p>Reviewed by: KT / sef</p> <p>Reviewed on: 9/9/16</p> <p>Updates: 9/13/2016</p> <p>Recommendation:</p> <p>File 7- Pirie</p>

After the temporary conservatorship was created appointing the Public Guardian, Gary Bagdasarian was requested to represent Mr. Pirie. Upon learning that Anna Lisa Young allegedly had Mr. Pirie execute a new Will in Iowa, appointing herself as sole beneficiary, Mr. Bagdasarian acted to have Mr. Pirie execute a Revocation of Will and Codicils on 2/3/15. There was substantial discovery requested by Anna Lisa Young's counsel and the matters proceeded towards trial due to the objections lodged by Anna Lisa Young to the Public Guardian acting as conservator of the person and estate. Thereafter the trial date was extended several times until a settlement was reached, in which the Fresno County Public Guardian was appointed as permanent conservator of the person and estate.

Attorney Gary Bagdasarian requests fees as follows:

a. Establishment of the Conservatorship 76.3 hrs. x \$275/hr	\$20,982.50
b. Preparation and Execution of Will and Codicil 10.6 hrsX275/hr	2,915.00
Total Fees	\$23,897.50

Attorney Gary Bagdasarian costs (process server, filing fees, video taping will execution)	\$ 855.00
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Attorney J. David Petrie, attorney fees	\$31,295.00
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Attorney J. David Petrie costs (court fees, Deposition fees, witness Fees, transcript, mediator services)	\$ 1,768.70
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Wherefore, Petitioners prays for an order of the Court:

1. Directing the Conservator of the Estate of Raymond Pirie, Fresno County Public Guardian to pay Gary Bagdasarian the sum of \$23,897.50 for legal services rendered and to reimburse Gary Bagdasarian the sum of \$855.00 for costs advance for a total of \$24,752.50.
2. Directing the Conservator of the Estate of Raymond Pirie, Fresno County Public Guardian to pay Petrie Dorfmeier, LLP the sum of \$31,295.00 for legal services rendered and to reimburse Petrie Dorfmeier, LLP the sum of \$1,768.70 for costs advanced for a total of \$33,063.70.

Declaration in support of petition for compensation filed 9/12/2016 states in speaking with the Public Guardian, the estate has the following property on hand:

\$ 449,592.65 cash
\$ 125,000.00 real property

Attorney
Attorney
Attorney
Attorney

Bagdasarian, Gary G., and Petrie, J. David (for Co-Conservator Michelle Ann Torres)
Fray, Brian (for Co-Conservator Santos Torres)
Kruthers, Heather H. (for Public Guardian, Conservator of the Estate)
Horton, Lisa (Court appointed for Conservatee)

Petition for Compensation for Representation of Conservator (Probate Code §2642)

		<p>GARY G. BAGDASARIAN and J. DAVID PETRIE, attorneys for Michelle Ann Torres, Co-Conservator of the Person, are Petitioners.</p> <p>Petitioners request \$52,800.00 in fees and \$1,995.78 in costs for their representation of M. Torres, Co-Conservator of the Person, in these proceedings.</p> <p>Attorney Bagdasarian requests \$35,200.00 for 128 hours @ \$275/hr for his services provided to M. Torres, Co-Conservator of the Person, plus reimbursement of costs of \$1,465.78, as itemized.</p> <p>Attorney Petrie requests \$17,600.00 for 64 hours @ \$275/hr for his services provided to M. Torres, Co-Conservator of the Person, plus reimbursement of costs of \$530.00, as itemized.</p> <p>Petitioners state Attorney Bagdasarian commenced representation of Michelle Ann Torres on 1/27/15 and Attorney Petrie commenced representation of Michelle Ann Torres on 7/28/15 and was associated in as trial counsel on 8/31/15. The services are in connection with Ms. Torres' petition for appointment as conservator of the person and estate of her grandmother, Mary Lou Hernandez. A summary of facts is provided:</p> <p>The Conservatee, 90 at filing of the petition, was widowed in 1987. She had 9 children, including Anita, mother of Michelle, and Santos, who filed a competing petition and was appointed with Michelle as co-conservator. Michelle had been designated payee for social security in 2013 by Ms. Hernandez' doctor due to her dementia. Ms. Hernandez lived with two sons, but was not receiving adequate care. Michelle moved her to live with Michelle and Anita.</p> <p>Santos objected and filed a competing petition. The parties stipulated to the Public Guardian as Conservator of the Estate and trial was set re conservatorship of the person. At trial, a settlement was reached wherein both would act as co-conservators, with Michelle having primary control over Ms. Hernandez' residence and medical decisions. Under the settlement most matters have been resolved.</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Note: A Status Hearing is set for 10/5/16 re filing the I&A and First Account by the Public Guardian (Conservator of the Estate).</p> <p><u>SEE ADDITIONAL PAGES</u></p>
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	FTB Notice		
<u>SEE ADDITIONAL PAGES</u>			
			<p>Reviewed by: skc</p> <p>Reviewed on: 9/9/16</p> <p>Updates:</p> <p>Recommendation: File 8- Hernandez</p>

Page 2 – Petitioners state the attorneys made 11 court appearances including the trial. Costs include filing, certified copies, service, court reporter, medical records, trial costs, etc. The attached Itemization of services includes conference with PG re accounting and information, obtaining bond for Ms. Torres as Temporary Conservator, conferences with client and drafting documents, review of investigation reports, court appearances, review of objections, conferences with client, other attorneys, supervisory agency re visitation, trial matters, discovery, stipulation matters, etc.

Objection filed 9/2/16 by Attorney Brian Fray, attorney for Co-Conservator Santos Torres, states on 3/23/15, Santos offered immediately after the first hearing that both Santos and Michelle be named co-conservators of the person and estate. Michelle rejected that offer. Santos offered to mediate the issues on 3/23/15, but the attorneys' schedules did not allow for mediation until after the 4/15/15 hearing, when the court ordered a settlement conference for 6/16/15.

