

Petition for Visitation

Jesus Gonzalez Rodriguez, age 9		JESUS N. GONZALEZ, Father, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>Continued from 6-11-13, 7-30-13, 9-10-13. Minute Order 9-10-13 states: Ms. Valdivinos is sworn and interprets for Maria Ibarra. Maria Ibarra objects to the petition. Counsel is directed to facilitate counseling between father and child. Matter continued to 10/8/13.</u>				
		MARIA IBARRA , Maternal Grandmother, was appointed Guardian on 6-26-08. - served by mail 5-27-13					
Cont. from 061113, 073013, 091013		Mother: Patricia Rodriguez (Deceased) Paternal Grandfather: Jose Gonzalez Paternal Grandmother: Josefina Gonzalez Maternal Grandfather: Lorenzo Rodriguez					
	Aff.Sub.Wit.						
✓	Verified						
	Inventory						
	PTC						
	Not.Cred.						
✓	Notice of Hrg						
✓	Aff.Mail	w/o					
	Aff.Pub.						
	Sp.Ntc.						
	Pers.Serv.						
	Conf. Screen						
	Letters						
	Duties/Supp						
	Objections						
	Video Receipt						
✓	CI Report						
	9202						
	Order						
	Aff. Posting						
	Status Rpt						
	UCCJEA						
	Citation						
	FTB Notice						
		<p>Petitioner requests to have custody of his son and to have his case reviewed. Petitioner sees no reason for his son to be with his grandmother when he is fully capable and willing to be fully responsible for his son. Petitioner doesn't feel the visitation that he is allowed is sufficient to fully bond with his son, especially now that he will be having a sibling. Petitioner believes it is in his son's best interest to be closer to his little brother and father than the 2 hours a week that is currently allowed (sometimes less because the grandmother arrives late).</p> <p>Petitioner believes his son needs a father figure and he and his wife are able to provide a stable house for his son. Petitioner states there is no need for his son to continue living with his grandmother when he has a loving father who wants to be a part of his life.</p>					
		<table border="1"> <tr> <td>Reviewed by: skc</td> </tr> <tr> <td>Reviewed on: 10-1-13</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 1 – Rodriguez</td> </tr> </table>	Reviewed by: skc	Reviewed on: 10-1-13	Updates:	Recommendation:	File 1 – Rodriguez
Reviewed by: skc							
Reviewed on: 10-1-13							
Updates:							
Recommendation:							
File 1 – Rodriguez							

Page 2

Court Investigator Jennifer Young filed a report on 7-26-13.

Minute Order 7-30-13: Also present in the courtroom is Jesus Rodriguez. Rosie Valdivinos is sworn and interprets for Maria Ibarra. Ms. Ibarra objects to the petition. Visitation between father and the minor is ordered as follows: visitation shall be every Sunday from 1:00 p.m. to 5:00 p.m. at a place mutually agreed upon by the parties. Father is ordered not to expose the minor to any horror movies or encourage any horse play with other children that may be uncomfortable for the minor. **The Court orders the court investigator to contact the Carmen Meza Center regarding the minor's therapy. Parties enter into a waiver of confidentiality for said purpose.** Continued to 9/10/13.

Court Investigator Jennifer Young filed a report on 9-3-13.

Guardian Maria Ibarra filed a declaration on 9-6-13. Ms. Ibarra states Jesus has always been in her custody since the death of his mother on 10-31-05. Jesus' mother was murdered with a kitchen knife. Her throat was cut open and Jesus was found on top of his mother's dead body covered in blood (at age 1½). The police turned him over to Ms. Ibarra that day. Shortly after the murder, Ms. Ibarra spoke with Mr. Gonzalez, who stated she could keep Jesus as long as he could use his SSN for his taxes. He did not participate in Jesus' life. When Jesus was two years old, Ms. Ibarra allowed overnight visits. During the visits, Jesus slept on pillows on the floor with the family dog. Mr. Gonzalez never returned him on time and she always had to pick him up. On one occasion, he wasn't even present, and Jesus was running around unsupervised with the grandfather getting drunk with his friends. A police report was made. In 2008, Jesus came home with a burn on his hand. Jesus told her that his aunt Karina was mad at him and grabbed his hand and burned it. A police report was made. Also, Jesus was always starving upon return from his visits.

Of great concern to Ms. Ibarra is the fact that Mr. Gonzalez was inconsiderate of what happened to Jesus. He had him watch the movie "Chucky" where a doll is murdering people with a knife. Mr. Gonzalez should have been more conscious of the fact that Jesus' mother was killed with a knife. Jesus was traumatized.

