

Probate Status Hearing Re: Failure to File Inventory and Appraisal and Failure to File First Account or Petition for Final Distribution

DOD: 11/14/2003	<b>CLAYTON JEFFREY MASSEY</b> and <b>RAYMOND DEAN MASSEY</b> were appointed as Co-	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Executors with full IAEA authority and without	
	bond on 5/11/2004.	
Cont. from 090613, 110113, 010314, 030714, 050914, 050914, 060514, 090414	Letters issued on 5/11/2004.  Inventory and appraisal was due on 10/11/2004.	
Aff.Sub.Wit.	First account and/or petition for final	
Verified	distribution was due on 5/11/2005.	
Inventory		
PTC	Notice of Setting Status Hearing was sent to	
Not.Cred.	Attorney Richard Hemb on 7/17/2013.	
Notice of Hrg	<b>Former Status Report of Attorney Richard Hemb filed on 5/6/14</b> states an inventory and	
Aff.Mail	appraisal was prepared by Steven Diebert	
Aff.Pub.	with a total value of \$193,489.92 and sent to	
Sp.Ntc.	the clients for review and signature. Mr. Hemb	
Pers.Serv.	states he also prepared a declaration	
Conf. Screen	whereby the property would be distributed to	
Letters	an inter vivos trust and a First and Final	
Duties/Supp	Account and Report of Executors and Petition	
Objections	for Settlement, Allowance of Commissions and	
Video Receipt	Fees and Final Distribution. The documents	
CI Report	were never executed by his clients.	
9202		
Order	Mr. Hemb states he personally visited the	
Aff. Posting	residence located at 12557 E. Herndon in	
Status Rpt	Clovis and found Mr. Massey to reside at that	
UCCJEA	location. Mr. Hemb states he had a personal	
Citation	conversation with Mr. Massey to explain the	
FTB Notice	need to resolve the probate estate.	
	Since Mr. Hemb's personal visit to Mr. Massey's	
	home, his office has sent reminder letters to Mr.	
	Massey. To date, Mr. Massey has not	
	contacted his office to conclude the estate.	
	<b>Please see additional page</b>	
		Reviewed by: KT
		Reviewed on: 10/7/14
		Updates:
		Recommendation:
		File 1A – Massey

**Status Report of the Public Administrator filed on 8/28/14 states** Senior Probate Assistant Susan Banuelos researched this case and learned that there are not assets in the estate. All assets were marshalled under the decedent's trust.

Therefore, the Public Administrator requests that no further status hearings be set in this matter, and that the Public Administrator be discharged as successor Administrator.

**Note:** There were assets in this estate see Mr. Hemb's status report filed on 5/6/14. The assets were transferred from the estate to the trust by the former co-executors without court authorization.

Probate Code §9202 requires notice to the Department of Health Care Services and Victim Compensation and Government Claims Board. There is no indication that either agency has been noticed. It appears that both those agencies should be noticed prior to the closing of this estate. If it is found that either of those entities have a claim against the estate, a surcharge petition should be filed against the former co-executors to pay said claims.

If after noticing the Department of Health Care Services and Victim Compensation and Government Claims Board there are no claims against the estate, the court could close the estate and discharge the Public Administrator.

The former co-executors are the only beneficiaries of this estate and would be the only persons harmed by their wrongdoing if no claims are filed by the Department of Health Care Services and Victim Compensation and Government Claims Board.

**Order to Show Cause Re: Failure to Appear**

<b>DOD: 11/14/2003</b>	<b>CLAYTON JEFFREY MASSEY</b> and <b>RAYMOND DEAN MASSEY</b> were appointed as Co-Executors with full IAEA authority and without bond on 5/11/2004.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Letters issued on 5/11/2004.	<p><b>Minute order from 6/5/14 states</b> the court notes that Clayton Massey is not present. Mr. Hemb advises the Court that he has verified Clayton Massey's address and has conveyed to him the importance of appearing at today's hearing. The court imposes sanctions in the amount of \$500.00 against Clayton Massey. Sanctions to be paid by 7/7/14. – Copy of the minute order was mailed to Clayton Massey on 6/5/14. As of 9/2/14 the sanctions have not been paid.</p>
<b>Cont. from 060514 090414</b>	Inventory and appraisal was due on 10/11/2004.	
<b>Aff.Sub.Wit.</b>	First account and/or petition for final distribution was due on 5/11/2005.	
<b>Verified</b>	<p><b>Minute order dated 5/9/14</b> set this Order to Show Cause Re: Clayton Massey's failure to appear. The Court Orders Clayton Massey to be personally present on 6/5/14. A copy of the minute order was mailed to Clayton Massey on 5/16/14.</p>	
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 10/7/14</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 1B - Massey</b>

**Probate Status Hearing Re: Filing Account**

<b>DOD: 11/06/06</b>	<b>NAGLAA K. ALAMELDIN</b> , sister, was appointed Administrator with full IAEA and bond of \$190,000.00 on <b>01/02/07</b> .	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>1. Need Final Account and Petition for Final Distribution or current written status report</b> pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
<b>Cont. from 100412, 113012, 020113, 040513, 060713, 080913, 090613, 110113, 010914, 041014, 081114</b>	<b>NAGLAA K. ALAMELDIN</b> filed a <b>Status Report of Administration of Estate and Petition to Approve First Account</b> on 09/21/10.	
<b>Aff.Sub.Wit.</b>	The <b>Petition to Approve First Account</b> was continued several times (11 hearings total) and the Court denied the Petition with leave to Amend on 06/04/12.	
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>	<b>Minute Order from hearing on 8/6/12</b> set this matter for status regarding filing the account.	
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	<b>In June of 2013</b> the attorney reported that the estate is waiting on funds totaling \$69,425.63 from CA State Controller unclaimed property. In addition since there was a minor beneficiary a guardianship of the estate would be needed prior to distribution.	
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>	<b>Former Status Report filed 8/11/14</b> states the estate received a check in the amount of \$69,352.97 from the State Controller's office. Administrator states they are in the process of preparing a formal accounting and petition for final distribution in the next 45 days.	
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>	X	
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed on:</b> 8-6-14
		<b>Updates:</b> 10/7/14 (KT for 10/9/14)
		<b>Recommendation:</b>
		<b>File 2 - Alameldin</b>

