

Atty Helon, Marvin T., of Helon & Manfredo (for Petitioners William D. Praetz and Edna E. Praetz, Co-Guardians)

(1) Fourth Account Current and Report of Guardians and Petition for Its Settlement  
 (2) for Allowance of Compensation to Attorneys, and (3) for Order for Withdrawal of Funds from Blocked Account (Prob. C. 2620 and 2640)

<b>Age: 16 years</b>	<b>WILLIAM D. PRAETZ and EDNA E. PRAETZ</b> , maternal grandparents and Co-Guardians of the Person and Estate, are Petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>DOB: 6/14/1995</b>		
<b>Cont. from</b>	<b>Accounting - \$171,749.96</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$125,337.94</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Ending POH - <b>\$169,701.21</b>	
<input type="checkbox"/> <b>Inventory</b>	<i>(all cash in blocked accounts)</i>	
<input type="checkbox"/> <b>PTC</b>	Co-Guardians - <b>waive</b>	
<input type="checkbox"/> <b>Not.Cred.</b>	Attorney - <b>\$1,782.50</b>	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<i>(per Declaration, for period of 8/6/2009 – 8/25/2011 totaling 5.53 hours; includes costs advanced for filing fees;)</i>	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> <small>W/</small>		
<input type="checkbox"/> <b>Aff.Pub.</b>	Bond - <b>\$20,000.00</b>	
<input type="checkbox"/> <b>Sp.Ntc.</b>	<i>(per prior Court order; all funds in blocked accounts;)</i>	
<input type="checkbox"/> <b>Pers.Serv.</b>	<b>Petitioners request</b> the Court exercise its discretion per Probate Code § 2320 and allow the bond to remain at <b>\$20,000.00</b> as now on file, as the ward’s benefits payments are directly deposited into blocked savings accounts, and the monthly payments and presumed cost of collection on the bond increase the amount of bond to ~ <b>\$22,000.00</b> . Petitioners state good causes exists to allow the bond to remain at <b>\$20,000.00</b> given the monthly direct deposits to the blocked savings account and the fact that all funds to be accounted for, other than Social Security benefits used for support of the ward, are held in blocked accounts.	
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input checked="" type="checkbox"/> <b>2620</b>	<b>Petitioners pray for an Order:</b>	
<input checked="" type="checkbox"/> <b>Order</b>	1. Approving, allowing and settling the Fourth Account;	
<input type="checkbox"/> <b>Aff. Posting</b>	2. Confirming and approving all acts and proceedings of Petitioners as Guardians;	
<input type="checkbox"/> <b>Status Rpt</b>	3. Authorizing Social Security benefits of ward continue to be paid to Petitioners for support of ward without requirement of accounting for such sums;	
<input type="checkbox"/> <b>UCCJEA</b>	4. Authorizing Petitioners’ bond to remain at <b>\$20,000.00</b> ;	
<input type="checkbox"/> <b>Citation</b>	5. Authorizing the requested attorney fees; and	
<input type="checkbox"/> <b>FTB Notice</b>	6. Authorizing Petitioners to transfer funds from the estate’s blocked accounts to pay the court-approved fees and expenses.	
		<b>Reviewed by: LEG</b>
		<b>Reviewed on: 9/26/11</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 1 - Scott</b>

## Probate Status Hearing Re: Filing of the Next Account

Age: 59 Years	<p><b>JESSICA BURNETT</b> and <b>BARBARA ROMERO</b>, daughters, were appointed Co-Conservators of the person and estate on 1/19/07, and are Petitioners. Bond was set at \$15,000.00. <i>Bond was filed and letters issued on 1/19/07.</i></p> <p><u>Conservators' First Amended First Account was approved 5/24/11.</u></p> <p><i>Status Report of Conservators</i>, filed 5/31/11, states:</p> <ul style="list-style-type: none"> <li>The real property asset of the Conservatee is currently rented and occupied by a tenant who pays \$500.00 per month for rent;</li> <li>Conservators are in the process of providing information to their attorney necessary for the preparation of the Second Account;</li> <li>Conservatee's Workers' Compensation claim case has proceeded to trial; numerous witnesses have testified, however, the case has not yet been submitted to the Workers' Compensation Appeals Judge;</li> <li><b><u>It is anticipated that the Second Account and Report will be filed no later than June 20, 2011.</u></b></li> </ul>	NEEDS/PROBLEMS/COMMENTS:
DOB: 4/26/1952		
Cont. from 060911, 072111, 082911		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
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Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p><u>Continued from 8/29/11. Minute Order states:</u> Counsel advises the Court that there has been a lack of communication with the other co-conservator, Jessica Burnett, who has not responded to any of her attempts to contact her. Counsel further advises that Ms. Burnett has the financial information. The Court sets the matter for an Order to Show Cause on 10/3/11. The Court orders Jessica Burnett to be present on 10/3/11. Jessica Burnett is ordered to personally bring with her all the papers and records regarding the conservatorship of Jesse Felix Castro on 10/3/11. The Court directs that a court examiner prepare the order. Later and off the record, all matters are continued to 10/4/11 due to counsel being unavailable on 10/3/11. All prior orders remain in full force and effect.</p> <p><u>As of 9/26/11, the following issue exists:</u></p> <ol style="list-style-type: none"> <li>Need Second Account and Report</li> </ol> <p><i>NOTE: See Page 2B for Attorney Perez' Petition to Withdraw as Attorney of Record in this matter.</i></p>
		Reviewed by: NRN
		Reviewed on: 9/26/11
		Updates:
		Recommendation:
		File 2A - Castro

Age: 59 Years	<p><b>ATTORNEY HOLLY PEREZ</b>, Attorney of record for Conservators Jessica Burnett and Barbara Romero, is Petitioner.</p> <p><b>Petitioner states:</b></p> <ul style="list-style-type: none"> <li>JESSICA BURNETT and BARBARA ROMERO, daughters of Decedent, were appointed Co-Conservators of the person and estate on 1/19/07 and letters issued that same date;</li> <li>On 8/21/07, the <i>Inventory &amp; Appraisal</i> was filed showing the value of the estate to be \$226,357.76;</li> <li>The <i>Amended First Account and Report</i> covering the period from 10/30/06 to 1/30/10 was approved and settled by order of this Court on 11/4/10 and the order signed on 5/24/11;</li> <li>The <i>Second Account and Report</i> has not been prepared or filed and is now past due;</li> <li>Co-Conservator Jessica Burnett is no longer communicating or cooperating with Petitioner;</li> <li>Petitioner has been advised that Ms. Burnett is also not communicating or cooperating in any meaningful way with Co-Conservator Barbara Romero Castro;</li> <li>Therefore, it has become impossible for Petitioner to continue as the attorney of record in this matter.</li> </ul> <p><b>Petitioner requests a court order:</b>  <b>Allowing Petitioner and her law firm to withdraw as attorney of record in the matter, and determining that Petitioner and her law firm are removed as attorney of record in this matter.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Continued from 8/29/11. Minute Order states:</u> Counsel advises the Court that there has been a lack of communication with the other co-conservator, Jessica Burnett, who has not responded to any of her attempts to contact her. Counsel further advises that Ms. Burnett has the financial information. The Court sets the matter for an Order to Show Cause on 10/3/11. The Court orders Jessica Burnett to be present on 10/3/11. Jessica Burnett is ordered to personally bring with her all the papers and records regarding the conservatorship of Jesse Felix Castro on 10/3/11. The Court directs that a court examiner prepare the order. Later and off the record, all matters are continued to 10/4/11 due to counsel being unavailable on 10/3/11. All prior orders remain in full force and effect.</p>
DOB: 4/26/1952		
Cont. from 082911		
Aff.Sub.Wit.		
√ Verified		
Inventory		
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√ Notice of Hrg		
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Objections		
Video Receipt		
CI Report		
9202		
√ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
Reviewed by: NRR		
Reviewed on: 9/26/11		
Updates:		
Recommendation:		
File 2B - Castro		



Atty Lind, Ruth P., sole practitioner (for Petitioner Julie Carter, Co-Conservator of the Estate)  
 Pro Per Lane, Forrest (Pro Per Co-Conservator of the Estate)

(1) Third Account and Report of Conservator and (2) Petition for Allowance of Fees to Attorney and Conservator

