



ATTENTION

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

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

Thank you for your patience.

(1) First and Final Accounting and Report of Conservator of Person and Estate, (2) Petition for Allowance of Termination of Conservatorship and Discharge of Conservator

DOD: 12-6-13	JAMES P. STAICER , Son and Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: See Page 2.
Cont. from 082013, 090313	Revised account period: 9-12-12 through 12-6-12 Accounting: \$18,834.07 / \$993.68 Beginning POH: \$18,834.07 Ending POH: \$0.00	
Aff.Sub.Wit.		
✓ Verified	Conservator: Not requested	
Inventory		
PTC	Attorney: \$4,500.00 (for 25 hours at a reduced rate of \$180/hr, per itemization)	
Not.Cred.		
✓ Notice of Hrg		
✓ Aff.Mail	Petitioner states conservatorship was necessary to enable Petitioner to access a 403(b) retirement account that was not transferred into the Conservatee's trust when it was created. American United Life Insurance Company was not satisfied that the Trust, the Advance Health Care Directive, or the Special Power of Attorney could be used to transfer the funds into the trust; therefore conservatorship was necessary. After issuance of letters, the transfer was allowed. The account was never utilized by the conservatorship estate or accessed by Petitioner because funds never became necessary before the Conservatee's death. Petitioner has provided trust account statements as a reference to clarify the status of the accounts.	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
✓ 2620(c)		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation	Petitioner requests an order:	
FTB Notice	<ol style="list-style-type: none"> 1. Approving, allowing, and settling the account; 2. Terminating the conservatorship; discharging the conservator and the surety on the bond; and 3. Authorizing payment of \$4,500.00 to the attorney for legal services to the conservatorship during the account period. 	Reviewed by: skc Reviewed on: Updates: Recommendation: File 2 – Staicer

1. The petition filed 7-15-13 had an account period of 6-29-12 through 7-13-13. Examiner Notes previously noted that the accounting was not in compliance with Probate Code §2620(b), which requires a separate accounting for the period after the conservatee's date of death, was not presented on the mandatory Judicial Council forms, and charges and credits did not balance. Further, it was unclear if there was property on hand, as a figure of \$17,840.39 was listed, but the petition indicated that there was nothing left in the conservatorship estate, as it did not request any distribution of that amount.

Supplement filed 8-28-13 puts the summary and schedules on the mandatory forms and revises the account to end at DOD (no subsequent period). The summary indicates POH is zero, but charges and credits still do not balance (\$18,834.07 / \$993.68). In the text, Petitioner explains that the asset – a retirement account – was distributed to the pay on death beneficiary; however, because Petitioner does not include the amount as a credit, and the account still *technically* does not balance.

Examiner's Note: It appears that if the figure previously provided as POH (\$17,840.39) is the same as the amount described as distributed, had been included in the credits summary, the account would balance, given the revised "receipts" figure; however, because that figure is not specifically referenced here, Examiner cannot assume that it is the same.

Atty Donaldson, Larry A., sole practitioner (for Petitioner Kenneth Roberts, Conservator)

