1 Maxine Dunlop (CONS/PE) Case No. 06CEPR01049

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

Probate Status Hearing Re: Status of Filing Fourth Accounting

DOD: 4/16/2016		
Cont. from 111315, 021616, 051716, 072616		
	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	

PUBLIC GUARDIAN, was appointed Conservator of the Person and Estate on 11/21/06.

Public Guardian's Third Account was approved on 09/12/13. **Minute order from 09/12/13** set this status hearing regarding filing of the Fourth Account.

***Status Report Re: Filing of the Fourth Account* filed 5/5/2016 for the previous Status Hearing states:**

- At the 2/16/2016 hearing, the matter was continued to 5/17/2016;
- On 4/16/2016, the Conservatee passed away;
- Rather than filing a 4th account and then a 5th and final account, the Public Guardian will be filing a 4th and final account;
- However, the investment statement covering April has not been received to date, which will not allow time to complete the schedules and to prepare and file the final account before 5/17/2016;
- It is respectfully requested that the next status hearing for this matter be set no sooner than **60 days** from the date of this hearing.

NEEDS/PROBLEMS/COMMENTS:

OFF CALENDAR

***Fourth and Final Account and Report of Conservator, etc., filed on 9/20/2016* is set for hearing on 11/3/2016.**

Reviewed by: JF / LEG
Reviewed on: 9/21/16
Updates:
Recommendation:
File 1 - Dunlop

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

2 **Colten Dakota Lenz (GUARD/P)** **Case No. 08CEPR01075**

Guardian **Sission, Monique (Pro Per – Guardian – Petitioner)**

Petition to Fix Residence Outside of California

Cont. from 081616		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	w
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

MONIQUE SISSION, Maternal Grandmother and Guardian appointed 2/11/09, is Petitioner.

Petitioner requests the Court authorize that the residence of the minor be fixed outside the State of California to an address in St. Helens, Oregon.

Petitioner states spouse received a job offer in Portland, OR. The move will benefit the family financially as well as provide a good climate. Medical treatment and curricular (IEP) will continue in the new state.

Petitioner states there are no visitation or contact orders.

NEEDS/PROBLEMS/COMMENTS:

1. It appears there is a balance owing to the Court of $730.00 for the initial Court Investigation Fee.

<u>Note</u>: If granted, the Court will set a status hearing for establishment of a guardianship or equivalent in Oregon pursuant to Probate Code §2352(d) as follows:

- **Tuesday, March 28, 2017**

Reviewed by: skc
Reviewed on: 9/21/16
Updates:
Recommendation:
File 2- Lenz

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

3 Savanna Makai McJamerson, Niahlee Lowe, and Russell Lee Lowe Jr., IV (GUARD/P) Case No. 09CEPR00559

Petitioner Ramos, Frances (Pro Per – Maternal Great-Grandmother – Petitioner)
Petitioner Hernandez, Jo-Ann – Maternal Great-Aunt – Petitioner)

Petition for Appointment of Guardian of the Person (Russell only)

			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		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

This petition pertains to Russell only.

Minute Order 8/8/16 (Temp):
The Court grants permission to notice Russell Lowe, Jr., father, via Facebook or text message, with all pertinent information included. Frances Ramos represents that Rose Hernandez signed the consent form on 7/22/16.

Reviewed by: skc
Reviewed on: 9/21/16
Updates:
Recommendation:
File 3- McJamerson & Lowe

4 Morgan Elizabeth Pasley (CONS/PE) Case No. 12CEPR00938

Attorney **Hastrup, John (for Debra Pasley – Conservator – Petitioner)**

Second Amended Account Current and Report of Conservator; Petition of Conservator Petition for its Settlement, for Allowance of Attorneys Compensation and for its Termination

Cont. from 042315, 060215, 081815, 091515, 102015, 120115, 010516, 020916, 051716, 072616

	Aff.Sub.Wit.	
	Verified	x
✔	**Inventory**	
	PTC	
	Not.Cred.	
	Notice of Hrg	x
	Aff.Mail	x
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✔	**Letters** 3/28/13	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	x
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

DEBRA PASLEY, Mother and Conservator of the Person and Estate with bond of $15,000.00, is Petitioner. *(Not verified.)*

Account period: 3/28/13 – 10/17/14
Accounting: ***Not provided***
Beginning POH: $13,438.31
Ending POH: $70,195.61
($1,715.61 plus a 1/5 interest in real property in Virginia valued at $68,480.00)

Petitioner states: Inventory and Appraisal was filed 6/5/13 showing the value of the estate to be $13,438.31. Summary of account and supporting schedules are provided at Exhibit B. *(See #1.)*

As reflected in prior pleadings, the Conservator and Conservatee moved out of state. The Conservator was appointed Guardian of the Conservatee in Oklahoma by Court order and Letters issued on 8/13/14.

Petitioner does not request compensation for her services.

Petitioner requests attorney's compensation as set forth in Exhibit "C." *(See #3.)*

Petitioner prays:
1. That this account and report be approved and settled;
2. That the acts of the Conservator shown in the account and report be approved;
3. That, upon settlement of this account, the Conservator be directed to pay her attorneys, McCormick Barstow, LLP, compensation for services rendered and, as yet, unpaid;
4. That the Conservatorship in California be terminated; and
5. That the Court grant such other and further relief as it deems just and proper.

NEEDS/PROBLEMS/COMMENTS:

<u>Minute Order 5/17/16</u>: Counsel represents that they have re-established contact with their client; requests 60 days.

As of 9/21/16, nothing further has been filed. The following issues remain noted:

<u>SEE PAGE 2</u>

Reviewed by: skc
Reviewed on: 9/21/16
Updates:
Recommendation:
File 4 – Pasley

4 Morgan Elizabeth Pasley (CONS/PE) Case No. 12CEPR00938

Page 2 – NEEDS/PROBLEMS/COMMENTS:

1. **This petition does not provide any accounting in the form required by Probate Code §§ 2620, 1060, or any mandatory schedules on the required Judicial Council forms.**

   Need amended petition with accounting, schedules, including required mandatory form for summary. Although Petitioner has been appointed Guardian in Oklahoma, this Court retains jurisdiction for settling accounts pursuant to Probate Code §2630.

   The only schedule provided at Exhibit B is a statement of property on hand, labeled as "receipts," but which does not show any account summary, receipts, disbursements, etc., and further indicates that the conservatorship estate cash has been reduced by $11,722.70 without explanation.

   Note: The Conservatee's interest in the Virginia real property is not an asset of this conservatorship estate, but should be referenced in its own schedule pursuant to §1063(h).

2. **This petition is not verified by the Conservator as required by Probate Code §§ 1021, 1023. (Note: §1023 provides that an attorney may sign or verify on a client's behalf if he or she is absent from the county unless the person is a fiduciary appointing in the proceeding.)**

3. **Petitioner requests attorney's compensation pursuant to Exhibit C, but no Exhibit C is attached.**

4. **Need Notice of Hearing.**

5. **Need proof of service of Notice of Hearing at least 15 days prior to the hearing pursuant to Probate Code §1460(b)(6) on:**
   - Morgan Elizabeth Pasley (Conservatee)
   - Debra Pasley (Conservator/Fiduciary, since the petition is not verified by her)
   - David Hal Jones (Father)

6. ***The Court may also require notice to the surety of any continued or future hearings.***

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

5 **Yvette C. Greenberg (CONS/PE)** **Case No. 13CEPR00137**

Attorney **Kruthers, Heather H. (for Public Guardian – Conservator of the Person and Estate)**

Status RE: First Account

				NEEDS/PROBLEMS/COMMENTS:
				OFF CALENDAR
				First account settled 7/13/16.
Cont. from 041316				
	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			**Reviewed by:** skc
	Status Rpt			**Reviewed on:** 9/21/16
	UCCJEA			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 5- Greenberg**

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

6 Edith Lillian Mitchell Stevens Rev. Liv. Trust Case No. 13CEPR00943

Atty **Nancy LeVan (for Petitioner, Dale Stevens)**
Atty **Donna Standard (for Robert Stevens)**

Probate Status Hearing

Cont. from		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
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	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

DALE STEVENS, as purported, proper successor Trustee of the Edith Lillian Mitchell Stevens Revocable Living Trust presented a "partial" accounting to the court.

