



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

(1) Petition for Settlement of First and Final Account, (2) Petition for Final Distribution and for (3) Allowance of Compensation for Ordinary and Extraordinary Services (Prob. C. 11640)

DOD: 5-25-07		<p>JANELLE BOWMAN, Executor with Full IAEA without bond, is Petitioner.</p> <p>Accounting: \$175,000.00 Beginning POH: \$175,000.00 Ending POH: \$18,371.82 (cash)</p> <p>Executor (Statutory): \$1,060.00</p> <p>Attorney (Statutory): \$1,060.00</p> <p>Attorney (Extraordinary): \$4,570.00 for extraordinary services to recover possession of the real property (14.3 hours), and to secure and sell the real property (2.9 hours)</p> <p>Closing: \$800.00 (reserve for taxes/misc.)</p> <p>Attorney Moore's Declaration states unlawful detainer was necessary to remove occupants Beverly Day and Nancy Rozidilla, two of the beneficiaries who had been allowed to continue their residence at the property for more than two years after their mother's death. The declaration states that after the estate recovered possession, the two continued to reside in a van on the property and were believed to have been going in and out of the home through a window, requiring another writ of possession, lockout, and turnover of possession to the estate. Because the personal representative lives out of state, Attorney Moore worked with real estate agents and contractors for the sale and avoided a 6% commission on the sale.</p> <p>Petitioner requests that such extraordinary fees expended to recover possession of the property from Beverly Day and Nancy Day be charged against their distributable share of the estate, which amount is \$3,772.50 in attorney fees plus \$770.84 in costs, for a total of \$4,543.34. However, since that amount exceeds their shares, Petitioner requests that their shares be abated in their entirety and the distributable balance be distributed among the remaining beneficiaries.</p> <p>Distribution pursuant to Decedent's will, Notice of Lien filed 7-16-12, and request for abatement: Janelle Bowman: \$3,627.27 Laura Lee Flores-Wheeler: \$3,627.27 Eileen Lindsey: \$1,813.64 Shanna Johnston: \$1,813.64, less \$151.65 payable to the Victim Compensation and Government Claims Board</p>	NEEDS/PROBLEMS/COMMENTS:	
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		<p>Reviewed by: skc</p> <p>Reviewed on: 9-20-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2 - Day</p>		

(1) Amended Administrator's Petition for Waiver of Accounting, (2) Statutory Attorney Fees, and (3) Final Distribution Under Probate Code 11600

DOD: 5/11/2006		<p>SHELBY BENSON, Administrator with bond of \$154,000.00, is petitioner.</p> <p>Accounting is waived. Petitioner states that beneficiary Catherine Laurie died intestate after the decedent. No formal probate has or will be conducted for Catherine Laurie. All of Catherine Laurie's heirs at law have signed waivers of accounting and an Affidavit Pursuant to Probate Code § 13100-13115.</p> <p>I & A - \$189,531.84 POH - None (distributed without a court order)</p> <p>Administrator - waives</p> <p>Attorney - \$6,685.96 (statutory)</p> <p>Costs - \$1,218.84 (for filing fees, publication, notary fees, copy and courier costs)</p> <p>Distribution, pursuant to intestate succession, is to:</p> <p>Shelby Benson - \$63,177.28 (1,550.33 shares)</p> <p>Catherine Laurie - \$63,177.28 (1,550.33 shares)</p> <p>David Blesh - \$63,177.28 (1,550.33 shares)</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 07/25/12</p> <p>As of 09/20/12, the following comments remain:</p> <ol style="list-style-type: none"> Beneficiary Catherine Laurie died on 1/26/2010, after the decedent. Pursuant to Probate Code 10954(b)(5) if the person entitled to distribution in an estate is deceased, the waiver of account shall be executed <u>by the personal representative of the estate</u>. Petitioner states that no administration for the estate of Catherine Laurie is or will be conducted and has provided waivers of account signed by the intestate heirs of Catherine Laurie - Gerald Laurie, Tyler Laurie, and KC Dotson. Need authority allowing the intestate heirs of a deceased beneficiary to waive accounting. The Amended Petition states that 1/3 of the estate was distributed to Catherine Laurie and that Catherine Laurie died after the decedent. The Petitioner states that an Affidavit Pursuant to Probate Code § 13100-13155 was signed by Catherine Laurie's heirs as the successors to her interest in the estate. The Court may require authority allowing such a distribution as part of the administration of this estate. The Amended Petition states that distribution has been made of <u>all</u> the assets of the estate to the three beneficiaries pursuant under IAEA; however, Probate Code § 10501 lists preliminary and final distributions as actions requiring court supervision. Probate Code § 11623 states the personal representative may <u>petition the court for authority to make preliminary distributions</u>. However the aggregate of all property distributed shall not exceed 50% of the net value of the estate. <u>In this case the Petitioner distributed all of the assets of the estate and did not petition the court for authority to make preliminary distributions.</u> <p>Please see additional page</p>
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		<p>Reviewed by: JF</p> <p>Reviewed on: 09/20/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3 - Blesh</p>	

