

Second Account and Report of Trustee and Petition for, Ratification of Trustee Fees, Allowance of Periodic Payment of Trust Fees and Attorney Fees and Reimbursement of Costs Advanced

		COMERICA BANK & TRUST, N.A. , Trustee, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Petitioner requests reimbursement of \$47.55 in overnight courier fees. The Court may require clarification regarding the need for use of alternative delivery services, or may reduce reimbursement by this amount, pursuant to Local Rule 7.17. Need order. <p>Note: The Court will set a status hearing for the filing of the next account as follows:</p> <ul style="list-style-type: none"> Friday 11-7-14 if a one-year account is required; or Friday 11-6-15 if a two-year account is required. <p>If the account is filed, the status hearing may be taken off calendar.</p>
		Account period: 4-1-12 through 7-9-13	
		Accounting: \$1,122,134.90	
		Beginning POH: \$1,006,022.65	
		Ending POH: \$997,861.07	
		(\$45,160.27 cash plus stocks and securities)	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Trustee: \$8,495.19 (total amount received during the account period pursuant to authorized fee schedule: 0.65% on the first \$1,000,000 of assets, etc.)	
		Investment Manager (Morgan Stanley): \$11,133.50 (pursuant to declaration at Exhibit E)	
		Attorney: \$8,470.75 (for 38.25 attorney and staff hours after hearings on Petition for Authority to Purchase Auto)	
		Costs: \$525.55 (filing, courtcall, overnight courier services)	
		Petitioner prays for an order:	
		1. Approving, allowing, and settling the Second Account;	
		2. Ratifying Trustee's fees paid to Comerica Bank & Trust, N.A.;	
		3. Authorizing and directing Petitioner to pay Comerica Bank & Trust N.A., out of the Trust estate periodic Trustee's fees on a monthly basis pursuant to the fee schedule;	
		4. Authorizing and directing Petitioner to pay attorney's fees as set forth above, which includes 2.5 anticipated hours for this hearing; or if the petition is preapproved and no appearance is required, the reduced amount of \$7,733.25;	
		5. Authorizing and directing Petitioner to reimburse costs as set forth above; and	
		6. Any other orders the Court deems just and proper.	
		Reviewed by: skc	
		Reviewed on: 9-13-13	
		Updates:	
		Recommendation:	
		File 1B- Whitmire	

(1) First and Final Account and Report of Administrator and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and (3) for Distribution [Prob. C. 216; 9202; 10800; 10810; 10951; 11600; 11850(a)]

DOD: 05/09/12	PUBLIC ADMINISTRATOR , Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 05/09/12 – 06/07/13	<u>CONTINUED FROM 08/14/13</u>
Cont. from 081413	Accounting - \$753,270.67	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH - \$729,541.94	
<input checked="" type="checkbox"/> Verified	Ending POH - \$661,286.82 (all cash)	
<input checked="" type="checkbox"/> Inventory	Administrator - \$17,943.89 (statutory less \$117.65 for accidental double payment of creditor's claim)	
<input checked="" type="checkbox"/> PTC	Administrator x/o - \$1,248.00 (for sale of real property and preparation of tax returns)	
<input checked="" type="checkbox"/> Not.Cred.	Attorney - \$18,061.54 (statutory)	
<input checked="" type="checkbox"/> Notice of Hrg	Bond Fee - \$1,883.18 (ok)	
<input checked="" type="checkbox"/> Aff.Mail w/	Costs - \$906.50 (filing fees and certified copies)	
Aff.Pub.	Closing - \$10,000.00	
Sp.Ntc.	Distribution, pursuant to intestate succession, is to:	Reviewed by: JF
Pers.Serv.	Rudolph K. Kriegler - \$611,243.71	Reviewed on: 09/12/13
Conf. Screen		Updates:
Letters 07/11/12		Recommendation:
Duties/Supp		File 2 – Kal
Objections		
Video Receipt		
CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
<input checked="" type="checkbox"/> FTB Notice		

3A Mildred Haney (CONS/PE)
 Atty Johnson, Summer A (for Anita Leal-Idrogo – Petitioner – Daughter)
 Atty Karuthers, Heather (Public Guardian-Conservator)
 Atty Bergstrom, Robert Q. (for Harry Baker – Petitioner- Former Spouse)
 Atty Molsenbocker, G.L. (for Bruce Bickel – Conservator of the Estate)

