

1 Louie Friguglietti Trust

Case No. 07CEPR00246

Atty Curry, Thomas M.

Atty Pape, Jeffrey B.

Atty Wright, Janet L

Petition of Elaine Cory for Settlement of Accounting and Report of Bruce Bickel Dated and Served August 21, 2009 and Objections Thereto, and for Order Compelling Former Trustee James Wagner to Account for Period from April 1, 2007 Through January 31, 2008

Age:		NEEDS/PROBLEMS/COMMENTS: Continued to 11/1/2012 at the request of attorney Thomas Curry.
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 9/25/12
		Updates:
		Recommendation:
		File 1 - Friguglietti

Report of Sale and Petition for Order Confirming Sale of Real Property

Age: 94	DIANE MOSOLF , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Sale price - \$119,000.00	<p>Note: If the Petition is granted, a status hearing will be set on:</p> <ul style="list-style-type: none"> Friday, November 2, 2012 at 9:00 am in Dept. 303 for filing of Receipt of Money into Blocked Account
	Overbid - \$125,940.50	
	Reappraisal - \$115,000.00	
Cont. from	Property - 1647 N. Harrison Fresno, CA 93704	
<input type="checkbox"/> Aff.Sub.Wit.	Publication - Fresno Bee	
<input checked="" type="checkbox"/> Verified	Buyers - SRD Investments, Inc., a California Corporation	
<input type="checkbox"/> Inventory	Broker - \$7,140.00 (6% - payable 3% (\$3,570.00) to Manning Properties (Matt McGrath) and 3% (\$3,570.00) to Zinc Realty, Inc. (Scott Foxen))	
<input type="checkbox"/> PTC	Bond is currently \$260,745.70. Proceeds of the sale are to be deposited into a blocked account at Wells Fargo Bank.	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/		
<input checked="" type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input checked="" type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 09/26/12
		Updates:
		Recommendation:
		File 2 - Fratis

Atty Lucich, Nicholas L., Jr. (for Lorna Ann Smotherman – Administrator)

(1) First and Final Account and Report of Administrator and (2) Petition for Allowance of Statutory Attorney’s Fees and (3) for Final Distribution (Probate Code 10810, 10831, 10951, and 11640)

DOD: 11/09/11	LORNA ANN SMOTHERMAN , Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 08/09/11 – 08/20/12	
Cont. from	Accounting - \$202,000.00	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH - \$202,000.00	
<input type="checkbox"/> Verified	Ending POH - \$202,000.00	
<input checked="" type="checkbox"/> Inventory	(no cash)	
<input checked="" type="checkbox"/> PTC	Administrator - waived	
<input checked="" type="checkbox"/> Not.Cred.	Administrator costs - \$1,213.60 (for filing fees, publication, certified letters, probate referee, and homeowners insurance)(to be paid by beneficiaries outside of the estate)	
<input checked="" type="checkbox"/> Notice of Hrg	Attorney - \$7,040.00 (statutory)(to be paid by beneficiaries outside of the estate)	
<input checked="" type="checkbox"/> Aff.Mail w/	Costs - \$495.50 (for filing fees, certified copy, recording fee)(to be paid by beneficiaries outside of the estate)	
<input type="checkbox"/> Aff.Pub.	Proposed distribution, pursuant to intestate succession and subject to a disclaimer of interest by Lorna Ann Smotherman, is to:	
<input type="checkbox"/> Sp.Ntc.	Mark C. Smotherman - ½ interest in real property and ½ interest in two vehicles	
<input type="checkbox"/> Pers.Serv.	Eric M. Smotherman - ½ interest in real property and ½ interest in two vehicles	
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters 03/14/12		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 09/26/12
		Updates:
		Recommendation: SUBMITTED
		File 3 - Smotherman

Corrected Application to Fill Vacancy of Trustee Pursuant to Paragraph 12.4 "Filling Vacancies" by J. Michael Farley, Son of Melvin Farley and Beneficiary Under the Trust Under the Survivor's Trust and Family Trust Created Under Articles 6 and 7

