

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

DOD: 1-18-06	<p>BETTY MARIE GLOVER, daughter, was appointed as Executor with Full IAEA with bond of \$276,000.00 on 8-28-07. Bond was filed and Letters issued on 11-1-07.</p> <p>The appointment was appealed; however, pursuant to the Opinion entered 5-22-08 by the Fifth Appellate District, the order of the probate court was affirmed and costs were awarded to the Executor. Remittur was filed 7-23-08.</p> <p>On 2-14-14, the Court set this status hearing for failure to file a petition for final distribution.</p> <p>Status Report filed 8-13-14 by Attorney Amador states probate was delayed by objections of the beneficiaries to the Executor's appointment and subsequent appeal of this Court's order. She thereafter had problems obtaining access to the decedent's real and personal property, as this same beneficiary blocked access to the real property. Thereafter, the Executor suffered health problems which prevented her from completing the I&A until recently. She has now engaged new counsel to assist with the ongoing work of the probate. The I&A will be submitted once the Probate Referee completes his work.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Attorney Fanucchi filed a "Notice of Lien for Attorney's Fees" alleging fees totaling \$1,630.00; however, there does not appear to be any Court order authorizing this sum to this attorney.</p> <p>Note: According to the decedent's will dated 2-20-03 which was admitted to probate on 8-28-07, the heirs to this estate are the decedent's three children: Administrator Betty Glover, Donald Hunt, and Barbara Hunt.</p> <ol style="list-style-type: none"> Need First Account and Petition for Final Distribution verified written status report regarding the status of administration and the estate assets and the estimated time to close the estate. The original petition estimated the value of the estate at \$276,000.00 which included real and personal property and the Executor filed a bond in that amount of 11-1-07. The Inventory and Appraisal filed 9-8-14 indicates real property only valued at \$350,000.00. The Court may require increased bond pursuant to Cal. Rules of Court 7.204.
Cont. from 062014, 081714		
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: 9-23-14	
	Updates:	
	Recommendation:	
	File 1 – Hunt	

Probate Status Hearing Re: Filing Blocked Account Receipt

DOD: 7/29/2010	<p>FRANK SCOTT HINE was appointed Administrator with Full IAEA and bond set at \$118,260.00 on 1/5/2011.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR.</u> Receipt for Blocked Account filed on 9/14/14.</p>
	<p>Minute order dated 6/15/2012 states the court orders bond set at \$45,000.00 and Limited IAEA authority.</p>	
Cont. from 060314, 080514, 091614		
Aff.Sub.Wit.	Bond of \$45,000.00 filed on 8/10/12.	
Verified	Letters issued 10/24/12.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	On 4/22/14 the court signed an Order Confirming Sale of Real Property. The Order required the proceeds from the sale be placed into a blocked account.	
Aff.Mail	This status hearing was set for the filing of the Receipt for Blocked Account.	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: KT
Status Rpt		Reviewed on: 9/25/14
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 2 – Hine

Page 2

Objector states the following assets were not included on Schedule Entitled Property On Hand March 2, 2013:

1. Money in the Murphy Bank Account.
2. Decedent's Ford Explorer.
3. Jewelry.

Objector states the following assets should not have been included on the Schedule Entitled Property On Hand March 2, 2013:

1. Chase Account xx371. This account named Petitioner and Objector as beneficiaries and should have been distributed directly to them. If distributed pursuant to the will and the trust, there are additional beneficiaries who are not designated as beneficiaries of this account.

Objector objects to the rent of \$650.00 and states the rent should be at least \$1,000.00/month. Objector states the total receipts are less than what they should be. They should be \$5,560.00 higher for the 16 months and \$1,000 for each month beyond the 16 month that Petitioner remains in the residence.

