



Thursday, September 22, 2016

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

20 16CEPR00836 Margaret Stout (Det Succ)

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

None

The following Probate matters are off calendar:

2 13CEPR00069 Bryan Assadourian (CONS/PE)

12 16CEPR00564 Manuel Gonzales (Det Succ)

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

Thank you.

Dept. 303, 9:00 a.m. Thursday, September 22, 2016

1 Lois Elaine Frame (Estate)

Case No. 06CEPR01232

Attorney Matsumoto, Russell D (for Bertha Frame -

First Account and Report of Administration of Ted R. Frame as Personal

Representative and petition for It's Settlement, and for Approval and Authority to Continue Administration

DOD: 05/27/1999	BERTHA FRAME , Successor Administrator with Will Annexed, with full IAEA authority and with bond in the amount of \$84,000.00, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Petitioner's prays for an order that petitioner be authorized to continue the administration of the decedent's estate until able to present a supplemental account and report of administration as successor personal representative however if the estate is insolvent it is unclear why further administration would be needed. Need clarification.</p>
Cont. from	I&A - \$84,100.00 (filed 07/12/2007)	
<input type="checkbox"/> Aff.Sub.Wit.	Administrator – Waives	
<input checked="" type="checkbox"/> Verified	Attorney – Waives	
<input checked="" type="checkbox"/> Inventory	Petitioner states: the estate is insolvent, however, all costs of administration have been paid either by the Petitioner or Petitioner's legal representatives, without expectation of reimbursement.	
<input type="checkbox"/> PTC	Wherefore petitioner requests as follows:	
<input type="checkbox"/> Not.Cred.	1. That the first account and report of Administration of Ted R. Frame as personal representative be settled and approved;	
<input checked="" type="checkbox"/> Notice of Hrg	2. That all acts and proceedings of Ted R. Frame as personal representative as set forth in the First Account and Report be confirmed and approved;	
<input checked="" type="checkbox"/> Aff.Mail	3. That petitioner be authorized to continue the administration of Decedent's estate until able to present a supplemental account and report of administration as successor personal representative on or before one year after issuance of Letters of Administration with Will Annexed; and	
<input checked="" type="checkbox"/> Aff.Pub.	4. Such other relief as the Court deems proper and appropriate.	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters 1/23/07		
<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: LV
		Reviewed on: 09/20/2016
		Updates:
		Recommendation:
		File 1- Frame

Probate Status Hearing RE: Proof of Bond for Special Needs Trust

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR. Bond filed in the Special Needs Trust, Case no. 16CEPR00844.</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: 9/19/16
		Updates:
		Recommendation:
		File 2- Assadourian

Attorney: Rick D. Banks (for Petitioner/mother Sarah B. Alvarado)

Attorney: Anil Pai (for Objectors/Guardians Andrea Lucero and Filipe Lucero)

Petition to Modify Visitation

		SARAH ALVARADO , mother, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Petition was not verified. Probate Code § 1021. Reply of Petitioner filed on 9/19/16 was not verified. Probate Code § 1021. Petition requests the Court remove Clara Martinez as a Co-Guardian however it is not included in the caption of the petition. California Rules of Court, Rule 7.102 states the title of each pleading must clearly and completely identify the nature of the relief sought. Need Order.
		ANDREA LUCERO, PHILLIP LUCERO , non-relatives, WALLY L. ALVARADO , maternal grandfather, and CLARA MARTINEZ , maternal grandfather's [ex] girlfriend, were appointed co-guardians on 11/18/14.	
Cont. from		Response of Andrea Lucero filed on 9/9/16	
<input type="checkbox"/>	Aff.Sub.Wit.		
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<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: KT
			Reviewed on: 9/20/16
			Updates:
			Recommendation:
			File 3- Alvarado

Amended First and Final Report of Executor; Petition for Final Distribution Without an Accounting and for Allowance of Compensation for Ordinary Services

DOD: 6/15/14		ABIGAIL SERRATO , Executor with Full IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing and proof of service of Notice of Hearing at least 15 days prior to the hearing on: - Genaro Serrato - Javier Serrato - David Serrato - Attorney Jeffrey Simonian 2. Need consent to distribution of real property (10 acres in Madera valued at \$300,000 per I&A) in undivided interests pursuant to Local Rules 7.12.4 from Genaro, Javier, and David. 3. The petition does not appear to address distribution of the misc. personal property with a total value of \$10,000 per the I&A. Need consent to distribution of personal property in undivided interests pursuant to Local Rule 7.12.3 from Genaro, Javier, and David, or agreement re distribution of these inventoried items. 4. Need clarification re total costs to be paid: The petition and prayer indicate reimbursement of \$930 to Attorney Criego; however, Exhibit F indicates \$1,370 to Attorney Criego plus \$51 to Executor, total \$1,421. 5. After clarification of costs, need recalculation of cash distributions. (The petition indicates cash distribution of \$23,706 each, but Exhibi F indicates \$23,729. However, both appear to be rounded amounts, not based on the \$119,965 cash on hand per Exhibit A. 6. Need Order. See Local Rules 7.1.1.F and 7.6.1.
		Accounting is waived	
	Aff.Sub.Wit.	I&A: \$429,965.00	
✓	Verified	POH: \$429,965.00 (consisting of \$119,965.00 cash, misc. personal property valued at \$10,000.00, and two parcels of real property in Madera County valued at \$300,000.00)	
✓	Inventory		
✓	PTC		
✓	Not.Cred.		
	Notice of Hrg	x	
	Aff.Mail	x	
	Aff.Pub.		
	Sp.Ntc.	Executor (Statutory): \$11,599.50	
	Pers.Serv.		
	Conf. Screen	Attorney (Statutory): \$11,599.50	
✓	Letters	12/10/14	
	Duties/Supp	Probate Referee: \$330.00	
	Objections		
	Video Receipt	Costs: \$930.00 (filing, publication) (See #4)	
	CI Report		
✓	9202		
	Order	x Distribution pursuant to decedent's will and agreement among heirs (See #5): Genaro Serrato: \$23,729.00 David Serrato: \$23,729.00 Abigail Serrato: \$23,729.00 Javier Serrato: \$23,729.00	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		
		Reviewed by: skc	
		Reviewed on: 9/20/16	
		Updates:	
		Recommendation:	
		File 4- Serrato	

Probate Status Re: Filing of the First Account or Petition for Final Distribution.