NEEDS/PROBLEMS/COMMENTS (continued):

4. The cost reimbursement request includes \$34.99 for copy and courier costs. Pursuant to Local Rule 7.17 B, these costs are considered by the Court to be part of the cost of doing business and are not reimbursable costs or fees.
5. Need Notice of Hearing.
6. Need proof of service of the Notice of Hearing on all interested parties.

(1) Petition for Settlement of First and Final Account (2) Petition for Final Distribution and for (3) Allowance of Compensation for Ordinary Services (Prob. C. 11640)

DOD: 2-2-12		<p>ANNA E. BARNETT, Administrator with Full IAEA without bond, is Petitioner.</p> <p>Account period: 2-2-12 through 8-17-12</p> <p>Accounting: \$353,283.52 Beginning POH: \$339,662.64 Ending POH: \$102,379.82 (\$101,379.82 cash plus household goods and furnishings)</p> <p>Administrator: Waives</p> <p>Attorney (Statutory): \$10,065.67</p> <p>Closing: \$1,200.00</p> <p>Distribution pursuant to intestate succession:</p> <p>Christie Barnett: \$45,057.07 plus one half of the household goods and furnishings</p> <p>Ashley Barnett: \$45,057.07 plus one half of the household goods and furnishings</p>	NEEDS/PROBLEMS/COMMENTS:	
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Reviewed by: skc				
Reviewed on: 9-20-12				
Updates:				
Recommendation: SUBMITTED				
File 4 - Barnett				

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

Age: 85		TEMPORARY EXPIRES 9-26-12	NEEDS/PROBLEMS/COMMENTS: <u>Court Investigator Advised Rights on 9-19-12.</u>	
		PUBLIC GUARDIAN is Petitioner and requests appointment as conservator of the person and estate.		
		Voting rights NOT affected	1. Need clarification: The petition indicates a request for additional powers pursuant to Attachment 1.I.; however, there is no attachment. Are additional powers requested?	
Aff.Sub.Wit.		Estimated Value of Estate:		
✓	Verified	Personal Property: \$ 50.61	2. Need clarification: The petition does not request medical consent or dementia medication and/or placement powers; however, according to the Court Investigator's report, Petitioner had scheduled Mr. Waer dementia evaluation, and teeth pulled for dentures, at a cost of approx. \$2,000.00.	
	Inventory	Annual Income: \$35,345.88		
	PTC	Total: \$35,396.49	<p><u>If medical consent and dementia medication and/or placement powers are requested, need Amended Petition with Mandatory Judicial Council Form GC-313A (dementia request attachment) and amended service; and</u></p> <p>A Capacity Declaration will need to be filed to support findings pursuant to Probate Code §2356.5.</p>	
	Not.Cred.	<p>Petitioner states Mr. Waer (85) is currently living independently in his own apartment, and is able to dress and groom himself without assistance; however, Mr. Waer displays bad judgment on a number of issues. He has a tendency to accept rides from people he does not know well and reveals financial information to them, which could endanger him. He has allowed a friend to move in with him that is a registered sex offender. Mr. Waer states this friend assists him by cooking and cleaning; however, inspection revealed minimal food in the apartment. Mr. Waer is not capable of preparing his own meals. Conservatorship will ensure that Mr. Waer's medical and personal needs are continuously met. He would benefit from placement in a setting where he will receive supervision and proper care in the least restrictive setting.</p> <p>Petitioner also states Mr. Waer is unable to manage his own finances and resist undue influence. After his wife's death eight years ago, he was assisted by family. However, they stopped assisting him when he allowed the "friend" to move in. Mr. Waer now disregards his son Tim and calls this man his son.</p> <p>Petitioner states Mr. Waer does not appear to have many expenses, yet his bank account is depleted, and he has repeatedly relied on cash advance companies to meet his bills. He has no recollection of signing his car over to his friend.</p> <p>Court Investigator Julie Negrete filed a report on 9-19-12.</p>		
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Reviewed by:
 Reviewed on:
 Updates:
 Recommendation:
 File 5 - Waer

