

Notice of Status Hearing Re: Failure to File a First Account or Petition for Final Distribution

DOD: 11/25/07	<p>MARGIE GFELLER, Spouse, was appointed as Executor without IAEA authority and without bond on 03/18/08. Letters were issued on 05/13/08.</p> <p>Petition for Authority to Administer Estate without Court Supervision filed 06/02/08. Order Granting Authority To Administer Estate Without Court Supervision was filed 07/10/08. Letters Testamentary with Full IAEA Authority were issued on 07/14/08.</p> <p>Inventory & Appraisal, partial no. 1 - \$210,000.00</p> <p>Inventory & Appraisal, partial no. 2 - \$835,000.00</p> <p>Notice of Status Hearing filed 10/31/13 set this matter for status regarding failure to file a First Account and/or Petition for Final Distribution. Clerk's Certificate of Mailing states that the Notice of Status Hearing was mailed to Joanne Sanoian on 10/31/13.</p> <p>Status Hearing Report filed 01/02/14 states: it is anticipated that the First and Final Account and Report and Petition for Distribution will be filed within 60 days.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 08/14/14 Minute Order from 08/14/14 states: The Court orders the executor, Margie Gfeller to be personally present in Court at the next hearing. The Court issues sanctions in the amount of \$800.00 and further orders the executor to show cause as to why she has not responded to the Court and for failure to appear.</p> <p>Clerk's Certificate of Mailing filed 08/15/14 states a copy of the minute order from 08/14/14 was mailed to Margie Gfeller on 08/14/14.</p> <p>As of 09/15/14, nothing further has been filed in this matter:</p> <ol style="list-style-type: none"> 1. Need Final Inventory & Appraisal. 2. Need Accounting/Report of Administrator and Petition for Final Distribution.
Cont. from 010314, 030714, 050214, 073114, 081414		
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: JF</p> <p>Reviewed on: 09/15/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1A – Gfeller</p>	

Order to Show Cause to be personally present (Margie Gfeller) and to show cause for failure to appear and failure to respond to Court.

DOD: 11/25/07	MARGIE GFELLER , Spouse, was appointed as Executor without IAEA authority and without bond on 03/18/08. Letters were issued on 05/13/08.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		
Aff.Sub.Wit.	Petition for Authority to Administer Estate without Court Supervision filed 06/02/08.	
Verified	Order Granting Authority To Administer Estate Without Court Supervision was filed 07/10/08. Letters Testamentary with Full IAEA Authority were issued on 07/14/08.	
Inventory	Inventory & Appraisal, partial no. 1 - \$210,000.00	
PTC	Inventory & Appraisal, partial no. 2 - \$835,000.00	
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Neither a Final Inventory & Appraisal nor Accounting/Report of Administrator and Petition for Final Distribution has been filed. Minute Order from status hearing regarding filing of the Final I & A and Accounting on 08/14/14 set this matter for an Order to Show Cause and states: The Court orders the executor, Margie Gfeller to be personally present in Court at the next hearing. The Court issues sanctions in the amount of \$800.00 and further orders the executor to show cause as to why she has not responded to the Court and for failure to appear.	
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice	Clerk's Certificate of Mailing filed 08/15/14 states a copy of the minute order from 08/14/14 was mailed to Margie Gfeller on 08/14/14.	
		Reviewed by: JF
		Reviewed on: 09/15/14
		Updates:
		Recommendation:
		File 1B - Gfeller

(1) Second and Final Account and Report of Conservator; (2) Petition for Allowance of Compensation to Conservator and Attorney

DOD: 9/16/13	xxxxxxx, Conservator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 12/18/12 – 9/16/13	
	Accounting - \$36,518.73	
Cont. from	Beginning POH - \$10,612.89	
Aff.Sub.Wit.	Ending POH - \$ 8,024.23	
<input checked="" type="checkbox"/> Verified	Subsequent Account period: 9/17/13 – 4/17/14	
Inventory	Accounting - \$11,490.41	
PTC	Beginning POH - \$ 8,024.23	
Not.Cred.	Ending POH - \$ 4,072.98	
<input checked="" type="checkbox"/> Notice of Hrg	Conservator - \$2,520.32 (15.17 Deputy hours @ \$96/hr and 14 Staff hours @ \$76/hr)	
<input checked="" type="checkbox"/> Aff.Mail W/		
Aff.Pub.	Attorney - \$1,875.00 (per Local Rule)	
Sp.Ntc.		
Pers.Serv.	Bond fee - \$25.00 (o.k.)	
Conf. Screen	Petitioner request that due to the insufficiency of the estate to pay the fees and commissions that a lien be imposed upon the estate for any unpaid balances of the authorized fees and commissions.	
Letters		
Duties/Supp		
Objections		
Video Receipt	Petitioner prays for an Order:	
CI Report	1. Approving, allowing and settling the second and final account;	
9202	2. Authorizing the conservator and attorney fees and commissions;	
<input checked="" type="checkbox"/> Order	3. Payment of the bond fee;	
Aff. Posting	4. Authorize petitioner to impose a lien on the estate for any unpaid balances of authorized fees and commissions.	
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 9/18/14
		Updates:
		Recommendation:
		File 2 - Karaian

<p>DOD: 10/22/11</p> <hr/> <hr/> <hr/> <p>Cont. from 052413, 062113, 081613, 101113, 011014, 031114, 062014</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td>Verified</td><td></td></tr> <tr><td>Inventory</td><td style="text-align: center;">x</td></tr> <tr><td>PTC</td><td></td></tr> <tr><td>Not.Cred.</td><td></td></tr> <tr><td>Notice of Hrg</td><td></td></tr> <tr><td>Aff.Mail</td><td></td></tr> <tr><td>Aff.Pub.</td><td></td></tr> <tr><td>Sp.Ntc.</td><td></td></tr> <tr><td>Pers.Serv.</td><td></td></tr> <tr><td>Conf. Screen</td><td></td></tr> <tr><td>Letters</td><td></td></tr> <tr><td>Duties/Supp</td><td></td></tr> <tr><td>Objections</td><td></td></tr> <tr><td>Video Receipt</td><td></td></tr> <tr><td>CI Report</td><td></td></tr> <tr><td>9202</td><td></td></tr> <tr><td>Order</td><td></td></tr> <tr><td>Aff. Posting</td><td></td></tr> <tr><td>Status Rpt</td><td></td></tr> <tr><td>UCCJEA</td><td></td></tr> <tr><td>Citation</td><td></td></tr> <tr><td>FTB Notice</td><td></td></tr> </table>	Aff.Sub.Wit.		Verified		Inventory	x	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>WILL SCOTT, JR., surviving spouse, was appointed successor Administrator on 02/08/13.</p> <p>Letters of Administration were issued on 02/08/13.</p> <p>Status Report filed 05/17/13 states: Counsel and the Administrator have not had time to determine what assets remain in the estate and what assets have been determined to be joint tenancy property. A continuance is requested so that counsel and the Administrator can meet to prepare the Inventory & Appraisal and forward it to the Probate Referee for appraisal and subsequent filing with the Court.</p> <p>Status Report filed 10/10/13 states: It appears that there are no assets in this estate, but they have not had time to do an Inventory & Appraisal.</p> <p>Status Report filed on 12/23/13 states the Administrator has served a Subpoena for Records on Wells Fargo Bank in September regarding four bank accounts. As of this date, Wells Fargo has failed to produce the requested records. A demand for production of records pursuant to the subpoena was served on Wells Fargo on 11/20/13, and no response or records have been received as of this date. Therefore, Administrator is unable to prepare and file and inventory and appraisal. The estate is not yet in a condition to close.</p> <p>Status Report filed 03/06/14 states that all assets of the estate appear to be held in joint tenancy and there will be no further action in the estate except for the discharge of the Administrator, which shall be filed in the next month.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 08/20/14</u></p> <p>As of 09/15/14, nothing further has been filed.</p> <p>Minute Order from 06/20/14 states: Counsel reports that there are no assets in the estate.</p> <p>Status Report filed 06/19/14 states: There are no assets belonging to the estate so no Inventory & Appraisal will be filed. The final petition is being prepared.</p> <hr/> <p>Reviewed by: JF</p> <hr/> <p>Reviewed on: 09/15/14</p> <hr/> <p>Updates:</p> <hr/> <p>Recommendation:</p> <p>File 3A – Scott</p>
Aff.Sub.Wit.																																																
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FTB Notice																																																