Age: 94 years	<b>JULIE CARTER</b> , daughter, and	<b>NEEDS/PROBLEMS/COMMENTS:</b>																															
DOB: 1/22/1917	<b>FORREST LANE</b> , son, Co-Conservators of the Person and Estate, are Petitioners.																																
Cont. from	<u>Account period: 6/1/2007 – 12/31/2009</u>	<p>Note: This case was transferred from Calaveras Superior Court on 4/1/2008; the first and second accounts in this case were heard in Calaveras County.</p> <p>Note: <i>Declaration Regarding Bond</i> filed on 9/29/2011 states that Attorney Lind has been informed by Petitioner Julie Carter that the \$70,000.00 bond with State Farm Insurance is still in effect (<i>Bond Stipulation</i> was filed on 5/18/2004 at the time of establishment of this conservatorship in Calaveras County indicating bond of \$70,000.00 was posted at that time.)</p>																															
<table border="1"> <tr> <td>Aff.Sub.W</td> <td>Accounting</td> <td>-</td> <td>\$77,781.14</td> </tr> <tr> <td>Verified</td> <td>Beginning POH</td> <td>-</td> <td>\$13,571.58</td> </tr> <tr> <td>Inventory</td> <td>Ending POH</td> <td>-</td> <td>\$18,251.49</td> </tr> <tr> <td>PTC</td> <td></td> <td></td> <td>(\$14,051.49 is cash)</td> </tr> <tr> <td>Not.Cred.</td> <td>Conservator</td> <td>-</td> <td>\$5,975.00</td> </tr> </table>	Aff.Sub.W		Accounting	-	\$77,781.14	Verified	Beginning POH	-	\$13,571.58	Inventory	Ending POH	-	\$18,251.49	PTC			(\$14,051.49 is cash)	Not.Cred.	Conservator	-	\$5,975.00	(for Julie Carter, per itemization, for 6/1/2007 – 12/31/2010 totaling 239 hours @ \$25.00/hr)											
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Aff.Pub.	Attorney	-	\$2,990.00																														
Sp.Ntc.			(per Declaration filed 8/24/2011; 14.95 hours @ \$200.00/hr for services through 8/15/2011;)																														
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CI Report																																	
2620	X																																
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Updates:																																	
Recommendation:																																	
File 3 – Lane																																	

**NEEDS/PROBLEMS/COMMENTS, continued:**

- 3. Need original billing statements for account period from the Conservatee's care facility, Golden Living Center - Hillcrest, pursuant to Probate Code § 2620(c)(5).**
- 4. *Petition and Declaration in Support of Attorney's Fees* filed 8/24/2011 request reimbursement to the attorney of \$16.00 in costs advanced for photocopies, which pursuant to Local Rule 7.17(B) and (C) is a reimbursable expense allowable only when more than 10 people are entitled to notice, which does not apply in this case as two persons are entitled to notice in this matter. Need revised proposed order which removes the \$16.00 cost reimbursement and awards an attorney fee of \$2,990.00.**

(1) Report of Executor and (2) Petition for Allowance of Fees, Reimbursement of Costs and for (3) Final Distribution on Waiver of Accounting (Prob. C. 10831, 10954 & 11640)

DOD: 07/31/09		<p><b>MICHAEL C. RAYPHOLTZ</b>, Executor, is Petitioner.</p> <p>Accounting is waived.</p> <p>I &amp; A - \$502,714.58 POH - \$103,730.29</p> <p>Executor - waives</p> <p>Attorney - \$5,287.50 (less than statutory) (to be paid outside of the estate)</p> <p>Costs - \$1,348.64 (filing fees, publication, certified copies, probate referee)</p> <p><b>Distribution, pursuant to decedent’s Will, is to:</b></p> <p>Michael C. Raypholz as trustee of the Chester L. Raypholz Living Trust - \$103,730.29</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>				
Cont. from							
<input type="checkbox"/>	Aff.Sub.Wit.						
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<input checked="" type="checkbox"/>	Inventory						
<input checked="" type="checkbox"/>	PTC						
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<table border="1"> <tr> <td>Reviewed by: JF</td> </tr> <tr> <td>Reviewed on: 09/26/11</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation: SUBMITTED</td> </tr> <tr> <td>File 4 - Raypholtz</td> </tr> </table>			Reviewed by: JF	Reviewed on: 09/26/11	Updates:	Recommendation: SUBMITTED	File 4 - Raypholtz
Reviewed by: JF							
Reviewed on: 09/26/11							
Updates:							
Recommendation: SUBMITTED							
File 4 - Raypholtz							

(1) First and Final Report of Administrator on Waiver of Accounting and (2) Petition for Final Distribution, Waiver of Compensation by Administrator and for (3) Allowance of Compensation to Attorney for Ordinary Services

DOD: 03/05/10		SCOTT A. TAYLOR, Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	1. Order does not state the dollar amount to be distributed to each beneficiary. Pursuant to Local Rule 7.6.1 A. - All orders or decrees in probate matters must be complete in themselves. Orders shall set forth all matters ruled on by the court, the relief granted, and the names of persons, descriptions of property and/or amounts of money affected with the same particularity required of judgments in general civil matters. <u>Monetary distributions must be stated in dollars, and not as a percentage of the estate.</u>
Cont. from			
	Aff.Sub.Wit.	I & A - \$126,150.00	
✓	Verified	POH - \$103,353.84 (all cash)	
✓	Inventory		
✓	PTC		
✓	Not.Cred.	Administrator - waives	
✓	Notice of Hrg		
✓	Aff.Mail	Attorney - \$4,691.69 (statutory)	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	Closing - \$1,000.00	
	Conf. Screen		
	Letters 07/12/10	Distribution, pursuant to intestate succession, is to:	
	Duties/Supp		
	Objections		
	Video Receipt	Scott A. Taylor - \$48,831.08	
	CI Report	Larry M. Taylor - \$48,831.08	
✓	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		
			Reviewed by: JF
			Reviewed on: 09/26/11
			Updates: 09/27/11, 09/28/11, 09/29/11
			Recommendation:
			File 5 - Hansen

**Petition to Instruct Trustee as to Sale of Real Property (Probate Code 17200)**

		<b>RONALD A. MINASIAN, JR.</b> , Trustee, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 9/13/11. Minute Order (Judge Kent Hamlin) states the court directs the parties to file declarations in the matter. As of 9/26/11 no declarations have been filed.</b></p>
		Petitioner states on 4/14/09, Marylin Minasian, as settlor, executed the Marylin Minasian 2009 Revocable Trust.	
<b>Cont. from 091311</b>		Marylin Minasian died on 4/18/09.	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Petitioner states this petition is brought to request that the court instruct petitioner, as trustee of the Trust, that he may sell the real property to himself in his individual capacity.	
<input checked="" type="checkbox"/>	<b>Verified</b>	Petitioner states on 2/28/11, he filed a Petition to Instruct Trustee as to Distribution of Residue of Trust Estate. All property of the Trust has been distributed except those which are to be distributed as part of the residue of the Trust estate. Among the assets that are part of the residue of the Trust estate is approximately 19.75 acres of agricultural land which also contained the Trustor's residence.	
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	W/	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
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<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>	Pursuant to the terms of the Trust, the residual Trust estate is to be distributed to Ronald Minasian (Petitioner) and his sister, Deborah Minasian-Row. Deborah Minasian-Row died intestate on 4/1/10. She was and continues to be survived by her husband, Michael Row, by no issue and by neither of her parents. She died in the State of Maryland. Petitioner has received no notice of, or has no knowledge of, any proceedings being opened to administer the estate of Deborah Minasian-Row (although petitioner has received notice that Michael Row has begun to attempt to do so).	
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>	On 4/20/11 in response to Petitioner's original Petition to Instruct Trustee, this Court entered its Order Instructing Trustee to Distribute the Residue of the Trust Estate as follows:  <i>Please see additional page</i>	
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 9/26/11</b>
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 6 - Minasian</b>

- a. To distribute ½ of the residue of the Trust estate available for distribution, free of trust, to such person or persons and/or entity or entities, and in such further proportions, as are duly determined, under the laws of the State of Maryland or other appropriate jurisdiction, to be the person or persons and/or entity or entities entitled to the estate of Marylin Minasian's deceased daughter, Deborah Minasian-Row; and
- b. To distribute the remaining ½ of the Trust estate available for distribution, free of trust, to Ronald A. Minasian, Jr.