Petitioner alleged **ROBERT STEVENS,** trustee of the Sam C. Stevens Revocable Trust was not observing the current court order nor was he administering the Sam C. Stevens Trust therefore, he could only provide the court with a partial accounting of the Edith Lillian Mitchell Stevens Revocable Living Trust.

The dispute was set for Court Trial.

Minute order dated 8/30/16 states Petitioner's status report must be filed by 9/23/16. Counsel and their clients are ordered to be personally present on 9/27/16.

Status Report of Clarence Stevens filed on 9/22/16 states the trial for this petition was set for 8/2/16. There were no appearances by Robert Stevens at the 8/2/16 hearing.

The court continued the trial date to 9/27/16, at the request of attorney Standard.

Attorney Nancy J. LeVan attempted to reach attorney Standard to find out if any progress had been made with Robert Stevens.

As of the writing of this report no new information has been obtained by Mr. Stevens' attorney.

NEEDS/PROBLEMS/COMMENTS:

1. Status Report does not indicate that it was served on all interested parties. Local Rule 7.5B requires Notice of the Status hearing along with a copy of the Status Report to be served on all necessary parties.

Reviewed by:	KT
Reviewed on:	9/22/16
Updates:	
Recommendation:	
File 6- Stevens	

7A Gary F. Morris, Sr., 2013 Trust Case No. 13CEPR01104

Attorney **Nancy J. LeVan (for Petitioner Gary Morris, Jr., Beneficiary)**
Attorney **Jennifer Walters (for Walter A. Morris, Successor Trustee)**

Petition to Compel Accounting by Trustee of the Gary F. Morris, Sr. 2013 Trust and Petition for Distribution of Trust Assets to Doug Standing, Trustee of the Gary Morris, Jr. Trust and Petition for Fees and Costs

DOD: 10/19/2013

Cont. from 100615, 111715, 010516, 020916, 031516, 050316, 053116, 071216, 072616, 081716

	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	W/
	Aff.Pub.	
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	Letters	
	Duties/S	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

GARY MORRIS, JR., Beneficiary, is Petitioner.

Petitioner states:

- **WALTER A. MORRIS** was appointed as Successor Trustee of the **GARY F. MORRIS, SR., 2013 TRUST** on 4/1/2014 *[copy of Trust attached as Exhibit A to Declaration of Clerical Error and Omissions filed 10/2/2015]*;
- The **GARY F. MORRIS, SR., 2013 TRUST** terms provide that the balance of the Trust estate, including all assets poured into the Trust as a result of Trustor's death, is to be distributed to **BARBARA TURNER**, Trustee of the **GARY F. MORRIS, JR., TRUST**;
- **BARBARA TURNER** resigned as Trustee of both Trusts, and **WALTER A. MORRIS** was appointed as Successor Trustee;
- Petitioner requests the Court compel **WALTER A. MORRIS**, as Trustee of the **GARY F. MORRIS, SR., 2013 TRUST**, to distribute the remaining assets in the **GARY F. MORRIS, SR., 2013 TRUST** to **DOUG STANDING**, Trustee of the **GARY F. MORRIS, JR., TRUST** within 30 days of the order approving this petition;

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS:

Page 7B is a Fee Waiver Review.

Page 7C is the First and Final Account and Report of Trustee.

Continued from 8/17/2016. *Minute Order* states the accounting was filed and is set for 9/27/2016.

The following issue from the last hearing remains:

1. Filing fee of **$435.00** for the *Petition to Compel Accounting* is currently due from Petitioner, who filed the *Petition* using a fee waiver, which is pending. The **$435.00** filing fee is appropriately payable from Trust assets. *Declaration of Clerical Error and Omissions* filed 10/2/2015 states "Petitioner agrees that a filing fee should be paid by Walter Morris, Trustee of the **GARY F. MORRIS, SR., 2013 TRUST**; however, Walter Morris is not communicating with the beneficiary, Gary Morris, Jr., his attorney, nor the Successor Trustee of the **GARY F. MORRIS, JR., TRUST**; the beneficiary has no access to funds of the Trust." Court removed the former Trustee such that Trust funds appear accessible to pay Court fees pending the fee waiver review.

Reviewed by: LEG
Reviewed on: 9/21/16
Updates:
Recommendation:
File 7A – Morris

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

7A Additional Page, Gary F. Morris, Sr. 2013 Trust Case No. 13CEPR01104

Petitioner states, continued:

- **GARY F. MORRIS, SR., 2013 TRUST** terms provide that the Trustee shall periodically, but not less than once each year, render an account of its administration of the Trust(s) under the Trust instrument to all current income beneficiaries;
- **GARY F. MORRIS, SR's.,** date of death is 10/9/2013 *[sic]*; **WALTER A. MORRIS** was appointed as Successor Trustee on 4/1/2014; to date, no accounting has been received from **WALTER A. MORRIS**.

Petitioner prays the Court Order:

1. An accounting from **WALTER A. MORRIS** from the period when he was Successor Trustee of the **GARY F. MORRIS, SR., 2013 TRUST** from 4/1/2014 until 8/31/2015;

2. **WALTER A. MORRIS**, Successor Trustee of the **GARY F. MORRIS, SR., 2013 TRUST**, *[shall]* distribute all of the remaining assets in the **GARY F. MORRIS, SR., 2013 TRUST** to **DOUG STANDING**, Trustee of the **GARY F. MORRIS, JR., TRUST** within 30 days of the signed of the order approving this *Petition*; and
3. Allowing attorney fees and costs to Petitioner to be paid by Walter Morris for failure to file accounting and distribute assets pursuant to **GARY F. MORRIS, SR., 2013 TRUST** terms.

Notes for background:

- ***Order Removing Walter Morris as Trustee of the GARY F. MORRIS, SR., 2013 TRUST,* Appointing Doug Standing as Temporary Successor Trustee; Instructing BofA to Transfer Funds in Checking Account Ending in #8078 to Doug Standing, Successor Trustee of the Gary F. Morris, Sr. 2013 Trust, was filed 7/20/2016.** Order finds **DOUG STANDING** is to deposit all of the funds withdrawn from the [account] into a blocked account in his name as Successor Trustee; Doug Standing is to notify the bonding company of the change of trustees and complete an application for **$152,137.88** bond and file proof of bond with the Court; Doug Standing is to file with the Court proof of the amount in the previous account and the amount deposited into the blocked account; and **WALTER A. MORRIS** is to be personally present at the 7/26/2016 hearing.
- ***Minute Order* dated 5/3/2016** from a previous hearing states Ms. Walters called the Court this morning to advise of her inability to appear today; her office asked Ms. LeVan to request a continuance.
- ***Minute Order* dated 3/15/2016** from a previous hearing states counsel is in disagreement as to what has been provided. If all of the information has not been provided by 5/3/2016, then Walter Morris is ordered to be personally present or present via CourtCall on 5/3/2016. [*Walter Morris did not appear in Court.]*
- ***Minute Order* dated 1/5/2016** from the a previous hearing states Ms. Walters represents that there have been continued difficulties in obtaining the bank statements, but the accounting is otherwise completed and ready for filing. Ms. LeVan agrees to the accounting being filed without the missing statements; Ms. Walters will proceed with the filing.
- ***Order Setting Bond Amount* filed 4/25/2015** set bond at **$286,000.00**, proof of which was filed on 5/9/2014. *Order Reducing Bond Amount* filed 5/13/2015 finds that the bond amount for **WALTER A. MORRIS**, as Trustee of the **GARY F. MORRIS, SR., 2013 TRUST** is reduced to **$152,137.88**, which is the amount of net proceeds *[distributed to the seller of the Trust real property]* plus **10%.**