DOD: 8/13/14	<p>MAXINE RODRIGUEZ was appointed Administrator with Limited IAEA and bond set at \$10,000.00 on 12/18/14.</p> <p>Bond of \$10,000.00 was filed on 11/20/14.</p> <p>Letters issued on 12/18/14.</p> <p>I & A, partial no.1, filed on 2/13/15 shows a value of \$15,918.38.</p> <p>I & A, final, filed on 3/30/16 shows a value of \$117,500.00</p> <p>Minute order dated 12/18/14 set this status hearing for the filing of the first account or petition for final distribution.</p> <p>Status Report filed on 9/20/16 states the real property asset of the estate was sold and escrow closed on 8/12/16, yielding a balance to the Estate of \$113,470.25. The accountant for the Estate is in the process of completing the accounting in connection with the First and Final Account and Report. Therefore, request is made for a continuance of 60-dyasy to file the First and Final Account and Report of Administrator.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account or petition final distribution.</p>
Cont. from 042116, 072816		
Aff.Sub.Wit.		
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Inventory		
PTC		
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Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 9/19/16
		Updates: 9/21/16
		Recommendation:
		File 5- Rodriguez

6A In Re: Gramenz Family Living Trust Agreement Case No. 15CEPR00398

Attorney: Steven S. Picone, (for Objectors Daniel Caballero & Baldermar Martinez)

Attorney: Lisa Horton (for Petitioner Rande L Gramenz)

Amended First Account and Report of Trustee and Petition for its Settlement

	<p>RANDE L. GRAMENZ, Successor Trustee, is petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>											
<p>Cont. from 090115, 101315, 011916, 032216, 051216, 062316, 072816</p>	<p>Petitioner states settlor, Opal E. Gramenz, died on 12/28/12.</p> <p>Account period: 12/29/12 – 6/30/15</p>	<p>Continued from 7/28/16. Minute order states parties have a signed settlement agreement.</p>											
<table border="1"> <tr> <td data-bbox="105 609 154 661"></td> <td data-bbox="154 609 397 661">Aff.Sub.Wit.</td> </tr> </table>		Aff.Sub.Wit.	<table border="0"> <tr> <td data-bbox="414 609 698 661">Accounting</td> <td data-bbox="698 609 722 661">-</td> <td data-bbox="722 609 1088 661">\$1,575,344.83</td> </tr> <tr> <td data-bbox="414 661 698 693">Beginning POH</td> <td data-bbox="698 661 722 693">-</td> <td data-bbox="722 661 1088 693">\$1,432,128.43</td> </tr> <tr> <td data-bbox="414 693 698 724">Ending POH</td> <td data-bbox="698 693 722 724">-</td> <td data-bbox="722 693 1088 724">\$1,334,752.81</td> </tr> </table>	Accounting	-	\$1,575,344.83	Beginning POH	-	\$1,432,128.43	Ending POH	-	\$1,334,752.81	
	Aff.Sub.Wit.												
Accounting	-	\$1,575,344.83											
Beginning POH	-	\$1,432,128.43											
Ending POH	-	\$1,334,752.81											
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<input checked="" type="checkbox"/>	Verified												
<table border="1"> <tr> <td data-bbox="105 714 154 766"></td> <td data-bbox="154 714 397 766">Inventory</td> </tr> </table>		Inventory	<p>Petition states pursuant to Article V section 1 of the trust he has paid his attorney \$5,000.00.</p>										
	Inventory												
<table border="1"> <tr> <td data-bbox="105 766 154 819"></td> <td data-bbox="154 766 397 819">PTC</td> </tr> </table>		PTC	<p>Pursuant to Probate Code §15681 he is entitled to reasonable compensation from the Trust.</p>										
	PTC												
<table border="1"> <tr> <td data-bbox="105 819 154 871"></td> <td data-bbox="154 819 397 871">Not.Cred.</td> </tr> </table>		Not.Cred.	<p>Trust funds totaling \$14,850.00 have been used to pay Trustee's reasonable compensation for his services. This figure was derived from 1% of the total sale price (\$1,485,000) of the duplex.</p>										
	Not.Cred.												
<table border="1"> <tr> <td data-bbox="105 871 154 924"><input checked="" type="checkbox"/></td> <td data-bbox="154 871 397 924">Notice of Hrg</td> </tr> </table>	<input checked="" type="checkbox"/>	Notice of Hrg											
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	Sp.Ntc.												
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	Pers.Serv.												
<table border="1"> <tr> <td data-bbox="105 1134 154 1186"></td> <td data-bbox="154 1134 397 1186">Conf. Screen</td> </tr> </table>		Conf. Screen											
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<table border="1"> <tr> <td data-bbox="105 1291 154 1344"><input checked="" type="checkbox"/></td> <td data-bbox="154 1291 397 1344">Objections</td> </tr> </table>	<input checked="" type="checkbox"/>	Objections											
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<table border="1"> <tr> <td data-bbox="105 1344 154 1396"></td> <td data-bbox="154 1344 397 1396">Video Receipt</td> </tr> </table>		Video Receipt											
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<table border="1"> <tr> <td data-bbox="105 1396 154 1449"></td> <td data-bbox="154 1396 397 1449">CI Report</td> </tr> </table>		CI Report											
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<table border="1"> <tr> <td data-bbox="105 1501 154 1554"><input checked="" type="checkbox"/></td> <td data-bbox="154 1501 397 1554">Order</td> </tr> </table>	<input checked="" type="checkbox"/>	Order											
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<table border="1"> <tr> <td data-bbox="105 1711 154 1764"></td> <td data-bbox="154 1711 397 1764">Citation</td> </tr> </table>		Citation		<table border="1"> <tr> <td data-bbox="1104 1711 1559 1764">Recommendation:</td> </tr> </table>	Recommendation:								
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<table border="1"> <tr> <td data-bbox="105 1764 154 1869"></td> <td data-bbox="154 1764 397 1869">FTB Notice</td> </tr> </table>		FTB Notice	<p>Petitioner prays that the Trustee's first account and report be settled, allowed and approved as filed.</p>	<table border="1"> <tr> <td data-bbox="1104 1764 1559 1869">File 6A - Gramenz</td> </tr> </table>	File 6A - Gramenz								
	FTB Notice												
File 6A - Gramenz													