On 4/8/15, Michelle made an offer that the Public Guardian be appointed conservator of the estate and that she be appointed sole conservator of the person. On 4/8/15, Santos agreed re the PG, but that she and Michelle become co-conservators and that the Conservatee move back home. On 4/8/15, the Conservatee agreed re the PG, but that Michelle become sole conservator.

On 6/16/15, the Court rejected Santos' offer of a co-conservatorship along with opposing counsel at the settlement conference.

On 7/1/15, Michelle requested that the trial be continued; Santos rejected same. If the trial had moved forward on that day, then Michelle's attorney's fees would have ended. The same is true for each and every continuance.

The parties continued to attempt to settle until the actual date of trial, when Michelle accepted a co-conservatorship and Santos agreed to allow the Conservatee to live with Michelle with visitation for the rest of the family. See copies attached.

Conclusion: Santos prays the Court partially reject the petition based upon the simple fact that this case could have and should have been resolved almost immediately but for Michelle's demand that she be named sole conservator despite the fact that she agreed to co-conservatorship on the day of trial.

Note: Objection appears to have been served only on Attorney Bagdasarian and Attorney Horton. Proof of service indicates "and attached lists;" however, no further service list appears to be attached.

SEE ADDITIONAL PAGES

Page 3 – NEEDS/PROBLEMS/COMMENTS:

1. Notice of Hearing was served on County Counsel, but was not served directly on the Fresno County Public Guardian, Conservator of the Estate, pursuant to Probate Code §1214 and Cal. Rule of Court 7.51. Need continuance for proper notice or waiver thereof.
2. Probate Code §2642 states at any time permitted by §2640 and upon notice as prescribed, an attorney who has rendered legal services to the conservator may petition for an order fixing and allowing compensation. Pursuant to Probate Code §2640, a petition for compensation may be filed at any time after the filing of the Inventory and Appraisal. No I&A has yet been filed. Further pursuant to Cal. Rule of Court 7.752, the Court may order accounting before allowing compensation.
3. Pursuant to Probate Code §2642(b), the Court shall make an order allowing such compensation as the Court determines reasonable to the attorney for services rendered to the conservator to be charged against the estate. Without I&A and a first account, the Court does not have sufficient knowledge of the status of the conservatorship estate (i.e., actual assets, income, and expenses) from which to gauge the reasonableness of this request, and the petition does not contain any allegations regarding the status of the estate.

The petitions for conservatorship estimated social security income, minimal personal property, and real property of minimal value, likely encumbered due to financial abuse. There is mention in other documents about a possible inheritance, but it is not alleged here or inventoried.

Therefore, need clarification regarding the reasonableness of this request for the Court to make an order under Probate Code §2642(b).

4. The Court may require clarification regarding how all services incurred, including association of counsel and pursuing trial, were in the conservatee's best interest and benefit.
5. Attorney Petrie requests \$12.00 for parking at the Courthouse for his appearances on 2/16/16 and 2/17/16. This amount will be disallowed pursuant to Local Rule 7.17.B.
6. Attorney Bagdasarian requests reimbursement of \$67.28 for the filing of an ex parte stipulation on 4/8/16. It appears this cost includes an e-filing vendor charge. The Court may allow the filing fee only and disallow the \$7.28 vendor charge as a cost of doing business and not reimbursable pursuant to Local Rule 7.17.B.

DOD: 03/02/2015	KATHLEEN FENDORAK , was appointed Executor, with full IAEA authority, without bond on 05/13/2015.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 07/20/2016: No Appearance – The Court issues an Order to Show Cause to Jeff Shepard as to why he should not be sanctioned for his failure to appear and as to Kathleen Fendorak as to why she should not be removed as Executor for failure to file the First or Final Account. Mr. Shepard is ordered to be personally present and Ms. Fendorak is ordered to be personally present in Court or present via CourtCall on 08/24/2016.</p> <p>1. Need First Account or Petition for Final Distribution.</p>
	Letters issued 05/14/2016	
Cont. from 072016, 082416	Final Inventory and Appraisal filed 08/07/2016 shows an estate valued at \$336,166.56.	
Aff.Sub.Wit.		
Verified		
Inventory	Supplemental Inventory and Appraisal filed 03/10/2016 shows an estate value at \$235,000.00.	
PTC		
Not.Cred.		
Notice of Hrg	Supplemental Inventory and Appraisal filed 06/21/2016 shows an estate valued at \$9,222.00.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	Supplemental Inventory and Appraisal filed 07/05/2016 shows an estate valued at \$11,838.42.	
Conf. Screen		
Letters	Minute Order of 05/13/2016 set a Status Hearing for the filing of the First and/or Final Account on 07/20/2016. There was no appearance and the Court set an Order to Show Cause for the non-appearance on 08/24/2016. An Ex Parte Order continuing the Order to Show Cause was re-scheduled to 09/15/2016.	
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting	Status Report filed on 09/09/2016 states the First and Final Account and Report of Administration, Petition for Final Settlement, For Allowance of Statutory Commissions and Fees to Executor and Attorney and for Final Distribution are in the process of being prepared for filing. The Certified Public Accountant for the estate has not yet completed the accounting portion for the report and petition. The many complex issues in this estate, including serious health issues of the CPA's son, have contributed to the delay in completing and filing the account, report and petition for distribution.	
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed on: 09/09/2016
		Updates:
		Recommendation:
		File 9A- Taylor