Petitioner states Article Eight, Paragraph M, of the Trust gives the Trustee of the Trust in the Trustee's sole and absolute discretion, the express power to purchase Trust assets at their fair market value as determined by an independent appraisal.

Prior to filing the original Petition to Instruct Trustee, Petitioner obtained an appraisal of the property from Wayne A. Carstens, and licensed appraiser. Mr. Carstens' original appraisal of the real property as of 12/24/10 at \$247,000. However, in discussion with Mr. Carstens after the hearing on the original Petitioner to Instruct Trustee, it was learned that Mr. Carstens had reasonably understood that he was to appraise the real property as farm land, without regard to the residence on the real property. On June 1, 2011 Mr. Carstens modified his appraisal to include the real property and found the fair market value of the property to be \$292,000. More recently, Mr. Carstens submitted an update to his appraisal which appraised the real property at \$302,000.

Petitioner states at the time of Marylin Minasian's death, she owned the real property and other assets outside of the Trust. A probate was commenced and during the administration of the estate Rick Smith was appointed as the Probate Referee. As part of the inventory and appraisal filed in the probate proceedings, Rick Smith assigned a fair market value of the property as of the date of death of Marylin Minasian on 4/18/2009 at \$1,500,000. Due to the huge difference between the value of Mr. Carstens' appraisal and Rick Smith's appraisal Petitioner contacted Mr. Smith to issue a new report on the real property's value. Mr. Smith's revised report values the real property at \$350,000.

Petitioner proposes to purchase the real property for \$326,000. This purchase price is the midway point between the value assigned by Mr. Carstens and the value assigned by Mr. Smith.

Petitioner proposes reduce the purchase price by monies owed to him from the trust estate as follows:

- a. Payments due to him under a Secured Promissory Note of \$109,835.31.

Petitioner states that shortly after Marylin Minasian's death she owned a combined federal and state tax liability of \$95,185.00. The trust contained little or no cash so there was no ability to pay this liability. Therefore, on 6/10/10, Petitioner loaned the trust the sum of \$98,598.00, which was then the combined amount of the estates federal and state tax liability, including interest and penalties.

*Please see additional page*

## 6 (additional page) In the Matter of the Marylin Minasian Trust

Case No. 11CEPR00152

The loan is evidenced by a Promissory Note which, in turn was secured by a Deed of Trust on the Real property. The promissory note provides for a simple interest rate of 10% per year on unpaid principal until paid in full. The Promissory Note also provides that it shall be repaid upon the sale of the real property.

No portion of the principal or interest on the Promissory Note has been paid and there will be an accrued but unpaid interest on the Promissory Note as of July 31, 2011, in the amount of \$11,237.31, and at \$27.01 per day until the consummation of the sale to Petitioner.

- b. Advances made on behalf of the Trust at \$64,964.56. Petitioner states he is entitled to reimbursement from the Trust.
- c. Trustee's Fees at \$54,000.00. Petitioner states Article Twelve, Paragraph C, of the Trust provides that the Trustee may pay himself a reasonable compensation from time to time without prior court order.

The total amount due to petitioner from the trust for the above items is \$228,799.87.

- d. Petitioner  $\frac{1}{2}$  interest in the net value of the real property is \$48,600.06. Petitioner proposed to apply this interest to the purchase price.
- e. To the extent that the above amounts are not sufficient to pay the full amount of the purchase price, Petitioner intends to pay the Trust cash in an amount sufficient to pay the remainder of the purchase price.

**Petitioner prays for an order instructing the Trustee that the Trustee may sell the real property of the Trust to himself, in his individual capacity, on the following terms:**

1. The purchase price of the real property shall be \$326,000.00;
2. The Trustee may apply to the purchase price the amount of principal and interest due him on his loan to the Trust \$109,835.31 as of 7/31/11, and an additional 27.01 for each day after 7/31/11, until the consummation of the sale.
3. The Trustee may apply to the purchase price his advances on behalf of the Trust in the amount of \$64,383.77;
4. The Trustee may apply to the purchase price his fee in the amount of \$54,000;
5. The Trustee may apply to the purchase price his  $\frac{1}{2}$  beneficial interest in the real property
6. The Trustee shall pay the remainder of the purchase price in cash at the close of escrow.

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

Age: 92	<p align="center"><b>TEMPORARY EXPIRES 10/04/11</b></p> <p><b>ROBERT B. JONES</b>, nephew, is Petitioner and requests appointment as Conservator of the Person with medical consent powers and as Conservator of the Estate with 2590 and 2351-2358 powers with bond set at \$100,000.00.</p> <p><b>Estimated Value of the Estate:</b>          Personal property - \$10,000.00          Annual income - 65,000.00          Additional recovery amount - 25,000.00  <b>Total - \$100,000.00</b></p> <p>Declaration of Christopher S. Choi, M.D. filed 05/25/11, indicates that the proposed Conservatee lacks the ability to give informed medical consent.</p> <p>Petitioner states that a conservatorship of the person and estate is necessary and in the best interest of the proposed Conservatee because he is 92 years old and cannot properly provide for his personal needs due to his age. Petitioner also alleges Mr. Lininger has been the victim of elder abuse and has given away significant assets to a 37 year old woman he met 18 months ago.</p> <p><b>Court Investigator Jennifer Young's report filed 06/01/11</b> states it appears Mr. Lininger is in need of a conservatorship of the person and estate. It is recommended that Petition be <b>GRANTED</b> with medical consent powers, as supported by the capacity declaration of Dr. Christopher Choi.</p> <p><b>Declaration of Court Appointed Counsel Joanne Sanoian Regarding Petition of Robert B. Jones to Petition for Appointment of Temporary Conservator and Permanent Conservator filed 06/28/11</b> states Mr. Lininger is very articulate, intelligent and knew the circumstances of his estate without having to look at documents; he was an attorney for over 40 years. Mr. Lininger states that he indeed has provided for the 37 year old woman as described in the Petition and that he thinks of her as a daughter or granddaughter more than a friend. Although he hasn't spoken to her for some time, he has no regrets for having purchased a condominium for her and providing for her future by creating an irrevocable trust. She accompanied and assisted him on several foreign and domestic extended vacations he would not otherwise have had the opportunity to enjoy. He has no intention of spending more money on her but does not want any of the gifts to her revoked. Mr. Lininger opposes the Petition for Conservatorship in that it attempts to void the gifts made to his friend. Mr. Lininger has no objection to his nephew managing his assets, as he believes he needs help in this area, but he absolutely maintains his right to amend his estate planning documents.</p> <p align="center"><b>See Page 2 for more information</b></p>	NEEDS/PROBLEMS/COMMENTS:	
DOB: 10/12/18			<u>Court Investigator Advised Rights on 06/20/11</u>
			<u>CONTINUED FROM 08/16/11 STATUS CONFERENCE</u>
			Minute order from 08/16/11 states: Mr. Pimentel notes for the record that the general hearing was taken off calendar due to discovery issues and the need to schedule a medical examination. Ms. Sanoian advises the Court that there is an irrevocable Trust created for Sarah Nordone. The Court extends the temporary to 10/04/11 and notes for the record that it will not include the "set aside" of real property.
Cont. from 06/07/11, 06/28/11, 08/16/11			As of 09/27/11, the following items remain outstanding:
Aff.Sub.Wit.			1. Need Order and Letters.
✓ Verified			2. Need <i>Notice of Hearing</i> .
Inventory			3. Need <i>Citation</i> and proof of personal service of <i>Citation</i> and <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Conservator</i> on proposed conservatee.
PTC			4. Need proof of service by mail 15 days before the hearing of <i>Notice of Hearing</i> on:
Not.Cred.			a. Gloria Jones
Notice of Hrg		x	b. Susan Jones
Aff.Mail		x	c. Donald Jones
Aff.Pub.			d. Sarah Jones
Sp.Ntc.			e. Cynthia Stricklin
Pers.Serv.		x	
Conf. Screen			
Letters		x	
✓ Duties/Supp			
Objections			
✓ Video Receipt			
✓ CI Report			
9202			
Order	x		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation	x		
FTB Notice			
		Reviewed by: JF	
		Reviewed on: 09/26/11	
		Updates:	
		Recommendation:	
		File 7 - Lininger	