Ms. Ibarra states that even now, he continues to have little regard for Jesus' needs, and Mr. Gonzalez lacks maturity when it comes to Jesus' care. Recently he forced horseplay (fight) with Jesus' cousins, and tried to block Ms. Ibarra from seeing with a chair.

Further traumatizing Jesus, Mr. Gonzalez had Ms. Ibarra served with court papers in front of Jesus. The person was rude and disrespectful, demanding to see photo identification or verification of her address. She felt forced to show her PGE bill. Jesus was scared that he was going to be removed from her home.

Ms. Ibarra states she regularly attends church on Sunday afternoons. Jesus enjoys this because that is when his friends go to service too. Mr. Gonzalez refuses to change the visitation schedule so Jesus can attend. Ms. Ibarra would like visits to be Sundays 9-12.

Ms. Ibarra is not opposed to the court ordering Mr. Gonzalez to attend therapeutic visits with Jesus and his counselor. She has attended some sessions, and believes he should also.

Mr. Gonzalez pays only \$128/month child support. Ms. Ibarra pays \$60-70/week in child care. Mr. Gonzalez takes no interest in helping pay for school supplies, uniforms, medical bills, and **refuses to provide her with his insurance card or a letter stating he is not covered. The providers will not accept Medi-Cal because their system shows he has an insurance provider.** Jesus suffers from asthma and this is creating a hardship. Ms. Ibarra cannot afford these bills. All she needs from him is the insurance card.

(1) Report on Waiver of Accounting and (2) Petition for Final Distribution and (3) Allowance of Costs Advanced by Attorney

DOD: 3-22-11	ROBERT B. PYE , Administrator with Will Annexed, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 5-21-13.</u></p> <p>On 9-19-13, Attorney Pye filed a Supplement addressing certain issues. However, the following issues remain:</p> <ol style="list-style-type: none"> Per Supplement filed 9-19-13, DHS was notified via its electronic filing system. However, Probate Code requires service by mail. See §§ 9202, 215, 1215. Also, the time for response is four months, not 60 days. The Court may require further continuance for proper notice. <p><i>Note: Examiner notes that there was never a statement as to whether notice to DHS was required. If neither the decedent nor her predeceased spouse received services, this is not an issue. However, there is no verified statement either way in the petition or supplement. Need clarification.</i></p>
	All heirs waive accounting	
	I&A: \$311,572.64 POH: \$296,758 (Stocks, accounts)	
Cont from 052113		
<input type="checkbox"/> Aff.Sub.Wit.	Attorney Administrator: Waived	
<input checked="" type="checkbox"/> Verified	Costs: \$747.50 (filing, publication, certification)	
<input type="checkbox"/> Inventory	Petitioner states heir Stacy Ruth Pye was given a lifetime advance from her mother valued at \$135,000.00, to be offset against her sister's distribution from the estate.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<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	Distribution pursuant to Decedent's will:	
<input type="checkbox"/> Letters	Karen Louise Arnold: \$105,147.00 cash plus certain various stocks	
<input type="checkbox"/> Duties/Supp	Stacy Ruth Pye: \$3,667.00 cash plus certain various stocks	
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 10-1-13
		Updates:
		Recommendation:
		File 2 – Arnold

Petition for Compensation

Age: 92 years DOB: 2/4/1921	<p>J. STANLEY TEIXEIRA, petitioner was Court appointed to represent the Conservatee on 4/22/13.</p> <p>The Public Guardian was appointed Conservator of the Person and Estate on 5/29/2013.</p> <p>Petitioner requests fees in connection with the representation of the Conservatee for the Public Guardian's petition to appoint a conservator.</p> <p>Petitioner asks that he be paid from the conservatorship estate for 5.20 hours @ \$250.00 per hour and costs of \$435 (filing fee) for a total of \$1,735.00.</p> <p>Services are itemized by date and include review of documents, visits with client, and court appearances.</p>	NEEDS/PROBLEMS/COMMENTS:				
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 type="checkbox"/> Pers.Serv.						
<input type="checkbox"/> Conf. Screen						
<input type="checkbox"/> Letters						
<input type="checkbox"/> Duties/Supp						
<input type="checkbox"/> Objections						
<input type="checkbox"/> Video Receipt						
<input type="checkbox"/> CI Report						
<input type="checkbox"/> 9202						
<input checked="" type="checkbox"/> Order						
<input type="checkbox"/> Aff. Posting						
<input type="checkbox"/> Status Rpt						
<input type="checkbox"/> UCCJEA						
<input type="checkbox"/> Citation						
<input type="checkbox"/> FTB Notice						
	<table border="1"> <tr> <td>Reviewed by: KT</td> </tr> <tr> <td>Reviewed on: 10/2/13</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 3 - Henrichs</td> </tr> </table>	Reviewed by: KT	Reviewed on: 10/2/13	Updates:	Recommendation:	File 3 - Henrichs
Reviewed by: KT						
Reviewed on: 10/2/13						
Updates:						
Recommendation:						
File 3 - Henrichs						