DOD: 10-22-11	WILL SCOTT, JR. , son, was appointed successor Administrator with limited IAEA without bond on 02/08/13 pursuant to a Stipulation for Settlement filed 2-6-13.	NEEDS/PROBLEMS/COMMENTS:
	Letters of Administration were issued on 2-8-13.	CONTINUED FROM 08/20/14
	On 4-12-13, the Court sent notice of status hearings for filing of I&A on 5-24-13 and filing of first account or petition for final distribution on 10-25-13.	As of 09/15/14, nothing further has been filed.
Cont. from 102513, 011014, 031114, 062014	Note: Inventory and Appraisal has not been filed. Status hearing for filing I&A was continued numerous times and on 10-11-13 was again continued to 1-10-14.	Minute Order from 06/20/14 states: Counsel reports that there are no assets in the estate.
Aff.Sub.Wit.	<p>Status Report filed 03/06/14 states that all assets of the estate appear to be held in joint tenancy and there will be no further action in the estate except for the discharge of the Administrator, which shall be filed in the next month.</p>	Note re history: Michelle Scott, daughter, was originally appointed as Administrator with Will Annexed and the Will dated 6-10-11 was admitted to probate on 2-2-12.
Verified		Will Scott Jr., filed a Will Contest. Pursuant to Stipulation for Settlement filed 2-6-13, Michelle Scott resigned and Will Scott Jr., was appointed as Successor Administrator with limited IAEA without bond.
Inventory		Letters issued 2-8-13. Upon issuance of Letters the Court set status dates for filing I&A and petition for final distribution.
PTC		The original petition estimated personal property valued at \$150,000 and real property that was encumbered for its entire value of \$300,000.
Not.Cred.		Creditor's claims have been filed, and partially allowed.
Notice of Hrg		The Stipulation for Settlement indicated \$57,250 held in attorney Fanucchi's trust and discussed estate assumption of liabilities on creditor's claims as well as other litigation and various releases and waivers by the parties.
Aff.Mail		An unverified status report filed 10-10-13 in connection with the continued status hearing on filing the I&A stated that it appears there are no estate assets, but they have not had time to do an I&A.
Aff.Pub.		1. Need Petition to close the estate and/or current written status report.
Sp.Ntc.		Reviewed by: JF
Pers.Serv.		Reviewed on: 08/18/14
Conf. Screen		Updates:
Letters		Recommendation:
Duties/Supp		File 3B – Scott
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

DOD: 9/25/2011	<p>JULIO A. HINOJOSA was appointed Executor with full IAEA authority and without bond on 6/18/2012.</p> <p>Letters issued on 6/18/2012.</p> <p>Inventory and appraisal was filed on 11/1/2012 showing the estate valued at \$1,892.89.</p> <p>On 4/18/2013 Gary Bagdasarian substituted out as the attorney of record and Nathan Powell of Dowling, Aaron, Inc. substituted in.</p> <p>Status Report of Attorney Kent J. Klassen filed on 7/2/14 states the Executor and the plaintiff in the civil matter mediated the civil lawsuit on 3/3/14. All settlement documents have been exchanged. Due to inadvertence the file did not get into the right hands after the companion case was completed. Mr. Klassen requests an additional 45 days to complete these tasks.</p> <p>Status Report of Attorney Kent J. Klassen filed on 8/27/14 states the accounting itself is done, but there are documents that the Trustee/Executor needs to sign. It is respectfully requested that the status hearing be continued an additional 20 days to obtain the signatures on the documents.</p>	NEEDS/PROBLEMS/COMMENTS:
		<u>OFF CALENDAR.</u> Petition to Terminate Proceedings has been filed and is set for hearing on 10/16/14.
Cont. from 080213, 020314, 041414, 071414		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
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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: 9/15/14
		Updates:
		Recommendation:
		File 4 – Hinojosa

[Third] Amended Waiver of Accounting and Petition for Final Distribution and for Allowance of Compensation

DOD: 3-31-12	GREGORY TAYLOR , Executor with Full IAEA without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Executor Gregory Taylor is a resident of West River, Maryland.</p> <p>1. <u>Prior Examiner Notes</u> stated: "Need Property Tax Certificate." This refers to #5 of the Inventory and Appraisal (Property Tax Certificate) filed 11-2-12, which is blank.</p> <p>Petitioner previously provided a copy of the current property tax bill/statement; however, this did not address the issue.</p> <p>This <u>third</u> amended petition does not address this issue.</p> <p><u>Separately, Mr. Armas filed a declaration that is not verified by the Executor</u> that states the requirements of Revenue and Taxation Code §480 have been satisfied and a change of ownership statement was filed.</p> <p><u>However, this statement needs to be verified by the Executor.</u> See Probate Code §§ 1021, 1023.</p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p>
	Accounting is waived	
<input type="checkbox"/> Aff.Sub.Wit.	I&A: \$504,522.95	
<input checked="" type="checkbox"/> Verified	POH: \$504,522.95	
<input checked="" type="checkbox"/> Inventory	(\$205,522.95 cash plus real property)	
<input type="checkbox"/> PTC	X	
<input checked="" type="checkbox"/> Not.Cred.	Executor (Statutory): Waived	
<input checked="" type="checkbox"/> Notice of Hrg	Attorney (Statutory):	
<input checked="" type="checkbox"/> Aff.Mail	\$13,110.46	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Distribution pursuant to decedent's will, Article Fifth:	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	JOSEPH MASON (Estate of):	
<input checked="" type="checkbox"/> Letters	11-9-12	
<input type="checkbox"/> Duties/Supp	CHRISTOPHER TAYLOR:	
<input type="checkbox"/> Objections	\$10,000.00	
<input type="checkbox"/> Video Receipt	JEFFREY TAYLOR: \$5,000.00	
<input type="checkbox"/> CI Report	NICOLE TAYLOR: \$5,000.00	
<input checked="" type="checkbox"/> 9202	GREGORY TAYLOR, SR.:	
<input checked="" type="checkbox"/> Order	\$226,206.24	
<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: skc
		Reviewed on: 9-15-14
		Updates:
		Recommendation:
		File 5B - Mason

Page 2 - NEEDS/PROBLEMS/COMMENTS (Continued):

2. When the current property tax bill/statement was previously provided, it was noted that that the bill states: "07/01/13 PRIOR YEAR DELINQUENT TAXES JEOPARDIZE THIS PROPERTY – NOT INCLUDED IN THIS BILL."

Examiner Notes previously asked why the estate's real property was allowed to become delinquent during administration, and, given this issue, is the estate in a position to close?

This third amended petition does not address this issue at all. Mr. Armas' unverified declaration states that interest earned on the estate assets was used to pay property taxes and related costs to prepare the house for sale.

However, also as previously noted: The POH does not reflect any interest earned since the death of the decedent; rather, the list of POH shows the exact same accounts with the same exact amounts as listed on the I&A as of the Decedent's date of death in March 2012 - including investment accounts. Examiner Notes previously asked why the accounts did not earn interest in over two years of estate administration, when the Executor has a duty to keep cash in interest-bearing accounts.

In this third amended petition, the POH list remains the same, without explanation. However, Mr. Armas' unverified declaration now states that the accounts were actually consolidated into one interest-bearing account and the interest was used to pay property taxes and related costs to prepare the house for sale.

First, this new information contradicts the information in the verified petition, which provides the list of original accounts and real property as current POH. However, if those accounts no longer exist, then they should not be listed as POH.

Pursuant to Cal. Rules of Court 7.550(b)(3) and (4), when accounting is waived, this information (changes in form of assets and property on hand) must still be provided to the Court.

Second, as previously noted, if interest was earned and then used, why is the amount still exactly the same as it was at the decedent's date of death.

Third, Mr. Armas now indicates interest income was expended to prepare the house for sale. However, because it was never mentioned before to the Court before that the house was to be sold, and even in this third amended petition, the POH includes the house for distribution, and the attorney even revised the proposed order to include the legal description, Examiner assumed that the house was still an asset of the estate to be distributed pursuant to the this petition.