Case No. 12CEPR00534

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

Age: 92	<u>TEMPORARY EXPIRES 09/17/2013</u>		NEEDS/PROBLEMS/COMMENTS:
			<u>Continued from 08/06/2013 per Order on Stipulation to Continue Hearing Date.</u>
Cont. from 040813, 051613, 062713, 072513, 080613	ANITA LEAL-IDROGO, daughter appointed conservator 07/23/2012, nominates the Public Guardian as successor conservator of the person.		2B the competing Petition for Appointment of Successor Conservator of the person filed by Harry Baker, former spouse of proposed conservatee.
	Bruce Bickel was appointed conservator of the estate on 07/25/2012.		
Aff.Sub.Wit.		Petitioner is requesting the following additional powers: <ul style="list-style-type: none"> • Power to have Ms. Haney examined by appropriate physicians skilled in the area of expertise necessitated by Ms. Haney's condition(s) • Power to consent to all non-psychosis and non-dementia related medical treatments for Ms. Haney • Power to hire an appropriate nurse or other licensed professional to monitor and administer the all non-psychosis and non-dementia prescribed medications, including any insulin injections required by Ms. Haney • Power to employ (and discharge) such persons, agencies or service providers to provide home health care services to Ms. Haney in her residence • Power to change the residence of the conservatee to a skilled nursing facility or assisted living facility, as determined by the conservator of the person, in consultation with experienced professionals and medical providers, commensurate with Ms. Haney's needs, if deemed appropriate by the Conservator of the Person. <p style="text-align: center;"><u>Please see additional page</u></p>	Minute Order of 04/08/2013 states: per agreement of the parties of the parties, the Court appoints the Public Guardian as temporary conservator of the person. The temporary expires 05/16/2013 (extended to 06/27/2013 per minute order of 05/16/2013). Ms. Johnson is directed to prepare the order. The Court orders that Ms. Haney not be moved from her current residence without a noticed hearing for which, the Court will entertain an order shortening time. In addition, there is to be no interference with Ms. Haney's church activities and Mr. Baker is to be notified of any health issues.
✓ 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: LV	
		Reviewed on: 09/13/2013	
		Updates:	
		Recommendation:	
		File 3A - Haney	

3A

Declaration of Cecil H. Bullard, M.D. filed 07/23/2012.

Petitioner states: the conservatee has been diagnosed with dementia and, due to a diabetes related below the knee leg amputation, requires the assistance of wheel chair. The Conservatee continues to require assistance with her providing for her personal needs, including her activities of daily living and medication supervision.

Court Investigator Jennifer Young's report filed 03/28/2013.

3B Mildred Haney (CONS/PE)

Case No. 12CEPR00534

Atty Johnson, Summer A (for Anita Leal-Idrogo – Daughter)
 Atty Karuthers, Heather (Public Guardian-Conservator)
 Atty Bergstrom, Robert Q. (for Harry Baker – Petitioner- Former Spouse)
 Atty Motsenbocker, G.L. (for Bruce Bickel – Conservator of the Estate)

First Amended Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

Age: 92	<p>HARRY BAKER, former spouse, is petitioner.</p> <p>Bruce Bickel was appointed conservator of the estate on 07/25/2012.</p> <p>Petitioner states: the conservatee resides at the Cedar Creek Senior Living Center in Madera, Ca. The conservatee has made new friends and enjoys playing bingo. The staff treats her well. Because the conservatee can no longer drive, the conservatee has relied on her former spouse, Harry Baker, to take her to appointments with her doctors and attorneys, to go shopping, and to attend church services. Mr. Baker visits the conservatee daily and she enjoys his company. Because of his relationship to the conservatee, he is familiar with her medical issues and is in a better position than the Public Guardian to be sensitive to her needs.</p> <p>Court Investigator Jennifer Young's report filed 05/09/2013.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 08/06/2013 per Order on Stipulation to Continue Hearing Date.</u></p> <p>Court Investigator Advised Rights on 05/09/2013.</p> <p>1. Petitioner did not date and sign Letters.</p>
Cont. from 040813, 051613, 062713, 072513, 080613, 080613		
<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		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv.		
<input 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 type="checkbox"/> FTB Notice		
<p>Reviewed by: LV</p> <p>Reviewed on: 09/13/2013</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3B - Haney</p>		

3B

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

DOD: 09/28/12	JOSE A. HARO and RAQUEL R. HARO, Successor Trustees of the JULIA BALDERAS REVOCABLE TRUST, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:	
	40 days since DOD.		
Cont. from	No other proceedings.		
<input type="checkbox"/> Aff.Sub.Wit.	I & A - \$11,250.00		
<input checked="" type="checkbox"/> Verified	Will dated 07/13/04 devises the estate to the Julia Balderas Revocable Trust dated 07/13/04.		
<input type="checkbox"/> Inventory	Petitioners request Court determination that decedent's 25% interest in real property located at 843 W. Woodward Avenue, Fresno pass to them as Successor Trustees of the Julia Balderas Revocable Trust pursuant to decedent's will.		
<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: JF
			Reviewed on: 09/12/13
		Updates:	
		Recommendation: SUBMITTED	
		File 4 - Balderas	