DOD: 03/02/2015	KATHLEEN FENDORAK , was appointed Executor, with full IAEA authority, without bond on 05/13/2015.	NEEDS/PROBLEMS/COMMENTS:
	Letters issued 05/14/2016	
Cont. from 082416		
Aff.Sub.Wit.	Minute Order of 07/20/2016 set this Order to Show Cause.	
Verified		
Inventory		
PTC		
Not.Cred.	Minute Order States: No Appearance – The Court issues an Order to Show Cause to Jeff Shepard as to why he should not be sanctioned for his failure to appear and as to Kathleen Fendorak as to why she should not be removed as Executor for failure to file the First or Final Account. Mr. Shepard is ordered to be personally present and Ms. Fendorak is ordered to be personally present in Court or present via CourtCall on 08/24/2016.	
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters	An Ex Parte Order continuing the Order to Show Cause set for 08/24/2016 was re-scheduled to 09/15/2016.	
Duties/Supp		
Objections		
Video Receipt	Status Report filed on 09/09/2016 states the First and Final Account and Report of Administration, Petition for Final Settlement, For Allowance of Statutory Commissions and Fees to Executor and Attorney and for Final Distribution are in the process of being prepared for filing. The Certified Public Accountant for the estate has not yet completed the accounting portion for the report and petition. The many complex issues in this estate, including serious health issues of the CPA's son, have contributed to the delay in completing and filing the account, report and petition for distribution.	
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 09/09/2016
		Updates:
		Recommendation:
		File 9B- Taylor

10A In Re: The Ostergaard Family Trust

Case No. 15CEPR00449

Attorney: Michael M. Buettner (for Trustee Michael Mehling)

Attorney: C. Russell Georgeson (co-counsel for Michael Mehling)

Attorney: Mark E. Chielpegian (for Petitioner Karlene L. Stefani)

Petition to Modify First Amendment

		<p>KARLENE L. STEFANI is petitioner.</p> <p>Please see petition for details.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 8/8/16. Minute order states Counsel represents that parties have reached an agreement. Please see page 10D Petition to Approve Settlement.</p>
<p>Cont. from 012616, 051716, 061416, 071116, 080816</p>			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	W/	
<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 type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			<p>Reviewed by: KT</p> <p>Reviewed on: 9/8/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10A- Ostergaard</p>

10A

10B In Re: The Ostergaard Family Trust

Case No. 15CEPR00449

Attorney: Michael M. Buettner (for Trustee Michael Mehling)

Attorney: C. Russell Georgeson (co-counsel for Michael Mehling)

Attorney: Mark E. Chielpegian (for Petitioner Karlene L. Stefani)

Petition to 1) Compel Trustee to Account, 2) Remove Trustee and Appoint Successor, and 3) Surcharge Trustee for Breaches of Trust

		<p>KARLENE L. STEFANI is petitioner.</p> <p>Please see petition for details.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 8/8/16. Minute order states Counsel represents that parties have reached an agreement. Please see page 10D Petition to Approve Settlement.</p> <p>Petition does not name a proposed successor trustee. Order contains a place to insert a date for a hearing for the purpose of nominating and appointing a successor trustee. Order also contains a place to insert a date for a hearing for the purpose of surcharging Trustee, Michael Mehling.</p>	
Cont. from 012616, 051716, 061416, 071116, 080816				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Reviewed by: KT		
		Reviewed on: 9/8/16		
		Updates:		
		Recommendation:		
		File 10B- Ostergaard		

Attorney: Mark E. Chielpegian (for Petitioner Karlene L. Stefani)

Confidential Matter

	KARLENE L. STEFANI is petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 012616, 051716, 061416, 071116, 080816		
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: 9/8/16	
	Updates:	
	Recommendation:	
	File 10C- Ostergaard	

- iii. To Darien Stefani, free of trust, an undivided 1/6th interest in the following real property;
APN: XXX-XXX-30
APN: XXX-XXX-08
APN: XXX-XXX-51

- iv. To Briemann Stefani, free of trust, an undivided 1/6th interest in the following real property;
APN: XXX-XXX-30
APN: XXX-XXX-08
APN: XXX-XXX-51

- v. To Linda K. Ostergaard , free of trust, an undivided 1/6th interest in the following real property;
APN: XXX-XXX-31
APN: XXX-XXX-29

Although the real property shall be immediately distributed, for purposes of distribution from the trust estate, the distribution to each beneficiary shall be amortized over the remaining distribution schedule (i.e. over the next four annual distributions to be made).

The purchase of that certain Glock 40 mm auto pistol with its case and extra clip and 1 box of ammunition, by the Trustee to Tanya A. Mehling shall be rescinded. Tanya A. Mehling shall transfer and assign the Glock and other items to the Trustee, and the Trustee shall return the purchase consideration in the amount of \$300.00 to Tanya A. Mehling.

After distribution of the real property, Michael Mehling shall resign as Trustee of the Trust.

The professional fees and compensation incurred in connection with the disputes and the administration of the Trust estate though the date the Agreement is approved by this Court are consented to and approved by the Beneficiaries.

Subject to eh Court's approval of the Settlement Agreement, Michael Mehling has voluntarily resigned as Trustee of the Trust.

The Trust does not name a successor trustee in the event that Michael Mehling is unable or unwilling to continue to act as Trustee. However, the Beneficiaries have each consented to the appointment of James H. Stefani as successor Trustee, without the requirement of a bond.

James H. Stefani has agreed to act as successor Trustee of the Trust.

Please see additional page

Wherefore, Petitioner requests that:

1. The Court grant the petition;
2. The Court approve the Settlement Agreement;
3. The Court authorize and direct Trustee to take the actions and make the distributions of real property provided for under the Settlement Agreement;
4. The Court appoint James H. Stefani as successor Trustee of the Trust without the requirement of a bond;
5. The Court authorize and direct Michael Mehling to distribution the remaining assets of the Trust, after the distribution of the real estate as provided in the Settlement Agreement, including all documents and records of administration in his custody, possession and control to James H. Stefani as successor Trustee of the Trust.