Because Mr. Armas did not address the tax delinquency or how this may affect the estate being in a position to close - it only stated some payments were made - Examiner was going to note that the Court may require additional clarification regarding the delinquent taxes. However, because of the mention of preparation for sale, Examiner checked public real estate records, which show that the house was sold for \$350,000.00 on 8-14-14.

Therefore, it is clear that the information provided in this third amended petition is not an accurate reflection of the estate at this time. The Court cannot order distribution of assets that do not exist. Need further amended petition.

SEE ADDITIONAL PAGES

Page 3 - NEEDS/PROBLEMS/COMMENTS (Continued):

3. **The decedent's will devises the estate to a trust that was established by Settlers Joseph and Juanita Mason on 8-23-04. A copy of the signed Trust, along with the Schedule "A" Transfer of Assets, was provided with the original petition for probate. The Trust provides that Gregory Taylor, the Executor herein, is the successor trustee of the trust.**

Local Rule 7.12.5. requires that if distribution is being made to a pre-existing trust, as is the case here, that the trustee file a declaration stating the name of the trust, its establishment date, taxpayer identification number, verifying that the trust is in full force and effect, and that the trustee has an executed copy of the trust in his or her possession.

However, Mr. Armas states the trust was never funded because the settlors never transferred any assets into the trust. Examiner Notes previously requested clarification, and stated that ***IF*** the trust is not in existence, then distribution is pursuant to the Will's Article Fifth, not simply pursuant to the trust.

In this third amended petition, Mr. Armas continues to state that the trust was never funded, and now requests distribution pursuant to Article Fifth.

However, the Court may require clarification: Isn't the Schedule "A" Transfer of Assets itself the initial funding of the trust? Schedule A States: " I grant, transfer and convey to the Trustee of the MASON FAMILY TRUST all right, title, and interest in and to all clothing, household goods and furnishings, objets d'art, automobiles and other personal effects, and all other real and personal property that I now own or acquire later during my lifetime, together with all of my cash, bank accounts, securities, general and limited partnership interests, business interests, promissory notes, and trust deeds payable to me, or my interest in any such property, together with any insurance on such property. This transfer of assets will be binding and effective as to my heirs and assigns. I agree to sign such documents and take such actions as are necessary to effectuate these transfers as a matter of public record (for example, the recording of real estate deeds in the County Recorder's Office). Executed on 8/23/04 at Fresno, California."

In other words, it appears that by the act of signing this transfer of assets, the trust was funded and as such, Gregory Taylor should comply with applicable law regarding taking over as successor trustee and this estate should distribute to the trust. If the settlors did not do the appropriate follow-up such as changing title on the assets themselves, and thus circumstances required probate of their estates, that does not mean that the trust is not operative or is invalid or fails or has been revoked. It simply means that the trustee will need to comply with the requirements of the trust and with the local rules in order to distribute to the trust, and handle it from there.

The Court may require authority to bypass the trust as though it does not exist pursuant to the Will's Article Fifth, when it appears that it has been in existence since 2004.

SEE ADDITIONAL PAGES

Page 4 - NEEDS/PROBLEMS/COMMENTS (Continued):

4. If the Court ultimately does authorize distribution pursuant to the Will's Article Fifth instead of the trust, subject to the above issues which require further amendment, need clarification regarding the following:

This decedent Juanita Mason, in her Will's Article Fifth, appears to assume that all of her assets are community assets and makes provision for distribution of her half to certain heirs, while confirming to her husband Joseph Mason his half.

However, the I&A in this estate gives no indication that the assets were community property pursuant to Probate Code §8850(c), and further the petition states at Page 2, Line 26, that the estate consists entirely of the decedent's separate property. All the prior petitions have stated this also.

So it is confusing that this petition proposes to distribute half of the estate to the Estate of Joseph Mason. *If the assets of this estate were community property, this estate would not distribute to the Estate of Joseph Mason his half. He already owned his half. Rather, this estate would deal only with Juanita Mason's half, which if not distributed to the trust, would be distributed pursuant to Article Fifth. If that is the case, then the I&A should be amended to reflect that it is only her half.*

Conversely, if the assets of this estate were separate property, the Will's Article Fifth does not make any provision for distribution to her husband, only to her heirs.

5. *Further, because the petition requests to distribute to Joseph Mason's estate, Examiner looked up the matter 14CEPR00064 to confirm that a personal representative has been appointed to receive a distribution from this estate if that occurs. In that case, Mr. Armas represents Cheryl Mason, who was appointed as Executor on 3-3-14.*

Of note is the fact that the I&A filed in that case also lists the same real property at the same value (the full value of \$300,000.00) as is being probated in this estate, as well as an account at Golden 1 Credit Union xxx014 that was listed in this estate at a different value.

How can the real property and account that is verified to be this decedent's separate property be an asset of Joseph Mason's estate also?

Also of note is the fact that probating the same property at the same value twice gives Mr. Armas double the statutory compensation that he would otherwise be entitled to.

Atty O'Neill, Patricia B., sole practitioner (for Petitioner Frances Gonzales, Guardian)

(1) First Account and Report of Guardian and Report of Guardian and (2) Petition to Settle Account and (3) for Waiver of Future Accountings, and (4) for Allowance of Attorneys Fees

Age: 14 years	FRANCES GONZALES , paternal grandmother and Guardian of the Estate, is Petitioner.		NEEDS/PROBLEMS/COMMENTS: Note: Proposed order has been interlineated to state that all future accountings are waived <u>until</u> the minor reaches <u>age 18</u> .
	Account period: 6/27/2013 – 6/30/2014		
Cont. from	Accounting	- \$8,744.89	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH	- \$8,741.83	
<input checked="" type="checkbox"/> Verified	Ending POH	- \$8,744.89 (all cash)	
<input checked="" type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.	Guardian	- Not requested	
<input checked="" type="checkbox"/> Notice of Hrg	Attorney	- \$253.12	
<input checked="" type="checkbox"/> Aff.Mail	W/	(itemized on Declaration of Patricia Bone O'Neill Regarding Attorney's Fees filed 8/12/2014, for 1.5 hours @ \$168.75 per hour)	
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.	Costs	- \$435.00 (filing fee)	
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters	052313		
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input checked="" type="checkbox"/> 2620			
<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			
	Petitioner requests an order dispensing with future accountings of the guardianship estate since all of the guardianship funds are held in a blocked account and no principal or income may be withdrawn by the Guardian without prior Court approval.		
	Petitioner prays for an Order:		
	1. Approving, allowing and settling the First Account and Report of the Guardian;		
	2. Waiving all future accountings [until the minor reaches age 18]; and		
	3. Authorizing payment of the attorney fees and commissions and the withdrawal of \$688.12 from the blocked account for payment to the attorney.		
	Reviewed by: LEG		
	Reviewed on: 9/15/14		
	Updates:		
	Recommendation:		
	File 6 - Gonzales		

Notice to Appear for Reconsideration of Fee Waiver

		DEBBIE WALTRIP, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
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: LV	
		Reviewed on: 09/15/2014	
		Updates:	
		Recommendation:	
		File 7C – Waltrip	

Atty Lyon, Paul J., sole practitioner (for Petitioners George M. Smith and Michelle J. Smith)

Second Amended Petition for Appointment of Probate Conservator of the Person

Age: 26 years		<p style="text-align: center;">NO TEMPORARY REQUESTED</p> <p>GEORGE M. SMITH and MICHELLE J. SMITH, parents, are Petitioners and request appointment as Conservator of the Person with medical consent powers.</p> <p><i>Need Capacity Declaration</i></p> <p>Voting Rights NOT Affected</p> <p>Petitioners state the proposed Conservatee has Down syndrome and is developmentally disabled with a low IQ, and is unable to provide necessities of food or shelter for herself.</p> <p>Court Investigator Jennifer Daniel's Report was filed on 7/10/2014.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page 8 is the related case of this proposed Conservatee's sibling.</p> <p>Court Investigator Advised Rights on 6/12/2014.</p> <p>Continued from 8/14/2014. Minute Order states need medical consent powers.</p> <p>The following issues from the last hearing remain:</p> <ol style="list-style-type: none"> <i>Petition</i> requests medical consent powers. Need <i>Medical Capacity Declaration</i> (Judicial Council form GC-335) in support of Petitioners' request pursuant to Probate Code § 1890(c). <p>~Please see additional page~</p>	
Cont. from 081414				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	Cap. Dec.			X
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<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/
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<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input checked="" type="checkbox"/>	Video Receipt			
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<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: LEG				
Reviewed on: 9/15/14				
Updates:				
Recommendation:				
File 8 – M. Smith				