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

Age: 19		<p>THERE IS NO TEMPORARY. No temporary was requested.</p> <p>IAN KINSEY, brother, is petitioner and requests appointment as conservator of the person with medical consent and dementia powers.</p> <p>IAN KINSEY was appointed conservator of the estate on 1/29/13</p> <p>Declaration of David A. Fox, M.D. filed on 9/3/13.</p> <p>Voting Rights <u>not</u> affected.</p> <p>Petitioner states the proposed conservatee cannot properly provide for his own personal needs due to a traumatic brain injury at age 5.</p> <p>Court Investigator Julie Negrete's Report filed on 9/11/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Advised Rights on 9/6/13</p> <p>Petition requests Dementia Powers. Therefore an attorney must be appointed. Probate Code 2356.5(f)(1)</p> <ol style="list-style-type: none"> Pursuant to Substitution of Attorney filed on 5/24/2013 (prior to the filing of the Petition for Appointment of Conservator of the Person on 8/8/13) the attorney of record for Ian Kinsey is Brian D. Whelan. However, all the documents relating to the appointment of a conservator of the person have been filed with attorney Philip Flanigan as the attorney of record for Ian Kinsey. Need substitution of attorney or association of counsel. #1k of the petition requests orders relating to dementia however the petition does not include the mandatory Dementia Attachment Judicial Council form #GC-355A. Capacity Declaration filed 9/3/13 is incomplete at #4 (name of the proposed conservatee) and 4a (date the proposed conservatee was last seen). Capacity Declaration does not include the Dementia Attachment. Order submitted is incomplete. Need new order. 	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input 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 type="checkbox"/>	FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 9/12/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5A - Kinsey</p>		

Probate Status Hearing Re: Increase of Bond

Age: 19	<p>IAN KINSEY, brother, was appointed Conservator of the Estate with bond set at \$15,000.00 on 01/29/13.</p> <p>Bond in the amount of \$15,000.00 was filed on 02/06/13.</p> <p>Letters of Conservatorship were issued on 02/08/13.</p> <p>Inventory & Appraisal filed 05/02/13 – shows cash assets of \$250,000.00 from settlement.</p> <p>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.</p> <p>Clerk’s Certificate of Mailing indicates that the Notice of Status Hearing was mailed to attorney Paul Pimentel on 05/06/13.</p> <p>Substitution of Attorney filed on 5/24/13 substituting Brian D. Whelan in the place of Paul Pimentel.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order dated 7/12/13 states bond is in the process of being acquired. A special needs trust is in the process of being set up. Matter continued for the increased bond and establishment of a special needs trust.</p> <p>1. Need current written status report pursuant to Local Rule 7.5, which states: In all matters set for status hearing, verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from 052413, 071213		
<input type="checkbox"/> Aff.Sub.Wit.		
<input type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202 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: JF/KT
		Reviewed on: 9/12/13
		Updates:
		Recommendation:
		File 5B – Kinsey

(1) First and Final Account and Report of Executor and (2) Petition for Allowance of Compensation to Attorneys for Ordinary Services and (3) Final Distribution

DOD: 9/20/09		<p>HARRY RONALD SAWL, Executor, is petitioner.</p> <p>Account period: 3/15/13 – 8/14/13</p> <p>Accounting - \$173,000.00 Beginning POH - \$173,000.00 Ending POH - \$173,000.00</p> <p>Attorney - \$2,700.00 (less than statutory)</p> <p>Costs - \$1,532.50 (filing fees, certified copies, publication)</p> <p>Distribution, pursuant to Decedent's Will, is to:</p> <p>Jack & Estella Sawl Trust – 1/10 interest in real property.</p>	NEEDS/PROBLEMS/COMMENTS:	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input checked="" type="checkbox"/>	PTC			
<input checked="" type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg W/			
<input checked="" 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 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: KT
				Reviewed on: 9/13/13
				Updates:
		Recommendation: SUBMITTED		
		File 6 – Sawl		

Atty
AttyRudy, Christine M. (of Roseville for Jamie Starr Thomas – beneficiary/Petitioner)
Sanoian, Joanne (for Gary Hamilton – Trustee/Respondent)Verified Petition for Removal of Trustee, Accounting, Surcharge, and Approval of
Attorney Fees