6A In Re: Gramenz Family Living Trust Agreement Case No. 15CEPR00398

Objections to Amended First Account and Report filed by Daniel Caballero and Baldemar Martinez on 8/31/15. Objectors object to the Accounting with respect to Petitioner Trustee's assertion that the joint checking account titled in the name of Kenneth Caballero and Opal Gramenz was a Trust asset and that Kenneth Caballero's beneficial interest in the Trust should be reduced by the amounts left in the joint account at the date of Opal Gramenz's death.

Petitioner's assertion that the funds in the Chase Bank joint account are trust assets and should be counted against Kenneth Caballero's share is flatly wrong as a matter of law. As such the accounting should be revised.

Probate Code §5302 (a) establishes in pertinent part that:

"Sums remaining on deposit at the death of a party to a joint account belong to the surviving party or parties as against the estate of the decedent unless there is clear and convincing evidence of a different intent. . ."

Petitioner has not alleged, let alone proven, that Opal Gramenz and Kenneth Caballero intended for the money held in the Chase joint checking account to be distributed in a different manner other than that provided for by law.

Wherefore, Objectors pray as follows:

1. That the Petition to Approve the Amended Account be denied;
2. That Rande L. Gramenz be ordered to file and serve a code compliant amended accounting of the Trust within 45 days of issuance of the order;
3. For costs, and for such other and further relief as the Court deems just and proper.

Supplemental Objections to Amended First Account, Request for Surcharge, and Removal of Trustee and Appointment of Successor Co-Trustees filed on 6/10/16. Objectors state:

1. The Successor Trustee has failed to account for the proceeds of accounts at Wells Fargo that were titled in the name of Opal Gramenz, which proceeds were misappropriated by Rande L. Gramenz on or around March 1, 2013.
2. Petitioners repeatedly requested information from Mr. Gramenz, through counsel, regarding his authority for removing these account proceeds. Respondent, Mr. Gramenz only provided them with documents which are attached as Exhibit "A" [a document from Wells Fargo Beneficiary Services showing Rande Gramenz as beneficiary/successor to the account.] It was only after issuing a subpoena to Wells Fargo Bank that Petitioners obtained the document attached as Exhibit "B" [13100 Affidavit]. As detailed in Exhibit "B", Mr. Gramenz executed a "California Affidavit of Collection of Estate Assets" in which he averred, under penalty of perjury, that he personally was the success in interest to Decedent Opal Gramenz' interest in the accounts.
3. The Wells Fargo account proceeds rightfully belong to the Trust, sinc Opal Gramenz had executed a pour-over will on 6/30/89. Mr. Gramenz was well aware that the Wells Fargo account proceeds did not belong to him, and instead belonged to the Trust, pursuant to the pour-over will. Mr. Gramenz' actions in taking the account proceeds were therefore in bad faith under Probate Code §859.

Please see additional page

Dept. 303, 9:00 a.m. Thursday, September 22, 2016

6A In Re: Gramenz Family Living Trust Agreement Case No. 15CEPR00398

4. In executing the small estate affidavit, in failing to them marshal the Wells Fargo Bank account proceeds for the Gramenz Family Trust, in personally taking the Wells Fargo Bank proceeds, then failing to account for them to the Trust beneficiaries, Rande Gramenz breached the Trust, and violated his fiduciary duty to Petitioners as beneficiaries.
5. The proceeds of these accounts should have been accounted for, but they are not identified in the Accounting filed by Respondent. Petitioners therefore object to the Accounting on this basis, and seek other relief as set forth below.

Request for Surcharge:

A redacted copy of a Wells Fargo Statement of Accounts (attached to objections) demonstrated that as of January-February 2013 (the month following the death of Opal Gramenz) the accounts held a total of \$17,146.05. It has now been determined that Mr. Gramenz removed the contents of the Wells Fargo accounts and simply kept the proceeds.

Since Respondent Rande Gramenz is the currently acting Successor Trustee to the Trust, and is also the named Executor under the Last Will and Testament of Opal E. Gramenz, it is clear that Rande Gramenz knew that Wells Fargo Bank account proceeds were rightfully property of the Trust. As such, his taking of those account proceeds was willful and in bad faith. Pursuant to Probate Code §859, Petitioner requests that the Court surcharged Respondent, Rande Gramenz in the amount of twice the value of the property taken.

Petition for Removal:

Probate Code §16002 establishes that a Trustee has a duty to administer the trust solely in the interest of the beneficiaries.

Probate Code §16004 establishes that a Trustee has a duty not to use or deal with trust property for the trustee's own profit or for any purpose unconnected with the trust.

Probate Code §16006 establishes that a Trustee has a duty to take reasonable steps under the circumstances to take and keep control of and to preserve the trust property.

Probate Code §16061 establishes that a Trustee has a duty to report to a beneficiary by providing requested information relating to the administration of the trust relevant to the beneficiary's interest.

Respondent Rande Gramenz violated all of the foregoing duties by taking property which was rightfully belonged to the Trust for his own use and benefit, and by then failing to acknowledge that he had done so. The Petitioners ultimately only confirmed that Rande Gramenz had taken Trust property with the use of a small estate affidavit from Wells Fargo Bank pursuant to a subpoena.

Since the Trustee has misappropriated money belonging to the Trust, and has attempted to cover up his actions in this regard by failing to acknowledge what he had done to the beneficiaries, the Trutee should be removed.