<p>Melvin L. Farley DOD: 9-27-99</p>	<p>J. MICHAEL FARLEY is Petitioner and requests appointment as Trustee.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Ruth L. Farley DOD: 11-9-11</p>		<p><u>Note: The only issue before the Court pursuant to this Application is the vacancy. (The alleged unauthorized transfer of trust property is not before the Court.)</u></p>
<p>Cont. from 062512, 080612</p>		
<p><input type="checkbox"/> Aff.Sub.Wit.</p>		
<p><input checked="" type="checkbox"/> Verified</p>	<p>Petitioner states Melvin Farley died in 1999 and Ruth Farley died in 2011. Both successor trustees (Conrad Rushing and Bill McMahan) have resigned. The surviving spouse, Ruth, sold the major asset of the trust, 20 acres of vineyards in Fowler, in 2000 and in 2002</p>	
<p><input type="checkbox"/> Inventory</p>	<p>purchased a residence for the same amount, and, thereupon, in violation of her authority and provisions of the trust, on 10-20-02,</p>	<p style="text-align: center;">SEE PAGE 2</p>
<p><input type="checkbox"/> PTC</p>	<p>placed the residence in joint tenancy with her daughter, Diane Clark. Subsequently, the now deceased spouse removed her name from the deed on 4-10-05 so that the property was held of title in the name of Diane Clark.</p>	
<p><input type="checkbox"/> Not.Cred.</p>	<p>On 4-6-07, Diane Clark borrowed against the property and it is probably encumbered at this time.</p>	
<p><input checked="" type="checkbox"/> Notice of Hrg</p>		
<p><input checked="" type="checkbox"/> Aff.Mail</p>		
<p><input type="checkbox"/> Aff.Pub.</p>		
<p><input type="checkbox"/> Sp.Ntc.</p>		
<p><input type="checkbox"/> Pers.Serv.</p>		
<p><input type="checkbox"/> Conf. Screen</p>		
<p><input type="checkbox"/> Letters</p>	<p>Petitioner learned after Ruth's death that Diane Clark claims there are no assets in the trust and Petitioner and his sister Frances Anita Rushing and his step-sister Susan Clare Stanton Williams assert that they have an interest in the property on Carson and he has caused to be executed and will record a Lis Pendens against said realty.</p>	
<p><input type="checkbox"/> Duties/Supp</p>		
<p><input type="checkbox"/> Objections</p>		
<p><input type="checkbox"/> Video Receipt</p>		
<p><input type="checkbox"/> CI Report</p>		
<p><input type="checkbox"/> 9202</p>		
<p><input type="checkbox"/> Order</p>	<p>Petitioner requests the Court appoint him as trustee of the trust.</p>	
<p><input type="checkbox"/> Aff. Posting</p>		<p>Reviewed by: skc</p>
<p><input type="checkbox"/> Status Rpt</p>		<p>Reviewed on: 9-25-12</p>
<p><input type="checkbox"/> UCCJEA</p>		<p>Updates:</p>
<p><input type="checkbox"/> Citation</p>		<p>Recommendation:</p>
<p><input type="checkbox"/> FTB Notice</p>		<p>File 4 - Farley</p>

PAGE 2

NEEDS/PROBLEMS/COMMENTS:

Minute Order 8-6-12: Court informed Mr. Fanucchi to file the proof of service from the past and the present hearings. Mr. Fanucchi states that the information in trust resolves issues on the examiner notes. The Court will explore the trust provisions regarding the issues on the Examiner notes. Continued to 10/1/12.

1. As previously noted, the petition does not state the names and addresses of each person entitled to notice pursuant to Probate Code §17201, and no verified list has been provided. Need verified list.

Note Re Minute Order: Probate Code §17201 specifically requires the petitioner to state the names and addresses of each person entitled to notice in the verified petition. Persons entitled to notice may be from any of the categories of parties listed in §17203 including §17203(b), any person other than a trustee or beneficiary whose right, title, or interest would be affected by the petition. This information cannot simply be determined from review of the trust document. It is Petitioner's responsibility to gather and provide this information to the Court in the verified petition.

2. Notice of Hearing on 8-8-12 indicates notice was mailed to Diane Clark, Michael Clark, and Stephanie Clark at the same address; however, Petitioner also filed separate "Proof of Service" documents indicating that "substituted service" was completed that address. If the following parties reside at a different address than notice was mailed to, amended service is necessary. Examiner is not aware of any provision in the Probate Code that allows "substituted service."
3. Petitioner requests that he be appointed as trustee. Probate Code §15602(a)(3) states bond is required for a court-appointed trustee if he/she is not named as a trustee in the trust. Therefore, need information for the basis of bond.

Examiner notes that Petitioner states the 20 acres was sold for \$300,000.00 and the residence was purchased for that same amount, but is not now an asset of the trust. The Court may require bond of \$300,000.00 or further information on which to base the bond.

4. Need order.

Note: Examiner notes that from a brief review of the trust documents, it appears the service list should include:

- Diane Lynn Clark (beneficiary and current owner of the residence)
- Stephanie Lynn Clark (beneficiary)
- Michael Clark (beneficiary)
- Patrick Carter Farley (beneficiary)
- Frances Anita Rushing (beneficiary)
- Susan Clare Stanton Williams (beneficiary)

Note: Patrick Carter Farley appears to be omitted from all lists provided. If deceased, his issue, if any, are beneficiaries. Need clarification.

Note: Stephanie and Michael are listed at "c/o" the same address as Diane. Pursuant to Cal. Rules of Court 7.51, notice must be served directly, not "c/o," even if they are minors (unknown).

Note: Frances Anita Rushing and Susan Clare Stanton Williams have both signed consent to Petitioner's appointment.