NEEDS/PROBLEMS/COMMENTS, continued:

2. *Citation for Conservatorship* filed 6/9/2014 lists in Item 1(a) the hearing date of 6/26/2014, which was the date for the *First Amended Petition*, and therefore the proposed Conservatee was not personally served for the hearing date of 8/14/2014. Further, *Proof of Service by Mail* of the *Notice of Hearing* filed 9/4/2014 shows the proposed Conservatee was mailed notice of the 9/18/2014 hearing, which mailing is insufficient pursuant to Probate Code § 1824 which requires personal service. Court may require service of a new *Citation* on the proposed Conservatee with a copy of the *Second Amended Petition for Appointment of Probate Conservator* pursuant to Probate Code § 1824. (Note: *If proposed Conservatee is present at hearing, this issue will become moot.*)

Note: Attachment 1(f) to the *Petition* sets forth powers and duties of the proposed Conservators that appear to be requested by Petitioners, some of which are powers and duties of general conservators as a matter of course. However, the following powers and duties listed (set forth below in sum), are **not** authorized as a matter of course:

- Consent to medical treatment (unless Petitioners file a satisfactorily completed *Capacity Declaration* in support of medical consent powers);
- Placement of the Conservatee in a secured perimeter residential care facility (which is impermissible in this case.)

Proposed orders and letters submitted by Petitioners can be interlineated by the Examiner to reflect medical consent powers pending Petitioners' filing a *Medical Capacity Declaration* which supports those powers, and pending the outcome of the hearing on 9/18/2014.

Atty **Lyon, Paul J., sole practitioner (for Petitioners George M. Smith and Michelle J. Smith)**

Second Amended Petition for Appointment of Probate Conservator of the Person

Age: 23 years		<p align="center">NO TEMPORARY REQUESTED</p> <p>GEORGE M. SMITH and MICHELLE J. SMITH, parents, are Petitioners and request appointment as Conservator of the Person with medical consent powers.</p> <p>Need Capacity Declaration</p> <p>Voting Rights NOT Affected</p> <p>Petitioners state the proposed Conservatee has Down syndrome and is developmentally disabled with a low IQ, and is unable to provide necessities of food or shelter for himself.</p> <p>Court Investigator Jennifer Daniel's Report was filed on 7/10/2014.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page 7 is the related case of this proposed Conservatee's sibling.</p> <p>Court Investigator Advised Rights on 6/12/2014.</p> <p>Continued from 8/14/2014. Minute Order states need medical consent powers.</p> <p>The following issues from the last hearing remain:</p> <p>3. <i>Petition</i> requests medical consent powers. Need <i>Medical Capacity Declaration</i> (Judicial Council form GC-335) in support of Petitioners' request pursuant to Probate Code § 1890(c).</p> <p>~Please see additional page~</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
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<input type="checkbox"/>	Aff.Pub.		
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<input checked="" type="checkbox"/>	Conf. Screen		
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<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: LEG	
		Reviewed on: 9/15/14	
		Updates:	
		Recommendation:	
		File 9 – E. Smith	

NEEDS/PROBLEMS/COMMENTS, continued:

4. *Citation for Conservatorship* filed 6/9/2014 lists in Item 1(a) the hearing date of 6/26/2014, which was the date for the *First Amended Petition*, and therefore the proposed Conservatee was not personally served for the hearing date of 8/14/2014. Further, *Proof of Service by Mail* of the *Notice of Hearing* filed 9/4/2014 shows the proposed Conservatee was mailed notice of the 9/18/2014 hearing, which mailing is insufficient pursuant to Probate Code § 1824 which requires personal service. Court may require service of a new *Citation* on the proposed Conservatee with a copy of the *Second Amended Petition for Appointment of Probate Conservator* pursuant to Probate Code § 1824. (Note: *If proposed Conservatee is present at hearing, this issue will become moot.*)

Note: Attachment 1(f) to the *Petition* sets forth powers and duties of the proposed Conservators that appear to be requested by Petitioners, some of which are powers and duties of general conservators as a matter of course. However, the following powers and duties listed (set forth below in sum), are **not** authorized as a matter of course:

- Consent to medical treatment (unless Petitioners file a satisfactorily completed *Capacity Declaration* in support of medical consent powers);
- Placement of the Conservatee in a secured perimeter residential care facility (which is impermissible in this case.)

Proposed orders and letters submitted by Petitioners can be interlineated by the Examiner to reflect medical consent powers pending Petitioners' filing a *Medical Capacity Declaration* which supports those powers, and pending the outcome of the hearing on 9/18/2014.

10 Lorraine Keehn (CONS/P)
Atty Matlak, Steven M. (for Petitioner Linda Courtney)
Atty Casheros, Jerry D. (for Objector Richard Natividad)
Atty Walters, Jennifer L. (Court Appointed for Conservatee)
Status Re: Settlement Agreement

Case No. 14CEPR00474

Age: 90	On 06/03/14, LINDA COURTNEY , daughter, filed a Petition for Appointment of Probate Conservator.	NEEDS/PROBLEMS/COMMENTS:
	RICHARD NATIVIDAD , son, filed an Objection on 06/10/14.	
Cont. from		
Aff.Sub.Wit.	Minute Order from Court Trial on 08/12/14 , states: Parties are working on a settlement agreement and set this matter for status regarding Settlement Agreement.	
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		
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Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed on: 09/15/14
		Updates:
		Recommendation:
		File 10 - Keehn

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

DOD: 4-15-14		JOSEPH W. HAYS, JR., Father, is Petitioner and requests appointment as Administrator with Will Annexed with Full IAEA with bond of \$182,004.00. Full IAEA: ok Holographic Will dated 4-7-14 Residence: Clovis Publication: Fresno Business Journal Estimated value of estate: Personal property: \$ 57,004.00 Real property: \$125,000.00 Total: \$182,004.00 Probate Referee: Rick Smith	NEEDS/PROBLEMS/COMMENTS: Note: If granted, the Court will set the following status hearings: <ul style="list-style-type: none"> • Thurs 11-20-14 for filing of bond • Thurs 2-26-15 for filing inventory and appraisal • Thurs 2-25-16 for filing the first account or petition for final distribution If the proper items are on file per local rules, the status hearing may be taken off calendar.	
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	Pers.Serv.			
	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<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: skc				
Reviewed on: 9-16-14				
Updates:				
Recommendation: SUBMITTED				
File 11 - Hayes				

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 2/26/14		<p>MARIA G. CAMPOS, surviving spouse, is petitioner and requests appointment without bond.</p> <p>Full IAEA - ??</p> <p>Decedent died intestate.</p> <p>Residence: Kerman Publication: NEED</p> <p>Estimated value of the estate: Personal property - \$ 2,000.00 Real Property - \$179,123.00 Total \$181,123.00</p> <p>Probate Referee: Rick Smith</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Petition requests bond be waived. Two of the beneficiaries are minors and cannot waive bond. Therefore bond should be set at \$181,123.00.</p> <p>2. Need Affidavit of Publication.</p> <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Wednesday, October 22, 2014 at 9:00 a.m. in Department 303, for the filing of the bond. • Wednesday, February 18, 2015 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. • Wednesday, November 18, 2015 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
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<input type="checkbox"/>	Aff.Pub.			X
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<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: 9/16/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 - Campos</p>				

Probate Status Hearing Re: Failure to File a Final Account or Petition for Final Distribution