Please see additional page

6A In Re: Gramenz Family Living Trust Agreement Case No. 15CEPR00398

Petition Appointment of Successor Co-Trustees:

The Trust provides that upon the death, resignation or inability to act of Rande L. Gramenz, Cupertino National Bank of Cupertino, California, shall act as sole Successor Trustee.

Unfortunately, Cupertino National Bank is no longer in existence. Petitioners therefor respectfully request that they be appointed as successor Co-Trustees.

Wherefore, Objectors pray for the following:

1. That the Petition to Approve the Amended Account be denied;
2. That Successor Trustee be surcharged for the amounts taken by him from the Wells Fargo Accounts and the Franklin Templeton Investments IRA;
3. That Successor Trustee be additionally surcharged under Probate Code §859;
4. That the Court issue and order removing Rande L. Gramenz as Successor Trustee of the Gramenz Family Living Trust;
5. That the Court issue and Order appointing Daniel Caballero and Baldemar Martinez as Successor Co-Trustees of the Gramenz Family Living Trust.
6. For attorney's fees and costs, and for such other and further relief as the Court deems just and proper,

Page 2 – NEEDS/PROBLEMS/COMMENTS:

1. Petitioner lists himself, a nephew, of San Antonio, TX, and Mary Lee Costa, a niece, of Gadsden, AL, as the sole heirs. However, no explanation of their kinship, other than niece and nephew, appears to have been provided in this matter.

At this time, need clarification of the family tree to confirm Mr. Wheatley and Ms. Costa are the only relatives at the kinship level entitled to succession as issue of parents under §6402(c), including names and dates of death of deceased parents and issue of both parents.

2. Pursuant to Cal. Rule of Court 7.550(b)(6), where an amount other than the I&A is used as basis for calculating fees, need detailed schedules of receipts, gains, losses. Petitioner provides a receipts schedule, but does not address gains or losses.

8 Savannah Elise Anderson (GUARD/PE)

Case No. 16CEPR00312

Petitioner Stephen D. Anderson (Pro Per - Guardian)

Petitioner Ann P. Anderson (Pro Per - Guardian)

Probate Status Hearing Re: Filing of Inventory and Appraisal

		<p>STEPHEN ANDERSON and ANN ANDERSON, maternal grandparents, were appointed as co-guardians of the person and estate on 5/23/2016.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from		<p>Letters issued on 5/23/2016.</p>	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input type="checkbox"/>	Verified	Final I&A filed 8/29/2016 shows the guardianship estate valued at \$213,800.04. (\$10,986.19 is cash)	
<input checked="" type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	\$9,117.49 are in two separate blocked accounts.	
<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		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: SEF
			Reviewed on: 9/20/2016
			Updates:
			Recommendation:
			File 8- Anderson

Petitioner Francisco Sanchez-Chavez (Pro Per, brother, Conservator of the Person)

Petition for Appointment of Probate Conservator of the Estate

		NO TEMP REQUESTED	<p>FRANCISCO SANCHEZ-CHAVEZ, brother and Conservator of the Person appointed on 5/3/2016, is Petitioner and requests appointment as Conservator of the Estate with powers under Probate Code §2590.</p> <p>Court Investigator's Report was filed on 7/13/2016.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 8/11/2016. Minute Order states examiner notes provided in open court. Petitioner represents that there is a bank account with \$15,000.00 and a home.</p> <p>Note for background: Minute Order dated 7/21/2016 from the previous hearing states the Court Spanish interpreter interprets for Mr. Sanchez. Victor Sanchez needs to be noticed or sign a consent.</p> <p>Note: Court records do not show any filing of proof of service to, or a signed consent by, Victor Sanchez for the hearing on the petition as of 9/20/2016.</p> <p>Note: Based upon the representation by Petitioner at the previous hearing, it appears there may be a need for conservatorship of the estate for a bank account and real property (the <i>Petition</i> lists only Social Security benefits of \$9,876.00 annually.)</p> <p style="text-align: center;">~Please see additional page~</p>
Cont. from 072116, 081116				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg	X		
<input type="checkbox"/>	Aff.Mail	X		
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input checked="" type="checkbox"/>	Pers.Serv.			
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input 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: LEG</p> <p>Reviewed on: 9/20/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 9- Chavez</p>	

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

1. Bond is required for all conservatorships of the estate pursuant to Probate Code § 2320 and CA Rule of Court 7.207. Item 1 (c) of *Petition* requests bond for the Conservatorship estate not be required, but does not provide any reasons that the Court should waive bond. Court may require bond in the sum of ~\$16,500.00, or may require that all bank account funds be placed into a blocked bank account. If Court requires a blocked account, need proposed *Order to Deposit Money into Blocked Account* (Judicial Council form MC-355.)
2. Item 11 of the *Petition* listing the Conservatee's relatives lists **VICTOR ANTONIO SANCHEZ**, brother, and indicates "will provide" in the space for his residence address. Need *Notice of Hearing* and proof of service by mail of the notice with a copy of the *Petition for Appointment of Probate Conservator of the Estate* showing notice was mailed at least 15 days before the hearing pursuant to Probate Code § 1822 for **VICTOR ANTONIO SANCHEZ** pursuant to Probate Code § 1822(b)(2). The *Proof of Service by Mail of the Notice of Hearing* that must be filed with the Court shall indicate that a copy of the *Petition for Appointment of Probate Conservator of the Estate* was sent with the notice as required by Probate Code § 1822(a).

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

- **Monday, October 24, 2016 at 9:00 a.m. in Dept. 303** for filing proof of bond in the sum of ~\$16,500.00, or proof of deposit of funds into a blocked account consisting of a *Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account* (Judicial Council form MC-356 to be filed with the Court.
- **Monday, January 23, 2017 at 9:00 a.m. in Dept. 303** for filing of inventory and appraisal; and
- **Monday, November 27, 2017 at 9:00 a.m. in Dept. 303** for filing of first account of the conservatorship.