Atty Molsenbocker, Gary L. (for David Morse – Friend – Named Executor)
 Atty Ogden, Ralph C. (of Modesto, for John Weaver – Brother – Contestant)
 Atty Kruthers, Heather H (for Public Administrator – Special Administrator)
Contest of Will and Objection to Probate

DOD: 5-5-12		JOHN WEAVER , Brother, is Contestant.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 7-16-12: Ralph Ogden is appearing via conference call. The Court accepts the publication and grants the petition. The Court appoints the Public Administrator as the personal representative. The minute order will serve as the order of the Court with regard to the appointment, no order to issue. Matter set for trial on 1/8/13 with a one day estimate at the request of Mr. Molsenbocker. Petition granted. Order signed before court trial.</p> <p>Note: Decedent's will dated 5-20-08 devises vehicles and personal effects equally to John S. Weaver (brother and Contestant) and Daniel J. Turner, provides four cash gifts of \$1,000.00 each to John S. Weaver, Martha Weaver nee Merwald, Lori Weaver and John Weaver, Jr., and the residue to The Orange Grove Monthly Meeting of the Religious Society of Friends.</p> <p>Note: The will has not been admitted to probate.</p> <p>Note: The total Inventory and Appraisal value is \$319,993.22, including real property in Squaw Valley, various vehicles, and cash. See Partial I&A #1 filed 8-15-12 and Final I&A filed 9-24-12.</p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p> <p>Reviewed by: skc</p> <p>Reviewed on: 8-9-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 - Weaver</p>
		DAVID MORSE , Friend and Named Executor in WILL DATED 5-20-08 , filed a Petition for Probate of Will and for Letters Testamentary on 6-7-12.	
		On 7-16-12, the Court appointed the Fresno County Public Administrator as personal representative pursuant to the minute order. Letters of Special Administration issued on 8-1-12. The Court also set the matter for trial on 1-8-13 at Attorney Molsenbocker's request.	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg	W	
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
✓	NAR	W	
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Contestant states he is the Decedent's brother and sole heir. Contestant objects to the probate of the purported will because there was a mistake of fact on Paragraph 5 of the will.

"Balance of my assets. Except for the specific gifts made in Paragraphs 2, 3 and 4 above, I give the balance of my assets left as follows:

c. Choice Three: All to the following person if he or she survives me (Insert the name of the person.):

ORANGE GROVE MONTHLY MEETING OF THE RELIGIOUS SOCIETY OF FRIENDS
 520 E ORANGE GROVE BLVD
 PASADENA, CA 91104"

The Orange Grove Monthly Meeting of the Religious Society of Friends is neither an individual nor an institution. Even if the broader definition of "person" contained in Probate Code §56 were held to apply to this purported will, which is denied, there is nevertheless no entity which has that name in the State of California and Contestant alleges that such a person does not exist.

Contestant states since there is no such person with the name stated, the supposed gift is invalid and ineffective for any purpose, and "Orange Grove Monthly Meeting of the Religious Society of Friends" cannot be the devisee of the residue of the estate, and there is no disposition of the residue. By reason of the foregoing, under **Probate Code §6224**, the residue of the estate should and must be distributed to Contestant as Decedent's sole heir.

SEE ADDITIONAL PAGES

5 David Scott Weaver (Estate) Case No. 12CEPR00521

Contestant states the subscribing witnesses Michael Morgan and/or Earnest Richardson may not be disinterested witnesses as defined in Probate Code §48, with respect to the devisee of the rest of the estate, which may invalidate the Paragraph 5 gift quoted above under **Probate Code §6112**.

Contestant states there was "unnatural" or "eccentric" testamentary disposition. The testator disposed of the rest of his estate to the "person" named "Orange Grove Monthly Meeting of the Religious Society of Friends" rather than his closest relatives. An unnatural or eccentric testamentary disposition may support an inference that the testator was suffering from a mental disorder or was acting under undue influence at the time of execution of the will (cite included).

Contestant requests that:

1. The Paragraph 5 portion of the purported will be declared invalid and ineffective, and the residue of the estate be distributed to Contestant, John Weaver, and that the purported will be denied probate;
 2. For costs of suit; and
 3. For such other relief as this court deems proper.
-

Respondent David Morse responds as follows:

- Respondent denies the allegation that the Orange Grove Monthly Meeting of the Religious Society of Friends is nonexistent entity.
- Contestant fails to state facts sufficient to state a cause of action in this matter.
- The "grounds" provided are not the proper subject for a "will contest;" the matters raised therein are premature and inapposite; the matters asserted are recitations of law and/or legal conclusions and do not state the requisite ultimate facts that are required to raise a triable issue.
- The Contest fails to state a cause of action as it fails to allege the essential and necessary facts to establish jurisdiction of the court over this matter.

Respondent requests judgment by the Court that:

1. The Contestant take nothing pursuant to his petition;
 2. The request of the Contestant to find the Decedent's will invalid due the grounds stated in the petition be denied;
 3. The request of the Contestant to find the Decedent's will invalid due to alleged defects of the expressions of the will be denied;
 4. The Respondent be awarded reasonable attorney's fees and costs; and
 5. For such other orders as the Court deems just and proper under the circumstances.
-

NEEDS / PROBLEMS / COMMENTS (Cont'd):

1. **Contestant:** Need Order Re: Contest.
2. **Respondent:** Previously, Letters of *Special Administration* were issued to the Public Administrator via minute order only. If a permanent personal representative is appointed, and if the will is admitted to probate, need Order for Probate.