**7 Virgil Albert Lininger (CONS/PE) Case No. 11CEPR00360**

**Atty Pimentel, Paul J. (for Robert B. Jones – nephew/Petitioner)**

**Atty Sanoian, Joanne (court appointed for conservatee)**

**The Petition requests the following additional powers:**

- 1. The power to operate, for a period longer than 45 days, at the risk of the estate, a business, farm, or enterprise constituting an asset of the estate.**
- 2. The power to grant and take options.**
- 3. The power to sell at public or private sale real or personal property of the estate without confirmation of the Court of the sale.  
(a) For purposes of this subdivision, authority to sell real property includes authority to contract for the sale and fulfill the terms and conditions of the contract, including conveyance of the property.**
- 4. The power to create by grant or otherwise, easements and servitudes.**
- 5. The power to borrow money.**
- 6. The power to give security for the repayment of a loan.**
- 7. The power to purchase real or personal property.**
- 8. The power to alter, improve, raze, replace, and rebuild property of the estate.**
- 9. The power to let or lease property of the estate, or extend, renew, or modify a lease of real property, for which the monthly rental or lease term exceeds the maximum specified in Sections 2501 and 2555 for any purpose (including exploration for and removal of gas, oil, and other minerals and natural resources) and for any period, including a term commencing at a future date.**
- 10. The power to lend money on adequate security.**
- 11. The power to exchange property of the estate.**
- 12. The power to sell property of the estate on credit if any unpaid portion of the selling price is adequately secured.**
- 13. The power to commence and maintain an action for partition.**
- 14. The power to exercise stock options.**
- 15. The power to participate in and become subject to and to consent to the provisions of a voting trust and of a reorganization, consolidation, merger, dissolution, liquidation, or other modification or adjustment affecting estate property.**
- 16. The power to pay, collect, compromise, or otherwise adjust claims, debts, or demands upon the proposed conservatorship described in subdivision (a) of Section 2501, Section 2502 or 2504, or to arbitrate any dispute described in Section 2406.**

**In addition, the Petition requests the following powers/provisions/Orders:**

- 1. The proposed conservatee be required to obtain prior court approval for any financial transactions.**
- 2. A provision that the proposed conservator has the right to avoid any transaction made by the proposed conservatee if the transaction is not one into which a reasonably prudent person might enter.**
- 3. Court determination whether the proposed conservatee has the capacity to enter into a valid marriage or registered domestic partnership.**
- 4. The proposed conservator has the right to place the proposed conservatee any place within the State of California without permission of the Court.**

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

Age:	<b>ROBIN L. TRIMBLE</b> , named		<b>NEEDS/PROBLEMS/COMMENTS:</b>
DOD:	executor without bond, is petitioner.		
	Full IAEA – o.k.		<u>CONTINUED FROM 08/24/11</u>
Cont. from	Will dated: 9/2/1994		As of 09/27/11, the following issue remain outstanding:
<input type="checkbox"/> Aff.Sub.Wit.	<input checked="" type="checkbox"/>		<ol style="list-style-type: none"> <li>1. Need proof of service of the Notice of Petition to Administer the Estate on Mildred Trimble, named alternate executor. Probate Code §8110(b).</li> <li>2. Will is not self-proving, pursuant to Probate Code 8220. Need <i>Affidavit of Subscribing Witness</i>.</li> </ol>
<input checked="" type="checkbox"/> Verified	<input type="checkbox"/>		
<input type="checkbox"/> Inventory	<input type="checkbox"/>	Residence: Orange Cove	
<input type="checkbox"/> PTC	<input type="checkbox"/>	Publication: Fresno Business Journal	
<input type="checkbox"/> Not.Cred.	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Notice of Hrg	<input type="checkbox"/>	<u>Estimated value of the estate:</u>	
<input checked="" type="checkbox"/> Aff.Mail	<input type="checkbox"/>	Real property - \$116,000.00	
<input checked="" type="checkbox"/> Aff.Pub.	<input type="checkbox"/>	Probate Referee: <b>Steven Diebert</b>	
<input type="checkbox"/> Sp.Ntc.	<input type="checkbox"/>		
<input type="checkbox"/> Pers.Serv.	<input type="checkbox"/>		
<input type="checkbox"/> Conf. Screen	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Letters	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Duties/Supp	<input type="checkbox"/>		
<input type="checkbox"/> Objections	<input type="checkbox"/>		
<input type="checkbox"/> Video Receipt	<input type="checkbox"/>		
<input type="checkbox"/> CI Report	<input type="checkbox"/>		
<input type="checkbox"/> 9202	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Order	<input type="checkbox"/>		
<input type="checkbox"/> Aff. Posting	<input type="checkbox"/>		
<input type="checkbox"/> Status Rpt	<input type="checkbox"/>		
<input type="checkbox"/> UCCJEA	<input type="checkbox"/>		
<input type="checkbox"/> Citation	<input type="checkbox"/>		
<input type="checkbox"/> FTB Notice	<input type="checkbox"/>		
			Reviewed by: JF
			Reviewed on: 09/27/11
			Updates:
			Recommendation:
			File 8 – Trimble

**Petition for Order Compelling Trustee to Account and Report for Surcharge, and for Removal [Cal .Prob. Code 15642, 16064, 16064, 17200(b)(7) & (b)(10)]**

DOD: 3/3/10 -Wilma	<p><b>DOUGLAS S. POSTON, WILLIAM K. POSTON, JR., and KRISTIN CALDERON</b>, beneficiaries of the William K. Poston and Wilma B. Poston Living Trust, dated September 3, 1999 (“Trust”), are Petitioners.</p> <p><b>Petitioners state:</b></p> <ul style="list-style-type: none"> <li>• Settlor/Trustor Wilma Poston (“Wilma”) passed away on 3/3/10, and Settlor/Trustor William Poston (“William”) passed away on 9/15/10;</li> <li>• Upon Wilma’s death, the Trust was to be divided into 2 separate trusts: Trust A (the survivor’s trust) and Trust B (the bypass trust), however, this trust division was never done, and upon William’s death months later, the Trust became irrevocable by operation of law and Trust terms;</li> <li>• The Trust was amended on 11/10/04 (“2004 Amendment”), pursuant to a communication received by Petitioner William Jr., from William, which purported to describe the 2004 Amendment, and stated that Lynda Evans (“Ms. Evans”) had been substituted for William Jr. as first successor trustee of the Trust;</li> <li>• Pursuant to the 2004 Amendment, Ms. Evans is purportedly the sole successor trustee of the Trust; the Amendment further states Ms. Evans is a resident Fresno County, and that Fresno County is the principal place of administration;</li> <li>• Ms. Evans was the caregiver for both Wilma and William in the years before they died, and in such capacity had management and control over Trust assets as the successor Trustee, since Wilma and William were not competent to handle their own affairs during their last years;</li> <li>• Ms. Evans took possession and control of the Trust assets, handled all financial affairs related to the Trust, and currently maintains said management and control;</li> <li>• Since the deaths of both Settlers, Ms. Evans has failed to give notice under PrC §16061.7 to Petitioners as heirs and has refused to provide Petitioners with a copy of the Trust any information about the Trust assets, has refused to report on the status of the Trust administration, or make any distributions to Petitioners;</li> <li>• Since William’s death in September 2010, Petitioners have made multiple requests to Ms. Evans for information about the Trust and her administration of it – including a copy of the Trust (<i>Petitioners’ requests attached to Petition as Exh. B</i>);</li> <li>• Ms. Evans has either completely failed to respond to the requests or has responded in an evasive and cursory manner (<i>Ms. Evan’s responses attached to Petition as Exh. C</i>);</li> <li>• Ms. Evans has denied being appointed Trustee pursuant to the 2004 Amendment, and has failed to provide Petitioners with the 2004 Amendment, in order to avoid the fiduciary duties required of her as Trustee;</li> <li>• Ms. Evans may be using Trust assets for her own person benefit and may be mismanaging the Trust estate.</li> </ul>	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
DOD: 9/15/10 - William			
Cont. from			
Aff.Sub.Wit.			
√ Verified			
Inventory			
PTC			
Not.Cred.			
√ Notice of Hrg			
√ Aff.Mail			W
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
√ Objections			
Video Receipt			
CI Report			
9202			
√ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

See Attached Page

**Reviewed by:**  
NRN

**Reviewed on:**  
9/27/11

**Updates:**  
9/29/11

**Recommendation:**  
File 9 - Poston

**9 William K. Poston & Wilma B. Poston Living Trust (Trust) Case No. 11CEPR00737**  
**Atty Erlach, Mara M. (of DAK, for Douglas Poston, William Poston, Jr., and Kristin Calderon –Petitioners)**

**Relevant Statutory Law:**

- Ms. Evans, as Successor Trustee, is required to provide the Petitioners with a complete copy of the Trust pursuant to PrC §16061.5;
- Additionally, upon a reasonable request by a beneficiary, a trustee shall provide the beneficiary with a report of information about the assets, liabilities, receipts, and disbursements of the trust, acts of trustee, and the particulars relating to the trust administration relevant to the beneficiary's interest, including the trust terms (see PrC §16061);
- Furthermore, pursuant to PrC 17200 (b)(7), a beneficiary may also seek to compel the trustee to account for his administration of the Trust.