DOD: 03/13/11		<p>JAMIE STARR HAMILTON, beneficiary, is Petitioner.</p> <p>Petitioner states:</p> <ol style="list-style-type: none"> 1. She is an heir of James O. Hamilton ("Decedent") and a beneficiary of the JAMES O. HAMILTON LIVING TRUST (the "Trust"). Gary C. Hamilton ("Respondent") is the trustee of the Trust. 2. Decedent created the Trust on 04/16/03 and amended the Trust on 12/20/07. The Trust named Gary C. Hamilton as the successor trustee upon the death of James O. Hamilton. 3. The dispositive terms of the Trust set out in Article Five of the Trust as amended on 12/20/07 state in relevant part: "Upon the death of the settlor, \$1.00 shall be paid to Gary K (sic) Hamilton and \$1.00 shall be paid to Terry Lee Hamilton as they are already provided for elsewhere. The balance of the trust assets shall be divided into four (4) shares and allocated as follows: 25% to Wade Hamilton, 25% to Jamie Star Hamilton Thomas, 25% to Cynthia Ann Thomas, and 22% to Allen Richard Thomas. Each share of these beneficiaries shall remain in this trust until the particular beneficiary attains the age of 60 at which time the trustee shall distribute the share in 200 monthly installments. The monthly payments shall be \$1,000 per month unless the trustee must adjust the amounts depending on the trust assets. It is anticipated that by the time the first beneficiary attains the age of 60, all assets of this trust will be liquid. <i>If the trust does not contain assets that are liquid, the trustee shall use his or her best efforts to liquidate those assets (emphasis added).</i>" <p style="text-align: center;">Continued on Page 2</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 07/18/13</u> Minute order from 07/18/13 states: Ms. James is appearing via CourtCall. Ms. Nuttall informs the Court that they are working on the accounting of all trust assets. Ms. Nuttall requests a continuance.</p> <p>As of 09/12/13, nothing further has been filed.</p> <p>1. Need Order.</p>	
Cont. from 071813				
<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 checked="" type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order			x
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Reviewed by: JF		
		Reviewed on: 09/12/13		
		Updates:		
		Recommendation:		
		File 7 – Hamilton		

4. Decedent died more than 2 years ago and Respondent has failed to liquidate the assets, make a single distribution to Petitioner or provide an accounting of the trust assets.
5. At the time of Decedent's death, Petitioner was over the age of 60 (DOB: 07/10/46) and entitled to immediate distributions. Despite several requests, no accounting or distributions have been made. Petitioner believes that there was a fair amount of cash in the Trust at the time of Decedent's death and income has been received since Decedent's death.
6. In addition to the failure to account and properly distribute trust assets, Respondent has failed to liquidate trust assets.
7. The most obvious breach of trust that requires immediate removal and surcharge, is the self-dealing and conflict of interest Respondent has with regard to money owed the Trust. A big reason Respondent has not liquidated the assets of the Trust is that several of the assets are promissory notes secured by deeds of trust on properties owned by Respondent. Respondent owes the Trust in excess of \$400,000 for two separate promissory notes secured by deeds of trust on properties owned by Respondent.
8. Petitioner is informed and believes that Respondent is not and has not made payments to the Trust for the promissory notes.
9. Respondent has also failed to act impartially in violation of Probate Code § 16003. Wade Hamilton, who has just attained the age of distribution has been receiving monies from Respondent. Petitioner is informed and believes that Wade Hamilton has received monies from the Trust even before reaching the age of distribution for so called "management" of the Trust. Respondent is clearly favoring Wade Hamilton over the other beneficiaries and improperly delegating trustee duties.
10. Respondent has failed in every duty required by him and has acted in a self-serving manner since the death of the Decedent. These conflicts and breaches of trust require his immediate removal as trustee.
11. The Trust states that Wade Hamilton is next in line to serve as successor trustee and if he is unwilling or unable to serve that Petitioner would serve. Based on the collusion between Respondent and Wade Hamilton, Wade Hamilton should be barred from serving as trustee. Petitioner would decline to act in favor of a disinterested third party trustee and believes that a third party trustee is the only appropriate remedy to impartially and properly administer the Trust.
12. Respondent has failed to provide an annual accounting as required by Probate Code § 16062. The Trust does not waive the requirement of an accounting. Petitioner requests the Court order Respondent to file an accounting detailing his actions as trustee within 30 days.
13. Respondent is chargeable and responsible for the breaches, self-dealing, mismanagement and misconduct as trustee of the Trust and subject to surcharges. Respondent has breached his fiduciary duties in every way and therefore Petitioner requests the Court surcharge Respondent for his abuse of office, self-dealing, and failure to use ordinary care and diligence in managing the Trust estate in an amount no less than \$50,000.
14. Petitioner believes that compensation in the amount of \$3,000 is reasonable for her attorney's fees for this Petition plus filing fee in the amount of \$435.