Objector objects to the following specific expenses:

1. \$49 bimonthly payment for Howard's Pest Control. Petitioner was residing in the residence and received the benefit of this service. It did not benefit the estate.
2. \$160 monthly White Oak Lawn Service appears to be very expensive and was for the benefit of Petitioner and not the estate.
3. Multiple charges to JJ's Handy Man Service. These expenses were also incurred by Petitioner to live in the residence and were not for the benefit of the estate. They are also excessive.
4. \$1,367.67 for ADT Alarm Installation. The residence already had an alarm. A new alarm system did not benefit the estate.
5. \$55 Costco membership – Why did the estate pay for a Costco membership?
6. Vern's Plumbing – multiple charges.
7. \$864.00 for Wells Fargo Credit Card – Objector believes this includes charges made by Petitioner after the decedent's death including a car rental by Petitioner prior to her taking the Decedent's Ford Explorer.
8. Fresno Ag – various charges for light fixtures, faucets and yard equipment. If equipment was purchased, it should be part of the estate. Why is the estate purchasing new fixtures and equipment?
9. Dumpster charges – Petitioner rented a dumpster to throw away Decedent's papers and belongings before Objector could look at them. This was not necessary.

Objector states there are many expenses that Objector questions and he would like to see receipts and invoices to assure that they are proper estate expenses.

Objector hired an attorney to file the objection to the initial petition to probate the estate and now to this petition. Petitioner's attorney fees are paid by the estate. Objector requests that his attorney's fees also be paid by the estate, or that he be reimbursed by the estate for attorney's fees and costs incurred.

Page 2 – NEEDS/PROBLEMS/COMMENTS:

1. Petitioners request a total of \$11,036.40 in reimbursement for expenses paid during the conservatee's lifetime dating back to January 2011. The petition did not provide authority or explanation for this request, so Examiner was tasked with reviewing the Conservatorship Case 08CEPR01182. It appears that the Court's order entered 10-15-13 on the Third and Final Account in Conservatorship Case 08CEPR01182 states: "Upon the presentation and approval by the Court of an accounting, Petitioners and Mary Dauer shall be reimbursed for payments made from their personal funds for the care of the conservator upon the sale of the residence." (This is noted because it would have been helpful if this petition had referred to the Court's authorization of this request.)

The Conservatorship file indicates that Petitioners and their mother, Mary Dauer, deposited \$100/month into an account "held by them" to pay for the conservatee's expenses not covered by the Conservatee's income beginning in January 2011. The narrative described that items paid from this account included Kaiser health insurance, State Farm Homeowner's Insurance, PG&E for the conservatee's residence, Biola Community Service District (water service), and the Probate Bond. However, it appears that this account "held by them" was not considered to be a part of the conservatorship estate, and was not included in the accounts.

Petitioners, in Exhibit "D" to this petition, do not provide an accounting of these funds for reimbursement. Rather, Exhibit "D" only indicates deposits into the account "held by them." It does not provide a schedule of disbursements from that account.

The Court's order authorized reimbursement upon account. Therefore, need accounting for the \$11,036.40 requested.

2. Petitioners also request \$19,795.00 in extraordinary services to the estate as described in Exhibit "C," which includes services rendered during the decedent's lifetime such as caring for the decedent during the conservatorship, paying bills, and later services including cleaning, organizing and maintaining the decedent's residence. Petitioners indicate 1,325 total hours and state that their cleaning and maintenance of the residence (described as sorting "hoarded" possessions) resulted in a \$10,000 gain on the sale as a benefit to the estate.

However, Examiner notes that the Orders entered in the conservatorship matter do not indicate that any request for compensation for services rendered during the conservatee's lifetime was requested or to be expected. They only mention that a request for reimbursement as noted above would be forthcoming.

As such, the Court may require authority for the request for payment for services rendered prior to the conservatee's death as extraordinary expenses of the estate. (It is noted that Petitioner Marjorie Dauer-Piper, who was the sole conservator of the estate, has already been discharged.)

The Court may also require authority for including various tasks relating to final bills and funeral arrangements as extraordinary expenses, since these are typical estate expenses included in the statutory compensation considered by the Probate Code.

The Court may also require clarification regarding the benefit to the estate for the services rendered pursuant to Cal. Rules of Court 7.702. Petitioners request almost double the amount of gain on the sale of the house, so this does not appear to be a benefit to the estate or to the creditor, DHS, which is owed over \$190,000.00 according to the Creditor's Claim.