**Trust provision (Trust attached to Petition as Exh. A):**

- Section 6.02 of the Trust provides that the Trustee shall periodically, at least annually, prepare and deliver to each Trustor and beneficiary mentioned in this [Trust] Declaration an accounting in writing of Trustee's administration of the Trust.

**Petitioners Request an Order:**

1. Directing Ms. Evans to provide a true and complete copy of the Trust and all amendments thereto;
2. Directing Ms. Evans to prepare and file a complete account and report of her administration of the Trust for the period of 11/10/04 through and including 7/31/11;
3. Directing Ms. Evans to set the Account and Report for hearing and provide notice of same;
4. Removing Ms. Evans as Trustee and appointing Petitioner William Poston, Jr. as Successor Trustee to serve without bond;
5. Surcharging Ms. Evans for any damages sustained as a result of her mismanagement of the Trust assets and failure to perform her Trustee duties;
6. Awarding Petitioners their reasonable fees and costs.

**Response to Petition to Compel**, filed 9/28/11 by Lynda Evans ("Respondent"), states:

- Respondent has insufficient knowledge regarding the trust division to either admit or deny whether the Trust was divided upon Wilma's death;
- Respondent has no knowledge regarding the 2004 Amendment or that Respondent had been named a successor trustee of the Trust, and therefore denies she is or was named as successor trustee;
- Respondent admits that after the time her mother was admitted to a long term care facility, Respondent aided and assisted her father (William) on a regular basis and that said aid and assistance increased the last 3 or 4 years of his life, and also visited her mother at the long term facility and took her father to visit;
- Respondent denies every allegation by Petitioners in regard to handling Wilma and William's finances or having management or control of them, and further contends she never assumed any responsibility, management or control of her parents' assets;
- Respondent denies all allegations regarding the competency of her parents, excepting that her mother, Wilma, was admitted to a long term care facility prior to 2000, with a diagnosis of dementia, and further contends that at that time Respondent's father William assumed responsibility for and management of the family finances up until the time of his death;
- Respondent denies all of Petitioners' allegations regarding Respondent's duty or responsibility to provide notice and/or information and/or to make distributions to Petitioners or any other beneficiaries under any circumstances as Respondent was under no legal obligation or duty to do so;
- Respondent further objects to Petitioners' general tone and insinuations alleged in their Petition; as stated, Respondent was never the Trustee of the Trust or any other trust, and she is under no obligation or duty to account to the Petitioners for acts she never conducted, or provide them with copies of a document that to her knowledge, was ever in existence;
- As to all causes of action, Respondent asserts her first affirmative defense to all of Petitioners' causes of action, which is that their complaint fails to state sufficient facts to constitute a cause of action against her.
- **Respondent requests** that Petitioners' requested relief be denied.

Attys LeVan, Nancy J. (for Lorena Garcia, Daughter/Administrator)  
Emerzian, David L (for Omega Ochoa Garcia - Surviving Spouse)

Probate Status Hearing Re: Retrial of the Damages Issue

DOD: 2/7/2007	<p><b>LORENA GARCIA</b>, daughter, was appointed administrator with full IAEA authority with \$390,000 bond on 8/28/07, which was amended later to limited IAEA authority with bond to be determined, on 7/21/08.</p> <p>Disputes arose between surviving spouse, <b>OMEGA OCHOA GARCIA</b>, and administrator relating to validity of marriage and characterization of property owned by decedent.</p> <p><b>Chronology:</b></p> <p>On 5/19/08, Lorena Garcia filed a petition to amend order to give her limited authority because she could not take possession of assets of estate that were still in possession of Omega Garcia (surviving spouse) or tied up in litigation.</p> <p>On 7/9/08, Omega Garcia filed a spousal property petition alleging all property belonging to decedent was community property of decedent and herself.</p> <p>On 7/11/08, Lorena Garcia filed an objection, alleging marriage was invalid due to duplicate marriage certificates.</p> <p>On 7/21/08, order gave Lorena Garcia limited IAEA authority without bond.</p> <p>On 9/15/08, Lorena Garcia filed a petition to establish estate's claim of ownership of property.</p> <p>On 1/27/09 a trial was set re: the spousal property petition. Trial was vacated and settlement agreement arose from trial.</p> <p>Parties reached a resolution of all disputes on 7/14/09. Stipulation and order approving settlement agreement was signed on 7/14/09 stating, in summary:</p> <ul style="list-style-type: none"> <li>• Omega Ochoa would withdraw her spousal property petition and within 30 days, provide a complete list of all personal property held either individually or jointly in the names of decedent and herself; provide a list of known creditors that are currently unpaid or have been paid from any funds received from sale of personal property; provide a list of all receipts from sale of any personal property; shall be responsible for her attorney fees incurred re: the spousal property petition and this settlement. <b><i>Omega Ochoa Garcia's statement of property was filed on 8/4/09 and statement of known creditors was filed 8/14/09.</i></b></li> <li>• Lorena Garcia would continue the administration of the probate estate, file an I&amp;A, and upon filing a final accounting and petition for distribution, distribute 50% to Omega Garcia and 50% to the estate to be distributed via intestacy. <b><i>Final I&amp;A was filed 12/7/09 for \$5,125.00.</i></b></li> </ul>	<p><b>NEEDS/PROBLEMS/ COMMENTS:</b></p> <p>Continued from 7/26/11. Minute order states Mr. Littlewood advises the court that the Estate was awarded \$184,798.00 but, a Motion for New Trial is being filed. The Court advises Ms. LeVan to prepare a verified status report.</p> <p><b>1. Need Current Status Report.</b></p> <p><u>Outstanding issues:</u></p> <ul style="list-style-type: none"> <li>• <b>Order for probate signed 7/21/08 granting Limited IAEA states amount of bond is to be determined. Bond has not been posted.</b></li> <li>• <b>Disposition of Spousal Property Petition (subject property is a money judgment award of \$366,973) filed in this case. (Matter has not been withdrawn or dismissed, and therefore appears to still be before the court.)</b></li> <li>• <b>Filing of accounting by administrator.</b></li> </ul>
Cont. from 011910, 020910, 081010, 110910, 053111, 072611		
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	X	
UCCJEA		
Citation		
Grad. Filing Fee		
Reviewed by: SEF/KT		
Reviewed on: 9/26/11		
Updates:		
Recommendation:		
File 10 – Garcia		

**Attys LeVan, Nancy J. (for Lorena Garcia, Daughter/Administrator)  
Emerzian, David L (for Omega Ochoa Garcia - Surviving Spouse)**

**Status report re: retrial of damages in case 04CECG03607 filed 2/2/2010 by Lorena Garcia** states she and her attorney met with Attorney Littlewood on 1/5/2010 to discuss Mr. Littlewood representing Ms. Garcia in the re-trial of the damages portion of Civil Case no. 04CECG03607. Attorney Littlewood was to confer with his office re: representing estate on a purely contingency basis, and then was going to e-mail said agreement to Ms. Garcia to sign.

It was also learned by Attorney LeVan that there are proceeds due from an eminent domain matter (Case no. 07CECG02452DSB) by Fresno County in which the estate would have a 50% interest due to the settlement agreement. The sum of \$22,555 has been deposited for compensation for the strip of property that is a portion of the subject property in Case no. 04CECG3607. Attorney LeVan was contacted by Bruce Johnson from County Counsel on 2/1/2010 re: adding Ms. Garcia as a defendant in this matter. The case is on hold pending the outcome of the retrial of damages portion of the 04CECG03607 case.

Attorney Littlewood is in the process of preparing the contingency representation agreement and obtaining a date for the retrial in Case no. 04CECG03607.