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

Dept. 303, 9:00 a.m. Thursday, September 22, 2016

Petitioner Gregory Michael Noel (Pro Per, son)

Petition for Letters of Special Administration (without General Powers)

DOD: 5/27/1998		<p>GREGORY MICHAEL NOEL, son, is Petitioner and requests appointment as Special Administrator without bond? Or as Administrator without bond?</p> <p>Full IAEA — Not requested</p> <p>Decedent died intestate.</p> <p>Residence — Fresno Publication — Fresno Bee</p> <p>Estimated value of the Estate:</p> <p>Real property - \$75,000.00</p> <p>Total - \$75,000.00</p> <p>Probate Referee: Rick Smith</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 8/11/2016. Minute Order states examiner notes provided in open court.</p> <p>The following issues from the previous hearing remain:</p> <ol style="list-style-type: none"> 1. Caption of <i>Petition</i> requests letters of special administration, while Item 2(b)(3) requests appointment of an administrator. Need clarification regarding the request for appointment: whether Petitioner seeks appointment as Special Administrator, or as Administrator of the estate. 2. If special administration is requested, <i>Petition</i> does not but should provide the purpose for which a special administration is sought and an estimated duration for the special administration. (Letters of special administration will require an expiration date.) 3. <i>Proof of Publication</i> filed 7/8/2016 does not include the language required for granting of general powers, nor for granting full IAEA authority. If the <i>Petition</i> requests appointment as Special Administrator with general powers, and/or or as Administrator with Full IAEA, the request for those powers must be reflected in the publication, and Court will require re-publication. If Petitioner does not seek any IAEA power, Petitioner will be required to seek Court approval for most acts during administration. <p>~Please see additional page~</p>
Cont. from 051916, 063016, 081116			
<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 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: LEG			
Reviewed on: 9/20/16			
Updates:			
Recommendation:			
File 10- Noel			

NEEDS/PROBLEMS/COMMENTS, continued:

4. *Notice of Petition to Administer Estate* filed 9/15/2016 is marked at 6(b) indicating that the address of the Court hearing is "other." This does not provide the persons who receive the notice with correct information, as the location and address of the Court is not properly identified, rendering the document ineffective for serving notice. Court may require corrected notice of hearing and proof of service to the persons entitled to notice.
5. *Declaration* filed 9/15/2016 states Decedent was survived by no issue of a predeceased child. In order for the Court to confirm there exists no issue of a predeceased child, and further pursuant to Local Rule 7.1.1(D), need dates of death of the following persons identified as deceased in the *Declaration* filed 9/15/2016:
 - **OLLIE LEFALL**, daughter;
 - **HILLARY NOEL, JR.**, son;
 - **ELLARY NOEL, SR.**, son;
 - **ELLARY NOEL, JR.**, grandson.
6. Item 3(d) of the *Petition* is incomplete regarding the reasons bond is not required. Based upon the estimated value of the estate indicated in the *Petition* of **\$75,000.00**, bond is required in the sum of **\$75,000.00** pursuant to Probate Code § 8480 et seq., or Petitioner must file with the Court a *Waiver of Bond by Heir or Beneficiary* (Judicial Council form DE-142/DE-111(A-3d)) pursuant to Probate Code § 8481 from the following persons:
 - **GREGORY M. NOEL** (Petitioner, son);
 - **PHYLLIS NOEL**, daughter;
 - **LEEANNA STORY**, daughter;
 - **TRACIE JACKSON**, granddaughter;
 - **KEVIN JACKSON**, grandson;
 - **LASHAWNA NOEL**, granddaughter;
 - **LATONYA WILBURN**, granddaughter.

Note to Petitioner Re Estate Administration: *Petition* requests neither full nor limited *Independent Administration of Estates Act (IAEA)* authority. *Proof of Publication* filed 7/8/2016 appears to confirm that Petitioner does not seek the grant of general powers or any IAEA authority. Probate Code §§ 9610 et seq., and §§ 9650 et seq., require court supervision of specific administrative transactions and actions taken where no IAEA authority has been granted. Pursuant to Probate Code § 10401, judicial orders, authorization, approval, confirmation, or instructions, including the authority for final distribution of estate property pursuant to Probate Code § 10501(a)(4), are required for many actions during administration, which means that if Petitioner is appointed as personal representative of the estate without any IAEA authority, Petitioner must file petitions with the Court at every step of administering the estate, and be given Court approval to be authorized to take the necessary actions for administration.

11
 Petitioner
 Objector

Angelee Ibarra (GUARD/P)
 Ragsdale, Alyssabeth Rose (Pro Per – Sister – Petitioner)
 Ibarra, Rosenda (Pro Per – Mother – Objector)

Case No. 16CEPR00537

Petition for Appointment of Guardian of the Person

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: Note: See Minute Order of 8/25/16 re visitation for Rosenda Ibarra (mother). 1. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing, or consent and waiver of notice, or declaration of due diligence on: - RICHARD IBARRA, Father 2. Per the Investigator's report, the petitioner has moved to Merced with the minor. Therefore, need Change of Address and revised order, letters reflecting the new address.	
Cont. from 072116, 082516				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input checked="" type="checkbox"/>	Pers.Serv.			W
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input checked="" type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input checked="" type="checkbox"/>	Clearances			
<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: skc		
		Reviewed on: 9/19/16		
		Updates:		
		Recommendation:		
		File 11- Ibarra		

12
Petitioner

Manuel Gonzales (Det. Succ)
Gonzales, Gary Steven

Case No. 16CEPR00564

Status RE: Filing of an Amended Petition

Age:		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> 2 nd Amended Petition filed 9/6/16 is set for hearing on 10/18/16.
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 9/19/16
		Updates:
		Recommendation:
		File 12- Gonzales

12

Petitioner Sabith Cheth (Pro Per, mother)