7B Gary F. Morris, Sr. 2013 Trust Case No. 13CEPR01104

Attorney Stefanie J. Krause (for Petitioner Gary Morris, Jr., Beneficiary)

Fee Waiver Review

DOD: 10/19/2013			NEEDS/PROBLEMS/COMMENTS:
Cont. from 100615, 111715, 010516, 020916, 031516, 050316, 053116, 071216, 072616, 081716			
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
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	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		**Reviewed by:** LEG
	Status Rpt		**Reviewed on:** 9/21/16
	UCCJEA		**Updates:** 9/22/16
	Citation		**Recommendation:**
	FTB Notice		File 7B – Morris

7B

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

7C Gary F. Morris, Sr., 2013 Trust Case No. 13CEPR01104

Attorney **Stefanie J. Krause (for Petitioner Gary Morris, Jr., Beneficiary)**
Attorney **Jennifer Walters (for Walter A. Morris, former Successor Trustee)**

First and Final Account and Report of Trustee and Petition for Its Settlement; and for Final Distribution

DOD: 10/19/2013		
Cont. from		
	Aff.Sub.Wit.	
✓	Verified	
✓	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	X
	Aff.Mail	X
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
✓	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	X
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

WALTER A. MORRIS, *[former Successor]* Trustee, is Petitioner.

Account period: 10/19/2013 – 9/24/2015

Accounting - ***$376,000.00 or $373,654.07?***
Beginning POH - **$260,000.00**
Ending POH - **$105,500.27** *(all cash)*

Trustee - **$3,157.00**
(for services in the sum of $2,415.00 and gas mileage in the sum of $742.00)

Attorney - **$768.50 *(paid)***
(not itemized)

Bond - **$152,137.88**
(sufficient)

Petitioner states on 5/20/2014, Decedent's real property on Garlock Lane in Prather was sold for **$350,000.00**, and proceeds of **$138,307.44** were wired into the trust account on 5/23/2014. Decedent's vehicle (not inventoried) was sold for **$15,000.00** and proceeds were deposited into the Trust account on 4/8/2014.

Petitioner requests the Trust assets in possession of the [*former*] Trustee in the sum of **$105,500.27**, minus attorney's fees, Trustee fees, and closing costs should be distributed to the Trustee of the **GARY F. MORRIS, SR., 2013 TRUST** pursuant to Trust terms.

Petitioner prays for an Order:

1. Approving, allowing and settling the First and Final Account and Report of the Trustee; and
2. Confirming and approving all acts and proceedings of Petitioner as Trustee.

NEEDS/PROBLEMS/COMMENTS:

Note: *Order Removing Walter Morris as Trustee of the **GARY F. MORRIS, SR., 2013 TRUST,** Appointing Doug Standing as Temporary Successor Trustee; Instructing B of A to Transfer Funds in Checking Account Ending in #8078 to Doug Standing, Successor Trustee of the Gary F. Morris, Sr. 2013 Trust*, was filed 7/20/2016, finding that **DOUG STANDING** is to deposit all of the funds into a blocked account in his name as Successor Trustee.

1. Account period begins on 10/19/2013, which is several months prior to the actual appointment of Petitioner Walter A. Morris as Successor Trustee by *Order Approving Petition for Appointment of Successor Trustee of the Gary F. Morris, Sr., 2013 Trust* filed 4/1/2014, inferring that Petitioner marshalled assets of the Trust before he was appointed. Account period ends on 9/24/2015, several months prior to the Court's removal on 7/12/2016 of the Petitioner as Successor Trustee. Need accounting of Trust assets from the Petitioner as Successor Trustee for the period of **9/25/2015 to 7/11/2016**.

~Please see additional page~

Reviewed by: LEG
Reviewed on: 9/21/16
Updates: 9/22/16
Recommendation:
File 7C- Morris

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

NEEDS/PROBLEMS/COMMENTS, continued:

2. *Summary of Account* on page 2 of the Petition does not list any charges and credits in equal values as required by Probate Code § 1061(b) and (c). However, *Summary of Account* attached as an Exhibit lists charges as ***$376,000.00***, while credits are listed as ***$373,654.07***, resulting in an unexplained difference of **$2,345.93**, causing the accounting not to balance. Charges must equal credits as provided by Probate Code § 1061(c). Need clarification and/or amended account pursuant to Probate Code § 1060 et seq.

3. Pursuant to Probate Code § 17201, *Petition* does not but should state the names and addresses of all persons entitled to notice of the *Petition*. Need proof of service by mail of 30 days' notice prior to hearing for the following persons pursuant to Probate Code §§ 15804(a) and 17203(a)(2):

- **GARY MORRIS, JR.,** Beneficiary;
- **DOUG STANDING**, current Successor Trustee;
- **NANCY J. LeVAN**, attorney for Beneficiary;
- **BARBARA TURNER,** named successor trustee;
- **RONALD POTTER, JR.**, named successor trustee;
- **AMERICAN CANCER SOCIETY**, contingent beneficiary;
- **UNITED CEREBRAL PALSY OF CENTRAL CALIFORNIA**, contingent beneficiary;
- **JOHN JEFF MORRIS**, son.

4. *Schedule A2, Receipts*, contains question marks at entries dated 4/22/2014 of **$1,100.00** and 5/6/2014 of **$10,000.00**. Need clarification.

5. *Petition* states a list of Trustee's time and mileage in support of request for trustee fees is attached as Exhibit A; however, no Exhibit A is attached. Additionally, Court may require an itemization of attorney services to support the attorney fees already paid from the Trust of **$768.50**.

6. Court may require explanation for the large expenditure listed in *Schedule C1, Disbursements*, dated 6/4/2014 to "Motoring Cal. Co." in the sum of **$36,200.00**.

7. Need proposed order pursuant to Local Rule 7.1.1(F).

***Beneficiary Gary Morris, Jr's. Objection to First and Final Account and Report of Trustee and Petition for its Settlement* filed 9/22/2016 states:**

- Gary Morris, Jr. objects to the former Trustee's request for the account to be settled, allowed, and approved on the grounds that it is incomplete and lacks sufficient information;
- Probate Code section 16063(b) provides that an accounting submitted to be approved by the court must comply with Probate Code section 1064, which provides that a petition for approval shall contain "a description of all sales, purchases, changes in the form of assets, or other transactions...that are not otherwise readily understandable from the schedule." The Petition must also have "an explanation of any unusual items appearing in the account."

~Please see additional page~

***Beneficiary Gary Morris, Jr's. Objection* filed 9/22/2016 continued:**

- The Accounting provided by the former Trustee reflects Charges in the amount of **$376,000.00** and credits in the amount of **$373,654.07**. This leaves a difference of **$2,345.93** that is unaccounted for in the Accounting and not explained in the Report. Objector requests the Accounting be amended to show the whereabouts of this missing amount.
- Objector objects to the former Trustee's request for compensation and reimbursement. Trustees are required to administer the trust as a prudent person would, "with reasonable care, skill, and caution." (Prob. Code sec. 16040(a)). The Trustee failed to administer the trust properly when he refused to provide an accounting, forcing Objector to file a Petition to Compel the Accounting. The Petition to Compel the Accounting was filed 8/27/2015 and it took almost an entire year for the Accounting to finally be submitted.
- The Trustee further failed to administer the Trust properly when he refused to continue payments for Objector's housing, forcing Objector to file a petition for payment. Because the former Trustee failed to administer the Trust as a prudent person would and because he caused so many costly delays, the former Trustee should not be compensated or reimbursed, or the amount awarded should be reduced within the discretion of the Court.