Petitioner Tania C. Vong (Pro Per, Executor)

Petition for Final Distribution on Waiver of Accounting

DOD: 8/5/2015	TANIA C. VONG , daughter and Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:	
	Accounting is waived.		
Cont. from	I & A — \$203,536.00		
<input type="checkbox"/> Aff.Sub.Wit.	POH — \$203,536.00 (\$36.00 is cash)		
<input checked="" type="checkbox"/> Verified			
<input checked="" type="checkbox"/> Inventory	Executor — waives		
<input checked="" type="checkbox"/> PTC			
<input checked="" type="checkbox"/> Not.Cred.	Distribution pursuant to Decedent's Will is to:		
<input checked="" type="checkbox"/> Notice of Hrg	<ul style="list-style-type: none"> KIMIKO OKAHATA – \$36.00 cash, an undivided ½ interest in real property, and vehicles. 		
<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	110615		
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input checked="" type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input checked="" type="checkbox"/> FTB Notice			
			Reviewed by: LEG
			Reviewed on: 9/9/16
		Updates:	
		Recommendation: SUBMITTED	
		File 12- Okahata	

13
 Attorney
 Attorney
 Attorney
 Attorney

A. James Doyle, Jr. (CONS/PE)

Boyett, Deborah K. (for Petitioner Marion Austin, Professional Fiduciary)
 Jaech, Jeffrey A. (for Objector and Competing Petitioner Christina Fishinghawk)
 Istanbulian, Flora (Court appointed for Conservatee)
 Kruthers, Heather H. (for Public Guardian, Current Conservator)

Case No. 15CEPR01070

Petition for Appointment of Successor Conservator of the Person and Estate

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator advised rights on 8/29/16</p> <p>Voting rights were previously affected – minute order was mailed on 12/10/15</p> <p>Upcoming hearings:</p> <ul style="list-style-type: none"> • 9/27/16: PG's First and Final Account filed 8/16/16. • 10/12/16: Ms. Fishinghawk's competing petition for appointment as successor conservator of the person. <p>1. The current Conservator (PG) was <u>not</u> granted dementia medication or placement powers under Probate Code §2356.5 because the Capacity Declaration filed 11/24/15 did not confirm a dementia diagnosis and did not support such powers.</p> <p>If dementia powers are now sought by the successor conservator, a new Capacity Declaration with Dementia Attachment (GC-335+335A) is necessary in support thereof.</p> <p>2. The Court may require bond of at least \$85,121.30 pursuant to Probate Code §2320 with cost of recovery pursuant to Cal. Rule of Court 7.207.</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			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: skc		
		Reviewed on: 9/13/16		
		Updates:		
		Recommendation:		
		File 13- Doyle		

Attorney Michael M. Buettner (for Esther Arthur, Executor)

Petition for Settlement of First and Final Account, for Final Distribution and for Allowance of Compensation for Ordinary Services

DOD: 12/28/2015	ESTHER ARTHUR friend and Executor, is Petitioner.		NEEDS/PROBLEMS/COMMENTS:	
	<u>Account period: 12/28/2015 – 8/4/2016</u>			
Cont. from	Accounting	- \$358,502.38		
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH	- \$348,706.94		
<input checked="" type="checkbox"/> Verified	Ending POH	- \$326,165.29 <i>(all cash)</i>		
<input checked="" type="checkbox"/> Inventory	Executor	- \$9,882.56 <i>(statutory)</i>		
<input checked="" type="checkbox"/> PTC	Attorney	- \$9,882.56 <i>(statutory)</i>		
<input checked="" type="checkbox"/> Not.Cred.	Closing	- \$5,000.00 <i>(for income tax deficiencies, penalties and interest, account fees for preparing fiduciary income tax return; Petitioner required by law to withhold 30% of distributable net income of the estate from non-resident beneficiaries per IRS § 1441;)</i>		
<input checked="" type="checkbox"/> Notice of Hrg	Distribution pursuant to Decedent's Will is to:			
<input checked="" type="checkbox"/> Aff.Mail W/	ANN SCOTT – \$150,700.08 cash;			
<input type="checkbox"/> Aff.Pub.	DEAN SCOTT – \$150,700.09 cash.			
<input type="checkbox"/> Sp.Ntc.				
<input type="checkbox"/> Pers.Serv.				
<input type="checkbox"/> Conf. Screen				
<input checked="" 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 checked="" type="checkbox"/> Order				
<input type="checkbox"/> Aff. Posting				
<input type="checkbox"/> Status Rpt				
<input type="checkbox"/> UCCJEA				
<input type="checkbox"/> Citation				
<input checked="" type="checkbox"/> FTB Notice				
				Reviewed by: LEG
				Reviewed on: 9/9/16
			Updates: 9/13/16	
			Recommendation: SUBMITTED	
			File 14- Divers	

Petition for Fix Residence Outside the State of California

		<p>KAELEE M. ATTEBERRY, half-sister, was appointed guardian 8/9/2016, and is petitioner (and resides in El Paso, Texas).</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
		<p>See petition for details.</p>	
<p>Cont. from 071916, 080916</p>			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			<p>Reviewed by: SEF</p>
			<p>Reviewed on: 9/8/2016</p>
			<p>Updates: 9/9/2016</p>
			<p>Recommendation:</p>
			<p>File 15- Hawkins</p>

Petitioner Cruz, Elsa (Pro Per Petitioner)
 Petitioner Cruz, Ruth Valeria (Pro Per Petitioner)
 Petitioner Cruz, Daniel (Pro Per Petitioner)
 Petitioner Cruz, Siegfried (Pro Per Petitioner)
 Petitioner Cruz, Edward (Pro Per Petitioner)
 Petitioner Cruz Eubanks, Georgina (Pro Per Petitioner)