First and Final Accounting

Age: 19 years	<p>KENNETH ROBERTS, paternal grandfather and Conservator of the Estate appointed on 8/6/2012 without the requirement of bond or a blocked account, is Petitioner.</p> <p>Order Appointing Probate Conservator filed 8/6/2012 finds Conservatee JESSICA ROBERTS voluntarily requested appointment of a conservator and good cause has been shown for the appointment. <i>Petition for Appointment of Probate Conservator</i> filed 5/22/2012 by the then-proposed Conservatee requested that Kenneth Roberts be appointed as Conservator of the Estate for the following reasons:</p> <ul style="list-style-type: none"> Proposed Conservatee and her sister, JENNIFER ROBERTS (Case #12CEPR00751, <i>Jennifer Roberts Special Needs Trust</i>) are each named 50% beneficiaries of the proceeds of a military life insurance policy on her deceased father, MICHAEL WAYNE ROBERTS (DOD 2/24/2012, Case #12CEPR00290), in the total amount of \$400,000.00, with proposed Conservatee's share consisting of \$200,000.00; Proposed Conservatee is a competent 18-year-old adult; however, the military requires that a beneficiary under the age of 21 have a conservator before they will pay the proceeds to the beneficiary; Proposed Conservatee requests the Court appoint her paternal grandfather as her conservator so that the insurance proceeds can be obtained by her grandfather on her behalf without the need and expense of obtaining a court order. <p>First and Final Accounting filed 6/13/2013 contains Exhibits A, B and E, and copies of receipts and distributions made by the Conservator during the period of administration; said accounting does not contain a <i>Summary of Account</i>, period of the account, nor an itemization of any Conservator or Attorney fees paid from the Conservatorship Estate; Schedule entitled "Distributions to Conservatee" shows that on 11/16/2012, \$200,727.77 was paid from the conservatorship estate; <i>Schedule E, Cash Assets on Hand at the End of the Account Period</i>, states all assets have been distributed to the Conservatee on 11/16/2012, and shows cash assets on hand as of 3/17/2013 as \$0.00.</p> <p style="text-align: center;">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Continued from 8/20/2013. <i>Minute Order</i> states no appearances. Matter is continued to 10/1/2013. The Court orders Larry Donaldson and Kenneth Roberts to be personally present on 10/1/2013. The Court directs that a copy of the examiner notes be sent to Larry Donaldson.</p> <p>Note: Clerk's <i>Certificate of Mailing</i> filed 8/29/2013 shows a copy of the <i>Minute Order</i> dated 8/20/2013 and Examiner Notes were mailed to Attorney Donaldson and Kenneth Roberts on 8/29/2013.</p> <p style="text-align: center;">~Please see additional page~</p>	
Cont. from 071613			
Aff.Sub.Wit			
✓ Verified			
✓ Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/S			
Objections			
Video Receipt			
CI Report			
9202			
Order		X	
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: LEG	
		Reviewed on: 9/26/13	
		Updates:	
		Recommendation:	
		File 3 – Roberts	

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

1. Need *Notice of Hearing* and proof of 15 days' service of the *Notice of Hearing* pursuant to § 2621, § 1460(b)(6), § 1821(b) (which requires notice to the relatives of the Conservatee within the second degree), and CA Rule of Court 7.1054 for the following persons:
 - Christina Roberts, mother;
 - Jennifer Roberts, sister;
 - Charlotte Roberts, grandmother;
 - Gary Dawson, grandfather.
2. *First and Final Accounting* filed 6/13/2013 does not comply with Probate Code §§ 2620 et seq., §§ 1060 et seq., the provisions for accountings of conservatorship estates, and with CA Rule of Court 7.575, most specifically with subsection(f) of 7.575 providing that all standard and simplified accounting filers must provide all information in their accounting schedules or their *Summary of Account* that is required by Probate Code §§ 1060 – 1063, and must provide all information required by Probate Code §§ 1064 in the petition for approval of their account or the report accompanying their account.
3. Conservator Kenneth Roberts is also the appointed personal representative of the *Estate of Michael Roberts*, who was Kenneth Robert's son and the father of Jessica (the Conservatee) and her sister, Jennifer Roberts (age 15). Jennifer's 50% interest in her father's military life insurance benefits were placed into the *Jennifer Roberts Special Needs Trust*, of which Christina Roberts (mother) is Trustee. Christina Roberts requested withdrawal from the *Jennifer Roberts Special Needs Trust* to reimburse Kenneth Roberts, the instant Petitioner and Conservator, for expenses he paid for funeral expenses, house payments, and truck payments/repossession totaling **\$8,491.29**. Christina Roberts states as part of her request that because the Trustee was informed that the *Estate of Michael Roberts* has insufficient funds to pay these debts, Kenneth Roberts has sought half reimbursement from daughter Jessica (the instant Conservatee). Court may require explanation as to whether the **\$4,245.65** (1/2 of **\$8,491.29**) was paid from the instant conservatorship; if so, this disbursement is not reflected in the documents submitted as an accounting, and would not necessarily be an appropriate disbursement from the Conservatorship estate given the Conservatorship estate does not own the house or truck.
4. It appears the Conservatee, having been distributed her estate assets prior to Court order, did not receive the benefit of the Court's oversight and approval of how the conservatorship estate funds should have been disbursed in the Conservatee's best interests pursuant to a required order from the Court terminating the *Conservatorship of the Estate of Jessica Roberts* and distributing the assets to her only after approval of the accounting and petition for distribution per the Probate Code.
5. The *Conservatorship of the Estate of Jessica Roberts* appears not to have been established to protect funds of an incapacitated adult, but rather as a method of circumventing the military benefits policy set in place for protecting persons under the age of 21 who would receive military life insurance benefits by holding distribution until 21 years of age (much like settlors are often wont to do in trusts), such that Jessica Roberts was not only allowed to receive the military life insurance benefits prior to her reaching age 21, but was also distributed conservatorship estate assets prior to approval by order of this Court as required by the Probate Code.