		DEE ANNE DOUVILLE , Trustee, is petitioner.	NEEDS/PROBLEMS/ COMMENTS: 1. Need Order
		Petitioner states Carolyn Kuehl established the CAROLYN KUEHL TRUST by written Declaration of Trust dated 3/6/1991.	
Cont. from		Carolyn Kuehl died on 8/18/2008.	
	Aff.Sub.Wit.	Petitioner states that concurrent with the execution of the Declaration of Trust, the Trustor executed an Assignment dated March 6, 1991.	
✓	Verified	The Assignment assigned to the Trustee of the Trustee:	
	Inventory	All [of trustor's] "right, title and interest that [the trustor] has under that certain Settlement Agreement and Release of All Claims, dated July 11, 1986, between Carolyn Kuehl [the trustor], Dee Anne Douville, Dawn Kuehl, and Dianna Huehl [trustor's three daughters] and Narider Singh bains, Singh Jaswinder and Guadhiaj Singh [defendants] to Carolyn Kuehl, as Trustee of the Carolyn Kuehl Trust dated 3/6/1991."	
	PTC	The settlement agreement settled a lawsuit filed by the Trustor and her three daughters arising out of the death of their husband/father in an auto accident on 1/30/1995. The terms of the Settlement Agreement resulted in the issuance of an annuity contract that paid a monthly sum to the Trustor until her death, as well as periodic lump sum annuity installment payments to the Trustor in 5-year intervals, with the final installment of \$160,000 due on 9/11/11. Although the annuity company has been provided copies of the Trust, the Assignment and the pour over will of the Trustor, the annuity company is refusing to make the final annuity installment payment without a court order that the Settlement Agreement is an asset of the Trust.	
	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		
Please see additional page			Reviewed by: KT Reviewed on: 9/26/12 Updates: Recommendation: File 6 - Kuehl

Petitioner requests that this Court confirm that title in the Settlement Agreement and Release of All Claims dated July 11, 1986, and all of the benefits contained therein, is in Dee Anne Douville, as Trustee of the Carolyn Kuehl Trust initially created on 3/6/1991.

Petition for Order Determining Title to Real Property and Partnership Interest [Prob. C. 17200.1, 850 et seq.]

		WILMA GAIL FISHER , Successor Trustee, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Petition does not include the name and addresses of each person entitled to notice as required by Probate Code § 17201.</p>
		Petitioner states on 12/31/2004, Odys P. Davis created the ODYS P. DAVIS FAMILY TRUST.	
Cont. from		On 4/9/2012 Odys P. Davis died.	
<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 type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Petitioner seeks an Order confirming title to her as successor trustee of the Trust of certain real property in San Luis Obispo ("the San Luis Obispo Property"); certain real property in Fresno County ("the Fresno County Property"); and an undivided 25% interest in Del Puerto Property, a California Partnership ("the Partnership").</p> <p>Petitioner states Exhibit A to the Trust specifically lists the San Luis Obispo Property as a trust asset, however title to the San Luis Obispo Property was not transferred to the trust for unknown reasons. At the time of the decedent's death the title to the San Luis Obispo Property remained in the name of the decedent.</p> <p>At the time of the preparation of the Trust Agreement, various other estate planning documents were prepared and assembled in a three-ringed binder. As part of the three-ringed binder, a section entitled "Asset Inventory" was prepared. On page 4 of the Asset Inventory, the San Luis Obispo Property is listed as Item No. 1 and the Fresno County Property is listed as Item No. 4 with the signature of the decedent dated 2/25/2012. At the time of the decedent's death the Fresno County Property remained in the name of the decedent.</p> <p style="text-align: center;">Please see additional page</p>	
			<p>Reviewed by: KT</p> <p>Reviewed on: 9/26/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 - Davis</p>

On page 5 of the Asset Inventory, the partnership interest in Del Puerto is listed as an asset of the Trust. At the time of decedent's death, the 25% interest in the Partnership was still in the name of the decedent.

Because of the use of the revocable living trust, it is expected that a probate of the decedent's estate will not be necessary.

A copy of the decedent's will is attached to the petition as Exhibit E. The Will devises all of decedent's estate to the Odys P. Davis Family Trust.

Petitioner is informed and believes that because the trust instrument together with the Asset Inventory specifically lists the San Luis Obispo Property, the Fresno County Property and the Partnership as Trust assets, it was the intent of the decedent to transfer title to these assets to the trust.

The decedent's failure to formally transfer title to the three assets listed above to the trust cannot be taken to mean that the three listed assets were not intended to be trust assets. In fact, the trust instrument read together with the Asset Inventory specifically lists the three named assets as trust assets. Moreover, the probate of the decedent's will would accomplish the same objective sought through this petition, namely transfer of title from decedent's name to that of Petitioner and successor trustee of the trust and ultimately to the named beneficiaries of the trust.

Wherefore, Petitioner requests that the Court issue the following orders:

1. That the real property described in Exhibits A and B attached and the undivided 25% interest in Del Puerto Properties, a California general partnership, be declared assets of the Odys P. Davis Family Trust under an Agreement Dated 12/31/2004, Wilma Gail Fisher successor Trustee.