**Status Report filed 8/3/10** states the office of William Littlewood has made multiple inquires with the Civil Clerk's office regarding getting the Garcia v. Roberts case back on the civil docket, but with no success. At present, Mr. Littlewood is awaiting word from a supervisor in that office to advise whether the date will be set based on our current the current request, or whether they will need to file a formal noticed motion. It seems a horrible waste of time (and money) to have to make a motion for an order granting a trial setting conference. If the probate court has any suggestions on how to expedite this process, any suggestions would be welcome.

Concurrently, Attorney Littlewood has a conflicts waiver letter that has been prepared and is currently being reviewed by his firm's conflict committee. Once finalized and approved, he will send it to Ms. LeVan and request her assistance in obtaining the necessary waivers from all the heirs so that Mr. Littlewood may proceed with the representation.

As soon as the civil matter is reset for retrial of the amount of damages, the case can move forward.

Atty Nava, Laura (former Administrator)  
 Atty Kruthers, Heather H (for the Public Administrator, 1<sup>st</sup> Successor Administrator)  
 Atty Georgeson, C. Russell (for James R. Homola and Melinda S. Homola, former business partners )  
 Atty Johnson, Summer A. (for Bruce Bickel, 2<sup>nd</sup> Successor/current Administrator)

Probate Status Hearing Re: Filing of the First Account

DOD: 04/21/09	<p><b>LAURA NAVA was appointed Administrator with bond set at 100,000.00 on 6/9/09. <u>Bond was never filed and Letters never issued.</u></b></p> <p>On 1/21/10 the court vacated the order appointing Laura Nava as personal representative and removed her as administrator of the estate. The Court then appointed the Public Administrator with general powers. Attorney Kruthers was to submit an order. <b><u>The Court set a status hearing</u></b> at that time for the filing of the inventory and appraisal on 05/20/10 and a status hearing <b><u>for Filing of the First Account on 03/17/10.</u></b></p> <p><b>Status Report of the Public Administrator filed on 5/12/10</b> states Noe Jimenez the Deputy Public Administrator assigned to this matter, has attempted to gain cooperation from the former administrator regarding the assets of the estate. The Public Administrator requests an additional 60 days in which to file the inventory and appraisal.</p> <p><b>Minute Order from status hearing on 05/20/10</b>, states, if I &amp; A is filed by 07/28/10, then no appearance is necessary on 07/29/10.</p> <p><b>Partial No. 1 Inventory &amp; Appraisal filed by Public Administrator on 05/25/10 - \$3,325.00.</b></p> <p><b>Final Inventory and Appraisal filed on 7/25/11 - \$3,100.00</b></p> <p>On 05/13/10, Public Administrator filed <i>Petition to Appoint Successor Administrator</i> and Bruce Bickel was appointed Administrator with general powers with no Bond required on 06/30/10.</p> <p>On 02/25/11, Successor Administrator filed <i>Amended Petition for Order to Authorize Transfer of Property Claimed to Belong to Another Person (Probate Code § 850).</i></p> <p><b>Order Authorizing Transfer of Property Claimed to Belong to Another Person was signed on 3/29/11.</b></p> <p><b>Status Report of Bruce Bickel, Successor Administrator, filed on 9/30/11</b> states the Successor Administrator requests additional time to clear the title issues regarding decedent's vehicle and additional time to file the First Account and Report concurrently with a Petition to Close and Distribute the Estate. Due to the overwhelming number of creditor's claims filed in this estate and the modest resources available, the Successor Administrator believes that the most financially prudent course of action is to file the First Account concurrently with the Petition to Distribute the Estate (thereby relieving the Estate of the obligation of obligation of the filing fee and the additional cost of appearance at the hearing). <b>Consequently, Successor Administrator respectfully requests the status hearing be continued to December 5, 2011.</b></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from 031711, 060611, 080411		
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: JF/KT
		Reviewed on: 9/26/11
		Updates: 10/3/11
		Recommendation:
		File 11 - Richardson

**Dept. 303, 9:00 a.m. Tuesday, October 4, 2011**

Atty Griffin, Casandra (pro per Petitioner/guardian)

Petition for Visitation, Modify

Lavandra age: 14 years DOB: 10/3/1997	CASANDRA GRIFFIN, maternal grandmother/guardian, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Upcoming hearing 12/11/11 for Mom's Petition to Terminate the Guardianship.</u>  <b>Note:</b> Mom's Petition to Terminate the Guardianship was heard on 6/30/11 and continued to 12/11/11. Minute Order states the Court ordered a minimum of one 8 hour unsupervised visit between the mother and the minors per week. Mom was ordered to attend AA/NA two times per week and bring proof to the next hearing.  1. Need <i>Notice of Hearing</i> .  2. Need proof of service of the <i>Notice of Hearing</i> along with a copy of the petition on: a. Latreava Griffin (mother) b. Lavandra Willis (minor, age 14) c. Jaeshauna Dixon (minor, age 12)
Jaeshauna age: 12 years DOB: 7/5/1999	CASANDRA GRIFFIN was appointed as guardian on 11/19/2007.	
Jabaree age: 6 years DOB: 5/1/2005	Fathers: UNKNOWN – <i>minute order of 6/30/11- the court dispensed with notice to fathers as mother does not know who the fathers are.</i>	
Cont. from	Mother: LATREAVA GRIFFIN	
<input type="checkbox"/> Aff.Sub.Wit.	<b>Petitioner is requesting</b> the visitation with the children's mother be stopped. Petitioner alleges the mother is abusing the children during the visits. On 8/13/11 mom beat both Lavandra Willis and Jaeshuna Dixon with her fist and a clothes hanger and left visible marks. CPS was called and the children made a statement to the police. Petitioner believes the mother needs anger management and to be in a drug program.	
<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	X	
<input type="checkbox"/> Aff.Pub.		
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<input type="checkbox"/> CI Report		
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<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
		Reviewed on: 9/27/11
		Updates:
		Recommendation:
		File 12 – Griffin, Willis, Dixon & Means

ProPer Yancey, Kendra (pro per Petitioner)  
 ProPer McClain-Yancey, Tori (pro per Petitioner)

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

Age: 7 months DOB: 03/02/11	<u>Temporary Expires 10/04/11</u>	NEEDS/PROBLEMS/COMMENTS:
	<b>TORI McCLAIN-YANCEY</b> and <b>KENDRA YANCEY</b> , foster aunts (foster sisters of child's mother), are Petitioners.	<u>This Petition Pertains To Amani Ellen Battle-Yancey Only.</u>
Cont. from	Father: UNKNOWN	<p>1. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Guardianship Petition</i> or Consent and Waiver of Notice or Declaration of Due Diligence for:</p> <p>a. Maternal grandparents.</p> <p>Court Investigator Julie Negrete to provide:</p> <ol style="list-style-type: none"> <li>Court Investigator's Report</li> <li>Clearances</li> </ol> <p><u>Note:</u> The Court dispensed with notice to the mother, K-iesha Battle unless and until an address becomes known. Notice of Hearing filed on 9/19/11 shows mother being service by mail at an address in Fresno. Probate Code §1511 requires personal service.</p>
Aff.Sub.Wit.	Mother: <b>K-IESHA BATTLE-</b> <i>Notice dispensed with by minute order dated 8/16/11.</i>	
✓ Verified	<i>Foster grandmother consents and waives notice.</i>	
Inventory	Paternal grandfather: Unknown Paternal grandmother: Unknown	
PTC	Maternal grandfather: Unknown Maternal grandmother: Unknown	
Not.Cred.	<b>Petitioners state</b> the child has been in their care since she was 3 months old. Mother is not able to provide for her. Petitioner would like the minor to be raised with her sister Aubree who she already has guardianship of.	
✓ 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:
		Updates:
		Recommendation:
		File 13 – Battle-Yancey

Atty Chitay, Raquel (pro per Petitioner/maternal grandmother)  
 Atty Chitay, Julissa (pro per Objector/mother)