DOD: 3/9/2013	MARIA GALLEGOS , surviving spouse, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 8/13/2013.</p> <ol style="list-style-type: none"> 1. There does not appear to be a provision in the Probate Code that would allow an individual to assign or disclaim their right in a summary proceeding. Therefore all who succeed to the property (petitioner and decedent's 4 children) must petition. If after all those entitled receive the property they can then transfer their interest in the property to the petitioner. 2. Pursuant to Probate Code §282 a Disclaimer of Interest acts if the disclaimant predeceased the creator of the interest (decedent). Therefore, the issue of those disclaiming would then be entitled to the disclaimed property.
	40 days since DOD.	
	No other proceedings	
Cont. from 060413, 070913, 081313	I & A - \$45,000.00	
<input type="checkbox"/> Aff.Sub.Wit.	Decedent died intestate.	
<input checked="" type="checkbox"/> Verified	Petitioner requests Court determination that decedent's interest in real property located 5078 E. Platt in Fresno passes to her pursuant to intestate succession and assignments of interest from decedent's children.	
Inventory	Disclaimer of Interest filed on 6/11/2013.	
PTC		
Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail W/		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 9/25/2013
		Updates:
		Recommendation:
		File 5 - Gallegos

Age: 1	TEMPORARY EXPIRES 10/01/2013	NEEDS/PROBLEMS/COMMENTS:
	JON REINECCIUS and MONICA REINECCIUS, second cousins, and RACHEL VANPELT and WILLIAM VANPELT, maternal grandparents are petitioners.	Minute Order of 08/13/2013: Mother objects to the petition. Counsel is directed to provide personal service to father. The Court authorizes mother to have supervised visits at a place mutually agreed upon by the parties. The Court order that mother provide a clean drug test before visits. The Court further orders that Ms. Jones' clients pay for the costs of testing. Ms. Jones is directed to provide the mother a list of drug facilities.
Cont. from	Father: WILLIAM BORST	
Aff.Sub.Wit.	Mother: AMY VANPELT, Objection filed 07/31/2013	
✓ Verified	Paternal Grandfather: William Borst, Sr., served by mail on 08/08/2013	
Inventory	Paternal Grandmother: Cathy Borst, served by mail on 08/08/2013	
PTC	Petitioners state: the minor child needs immediate care due to the fact that his biological mother, Amy Vanpelt, cannot provide care for him. She is currently homeless and cannot provide shelter for the child. She has expressed many times that she is an unfit parent, and requested that petitioners adopt the child. She has since changed her mind each time she was contacted by the adoption service. The mother is not fit to care for the child, and has expressed many times that she wants to kill herself. She has made threats like this before and has been deemed 51/50. The mother and the father of the child have a history of substance abuse. Petitioners Jon and Monica Reineccius have had the child in their care since 07/02/2013.	
Not.Cred.		
✓ Notice of Hrg		1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:
✓ Aff.Mail		<ul style="list-style-type: none"> • William Borst (Father) • Amy Vanpelt (Mother)
Aff.Pub.		2. Need Letters.
Sp.Ntc.		3. Need Orders.
Pers.Serv. x		
✓ Conf. Screen		
Letters x		
✓ Duties/Supp		
✓ Objections		
Video Receipt		
✓ CI Report		
9202		
Order x		
Aff. Posting		Reviewed by: LV
Status Rpt		Reviewed on: 09/25/2013
✓ UCCJEA		Updates:
Citation		Recommendation:
FTB Notice	Petitioners state that the mother has been described by law enforcement as "unfit." Police observed her in a vehicle not safe for a child. The vehicle had a broken window, cigarette butts, expired tags and an unsecured child seat.	File 6 – Borst-Van Pelt
	Please see additional page	

Petitioners' statement continued:

Attached to Petition are texts from the mother showing her behavior and suicidal statements.

Declaration of Petitioner Jon Reineccius filed 07/30/2013 in support of the petition for guardianship.

Declaration of Petitioner Monica Reineccius filed 07/30/2013 in support of the petition for guardianship.

Declaration of Petitioner Rachel Vanpelt filed 07/30/2013 in support of the petition for guardianship.

Declaration of Petitioner William Vanpelt filed 07/30/2013 in support of the petition for guardianship.

Declaration of Barbie Holloway filed 08/08/2013 in support of the petition for guardianship.