Petition for Appointment of Probate Conservator

		NO TEMPORARY REQUESTED	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 8/18/2016. Minute Order states examiner notes provided in open court. Parties represent that the proposed conservatee will not leave the home for evaluation.</p> <p>1. Declaration filed by Petitioner on 9/14/2016 provides further information to the Court regarding the proposed Conservatee, which appears to confirm that Probate Conservatorship is inappropriate for the Petitioner and the proposed Conservatee, pursuant to Probate Code § § 2356(a).</p> <p style="text-align: center;">~Please see additional page~</p>
		<p>SABITH CHETH, mother, is Petitioner and requests appointment as Conservator of the Person.</p> <p style="text-align: center;"><i>~Please see Petition for details~</i></p> <p>Court Investigator's Report was filed on 6/27/2016.</p> <p>Declaration was filed by Petitioner on 9/14/2016.</p>	
Cont. from 071416m 081816			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	Cap. Dec.	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	Aff.Mail	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters	<input checked="" type="checkbox"/>	
<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		
		Reviewed by: LEG	
		Reviewed on: 9/20/16	
		Updates:	
		Recommendation:	
		File 13- Cheth	

13 Additional Page, Carrington Pao Cheth (CONS/P) Case No. 16CEPR00577

NEEDS/PROBLEMS/COMMENTS, continued:

The following issues from the last hearing remain:

2. *Petition* is not marked at Item 1 (g) for the Court to consider granting medical consent powers. However, *Petition* **is** marked at Item 9 indicating that there is no form of medical treatment for which the proposed Conservatee has the capacity to give an informed consent. Need confirmation regarding whether Petitioner requests medical consent powers, and if so, need *Medical Capacity Declaration* (Judicial Council form GC-335) in support of Petitioner's request pursuant to Probate Code § 1890(c), completed by a licensed physician or licensed psychologist within the scope of his/her licensure.
3. Item 11 (b) of the *Petition* does not but should list the Petitioner's name, relationship to proposed conservatee, and residence address. Item 11 (b) of the *Petition* should also list the name of the proposed Conservatee's sister and her residence address.
4. Need *Citation for Conservatorship* pursuant to Probate Code § 1823, and proof of personal service of the *Citation* on the proposed Conservatee with a copy of the *Petition for Appointment of Probate Conservator* pursuant to Probate Code § 1824. (*Citation* filed 8/17/2016 shows proposed Conservatee was served with notice of the previous hearing date of 7/14/2016 by personal service on 8/3/2016, after the hearing date.)
5. Need *Notice of Hearing* and proof of service by mail of the notice with a copy of the *Petition for Appointment of Probate Conservator* showing notice was mailed at least 15 days before the hearing pursuant to Probate Code § 1822 for all of the relatives named in the *Petition* (proposed Conservatee's sister), pursuant to Probate Code § 1822(b)(2). The *Proof of Service by Mail* of the *Notice of Hearing* that must be filed with the Court shall indicate that a copy of the *Petition* was sent with the notice as required by Probate Code § 1822(a).

Petition for Appointment of Guardian of the Person

		See petition for details.	NEEDS/PROBLEMS/ COMMENTS:
			Minute Order 8/11/16: Examiner notes provided in open court. The Court grants temporary orders; Letters are to issue forthwith.
Cont. from 081116			1. Petitioner's Declaration filed 8/17/16 sets forth the legal (adoptive?) siblings; however, Petitioner has not provided a complete list of adoptive relatives, maternal and paternal.
	Aff.Sub.Wit.		
✓	Verified		Therefore, need clarification:
	Inventory		
	PTC		- Is there an adoptive father? If so, need notice to him and his parents, who would be the adoptive paternal grandparents.
	Not.Cred.		
✓	Notice of Hrg		- Lillian Bannerman-Smith's parents would be the adoptive maternal grandparents. If living, they are entitled to notice. If deceased, please so state.
✓	Aff.Mail	W	
	Aff.Pub.		Reviewed by: skc
	Sp.Ntc.		
✓	Pers.Serv.	W	Reviewed on: 9/19/16
	Conf. Screen		Updates:
✓	Letters		Recommendation:
	Duties/Supp		File 14- Turner-Smith
	Objections		
	Video Receipt		
✓	DSS Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

Petitioner: Cruz Toscano (Pro per – Maternal grandmother)

Petition for Appointment of Guardian of the Person

		<u>TEMPORARY EXPIRES 9/22/2016</u>	NEEDS/PROBLEMS/COMMENTS:
		CRUZ TOSCANO , maternal grandmother, is petitioner.	
		<i>See petition for details.</i>	<p>Continued from 8/11/2016.</p> <p>Matter continued for service or further diligence as to Quincy Ivy (maternal grandfather) and Tina Maria Coronado (paternal grandmother). The Court orders there shall be no unsupervised visits.</p> <p>As of 9/19/2016, no new documents have been filed and the following issues still exist:</p> <ol style="list-style-type: none"> 1. Need proof of service at least 15 days before the hearing of the <i>Notice of Hearing</i> with copy of petition <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence for: <ol style="list-style-type: none"> a. Tina Marie Coronado (paternal grandmother) b. Quincy Ivy (maternal grandfather) – <i>unless the Court excuses notice</i>
Cont. from 081116			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.	w/	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<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: SEF
			Reviewed on: 9/19/2016
			Updates:
			Recommendation:
			File 15- Alvarez

Petitioner Gonzales, Elena (Pro Per – Sister – Petitioner)

Petitioner Flores, Olivia (Pro Per – Mother – Petitioner)

Petition for Appointment of Probate Conservator of the Person

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: Court Investigator advised rights on 8/9/16 Voting rights affected – need minute order <u>Minute Order 8/18/16:</u> Examiner notes provided in open court. As of 9/19/16, nothing further has been filed. The following issues remain noted: 1. Need Capacity Declaration in support of medical consent powers. 2. The list of relatives at #11 does not specify relationships. Need clarification. Also, are these all relatives within the second degree? The list should include grandparents, parents, siblings, children, grandchildren. If deceased, please so state.	
Cont. from 081816				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
✓	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: 9/19/16		
		Updates:		
		Recommendation:		
		File 16- Gonzalez		