Atty Boyajian, Thomas M (for Carl John Peterson – Petitioner – Former Spouse)

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

DOD: 02/21/2013	CARL JOHN PETERSON , former spouse/named executor without bond, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 8/20/2013.</u> Minute Order states the Court indicates to the parties that it will expect a declaration and/or live testimony at the next hearing addressing the issues regarding the subscribing witnesses and the presumption relating to the destruction of a will. The Court advises the parties that it will entertain a petition for special letters for the maintenance of the property.</p> <p><u>Note for background:</u> Minute Order dated 7/2/2013 [Judge Snauffer] from the last hearing states the Court directs the parties to submit their concerns in writing. As of 10/1/2013, Court records show no written objection has been filed since the hearing on 8/20/2013.</p> <p align="center">~Please see additional page~</p>
	Full IAEA – o.k.	
Cont. from 070213, 082013		
<input checked="" type="checkbox"/> Aff.Sub.Wit.	Will dated: 06/19/2012	
<input checked="" type="checkbox"/> Verified		
Inventory		
PTC	Residence: Clovis	
Not.Cred.	Publication: The Business Journal	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	Estimated value of the Estate:	
<input checked="" type="checkbox"/> Aff.Pub.	Personal property - \$434,000.00	
Sp.Ntc.	Real property - \$325,000.00	
Pers.Serv.	Total: - \$759,000.00	
Conf. Screen		
<input checked="" type="checkbox"/> Letters	Probate Referee: Steven Diebert	
<input checked="" type="checkbox"/> Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 10/1/13
		Updates:
		Recommendation:
		File 4 - Gomes

NEEDS/PROBLEMS/COMMENTS, continued:

1. Petitioner states in the *Explanatory Declaration* filed 7/31/2013 that "the original statutory Will of the Decedent is not in the possession of the Petitioner at the moment and is not available." Probate Code § 6124 provides if the testator's Will was last in the testator's possession, the testator was competent until death, and neither the Will nor a duplicate original of the Will can be found after the testator's death, it is presumed that the testator destroyed the Will with intent to revoke it. This presumption is a presumption affecting the burden of producing evidence. If the proponents of the Will introduce no contrary evidence, the Court should find that the Will was revoked. *Declaration* filed 7/31/2013 states the submitted statutory Will is a "duplicate/copy." It does not appear that the copy of the Will that Petitioner has submitted constitutes a duplicate original. Further, *Attachment A, Declaration of Scott Ferguson and Declaration of Michelle Torres*, submitted by both of the subscribing witnesses to the Will (in addition to the *Proof of Subscribing Witness* filed 5/20/2013 by each of them) discuss the validity of execution of the Will and the Decedent's capacity at the time of making her Will. None of the Declarations discuss the status of the original Will other than stating it is not in Petitioner's possession and is not available, nor do they provide any evidence to support that her Will was not likely revoked by Decedent.
2. If Petitioner seeks to request the Court admit Decedent's Will as a "lost" Will following the Court's determination regarding whether Decedent revoked her Will (as noted above), Probate Code § 8223 provides that a petition for probate of a lost or destroyed Will shall include a written statement of the testamentary words or their substance. If the Will is proved, the provisions of the Will shall be set forth in the order admitting the Will to probate. If Court grants the petition for probate of Decedent's Will as a "lost" Will, pursuant to Probate Code § 8223 need revised proposed order containing the provisions of the lost Will (i.e., a copy of the Will attached to the order with a signature line included on the last page of the Will for the Court's approval.)
3. Proposed letters submitted by Petitioner have been altered with whiteout at Item 2, and do not indicate that Petitioner will be appointed as executor of Decedent's "lost" Will. Need revised proposed letters.

Note: Court will set status hearings as follows:

- **Friday, March 7, 2014 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and**
- **Friday, December 12, 2014 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution.**