Declaration of Samantha Hindman filed 08/08/2013 in support of the petition for guardianship.

Declaration of Rachel Vanpelt filed 08/12/2013 stating the mother, Amy Vanpelt, has a chemical imbalance and prescribed medication and counseling. She refuses to take the medication and has never attended counseling. In February Amy Vanpelt became extremely agitated while holding the child and began throwing things at Rachel Vanpelt. Amy Vanpelt put her hand on Rachel Vanpelt's throat and said she could really hurt her and had friends that could "get her". Rachel Vanpelt filed a police report with the San Benito Sheriff's office.

Declaration filed 08/12/2013 which contains a letter from Childtime Learning Center.

Objection of Mother, Amy Vanpelt, filed 07/31/2013 states that she has a home and is self-employed. She states that she wants and is able to care for her child. She states the best place for a child is with its mother. She is of sound mind and is ready to get her child back. She states she has never said she would relinquish her parental rights. She disagrees with the decisions her parents have made. She states the allegations that were made are untruthful and hurtful. She states she has spent several months building a stable home for her child and that the people who have her child do not answer her calls.

Supplemental Declaration of Amy Van Pelt in Opposition to Petition for Guardianship filed on 09/23/2013 states she is a fit mother who is able and always been able to provide for her son, she has no history or present record of drug abuse and she is of sound mind and stable environment and wanting to proceed with her future with her son as planned.

Attached to the declaration are letters in support of Amy Van Pelt retaining custody of her son.

Court Investigator Jo Ann Morris' report filed 09/24/2013.

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

Age: 12		<u>TEMPORARY EXPIRES 10/01/2013</u>		NEEDS/PROBLEMS/COMMENTS:	
		ANGELICA A. ARTIGAS , maternal grandmother is petitioner.		1. Need proof of service fifteen 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:	
Cont. from		Father: DALE A. VERDUZCO , personally served on 08/08/2013		<ul style="list-style-type: none"> • Dale A. Verduzco (Paternal Grandfather) • Paternal Grandmother (Unknown) 2. Need Order.	
<input type="checkbox"/>	Aff.Sub.Wit.				
<input checked="" type="checkbox"/>	Verified	Mother: VANESSA ARTIGAS , personally served on 08/09/2013			
<input type="checkbox"/>	Inventory	Paternal Grandfather: Dale A. Verduzco Paternal Grandmother: Unknown			
<input type="checkbox"/>	PTC	Maternal Grandfather: Juan M. Artigas, Deceased			
<input type="checkbox"/>	Not.Cred.	Minor: Joseph Emmanuel Artigas, personally served on 08/14/2013			
<input checked="" type="checkbox"/>	Notice of Hrg	Petitioner states: on 07/04/2013 the minor child was provided Mike's Hard Lemonade by his mother and encouraged to drink it. He was also invited to smoke marijuana or other intoxicating substance on 06/30/2013. Joseph, the minor, is 12 years old and should not be exposed to the use of intoxicants at his age. The minor has resided with the petitioner since 07/04/2013 after the police were called out to his mother's residence. Petitioner states the mother ripped the minor's shirt off of him and scratched him in the process. Petitioner also states that she contacted CPS regarding the drugs and alcohol being consumed in the mother's home.			
<input type="checkbox"/>	Aff.Mail	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	Aff.Pub.	<input type="checkbox"/>			
<input type="checkbox"/>	Sp.Ntc.	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Pers.Serv.	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Conf. Screen	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Letters	<input type="checkbox"/>			
<input type="checkbox"/>	Duties/Supp	<input type="checkbox"/>			
<input type="checkbox"/>	Objections	<input type="checkbox"/>			
<input type="checkbox"/>	Video Receipt	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	CI Report	<input type="checkbox"/>			
<input type="checkbox"/>	9202 Order	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	Aff. Posting	<input type="checkbox"/>			
<input type="checkbox"/>	Status Rpt	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	UCCJEA	<input type="checkbox"/>			
<input type="checkbox"/>	Citation	<input type="checkbox"/>			
<input type="checkbox"/>	FTB Notice	<input type="checkbox"/>			
Court Investigator Jennifer Daniel's report filed 09/25/2013.				Reviewed by: LV	
				Reviewed on: 09/25/2013	
				Updates: 09/26/2013	
				Recommendation:	
				File 7 – Artigas	