Amended Petition to Determine Succession to Real Property

DOD: 4/7/16	Petitioners are:	NEEDS/PROBLEMS/COMMENTS:
	1. Elsa Cruz (Mother);	<p>1. This petition for summary proceeding under Probate Code §13150 cannot go forward.</p> <p>The <i>partial</i> Inventory and Appraisal filed 8/4/16 indicates a total estate value of \$239,425, which far exceeds the value limit for a summary proceeding under Probate Code §13150.</p> <p>Petitioners may wish to review their options for proceeding with a full probate estate or seek legal advice.</p> <p><u>Note:</u> Examiner has not completed any further review of this petition due to the above-noted issue; however, the parties may wish to review Probate Code §6401, which provides that if there is no spouse or issue, only the decedent's parent or parents would be the intestate heir(s).</p>
	2. Ruth Valeria Cruz (Sister);	
	3. Daniel Cruz (Brother);	
	4. Siegfried Cruz (Brother);	
	5. Edward Cruz (Brother); and	
	6. Georgina Cruz Eubanks (Sister).	
Aff.Sub.Wit.	40 days since DOD	
Verified	No other proceedings	
Inventory	I&A Partial No. 1: \$	
PTC	Decedent died intestate	
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: 9/8/16	
	Updates:	
	Recommendation:	
	File 16- Cruz	

Attorney Pascuzzi, Susan L. (for Petitioner Daisy Garcia)
 Objector Cruz, Elsa (Pro Per – Mother – Objector)

Petition to Determine Assets of Decedent as Property of an Existing Trust

David Cruz DOD: 4/7/16	DAISY GARCIA , Grantor and Trustee, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS:
	Petitioner states on 2/23/15, David Cruz and Daisy Garcia executed an inter vivos Declaration of Trust entitled the David Cruz and Daisy Garcia Revocable Living Trust.	Minute Order 8/8/16: For clarification, Daisy Garcia lived with David Cruz for 17 years. Elsa Cruz represents that the DOD for Daniel Ramirez Cruz is 6/19/84. The Court orders that any objections must be properly filed and served. This matter is continued to meet up with the Petition to Determine Succession set for 9/15/16.
Cont. from 080816	Under the terms of the trust, David Cruz and Daisy Garcia as Grantors agreed and declared they had assigned, transferred and delivered to themselves as trustees the real property described at Schedule A, 5527 E. Pontiac Way, Fresno, CA 93727, the property being the principal residence of the decedent and Petitioner since its acquisition. The decedent owned no other real property.	Note: Elsa Cruz, Mother, filed a Response (objection) to this petition on 8/17/16. Petitioner filed further declaration on 9/1/16. See additional pages.
<input type="checkbox"/> Aff.Sub.Wit.	David Cruz died 4/7/16. Upon his death, Daisy Garcia became the duly appointed and sole acting trustee of the trust. On the date of his death, David Cruz owned the real property individually rather than as trustee of the trust.	Note: The Petition to Determine Succession filed by the mother and siblings cannot go forward as the estate value exceeds the limit for summary proceeding under Probate Code §13150.
<input checked="" type="checkbox"/> Verified	Petitioner states the intent to hold in trust the real property is evidenced by its description on Schedule A by its common address and the trust remained in full force and effect on the decedent's date of death.	SEE PAGE 2
<input type="checkbox"/> Inventory	Memorandum of Points and Authorities filed concurrently references Estate of Heggstad. See document for authority, discussion.	Reviewed by: skc
<input type="checkbox"/> PTC	Petitioner states the decedent died leaving no spouse, no children, no issue of any children. His intestate heir is his mother, Elsa Cruz.	Reviewed on: 9/8/16
<input type="checkbox"/> Not.Cred.	Petitioner prays for an order adjudging that:	Updates:
<input checked="" type="checkbox"/> Notice of Hrg	1. David Cruz died on 4/7/16, a resident of Fresno County, California;	Recommendation:
<input checked="" type="checkbox"/> Aff.Mail W	2. David Cruz, during his lifetime, with Daisy Garcia, as Grantors and Trustees, created a revocable inter vivos living trust by Declaration of Trust dated February 23, 2015;	File 17- Cruz/ Garcia
<input type="checkbox"/> Aff.Pub.	3. Daisy Garcia became the sole acting trustee upon the death of David Cruz;	
<input type="checkbox"/> Sp.Ntc.	4. That despite the vesting of the real property in the individual name of David Cruz, the real property is a part of the trust estate; and	
<input type="checkbox"/> Pers.Serv.	5. Such further orders as the Court deems appropriate.	
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input checked="" 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		

Page 3 – Declaration of Daisy Cruz states the decedent was her fiancé. They had been together 17 years, living together since 1999. Prior to the purchase of this property, they lived together at another address that was solely in David's name, but was lost through foreclosure in 2009. In December 2014, they purchased this property for \$195,000, financing \$191,468 through an FHA loan. The down payment and closing costs came from Petitioner's funds. The property was put in David's name alone because he had better credit and would qualify for a better interest rate. After they bought the property, David wanted to do a trust because he wanted to make sure if something happened to him, no one could take the house from her. They did not have expertise in legal matters. They did not create wills or a deed to transfer the house into the trust and did not record the trust. However, it was David's intent that his interest in the house would transfer to Petitioner subject to the mortgage without having to go through probate and without any problems from his family. They believed the trust was sufficient to pass the house to the survivor and allow the survivor to change the beneficiaries.

Supplemental Points and Authorities filed 9/1/16 states:

1. **The trust is valid under Probate Code §15205.** The trust was prepared by the grantors without assistance of legal counsel. Although the trust is not well written and fails to fill in blanks where beneficiaries were to be named, there are sufficient provisions to find a beneficiary was designated, the beneficiary being the last surviving Grantor. See Section 20. The estate of the last surviving grantor is a beneficiary that is ascertainable, meeting the requirement of the code to find the trust to be valid.
2. **The power to designate beneficiaries was reserved to the surviving Grantor.** See Sections 6, 8, 12. Per the Declaration of Daisy Garcia, the investment into the property was Daisy Garcia's separate contribution and any contribution towards the payments which may have been shared should be classified as community contributions, which gives her full power of amendment and revocation.

