



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: Filing of the First or Final Account

DOD: 11/28/11		<p>ANDY WARMERDAM, Son, was appointed Executor with Full IAEA without bond and Letters issued on 8/6/15.</p> <p>At the hearing on 8/6/15, the Court set this status hearing for the filing of the first account or petition for final distribution.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: On 9/28/16, the Court approved the Executor's Petition for Approval of Acts of Personal Representative; for Payment of Attorney Fees Concurrent with Litigation, which authorized Executor to pursue litigation against a debtor.</p> <p>1. Need First Account or Petition for Final Distribution pursuant to Probate Code §12200 or written status report pursuant to Local Rule 7.5.</p>
Aff.Sub.Wit.			
Verified			
Inventory			
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Not.Cred.			
Notice of Hrg			
Aff.Mail			
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Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 9/28/16	
		Updates:	
		Recommendation:	
		File 2- Warmerdam	

Petition for Termination of Conservatorship of the Estate Due to Lack of Assets and
Petition for Attorney s Fees to Be Paid By Trustee of the Sylvia Nadine Webb Living Trust

Age: 86		<p>RONALD WEBB and JEANINE LUTTRELL, Son and Daughter and Co-Conservators of the Person and Estate with bond of \$150,785.00, are Petitioners.</p> <p>Petitioners state the I&A was filed 8/23/13 showing no assets in the conservatorship estate. After Petitioners were appointed conservators of the estate, it was determined that all of the assets were held in the Sylvia Nadine Webb Living Trust and there were no assets to be placed in the conservatorship. There is no need for a conservatorship of the estate nor a bond for \$150,785.00; therefore, the conservatorship of the estate should be terminated and the surety discharged.</p> <p>Attorney LeVan has represented Petitioners/Co-Conservators since 2/22/13 and requests compensation for legal services related to the conservatorship in the amount of \$3,314.00. Itemization at Exhibit A includes preparation and service of documents, appearance at hearings, review of documents and bank statements, and costs.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 9/1/16: No appearances; continued to 10/6/16.</p> <p>The following issues remain noted:</p> <ol style="list-style-type: none"> The Court may require further information re the trust. When was the trust created? What actions taken by the Conservators to determine the status of the assets as trust assets? This petition requests termination of the conservatorship of the estate only. If granted, need Letters reflecting conservatorship of the person only. 	
Cont. from 090116				
<input type="checkbox"/>	Aff.Sub.Wit.			
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<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Reviewed by: skc		
		Reviewed on: 9/27/16		
		Updates:		
		Recommendation:		
		File 3- Webb		

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

DOD: 5/22/13		<p>TERRI JEAN, Surviving Spouse and Administrator with Limited IAEA with bond of \$64,400, is Petitioner.</p> <p>Sale price: \$450,000.00 Overbid: \$473,000.00</p> <p>Reappraisal: \$450,000.00</p> <p>Property: 9077 E. Mountain View Ave., Selma, Fresno County, CA 93662</p> <p>Publication: <i>Need</i></p> <p>Buyers: Narinder Sahota and Manvir Sahota, Husband and Wife, as joint tenants</p> <p>Broker: 6% or \$27,000.00 to be split 3% or \$13,500.00 each to Kingsburg Realty and RPS Real Estate.</p> <p>Petitioner requests the Court fix an additional bond of \$400,000.00 for a total bond of \$464,400.00.</p> <p>See Attachment 4f re terms of sale.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need publication pursuant to Probate Code §10300.</p> <p>Note: If granted, the Court will set a status hearing for the filing of the additional bond as follows:</p> <ul style="list-style-type: none"> • Thursday, November 17, 2016 	
<input type="checkbox"/>	Aff.Sub.Wit.			
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<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
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<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Reviewed by: skc				
Reviewed on: 9/28/16				
Updates:				
Recommendation:				
File 4- Jean				

Status RE: Filing of the First or Final Account

DOD: 4/18/15	JOHN F. LUTZ, Brother, was appointed Executor with Full IAEA without bond and Letters issued on 8/13/15	NEEDS/PROBLEMS/COMMENTS:
	At the hearing on 8/13/15, the Court set this status hearing for the filing of the first or final account.	1. Need first account or petition for final distribution pursuant to Probate Code §12200 or written status report pursuant to Local Rule 7.5.
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
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<input type="checkbox"/> Notice of Hrg		
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<input type="checkbox"/> Pers.Serv.		
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<input type="checkbox"/> Letters		
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<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 9/28/16
		Updates:
		Recommendation:
		File 11- Lutz