DOD: 03/09/13		<p>ANGIE STUCKEY, friend/named executor without bond, is Petitioner.</p> <p>Full IAEA - NEED</p> <p>Will dated 01/28/10 – Note: Petitioner states that she provided the original will to her attorney who prepared a petition for probate and sent the Petition for Probate along with the original will to Document Delivery Service to be filed with Fresno Superior Court. Unfortunately, the Court never received that Petition for Probate or the original will. The attorney has searched his office extensively and has confirmed that the documents were picked up by the attorney service and thereafter lost before being filed with the Court. Petitioner states that the copy of the will attached to this Petition for probate is a copy of the original will and was signed by the decedent based on her knowledge of the decedent's handwriting. Further Petitioner believes that the Will was never revoked by the decedent.</p> <p>Residence: Fresno Publication: NEED</p> <p>Estimated Value of the Estate: Personal property - \$200,000.00</p> <p>Probate Referee: RICK SMITH</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Affidavit of Publication. 2. Need Duties and Liabilities of Personal Representative and Confidential Supplement to Duties and Liabilities of Personal Representative. 3. Need Order with a copy of the Lost Will attached. 4. Need Letters. <p>Note: If Petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 03/07/14 at 9:00 am in Dept. 303 for filing of the Inventory & Appraisal • Friday, 12/05/14 at 9:00 am in Dept. 303 for filing of the Accounting/Petition for 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 type="checkbox"/>	Aff.Pub.		
<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 x		
<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		
		<p>Reviewed by: JF</p> <p>Reviewed on: 09/25/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8 – Fries</p>	

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

DOD: 08/05/2013		ROBERT ALLEN MAXWELL , son/named executor without bond is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Petition to Administer Estate. 2. Need proof of service of Petition to Administer Estate on all entitled to service. 3. Need Affidavit of Publication. 4. Need Duties & Liabilities of Personal Representative. 5. Need Confidential Supplement to Duties & Liabilities of Personal Representative. 6. Need Letters. 7. Need Order. <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 03/07/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Friday, 12/05/2014 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>
		Full IAEA -?	
Cont. from		Will dated: 04/23/2013	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Residence: Fresno	
<input type="checkbox"/>	PTC	Publication: Need	
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	Estimated value of the Estate:	
<input checked="" type="checkbox"/>	Aff.Mail	Personal property \$5,000.00	
<input checked="" type="checkbox"/>	Aff.Pub.	Real property \$200,000.00	
<input type="checkbox"/>	Sp.Ntc.	Total: \$205,000.00	
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen	Probate Referee: Steven Diebert	
<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 type="checkbox"/>	Order	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

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

DOD: 03/23/2013	JEFFREY J. SCHWABENLAND , son is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Attachment 11 does not include decedent's interest in the real property.</p>
	40 days since DOD	
	No other proceedings	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	I&A - \$140,000.00	
<input checked="" type="checkbox"/> Inventory	Decedent died intestate	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Petitioner requests Court determination that decedent's interest in real property located at 5216 S. Orange Ave, Fresno, Ca. pass to Jeffrey J. Schwabenland pursuant to intestate succession.	
<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		
		Reviewed by: LV
		Reviewed on: 09/25/2013
		Updates:
		Recommendation:
		File 10 – Schwabenland

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

Age: 22 years	ENRIQUE CHAVIRA , brother, and ANA MARIA CHAVIRA (RODRIGUEZ) , mother, are petitioners and request that ENRIQUE CHAVIRA be added as a co-conservator with medical consent powers.	NEEDS/PROBLEMS/COMMENTS: Court Investigator Advised Rights on 9/13/13. 1. Need Video Viewing Receipt for Enrique Chavira.
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.	ANA MARIA CHAVIRA (RODRIGUEZ) , mother, was appointed as conservator on 3/24/2009.	
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Conservator was previously adjudicated to lack the capacity to give informed consent to medical treatment.	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input type="checkbox"/> Aff.Pub.	Petitioners state ANA MARIA CHAVIRA (RODRIGUEZ) was previously appointed as conservator and would like the comfort and convenience of her son, ENRIQUE CHAVIRA to assist her as co-conservator.	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters	Court Investigator Jennifer Daniel's Report filed on 9/24/13.	
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input checked="" type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 9/25/13
		Updates:
		Recommendation:
		File 11 - Chavira