Objector prays that:

1. The Petitioner's request for approval of the First Account be denied;
2. The Petitioner's request for approval and allowance of the former Trustees' fees and reimbursement be denied, or the amount awarded reduced within the discretion of the Court;
3. The First Account be amended to correct the insufficiencies described.

***Proof of Service by Mail* filed 9/22/2016 shows a copy of the Objection was served to all parties entitled to notice on 9/22/2016.**

8A Alex Ortiz Jr & Julian Ortiz (GUARD/P) Case No. 14CEPR00066

Petitioner/mother: Selina Gutierrez (pro per)

Petition for Visitation

			SELINA GUTIERREZ, mother, is petitioner. **NORMA LEYVA**, paternal grandmother, was appointed successor guardian on 9/24/14.
Cont. from 092115, 100515, 111715, 020216, 071916			
	Aff.Sub.Wit.		
✓	**Verified**		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	N/A	
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

Note: This visitation petition was filed first. While this petition was still pending mother filed a second petition for visitation. Please see page 8B.

Continued from 7/19/16. Minute order states mother is to use prescription medication for the child while in her care, the Court Investigator is to interview guardian, mother and children regarding if unsupervised visits are appropriate. Current orders stay in place. The court will consider starting unsupervised visits at the next hearing.

Reviewed by: KT

Reviewed on: 9/22/16

Updates:

Recommendation:

File 8A – Ortiz

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

8B Alex Ortiz Jr & Julian Ortiz (GUARD/P) Case No. 14CEPR00066

Guardian: Norma Irene Leyva (pro per)
Petitioner/Mother: Selina Eyleen Gutierrez (pro per)

Petition for Visitation

			SELINA GUTIERREZ, mother, is petitioner. **NORMA LEYVA**, paternal grandmother, was appointed successor guardian on 9/24/14.
Cont. from 090116			
	Aff.Sub.Wit.		
✓	**Verified**		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

Note: This matter was presented ex parte. Order dated 8/9/16 set the matter for hearing and ordered a Notice of Hearing to be served on Norma Leyva at least 15 days prior to the hearing.

1. Need Notice of Hearing.

2. Need proof of service of the Notice of Hearing on:
   a. Norma Leyva

3. Declaration of Norma Leyva filed on 8/9/16 was not verified. Probate Code §1021.

Reviewed by: KT
Reviewed on: 9/22/16
Updates:
Recommendation:
File 8B- Ortiz

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

9 **Gordon W. Bergen (Estate)** **Case No. 14CEPR00975**

Attorney **Poochigian, Mark S. (for Administrator Alesha J. Jensen)**

Probate Status Hearing RE: Filing of the First and Final Account

DOD: 6/18/14		
Cont. from 020916, 051016, 072616		
	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	

ALESHA J. JENSEN, Daughter, was appointed Administrator with Full IAEA without bond on 12/9/14. Letters issued on 12/10/14.

At the hearing on 12/9/14, the Court set this status hearing for the filing of the first account or petition for final distribution.

Status Report filed 7/25/16 states the Administrator is preparing to file a petition for final distribution of the estate. However, more than 75% of the value is comprised of personal property such as vehicles, tractors, equipment, guns, tools, etc., that is not easily distributed in undivided interests. The heirs would like for certain items to be distributed in kind, and one desires to purchase the other heirs' interests in certain items. The family does not wish them to be sold. The Administrator is optimistic that the prospective heir remains in the process of arranging for financing. Therefore, an additional 60 days is requested to allow the purchasing heir time to obtain financing and complete the sale.

Status Report filed 9/23/16 states the personal representative has been advised that the heir who was believed to be obtaining financing to complete the intended purchase is no longer willing to purchase the tangible personal property as previously indicated. However, another relative, David Bergen, the decedent's father and the personal representative's grandfather, has offered to purchase some of the items. Notice of Proposed action has been mailed and filed with the court.

Because not as many itmes will be sold as previously believed, the personal representative now unexpectedly finds herself in the position of being required to sell several items, and intends to take immediate action to do so. Continuance of 90 days is requested.

NEEDS/PROBLEMS/COMMENTS:

1. **Need first account or petition for final distribution.**

Reviewed by: skc

Reviewed on: 9/21/16

Updates: 9/23/16

Recommendation:

File 9- Bergen

10 William A. Liddle (Estate) Case No. 15CEPR00195

Attorney: Heather H. Kruthers (for Public Administrator)

Probate Status Hearing RE: First or Final Account

DOD: 11/19/2014		
Cont. from 061416		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	x
	Aff.Mail	x
	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	

PUBLIC ADMINISTRATOR was appointed administrator of the estate with full IAEA without bond on 4/7/2015. *Letters* issued 4/7/2015.

I&A filed 6/15/2015 - $125,000.00 *(real property)*

Minute order dated 4/7/2015 set this status hearing for filing of the account.

Status Report by Public Administrator filed 5/23/2016 states the current estate balance is $541.94. The real property was foreclosed and sold on 11/23/2015.

The PA received a check from State Farm for biohazard cleanup of the house. CaTraumaTech (CTT) was paid $5,647.50 on 12/14/2014. The invoice says some selected valued household items were removed and transported to the CTT warehouse to be inspected/decontaminated. There is no inventory of what was taken by CTT and no mention if it was ever returned. There is a handwritten note in the case from the District Attorney employee who temporarily handled this estate, saying he was going to follow up on that.

Personal property from the house was sold at auction. PA received various checks from State Farm and Ocwen Loan.

There are several creditor's claims that have been received. The estate has paid probate referee and publication fees.

The current Deputy PA now responsible for this matter has sent an email to the DA employee asking him if he ever got any information regarding the valued property that was removed from the house by CTT. If there are no valued items still in the possession of CTT, then there are no other assets to marshal.

To allow time to affirm what assets may currently belong to the estate and to file an account, **it is requested that this status hearing be continued for 90 days.**

NEEDS/PROBLEMS/COMMENTS:

OFF CALENDAR

First and final account filed 9/23/2016 and set for hearing 11/7/2016.

Reviewed by: SEF

Reviewed on: 9/21/2016

Updates: 9/23/2016

Recommendation:

File 10- Liddle

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

11 **John Owen (CONS/PE)** **Case No. 15CEPR00504**

Attorney **Kruthers, Heather H. (for Public Guardian)**

First Account Current and Report of Conservator and Petition for Allowance of Compensation to Conservator and Attorney

			PUBLIC GUARDIAN, Conservator, is Petitioner. Account period: 5/13/15 – 7/7/16 Accounting: $165,722.71 Beginning POH: $138,329.77 Ending POH: $ 39,137.99 ($39,001.99 cash plus misc. personal property items as listed) Conservator: $8,971.52 (for 62.61 Deputy hours @ $96/hr and 38.96 Staff hours @ $76/hr, as itemized. Services include maintenance, security, and sale of real property, review of medical records, placement,) Attorney: $2,500.00 (Per local rule) Bond fee: $181.30 Costs: $617.00 (filing, certification) Petitioner prays for an order: 1. Approving, allowing and settling the account and report; 2. Authorizing the conservator's and attorney's fees and commissions; 3. Authorizing payment of the bond fee and the costs; 4. Other relief that the Court considers proper.	**NEEDS/PROBLEMS/COMMENTS:** **<u>Note</u>: David Knudson, court-appointed attorney for Conservatee, filed a petition for fees on 8/26/16 that is set for hearing on 10/12/16.** **<u>Note</u>: The Court will set a status hearing for the filing of the next account as follows:** • **Tuesday, Sept. 4, 2018**
	Aff.Sub.Wit.		
✓	**Verified**		
	Inventory		
	PTC		
	Not.Cred.		
✓	**Notice of Hrg**		
✓	**Aff.Mail**	w	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
✓	**CI Report**		
	9202		
✓	**Order**		
	Aff. Posting		**Reviewed by:** skc
	Status Rpt		**Reviewed on:** 9/21/16
	UCCJEA		**Updates:**
	Citation		**Recommendation:**
	FTB Notice		**File 11- Owen**

12A Benny Markarian (Estate) Case No. 15CEPR00668

Attorney Laird Scott D. (for Pamela Milam – Petitioner – Daughter)
Attorney Nahigian, Eliot (for Ronald H. Markarian – Competing Petitioner- Spouse)
Petition for Probate of Will and for Letters Testamentary with IAEA

DOD: 05/15/2015		
Cont. from 081815, 092915, 120815, 032216, 050316, 051716, 062016		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	w/
✓	**Aff.Pub.**	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	**Letters**	
✓	**Duties/Supp**	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

PAMELA MILAM, daughter/named executor without bond is petitioner.