<p>DOD: 04/05/03</p>	<p>EDWARD L. MYERS, JR. and MONIQUE M. HUTCHINGS, were appointed as Co-Administrator's with Will Annexed on 08/19/03.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont. from 071913, 092013, 032114, 062014</p>	<p>Letters of Administration with Will Annexed were issued on 08/19/13.</p>	<p><u>CONTINUED FROM 06/20/14</u></p>
<p>Aff.Sub.Wit.</p>	<p>Inventory & Appraisal, partial No. 1 filed 04/08/04 - \$707,312.97</p>	<p>As of 09/15/14, nothing further has been filed.</p>
<p>Verified</p>	<p>Inventory & Appraisal, final filed 04/21/04 - \$16,968.64</p>	<p>1. Need Final Accounting and/or Petition for Final Distribution.</p>
<p>Inventory</p>	<p>Inventory & Appraisal, partial No. 1 corrected filed 11/10/04 - \$877,312.97</p>	<p>Status report filed 06/18/14 requests a 3 month continuance.</p>
<p>PTC</p>	<p>Petition for Preliminary Distribution and Statutory Fees filed 03/16/05 was granted on 06/02/05.</p>	
<p>Not.Cred.</p>	<p>Ex Parte Petition for Amended Letters granted 05/30/13 ordered that Monique M. Hutchings is the sole Administrator following the death of Edward L. Myers, Jr. and set this matter for status.</p>	
<p>Notice of Hrg</p>	<p>Amended Letters of Administration with Will Annexed were issued on 06/05/13.</p>	
<p>Aff.Mail</p>	<p>Status Report filed 03/14/14 states: most of the property was distributed to the beneficiaries in a preliminary distribution by order of this Court on 06/02/05. The estate contains a bank account with a balance of \$152,980.00 at this time. The Court also allowed the Co-Administrators to form an LLC to hold the remaining assets of the estate, namely, four parcels of environmentally contaminated real property. Pursuant to the Court's order, the Elm & Church, LLC was formed and currently holds a bank account with a balance of \$50,000.00 as well as the four parcels of real property. At the time of decedent's death, an environmental contamination problem related to previously installed underground fuel storage tanks had been discovered and was in the process of being analyzed and remediated by the Decedent utilizing Krazan & Associates ("Krazan"). Krazan determined the existence of contamination from the underground fuel storage tanks and enrolled the property in the State of California Environmental Cleanup Fund, which reimburses property owners for expenses incurred in the identification, analysis and remediation or underground storage tank contamination. Remediation efforts on the property has been ongoing.</p>	
<p>Aff.Pub.</p>	<p>Continued on Page 2</p>	<p>Reviewed by: JF</p>
<p>Sp.Ntc.</p>	<p>Reviewed on: 09/15/14</p>	
<p>Pers.Serv.</p>	<p>Updates:</p>	
<p>Conf. Screen</p>	<p>Recommendation:</p>	
<p>Letters</p>	<p>File 13 – Myers</p>	
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>		
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>		

Status Report filed 03/14/14 (con't): During the administration of the estate, Krazan determined the nature and extent of the environmental contamination and commenced procedures for the remediation of the contamination discovered. All expenses incurred by the estate in connection with the valuation and remediation of the contamination have been reimbursed by the State of California.

As reported in the Petition for Preliminary Distribution filed 03/16/05, the estate's membership interest in the LLC would continue to be held in the estate pending final resolution of the environmental concerns, since distribution of the LLC membership interest to the beneficiaries could expose the beneficiaries to the potential for individual liability, or actual individual liability. In her last status report, the Administrator reported that she thought the remediation could be completed within 3 to 4 months. However, the California Regional Water Quality Control Board – Central Valley Region ("RWQCB"), after inspection of the Property, refused to qualify the case for closure and did not provide a closing letter. The RWQCB instead requested further remediation as well as a study to determine whether current concentrations of petroleum hydrocarbon constituents ("PHCs") on the property pose a threat to human health. The Administrator asked Krazan to provide remediation proposal to the RWQCB, which it did on 02/28/14. The RWQCB reviewed Krazan's proposal, and issued a letter dated 03/11/14, approving the proposal and requiring that a final report issue from Krazan to the RWQCB by 04/07/14. Therefore, the Administrator requests that a status hearing be set at least 3 months from this date in order to provide Krazan with adequate time to complete the remediation of the property and receive a closing letter from the RWQCB.

Status Hearing Re: Filing of the Inventory and Appraisal; Filing of First Account and/or Petition for Final Distribution

<p>DOD: 6-9-11</p>	<p>JANETTE COURTNEY, was appointed Executor with Full IAEA without bond and Letters issued on 9-15-11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>		
	<p>Inventory and Appraisal Partial No. 1 filed 2-13-13 included commercial real property valued at \$250,000.00, which was sold pursuant to Order Confirming Sale of Real Property.</p>			
<p>Cont. from 040813, 062813, 072613, 100413, 011714, 032114, 042514, 060614, 072114</p>	<p>At hearing on 2-25-13, the Court set status hearing for 4-8-13 for the filing of the Final Inventory and Appraisal, filing of the first account, and/or petition for final distribution.</p>			
<table border="1"> <tr> <td>Aff.Sub.Wit.</td> <td></td> </tr> </table>	Aff.Sub.Wit.			
Aff.Sub.Wit.				
<table border="1"> <tr> <td>Verified</td> <td></td> </tr> </table>	Verified		<p>The status hearing for filing of the final Inventory and Appraisal has been continued to 6-28-13 and now 7-26-13.</p>	
Verified				
<table border="1"> <tr> <td>Inventory</td> <td></td> </tr> </table>	Inventory			
Inventory				
<table border="1"> <tr> <td>PTC</td> <td></td> </tr> </table>	PTC		<p>Status Report filed 7-19-13 states:</p>	
PTC				
<table border="1"> <tr> <td>Not.Cred.</td> <td></td> </tr> </table>	Not.Cred.		<ul style="list-style-type: none"> Petitioner has performed all required duties as personal representative 	
Not.Cred.				
<table border="1"> <tr> <td>Notice of Hrg</td> <td></td> </tr> </table>	Notice of Hrg		<ul style="list-style-type: none"> All known debts have been paid except for mortgage on real property which has a market value below the mortgage amount 	
Notice of Hrg				
<table border="1"> <tr> <td>Aff.Mail</td> <td></td> </tr> </table>	Aff.Mail		<ul style="list-style-type: none"> All administration costs to date except for compensation to the personal representative and attorney have been paid 	
Aff.Mail				
<table border="1"> <tr> <td>Aff.Pub.</td> <td></td> </tr> </table>	Aff.Pub.		<ul style="list-style-type: none"> The estate is solvent 	
Aff.Pub.				
<table border="1"> <tr> <td>Sp.Ntc.</td> <td></td> </tr> </table>	Sp.Ntc.		<ul style="list-style-type: none"> A creditor's claim filed by Steven Drummond has been rejected 	
Sp.Ntc.				
<table border="1"> <tr> <td>Pers.Serv.</td> <td></td> </tr> </table>	Pers.Serv.		<ul style="list-style-type: none"> There is currently no pending litigation involving the estate; however, there is a potential claim against beneficiaries for recovery of a vehicle and reimbursement for sales tax paid 	
Pers.Serv.				
<table border="1"> <tr> <td>Conf. Screen</td> <td></td> </tr> </table>	Conf. Screen		<ul style="list-style-type: none"> The status of a business being operated by a beneficiary, and the estate's current interest therein, has yet to be determined/negotiated. 	
Conf. Screen				
<table border="1"> <tr> <td>Letters</td> <td></td> </tr> </table>	Letters		<ul style="list-style-type: none"> It is estimated that an additional three (3) months will be needed to complete administration of the estate, unless litigation is needed to recover the vehicle. 	
Letters				
<table border="1"> <tr> <td>Duties/Supp</td> <td></td> </tr> </table>	Duties/Supp		<ul style="list-style-type: none"> Petitioner requests authority to continue administration until 10-1-13. 	
Duties/Supp				
<table border="1"> <tr> <td>Objections</td> <td></td> </tr> </table>	Objections			
Objections				
<table border="1"> <tr> <td>Video Receipt</td> <td></td> </tr> </table>	Video Receipt			
Video Receipt				
<table border="1"> <tr> <td>CI Report</td> <td></td> </tr> </table>	CI Report			
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Order				
<table border="1"> <tr> <td>Aff. Posting</td> <td></td> </tr> </table>	Aff. Posting		<p>Status Report filed 10/03/13 states: Since the prior status hearing the executor has been able to locate the Chevrolet Suburban, however it is damaged and towing and storage may be equal or more than the value. A compromise with the storage facility is being negotiated. Additionally, no paperwork has been located regarding the horse that a beneficiary claims belonged to the decedent and for which he is making a claim for care and feeding. The estate has rejected the claim. As to the real property in Mariposa, CA, it was thought that the bank was foreclosing on the property, but they have not. Time is requested to appraise and inventory this property and the Suburban as well as resolve the disposition of the horse.</p>	
Aff. Posting				
<table border="1"> <tr> <td>Status Rpt</td> <td></td> </tr> </table>	Status Rpt			
Status Rpt				
<table border="1"> <tr> <td>UCCJEA</td> <td></td> </tr> </table>	UCCJEA			
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<table border="1"> <tr> <td>Citation</td> <td></td> </tr> </table>	Citation			
Citation				
<table border="1"> <tr> <td>FTB Notice</td> <td></td> </tr> </table>	FTB Notice			
FTB Notice				
<table border="1"> <tr> <td></td> <td></td> </tr> </table>				<p>Minute Order 4-8-13: Mr. Keeler and Mr. Ivy are appearing via conference call. Mr. Ivy is directed to file a fully executed agreement with the court. Matter is set for Status Hearing on 5/24/13 regarding the settlement agreement and the dismissal. If the agreement and dismissal are filed by 5/24/13, no appearance will be necessary. The status hearing regarding the inventory and appraisal is continued to 6/28/13 for appearance by Mr. Neilson only. Set on 5/24/13 @ 9:00 a.m. Dept. 303 for: Status Hearing Re: Settlement Agreement and Dismissal</p>
<table border="1"> <tr> <td></td> <td></td> </tr> </table>				<p>Note: Full and Complete Settlement Agreement and Mutual Release of All Claims filed 4-11-13, and dismissal of petition filed by Dennis L. Thomas on 12-19-11 was entered on 5-1-13.</p>
<table border="1"> <tr> <td></td> <td></td> </tr> </table>				<p>Note: This is the 10th status hearing on this matter. As of 9-16-14, nothing further has been filed.</p>
<table border="1"> <tr> <td></td> <td></td> </tr> </table>				<ol style="list-style-type: none"> Need Final I&A. Need First Account or Petition for Final Distribution pursuant to Probate Code §12200.
<table border="1"> <tr> <td></td> <td></td> </tr> </table>				<p>Reviewed by: skc</p>
<table border="1"> <tr> <td></td> <td></td> </tr> </table>				<p>Reviewed on: 9-16-14</p>
<table border="1"> <tr> <td></td> <td></td> </tr> </table>				<p>Updates:</p>
<table border="1"> <tr> <td></td> <td></td> </tr> </table>				<p>Recommendation:</p>
<table border="1"> <tr> <td></td> <td></td> </tr> </table>				<p>File 14 - Drummond</p>