Lastly, it appears some of the entries/hours may be duplicated, such as entries on 3-9-13 for each petitioner showing six hours each spent on funeral arrangements.

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

DOD: 06/03/2014	IRENE BARAJAS , daughter is petitioner and requests appointment as Administrator without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Competing Petition filed by Yesenia Torres Fajardo on 09/15/2014 is set to be heard on 10/23/2014.</u></p> <p>1. #5a(3) or #5a(4) was not answered regarding a registered domestic partner.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Tuesday, 02/03/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Tuesday, 12/01/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>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.</p>
	Limited IAEA – o.k.	
Cont. from	Decedent died intestate	
<input type="checkbox"/> Aff.Sub.Wit.	Residence: Mendota Publication: The Firebaugh-Mendota Times	
<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	Estimated value of the Estate: Personal property - \$100.00 Real property - \$100,000.00 Total - \$100,100.00	
<input checked="" type="checkbox"/> Aff.Mail	Probate Referee: Steven Diebert	
<input checked="" type="checkbox"/> Aff.Pub.	w/	
<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: LV
		Reviewed on: 09/24/2014
		Updates:
		Recommendation:
		File 5 - Gutierrez

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

DOD: 06/13/2014	DENNIS A. TURMON , son/named executor without bond is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Proposed personal representative is a resident of Oregon. 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.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Tuesday, 02/03/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Tuesday, 12/01/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>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.</p>	
	Petitioner is a resident of Butte, Oregon.		
Cont. from	Full IAEA – o.k.		
<input type="checkbox"/> Aff.Sub.Wit. s/p	Will dated: 12/20/2007		
<input checked="" type="checkbox"/> Verified	Residence: Selma		
<input type="checkbox"/> Inventory	Publication: Selma Enterprise		
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg	Estimated value of the Estate:		
<input checked="" type="checkbox"/> Aff.Mail w/	Personal property - \$322,000.00		
<input checked="" type="checkbox"/> Aff.Pub.	Real property - \$600,000.00		
<input type="checkbox"/> Sp.Ntc.	Total - \$922,000.00		
<input type="checkbox"/> Pers.Serv.	Probate Referee: Steven Diebert		
<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: LV
			Reviewed on: 09/24/2014
		Updates:	
		Recommendation:	
		File 6 - Turmon	

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

DOD: 07/26/2013	ROY BORUNDA , brother is petitioner and requests appointment as Administrator with bond set at \$250,000.00.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need date of death of the deceased parents pursuant to Local Rule 7.1.1D. 2. Need Affidavit of Publication. 3. Need Order. 4. Need Letters. <p>Note: Petition requests bond set at \$250,000.00 yet the estate is valued at \$156,000.00. The Court may require clarification as to why the bond amount is greater than the estimated value of the estate.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Tuesday, 10/28/2014 at 9:00a.m. in Dept. 303 for the filing of the bond <u>and</u> Tuesday, 02/03/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Tuesday, 12/01/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>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.</p>
Cont. from	All heirs waive bond	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Full IAEA - ?	
<input type="checkbox"/> Inventory	Decedent died intestate	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Residence: Caruthers Publication: Need	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	Estimated value of the Estate: Personal property - \$156,000.00	
<input type="checkbox"/> Aff.Pub.	Probate Referee: Rick Smith	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters	X	
<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	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: LV
		Reviewed on: 09/24/2014
		Updates:
		Recommendation:
		File 7 - Borunda

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

DOD: 07/19/2014		<p>CHRISTOPHER BURNS, son-in-law/named executor without bond, is petitioner.</p> <p>Full IAEA – o.k.</p> <p>Will dated: 12/03/1998</p> <p>Residence: Fresno Publication: The Business Journal</p> <p>Estimated value of the Estate: Personal property - \$250,000.00 Real property - \$350,000.00 Total - \$600,000.00</p> <p>Probate Referee: Steven Diebert</p> <p>Declaration Re Will (attached to the petition) the decedent, Judith G. Hoyt, executed her Will on December 3, 1998 in the presence of two witnesses. At some point in time thereafter she made some penciled changes to the Will but such changes were neither dated nor signed and accordingly do not constitute a holographic codicil to her witnessed Will. Therefore it is conceded that such changes were wholly invalid.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: At this time the Court is only admitting the Will to probate as it is a validly executed Will. Any determination as to the validity or invalidity of the handwritten alterations to the Will will need to be determined at a later date and upon the filing of Points and Authorities in support.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Tuesday, 02/03/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Tuesday, 12/01/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>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.</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit. s/p		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail w/o		
<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: LV			
Reviewed on: 09/26/2014			
Updates:			
Recommendation:			
File 8 - Hoyt			