Atty Fogderude, Eric K. (for Michael Karastathis, Trustee – Petitioner)

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

DOD: 05/11/12		<p>MICHAEL M. KARASTATHIS, Successor Trustee of The Karastathis Family Trust dated 11/24/01, is Petitioner.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>I & A - \$50,000.00</p> <p>Will dated 11/24/01 devises estate to the Trustee of The Karastathis Family Trust.</p> <p>Petitioner requests Court determination that decedent's 100% interest in real property located at 5188 E. Ashlan #132, Fresno, CA pass to him pursuant to decedent's Will.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The Petition indicates that the decedent had a deceased spouse. Need name and date of death of deceased spouse pursuant to Local Rule 7.1.1D.</p>
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		<p>Reviewed by: JF</p> <p>Reviewed on: 09/20/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6 - Karastathis</p>	

Age:	<p>PATRICIA A. GAZDA, Sister, was appointed Conservator of the Estate on 12-8-11, with funds to be placed into a blocked account.</p> <p>On 7-16-12, the Court set this status hearing for failure to file an account.</p> <p>I&A filed 7-31-12 reflects a total conservatorship estate value of \$98,846.00.</p> <p>On 9-6-12, the Court approved the establishment of a Special Needs Trust for the Conservatee with Inland Counties Regional Center, Inc., as Trustee.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: The Special Needs Trust established 9-6-12 was assigned case number 12CEPR00826. A status hearing is set for 1-4-13 for filing of the I&A in that case.</p> <p>1. Need account.</p>
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	Reviewed by: skc	
	Reviewed on: 9-20-12	
	Updates:	
	Recommendation:	
	File 8 - Allen	

Atty Arroyo, Dolores (Pro Per – Guardian – Petitioner)

Atty Arroyo, Roberto U. (Pro Per – Guardian – Petitioner)

Ex Parte Petition for Modification of Visitation

Jaden (11)	<p>DOLORES and ROBERTO ARROYO, Paternal Grandparents and Guardians, are Petitioners.</p> <p>Father: Robert Uribe Arroyo, Jr. Mother: Leona Chantel Andrada Maternal Grandfather: Gary Andrada Maternal Grandmother: Donna Silvera Andrada</p> <p>Petitioners filed an Ex Parte Petition for Modification of Visitation on 9-13-12. The Court set the matter for hearing and set notice to Petitioners on 9-13-12.</p> <p>Petitioners state request that the father have the children at the soccer game on time, which is one hour before games start. Games start at different times and they will provide the father with the schedules.</p> <p>Petitioners also request that if either or both of the children do not wish to visit on the dates allowed by the Court, that they should be able to say they don't want to go. They are old enough to decide. The father has a tendency to tell them they have to go by force, and for the whole month of July, the children should be able to call if they need to come home. They have a cell phone.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Per Court order on 8-7-12 regarding the father's petition for visitation, the father has visitation on 1st, 3rd, and 5th weekends from Friday 7pm to Sunday 7pm, and a holiday schedule that includes 1 week with during Christmas break and the whole month of July.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on Robert Uribe Arroyo, Jr. (Father). 	
Roberto (14)			
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		<p>Reviewed by: skc</p> <p>Reviewed on: 9-20-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 9 - Arroyo</p>	