Petitioner requests that:

1. Respondent be removed as Trustee of the Trust and appoint an independent 3rd party as successor Trustee;
2. The Court order Respondent to file an accounting with the Court within 30 days detailing his actions as Trustee;
3. The Court surcharge Respondent in an amount deemed reasonable by this Court for his breaches of Trust
4. The Court authorize and direct the Trustee to pay Petitioner's attorney's fees and costs.

Continued on Page 3

Response of Gary Hamilton filed 07/12/13 admits and denies certain allegations in the Petition and states:

1. Respondent has only acted in good faith with respect to the Trust and his duties as Trustee. Respondent provided his version of an accounting in October 2012 with a document titled "Assets" that was sent via certified mail to each Trust beneficiary. In this document Respondent listed what he believes are the Trust assets. Respondent has not been contacted by any beneficiary about the accounting document. Currently Respondent is preparing a subsequent accounting which he will file with the Court and distribute to the beneficiaries. Respondent has been unable to make a distribution to Petitioner because there is not enough cash in the Trust to make beneficiary distributions. Currently there is \$1,500.00 cash in the Trust. While Respondent has not liquidated any trust assets, this is not due to lack of effort on his part, as he has used his best efforts to liquidate Trust assets. Respondent has been attempting to sell certain Trust real property – 638.88 acres of farmland in Choctaw County, Oklahoma (the "Oklahoma Property") in order to make the distributions to the beneficiaries. This farmland is an original asset of the Trust and was appraised at \$863,000 in May 2012. Respondent believes he has an Oklahoma buyer for the Oklahoma Property and is hopeful that the sale will take place within 45 to 60 days. Once this property is sold, Respondent will be able to make distributions to the beneficiaries.
2. Respondent purchased real property from Decedent and a \$100,000.00 promissory note was executed. The real property is located in Tollhouse (the "Tollhouse Property") and is subject to a Deed of Trust dated 03/29/07. Pursuant to the terms of the Promissory Note, Respondent would pay Decedent \$500.00 per month. Respondent is current with the payments and he has not missed one payment on the note. The other alleged Promissory Note was secured by a Deed of Trust dated 02/05/07 for approximately 20 acres of real property in Fresno (the "Fresno Property"). The Fresno Property is currently an asset of the Trust. Originally Respondent purchased the Fresno Property from Decedent but because Respondent was unable to make payments on the property, Respondent transferred the property back into the Trust. Respondent is currently seeking to sell the Fresno Property. Therefore Petitioner's allegation that Respondent owes the Trust in excess of \$400,000.00 is false. Respondent is making the mandatory payments on the Tollhouse Property and he has deeded the Fresno Property back to the Trust. Petitioner's allegations that Respondent's self-dealing and conflict of interest with money owed to the Trust are baseless.
3. Respondent admits the Joel Wade Hamilton is a Trust beneficiary, however, the money that Wade has received was primarily money Wade lent to Respondent to initially fund the Trust. Respondent denies any assertion that he has favored Wade over the other beneficiaries.
4. Respondent denies that he has failed in fulfilling his fiduciary duties as Trustee of the Trust and denies he has acted in a self-serving manner, he further denies that any of his actions with respect to the Trust warrant his removal as Trustee.
5. Neither Respondent nor Wade should be barred from serving as Trustee of the Trust. If anything, respondent and Wade have acted in only the best interest of the Trust, the Trust assets, and the beneficiaries. Respondent has been making true efforts to liquidate the Trust properties.
6. Respondent denies that he should be charged for Petitioner's attorney's fees and costs.

Respondent prays for an Order denying the Petition.

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

DOD:		NEEDS/PROBLEMS/COMMENTS: <p>Continued to 9/24/2013 at the request of the attorney.</p>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 9/11/13
		Updates:
		Recommendation:
		File 10 - Teixeira

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

DOD: 08/06/13		TODD NORGAARD , brother/named Executor without bond, is Petitioner. Full IAEA – ok Will dated 08/28/07 Residence: Fresno Publication: The Business Journal <u>Estimated Value of the Estate:</u> \$0.00 Probate Referee: RICK SMITH	NEEDS/PROBLEMS/COMMENTS:
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit. s/p		
<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 checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input 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 type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: JF
			Reviewed on: 09/12/13
			Updates:
			Recommendation: SUBMITTED
			File 11 - Norgaard