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

DOD: 05/17/2013	KORINA BERSENTES , daughter is petitioner and requests appointment as Administrator without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>The following issues remain:</p> <ol style="list-style-type: none"> Proposed personal representative is a resident of Colorado. Probate Code §8571 states not withstanding a waiver of bond, the Court in its discretion may require a nonresident personal representative to give a bond in an amount determined by the Court. Petition states all heirs are adults and have waived bond. Need signed waivers of bond from: <ul style="list-style-type: none"> Korina Bersentes John Bersentes Or in the alternative bond set at \$250,000.00. <p>Note: If <i>Petition</i> is granted, Court will set status hearings as follows:</p> <ul style="list-style-type: none"> Friday, 03/07/2014 at 9:00 a.m. in Dept. 303 for filing of final inventory and appraisal; and Friday, 12/05/2014 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution. <p>Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.</p>
	Petitioner is a resident of Superior, Colorado	
Cont. from 090313	Full IAEA – o.k.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory	Decedent died intestate.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Residence: Fresno Publication: The Business Journal	
<input checked="" type="checkbox"/> Aff.Mail	w/	
<input checked="" type="checkbox"/> Aff.Pub.	Estimated value of the estate: Personal property \$250,000.00	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	Probate Referee: Rick Smith	
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LV
		Reviewed on: 10/02/2013
		Updates:
		Recommendation:
		File 5 – Bersentes

DOD: 6/16/2013		YOLANDA HAUSCHEL, ANITA OAXACA	NEEDS/PROBLEMS/COMMENTS:
		and NORMA VIGIL are petitioners.	
		40 days since date of death.	<ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on all those entitled to notice pursuant to Probate Code §13153. 3. #9a(3) or (a(4) of the petition was not answered re: domestic partner. 4. #9a(5) or 9a(6) of the petition was not answered re: child. 5. #9a(7) or 9a(8) of the petition was not answered re: issue of predeceased child. 6. Need attachment 11 containing the legal description of the property along with the decedent's interest. 7. Need attachment 13 the specific property interest claimed by each petitioner. 8. Need attachment 14 the names, relationships, ages and addresses of all heirs and devisees of the decedent. 9. Will attached to the petition is the original. Petitioner requires a copy to be attached. Probate Code §8200 requires the original will to be deposited with the court. 10. Inventory and appraisal was not signed by the attorney as required. 11. Inventory and appraisal was only signed by Yolanda Haushel. It should be signed by all petitioners. 12. Need Order
Cont. from		No other proceedings.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Will dated: June 11, 2013 devises the residue of the estate to Yolanda Haushel, Anita Oaxaca and Norma Vigil.	
<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.		
<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		
I & A - \$75,000.00			
Petitioners request Court determination that Decedent's interest in real property pass to them.			
Reviewed by: KT			
Reviewed on: 10/2/13			
Updates:			
Recommendation:			
File 6 - Lopez			

Status Hearing

Bernice C. Kasabian DOD: 1-17-13	JENNIFER KAPUR , Granddaughter and beneficiary, filed a Petition to Determine Existence of Trust on 6-12-13.	NEEDS/PROBLEMS/COMMENTS:
Cont from 091013	Order Determining Existence of Trust filed 7-30-13 orders that Dana T. Kahler provide a true and correct copy of the trust, including the operative amendments.	Minute Order 9-10-13: Mr. Roberts indicates that he will send out the notices to the beneficiaries and complete the administration.
<input type="checkbox"/> Aff.Sub.Wit.	<i>Note: Proposed language ordering Dana T. Kahler to account was stricken from the order.</i>	1. As of 10-1-13, nothing further has been filed. Need status pursuant to Minute Order 7-30-13.
<input type="checkbox"/> Verified	Minute Order 7-30-13: Mr. Roberts requests a continuance to speak with Dana Kahler. The Court grants the petition and denies the request for an accounting finding that it is premature at this time. Matter is set for Status Hearing on 9/10/13. The Court orders Dana Kahler to be personally present at the next hearing. Dana Kahler is ordered to provide evidence of any notices the he has given and/or other actions he has taken as trustee. In addition, Dana Kahler is ordered to file all documents with this court and provide copies to Mr. Teixeira and Mr. Roberts. Set on 9/10/13 at 9:00am in Dept. 303 for Status Hearing. Petition is granted before Court Trial. Order signed.	Reviewed by: skc
<input type="checkbox"/> Inventory	A copy of the minute order was mailed to Attorneys Teixeira and Roberts and to Dana Kahler on 8-5-13.	Reviewed on: 10-1-13
<input type="checkbox"/> PTC		Updates:
<input type="checkbox"/> Not.Cred.		Recommendation:
<input type="checkbox"/> Notice of Hrg		File 7 – Kasabian
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

Atty LeFors, Teri (pro per Petitioner/guardian/paternal grandmother)
 Atty LeFors, Michael E. (pro per guardian/paternal step-grandfather)
 Atty Basquez, Patricia Viola (pro per mother)
 Atty Adams, Bryce S (pro per father)