	<p>KEIGHTH D'AMBROSIO, Cousin, was appointed Conservator of the Person and Estate with a bond amount <i>to be determined</i> on 7-30-14. Letters issued on 8-1-14.</p> <p>At the hearing on 7-30-14, the Court set this status hearing re determination and proof of bond.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need verified status report providing the estimated value of conservatorship estate. 2. Need bond. See Cal. Rules of Court 7.207. <p>Note: The Conservatee, a developmentally disabled adult, had recently moved to California from Oklahoma, where she had been residing with Tom Steel. The original petition stated that Mr. Steel had been acting as her "guardian," but without court appointment. When he died, Donna was left alone in Oklahoma without family. The petition stated Donna may be entitled to assets in Tom Steel's estate and may have claims that property in the estate was misappropriated. Conservatorship was necessary in order to pursue any interest Donna may have in that estate for her. The attorney was in communication with an attorney handling that matter.</p>
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: 9-24-14
		Updates:
		Recommendation:
		File 10 - Farris

Aleyna, 17	LARRY R. GONZALES, father, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Amelia, 14	ANDY GONZALEZ and REBECCA GONZALES , paternal uncle and aunt, were appointed Co-Guardians of the Person on 01/26/12. – <i>Rebecca Gonzales personally served on 01/16/14</i>	CONTINUED FROM 08/05/14
Cont. from 061014 080514	Mother: TAMMY L. GONZALES	As of 09/25/14, nothing further has been filed.
Aff.Sub.Wit.	Paternal grandfather: ASCENCION GONZALES – deceased	1. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing to Terminate Guardianship or Consent & Waiver of Notice or Declaration of Due Diligence</i> for:
✓ Verified	Paternal grandmother: LUPE YBARRA	a. Andy Gonzalez (guardian)
Inventory	Maternal grandfather: JULIO CRUZ	b. Tammy L. Gonzales (mother)
PTC	Maternal grandmother: CAROL CRUZ – deceased	c. Lupe Ybarra (paternal grandmother)
Not.Cred.	Petitioner states that after 2.5 years, he is now stabilized and drug free. He states that he is now able to care for his children and wants them back.	d. Julio Cruz (maternal grandfather)
✓ Notice of Hrg	Objection to Termination of Guardianship filed 03/04/14 by guardians, Rebecca and Andy Gonzales, states: They have recently found out that the father, Larry Gonzales, Sr. has had recent DUI's and is currently on probation that will not be completed until August 2015.	
Aff.Mail x	Further, he is to attend court required classes. They are also aware that he is not to be driving, but they see him driving regularly. Guardians state that Mr. Gonzales has lied to the girls and told them that he has been sober for 2.5 years and they believe him. Guardians would like the court to clarify for the girls that their father has not been honest about his sobriety as evidenced by the DUI's. Further, the guardians state that the father did not follow through on his scheduled visitation and has only exercised visitation about half of the time that he is allotted.	
Aff.Pub.	Court Investigator Jennifer Young filed a report on 03/12/14.	
Sp.Ntc.	Continued on Page 2	
✓ Pers.Serv.		Reviewed by: JF
Conf. Screen		Reviewed on: 09/25/14
Letters		Updates:
Duties/ Supp		Recommendation:
✓ Objections		File 11 – Gonzales
Video Receipt		
✓ CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Court Investigator Jennifer Young filed a supplemental report on 06/03/14.