Status Hearing Re: Accounting

Age: 58 years	BRYAN JENSEN was appointed conservator of the person and estate on 4/1/2009 with bond set at \$1,100.00.	NEEDS/PROBLEMS/COMMENTS:
		OFF CALENDAR. Second Account filed on 8/26/13 and set for hearing on 10/2/13.
	The first account was approved on 5/25/2011 for the account period ending on 12/31/2010. The property on and at the end of the first account was \$57,863.35.	Special Needs Trust case opened in case no. 13CEPR00766.
Cont. from 072513, 080813	Minute order dated 5/25/11 ordered the bond to be increased to \$22,228.06 and set a status hearing for the next account.	1. Need second account for the conservatorship.
Aff.Sub.Wit.	On 7/6/2011 the Court approved the Petition for Substituted Judgment to establish a Special Needs Trust for the benefit of Debra J. Jensen and ordered the account of conservatorship transferred to the Special Needs Trust.	2. Need first account for the Special Needs Trust of Debra J. Jensen (this will be a new case filing for the Trust).
Verified		3. Need bond of \$22,228.06 to be filed for the Special Needs Trust (in the new case for the Special Needs Trust).
Inventory		Or 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.
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		Reviewed by: KT
Status Rpt		Reviewed on: 9/12/2013
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 12 – Jensen

Age: 1 year		<u>TEMPORARY EXPIRES 9/17/2013</u>		NEEDS/PROBLEMS/COMMENTS: 1. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice on: a. Juan Rodriguez (father) – unless the court dispenses with notice.
		JUDITH SANCHEZ-TORRES , maternal grandmother, is petitioner.		
Cont. from 070213, 080613		Father: STEVEN RODRIGUEZ - Declaration of Due Diligence filed on 5/22/2013.		
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified	Mother: MARIA TORRES – Consents and Waives Notice.		
<input type="checkbox"/>	Inventory	Paternal grandfather: Juan Rodriguez Paternal grandmother: Deceased Maternal grandfather: Edgardo Cisneros		
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail	W/	Petitioner states the mother is 14 years old. The father is on probation for having sex with a minor. The child was in petitioner's home until he was abducted by the father. The authorities are looking for him and have urged her to seek guardianship.	
<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 checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
				Reviewed by: KT
				Reviewed on: 9/12/2013
				Updates:
				Recommendation:
				File 13 - Torres

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

Age: 8 months	TEMP EXPIRES 9-17-13	NEEDS/PROBLEMS/COMMENTS: Note: Petitioner resides in Visalia, which is in Tulare County.
	HELEN RILEY, Paternal Aunt, is Petitioner.	
	Father: EDWARD (AKA JESSE) VENEGAS - Nominates, consents, and waives notice	<u>Continued from 7-30-13</u>
Cont. from: 073013	Mother: CECILIA MARROQUIN - Personally served 8-15-13	Minute Order 7-30-13: Ms. Riley informs the Court that mother is in custody. Ms. Riley is advised that mother will need to be served for the next hearing. The Court extends the temporary to 9/17/13 and orders that there be no visitation with Priscilla Murillo, Renato Marroquin, or either parent. Continued to 9/17/13 at 9:00am in Dept. 303. Temporary Guardianship/Conservatorship Letters extended to 9/17/13.
✓ Aff.Sub.Wit.	Paternal Grandfather: Joe Venegas - Declaration of Due Diligence filed 8-19-13	
✓ Verified	Paternal Grandmother: Mary Helen Venegas (Deceased)	Note: Petitioner filed proof of service on the mother and declarations of due diligence for the maternal grandmother and paternal grandfather.
Inventory	Maternal Grandfather: Renato Marroquin - Served by mail 6-14-13	
PTC	Maternal Grandmother: Sandra Garcia - Declaration of Due Diligence filed 8-19-13	1. If diligence is not found, need service on maternal grandmother and paternal grandfather pursuant to Probate Code §1511.
Not.Cred.	Petitioner states the mother is not fit to have the minor in her care. She has been hiding from the authorities because of a warrant due to her criminal activity involvement. The father is working as a truck driver and has little time for his child.	
✓ Notice of Hrg	Court Investigator Charlotte Bien filed a report on 7-15-13.	Reviewed by: skc
✓ Aff.Mail W		Reviewed on: 9-13-13
Aff.Pub.		Updates:
Sp.Ntc.		Recommendation:
✓ Pers.Serv. W		File 14 – Marroquin
✓ Conf. Screen		
✓ Letters		
✓ Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
✓ Clearances		
✓ Order		
Aff. Posting		
Status Rpt		
✓ UCCJEA		
Citation		
FTB Notice		