Status Hearing Re: Visitation Exit Order

Age: 13	JOEL ALVARADO and ELIZABETH ALVARADO , maternal grandfather and step-grandmother, were appointed Co-Guardians of the Person on 08/23/12.	NEEDS/PROBLEMS/COMMENTS: <p style="text-align: center;"><u>OFF CALENDAR</u> Order with Visitation Exit Order filed 08/23/13</p>
	CRYSTAL ALVARADO , mother, filed a Petition for Termination of Guardianship on 05/14/13.	
Cont. from	Minute Order from hearing on 08/13/13 re Petition for Termination of Guardianship set this matter for status and states: The Court is satisfied with mother's explanation regarding the drug test. The Court grants the Petition subject to counsel preparing a visitation exit order as indicated.	
Aff.Sub.Wit.		
Verified	Order Terminating Guardianship filed 08/23/13. Attachment 7 to the Order outlines visitation of the minor between the parents.	
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: JF
		Reviewed on: 09/25/13
		Updates:
		Recommendation:
		File 12 – Francisco

Atty Bradbury, Peggy (pro per – maternal grandmother/Petitioner)

Petition for Visitation

Rebecca, 11	<p>PEGGY BRADBURY, maternal grandmother, is Petitioner.</p> <p>MELISSA RUSSELL, paternal grandmother, was appointed Guardian of the Person and Estate on 08/09/10. Letters of Guardianship were issued on 08/26/10.</p> <p>Parents are both deceased.</p> <p>Petitioner states that her daughter, the children's mother, died in October 2009. After her death, the father allowed the guardian to have frequent visits. Petitioner states that she had a good relationship with the father until his death in May 2010. After the father's death, the paternal grandmother, Melissa Russell, was appointed guardianship. Initially, Petitioner's relationship with the guardian was good and Petitioner visited with the children frequently and the children spent all holidays with Petitioner. In August 2011, the guardian abruptly stopped all visitation and cut off all communication with petitioner. The guardian continues to refuse Petitioner visitation.</p> <p>Petitioner requests visitation with the children as follows:</p> <ol style="list-style-type: none"> 1. During the summer months. 2. One week of Easter vacation. 3. One week of Thanksgiving vacation. 4. Two weeks of Christmas vacation. 5. Anytime Petitioner is in Fresno as reasonably agreed between Petitioner and Guardian. <p>For visitation in Sacramento, Petitioner requests that she meet the guardian in Turlock to exchange the children.</p> <p>For visitation in Fresno, Petitioner requests she be allowed to pick up and drop off the children from the guardian's home. While visiting in Fresno, the children will stay with Petitioner at her cousin's home in Fresno.</p> <p>Continued on Page 2</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Proof of service on the Notice of Hearing filed 09/04/13 indicates that the Notice of Hearing was mailed to the guardian's attorney and not to the guardian. Further, the proof of service does not indicate that a copy of the Petition for Visitation was served along with the Notice of Hearing. Service to an attorney is insufficient pursuant to California Rule of Court 7.51 and Probate Code § 1214. Need proof of service by mail at least 15 days before the hearing to Guardian, Melissa Russell. 	
Eva, 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 checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail			w/o
<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	x		
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
FTB Notice			

Reviewed by: JF
Reviewed on: 09/25/13
Updates: 09/26/13
Recommendation:
File 13 – Pitkin

13 Rebecca Lee Ann Dell Pitkin and Eva Jane Carolyn Pitkin (GUARD/PE)

Page 2

Guardian's Responsive Declaration in Opposition of Petition for Visitation filed 09/25/13 states: Petitioner's petition for visitation is misleading. Petitioner did have some visitation with the girls approximately every 6 weeks or so while their father was still alive. The visitation did continue for a short time after Justin's death. However, she did not have extensive visits with the girls as she alleges in her Petition. Further, the guardian's relationship with Petitioner was strained at best and the guardian ultimately determined that it would be detrimental to the girls to have any unsupervised visits with Petitioner, due to Petitioner's behavior. On 08/24/11, guardian's attorney sent a letter to Petitioner notifying her that any future visits would need to be supervised and at the discretion of a therapist. Guardian came to the decision to not allow Petitioner unsupervised visits after she insisted that she discuss paternity and other issues with them that were not age appropriate and undermining to the guardian. This started happening in 2010, just after the father passed away. Guardian has attached numerous text messages to her Response to show the court the type of messages she received from Petitioner. In the messages, Petitioner goes from being angry to nice and then sad. Many of the messages were threatening to the guardian with Petitioner calling guardian a "liar" and stating that she would "kick my ass". On a phone call, Petitioner blurted out to Rebecca that Justin was not her father. Upon that occurring, Guardian took the phone from Rebecca and has not allowed Petitioner to communicate with the girls since. Rebecca was 8 years old when this occurred and had lost both of her parents within the last year. At no time has Petitioner asked for visitation under the conditions Guardian set forth in her letter of 08/24/11. Instead she has continually harassed Guardian via cell phone.