Request for Modification of Visitation

Brooklyn age: 5	TERI LEFORS, Guardian/paternal grandmother, is petitioner.	NEEDS/PROBLEMS/COMMENTS: Continued from 8/13/13. Minute order states the following visitation orders are in place pending the next hearing: mother and father shall have visitation with the children every other weekend beginning next weekend. Visitation shall be from Friday at 6 p.m. to Sunday at 4 p.m. The court orders the Court Investigator to conduct a new and complete investigation of the parties. The Court further orders that the investigation include any matter(s) involving CPS; the children's school attendance, and any other matters deemed necessary. Court is specifically concerned with the injury sustained by Brooklyn.
Nevaeh age: 4		
Cont. from 081313		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

Petitioner alleges: There has been a change in circumstances. During the 2012 through 2013 school year, both Brooklyn and Nevaeh have experienced extensive absences and almost all occurred while at their bi-weekly visits with their parents. Brooklyn has had 15 absences and 8 tardies in what amounts to only one half of the school year.

This continued pattern of absences cause them to be summoned to attend a School Attendance Review Board pre-hearing. Both guardians and parents were in attendance. At that time all parties entered into an agreement to have the attendance problems resolved.

Neither parent has taken any interest in attending parent attending parent/teacher conferences, special parent activities or participation in the education of Brooklyn and Nevaeh to the degree that is necessary to nurture and support their education.

At the last parent/teacher conferences for both girls, Petitioner states she was advised that their homework is not consistent and turned in during the weeks the girls are with their parents.

Please see additional page

Reviewed by: KT
 Reviewed on: 10/1/2013
 Updates: 10/3/13
 Recommendation:
 File 8 – Adams

Petitioner states on Wednesday, June 12, 2013, while on their weekly visit with their parents, Brooklyn jumped off the top bunk bed at a friend's house and hit her nose on the bed frame below. Brooklyn was not taken for any medical treatment by her parents, nor was Petitioner contacted and given the option to seek evaluation of the injury. It was not until Petitioner picked up Brooklyn and Nevaeh on Sunday, June 16 that she saw that Brooklyn had, what amounted to, two black eyes. On Monday, Petitioner states she made an appointment with Brooklyn's physician, for her to be seen on June 18. The Doctor examined Brooklyn, took her for an x-ray and diagnosed her with a fractured nose. Brooklyn has been referred to a specialist at Children's Hospital for further evaluation.

As a result of Brooklyn's nose injury a referral was made to Child Protective Services. Petitioner states they were interviewed by a CPS worker on June 26th and advised that she would make a visit to Bryce and Patricia and that this would be listed as a "substantiated" referral for medical neglect.

Petitioner states that she also learned there have been other CPS referrals in regards to Bryce and Patricia and all three of their children, Brooklyn, Neveah and Owen (DOB: 10/21/11) that Petitioner, as guardian, did not know about. Petitioner states she has requested copies of all CPS referrals that she is entitled to receive as Legal Guardian and will present them at the hearing.

Petitioner states Patricia does not have a driver's license due to two DUI convictions in Fresno within the last two years. During most of the last school year, Bryce Adams drove Brooklyn and Neveah to school in their visitation weeks. Bryce recently became employed full time and will not be available to drive Brooklyn and Neveah to and from school this next school year. Petitioner states she believes that Patricia will drive the girls to school, unlicensed, as she has admitted to driving unlicensed with baby Owen in the car.

Petitioner states they have recently learned that Patricia is pregnant and due after the first of the year. Petitioner states she is further advised that parentage is at issue. Since Bryce will no longer be home to assist with the children, Petitioner states she does not believe that Patricia will be able to effectively deal with the demands of pregnancy, caring for an 18 month old, maintaining the schedule for homework and legally get the girls to and from school each day.

Petitioner respectfully requests that the current visitation schedule be modified to allow Brooklyn and Neveah to have visitation with Bryce Adams and Patricia Basquez every other weekend from Friday at 6:00 p.m. to Sunday at 4:00 p.m. to begin the week of the Court hearing.

Visitation order (per Minute Order dated 3/27/12): Visitation for the father Bryce Adams and the mother Patricia Basquez shall be on alternating weekends from Sunday at 6:00 p.m. until Sunday at 6:00 p.m. Pick-up and delivery of the children to be arranged by mother and father. The children are not to be driven in any vehicle unless licensed and insured, and the children are to be in appropriate safety restraints. No party shall have any amount of alcohol in their body while transporting the children.

Court Investigator Julie Negrete's report filed on 10/2/13.