15A Lorraine Ruth Forestiere (Estate)
Atty Janisse, Ryan M. (for Executor Rosario R. Forestiere)

Case No. 12CEPR01040

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 9-21-12	<p>ROSARIO R. FORESTIERE, Spouse, was appointed as Administrator with Limited IAEA without bond on 1-3-13 and Letters issued on 1-7-13.</p> <p>At hearing on 1-3-13, the Court set this status hearing for the filing of the first account or petition for final distribution.</p> <p>Status Report filed 3-11-14 by Mr. Forestiere's former attorney Robert Wright states that a will has now been discovered and a Petition for Probate of Will is in process. The assets of the estate include the decedent's home, personal vehicle, and personal effects. On 12-31-13, the Court approved the sale of the residence and it is currently in escrow. The estate is not in a condition to be closed until the will has been admitted and escrow has closed.</p> <p>Update: On 6-26-14, the will was admitted to probate and Rosario R. Forestiere was appointed as Executor. The Court continued this status hearing re filing the first account or petition for final distribution to 9-18-14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account or petition for final distribution or verified written status report per local rule.</p>
Cont. from 032114, 042814, 052814, 062614		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
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Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
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Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: skc</p> <p>Reviewed on: 9-15-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15B – Forestiere</p>

	<p>ROSARIO R. FORESTIERE, Spouse, was appointed as Administrator with Limited IAEA without bond on 1-3-13 and Letters issued on 1-7-13.</p> <p>On 1-3-14, the Court confirmed the sale of real property at \$175,000.00 and ordered the proceeds deposited into a blocked account.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need receipt for blocked account (MC-356).</p>
Cont from 052814, 061914, 062614		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
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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: 9-15-14	
	Updates:	
	Recommendation:	
	File 15C - Forestiere	

Pro Per Wilson, Janet Marie (Pro Per Petitioner, maternal grandmother)
 Pro Per Mehall, Richard Martin (Pro Per Petitioner, maternal step-grandfather)

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

Age: 2 months		<u>General Hearing set for 11/13/2014</u>		NEEDS/PROBLEMS/COMMENTS: Note: Petitioners were appointed Co-Guardians of this child's siblings, Samantha Fay Stone (age 13), Christopher Owen Stone (age 11), Alexander Joe Stone (age 9), and David Michael James Stone (age 3) on 4/5/2012. Note: UCCJEA filed 9/8/2014 is incomplete as it contains no information regarding the child's residence. It appears the child is not currently in the Petitioners' custody. 1. Need proof of five (5) court days' notice by personal service of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Guardian</i> , or <i>Consent to Appointment of Guardian and Waiver of Notice</i> , for: <ul style="list-style-type: none"> • Ruthie Ann Stone, mother; if Court does not excuse notice as requested. • Father; if Court does not find due diligence.
		JANET MARIE WILSON and RICHARD MARTIN MEHALL , maternal grandmother and step-grandfather, are Petitioners.		
Cont. from		Father: UNKNOWN ; <i>Declaration of Due Diligence filed 9/9/2014.</i>		
	Aff.Sub.Wit.	Mother: RUTHIE ANN STONE <i>Declaration of Due Diligence filed 9/8/2014.</i> Paternal grandfather: Unknown; <i>Declaration of Due Diligence filed 9/9/2014.</i> Paternal grandmother: Unknown; <i>Declaration of Due Diligence filed 9/9/2014.</i> Maternal grandfather: <i>Deceased</i> Petitioners state the mother has been a drug-user for almost 19 years, and is supporting herself by being a prostitute, which she has done for almost 12 years, most recently in the Parkway Drive area. Petitioners state they have been told by several friends that have talked to the mother that she often leaves the baby with pimps and other drug users while she prostitutes, and if there is no one to watch the baby she will take him with her at all hours of the night. Petitioners state they fear for the child's safety as the mother has been beaten by her pimp and other men, and Petitioners are afraid the baby may get caught in the middle. Petitioner currently has the mother's 4 other children in her custody and has had them since 2005, and she offered to care for the baby but the mother says she is keeping the baby for financial gain and for sympathy from people on the street. Petitioners request to be excused from giving notice to the mother because none of the family has heard from her since July of 2014 when she called to say she had the baby; the mother moves from hotel to hotel, and has no phone or permanent address.		
<input checked="" type="checkbox"/>	Verified			
	Inventory			
	PTC			
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	Notice of Hrg X			
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	Video Receipt			
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<input checked="" type="checkbox"/>	Order			
<input checked="" type="checkbox"/>	Letters			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: LEG				
Reviewed on: 9/15/14				
Updates:				
Recommendation:				
File 16 - Stone				

Atty Gomez, Francine Latoya (pro per – maternal aunt/Petitioner)