Guardian states that the only reason Justin was not initially on Rebecca's birth certificate is because she was born before he and Michelle were married and Justin had not signed the Declaration of Paternity when the nurse came in with the birth certificate forms. Michelle listed Justin as Rebecca's father in her baby book and never told Justin or Rebecca that he was not her father. After Michelle's death, Justin petitioned the Court for a Judgment of Paternity so that everything was legal and there was no question of his paternity. The Judgment was granted on 05/21/10 (just 11 days after Justin's death), and Rebecca's birth certificate has since been amended listing Justin as her father.

Petitioner's behavior and the statements she makes when she is angry are the reason Guardian does not believe it is in the girls' best interest to have visitation with Petitioner in an unsupervised setting. Initially, Guardian wanted the girls to have a continuing relationship with their mother's family, however, as time went on, Guardian's interactions with Petitioner showed her instability and Guardian chose to limit visitation to a supervised setting. The important thing is what Petitioner did not tell the Court. She did not attach any writings between us because they were harmful to her request. She also did not mention Guardian's letter dated 08/24/11 stating that only supervised visits would be allowed moving forward.

Guardian requests the Court deny Petitioner's request for visitation with the children in its entirety. Although they miss their parents greatly, they have adjusted to their new lives and attend therapy every other Friday instead of once per week as they had in the beginning. The girls do not need the horrors of their parent's death brought up in an unhealthy manner such as Petitioner has historically displayed. The girls should not be subjected to the behavior that Petitioner displays or the hurtful things she openly says when she is angry. If the Court feels that the girls should have contact with Petitioner at this point, then that visitation should be in a therapeutic setting with the children's therapist with all costs of these therapeutic sessions being the responsibility of Petitioner.

Dept. 303, 9:00 a.m. Tuesday, October 1, 2013

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

Age: 3	<u>GENERAL HEARING 11/09/13</u>	NEEDS/PROBLEMS/COMMENTS:
	JEANETTE ORTEGA , maternal grandmother, is Petitioner.	1. Need <i>Notice of Hearing</i> .
	Father: DONNY BARNs – currently incarcerated	2. Need proof of 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 Temporary Guardian of the Person or Consent & Waiver of Notice or Declaration of Due Diligence</i> for:
Cont. from	Mother: VANITY SUAREZ	a. Donny Barns (father) – personal service required
Aff.Sub.Wit.	Paternal grandparents: NOT LISTED	b. Vanity Suarez (mother) – personal service required
✓ Verified	Maternal grandfather: NOT LISTED	
Inventory	Petitioner states that she was previously appointed temporary guardian, but missed the hearing for the permanent guardianship.	
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: JF
		Reviewed on: 09/25/13
		Updates:
		Recommendation:
		File 14 – Barns

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

Ruby, age 7	<p>TEMP EXPIRES 10-1-13</p> <p>CARMEN GONZALEZ, Maternal Grandmother, is Petitioner.</p> <p>Father: BUCK PLUMLEE - Fresno County Jail - Personally served 8-23-13</p> <p>Mother: CLARISSA MALDONADO - Declaration of Due Diligence filed 5-7-13 - Notice dispensed 8-13-13</p> <p>Paternal Grandfather: Deceased Paternal Grandmother: Betty Gomez Maternal Grandfather: Deceased</p> <p>Petitioner states the mother abandoned the children. She doesn't know her whereabouts, but she knows she is not doing well and is not responsible right now. Petitioner feels she needs help and the safest place for the children is with her until the mother gets better.</p> <p>Court Investigator Jennifer Young filed a report on 7-2-13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 7-9-13: On the Courts own motion Temporary Guardianship is granted, Letters expire 8-13-13. Father is to be noticed of hearing. Continued to: 8/13/13 at 9 am in dept. 303.</p> <p>Minute Order 8-13-13: The Court dispenses with further notice to the mother. The petitioner is directed to provide notice to the father.</p> <p>Note: Father was personally served at the Fresno County Jail on 8-23-13.</p> <p>As of 9-25-13, the following issue remains:</p> <ol style="list-style-type: none"> 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 §1510 or consent and waiver of notice or declaration of due diligence on: - Betty Gomez (Paternal Grandmother) 	
Adam, age 5			
Cont. from 070913, 081313			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			X
Aff.Mail			X
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			
Reviewed by: skc			
Reviewed on: 9-25-13			
Updates:			
Recommendation:			
File 15 – Plumlee			