After the death of David Cruz, Daisy Garcia, as Surviving Grantor, exercised her right of amendment to designate her children as beneficiaries. See Exhibit C to the Declaration of Daisy Garcia. Therefore, if any question remains as to the validity of the trust to receive the subject property per the petition filed herein, the amendment resolves the issue.

3. **It is believed the objection to the petition has been resolved.** Petitioner states the parties met and conferred after the initial hearing, and it is anticipated the Petition to Determine Succession will be withdrawn. Petitioner states the decedent's mother Elsa Cruz is already in possession of the personal property inventoried in the estate excepting a few items of personal property which Daisy Garcia has offered to turn over. The only remaining asset is the real property, currently valued at \$188,000 per Zillow.com, less than the current mortgage of \$190,000 and of zero net gain if subject to probate proceedings.

Petitioner concludes the trust is valid by reason of designation of the surviving grantor's estate as beneficiary reserving unto the surviving grantor the ability to designate a beneficiary. It was obvious the intent of the grantors was to leave the house to each other, giving the survivor full rights of ownership. To find that the property is not an asset of the trust, subject to probate proceedings, would serve no benefit, it would only serve as an injustice to the decedent and cause Petitioner to lose her home. **For the reasons stated herein, it is requested that the Court honor the decedent's intent and find the subject property is an asset of the living trust.**

Page 4 – NEEDS/PROBLEMS/COMMENTS:

1. **Examiner Notes previously requested clarification re the validity of the trust as it did not specify any beneficiary, which is required for a valid trust per §15205. Petitioner addresses this issue in her Supplemental Points and Authorities. The note is retained here for reference and review by the Court with the Supplemental P&A:**

Prior Note: Pursuant to Probate Code §15205, a trust is created only if there is a beneficiary. The trust instrument does not appear to name any beneficiaries; only grantors and trustees. Sections 4 and 15 contain blanks where names of beneficiaries should apparently be filled in. Need clarification and authority regarding the validity of this trust instrument. Note: If the trust is determined to be valid, it would nevertheless appear pursuant to Section 8b that it is irrevocable as to the decedent's contribution (the real property), so it does not appear amendment to name beneficiaries would be an option at this point.

2. Petitioner does not allege that the decedent's father is deceased. If he is living, he would also be an intestate heir and entitled to notice of this petition. Need clarification regarding the decedent's father. If deceased, need date of death per Local Rule 7.1.1.D.

Attorney Tres A. Porter (for Petitioner Gerald A. Miguel)

Petition for Probate of Will and for Letters Testamentary

DOD: 3/23/2016	GERALD A. MIGUEL , son and named Executor without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Court will set Status Hearings as follows:</p> <ul style="list-style-type: none"> • Thursday, February 16, 2017 at 9:00 a.m. in Dept. 303 for the filing of the final inventory and appraisal; and • Thursday, November 16, 2017 at 9:00 a.m. in Dept. 303 for the filing of the first account and/or petition for final distribution. <p>Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.</p>
Cont. from 081816	Full IAEA: OK	
<input checked="" type="checkbox"/> Aff.Sub.Wit.	Will Dated: 4/1/2007	
<input checked="" type="checkbox"/> Verified	Residence: Kerman	
Inventory	Publication: Kerman News	
PTC		
Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail W/		
<input checked="" type="checkbox"/> Aff.Pub.	Estimated value of the Estate:	
Sp.Ntc.	Real property - \$200,000.00	
Pers.Serv.	Total - \$200,000.00	
Conf. Screen		
<input checked="" type="checkbox"/> Letters	Probate Referee: Steven Diebert	
<input checked="" type="checkbox"/> Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 9/9/16
		Updates:
		Recommendation: SUBMITTED
		File 18- Miguel

Petition to Determine Succession to Real Property

DOD: 12/30/2015	SHANNON VIRGINIA MASON, daughter, is petitioner	NEEDS/PROBLEMS/COMMENTS: 1. Item 9a(2)(b) indicates decedent has a deceased spouse. Need date of death of deceased spouse, pursuant to Local Rule 7.1.1D. 2. Attachment 14 to petition does not list the deceased spouse, as required. 3. Attachment 11 to petition does not list decedent's interest in the real property.
	40 days since DOD	
	No other proceedings	
Cont. from	I & A - \$145,000.00	
<input type="checkbox"/> Aff.Sub.Wit.	Decedent died intestate.	
<input checked="" type="checkbox"/> Verified	Petitioner requests Court	
<input checked="" type="checkbox"/> Inventory	determination that decedent's 100%	
<input checked="" type="checkbox"/> PTC	interest in real property located at	
<input type="checkbox"/> Not.Cred.	21158 S. Marks, Riverdale, CA	
<input checked="" type="checkbox"/> Notice of Hrg	(APN: 055-120-30) pass to her in its	
<input checked="" type="checkbox"/> Aff.Mail	entirety, pursuant to intestate	
<input type="checkbox"/> Aff.Pub.	succession.	
<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: SEF
		Reviewed on: 9/9/2016
		Updates:
		Recommendation:
		File 19- Puckett

Petitioner Mark A. Ringer (Pro Per, son)

Petition for Letters of Administration; Authorization under IAEA

DOD: 7/7/2016	MARK RINGER , son, is Petitioner and requests appointment as Administrator without bond (<i>All heirs waive bond?</i>)	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Waiver of Bond by Heir or Beneficiary to be filed with the Court from the following: <ul style="list-style-type: none"> • Russell Alan Ringer, son; • Mark Ringer, son (Petitioner). 2. Item 5(a)(2)(b) of the <i>Petition</i> states Decedent's spouse is deceased. Item 8 of the <i>Petition</i> does not include the name and date of death of the deceased spouse. 3. Item 5(a) of the <i>Petition</i> is incomplete as to (3) or (4) re: registered domestic partner, and (7) or (8) re: issue of a predeceased child. 4. Item 5(b) of the <i>Petition</i> is incomplete as to whether decedent was survived by a stepchild or foster child or children who would have been adopted by Decedent but for a legal barrier. 5. Item 8 of the <i>Petition</i> does not list the relationship to Decedent of the persons listed. <p align="center">~Please see additional page~</p>
Cont. from	Full IAEA — Need publication	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Decedent died intestate.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Residence — Fresno	
<input checked="" type="checkbox"/> Notice of Hrg	Publication — Need publication	
<input checked="" type="checkbox"/> Aff.Mail	Estimated value of the Estate:	
<input type="checkbox"/> Aff.Pub.	Personal property - \$132,701.41	
<input type="checkbox"/> Sp.Ntc.	Real property - \$165,000.00	
<input type="checkbox"/> Pers.Serv.	Total - \$297,701.41	
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters	Probate Referee: Rick Smith	
<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 type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LEG
		Reviewed on: 9/12/16
		Updates:
		Recommendation:
		File 20- Ringer