Declaration of Rebecca Gonzalez (Guardian) filed 07/10/14 states: That since the last hearing, the father Larry Gonzalez, Sr., was arrested on federal charges of selling illegal contraband (counterfeit sunglasses) and has a hearing in Federal Court in September 2014. Therefore, the guardians request that the guardianship stay intact pending the outcome of the father's charges.

Court Investigator Jennifer Young filed a supplemental report on 07/22/14.

Petition of Conservator for Instructions

	<p>JOYCE V. DAVIS, Sister and Conservator of the Person and Estate with bond of \$333,000.00, is Petitioner.</p> <p>Petitioner requests to sell the conservatee's real property and vehicle because funds are needed for her upkeep.</p> <p><u>Note:</u> The petition is not signed/verified by the Conservator.</p> <p><u>Note:</u> The vehicle referred to in this petition has not been inventoried as an asset of the conservatorship estate.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Petitioner filed her First Account on 5-15-14; however, the petition was not in compliance with applicable law, and was denied on 6-24-14. The Court set a status hearing of 10-22-14 as a deadline for the filing of an amended First Account, and Petitioner was encouraged to seek the assistance of an attorney going forward.</p> <p>This "Petition for Instructions" filed 8-18-14 is a simple, one-page document that requests authority to sell various assets of the Conservatee. However, it is not even signed by the Petitioner, and does not contain the information necessary for the Court to consider this type of request.</p> <p>Further, the Court may require a completed First Account before authorizing further action by the Conservator.</p> <p>See Probate Code §§ 1020, 1060, 2540, 2620, Cal. Rules of Court 7.575, Local Rule 7.1.1.C., and other applicable law and rules.</p> <p><u>Note: It appears Petitioner continues to utilize a legal document preparation service; however, it is clear that this service is not meeting her needs. Petitioner is strongly encouraged to contact a Probate Attorney to assist her going forward. Further, Petitioner may wish to request a refund if she has paid for these insufficient document services. Please also remember that non-attorney services cannot give legal advice and are not reimbursable by the conservatorship estate.</u></p> <p>2. It also appears that based on the Inventory and Appraisals that have now been filed, Petitioner's bond of \$333,000.00, which was based on her original estimate of the estate value and income, is insufficient. Petitioner is reminded of her duty to increase bond pursuant to Cal. Rules of Court 7.204.</p> <p>At this time, Examiner calculates the appropriate bond amount to be \$502,194.24, not including the house, and also not including the vehicle that Petitioner refers to, because it has not been inventoried as an estate asset. (Is a Supplemental I&A appropriate?) If the house and vehicle are authorized to be sold, the bond amount will need to be adjusted accordingly.</p> <p>3. The Conservatee Margaret Thomas is entitled to notice of this petition. See Probate Code §1460.</p>
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: 9-25-14
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 12 - Thomas

		NO TEMP REQUESTED	NEEDS/PROBLEMS/COMMENTS:
		ASMAHAN SALAYMEH , Spouse, is Petitioner and requests appointment as Conservator of the Person.	Court Investigator advised rights on 8-1-14. Voting rights affected – need minute order.
Cont. from 081214		Note: The box for conservatorship of the estate is also checked in the title of the petition; however, Section 1.b. which is the request for conservatorship of the estate is blank.	1. Need Notice of Hearing.
<input type="checkbox"/>	Aff.Sub.Wit.		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 §1822 on: - Bayan Salaymeh - Rawan Salaymeh - Ibrahim Salaymeh - Mohammad Salaymeh
<input checked="" type="checkbox"/>	Verified		3. Need Citation.
<input type="checkbox"/>	Inventory		4. Need proof of personal service of Citation with a copy of the petition at least 15 days prior to the hearing per Probate Code §1824 on the proposed Conservatee Fawzi Salaymeh.
<input type="checkbox"/>	PTC		5. Need video receipt per Local Rule 7.15.8.
<input type="checkbox"/>	Not.Cred.		6. Petitioner did not check box 1g of the petition, but did file a capacity declaration. Therefore, need clarification: Is Petitioner requesting medical consent powers under Probate Code §2355?
<input type="checkbox"/>	Notice of Hrg	X	7. The petition does not request conservatorship of the estate; however, it appears Petitioner intended to request estate powers also. The Court may require additional information regarding the estate. If estate powers are granted, additional requirements will need to be met and the Court will set status hearings to make sure that the steps are completed.
<input type="checkbox"/>	Aff.Mail	X	8. Need order and Letters.
<input type="checkbox"/>	Aff.Pub.		Note: It appears that Petitioner may have received assistance from a document service to prepare her petitions; however, based on the numerous and continuing deficiencies in the filings, Petitioner may wish to request refund if money was paid, and seek assistance from an attorney.
<input type="checkbox"/>	Sp.Ntc.		Reviewed by: skc
<input type="checkbox"/>	Pers.Serv.	X	Reviewed on: 9-23-14
<input checked="" type="checkbox"/>	Conf. Screen		Updates:
<input checked="" type="checkbox"/>	Letters		Recommendation:
<input checked="" type="checkbox"/>	Duties/Supp		File 13 – Salaymeh
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt	X	
<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 type="checkbox"/>	Citation	X	
<input type="checkbox"/>	FTB Notice		