Petitioner is a resident of Miramar Beach, Florida.

Full IAEA – o.k.

Will dated: 02/20/2008

Residence: Fresno
Publication: The Business Journal

Estimated Value of the Estate:
Personal property- $129,300.00
Real Property - $160,000.00
Total - $289,300.00

Probate Referee: Steven Diebert

Joint Stipulated Petition to Grant Petition for Letters of Administration and Authorization to Administer Under the IAEA Filed by Pamela Milam and Appoint a Public Administrator was filed 09/20/2016 and states the parties have reached an agreement to resolve the competing Petitions and Objections and stipulate that the Petition and Objection filed by Ronald H. Markarian shall be dismissed with prejudice. The Objection filed by Pam Milam shall be dismissed with prejudice. The Petition for Letters of Administration and Authorization to Administer Under IAEA filed by Pamela Milam shall be granted with the exception that the Court shall appoint a Public Administrator to administer the Will of Benny L. Markarian, aka Benny Markarian.

NEEDS/PROBLEMS/COMMENTS:

Note: A Joint Stipulated Petition to Grant Petition for Letters of Administration and Authorization to Administer Under the IAEA Filed by Pamela Milam and Appoint a Public Administrator was filed 09/20/2016. An Order filed 09/21/2016 states the Stipulation would be considered at the hearing on 09/27/2016. If the Court is inclined to appoint the Public Administrator new orders and letters need to be submitted.

Page 12B and 12C are competing Petition for Probate of Letters of Administration and Contest and Grounds of Objection to Probate of Purported Will filed by Ronald H. Markarian

Continued from 06/20/2016

1. Proposed personal representative is a resident of Florida. Probate Code 8571 states notwithstanding a waiver of bond, the court in its discretion may require a nonresident personal representative to give a bond in an amount determined by the court.

Continued on the following page

Reviewed by: LV	
Reviewed on: 06/15/2016	
Updates:	
Recommendation:	
File 12A – Markarian	

12A Benny Markarian (Estate) Case No. 15CEPR00668

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

- **Monday, 11/01/2016 at 9:00a.m. in Dept. 303** for the filing of the Bond if required **and**
- **Monday, 02/28/2017 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal **and**
- **Monday, 11/28/2017 at 9:00a.m. in Dept. 303** for the filing of the first account and final distribution.

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

12B Benny Markarian (Estate) Case No. 15CEPR00668

Attorney Laird, Scott D. (for Pamela Milam – Petitioner – Daughter)
Attorney Nahigian, Eliot (for Ronald H. Markarian – Competing Petitioner - Spouse)
Petition for Letters of Administration with IAEA

DOD: 05/15/2015			**RONALD H. MARKARIAN**, surviving spouse is petitioner and requests appointment as Administrator with bond.
Cont. from 062016			
	Aff.Sub.Wit.		
✓	**Verified**		Full IAEA – o.k.
	Inventory		Decedent died intestate
	PTC		Residence: Fresno Publication: The Business Journal
	Not.Cred.		
✓	**Notice of Hrg**		**Estimated Value of the Estate:** Personal property- $129,300.00
✓	**Aff.Mail**	w/	Probate Referee: Steven Diebert
✓	**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		

NEEDS/PROBLEMS/COMMENTS:

Continued from 06/20/2016

1. Petition does not indicate the amount of bond to be ordered. Competing petition of Pamela Milam lists personal property in the amount of $129,300.00 and real property in the amount of $160,000.00, however this petition lists personal property only. **If real property does exist then bond should be set at $289,300.00. If only personal property exists, then bond should be set at $129,300.00.**

2. Need proof of service of the Notice to Administer Estate pursuant to Probate Code §8110 on:
   - Scott Laird

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

- **Monday, 11/01/2016 at 9:00a.m. in Dept. 303** for the filing of the Bond if required **and**
- **Monday, 02/28/2017 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal **and**
- **Monday, 11/28/2017 at 9:00a.m. in Dept. 303** for the filing of the first account and final distribution.

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

Reviewed by: LV
Reviewed on: 09/22/2016
Updates:
Recommendation:
File 12B- Markarian

12C Benny Markarian (Estate) Case No. 15CEPR00668

Attorney Laird, Scott D. (for Pamela Milam – Competing Petitioner – Daughter)
Attorney Nahigian, Eliot S (for Ronald H. Markarian – Petitioner - Spouse)

Petition Contest and Grounds of Objection to Probate of Purported Will

DOD: 05/15/2015		
Cont. from 062016		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Proof of Srv. Of Summons	x
	Aff.Mail	x
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
✓	Summons	
	FTB Notice	

RONALD H. MARKARIAN, surviving spouse, is petitioner.

Petitioner states: on 07/09/2015, Pamela Milam filed in this court a document dated 02/20/2008, purporting to be the last Will ("Purported Will") of the Decedent, together with a petition requesting that the document be admitted to probate as the Decedent's last Will and that letters testamentary be issued to her.

Contestant is a person interested in Decedent's estate and is entitled to contest admission of Decedent's Purported Will to probate in that Contestant is the Decedent's surviving spouse. Contestant and Decedent were married on 07/03/1953, and were married to each other at the time of Decedent's death. Respondent is one their children.

Probate of the Proposed Will should be denied on the following grounds:

a. At the time of the alleged execution of the Purported Will, Decedent was not of sound and disposing mind.
b. Contestant is informed and believes and on such information and belief alleges that Decedent's Purported Will is not and never was Decedent's Will and was made at the time of its alleged execution as a result of the undue influence of Respondent in that:
   i. Respondent lived in Fresno near Decedent for several years before Decedent's death and occupied a position of trust and confidence with Decedent. During this time, Decedent's health progressively worsened and Decedent put her trust and confidence in Respondent. During this time, Respondent discussed Decedent's estate planning with Decedent and admonished Decedent not to discuss her estate plan with Contestant.

Please see additional page

NEEDS/PROBLEMS/COMMENTS:

Continued from 06/20/2016

1. Need Proof of Service of Summons.
2. Need proof of service of the Summons pursuant to Probate Code §8110 on:
   - Scott Laird
   - Pamela Milam
   - Ronald M. Markarian
   - Sandra Markarian
3. Need Order. Local Rule 7.1 states a proposed Order shall be submitted with all pleadings that request relief. If the proposed order is not received in the Probate Filing Clerk's Office ten (10) days before the scheduled hearing, a continuance may be required.

Reviewed by: LV
Reviewed on: 09/22/2016
Updates:
Recommendation:

File 12C- Markarian

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

ii. During the same period of time, by reason of the relationship of Decedent with Respondent, Respondent was able to exert control and influence over the mind and actions of Decedent to such a point that Decedent was no longer capable of exercising her own conviction or desire with regard to her actions or thoughts, but instead because of the pressure brought on her by Respondent, both by argument and entreaty, Decedent's convictions or desires became the convictions or desires imposed on her by Respondent.

iii. During this time, while Decedent was under Respondent's undue influence, Respondent suggested the contents of the document submitted for probate to this court by Respondent, arranged for execution of the document, and cause Decedent to execute the document. At the time the document was executed, Decedent was wholly under the influence of Respondent and the document does not represent the free and voluntary act of Decedent.

iv. During this time, while Decedent was under Respondent's undue influence, Respondent selected an attorney to prepare Decedent's purported Will, contacted the attorney and made an appointment for Respondent and Decedent to meet with the attorney, took Decedent to the meeting with the attorney, participated in the meeting with the attorney and Respondent, and was present when the Purported Will was executed by Decedent.

c. Contestant is informed and believes and on such information and belief alleges that the document was not executed by Decedent and attested in the manner and form required by law for the execution of the Will.