NEEDS/PROBLEMS/COMMENTS, continued:

6. Need *Affidavit of Publication* showing newspaper publication of the Petitioners' request for appointment pursuant to Probate Code §§ 8120 – 8124, and Local Rule 7.9.
7. The above issues regarding potential heirs of Decedent have been raised based upon the **unexecuted copy** of a will of Jeff Davis Ringer, filed as an attachment to a *Declaration* by Petitioner on 8/23/2016. This filing by Petitioner raises a question regarding the existence of an executed original will. If there exists an executed original will of the Decedent in the possession of the Petitioner, the original will shall be deposited with the Court pursuant to Probate Code § 8200(a)(1), and the will should be the basis of the proceeding for probate administration of Decedent's estate. If there exists a copy of an executed original will and the original will cannot be located, the copy of the will should be the basis of the proceeding for probate administration of Decedent's estate under a lost will proceeding pursuant to Probate Code §§ 6124 and 8223.

Note: If the *Petition* is granted, Court will set status hearings as follows:

- **Monday, October 17, 2016 at 9:00 a.m. in Dept. 303 for filing proof of \$297,701.41 bond, if Court requires bond;**
- **Thursday, February 15, 2017 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and**
- **Thursday, November 16, 2017 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution.**

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

Petition for Appointment of Probate Conservator of the Person

		<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:	
		NANCY ABARCA MENDIOLA , mother, is petitioner and requests appointment as conservator of the person.	Court Investigator Advised Rights on 9/2/2016	
			Need AMENDED petition, based on but not limited to the following issues:	
Cont. from		<i>See petition for details.</i>	<ol style="list-style-type: none"> 1. Court Investigator's report indicates that petitioner is seeking medical treatment consent powers; however, items 1g and 9a of petition do not request those powers.** 2. Item 3g of petition is incomplete regarding if there has been an equivalent conservatorship proceeding filed in another jurisdiction. 3. Item 4c of petition is incomplete regarding if proposed conservatee is a member of a federally recognized Indian tribe. 4. Item 5c(1) is incomplete re: supporting facts as to why proposed conservatee requires a conservator. 5. Item 11 of petition does not list the names, residence addresses and relationships of proposed conservatee's relatives. <p style="text-align: center;">See additional page.</p>	
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			x
<input type="checkbox"/>	Aff.Mail			x
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			x
<input type="checkbox"/>	Conf. Screen			x
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			x
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input checked="" type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: SEF	
			Reviewed on: 9/9/2016	
			Updates:	
			Recommendation:	
			File 21- Abarca	

NEEDS/PROBLEMS/COMMENTS, *continued*:

6. Per item 5, above, unable to determine who is entitled to notice in this proceeding.
7. Need *Citation*.
8. Need proof of personal service with at least 15 days notice of *Citation* with copy of petition on proposed conservatee.
9. Need *Notice of Hearing*.
10. Need proof of service with at least 15 days notice of *Notice of Hearing* with copy of petition on all parties entitled to notice.
11. Need proof of service with at least 30 days notice of *Notice of Hearing* with copy of petition on Central Valley Regional Center (CVRC).
12. Need *Confidential Conservator Screening Form* (GC-314) for petitioner.
13. Need video viewing receipt.

22 Geneva Perkins (CONS/P)

Case No. 16CEPR00842

Petitioner: Ronald Calloway (Pro per – Nephew)

Petitioner: Daisy Calloway (Pro per – Niece)

Attorney: Lisa Horton (Court-appointed for proposed conservatee)

Petition for Appointment of Probate Conservator of the Person

		<u>NO TEMPORARY REQUESTED</u>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Advised Rights on 9/1/2016</p> <p>Voting Rights Affected – Need minute order</p> <p>1. Item 11 (b) of petition states proposed conservatee has no living relatives in the 1st and 2nd degree. However, it does not list proposed conservatee's deemed relatives under Probate Code 1821 (b)(1)-(4), as required.</p> <p>2. Need <i>Notice of Hearing</i>.</p> <p>3. Need proof of service at least 15 days before hearing of <i>Notice of Hearing</i> with a copy of the petition on:</p> <p style="padding-left: 20px;">a. Willie Mae White (niece)</p>
		<p>RONALD CALLOWAY and DAISY CALLOWAY, niece and nephew, are petitioners and request appointment as co-conservators of the person with medical treatment consent and dementia powers.</p> <p style="text-align: center;"><i>See petition for details.</i></p>	
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	x	
<input type="checkbox"/>	Aff.Mail	x	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.	w/	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input checked="" 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 checked="" type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			<p>Reviewed by: SEF</p> <p>Reviewed on: 9/9/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 22- Perkins</p>

23 Johnathan Hernandez Garcia (CONS/P) Case No. 16CEPR00843

Petitioner Hernandez, Maria (Pro Per – Maternal Grandmother)