Status RE: Capacity Declaration

	PUBLIC GUARDIAN was appointed Conservator of the Person and Estate on 8/11/16. See Minute Order for details.	NEEDS/PROBLEMS/COMMENTS:
		Minute Order 8/11/16: Raquel Pineda is no longer able to serve as conservator and requests to resign. The Court accepts the resignation; Letters are vacated forthwith. The Court appoints the Public Guardian as to the Person and Estate; Letters are to issue forthwith from the minute order. The Court notes that a capacity declaration is still needed.
Cont. from 052616, 063016, 081116	History: RAQUEL PINEDA, Daughter, was appointed Conservator of the Person on 5/9/16 and Letters issued 5/11/16.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC	Petitioner had requested medical consent powers under Probate Code §2355 and dementia medication ad placement powers under Probate Code §2356.5.	
Not.Cred.		
Notice of Hrg		Note: Letters issued to the PG on 8/19/16. Order re appointment entered 9/9/16 reflects general conservatorship of the person and estate without additional medical consent powers under Probate Code §2355 or dementia powers under §2356.5.
Aff.Mail		
Aff.Pub.	Minute Order 5/9/16 states: Petitioner is to file a new capacity declaration; the Court grants the petition as to the person only.	
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		Note: Because the PG has been appointed as Conserator of the Estate, the Court will set status hearings as follows:
Letters	Examiner noted various defects with the Capacity Declaration filed 4/1/16 – see prior Examiner Notes for details.	<ul style="list-style-type: none"> • Thursday, Dec. 15, 2016 for filing I&A • Thursday, Oct. 19, 2017 for filing the first account.
Duties/Supp		
Objections		
Video Receipt	On 8/9/16, Lisa Horton, Court-appointed attorney for Conservatee, filed a Status Hearing Report. The report recommends appointment of the PG as successor conservator due to issues within the family. See report for details.	
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 9/27/16
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 13- Pineda

Notice of Motion and Motion for Order Compelling Responses to Special Interrogatories, Demand for Inspection and Production of Documents and Things and Request for Admissions-Genuineness of Documents, and for Sanctions

	<p>IRIS VOGT, Petitioner, moves for an order compelling Respondent LLOYD MARTIN to serve responses to the Special Interrogatories, Set One, Request for Identification and Production of Document and Things, Set One, and Request for Admissions-Genuineness of Documents, Set One, served on him on 5/31/16, and for monetary sanctions to Petitioner of \$960.00 for attorney's fees and costs.</p> <p>This motion is made pursuant to CCP §§ 2030.290, 2013.310 and 2033.290 on the grounds that the information and documents requested are relevant to the subject matter of this action and are not privileged, that Respondent has failed to serve timely responses thereto, and that Respondent's failure to comply is without substantial justification.</p> <p>This motion is based on notice, the attached Memorandum of Points and Authorities filed 7/21/16, Declaration of Steven F. Salazar filed 7/12/16, and pleadings, records and files in this action and on such oral and documentary evidence to be presented at the hearing.</p> <p>Petitioner states the referenced documents were served on Respondent through his attorney on 5/31/16, written responses due 6/30/16. On 7/1/16, Attorney Porter left a voice message with Attorney Salazar requesting extension of time to respond. Mr. Salazar was unavailable and out of state at the time.</p> <p>On 7/5/16, Mr. Salazar spoke with Mr. Porter and informed him that the responses were to have been served by 6/30/16 and time for objections to the responses had been waived. Counsel discussed terms of extension; however, agreement for a mutually satisfactory extension could not be reached.</p> <p>On 7/5/16, Mr. Salazar wrote to Mr. Porter confirming their discussion, including waiver, and demanded that Respondent serve his responses in order to avoid a motion to compel and sanctions. As of the date of this motion, no further response has been provided. See P&A and Declaration for details.</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Minute Order 9/1/16: Mr. Salazar requests continuance.</p> <p>Note: As of 9/27/16, nothing further has been filed.</p> <p>Note: Proof of Service filed 7/29/16 reflects service by mail of the motion, the memorandum of points and authorities, and the Declaration of Steven F. Salazar to Attorney Tres A. Porter on 7/29/16.</p> <p>Note: Beneficiary Iris Vogt's Petition filed 3/4/16 is set for Settlement Conference on 8/30/16. Court Trial originally set for 9/20/16 was continued to 2/21/17 pursuant to Stipulation and Order filed 8/25/16.</p> <p>Reviewed by: skc</p> <p>Reviewed on: 9/27/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14- Hannah</p>
Cont. from 090116		
Aff.Sub.Wit.		
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Notice of Hrg		
✓ Aff.Mail		
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Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Notice of Motion and Motion for Order Compelling Responses to Special Interrogatories, Demand for Inspection and Production of Documents and Things and Request for Admissions-Genuineness of Documents, and for Sanctions