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

Janessa, 12	<u>NO TEMPORARY REQUESTED</u>		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This Petition for pertains to Janessa and James only.</p> <ol style="list-style-type: none"> 1. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for: <ol style="list-style-type: none"> a. Victor Gomez (maternal grandfather) – service by mail sufficient b. Maria Hinojuz (maternal grandmother) – service by mail sufficient c. James Holguin (father) – personal service required; unless diligence is found, Declaration of Due Diligence filed 09/04/14 states that the father's whereabouts are unknown and he has not seen the children since the mother's death in 2012 d. Janessa (minor) – personal service required
James, 10	<p>FRANCINE GOMEZ, maternal aunt, is Petitioner.</p> <p>Father: JAMES HOLGUIN – <i>Declaration of Due Diligence</i> filed 09/04/14 Mother: BERNADETTE GOMEZ – <i>Deceased</i></p> <p>Paternal grandfather: MR. HOLGUIN – <i>Declaration of Due Diligence</i> filed 09/04/14 Paternal grandmother: CARMEN HOLGUIN – <i>Served by mail on 09/02/14</i></p> <p>Maternal grandfather: VICTOR GOMEZ Maternal grandmother: MARIA HINOJOZ</p> <p>Petitioner states that the children's mother is deceased and the father is out on the streets. The previous guardian needs help because she had 7 children living with her.</p> <p>Court Investigator Julie Negrete filed a report on 09/05/14.</p>		
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
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<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
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			Reviewed by: JF
			Reviewed on: 09/15/14
			Updates:
			Recommendation:
			File 17A – Holguin/Lopez

Atty Gomez, Delilah Desiree (pro per – maternal aunt/Guardian/Petitioner)

Petition for Termination of Guardianship

Janessa, 12	DELILAH GOMEZ, maternal aunt, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This Petition for Termination of Guardianship pertains to Janessa and James only.</p> <p>Petitioner was appointed a Guardians of all 4 minors on 11/20/12.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Termination of Guardianship <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ol style="list-style-type: none"> a. James Holguin (father) b. Mr. Holguin (paternal grandfather) c. Carmen Holguin (paternal grandmother) d. Janessa Holguin (minor)
James, 10	Petitioner was appointed as Guardian of the minors on 11/20/12.	
	Father: JAMES HOLGUIN	
	Mother: BERNADETTE GOMEZ – Deceased	
Cont. from	Paternal grandfather: MR. HOLGUIN	
Aff.Sub.Wit.	Paternal grandmother: CARMEN HOLGUIN	
✓ Verified	Maternal grandfather: VICTOR GOMEZ –	
Inventory	<i>Consent & Waiver of Notice signed 07/05/14</i>	
PTC	Maternal grandmother: MARIA HINOJOZ -	
Not.Cred.	<i>Consent & Waiver of Notice signed 07/05/14</i>	
Notice of Hrg	Petitioner states that she is no longer able to	
Aff.Mail	care for all 4 of the children and request that	
Aff.Pub.	her guardianship of Janessa and James be	
Sp.Ntc.	terminated.	
Pers.Serv.	Court Investigator Julie Negrete filed a report	
Conf. Screen	on 09/05/14.	
Letters		
Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 09/15/14
		Updates:
		Recommendation:
		File 17B – Holguin/Lopez

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

DOD: 01/09/98		RALPH EAVES , son, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 07/24/14</p> <ol style="list-style-type: none"> The copy of the will attached to the Amended Petition is not self-proving, need affidavit of subscribing witness. Petitioner asserts that the property should pass to him because he is the decedent's only surviving son as mentioned in the will. Article Fourth of the will states (in relevant part): "...then I give, devise and bequeath my property, both real and personal, to my two sons, Roy Gene Eaves and Ralph Erwin Eaves, share and share alike. <u>Should either of the above die without issue or not survive the distribution of this estate with issue, then such share as said beneficiary may have received shall go to and augment the share of the surviving beneficiary.</u>" According to the information in the Petition, decedent's son Roy predeceased her and his issue Rita Cornelison survived the decedent. The will appears to be unclear regarding what should happen if she is survived by the issue of a predeceased child. The Court may require clarification. The Inventory & Appraisal does not include the legal description of the real property to be passed. The Order lists a legal description for the property requesting to be passed, but no other identifying information, therefore, there is no way to tell that the property in the Inventory & Appraisal is the same as the property referenced on the Order.
		40 days since DOD.	
		No other proceedings.	
Cont. from 072414			
	Aff.Sub.Wit.	I & A - \$65,000.00	
✓	Verified		
	Inventory	Decedent will dated 11/15/73 (See notes)	
	PTC		
	Not.Cred.		
✓	Notice of Hrg	Petitioner requests Court determination that decedent's interest in real property located on Lafayette Avenue in Fresno, CA pass to him pursuant to decedent's will? (see notes)	
✓	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		

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

Age: 16		<u>TEMPORARY EXPIRES 09/18/14</u>		NEEDS/PROBLEMS/COMMENTS:		
		COURTNEY ALCOSER, sister, is Petitioner.		1. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ul style="list-style-type: none"> a. Father – personal service required unless diligence is found b. Paternal grandparents – service by mail sufficient c. Maternal grandparents – service by mail sufficient d. Makenzie Campbell (minor) – personal service required 		
		Father: UNKNOWN – Declaration of Due Diligence filed 09/03/14				
Cont. from		Mother: LINDA CAMPBELL – Personally served on 07/25/14				
	Aff.Sub.Wit.					
✓	Verified					
	Inventory					
	PTC	Paternal grandparents: NOT LISTED				
	Not.Cred.	Maternal grandparents: NOT LISTED				
✓	Notice of Hrg	Petitioner states that the minor's mother is unfit to care for her and her current living situation is unstable. Makenzie is struggling with her academics due to her poor living situation and the mental and physical abuse she has been subjected to. Petitioner states that the minor needs her own bedroom and proper meals for her overall health.				
	Aff.Mail					x
	Aff.Pub.					
	Sp.Ntc.					
✓	Pers.Serv.			w/		
✓	Conf. Screen					
✓	Letters					
✓	Duties/Supp					
	Objections					
	Video Receipt					
✓	CI Report		Court Investigator Dina Calvillo filed a report on 08/29/14.			
	9202					
✓	Order					
	Aff. Posting					
	Status Rpt					
✓	UCCJEA					
	Citation					
	FTB Notice					
				Reviewed by: JF		
				Reviewed on: 09/16/14		
				Updates:		
				Recommendation:		
				File 19 - Campbell		

Age: 8 months		<u>TEMPORARY EXPIRES 9/18/14</u>		NEEDS/PROBLEMS/COMMENTS:	
		LAURIE FRIES , paternal grandmother, is petitioner.		1. Need <i>Notice of Hearing</i> .	
		Father: NIC FRIES		2. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice or Declaration of Due Diligence for:	
Cont. from		Mother: McKENNA FRASCH		a. Nic Fries (father) – personal service required	
<input type="checkbox"/>	Aff.Sub.Wit.	Paternal grandfather: LEE FRIES		b. McKenna Fries (mother) – personal service required	
<input checked="" type="checkbox"/>	Verified	Maternal grandfather: RICHARD FRASCH		c. Lee Fries (paternal grandfather) – service by mail sufficient	
<input type="checkbox"/>	Inventory	Maternal grandmother: CHRISTI BURT		d. Richard Frasch (maternal grandfather) – service by mail sufficient	
<input type="checkbox"/>	PTC	Petitioner states that both parents and the maternal grandmother are using drugs leaving no one else to care for Kaiicen. Petitioner states that the parents are trying to take Kaiicen and flee the area and the maternal grandmother is helping them.		e. Christi Burt (maternal grandmother) – service by mail sufficient	
<input type="checkbox"/>	Not.Cred.				
<input type="checkbox"/>	Notice of Hrg	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	Aff.Mail	<input checked="" type="checkbox"/>			
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<input checked="" type="checkbox"/>	Letters	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Duties/Supp	<input type="checkbox"/>			
<input type="checkbox"/>	Objections	<input type="checkbox"/>			
<input type="checkbox"/>	Video Receipt	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	CI Report	<input type="checkbox"/>			
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<input checked="" type="checkbox"/>	Order	<input type="checkbox"/>			
<input type="checkbox"/>	Aff. Posting	<input type="checkbox"/>			
<input type="checkbox"/>	Status Rpt	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	UCCJEA	<input type="checkbox"/>			
<input type="checkbox"/>	Citation	<input type="checkbox"/>			
<input type="checkbox"/>	FTB Notice	<input type="checkbox"/>			
Continued on Page 2					
				Reviewed by: JF	
				Reviewed on: 09/16/14	
				Updates:	
				Recommendation:	
				File 20 - Fries	

Fries has been the primary caregiver and allege that Kaiicen has spent approximately equal time between Ms. Fries and the mother. The parents allege that Ms. Fries is not supportive and puts them down, frequently reminding them of their past failures. Further, the parents allege that they have concerns about Ms. Fries' suitability because they observed her drinking and operating a car and a boat on her birthday. The parents state that they want to reunify with their son and believe that if guardianship is granted to Ms. Fries that they will not be able to reunify. The father, Nic Fries, requests that if the Court does not believe that Kaiicen should be returned to his parents now, that his sister, Briona Fries, care for Kaiicen. The mother, McKenna Frash, wants her mother, Christi Burt to care for Kaiicen if he cannot be returned to them.