Petition for Appointment of Probate Conservator of the Person

Age: 18	<u>NO TEMPORARY REQUESTED</u>		NEEDS/PROBLEMS/COMMENTS: 1. Need Video viewing receipt for conservator pursuant to Local Rule 7.15.8(A).
	<p>MARIA HERNANDEZ, maternal grandmother, is petitioner.</p> <p style="text-align: center;"><u>Please see petition for details</u></p>		
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	w/		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input checked="" type="checkbox"/> Pers.Serv.	w/		
<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		x	
<input checked="" type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input checked="" type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: LV
			Reviewed on: 09/12/2016
			Updates:
			Recommendation:
			File 23- Garcia

Status RE: Proof of Funds in Blocked Account

DOD: 10/16/11	<p>WALTER SHERWOOD CHANCE, a resident of Louisiana, is Executor with Limited IAEA without bond, with all funds to be held in a blocked account.</p> <p>On 8/2/16, the Court confirmed the sale of estate real property and granted Executor's request to deposit the proceeds of the sale into an account at Sabine State Bank & Trust in Leesville, Louisiana.</p> <p>Minute Order 8/2/16 states the Court reserves the right to require an account be opened in Fresno County if there is any delay in depositing the proceeds for any reason.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR</u> Receipt filed 9/1/16</p>
Cont. from 083016, 090116		
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		
	<p>Reviewed by: skc</p> <p>Reviewed on: 9/8/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 24- Chance</p>	

Petitioner: Rafael Bustos-Escamilla (Pro per – Father)

Petitioner: Silvia Rocio Ochoa (Pro per – Mother)

Petition for Appointment of Probate Conservator of the Person

		<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS: Court Investigator Advised Rights on 8/11/2016 Voting Rights Affected – Need minute order	
		RAFAEL BUSTOS-ESCAMILLA and SILVIA ROCIO OCHOA, parents, are petitioners are request appointment as co-conservators of the person with medical consent powers.		
Cont. from 090116		See petition for details.		
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input checked="" type="checkbox"/>	Pers.Serv.			w/
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input checked="" type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input checked="" type="checkbox"/>	Citation			
<input checked="" type="checkbox"/>	CVRC	w/		
			Reviewed by: SEF	
			Reviewed on: 9/8/2016	
			Updates:	
			Recommendation:	
			File 25- Bustos	

Petition for Appointment of Temporary Guardian

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 9/1/16: Petition granted until 9/15/16. Victor Ortiz needs to message mother with all court information and ask who Zachariah's father is at least 5 days before the next hearing. In open court, Mr. Ortiz explained his answers on the screening form. Examiner notes given.</p> <p>As of 9/8/16, nothing further has been filed by Petitioner. The following issues remain:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of Notice of Hearing with a copy of the temp petition at least 5 court days prior to the hearing per Probate Code §2250(e) <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ul style="list-style-type: none"> - Delores L. Oliver (Mother) - Vincent Paul Ramirez (Father of Jordan) - Father of Zachariah) 	
Cont. from 090116				
<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>Reviewed by: skc</p> <p>Reviewed on: 9/8/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 26- Oliver</p>				

Age: 19	GENERAL HEARING 10/13/2016	NEEDS/PROBLEMS/COMMENTS:
	REFUGIO LUNA, paternal grandfather, is petitioner.	
	<u>Please see petition for details</u>	<ol style="list-style-type: none"> 1. Need proof of personal service of Notice of Hearing with a copy of the temporary petition at least five days prior to the hearing on the proposed Conservatee pursuant to Probate Code §2250(e). 2. Need proof of service at least five (5) days prior to the hearing of the Notice of Hearing with a copy of the Temporary Petition for Appointment of Temporary Conservator for: <ul style="list-style-type: none"> • Edward A. Luna (Father) • Jenny Luna (Mother) Note: A Notice of Hearing was filed 09/06/2016 however the proof of service by mail portion and the proof of personal service was not completed. 3. Petitioner only lists the father at #11. The Court may require clarification that the father is the only relative within the second degree, which should include grandparents, parents, children, grandchildren, and siblings. If deceased, please so state. If there are additional relatives, they are entitled to notice. 4. Need Confidential Conservator Screening Form GC-314.
Cont. from		
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
Aff.Mail	x	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	x	
Conf. Screen	x	
✓ Letters		
✓ Duties/Supp		
Objections		
✓ Video Receipt		
✓ CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 09/12/2016
		Updates:
		Recommendation:
		File 27- Luna

Petition for Appointment of Temporary Guardian of the Person

		GENERAL HEARING 11/3/2016	NEEDS/PROBLEMS/COMMENTS:
		VERONICA CLIFFORD, maternal grandmother, is petitioner.	
		<i>See petition for details.</i>	<ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of personal service with at least 5 court days notice of <i>Notice of Hearing</i> with copy of temporary petition <u>or</u> consents and waivers of notice <u>or</u> declarations of due diligence for: <ol style="list-style-type: none"> a. Kevin Michael Kears (father) b. Alkatrina Palafox (mother) 3. Item 9 of the temporary petition refers to an Exhibit A as an attachment. There is not Exhibit A attached to petition.
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		
			Reviewed by: SEF
			Reviewed on: 9/9/2016
			Updates:
			Recommendation:
			File 28- Kears

Petitioner: Pearl Grice-Knox (Pro per – Maternal grandmother)

Petition for Appointment of Temporary Guardian of the Person

		<u>GENERAL HEARING 11/7/2016</u>	NEEDS/PROBLEMS/COMMENTS:	
		PEARL GRICE-KNOX, maternal grandmother, is petitioner		
		See petition for details.	<p>1. Need proof of personal service with at least 5 court days notice of <i>Notice of Hearing</i> with copy of temporary petition <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence for:</p> <p>a. Jeremiah Lee Hardy (father)**</p> <p>**Proof of service of <i>Notice of Hearing</i> filed 9/7/2016 indicates that Ronyell Hardy (mother) accepted service for Jeremiah Hardy (father). Mr. Hardy must be served directly.</p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			x
<input type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			x
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: SEF	
			Reviewed on: 9/9/2016	
			Updates:	
			Recommendation:	
			File 29- Hardy	