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

Romeo age: 10 years DOB: 1/17/01	<u><b>TEMPORARY EXPIRES 10/4/11</b></u>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  Continued from 8/30/11. Minute Order states also present in the courtroom are Irwin Chitay and Rachel Chitay. Patricia Chitay is sworn and interprets for the Petitioner. Proof of attendance at AA/NA is show to the Court by mother, Julissa Chitay. Father, Jeff Gutierrez orally objects to the petition. The Court orders that a court investigator conduct an investigation into the health of Rachel Chitay as well as her ability to care for the children. The Court further orders that the court investigator interview Romeo and Ely. Parties are ordered not to discuss this matter with the children.
Ely age: 8 years DOB: 8/13/03	<b>RAQUEL CHITAY</b> , maternal grandmother, is Petitioner.	1. Need Notice of Hearing.  2. Need proof of service, 15 days prior to the hearing, of the Notice of Hearing along with a copy of the petition or consent and waiver of notice or declaration of due diligence on: a. Evan and Ely's paternal grandfather
Evan age: 6 months DOB: 1/31/11	Father (Ely & Evan): <b>MANUEL GARCIA</b> - <i>notice dispensed with per minute order dated 7/26/11.</i>	
Cont. from 072611, 083011	Father (Romeo): <b>JEFF GUTIERREZ</b> , <i>consent and waiver of notice filed 05/20/11</i>	
<input type="checkbox"/> Aff.Sub.Wit.	Mother: <b>JULISSA CHITAY</b>	
<input checked="" type="checkbox"/> Verified	Paternal grandfather (Ely &Evan): Not Listed	
<input type="checkbox"/> Inventory	Paternal grandmother (Ely &Evan): Hermina Gutierrez, <i>consent and waiver of notice filed 05/20/11</i>	
<input type="checkbox"/> PTC	Paternal grandfather (Romeo): Francisco Gutierrez, <i>consent &amp; waiver of notice filed 05/20/11</i>	
<input type="checkbox"/> Not.Cred.	Paternal grandmother (Romeo): Raquel Gutierrez, <i>consent &amp; waiver of notice filed 05/20/11</i>	
<input type="checkbox"/> Notice of Hrg X	<b>Petitioner states</b> mom is in jail and cannot care for the children. Mom is an alcoholic and is unstable. The biological fathers of the children are not involved in their lives.	
<input type="checkbox"/> Aff.Mail X	<i>Please see additional page</i>	
<input type="checkbox"/> Aff.Pub.		
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<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 9/26/11
		Updates:
		Recommendation:
		File 14 – Gutierrez, Garcia & Chitay

**Objections of Julissa Chitay, mother, filed on 7/20/11** states she feels her mother [petitioner] is not suitable to care for her children. She is at an age where she cannot care for herself. Her mother [petitioner] needs help with walking, driving and even handling the simplest situation that life has. Objector admits she is an alcoholic, as it is heredity her mother and father were alcoholics also. Objector states she is in the process of recovery. Objector states her mother [petitioner] has kidney failure and attends dialysis three times per week for 5 hours. Her mother [petitioner] cannot take the children to school or even pick them up. Her mother [petitioner] is not even able to carry her 6 month old.

**Court Investigator Jennifer Young's Report filed on 7/19/11**

**Supplemental Report of Jennifer Young filed on 8/24/11**

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

<b>Age: 7</b>		<p align="center"><b><u>TEMPORARY EXPIRES 10/04/11</u></b></p> <p><b>DEANNA GOSSELIN and JACOB GOSSELIN</b>, sister and brother-in-law, are Petitioners.</p> <p>Father: <b>KELLY HUGGINS</b> – <i>currently incarcerated</i></p> <p>Mother: <b>MELISSA TOBY</b> – <i>declaration of due diligence filed 07/11/11</i></p> <p>Paternal grandfather: <b>FLOYD HUGGINS</b> – <i>deceased</i></p> <p>Paternal grandmother: <b>JOYCE HUGGINS</b></p> <p>Maternal grandparents: <b>NOT LISTED</b></p> <p>Petitioners state the child’s father is an alcoholic and is currently in Fresno County Jail. Petitioner state that the both parents are unfit. Father was verbally abusive to the minor when she was in his care and moved around a lot and consequently the minor was moved from school to school. Petitioner states that the father left the minor with the paternal grandmother, but she abandoned the child with an aunt who is unable to care for a child. Petitioners state that they want to obtain guardianship of the minor to provide her with a safe and stable environment.</p> <p><b>Court Investigator JoAnn Morris’ report was filed 08/04/11.</b></p> <p><b>Court Investigator JoAnn Morris’ supplemental report was filed 09/21/11.</b></p> <p><b>Father, Kelly Huggins</b>, has filed multiple objections and declarations stating that he wants his mother, Joyce Huggins-Betz, to be guardian of the minor while he is in prison.</p> <p><b>Mother, Melissa Toby, filed an objection on 08/23/11</b> stating that she can provide a stable environment for the minor.</p> <p><b>Paternal grandmother, Joyce Huggins-Betz filed an objection on 08/16/11.</b></p> <p align="center">See Page 2 for more information</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>CONTINUED FROM 08/16/11</b> Minute order from 08/16/11 hearing states: Also present in the courtroom is Keith Huggins. The Court on its own motion grants a temporary guardianship in favor of DeAnna and Jacob Gosselin. The temporary expires on 10/04/11. The Court directs that a court investigator contact all parties in an effort to gather additional information that would be helpful to the Court. Mother, Melissa Toby provides an address and phone number. Ms. Huggins-Betz provides an address and phone number.</p> <p>The following items remain outstanding:</p> <ol style="list-style-type: none"> <li>1. UCCJEA is incomplete and only lists the minors address from 02/14/11 to present. Need minor’s residence information for the past 5 years.</li> <li>2. Need <i>Notice of Hearing</i>.</li> <li>3. Need proof of personal service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Guardianship Petition or Consent and Waiver of Notice or Declaration of Due Diligence</i> for: <ul style="list-style-type: none"> <li>- Kelly Huggins (father) – Father was personally served at on 07/14/11 with the Notice of Hearing, however, the proof of service does not indicate that a copy of the petition was also served. Mr. Huggins has, however, filed multiple objections/declarations in this matter.</li> <li>- Melissa Toby (mother)*</li> </ul> </li> <li>4. 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>Guardianship Petition or Consent and Waiver of Notice or Declaration of Due Diligence</i> for: <ul style="list-style-type: none"> <li>- Joyce Huggins (Paternal grandmother)</li> <li>- Maternal grandparents</li> </ul> </li> </ol>
<b>DOB: 09/19/03</b>			
<b>Cont. from 081611</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
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<input type="checkbox"/>	<b>Notice of Hrg</b> x		
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<input checked="" type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<p><b>Updates:</b></p> <p><b>Contacts:</b> copy of notes in file</p> <p><b>Recommendation:</b></p> <p><b>Reviewed by:</b> JF</p> <p><b>File 15 - Huggins</b></p>	

**15 Irene Lynn Huggins (GUARD/P)**  
**Atty Gosselin, DeAnna (pro per – sister/Petitioner)**  
**Atty Gosselin, Jacob (pro per – brother-in-law/Petitioner)**

**Case No. 11CEPR00531**

**Objection of Father, Kelly Huggins, filed 09/28/11**, states that he is in disagreement with the Court Investigator's report dated 09/21/11. He further requests that the Court Investigator obtain information from San Joaquin County CPS regarding Petitioner Deanna Gosselin having her 9 year old son taken from her care. Mr. Huggins states that he feels his rights as a father are being overlooked and requests to be brought to court so that he can be present during the hearing or be appointed an attorney to represent him in court. Mr. Huggins once again reiterates that he wants his mother, Joyce Huggins-Betz, to be appointed guardian of the minor.