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

DOD: 04/04/2013	SALVADOR DIAZ , father, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 9/03/2013: No appearances. The Court directs that a copy of the minute order and examiner notes be sent to Salvador Diaz. Salvador Diaz is ordered to be personally present on 10/01/2013.</p> <p>The following issues remain:</p> <ol style="list-style-type: none"> 1. Attachment 11 does not provide the decedent's interest in the real property. 2. The 2002 Nissan Truck listed on Attachment 11 was not included in the order.
	40 days since DOD	
	No other proceedings	
Cont. from 090313		
Aff.Sub.Wit.	I&A \$72,801.65	
<input checked="" type="checkbox"/> Verified	Decedent died intestate.	
Inventory		
PTC	Petitioner requests to assign his interest, or title to any and all property that has accrued as a result of being an heir to the estate of Carlos Diaz, to Maria Landeros, petitioner's daughter.	
Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	w/	
Aff.Pub.	Decedent requests Court determination that decedent's interest in real property located at 1260 South Ave, Orange Cove, Ca., Wells Fargo Check Account #5358043379, 6478198622, Bank of America Checking Account #000077566640, Bank of America CD #70000077102723, uncashed checks in the amount of \$681.71 pass to Maria Landeros.	
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 09/25/2013
		Updates:
		Recommendation:
		File 16 - Diaz

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

Age: 8 years		TEMPORARY EXPIRES 10/1/2013		NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of personal service along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Scott Lunsford (father) b. Crystal Bailey (mother) – unless the court dispenses with notice. 3. Need proof of personal service along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Joshua Lunsford (paternal grandfather) b. Michelle ? (paternal grandmother) c. Paul Bailey (maternal grandfather)
		MONTI GALE CLARK , maternal grandmother, is petitioner.		
		Father: SCOTT LUNSFORD		
Cont. from		Mother: CRYSTAL BAILEY – Declaration of Due Diligence filed on 8/12/13.		
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg	X		
	Aff.Mail	X		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	X		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
				Reviewed by: KT
				Reviewed on: 9/25/2013
				Updates:
				Recommendation:
				File 17 – Lunsford

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

DOD: 2/28/2013	KELLY TAYLOR , Spouse, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Proof of service of the Notice of Hearing was mailed on 9/21/13, 9 days prior to the hearing and not the required 15 days prior to the hearing
	40 days since DOD.	
	No other proceedings.	
Cont. from	Will dated 1/20/2013 devises entire estate to spouse, Kelly Taylor)	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
Inventory	I & A - \$140,000.00	
PTC		
Not.Cred.	Petitioner requests Court determination that Decedent's 100% interest in real property located at 434 W. San Gabriel in Clovis passes to her pursuant to Decedent's Will.	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	W/	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 9/25/13
		Updates: 9/26/13
		Recommendation:
		File 18 - White

Atty Clark, Regina (pro per Petitioner/paternal step-grandmother)

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

Age: 7 months		<p>GENERAL HEARING 12/2/2013</p> <p>REGINA CLARK, paternal step-grandmother, is petitioner.</p> <p>Father: DANIEL RAY CLARK</p> <p>Mother: SHERRIE BOLECH</p> <p>Paternal grandfather: Daniel Clark – consents and waives notice.</p> <p>Paternal grandmother: Shirley Stairs</p> <p>Maternal grandfather: Billy Abraugh</p> <p>Maternal grandmother: Not listed.</p> <p>Petitioner states her stepson came to her home with the baby on 7/16/13 saying he wanted to get off drugs and give his daughter a better life. During that time he was off drugs and doing good. On 8/9/13 he left with the baby and went back to the mother. He is back on drugs. Petitioner states last week her son and the father had to go get the baby out of a drug dealer's house. The mother was there with her.</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. Daniel Ray Clark (father) b. Sherrie Bolech (mother) 3. Confidential Guardian Screening form is incomplete. Several questions were had a yes answer without explanation as required. 4. Petition indicates the child is an Indian child and therefore Petitioner will need to fill out and return the Notice of Child Custody Proceeding for Indian Child (Form ICWA-030). A blank form is in the file for Petitioner, if needed. <p style="text-align: center;">Please see additional page</p>
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			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 9/25/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 19 – Bolech & Abraugh</p>	