DOD: 06/25/2012		<p>ARLENE DIANA LUGO, daughter is petitioner and requests appointment as Administrator without bond.</p> <p>All heirs waive bond</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate</p> <p>Residence: Fresno Publication: The Business Journal</p> <p>Estimated value of the estate: Personal property - \$87,500.00 Real property - \$31,000.00 Total: - \$118,500.00</p> <p>Probate Referee: Rick Smith</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Petition indicates there are issues of a predeceased child. Section 8 of the petition lists two predeceased children and one granddaughter however it is not clear who the granddaughter takes under. Pursuant to Probate Code §246 the property to be distributed shall be divided into as many equal shares as there are living children of the designated ancestor, if any, and deceased children who leave issue then living, therefore clarification is requested as to who the granddaughter takes under as well as if the predeceased children have any other children.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 03/01/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 12/06/2013 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.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail w/		
<input checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Reviewed by: KT / LV			
Reviewed on: 09/25/2012			
Updates:			
Recommendation:			
File 8 - Shelton			

Atty Fishman, Robert G.
 Atty Jaech, Jeffrey A.
 Atty Badhesha, Raj Singh
 Atty Milnes, Michael A

Status Hearing

Age:		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Both dismissals have been filed as of 9-25-12.
DOD:		
Cont. from		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<input type="checkbox"/>	Notice of Hrg	
<input type="checkbox"/>	Aff.Mail	
<input type="checkbox"/>	Aff.Pub.	
<input type="checkbox"/>	Sp.Ntc.	
<input type="checkbox"/>	Pers.Serv.	
<input type="checkbox"/>	Conf. Screen	
<input type="checkbox"/>	Letters	
<input type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input type="checkbox"/>	CI Report	
<input type="checkbox"/>	9202	
<input type="checkbox"/>	Order	
<input type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: skc
		Reviewed on: 9-25-12
		Updates:
		Recommendation:
		File 9 - Jeffery

Filing of Receipt for Blocked Account and Inventory & Appraisal

Age: 11 years	ELENA PENA , sister, was appointed	NEEDS/PROBLEMS/COMMENTS:
	Guardian of the Person and Estate on	
	07/26/11 and Letters were issued on	
	07/28/11. Minute order dated 6/12/12	
	removed Elena Pena and appointed the	
	Public Guardian.	
Cont. from 022112, 050112, 061212, 081312	An Order to Deposit Money Into Blocked	
Aff.Sub.Wit.	Account was signed 07/26/11 ordering all	
Verified	funds of the minor to be placed in a	
Inventory	blocked account.	
PTC		
Not.Cred.	Notice of Taking Possession or Control of an	
Notice of Hrg	Asset of Minor or Conservatee filed 09/28/11	
Aff.Mail	by Metlife Total Control Account reflects that	
Aff.Pub.	the guardian, Elena Pena, has taken control	
Sp.Ntc.	of the minor's assets in the amount of	
Pers.Serv.	\$211,865.50 from Metlife.	
Conf. Screen	Receipt for Blocked Account filed on	
Letters	1/11/12. (Signed by the Guardian and not a	
Duties/Supp	bank official.)	
Objections		
Video Receipt	Inventory and Appraisal filed on 1/11/12	
CI Report	showing the estate valued at \$244,116.64.	
9202	Minute order dated 6/12/12 states no	
Order	appearances. The Court removes Elena	
Aff. Posting	Pena as Guardian of the Estate. The Public	
Status Rpt	Guardian is appointed forthwith to pursue	
UCCJEA	the status of the assets which includes	
Citation	MetLife.	
FTB Notice		
		Reviewed by: KT
		Reviewed on: 9/25/12
		Updates:
		Recommendation:
		File 10 – Robinson-Cervantes

Please see additional page

Status Report filed on 9/24/12 states on 9/4/12 Deputy Public Guardian Renee Garcia sent letters to MetLife and Prudential Annuities to notify them that the Public Guardian is now guardian of the estate. To date Deputy Garcia has not heard back from either MetLife or Prudential.

Deputy Garcia met with Ms. Pena on 9/19/12. Ms. Pena was relieved that the Public Guardian is now involved as guardian of the estate.

The Public Guardian requests clarification regarding the receipts. It is unclear whether it is Ms. Pena or the Public Guardian who should now obtain the receipts signed by the financial institutions. Furthermore, does the Court require an inventory and appraisal be filed in addition to the receipts that will be filed?

The Public Guardian's office requests the next status hearing be set out 90 days from the date of this hearing to allow time of the financial institutions to respond and for the Public Guardian's office to file an inventory and appraisal if needed.

Notice of Taking Possession or Control of an Asset of Minor or Conservatee filed on 9/24/12 showing the Public Guardian has taken control of the MetLife Total Control Account with a current balance of \$217,073.65.