Pro Per

Griffith, Estella (Pro Per Petitioner, Administrator)

First Amended Final Account and Report and Petition for Final Distribution [Prob. C. 10400-10406, 10954, 11600-11642]

DOD: 8/18/2010		<p>ESTELLA GRIFFITH, sister and Administrator appointed on 9/26/2011 with Full IAEA without bond, is Petitioner.</p> <p>Account period: [9/26/2011 – 3/2013]</p> <p>Accounting - [\$231,171.41] Beginning POH - [\$193,100.00] Ending POH - \$193,000.00 <i>(no cash; 1/5 interest in rental real property located in Los Angeles)</i></p> <p>Administrator - waives</p> <p>Distribution pursuant to intestate succession is to:</p> <ul style="list-style-type: none"> • Estella Griffith: 1/8 of Decedent's 1/5 interest; • Ralph Escandon, Sr.: 1/8 of Decedent's 1/5 interest; • Raquel Pena: 1/8 of Decedent's 1/5 interest; • Albert Oliva: 1/8 of Decedent's 1/5 interest; • Donna Stevens: 1/2 of a 1/8 interest in Decedent's 1/5 interest; • Steven Escandon: 1/2 of a 1/8 interest in Decedent's 1/5 interest; • Raymond Beltran: 1/2 of a 1/8 interest in Decedent's 1/5 interest; • ESTATE OF Arthur Robles: 1/2 of a 1/8 interest in Decedent's 1/5 interest; • Esther Tinajero: 1/7 of a 1/8 interest in Decedent's 1/5 interest; • Sandra E. Rapozo: 1/7 of a 1/8 interest in Decedent's 1/5 interest; • Manuel Escandon, Jr.: 1/7 of a 1/8 interest in Decedent's 1/5 interest; • Pedro Escandon: 1/7 of a 1/8 interest in Decedent's 1/5 interest; • Christina Escandon: 1/7 of a 1/8 interest in Decedent's 1/5 interest; • Moses Escandon: 1/7 of a 1/8 interest in Decedent's 1/5 interest; • Monalissa Escandon: 1/7 of a 1/8 interest in Decedent's 1/5 interest; • Erlinda Cananda: 1/2 of a 1/8 interest in Decedent's 1/5 interest; • Jay Alamo: 1/2 of a 1/8 interest in Decedent's 1/5 interest. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: <i>Petition</i> does not state the account period pursuant to Probate Code § 1061 (a). However, the schedules indicate the ending dates of the transactions reported in this account is March 2013.</p> <ol style="list-style-type: none"> 1. <i>Final Inventory and Appraisal</i> filed on 3/11/2011 is incomplete at Item 5 re: property tax certificate, as required by Probate Code § 8800(d). Need statement regarding Property Tax Certificate. (Revenue and Tax Code § 480.) 2. <i>Supplemental Declaration to the Petition for Final Distribution</i> filed 8/14/2013 states a clearance certificate from the Franchise Tax Board will be filed with the Court upon receipt. Court records do not show such receipt has been filed; therefore, need said receipt to be filed with the Court showing no tax liability, or need proof of service of notice mailed to the Franchise Tax Board pursuant to Probate Code 9202(c)(1). 3. <i>Schedule F "Heirs of Decedent and Proposed Distribution"</i> includes distribution to Arthur Robles (on Page 1), who post-deceased the decedent. Based upon his having survived the Decedent, but being now deceased, pursuant to Probate Code § 11802, his distributive interest in the real property should be distributed to the personal representative of his estate (who may choose to distribute the real property via Probate Code § 13200, et seq. or some other mechanism.) Proposed order should include this finding. 4. Need proposed order. ~Please see additional page~ 	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			X
<input checked="" type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/ O
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters	092611		
<input type="checkbox"/>	Duties/S			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input checked="" type="checkbox"/>	9202			
<input type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice	X		

NEEDS/PROBLEMS/COMMENTS, continued:

Note: Schedule C entitled "Initial Distribution" indicates Petitioner paid a total of **\$7,354.59** to estate heirs consisting of rental income receipts from the real property. It appears such payments may be considered preliminary distributions under Probate Code § 10520(a), as the real property rental receipts are income received during administration. Dates of payments are not provided on Schedule C, raising the question of whether the time for filing claims had expired prior to the distributions; however, it appears the preliminary distributions were made without loss to creditors or injury to the estate as required by Probate Code 10520(a).