Lexis Age: 1	TEMPORARY EXPIRES 09/17/2013		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 08/06/2013: Mother is in agreement with the guardianship. The petitioner is directed to provide notice to the father. The Court on its own motion grants a temporary guardianship in favor of Maria Bertha Federico Corral. Temporary expires on 09/17/2013.</p> <p>The following issues remain:</p> <ol style="list-style-type: none"> 1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Saul Amador (Father) • Isabel Cazares (Mother)
Mercedes Age: 4	<p>MARIA BERTHA FEDERICO CORRAL, maternal grandmother, is petitioner.</p> <p>Father: SAUL AMADOR</p> <p>Mother: ISABEL CAZARES</p> <p>Paternal Grandfather: Cristino Amador, served by mail on 06/20/2013</p> <p>Paternal Grandmother: Julia Amador, served by mail on 06/20/2013</p> <p>Maternal Grandfather: Joel Cazares, served by mail on 06/20/2013</p> <p>Petitioner state: minors were placed in her care by CPS due to the fact that the mother was using drugs. Children have been raised in the home with the petitioner since birth. The minors call the petitioner "mom".</p> <p>Declaration Team Decision Making Report filed 06/05/2013 – TDM showing placement of the children with the maternal grandmother.</p> <p>Court Investigator Julie Negrete's report filed 07/29/2013.</p>		
Cont. from 080613			
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 on: 09/12/2013
			Updates:
			Recommendation:
			File 15 – Amador

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

Age: 9		TEMPORARY EXPIRES 8/6/2013		NEEDS/PROBLEMS/COMMENTS:	
		<p>CHARLENE FRADUE, maternal grandmother, is Petitioner.</p> <p>Father: JONTÉ RASHEED McCALISTER; <i>Court dispensed with notice per minute order of 06/20/2013.</i></p> <p>Mother: LATASHA FRADUE; personally served 07/05/2013.</p> <p>Paternal grandfather: Rufus L. McCalister, Declaration of Due Diligence filed 08/20/2013 Paternal grandmother: Syeda Price-Henley, served by mail</p> <p>Maternal grandfather: Timothy Fradue, personally served on 08/06/2013</p> <p>Petitioner states the natural mother is currently incarcerated in Fresno County Jail, and the father's whereabouts are unknown. Petitioner states when the child lives with Petitioner he is given love and consistent and stable care, and he is happy with her. Petitioner states when the child was in his mother's care before she went to jail again, his grades went down to Ds and Fs, and now that he is in Petitioner's care again he has improved and his grades returned to As and Bs, and he appears happier and less stressed.</p>		<p>Minute Order of 08/06/2013: Examiner notes are provided to the Petitioner. The Petitioner is directed to cure the defects.</p> <ol style="list-style-type: none"> Need proof of personal service fifteen days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Latasha Fradue, mother Need proof of service fifteen days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Rufus L. McCalister (Paternal grandfather) – Unless the Court dispenses with notice. <p>Note: A proof of personal service was filed for the mother on 07/05/2013 however the mandatory Notice of Hearing does not appear to have been served pursuant to Probate Code §2250.</p> <p>Note: Declaration of Due Diligence filed 08/20/2013 states grandfather, Rufus L. McCalister is unknown and petitioner does not know where to search for him.</p>	
Cont. from 080613					
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail	w/o			
	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				
		Please see additional page		<p>Reviewed by: LV</p> <p>Reviewed on: 09/12/2013</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16 – McCalister</p>	

Court Investigator Jennifer Young's report filed 07/30/2013.

Needs / Problems / Comments continued

3. Proof of service by mail filed on 08/20/2013 showing service on Syeda Price Henley is incomplete as to when service was effectuated.
4. *UCC/JEA* filed on 08/20/2013 does not provide residence information for the last 5 consecutive years as required.

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

DOD: 04/15/2013		MARGARITA PERRY , spouse, is petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR: Amended Petition filed 09/11/2013. Hearing is set for 10/21/2013</u> 1. Petition was opened using a Fee Waiver. Filing fees are considered cost of administration and must be paid prior to distribution of property. Filing fee of \$435 is now due. 2. Per intestate succession the decedent's father, James Perry, is entitled to one half of the decedent's estate. Therefore he will need to join in as a petitioner and an amended petition will need to be filed.
		40 days since DOD	
		No other proceedings	
Cont. from 090313			
	Aff.Sub.Wit.	I&A \$80,000.00	
✓	Verified	Decedent died intestate	
✓	Inventory		
	PTC	Petitioner requests Court determination that decedent's 100% interest in real property located at 1854 21 st , Kingsburg, Ca. pass to Margarita Perry pursuant to intestate succession.	
	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 on: 09/13/2013
			Updates:
			Recommendation:
			File 17 – Perry

Atty Machuca, Sandra (pro per – paternal grandmother/Petitioner)