Petition for Termination of Guardianship

Isaiah age: 7 yrs	ANA ROMERO , mother, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: a. Ulises Avila (father) b. Emilano Avila (paternal grandfather) c. Francisco Romero (maternal grandfather)
Destiney age: 4 yrs	MARIA ANGUIANO , paternal grandmother, was appointed guardian on 3/7/2011. – consents and waives notice.	
Cont. from	Father: ULISES AVILA	
Aff.Sub.Wit.	Paternal grandfather: Emilano Avila	
✓ Verified	Maternal grandfather: Francisco Romero	
Inventory	Maternal grandmother: Juana Romero – consents and waives notice.	
PTC		
Not.Cred.	Petitioner states she has been staying in the home since March of 2011 to help the guardian with the children. Recently the grandmother has started working and is unable to be with the children.	
Notice of Hrg	X	
Aff.Mail	X	
Aff.Pub.	Petitioner states she has taken responsibility for them. In May 2012 Petitioner states she filed a restraining order against their father due to a domestic dispute. Petitioner states she would like to take her children with her when she moves out.	
Sp.Ntc.	The guardian is willing to let her stay but her choice would be to go to the Marjorie Mason Center.	
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt	Court Investigator Samantha Henson's Report filed on 9/24/12.	
✓ CI Report		
9202		
Order	X	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 9/26/12
		Updates:
		Recommendation:
		File 11 - Avila

Atty **Perez, Rosie (Pro Per – Paternal Grandmother – Petitioner)**

Petition for Appointment of Guardianship of the Person

<p>Nicholas Ivan Balero (11)</p>		<p>TEMPORARY EXPIRES 09/17/2012</p>		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:</p> <ul style="list-style-type: none"> Paternal Grandparents of Nicholas (Unknown)
<p>Alyssa Lexie Duarte (10)</p>		<p>ROSIE PEREZ, Paternal Grandmother of Alyssa, Lucas, Starr, and Dominique, is Petitioner.</p>		
<p>Lucas Moises Duarte (9)</p>		<p>Father (Nicholas): UNKNOWN (“RALFIE”), Court dispensed with notice by minute order dated 07/26/2012.</p>		
<p>Starr Monique Duarte (7)</p>		<p>Father (Alyssa, Lucas, Starr, Dominique): LUCAS PEREZ DUARTE, Consent and Waiver of Notice filed 7-16-12</p>		
<p>Dominick Alexander Duarte (4)</p>		<p>Mother: VANESSA BALERO, Personally served 7-17-12</p>		
<p>Cont. from 091712</p>		<p>Paternal grandparents (Nicholas): Unknown</p>		
✓	Verified			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	w/		
	Sp.Ntc.			
✓	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			

ROSIE PEREZ, Paternal Grandmother of Alyssa, Lucas, Starr, and Dominique, is Petitioner.

Father (Nicholas): **UNKNOWN (“RALFIE”)**, Court dispensed with notice by minute order dated 07/26/2012.

Father (Alyssa, Lucas, Starr, Dominique): **LUCAS PEREZ DUARTE**, Consent and Waiver of Notice filed 7-16-12

Mother: **VANESSA BALERO**, Personally served 7-17-12

Paternal grandparents (Nicholas): Unknown

Paternal grandfather (Alyssa, Lucas, Starr, Dominique): Lucas N. Duarte
- Consent and Waiver of Notice filed 7-16-12

Maternal Grandfather: Manuel Balero, served by mail on 07/19/2012

Maternal Grandmother: Julie Salinas, served by mail on 07/19/2012

Petitioner states the mother brought the children back to live with her on 5-20-12 because they had been evicted from their apartment. Dominick (4) has been in Petitioner's care since March.

The mother is living somewhere else with her boyfriend. She does not pay attention to the children and forgets that she is their mother. She seldom calls and does not visit often. She forgets that the children need her. She does not provide financial assistance. Petitioner states she and her husband are raising their grandchildren as best they know how, but it is not fair that the mother gets all their income and does not provide for them.

Petitioner requests the Court excuse notice to the mother because the children are scared to go back to live with the mother's boyfriend because they say he is mean.

Objection filed 09/25/2012- Mother, Vanessa Balero, states that she and petitioner had an agreement that the children would stay with the petitioner, Rosie Perez, for Summer vacation. The mother states that when things do not go the way the petitioner wants then she brings her to court. The mother states that it seems that the petitioner has the upper hand since she has temporary custody of the children.

Please see additional page

Reviewed by: KT / LV

Reviewed on: 09/13/2012

Updates:

Recommendation:

File 12 – Duarte & Balero

(Objection continued) The mother has gone to the petitioner's home every day since the 09/17/2012 Court date to visit the children. She states that the petitioner sits outside with her family laughing and talking about the mother, Vanessa Balero, making the visit uncomfortable for her and the children. The mother states that the children are disrespectful towards her in front of the petitioner and she allows it. The mother states that she has accomplished a lot since last September. She states that she is making a change for her children, she went back to school, graduated with a medical assistant degree, started training in a doctor's office and her next step is to get hired on with the doctor. The mother is requesting that the children be returned to her custody.

Court Investigator Charlotte Bien's report filed 09/04/2012.