**Dept. 303, 9:00 a.m. Tuesday, October 4, 2011**

<table border="1"> <tr> <td colspan="2">Isaiah Zepeda</td> </tr> <tr> <td colspan="2">Age: 9 years</td> </tr> <tr> <td colspan="2">DOB: 1/30/02</td> </tr> <tr> <td colspan="2">Ariana Ramirez</td> </tr> <tr> <td colspan="2">Age: 7 years</td> </tr> <tr> <td colspan="2">DOB: 6/9/04</td> </tr> <tr> <td colspan="2">Ariel Luna-Zepeda</td> </tr> <tr> <td colspan="2">Age: 4 years</td> </tr> <tr> <td colspan="2">DOB: 8/9/07</td> </tr> <tr> <td colspan="2"> </td> </tr> <tr> <td colspan="2">Cont. from</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Aff.Sub.Wit.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Verified</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Inventory</td> </tr> <tr> <td><input type="checkbox"/></td> <td>PTC</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Not.Cred.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Notice of Hrg</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Aff.Mail</td> <td>w</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Aff.Pub.</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Sp.Ntc.</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Pers.Serv.</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Conf. 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Posting</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Status Rpt</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>UCCJEA</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Citation</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td>FTB Notice</td> <td></td> </tr> </table>	Isaiah Zepeda		Age: 9 years		DOB: 1/30/02		Ariana Ramirez		Age: 7 years		DOB: 6/9/04		Ariel Luna-Zepeda		Age: 4 years		DOB: 8/9/07				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 type="checkbox"/>	Aff.Pub.		<input type="checkbox"/>	Sp.Ntc.		<input checked="" type="checkbox"/>	Pers.Serv.		<input type="checkbox"/>	Conf. 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Posting		<input type="checkbox"/>	Status Rpt		<input checked="" type="checkbox"/>	UCCJEA		<input type="checkbox"/>	Citation		<input type="checkbox"/>	FTB Notice		<p align="center"><b><u>NO TEMPORARY REQUESTED</u></b></p> <p><b>YOLANDA MARQUEZ, maternal grandmother, is Petitioner.</b></p> <p>FATHER (minor Isaiah): <b>UNKNOWN</b>; <i>Declaration of Due Diligence filed 8/4/11</i></p> <p>FATHER (minor Ariana): <b>UNKNOWN</b>; <i>Declaration of Due Diligence filed 8/4/11</i></p> <p>FATHER (minor Ariel): <b>UNKNOWN</b>; <i>Declaration of Due Diligence filed 8/4/11</i></p> <p>MOTHER: <b>ROSA ZEPEDA</b>; <i>personally served</i></p> <p>PATERNAL GRANDPARENTS: <b>UNKNOWN (AS TO ALL MINORS)</b>; <i>Declaration of Due Diligence filed 8/4/11</i></p> <p>MATERNAL GRANDFATHER: <b>ENRIQUE ZEPEDA</b>; <i>served notice 8/21/11</i></p> <p><b>Petitioner states: Mother is a methamphetamine user and is not able to care for the minors. On 7/7/11, Petitioner learned that mother and the three minors were in an abandoned trailer with no PG&amp;E and no food. Petitioner called the Sheriff who went to the site. Mother admitted her drug use to the Sheriff's deputy. Further, the trailer was filthy and there was no refrigeration, no air-conditioning, and no electricity. The Deputy released the minors to Petitioner.</b></p> <p><b>Court Investigator Dina Calvillo's report, filed 9/23/11.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li><b>Declaration of Due Diligence was filed for the fathers of the three minors, and indicates that the identities of minors' fathers were never known (birth certificates attached in support), and further states her daughter has told Petitioner that each father was deported. If Court does not find diligence, need proof of 15 days' personal service of <i>Notice of Hearing</i> along with a copy of the <i>Petition</i> or Consent and Waiver, for each father.</b></li> <li><b>Declaration of Due Diligence was also filed for the paternal grandparents of the three minors, indicating that as the paternal grandparents are unknown. If Court does not find diligence, need proof of 15 days' service by mail of <i>Notice of Hearing</i> along with a copy of the <i>Petition</i> or Consent and Waiver, for each set of paternal grandparents.</b></li> </ol>
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		File 16 – Zepeda & Ramirez																																																																																					

Age: 2 years DOB: 03/25/09	<u>Temporary Expires 10/04/11</u>	NEEDS/PROBLEMS/COMMENTS:
	<b>CHRISTINA BARBOSA</b> , maternal grandmother, is Petitioner.	
	Father: <b>JAMES CRUZ</b>	1. Need proof of personal service at least 15 court before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Guardianship or Consent and Waiver of Notice or Declaration of Due Diligence</i> for:
Cont. from	Mother: <b>CHRISTINA PADILLA</b> – Incarcerated. - <i>Declaration of Due diligence filed on 9/27/11 - service attempted. Service unsuccessful.</i>	
<input type="checkbox"/> Aff.Sub.Wit.	Paternal grandfather: Deceased	a. <b>James Cruz (father)</b> ( <i>Note: Minute order from the temporary hearing on 8/15/11 indicates the father was in court and was in favor of the petition.</i> )
<input checked="" type="checkbox"/> Verified	Paternal grandmother: Martha Cruz – personally served on 9/17/11	b. <b>Christina Padilla (mother)</b> – <i>Declaration filed 9/27/11 indicates three E. Rivera of the Sheriff’s Office made three attempts to serve the documents. Remarks states “no answer at case managers office” on 9/12/11 and 9/16/11 and “called and left voicemail for case manager – no call back” on 9/16/11.</i>
<input type="checkbox"/> Inventory	Maternal grandfather: Mario Padilla – personally served on 9/14/11	
<input type="checkbox"/> PTC	<b>Petitioner states</b> the minor’s mother is incarcerated in federal prison and it is unknown when she will be released. The minor’s father is addicted to meth and petitioner fears that the minor will not be properly cared for when he is with his father.	
<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.		
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<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting	<b>Court Investigator Samantha Henson’s Report filed on 9/27/11.</b>	Reviewed by: KT
<input type="checkbox"/> Status Rpt		Reviewed on: 9/27/11
<input checked="" type="checkbox"/> UCCJEA		Updates: 9/28/11
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 17 - Cruz

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

DOD: 6/1/11		JUDY J. JOLLY, mother, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		40 days since DOD:	<ol style="list-style-type: none"> <li>Caption of the petition does not include the name and address of petitioner Judy J. Jolly. The name in the caption is Ron Weinbrenner (there is no bar number included). Mr. Weinbrenner's relationship to this matter is unclear.</li> </ol>
Cont. from		No other proceedings.	
<input type="checkbox"/>	Aff.Sub.Wit.	Decedent died intestate.	<ol style="list-style-type: none"> <li>Need name and date of death of decedent's father pursuant to Local Rule 7.1.1D</li> </ol>
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	I & A - \$85,000.00	<ol style="list-style-type: none"> <li>#11 of the petition does not state the decedent's interest in the property.</li> </ol>
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	Petitioner requests Court determination that Decedent's interest in real property located in Fresno passes to her pursuant to intestate succession.	<ol style="list-style-type: none"> <li>Need Order</li> </ol>
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" 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	X	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 9/27/11
			Updates:
			Recommendation:
			File 18 - Miranda

Atty Lambert, Arthur (pro per Petitioner/maternal great uncle)

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

Windell age: 11 years DOB: 3/2/00	<p align="center"><b><u>GENERAL HEARING 11/21/11</u></b></p> <p><b>ARTHUR LAMBERT</b>, maternal great-uncle, is petitioner.</p> <p>Windell and Windaisha's father: <b>WINDELL LIGHTLE, SR.</b></p> <p>Daveeon's father: <b>KENNETH COLTER</b></p> <p>Mother: <b>DECEASED</b></p> <p>Windell &amp; Windaisha's paternal grandparents: Unknown Daveeon's paternal grandparents: Unknown</p> <p>Maternal grandfather: Dennis Eley Maternal grandmother: Deceased.</p> <p><b>Petitioner states</b> on 8/14/11 the children's mother called him and asked if he could become the guardian of her children in the event she died. Mom died on 8/21/11. The father of the youngest child was incarcerated when he was born and is currently on parole. The youngest child's father has a mental disability and is on SSI and may not be able to take care of the child. The older children have not seen their father for the last 6-7 years. Since the fathers have failed to financially support these children a temporary guardianship is needed.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>Petitioner's fee waiver was denied on 9/20/11. Therefore a filing fee of \$225.00 for the general petition and \$40.00 for the temporary petition is now due.</li> <li>Need <i>Notice of Hearing</i>.</li> <li>Need proof of personal service, 5 court days prior to the hearing, of the <i>Notice of Hearing</i> along with a copy of the <i>temporary petition</i> or consent and waiver of notice or declaration of due diligence on:                     <ol style="list-style-type: none"> <li>Windell Lightle, Sr (Windell and Windaisha's father)</li> <li>Kenneth Colter (Daveeon's father)</li> </ol> </li> <li>Need UCCJEA for Daveeon.</li> </ol>	
Windaisah age: 8 years DOB: 3/21/03			
Daveeon age: 4 years DOB: 6/26/07			
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			X
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			X
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
		Reviewed by: KT	
		Reviewed on: 9/27/11	
		Updates:	
		Recommendation:	
		File 19 – Lightle & Colter	