Note: Documents entitled *Waiver of Account*, each stating that the undersigned beneficiary of the estate "hereby waives the filing and settlement of a final account," were filed by the Petitioner on the following dates, signed by the following persons (these persons do not constitute all heirs listed in the initial petition for letters of administration):

- **PEDRO S. ESCANDON**, nephew, filed 10/29/2012;
- **ESTHER E. TINAJERO**, niece, filed 10/29/2012;
- **ESTELLA GRIFFITH**, sister (Petitioner), filed 10/23/2012;
- **DONNA STEVENS**, niece, filed 6/25/2012;
- **STEVEN ESCANDON**, nephew, filed 6/21/2012;
- **JAY ALAMO**, nephew, filed 5/29/2012;
- **RAYMOND BELTRAN**, nephew, filed 5/21/2012;
- **ALBERT OLIVA**, nephew, filed 3/16/2012;
- **ERLINDA CANANDA LOPEZ**, niece, filed 3/16/2012;
- **ARTHUR ROBLES**, nephew, filed 3/15/2012; [Note: Heir is post-deceased per Minute Order dated 11/13/2012.]
- **RAQUEL PENA**, sister, filed 3/15/2012;
- **CHRISTINA ESCANDON**, niece, filed 3/15/2012.

Note: Declaration of Estella Griffith filed 7/13/2011 states, in pertinent part, that Decedent had two families, and that Decedent's nephew, **MANUEL ESCANDON, JR.**, does not want Decedent's estate to be distributed to any of the Decedent's second family, consisting of the following children: **CHRISTINA ESCANDON**, **MOSES ESCANDON**, and **MONALISSA ESCANDON**. It appears from the filed documents that Petitioner may have attempted to seek the waiver of account from all estate heirs, and perhaps being unsuccessful in that effort, she filed a *Final Account and Report* on 5/9/2013, and later she filed the instant *First Amended Final Account and Report* on 9/5/2013. It appears Petitioner may be unable to obtain waivers of account from the following estate heirs:

- **RALPH ESCANDON, SR.**, brother;
- **MANUEL ESCANDON, JR.**, nephew;
- **SANDRA RAPOZO**, niece;
- **MOSES ESCANDON**, nephew;
- **MONALISSA ESCANDON**, niece.

Note: Supplemental Declaration to the Petition for Final Distribution filed 8/14/2013 provides satisfactory explanations for much of the transactions presented in the accounting which were previously questionable and unexplained. Additionally, Supplemental Declaration states Consent to Distribut[ion] of Real Property was sent to each beneficiary, and 5 out of the 17 sent out have been signed and returned to Petitioner. [Note: Signed Consents to Distribution of Real Property have been filed with the Court from 6 of the heirs.]

Note: Pursuant to Local Rule 7.12.4, the Court will not order distribution of real property in undivided interests without the written consent of all distributees. The desire to have the parties agree and thus have the estate distributed expeditiously reflects the preference of the Court, but is not a requirement of the Probate Code. Therefore, the Court may proceed with distribution of the real property in undivided interests despite being unable to obtain the consent of all of the distributees.

Note to Judge: The Court's policy noted above regarding distribution of real property to all heirs despite the inability to obtain all of their consents per the Local Rule, was a recommendation from Dawn Annino upon the examiners requesting her input in circumstances such as the instant case.

Atty Williams, Jasmine T. (pro per – mother/Petitioner)

Petition for Termination of Guardianship

Xazavier, 14		JASMINE WILLIAMS, mother, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This Petition pertains to Xazavier only. Maria is now 18 years old.</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Termination of Guardianship or Consent & Waiver of Notice or Declaration of Due Diligence</i> for: <ul style="list-style-type: none"> - Genice Whittle (paternal grandmother) - Darrell Richardson (father) - Paternal grandfather (unknown) - George Williams (maternal grandfather) - Xazavier Williams (minor) - Maria Williams-Richardson (sibling) - Maurice Richardson (sibling)
		GENICE WHITTLE, paternal grandmother, was appointed guardian on 06/11/12.	
		Father: DARRELL RICHARDSON	
Cont. from		Paternal grandfather: UNKNOWN	
	Aff.Sub.Wit.	Maternal grandfather: GEORGE WILLIAMS	
✓	Verified	Maternal grandmother: DECEASED	
	Inventory	Petitioner requests that the guardianship be terminated so that Xazavier can have a stable, loving home with her where he won't run away or be picked on.	
	PTC	Court Investigator Dina Calvillo filed a report on 10/02/13.	
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: JF
			Reviewed on: 10/01/13
			Updates: 10/04/13
			Recommendation:
			File 10 – Williams - Richardson