17 In re the Testamentary Trusts under the Estate of Grace Masao Minami
Case No. 16CEPR00727

Attorney Rindlisbacher, Curtis D. (for Trustee William Enns)
 Attorney Goff, Charles A. (of Santa Maria, for Beneficiaries/Objectors Sam Minami and Susan Jang)

Status RE: Trial Setting

	WILLIAM ENNS , Successor Trustee, filed a Petition for Determination of Reasonableness of Trustee Compensation and Approval of Additional Compensation on 7/11/16.	NEEDS/PROBLEMS/COMMENTS:
Aff.Sub.Wit.	SAM MINAMI and SUSAN JANG , Beneficiaries, filed objections on 8/23/16.	
Verified		
Inventory		
PTC		
Not.Cred.	At hearing on 8/25/16, the Court set this status hearing re trial setting.	
Notice of Hrg	Minute Order 8/25/16 states: The Court orders that should this matter proceed to trial, copies of any and all contents of the Santa Barbara file are to be here in Fresno for the trial judge. Counsel is to appear on 9/22/16 with a Tuesday trial date in mind.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 9/19/16
		Updates:
		Recommendation:
		File 17- Minami

Petition for Appointment of Guardian of the Person

		TEMPORARY DENIED/DISMISSED 8/24/2016	NEEDS/PROBLEMS/COMMENTS:
		TAISHA PAGGETT, paternal half-sister, is petitioner.	<p>Minute order dated 8/24/2016 from temporary hearing stated mother represented she had not used drugs since 2010 and was willing to drug test. The court ordered she report forthwith to Avertest to submit to a urine test. Ms. Armstrong was to bring the test results to court on 9/22/2016. The Court ordered the rest results be released to Taisha Paggett's attorney as well. Ms. Armstrong provided both her current address and the one that will be in effect starting 9/1/2016 in open court. The Court ordered she notify the court of any additional address changes.</p> <p>1. Need proof of service at least 15 days before the hearing of Notice of Hearing with copy of the petition or consents and waivers of notice or declarations of due diligence for:</p> <p style="padding-left: 40px;">a. Maternal grandparents (unknown) – <i>unless the Court excuses notice</i></p> <p>2. Item 8b of petition states ICWA inquiry has not been made or completed due to petitioner being unable to communicate with mother.</p>
Cont. from		See petition for details.	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		w/
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.		w/
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	ICWA	x	
			Reviewed by: SEF
			Reviewed on: 9/20//2016
			Updates:
			Recommendation:
			File 18- Paggett

19 Camri Tolbert, Egypt Ford-Medley (GUARD/P) Case No. 16CEPR00774
Petitioner Dickerson, Charles (Pro Per – Maternal Grandfather)

Petition for Appointment of Guardian of the Person

Camri age: 9 years	TEMPORARY EXPIRES 09/22/2016	NEEDS/PROBLEMS/COMMENTS:
Egypt age: 6 mo.	CHARLES DICKERSON, maternal grandfather, is petitioner.	
		Minute Order of 08/16/2016 re: Temporary Guardianship (in part): Written objections are to be filed and properly served by 09/07/2016. Court orders that visitation for Camron Tolbert remains suspended.
Cont. from		As of this Examiner's review on 09/20/2016, no written objections have been filed.
Aff.Sub.Wit.	<u>Please see petition for details</u>	
✓ Verified		1. Need Notice of Hearing.
Inventory		
PTC		2. 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:
Not.Cred.		
Notice of Hrg	x	<ul style="list-style-type: none"> • Cameron Tolbert (Father of Camri) • Jermaine Medley (Father of Egypt) • Shaquana Ford (Mother)
Aff.Mail	x	
Aff.Pub.		3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:
Sp.Ntc.		
Pers.Serv.	x	<ul style="list-style-type: none"> • Paternal Grandparents of Camri (Not Listed) • Paternal Grandparents of Egypt (Not Listed) • Janeen Jefferson (Maternal Grandmother)
✓ Conf. Screen		
✓ Letters		4. UCCJEA is incomplete. It fails to include the dates for the period of residence for each child (3a and 3b)
✓ Duties/Supp		
Objections		Reviewed by: LV
Video Receipt		
✓ CI Report		Reviewed on: 09/20/2016
9202		Updates:
✓ Order		Recommendation:
Aff. Posting		File 19- Tolbert/ Ford-Medley
Status Rpt		
✓ UCCJEA		
Citation		
FTB Notice		

Attorney Gary G. Bagdasarian (for Petitioners Duane Stout and Laura Stout)

Petition to Determine Succession to Real Property and Personal Property

DOD: 3/22/2006	DUANE STOUT and LAURA STOUT , children, are Petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><i>*Note: Final Inventory and Appraisal filed 8/11/2016 should but does not include the personal property item listed on Attachment 11 to the Petition, consisting of a check dated 5/26/2006 in the amount of \$1,000.00. Probate Code § 13152 provides that the gross value of decedent's real and personal property in California is to be shown on the inventory and appraisal attached to the petition. Here, omission from the inventory and appraisal of the personal property check, an item not requiring probate referee appraisal per Probate Code § 8901(a) and potentially stale-dated, appears to be a harmless omission, hence a corrected inventory and appraisal is not requested.</i></p>
Cont. from	40 days since DOD.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	No other proceedings.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	I & A - \$46,000.00*	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	W/ Will dated 1/21/2004 devises all personal property, all real property, and the estate residue to the Petitioners in equal shares.	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	Petitioner requests Court determination that Decedent's 100 % interest in real property located on Cardinal Lane, Squaw Valley and Decedent's 100% interest in personal property, passes to the Petitioners at 50% to each pursuant to Decedent's Will.	
<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: LEG
		Reviewed on: 9/20/16
		Updates:
		Recommendation: SUBMITTED
		File 20- Stout

Attorney Jeffrey A. Jaech (for Petitioner Mary S. Watson, spouse and Trustee)
 Attorney Eliot S. Nahigian (for Objector Cynthia D. Watson, daughter and Beneficiary)