		NO TEMP REQUESTED	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. If diligence is not found, need notice to the paternal grandfather and to the maternal grandfather pursuant to Probate Code §1511.</p>
		JAZEL G. PALMA , Maternal Aunt, is Petitioner.	
		Father: PASCUAL SANCHEZ - Consents and waives notice	
		Mother: MONIQUE SANCHEZ - Consents and waives notice	
		Paternal Grandfather: Unknown - Declaration of Due Diligence filed 8-6-14	
		Paternal Grandmother: Aurora Sanchez - Deceased	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input 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		
		Maternal Grandfather: Richard Gomez - Declaration of Due Diligence filed 8-6-14	
		Maternal Grandmother: Elizabeth Palma - Consents and waives notice - Mailed notice 8-14-14	
		Sibiling: Alexis Palma - Mailed notice 8-14-14	
		Petitioner states the mother is currently in a treatment center and cannot tend to the children. The children have been residing with Petitioner, who is providing a safe, loving home environment.	
		Court Investigator Charlotte Bien filed a report on 9-12-14.	
		Reviewed by: skc	
		Reviewed on: 9-25-14	
		Updates:	
		Recommendation:	
		File 16 - Sanchez	

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

		GENERAL HEARING 9-17-14	NEEDS/PROBLEMS/COMMENTS:
		IRENE HARO , Maternal Cousin, is Petitioner.	1. Need Notice of Hearing.
		Father (Percy): UNKNOWN	2. Need personal service of Notice of Hearing with a copy of the temp petition on the two minors Percy Ellbere and Jeremiah Samuels at least five court days prior to the hearing per Probate Code §2250(e) or consent and waiver of notice.
		Father (Jeremiah): UNKNOWN	
<input type="checkbox"/>	Aff.Sub.Wit.	Mother: PATRICIA MCGUINNESS	
<input checked="" type="checkbox"/>	Verified	- Deceased	
<input type="checkbox"/>	Inventory	Paternal Grandparents: Unknown	
<input type="checkbox"/>	PTC	Maternal Grandfather: Danny McGuinness	
<input type="checkbox"/>	Not.Cred.	Maternal Grandmother: Jessie Cardenas	3. Need notice to the father(s) per Probate Code §2250(e) or consent and waiver of notice or declaration(s) of due diligence.
<input type="checkbox"/>	Notice of Hrg	x	
<input type="checkbox"/>	Aff.Mail	Sibilngs: Rigo Alanis, Jr.	
<input type="checkbox"/>	Aff.Pub.	Petitioner states the mother is deceased and the father has not played any active parenting role. The children were with an uncle that lived a lifestyle not suitable for children. There was no structure and the children often missed school.	
<input type="checkbox"/>	Sp.Ntc.	According to the UCCJEA, the children have been with Petitioner since 8-31-14.	
<input type="checkbox"/>	Pers.Serv.	x	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input 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: skc
			Reviewed on: 9-25-14
			Updates:
			Recommendation:
			File 17 – Ellbere & Samuels