	IRIS VOGT , Petitioner, moves for an order compelling Respondent LLOYD MARTIN to serve responses to the Form Interrogatories, Set One, Request for Identification and Production of Document and Things, Set One, Request for Admissions, Set One, and Request for Admissions-Genuineness of Documents, Set One, served on him on 5/31/16, and for monetary sanctions to Petitioner of \$960.00 for attorney's fees and costs.	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Minute Order 9/1/16: Mr. Salazar requests continuance.</p> <p>Note: As of 9/27/16, nothing further has been filed.</p> <p>Note: Proof of Service filed 7/29/16 reflects service by mail of the motion, the memorandum of points and authorities, and the Declaration of Steven F. Salazar to Attorney Tres A. Porter on 7/29/16.</p> <p>Note: Beneficiary Iris Vogt's Petition filed 3/4/16 is set for Settlement Conference on 8/30/16. Court Trial originally set for 9/20/16 was continued to 2/21/17 pursuant to Stipulation and Order filed 8/25/16.</p> <p>Reviewed by: skc</p> <p>Reviewed on: 9/27/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15- Hannah</p>
Cont. from 090116	This motion is made pursuant to CCP §§ 2030.290, 2013.310 and 2033.290 on the grounds that the information and documents requested are relevant to the subject matter of this action and are not privileged, that Respondent has failed to serve timely responses thereto, and that Respondent's failure to comply is without substantial justification.	
<input type="checkbox"/> Aff.Sub.Wit.	This motion is based on notice, the attached Memorandum of Points and Authorities filed 7/21/16, Declaration of Steven F. Salazar filed 7/12/16, and pleadings, records and files in this action and on such oral and documentary evidence to be presented at the hearing.	
<input type="checkbox"/> Verified	Petitioner states the referenced documents were served on Respondent through his attorney on 5/31/16, written responses due 6/30/16. On 7/1/16, Attorney Porter left a voice message with Attorney Salazar requesting extension of time to respond. Mr. Salazar was unavailable and out of state at the time.	
<input type="checkbox"/> Inventory	On 7/5/16, Mr. Salazar spoke with Mr. Porter and informed him that the responses were to have been served by 6/30/16 and time for objections to the responses had been waived. Counsel discussed terms of extension; however, agreement for a mutually satisfactory extension could not be reached.	
<input type="checkbox"/> PTC	On 7/5/16, Mr. Salazar wrote to Mr. Porter confirming their discussion, including waiver, and demanded that Respondent serve his responses in order to avoid a motion to compel and sanctions. As of the date of this motion, no further response has been provided. See P&A and Declaration for details.	
<input type="checkbox"/> Not.Cred.		
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<input type="checkbox"/> CI Report		
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<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

Petition for Probate of Will and for Letters Testamentary with IAEA

DOD: 4/2/16		<p>TERRY DEAN GROVES, Named Alternate Executor without bond, is Petitioner.</p> <p>Named Executor Robin Denise Groves declines to act.</p> <p>Full IAEA – ok</p> <p>Will dated 12/6/13</p> <p>Residence: Fresno Publication: Business Journal</p> <p>Estimated value of estate: Personal property: \$12,500.00 Annual income: \$53,400.00 Real property: \$575,000.00 Total: \$628,400.00</p> <p>Probate Referee: Steven Diebert</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: The Court will set status hearings as follows:</p> <ul style="list-style-type: none"> • Thursday, March 9, 2017 for filing the Inventory and Appraisal • Thursday, December 14, 2017 for filing the first account or petition for final distribution 	
<input type="checkbox"/>	Aff.Sub.Wit.			S/P
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<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 9/28/16	
			Updates:	
			Recommendation: SUBMITTED	
			File 23- Kiespert	

Spousal or Domestic Partner Property Petition

DOD: 1/21/16		<p>JANE K. GREENE, Surviving Spouse, is Petitioner.</p> <p>No other proceedings</p> <p>Decedent died intestate</p> <p>Petitioner requests determination that the following asset passed to the surviving spouse: All outstanding stock of Greene Restaurant Corporation owned by Gregory E. Greene represented by Certificate No. 1 in the amount of 16,500 shares.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Petitioner does not appear to allege that the stock is community property and does not provide any information re why the stock should pass to her. Need clarification re date of marriage, status at death, circumstances and dates of acquisition of the asset, and any other information relevant to be sufficient to make such determination.</p>	
	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			
			Reviewed by: skc	
			Reviewed on: 9/28/16	
			Updates:	
			Recommendation:	
			File 24- Greene	

Petition for Final Distribution and for Order Fixing and Allowing Attorney's Fees

DOD: 8/25/15		<p>MARIETTA GOMONET, Spouse and Executor with Full IAEA without bond, is Petitioner.</p> <p>Accounting is waived</p> <p>I&A: \$400,000.00 POH: \$400,000.00 (real property located in Gilroy, Santa Clara County)</p> <p>Executor waives compensation</p> <p>Attorney: \$6,000.00 (less than statutory)</p> <p>Costs: \$1,898.50 (filing, publication, certification, recording, appraisal)</p> <p>Distribution pursuant to the decedent's will is to:</p> <p>Marietta Gomonet, as Trustee of the Gomonet Family Trust: 100% of the interest in the Gilroy real property and any subsequently discovered property</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Order. Local Rule 7.1.1.F.</p>	
Cont. from 092116				
<input type="checkbox"/>	Aff.Sub.Wit.			
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<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
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<input type="checkbox"/>	Citation			
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Reviewed by: skc				
Reviewed on: 9/28/16				
Updates:				
Recommendation:				
File 26- Gomonet				