Wherefore, Contestant requests that the Purported Will be denied probate, for costs of suit, and all other proper relief.

13 **A. James Doyle, Jr. (CONS/PE)** **Case No. 15CEPR01070**

Attorney **Kruthers, Heather H. (for Public Guardian)**

First and Final Account and Report of Conservator: Petition for Allowance of Compensation to Conservator and Her Attorney

			PUBLIC GUARDIAN, Conservator, is Petitioner. Account period: 10/30/15 – 6/30/16 Accounting: $795.21 Beginning POH: $ 0.00 Ending POH: $713.21 Conservator: $2,358.00 (for 21 Deputy hours @ $96/hr and 4.5 Staff hours @ $76/hr itemized at Exhibit B) Attorney: $1,250.00 (less than local rule) Costs: $104.00 (certified letters) Petitioner states after only partial payment, there will be no assets to distribute. Petitioner requests that due to the insufficiency of the estate to pay fees and commissions, that Marion Austin, as trustee of the conservatee's trust, be directed to pay any outstanding fees from the conservatee's trust assets. Petitioner prays for an order: 1. Approving, allowing, and settling the first and final account; 2. Authorizing the conservator's and attorney's fees and commissions; 3. Authorizing payment of the certification fees; 4. Ordering that a lien be imposed against the estate for any unpaid balance of the authorized fees and commissions; and 5. Any other orders that the Court considers proper.	**NEEDS/PROBLEMS/COMMENTS:** **<u>Note</u>: The petition for appointment of Marion Austin, professional fiduciary, as successor conservator of the person and estate was continued to 10/12/16 to meet up with the competing petition filed by Christina FIshinghawk. The PG filed a declaration in support of Ms. Austin's petition.** **<u>Note</u>: There is a balance of $547.00 remaining due for outstanding court investigation fees.** **<u>Note</u>: It does not appear that any Inventory and Appraisal was ever filed pursuant to Probate Code §2610. The accounting reflects beginning POH of zero, and that two accounts were marshaled and closed by the PG, with funds held in the PG's pooled trust account.** **No income, other than interest, was received by the conservatorship estate.**
	Aff.Sub.Wit.			
✔	**Verified**			
	Inventory			
	PTC			
	Not.Cred.			
✔	**Notice of Hrg**			
✔	**Aff.Mail**	w		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✔	**Order**			
	Aff. Posting			**Reviewed by:** skc
	Status Rpt			**Reviewed on:** 9/21/16
	UCCJEA			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 13- Doyle**

14 **Homer Lewis Gibson (Estate)** **Case No. 16CEPR00172**

Attorney **Horton, Lisa (for Executor Laura J. Marks)**

First and Final Account and Report of Executrix and Petition for its Settlement, for allowance of Compensation to Attorneys and Executrix for Ordinary services, for allowance of compensation to Executrix for Extraordinary services; for Reimbursement of Costs Advanced, and for Final Distribution

DOD: 9/15/15			**LAURA J. MARKS**, Daughter And Executor with Full IAEA without bond, is Petitioner. Account period: 9/15/15 – 7/25/16 Accounting: $140,072.38 Beginning POH: $140,000.00 Ending POH: $111,615.98 (cash) Executor (Statutory): $4,602.17 Executor (Extraordinary): $1,000.00 (per local rule, for sale of real property) Attorney (Statutory): $4,602.17 Costs: $1,465.50 (filing, publication, certification, appraisal) Closing: $3,000.00 Distribution pursuant to the decedent's will: Laura J. Marks: $32,315.38 Larry R. Gibson: $32,315.38 Kauai Aadheenam Monastic Endowment, Kapaa: $32,315.38	**NEEDS/PROBLEMS/COMMENTS:**
	Aff.Sub.Wit.			
✓	**Verified**			
✓	**Inventory**			
✓	**PTC**			
✓	**Not.Cred.**			
✓	**Notice of Hrg**			
✓	**Aff.Mail**	w		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	**Letters**			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	**9202**			
✓	**Order**			
	Aff. Posting			**Reviewed by:** skc
	Status Rpt			**Reviewed on:** 9/22/16
	UCCJEA			**Updates:**
	Citation			**Recommendation: SUBMITTED**
✓	**FTB Notice**			**File 14- Gibson**

15 Joziah Nickolas Encinas (GUARD/P) Case No. 16CEPR00285

Petitioner **Gloria M. Encinas (Pro Per, paternal grandmother)**

Petition for Appointment of Guardian of the Person

			TEMPORARY GRANTED ON COURT'S OWN MOTION EXPIRES 6/28/2016; extended to 7/26/2016; extended to 8/30/2016; extended to 9/27/2016
			GLORIA M. ENCINAS, paternal grandmother, is Petitioner.
Cont. from 051716, 062816, 072616, 083016			
	Aff.Sub.Wit.		***~Please see Petition for details~***
✓	**Verified**		
	Inventory		**Court Investigator's *Report* was filed on 4/29/2016.**
	PTC		
	Not.Cred.		
✓	**Notice of Hrg**		
✓	**Aff.Mail**	W/	
	Aff.Pub.		
	Sp.Ntc.		
✓	**Pers.Serv.**		
✓	**Conf. Screen**		
✓	**Letters**		
✓	**Duties/Supp**		
	Objections		
	Video Receipt		
✓	**CI Report**		
✓	**Clearances**		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
✓	**UCCJEA**		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:
Continued from 8/30/2016.
Reviewed by: LEG
Reviewed on: 9/21/16
Updates:
Recommendation:
File 15- Encinas

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

16 Emma Lang (GUARD/E) Case No. 16CEPR00433

Attorney Amador, Catherine A (for Alma Lousberg – Guardian/Mother)

Probate Status Hearing RE: Receipt for Blocked Account

Age: 11		
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	

ALMA LOUSBERG, mother, was appointed Guardian of the Estate, with all cash assets to be placed into a blocked account and the Court notified within 7 days, on 07/06/2016.

Letters issued on 07/07/2016.

For Background: Minor is the sole heir to her deceased father, John Lang's estate. On 09/06/2016 the Court granted the Petition to Determine Succession in case no. 16CEPR00367. Pursuant to the order the minor is to receive a check in the amount of $35.00 from Bank of America and a check in the amount of $428.75 from Payless Brakes and Tires.

The minute order of 09/06/2016 regarding the Petition to Determine Succession, case no. 16CEPR00367, set this Status Hearing for the filing of the Receipt for Blocked Account.
Minute Order states in part: The Court orders that the related case, 16CEPR00433 be set for status on 09/27/2016 regarding the receipt for blocked account, and a copy of the minute order be placed into said related case.

NEEDS/PROBLEMS/COMMENTS:

1. Need Receipts for Blocked Account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.

Reviewed by: LV

Reviewed on: 09/22/2016

Updates:

Recommendation:

File 16- Long

17 Joey Duane Bill (GUARD/P) Case No. 16CEPR00438

Petitioner Bill, Stanley Wayne, J. (Pro Per – Maternal Grandfather – Petitioner)

Petition for Appointment of Guardian of the Person

			See petition for details.
Cont. from 062116, 080216, 082316			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	x	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

Note: All receipts for the mailed notice re ICWA have been filed.

Minute Order 8/23/16: Examiner notes provided in open court.

