



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.

Status RE: Report from the Public Administrator

DOD: 6/10/94	The FRESNO COUNTY PUBLIC ADMINISTRATOR was appointed Successor Administrator on 9/7/16.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need petition for final distribution pursuant to Probate Code §12200 or written status report pursuant to Local Rule 7.5.</p>
Aff.Sub.Wit.	<p>Minute Order 9/7/16: Counsel represents that two heirs have been identified, but he has not made contact. Furthermore, the home is boarded up and taxes are delinquent. The Court orders the Public Administrator appointed to marshal the assets and close the estate.</p> <p>History: TONY RECEK, Friend, was appointed Executor with Full IAEA without bond on 7/26/94 and Letters issued on 7/27/94. (A corrected order was entered 8/9/94 due to clerical error.)</p> <p>The Petition for Probate alleged that the decedent was not survived by spouse, issue, or issue of predeceased child, but had a will dated 5/27/94, which made various specific devises of real and personal property to various parties. The will was admitted to probate on 7/26/94.</p> <p>Final I&A filed 11/8/94 indicated a total estate value of \$84,360.55 consisting of</p> <ul style="list-style-type: none"> • Cash of \$25,869.95 • Real property located at 1515 E. Fountain Way in Fresno • Personal property including vehicle, gun collection, jewelry, book collection, furnishings, personal effects <p>Various creditor's claims were filed in the estate. In addition, the decedent was named as a defendant in a quiet title action (0482628-5) involving the estate real property borders.</p>	
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	<u>SEE PAGE 2</u>	

Reviewed by: skc
Reviewed on: 9/26/16
Updates:
Recommendation:
File 1- Bond

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Report of Status of Administration; Petition for Instructions Concerning Abatement of Property for Payment of Creditor's Claims and Expenses of Administration; Petition for Allowance on Compensation of Attorney filed 5/23/95 stated the estate was not in a condition to be closed because the lawsuit has not been finally determined. Judgment was entered in favor of the estate as to all causes of action, but the motion for costs and attorney's fees had not yet been filed or heard. Additionally, the plaintiff planned to appeal the judgment. Compensation for ordinary services to the estate will be approx. \$5,362.00. Extraordinary compensation for litigation expenses totaled \$17,650.00 to date.

The 5/23/95 report stated the residue includes only the personal effects which have a nil value and a 1974 Plymouth Valiant valued at \$500.00, which are insufficient to pay all funeral expenses, creditor claims, and expenses of administration. The decedent's will provided specific devises including the real property and various items. The report alleged that these gifts should be abated to pay creditor's claims, administration expenses, etc., as set forth in the petition. See report for discussion, authority.

Order entered 7/17/95 authorized and directed abatement as set forth in the Order to pay administration expenses, creditor claims, and satisfy gifts, and also authorized certain attorney fees and costs. The Order authorized administration to continue until the litigation involving the estate was finally determined.

On 3/10/00, Mr. Rindlisbacher filed a Substitution of Attorney noting his move to a subsequent firm.

Nothing further was filed thereafter until 6/2/16, when **MICHAEL RECEK**, son of Executor Tony Recek, in pro per, filed a **Petition for Court to Execute Deed in Favor of Beneficiaries and Survivor Named in Will of Mardel E. Bond**. Michael Recek alleged that his father Tony Recek died 8/22/13, and that his father and grandmother were to have inherited the real property located at 1515 E. Fountain Way. Mr. Recek claimed to be the owner, as he has resided there for over 15 years, and also sought damages of \$100,000 and requested the Court execute a deed in his favor as specified in this decedent's will.

On 8/3/16, the Court denied Mr. Recek's petition on 8/3/16 and appointed the Public Guardian to properly close the estate on 9/7/16.