Petition for Termination of Guardianship

Age: 1	PAULO AVILA DELACRUZ, father, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need <i>Notice of Hearing</i> . 2. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Termination of Guardianship</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for: - Rachel Heredia (guardian) - Corina Ordonez (mother) - Jesus Ortega Avila (paternal grandfather) - Petra DeLaCruz (paternal grandmother) - Felix Ordonez, Jr. (maternal grandfather) - Priscilla Ordonez (maternal grandmother)
	RACHEL HEREDIA , maternal great-grandmother, was appointed guardian of the person on 04/05/12.	
Cont. from	Mother: CORINA ORDONEZ	
Aff.Sub.Wit.	Paternal grandfather: JESUS J. ORTEGA AVILA Paternal grandmother: PETRA D.E. DELACRUZ	
✓ Verified	Maternal grandfather: FELIX ORDONEZ, JR. Maternal grandmother: PRISCILLA ORDONEZ	
Inventory	Petitioner states that the guardian lied in her court documents when she stated that the minor's father was unknown. Petitioner states that he has been in contact with the guardian and had visits with his son prior to the guardian filing her petition for guardianship and continues to have visits now.	
PTC	Court Investigator Jennifer Young filed a report on 09/26/12.	
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: JF
		Reviewed on: 09/26/12
		Updates: 09/27/12
		Recommendation:
		File 13 – Robles-Ordonez

Age: 14	PAULA A. RENTERIA , guardian/sister, is petitioner. She was appointed guardian on 04/30/2012.	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of personal service fifteen (15) days prior to the hearing on the following person: <ul style="list-style-type: none"> • Andrea Irene Rene Arreola (Minor)
Cont. from	Father: UNKNOWN	
<input type="checkbox"/> Aff.Sub.Wit.	Mother: OLIVIA STEPHANIE TORESS- Incarcerated, personally served 08/27/2012	
<input checked="" type="checkbox"/> Verified	Paternal Grandparents: Unknown	
<input type="checkbox"/> Inventory	Maternal Grandfather: Alfredo Torres, Deceased	
<input type="checkbox"/> PTC	Maternal Grandmother: Grace Hernandez, served by mail on 08/07/2012.	
<input type="checkbox"/> Not.Cred.	Petitioner states: The child is not living with the petitioner. Child is not obeying petitioner and causes problems in the household. Child made false accusations against petitioner's husband, and afterwards cut her wrists. Petitioner called police CCAIR, child was given a psychological assessment and it was determined that she was doing this for attention. Child's accusations were dismissed by authorities.	
<input checked="" type="checkbox"/> Notice of Hrg	Court Investigator Samantha D. Henson's report filed 09/24/2012.	
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv. x		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: KT / LV
		Reviewed on: 09/26/2012
		Updates:
		Recommendation:
		File 14 - Arreola

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

Jada Cameron Marshall (11)		<p>TEMPORARY EXPIRES 8-14-12</p> <p>IRENE AGUILERA, Maternal Aunt, is Petitioner.</p> <p>Father: ROBERT MARSHALL - Notice dispensed 8-14-12</p> <p>Mother: ALMA ROSE AGUILERA - Notice dispensed 8-14-12</p> <p>Paternal Grandfather: Unknown - Notice dispensed 8-14-12</p> <p>Paternal Grandmother: Unknown - Notice dispensed 8-14-12</p> <p>Maternal Grandfather: Ruben Aguilera - Notice dispensed 8-14-12</p> <p>Maternal Grandmother: Maria Aguilera - Substantive notice found 8-14-12</p> <p>Petitioner states the mother is homeless and is heavily using methamphetamines. The father has not seen, called or supported the children since 2006. The children have largely resided with Petitioner during their lives except for a three-year time 2009-2011 when they resided with the mother in Southern California (Norwalk). The mother was clean during a small part of those years, but when she came back to Fresno in December 2011, she dropped off the children and went straight to the streets. Petitioner is concerned that once the mother finds out she will not be receiving cash aid for the children, she will come and pick them up, take them to the streets, and to abject danger.</p> <p>Petitioner states the school knows her from the years that they lived with her, and both children are in need of counseling due to the life their mother has forced them to lead for the past three years. However, she cannot obtain any insurance or medical care for them at this time. Petitioner describes violence from the mother's husband in front of the children and that there were times that he made the children sleep in the car in the driveway instead of the house because of fighting with the mother. He was ultimately incarcerated for beating the mother badly, but she maintained a relationship with him during his incarceration.</p> <p>Court Investigator Samantha Henson filed reports on 8-6-12 and 9-20-12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: The Court Investigator was unable to make contact with the Petitioner. See both CI Reports 8-6-12 and 9-20-12. Therefore, no report or clearances have been completed. Guardianship cannot be granted until an investigation and report is completed pursuant to Probate Code §1513.</p> <p>Note: At the temporary hearing on 6-19-12, the Court dispensed with notice to both parents until they can be served, and at the hearing on 8-14-12, the Court dispensed with notice to the father until an address becomes known, dispensed with notice to the mother, paternal grandparents and maternal grandfather, and found substantive notice to the maternal grandmother.</p> <p><u>If this matter goes forward, the following issues remain:</u></p> <ol style="list-style-type: none"> <u>Petitioner to contact Court Investigator to complete investigation and clearances.</u> <u>Need Child Information Attachment for Diego.</u> 	
Diego I.Xavier Aguilera (7)				
Cont. from 081412				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
N/A	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			X
	Clearances			X
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			