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Celeste, 9	<p><u>TEMPORARY GRANTED EX PARTE:</u> <u>TEMPORARY EXPIRES 09/17/13</u></p> <p><u>GENERAL HEARING 11/04/13</u></p> <p>SANDRA MACHUCA, paternal grandmother, is Petitioner.</p> <p>Father: FRANCISCO HERNANDEZ</p> <p>Mother: OLIVIA GURRISQUIETA</p> <p>Paternal grandfather: MELESIO HERNANDEZ</p> <p>Maternal grandfather: MR. GURRISQUIETA Maternal grandmother: MARIA GURRISQUIETA</p> <p>Petitioner alleges that the parents are homeless, live on the streets and are addicted to drugs. CPS placed the children with Petitioner when the youngest child tested positive for drugs at birth. Petitioner states that temporary guardianship is necessary because neither parent is available should any of the children need medical treatment and further the parents have threatened to remove the children from Petitioner's home.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service at least 5 court days before the hearing of Notice of Hearing with a copy of the Temporary Petition or Consent & Waiver of Notice or Declaration of Due Diligence for: <ul style="list-style-type: none"> - Francisco Hernandez (father) - Olivia Gurrisquieta (mother) 	
Alyssa, 6			
Unique, 1			
Frances, 2 mos.			
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			X
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			X
✓ Conf. Screen			
Letters			X
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order	X		
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			

Reviewed by: JF
Reviewed on: 09/12/13
Updates:
Recommendation:
File 18 - Hernandez

Atty Blanco, Gerard Alfred Sr. (pro per – maternal grandfather/Petitioner)

Atty Blanco, Elizabeth (pro per – maternal grandmother/Petitioner)

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Efren, 4		<p align="center">GENERAL HEARING 11/04/13</p> <p>GERALD ALFRED BLANCO, SR. and ELIZABETH BLANCO, maternal grandparents, are Petitioners.</p> <p>Father (Efren, Annalysia & Adan): EFREN BARRAGAN, SR.</p> <p>Father (Elias): UNKNOWN</p> <p>Mother: MARITSSA PADILLA</p> <p>Petitioners allege that the mother is on the streets and only comes around when she sees fit. The father of the 3 oldest children is currently incarcerated and the father of Elias is unknown. Petitioners state that temporary guardianship is necessary because the mother threatens to remove the children from their home where they have a safe home and proper supervision. Petitioners do not want the children out on the streets with their mother.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>3. Need Notice of Hearing.</p> <p>4. Need proof of personal service at least 5 court days before the hearing of Notice of Hearing with a copy of the Temporary Petition or Consent & Waiver of Notice or Declaration of Due Diligence for:</p> <ul style="list-style-type: none"> - Efren Barragan, Sr. (father) - Father of Elias (unknown) - Maritssa Padilla (mother)
Annalysia, 3			
Adan, 1			
Elias, 2 months			
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: JF	
		Reviewed on: 09/12/13	
		Updates:	
		Recommendation:	
		File 19 – Barragan & Padilla	

Status Hearing Re: Establishing a Visitation Schedule

Age: 3	MARIA DE JESUS ZARAGOZA GOMEZ , Maternal Aunt, was appointed Guardian of this minor and his three siblings on 4-16-12.	NEEDS/PROBLEMS/COMMENTS:
		This matter will be heard at 1:30 p.m.
	JORGE L. LOPEZ , Father of Jorge Eduardo Zaragoza, petitioned for termination of the guardianship of Jorge only.	Note: Parties are Spanish-speaking.
<input type="checkbox"/> Aff.Sub.Wit.	On 6-6-13, the Court set the matter for trial on 8-1-13 and ordered that both the father and the guardian be present for a therapeutic session.	1. Need current status.
<input type="checkbox"/> Verified	On 8-1-13, the Court authorized the child to leave with the guardian to Washington for a period not to exceed two weeks. Upon return, the father is to have the child for two weeks. Parties agreed to participate in mediation on 8-2-13 to address visitation if the guardianship is terminated.	The Court set this hearing as a status hearing and ordered parties to file status reports regarding the current situation.
<input type="checkbox"/> Inventory		Examiner notes that the "Trial Brief" submitted by Ms. Gomez' attorney continues to argue against termination and does not provide the current status, and Mr. Lopez has not filed a status report.
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt	The Court set this status hearing for 9-17-13 and directed counsel to submit a status report one week prior to the hearing.	
<input type="checkbox"/> CI Report	A "Trial Brief" filed 9-10-13 by Attorney Pulido states termination is not in the child's best and the petition to terminate itself is creating an environment that is harmful to the child and inconsistent with the goals of the legislature to create permanency, safety, and stability. Any unwarranted petitions after guardianship is established create an environment harmful to children.	
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: skc
<input type="checkbox"/> Status Rpt		Reviewed on: 9-16-13
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 1 – Gomez, Madrigal & Zaragoza