Declaration of Lee A. Fries (paternal grandfather) filed 09/15/14 states that he does not believe it is in the best interest of Kaiicen that Laurie Fries be appointed as his guardian. He alleges that she is controlling and alleges that she has withheld Kaiicen from visitation with most all of his family members and has consistently made excuses as to why no visits or only very limited visits are allowed.

Declaration of Christi Burt (maternal grandmother) filed 09/15/14 states that she does not believe it is in the best interest of Kaiicen that Ms. Fries be appointed as guardian because she deprives him of positive interactions with his parents and other family members. Ms. Burt alleges that Laurie Fries exhibits a complete lack of empathy to the parents and has exhibited a driving desire to block the maternal bonding of McKenna with her baby. Ms. Burt also alleges that Laurie Fries frequently drinks alcohol to excess.

Pro Per Casanova, Danny (Pro Per Petitioner, son)
 Pro Per Casanova, Ruben Jr. (Pro Per Petitioner, son)
 Pro Per Casanova, Christina (Pro Per Petitioner, daughter)
 Pro Per Casanova, Isaac (Pro Per Petitioner, son)

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

DOD: 3/11/2014		<p>DANNY CASANOVA, RUBEN CASANOVA, JR., CHRISTINA CASANOVA and ISAAC CASANOVA, children, are Petitioners.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>I & A - NEED</p> <p>Decedent died intestate.</p> <p>Petitioner requests Court determination that Decedent's 100% interest in real property located at 3128 E. Home, Fresno, and 100% interest in personal property consisting of cash and 401k account passes to the Petitioners at 1/4 interest to each pursuant to intestate succession.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Item 8 of the <i>Petition</i> requires a <i>Final Inventory and Appraisal</i> to be attached to the <i>Petition</i>. Need <i>Final Inventory and Appraisal</i> (Judicial Council form DE-160, 161) pursuant to Probate Code § 13152(b), which contains the real property and personal property described on <i>Attachment 11</i> to the <i>Petition</i>.</p> <p>2. Need proposed <i>Order Determining Succession to Real Property</i> (Judicial Council form DE-315) containing the legal description of the real and personal property, and specifying the percentage of each Petitioners' property interest.</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory X		
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<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
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<input type="checkbox"/>	Order X		
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<input type="checkbox"/>	Status Rpt		
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<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: LEG	
		Reviewed on: 9/15/14	
		Updates:	
		Recommendation:	
		File 21 - Casanova	

Pro Per Hayes, Roger (Pro Per Petitioner, paternal grandfather)
 Pro Per Hayes, Valerie (Pro Per Petitioner, paternal grandmother)

Petition for Appointment of Temporary Guardianship of the Person

Bryce Age: 15 years	<u>General Hearing set for 11/4/2014</u>		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of five (5) court days' notice by personal service of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence</i> for:</p> <ul style="list-style-type: none"> • Joanne Sheffield, mother, <i>if Court does not excuse notice as Petitioners request;</i> • Bryce Hayes, proposed ward (age 15); • Bailey Hayes, proposed ward (age 14). <p>2. Need proposed temporary order and temporary letters.</p>	
Bailey Age: 14 years	<p>ROGER HAYES and VALERIE HAYES, paternal grandparents, are Petitioners.</p> <p>Father: TRAVIS HAYES, deceased.</p> <p>Mother: JOANNE SHEFFIELD</p>			
Cont. from	<p>Maternal grandfather: Unknown</p> <p>Maternal grandmother: Debbie Sheffield</p>			
<input type="checkbox"/> Aff.Sub.Wit.	<p>Petitioners state the children's father passed away on 8/23/2014 from medical issues, and he had joint legal and sole physical custody of the children. Petitioners state the children have lived with them for the last 10 years and they are immensely bonded with Petitioners, and the mother chose not to be in the children's lives based on her lifestyle of drugs and criminal activity, she has only seen the children 3 or 4 times in the last 10 years, the last time she visited or called the children was 6 years ago, and the few times the mother has called the children sadly have never wanted to talk to her.</p> <p>Petitioners request that they be excused from giving notice to the mother because her whereabouts are unknown, and they lost contact years ago; Petitioners have contacted the maternal grandmother who has stated she has not heard from the children's mother in the last couple of years.</p>			
<input checked="" type="checkbox"/> Verified				
<input type="checkbox"/> Inventory				
<input type="checkbox"/> PTC				
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<input type="checkbox"/> Notice of Hrg				X
<input type="checkbox"/> Aff.Mail				
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<input type="checkbox"/> Sp.Ntc.				
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<input type="checkbox"/> Letters				X
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<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 checked="" type="checkbox"/> UCCJEA				
<input type="checkbox"/> Citation				
<input type="checkbox"/> FTB Notice				
<p>Reviewed by: LEG</p> <p>Reviewed on: 9/15/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 22 - Hayes</p>				

Pro Per Fabian, Delilah (Pro Per Petitioner, maternal grandmother)

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

Age: 3 years		<p><u>General Hearing set for 11/10/2014</u></p> <p>DELILAH FABIAN, maternal grandmother, is Petitioner.</p> <p>Father: UNKNOWN</p> <p>Mother: ELAINA LOGAN</p> <p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Unknown</p> <p>Petitioner states the child has been in her care since he was 3 months old, when the mother had one of her friends drop the child off at Petitioner's residence, and Petitioner has never heard from the mother again. Petitioner states the child's aunts and uncles agree that Petitioner is the best person to take guardianship of the child as he has spent the majority of his life with Petitioner and she is able to provide him a loving home.</p> <p>Petitioner requests to be excused from giving notice to the mother as her whereabouts are unknown.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of five (5) court days' notice by personal service of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence</i> for:</p> <ul style="list-style-type: none"> • Elaina Logan, mother, if Court does not excuse notice as Petitioner requests. • Father. <p>2. Confidential Guardian Screening form filed on 9/5/2014 does not include Attachment 10 re: illegal substances or alcohol.</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
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<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input checked="" type="checkbox"/>	Letters			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: LEG</p> <p>Reviewed on: 9/15/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 23 - Carrington</p>		

Petition to Establish Trust Interest Over Real and Personal Property

DOD: 6-5-13		<p>FRANCISCO E. ALVAREZ, Successor Trustee, is Petitioner.</p> <p>Petitioner states Settlor Edith Corinne Nelson created the trust on 2-15-05. The Settlor died on 6-5-13.</p> <p>Petitioner states the trust is now terminable and distributable according to its terms.</p> <p>Schedule A of the trust reflects intended conveyance and transfer by the Settlor to the trust of her interest in certain real property on Brooke Avenue in Fresno. The trust also references the property by address at Article Five, Section 5.3(c). However, due to health issues, the Settlor did not record a trust transfer deed before her death.</p> <p>On the same date as the trust, the Settlor also executed a pour-over will that names the trust as the sole beneficiary of the estate.</p> <p>Petitioner states he has caused Notification of the Death of the Settlor and the Irrevocability of the Trust to be served upon beneficiaries pursuant to §16061.7 and no person has brought action to contest the trust.</p> <p>Petitioner prays for an order confirming the validity of the trust and that the property be determined to constitute an asset of the trust, and subject to the management and control of Petitioner as trustee, and for such other and further orders as the Court considers proper.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 9-11-14: Absent any objections, matter should be on approved calendar. Continued to 9-18-14.</p> <p>1. Petitioner provided a copy of the trust, but did not provide a copy of the Schedule A that lists the house. The Court may require a copy of Schedule A.</p>
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<input type="checkbox"/>	Video Receipt		
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		<p>Reviewed by: skc</p> <p>Reviewed on: 9-15-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 24- Nelson</p>	