1. **Notice of Hearing filed 9/1/16 indicates mailed service on the father. Probate Code §1511 requires personal service. The Court may require further notice.**

Reviewed by: skc

Reviewed on: 9/21/16

Updates:

Recommendation:

File 17- Bill

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

18 Rubiana Arellano, Elijah Gonzalez (GUARD/P) Case No. 16CEPR00576

Petitioner: Maria Montalvo (Pro per – Maternal grandmother)

Petition for Appointment of Guardian of the Person (as to *Rubiana* only)

			TEMPORARY DENIED 6/13/2016
			MARIA MONTALVO, maternal grandmother, is petitioner
Cont. from 080216			
	Aff.Sub.Wit.		
✓	**Verified**		***See petition for details.***
	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		

NEEDS/PROBLEMS/COMMENTS:

This petition is as to *Rubiana* only. Per CI report filed 7/18/2016, petitioner no longer wishes to pursue guardianship of Elijah, because he has been placed with his father.

Minute order 8/2/2016 orders supervised visitation only as to Christina Montalvo. Matter was continued for service/due diligence as to the paternal grandparents and maternal grandfather.

1. Need proof of personal service at least 15 days before the hearing of *Notice of Hearing* with copy of petition *or* consents and waivers of notice for:
   a. Paternal grandfather (unknown) – *unless the Court excuses notice.*
   b. Adela Arellano (paternal grandmother) – *unless the Court excuses notice.* (A declaration of due diligence was filed and a proof of mailed service at the address that comes up on her phone.)
   c. Martin Montalvo (maternal grandfather) – *unless the Court excuses notice.* (A declaration of due diligence was filed and a proof of mailed service at his mother's address.)

Reviewed by: SEF

Reviewed on: 9/22/2016

Updates:

Recommendation:

File 18- Arellano/ Gonzalez

19 Alicia Navarrete (GUARD/P) Case No. 16CEPR00647

Petitioner Garza, Angelita (Pro Per - Non-Relative)

Petition for Appointment of Guardian of the Person

Age: 13			**TEMPORARY EXPIRES 08/23/2016**	**NEEDS/PROBLEMS/COMMENTS:**
			ANGELITA GARZA, non-relative, is petitioner	**Minute Order of 08/23/2016: Petitioner requests time to decide how to proceed, and is to report back to the Court on 09/27/2016 as to the stepfather residing in the home.**
Cont. from 082316				
	Aff.Sub.Wit.		**Please see petition for details**	
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg	x		
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	w/		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			**Reviewed by:** LV
	Status Rpt			**Reviewed on:** 09/22/2016
✓	UCCJEA			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 19- Navarette**

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

20 Josephine Segura (Estate) Case No. 16CEPR00704

Petitioner Segura, David (Pro Per – Son)

Petition for Letters of Administration with IAEA

DOD: 12/28/2015		
Cont. from 081616		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	w/
✓	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	Letters	
✓	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	x
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

DAVID SEGURA, son, is petitioner and requests appointment as Administrator without bond.

All heirs waive bond

Full IAEA – o.k.

Residence: Fresno
Publication: The Business Journal

Estimated value of the Estate: $0

Probate Referee: Steven Diebert

NEEDS/PROBLEMS/COMMENTS:

Minute Order of 08/16/2016: Examiner notes provided in open court.

The following issues remain:

1. The filing fee was initially waived for this petition; however, the fee will be due prior to distribution pursuant to Government Code §68637. (Filing fee is $435.00)

2. Need date of death of the deceased spouse pursuant to Local Rule 7.1.1D.

3. Need Confidential Supplement to Duties & Liabilities of Personal Representative, Mandatory Judicial Council Form DE-147S.

4. **Need Order.**

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

- **Tuesday, 02/28/2017 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal **and**

- **Tuesday, 11/28/2017 at 9:00a.m. in Dept. 303** for the filing of the first account and final distribution.

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

Reviewed by: LV
Reviewed on: 08/11/2016
Updates:
Recommendation:
File 20- Segura

21 Joe Segura (Estate) Case No. 16CEPR00706

Petitioner Segura, David (Pro Per – Son)

Petition for Letters of Administration with IAEA

DOD: 12/08/2009			**DAVID SEGURA,** son, is petitioner and requests appointment as Administrator without bond.
Cont. from 081616			All heirs waive bond
	Aff.Sub.Wit.		Full IAEA – o.k.
✓	**Verified**		Residence: Fresno Publication: The Business Journal
	Inventory		
	PTC		
	Not.Cred.		**<u>Estimated value of the Estate:</u> $0**
✓	**Notice of Hrg**		Probate Referee: Steven Diebert
✓	**Aff.Mail**	w/	
✓	**Aff.Pub.**		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	**Letters**		
✓	**Duties/Supp**		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	x	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

Minute Order of 08/16/2016: Examiner notes provided in open court.

The following issues remain:

1. The filing fee was initially waived for this petition; however, the fee will be due prior to distribution pursuant to Government Code §68637. (Filing fee is $435.00)
2. Need date of death of the deceased spouse pursuant to Local Rule 7.1.1D.
3. Need Confidential Supplement to Duties & Liabilities of Personal Representative, Mandatory Judicial Council Form DE-147S.
4. **Need Order.**

<u>Note:</u> If the petition is granted status hearings will be set as follows:

- **Tuesday, 02/28/2017 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal **<u>and</u>**
- **Tuesday, 11/28/2017 at 9:00a.m. in Dept. 303** for the filing of the first account and final distribution.

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

Reviewed by: LV

Reviewed on: 09/22/2016

Updates:

Recommendation:

File 21- Segura

22A **Luz Amarillas (CONS/PE)** **Case No. 16CEPR00721**

Attorney Krause, Stefanie J. (for Petitioner Yesenia Haro)
Attorney Fanucchi, Edward L. (for Objectors Ana Esparza, Jess Mendez, and Jose Luis Mendez)

Petition for Appointment of Probate Conservator of the Person and Estate

			See petition for details.
Cont. from 081616			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w/o	
	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	x	
	FTB Notice		

NEEDS/PROBLEMS/ COMMENTS:

<u>Minute Order 8/16/16</u>: Examiner notes provided in open court. Any written objections are to be filed and properly served by 9/12/16.

<u>Note</u>: Amendment to Petition was filed and served 9/21/16 to clarify request; all changes now reflected in these notes.

<u>Note</u>: The petition was filed by Ms. Haro in Pro per; however, the Amendment was filed by Attorney Stefanie J. Krause on behalf of Petitioner.

<u>Note</u>: Objections were filed and served on 9/22/16. See additional pages.

<u>SEE ADDITONAL PAGES</u>

Reviewed by: skc

Reviewed on: 9/21/16

Updates: 9/22/16

Recommendation:

File 22A- Amarillas

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

Page 2 – NEEDS/PROBLEMS/COMMENTS:

Note: The Fee Waiver was denied; therefore, filing fees will be due upon appointment.

Note: Petitioner requests dementia medication and placement powers under Probate Code §2356.5 via separate ***Petition for Exclusive Authority to Give Consent for Medical Treatment*** **(Page B).** However, this request is typically included within the conservatorship petition by checking #1k. Therefore, the request is included in this review.

1. Petitioner did not include the *Form GC-313 Attachment Requesting Special Orders Re Dementia* with this petition or with the separate petition. Need *GC-313* if dementia medication and placement powers are requested.

2. Also, if dementia powers are requested, continuance is necessary in order for an attorney to be appointed for the Proposed Conservatee pursuant to Probate Code §2356.5(f)(1).

3. Need Capacity Declaration *(GC-335)* together with separate Dementia Attachment (*GC-335A*) if dementia powers are requested.

4. Need Citation and proof of personal service of Citation with a copy of the petition and with dementia attachment at least 15 days prior to the hearing per Probate Code §1824 on Proposed Conservatee Luz Amarillas.