16 Yolanda T. Montez (CONS/P)
 Atty Montez, Ernest G (Pro Per – Petitioner – Spouse)
 Atty Lowry, Amanda A (Pro Per – Petitioner – Granddaughter)

Case No. 12CEPR00768

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

Age: 62	ERNEST G. MONTEZ, spouse, & AMANDA A. LOWRY, granddaughter, are petitioners.	NEEDS/PROBLEMS/COMMENTS: Court Investigator Jennifer Young's report filed 09/25/2012 states that the proposed Conservatee, Yolanda Montez, passed away on 09/5/2012. It is recommended that the petition for conservatorship be <u>DISMISSED</u> .
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	Reviewed by: KT / LV	
	Reviewed on: 09/27/2012	
	Updates:	
	Recommendation:	
	File 16 - Montez	

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

Age: 3	<p align="center">GENERAL HEARING 11/19/12</p> <p>LISA ZAPATA, maternal cousin, is Petitioner.</p> <p>Father: ARTHUR GAMEZ</p> <p>Mother: LYDIA GAMEZ (MONTANO) – <i>Personally served on 09/26/12</i></p> <p>Paternal grandfather: UNKNOWN Paternal grandmother: UNKNOWN</p> <p>Maternal grandfather: GABRIEL PINEIDA Maternal grandmother: ELIZABETH CARBALLO</p> <p>Petitioner states that the father is in jail and the mother has abandoned the minor and is using meth.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> or <i>Consent and Waiver of Notice</i> or <i>Declaration of Due Diligence</i> for: - Arthur Gamez (father) Petitioner indicates the child may have Indian ancestry. Therefore, need <u>Notice of Child Custody Proceeding for Indian Child</u> (Form ICWA-030) to be completed and returned to the Probate Clerk's Office as soon as possible. See Probate Code §1460.2, and CA Rules of Court 7.1015. <p>The general guardianship hearing on 11/19/12 cannot go forward unless this form has been served on the child's parent; any Indian custodian; any Indian tribe that may have a connection to the child; the Bureau of Indian Affairs (BIA), and possibly the U.S. Secretary of the Interior, by certified or registered U.S. Mail, return receipt requested.</p> <p>A blank copy of the form is in the file for Petitioner, and it should be completed and returned <u>as soon as possible</u> to the Probate Clerk's Office. The Probate Clerk's Office will complete service.</p> <p>At the general hearing on 11/19/12, continuance may be required to ensure that the appropriate parties and agencies received 60 days' notice. See Probate Code 1460.2, and CA Rules of Court 7.1015.</p>
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv.		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input 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		
	<p>Reviewed by: JF</p> <p>Reviewed on: 09/26/12</p> <p>Updates: 09/27/12</p> <p>Recommendation:</p> <p>File 17 - Gamez</p>	

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

Nathaniel age: 10		<p align="center"><u>GENERAL HEARING 11/19/2012</u></p> <p>TALINA WALLACE, maternal grandmother, is petitioner.</p> <p>Father: AARON SWENSON – declaration of due diligence.</p> <p>Mother: TERESA SWENSON</p> <p>Paternal grandfather: unknown Paternal grandmother: Debbie Swenson Maternal grandfather: Terry Blankenship</p> <p>Petitioner states the mother is not making clear decisions due to her abusing street drugs/controlled substances and alcohol. The children are not attending school regularly. Nathan was tattooed by the mother's boyfriend who is a felon and also abusing drugs and alcohol. The children are fearful of all the people mother has over all night and they are fearful of the mother's boyfriend. Scarlet has impetigo on her mouth. Mom and her boyfriend are part of the "jugalo" gang.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of the Notice of Hearing along with a copy of the temporary petition or Consent and Waiver of Notice or Declaration of Due Diligence on: <ol style="list-style-type: none"> a. Aaron Swenson (father) unless court dispenses with notice. b. Teresa Swenson (mother) 	
Scarlet age: 7				
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			X
<input type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<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: KT		
		Reviewed on: 9/26/12		
		Updates:		
		Recommendation:		
		File 18 - Swenson		

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

Age: 3 years	<p>Temporary Guardianship was granted to <u>LUCY GALLARDO</u>, paternal great aunt. <u>Temporary Expires 11/6/12.</u></p> <p><u>General Hearing 11/6/12</u></p> <p>IRENE GALLARDO, paternal grandmother, is petitioner.</p> <p>Father: RICHARD GALLARDO – consents and waives notice.</p> <p>Mother: STACY AGUMEDO</p> <p>Paternal grandfather: Rene Gallardo – deceased. Maternal grandparents: Unknown.</p> <p>Petitioner states the minor needs a temporary guardian right now because the minor was left by her father temporarily to be taken care of by his aunt, Lucy Gallardo. His aunt will not allow her back with her father or Petitioner. She has denied them rights to the minor.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of the Notice of Hearing along with a copy of the Temporary Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: <ol style="list-style-type: none"> a. Lucy Gallardo (temporary guardian) b. Stacy Agumedo (mother) 	
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input type="checkbox"/> Notice of Hrg			X
<input type="checkbox"/> Aff.Mail			
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<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: KT			
Reviewed on: 9/27/12			
Updates:			
Recommendation:			
File 19 – Gallardo			