First Account and Report of Trustee and Petition for Its Approval

Dennis DOD: 7/13/1991	MARY S. WATSON , spouse and Trustee of the DENNIS I. WATSON TESTAMENTARY TRUST Established by Court order on 8/3/1992 (copy at Exhibit A), is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Entire Account period: 7/13/1991 – 4/30/2016 <i>[26 summaries of account for the entire period]</i>	<p>Note to Petitioner MARY S. WATSON: Response filed 9/20/2016 by MARY S. WATSON states there is pending in this Court a petition for an order construing the terms "children of decedent" in the "Judgment of Final Distribution and Final Distribution to Testamentary Trust" dated 8/3/1992 and determining the identities of the contingent remaindermen, without identifying the Probate Case name and number. Court records do not show any pending matters in Case 0444557; Order Denying Motion to Correct Clerical Error was filed in that case on 7/7/2016.</p>
Cont. from	Ending Account period: 1/1/2016 – 4/30/2016	
<input type="checkbox"/> Aff.Sub.Wit.	Accounting - \$121,100.01	
<input checked="" type="checkbox"/> Verified	Beginning POH - \$119,677.74	
<input type="checkbox"/> Inventory	Ending POH - \$108,113.48	
<input type="checkbox"/> PTC	<i>(no cash; carry value less depreciation reserve less debt to Petitioner Mary Watson; consisting of 1/2 interest in real property on Saginaw in Caruthers containing farmland, residence, shop, almond trees, grape vines; Petitioner owns other 1/2 interest; market value RP = \$2,260,000.00;)</i>	
<input type="checkbox"/> Not.Cred.	Trustee - \$137,214.58 (paid) <i>(itemized in Schedule E, based on 1.25% annual rate of the market value of Trust estate; from 9/1991 to 4/2016;)</i>	
<input type="checkbox"/> Notice of Hrg	Trustee Expenses - \$256,138.13 <i>(itemized in Schedule F; to be reimbursed to Trustee for payment of Trust debts and for improvements to property, including payment of balance of Saginaw mortgage (\$455,018.26), and installation of concrete in shop;)</i>	
<input type="checkbox"/> Aff.Mail	Attorney - \$54,830.10 (paid) <i>(payments to several attorneys including Baker Manock & Jensen, Michael M. Buettner, Albrecht & Barney, Nancy J. LeVan, from 5/2014 to 3/2016; for litigation related to correcting error in Judgment dated 8/3/1992 and appeal in Case 0444557;)</i>	
<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	Petitioner prays for an Order: 1. Approving, allowing and settling the First Account and Report of the Trustee; and 2. Confirming and approving all acts and proceedings of Petitioner as Trustee as shown in the account and report.	
<input type="checkbox"/> Aff. Posting		Reviewed by: LEG
<input type="checkbox"/> Status Rpt		Reviewed on: 9/20/16
<input type="checkbox"/> UCCJEA		Updates: 9/21/16
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 21- Watson

Objections to Petition to Approve First Account and Report of Trustee; and Request for Relief from Breach of Trust, Removal of Trustee, and Appointment of Successor Trustee; and Request for Instructions, and Other Remedies filed by CYNTHIA D. WATSON, daughter, on 9/9/2016.

Points and Authorities in Support of Objections to Petition to Approve First Account and Report of Trustee; and Request for Relief from Breach of Trust, Removal of Trustee, and Appointment of Successor Trustee; and Request for Instructions, and Other Remedies filed 9/9/2016.

Declaration of Eliot S. Nahigian in Support of Extraordinary Fees filed 9/9/2016.

Trustee's Response to Cynthia D. Watson's Objections, etc. filed by MARY S. WATSON on 9/20/2016.

Petition for Appointment of Probate Conservator

		<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:	
		<p>KATHLEEN SOWELL, sister, is petitioner and requests appointment as conservator of the person and estate with medical consent powers and bond of \$51,000.00.</p>		
Cont. from		<p><i>See petition for details.</i></p>		
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input checked="" type="checkbox"/>	Pers.Serv.			w/
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input checked="" type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			x
<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>Court Investigator to provide:</p> <ul style="list-style-type: none"> • Advisement of rights • Investigation report <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Tuesday, October 25, 2016 at 9:00 am in Department 303, for the filing of the bond. • Tuesday, January 24, 2017 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. • Tuesday, November 28, 2017 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>	
			Reviewed by: SEF	
			Reviewed on: 9/20/2016	
			Updates:	
			Recommendation:	
			File 22- Partridge	

NEEDS/PROBLEMS/COMMENTS, *continued*:

Note: If the petition is granted, status hearings will be set as follows:

- **Tuesday, October 25, 2016** at 9:00 am in Department 303, for the filing of the bond.
- **Tuesday, January 24, 2017** at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal.
- **Tuesday, November 28, 2017** at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

Petitioner: Terry A. Schleich (pro per)

Objector: William Spain (pro per)

Petition for Appointment of Temporary Guardian of the Person

		<u>GENERAL HEARING 11/9/16</u>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Objections of the father, William Spain do not include a proof of service indicating it was served on all necessary parties.</p>
		<p>TERRY A. SCHLEICH, maternal grandmother, is petitioner.</p> <p>Please see petition for details.</p> <p>Objections to Guardianship filed by father William Spain on 9/12/16</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		
<input type="checkbox"/>	Aff.Mail		
<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 checked="" type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 9/20/16
			Updates:
			Recommendation:
			File 23- Schleich/ Spain

Petitioner Valles, Teresa (Pro Per – Maternal Grandmother – Petitioner)

Petition for Appointment of Temporary Guardian of the Person

		See petition for details.	NEEDS/PROBLEMS/COMMENTS:	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
N/A	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
✓	Conf. Screen			
	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 9/20/16	
			Updates:	
			Recommendation:	
			File 24- Rodriguez	

Petition for Appointment of Temporary Guardian of the Person

		See petition for details.	NEEDS/PROBLEMS/COMMENTS:	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			X
✓	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: 9/20/16	
			Updates: 9/21/16	
			Recommendation:	
			File 25- Gallardo	