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

Age: 14	<p align="center"><u>TEMPORARY GRANTED EX PARTE:</u> <u>TEMPORARY EXPIRES 10/08/13</u></p> <p align="center"><u>GENERAL HEARING 12/04/13</u></p> <p>ALIYAH M. BAIS, minor, is petitioner and requests that SALENA BAIS NOWAK, paternal aunt, be appointed as her Guardian.</p> <p>Father: RICHARD BRANDON BAIS</p> <p>Mother: KACIE BAIS</p> <p>Paternal grandfather: RICHARD BAIS – <i>Consent & Waiver of Notice filed 09/26/13</i> Paternal grandmother: JOHNNIE WRAY HUGHES</p> <p>Maternal grandfather: JON EVANS Maternal grandmother: BEVERLY MEANS</p> <p>Siblings: TIARA BAIS, OADON BAIS, SAVION BAIS</p> <p>Petitioner states that she is afraid of her father because he has threatened her and been violent with her in the past. The minor states that she has recordings of her father ranting at her using profanities. Her father is currently living and working in Elko, Nevada and has placed the minor with different people while he is gone. The minor states that she is not comfortable in any of the homes where her father placed her. The minor states that her mother is very unstable and is always moving from place to place. The minor states that she does not know where her mother is currently staying. Petitioner states that she wants to live in a secure environment and be able to go to school and requests that her aunt Salena Bais Nowak be appointed as her guardian.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Duties of Guardian</i>. 2. Need <i>Notice of Hearing</i>. 3. Need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Guardian of the Person</i> or <i>Consent & Waiver of Notice</i> or <i>Declaration of Due Diligence</i> for: <ul style="list-style-type: none"> - Richard Brandon Bais (father) - Kacie Bais (mother) 	
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			x
Duties/Supp			x
Objections			
Video Receipt			
CI Report			
9202			
Order			x
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
<p>Reviewed by: JF</p> <p>Reviewed on: 10/02/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 - Bias</p>			

Amended (1) First and Final Report of Personal Representative, and (2) Petition for Final Distribution and (3) Attorneys' Fees for Ordinary and Extraordinary Services on Waiver of Accounting (PC 12200)

DOD: 2-5-09	STANLEY KOBASHI , Brother and Administrator with Full IAEA without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 8-6-13 (Judge Black): Matter taken under submission. Later and off the record: The Court finds that distribution of the estate shall be to a Special Needs Trust created for the benefit of Gregory Zaragosa. The Special Needs Trust will be subject to continuing Court jurisdiction and must comply with the Probate Code and the Fresno County Local Rules. The Court orders the attorney to file a new case for the approval of the Special Needs Trust. Once the Special Needs Trust is established the Court will sign an order for distribution based on this ruling. Taken under submission. Continued to 10/8/13. Set on 10/8/13 for: Status on the Filing of the Special Needs Trust</p> <p>Note: The following issues remain:</p> <ol style="list-style-type: none"> Costs include \$9.08 for overnight delivery services. However, pursuant to Local Rules, this is considered a cost of doing business and not reimbursable. Therefore, if granted, cost reimbursement will be decreased by this amount. The proposed promissory note provides that Petitioner as Administrator will make payments to Petitioner individually over a 21-month period, secured by a lien on the real property. However, this petition proposes to close the estate, which has minimal cash, and distribute to petitioner individually. Therefore, need clarification as to how Petitioner proposes to repay himself from the estate if the estate is closed.
	Accounting is waived.	
Cont from 080613	I&A: \$180,000.00	
<input type="checkbox"/> Aff.Sub.Wit.	POH: \$186,128.84 (\$6,128.84 cash plus real and personal property)	
<input checked="" type="checkbox"/> Verified	Administrator (Statutory): Waived	
<input checked="" type="checkbox"/> Inventory	Attorney (Statutory): \$6,400.00	
<input checked="" type="checkbox"/> PTC	Attorney (Extraordinary): \$3,466.00 (for 11.15 paralegal and attorney hours for services in connection with establishing a special needs trust for Decedent's son)	
<input checked="" type="checkbox"/> Not.Cred.	Attorneys' fees for Guardian Ad Litem: \$3,368.75 (Exhibit Dooley Herr Pedersen & Berglund Bailey, for Leonard C. Herr, GAL for Gregory Zaragoza, Decedent's adopted son, for 20.75 hours @ \$150-175/hr, per separate declaration)	
<input checked="" type="checkbox"/> Notice of Hrg	Costs: \$1,073.08 (filing, certified letters, overnight delivery service, publication)	
<input checked="" type="checkbox"/> Aff.Mail	Petitioner states the decedent was survived by his adopted son, his mother, and his brother (Petitioner). The family agreed that the son and mother would disclaim their interest so that Petitioner would inherit the estate, and he would then establish a special needs trust for the decedent's son.	
<input type="checkbox"/> Aff.Pub.	Petitioner proposes that due to the shortage of cash to pay the administrative expenses, he will loan the estate the balance to pay these expenses under certain terms detailed in the attached promissory note, secured by deed of trust.	
<input type="checkbox"/> Sp.Ntc.	Distribution pursuant to intestate succession and disclaimers:	
<input type="checkbox"/> Pers.Serv.	Stanley Kobashi: Entire estate	
<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 checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		