5. Petitioner's Notice of Hearing filed 7/27/16 does not indicate that a copy of the petition was included with the service, and it appears some relatives were omitted from the list. Also, because additional powers are requested as set forth above, the additional Dementia Attachment will need to be included in the service. Therefore, need proof of service of Notice of Hearing with a copy of the petition and with dementia attachment at least 15 days prior to the hearing on:
   - Ana Esparza (Sister)
   - Joe Mendez (Brother)
   - Jesse Mendez (Brother)
   - Reymundo Amarillas (Son)
   - Victor Amarillas (Grandson)
   - Daniel Haro (Grandson)
   (Note: Cal. Rule of Court 7.51 requires service to minors and to their parent or guardian.)

Note: If granted, the Court will set status hearings as follows:
- **Tuesday, Nov. 8, 2016 for filing of bond;**
- **Tuesday, Jan. 31, 2017 for filing the Inventory and Appraisal**
- **Tuesday, Nov. 28, 2017 for filing the first account.**

If the proper items are on file, the status hearings may come off calendar. Otherwise, status report is required per Local Rule 7.5.

22B **Luz Amarillas (CONS/PE)** **Case No. 16CEPR00721**

Petitioner **Haro, Yesenia**

Petition for Authority to Give Consent to Med. Treatment

			NEEDS/PROBLEMS/COMMENTS:
			Examiner's Note: The request contained in this separate petition has been reviewed in connection with the petition for conservatorship at Page A. See Page A for details.
Cont. from 081616			
	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		**Reviewed by:** skc
	Status Rpt		**Reviewed on:** 9/21/16
	UCCJEA		**Updates:**
	Citation		**Recommendation:**
	FTB Notice		**File 22B- Amarillas**

22B

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

23 Alexandra Reyes, Anthony Reyes, Angel Carrillo (GUARD/P)

Case No. 16CEPR00784

Petitioner Reyes, Petra (Pro Per – Maternal Grandmother – Petitioner)
Petitioner Reyes, Carlos (Pro Per – Maternal Grandfather – Petitioner)

Petition for Appointment of Guardian of the Person

			See petition for details.
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	w	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA	x	
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

1. Need Declaration under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (Form GC-120), which contains mandatory information re the minors' residences and other matters.

2. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on:
   - Paternal Grandparents of Alexandra and Anthony (parents of Norberto Dominguez)
   - Jose Carrillo, Sr. (Paternal grandfather of Angel)
   - Martha Sanchez (Paternal Grandmother of Angel)

Reviewed by: skc
Reviewed on: 9/22/16
Updates:
Recommendation:
File 23- Reyes & Carrillo

24 Elizabeth Fortier (GUARD/P) Case No. 16CEPR00785

Attorney: Cheryl L. Browns (for Petitioner Ildiko K. Fortier)

Petition for Appointment of Guardian of the Person

			THERE IS NO TEMPORARY. No Temporary was requested. **IIDIKO K. FORTIER**, paternal grandmother, is petitioner. Please see petition for details.
Cont. from			
	Aff.Sub.Wit.		
✓	**Verified**		
	Inventory		
	PTC		
	Not.Cred.		
✓	**Notice of Hrg**		
✓	**Aff.Mail**	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
✓	**Conf. Screen**		
✓	**Letters**		
✓	**Duties/Supp**		
	Objections		
	Video Receipt		
✓	**CI Report**		
	9202		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
✓	**UCCJEA**		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

1. Need proof of personal service of the Notice of Hearing along with a copy of the petition or consent and waiver of notice on:
   a. Sarah Fortier (mother)
   b. Elizabeth Fortier (minor)

Note: Both Sarah Fortier and Elizabeth Fortier were served by mail however Probate Code §1511 requires personal service.

Reviewed by: KT

Reviewed on: 9/22/16

Updates:

Recommendation:

File 24- Fortier

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

25 Francisco Ramos and Angel Harvey (GUARD/P) Case No. 15CEPR01110

Petitioner **Moises Francisco Ramos (Pro Per, maternal uncle)**

Petition for Appointment of Temporary Guardian of the Person

			General Hearing set for 11/15/2016	**NEEDS/PROBLEMS/COMMENTS:**
			MOISES FRANCISCO RAMOS, maternal uncle, is Petitioner.	**This petition pertains to Francisco Ramos only.**
Cont. from			***~Please see Petition for details~***	1. Need *Notice of Hearing* and proof of five (5) court days' notice by personal service of the *Notice of Hearing* with a copy of the *Petition for Appointment of Temporary Guardian*, or *Consent to Appointment of Guardian and Waiver of Notice*, or a *Declaration of Due Diligence* for: • Jeff Lamb, father, *if Court does not find due diligence per Declaration filed 9/21/2016.* 2. Need *Declaration under Uniform Child Custody Jurisdiction Enforcement Act (UCCJEA)* mandatory-use form GC-120.
	Aff.Sub.Wit.			
✓	**Verified**			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg	X		
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	X		
✓	**Conf. Screen**			
✓	**Letters**			
✓	**Duties/Supp**			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	**Order**			
	Aff. Posting			**Reviewed by:** LEG
	Status Rpt			**Reviewed on:** 9/22/16
	UCCJEA	X		**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 25- Ramos**

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

26 Bella Otilia Italy Castaneda (GUARD/P) Case No. 16CEPR00964

Petitioner Ashurst, Sadia Victoria (Pro Per – Maternal Aunt – Petitioner)

Petition for Appointment of Temporary Guardian of the Person

			See petition for details.	NEEDS/PROBLEMS/COMMENTS:
				1. If diligence is not found, need proof of personal service of Notice of Hearing with a copy of the temp petition at least five court days prior to the hearing <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Selina Camuna Castaneda (Mother) - Alfredo Camunas (Father) <u>Note</u>: Declaration of Due Diligence filed 9/23/16 states Petitioner emailed the requisite documents to the mother.
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg	x		
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	x		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			Reviewed by: skc
	Status Rpt			Reviewed on: 9/22/16
✓	UCCJEA	x		Updates: 9/23/16
	Citation			Recommendation:
	FTB Notice			File 26- Castaneda

Dept. 303, 9:00 a.m. Tuesday, September 27, 2016

27 Joyce Gailene Richardson (Estate) Case No. 15CEPR00182

Attorney **Bruce, Daniel A. (for Administrator Robert Sean Baker)**

Order to Show Cause

DOD: 1/13/15	**ROBERT SEAN BAKER**, Son, was appointed Administrator without IAEA and without bond on 6/8/15. At the hearing on 6/8/15, the Court set a status hearing for 8/9/16 for the filing of the first or final account. At the status hearing on 8/9/16, there were no appearances and the Court issued this Order to Show Cause to Daniel Bruce as to why he should not be sanctioned for his failure to appear, and to Robert Baker, as to why he should not be removed as Administrator for his failure to file a first or final account. Both are ordered to be personally present in Court or via CourtCall on 9/20/16. The minute order was mailed to Attorney Bruce and Mr. Baker on 8/9/16.	**NEEDS/PROBLEMS/COMMENTS:** **<u>Minute Order 9/20/16</u>:** Counsel represents that he received a text message just before court indicating that he was in a traffic accident. Counsel requests a continuance and represents that the property is still in the estate with his client paying the mortgage. **<u>Note</u>:** Final I&A filed 1/11/16 indicates real property in Del Rey, CA, valued at $350,000.00. Pursuant to a declaration filed 6/5/15, the mortgage on the property was seriously delinquent at the decedent's death and the Administrator paid out of pocket to stop the non-judicial foreclosure. Administrator is the sole heir; however, various creditor's claims have been filed. 1. **Need first account or petition for final distribution pursuant to Probate Code §12200 or written status report pursuant to Local Rule 7.5.**
		Reviewed by: skc
		Reviewed on: 9/21/16
		Updates:
		Recommendation:
		File 27- Richardson

Cont. from 092016		
	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	