**Second Accounting**

<b>Esmeralda, age 17</b>	<p><b>MARIA ARACELI CHAVEZ</b>, Mother and Guardian Of the Estate, is Petitioner.</p> <p><b>Account period:</b>  <b>11-31-11 through 4-14-14</b></p> <p>Accounting: \$52,492.54          Beginning POH: \$52,239.82          Ending POH: \$52,492.54 (cash)</p> <p><b>Petitioner states</b> all cash has been in an interest bearing blocked account at Bank of America. See attached account statement. In addition, with the distribution of \$25,000 dollars reported on the First Accounting, a home was purchased on 11-30-11. The amount of the purchase was divided in two and entered in the summary of accounts under non-cash assets. Attached also is a copy of the final settlement statement for the home and the grant deed showing the minors on title.</p> <p><b>Note:</b> Minute order dated 5/27/14 indicates the Court removed Maria Araceli as guardian of the estate and appointed the Public Guardian.</p> <p>Minute order dated 7/22/14 states the court will consider vacating its prior order appointing the Public Guardian upon the filing of a declaration from Ms. Chavez explaining why she should be reappointed and the Public Guardian relieved.</p> <p><b>Declaration of Maria Araceli Chavez filed on 7/31/14</b> states there is no one who has her daughters best interest in mind like she does. She would like to conserve as much money in their accounts as possible for their education. Ms. Chavez states she has been the guardian for the past 5 years and would like to continue.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Please see related case on page 17.</b></p> <ol style="list-style-type: none"> <li><b>1. This accounting was filed with a fee waiver; however, based on the account, the filing fee of \$435.00 may be due.</b></li> <li><b>2. Accounting is not verified.</b></li> <li><b>3. Need Notice of Hearing.</b></li> <li><b>4. Need proof of service of the Notice of Hearing on Esmeralda B. Mendez.</b></li> <li><b>5. Need Order.</b></li> </ol> <p><b>Note:</b> The minor will attain the age of 18 in December 2014 therefore, a <b>status hearing will be set on Wednesday, February 4, 2015 at 9:00 a.m. in Dept. 303</b> for the filing of a final accounting.</p>
<b>Cont from 082114</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>	X	
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	X	
<b>Aff.Mail</b>	X	
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>	X	
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 10/7/14 (KT for hearing on 10/9/14)
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 3 – Mendez</b>

Atty Mele, James J., of Mele Law Office (for Petitioner Norman J. Rogers, Administrator)

(1) First and Final Account and Petition for Settlement of First and Final Account and (2) Final Distribution and (3) for Allowance of Compensation for Ordinary Services for Petitioner and Petitioner's Attorney

<b>DOD: 2/15/2012</b>		<p><b>NORMAN JOSEPH ROGERS</b>, father and Administrator, is Petitioner.</p> <p><u>Account period: 6/1/2012 – 8/22/2014</u></p> <table> <tr> <td>Accounting</td> <td>-</td> <td>\$190,336.10</td> </tr> <tr> <td>Beginning POH</td> <td>-</td> <td>\$142,000.00</td> </tr> <tr> <td>Ending POH</td> <td>-</td> <td>\$155,576.16 <i>(all cash)</i></td> </tr> <tr> <td>Administrator</td> <td>-</td> <td>\$6,710.08 <i>(statutory)</i></td> </tr> <tr> <td>Attorney</td> <td>-</td> <td>\$6,710.08 <i>(statutory)</i></td> </tr> </table> <p><b>Distribution pursuant to intestate succession is to:</b></p> <ul style="list-style-type: none"> <li>NORMAN JOSEPH ROGERS – \$71,078.00;</li> <li>JEANETTE BURGER – \$71,078.00.</li> </ul>	Accounting	-	\$190,336.10	Beginning POH	-	\$142,000.00	Ending POH	-	\$155,576.16 <i>(all cash)</i>	Administrator	-	\$6,710.08 <i>(statutory)</i>	Attorney	-	\$6,710.08 <i>(statutory)</i>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
Accounting	-		\$190,336.10															
Beginning POH	-		\$142,000.00															
Ending POH	-		\$155,576.16 <i>(all cash)</i>															
Administrator	-		\$6,710.08 <i>(statutory)</i>															
Attorney	-		\$6,710.08 <i>(statutory)</i>															
<b>Cont. from</b>																		
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>																	
<input checked="" type="checkbox"/>	<b>Verified</b>																	
<input checked="" type="checkbox"/>	<b>Inventory</b>																	
<input checked="" type="checkbox"/>	<b>PTC</b>																	
<input checked="" 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>																	
<input type="checkbox"/>	<b>Conf. Screen</b>																	
<input type="checkbox"/>	<b>Letters</b> 060112																	
<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>9202</b>																	
<input checked="" type="checkbox"/>	<b>Order</b>																	
<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 checked="" type="checkbox"/>	<b>FTB Notice</b>																	
		<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 10/8/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b> SUBMITTED</p> <p><b>File 4 - Rogers</b></p>																

(1) Petition to Close and Distribute Estate on Waiver of Account; (2) Request for Reimbursement of Costs Advanced by Administrator; (3) Request for Approval of Payment of Statutory and Extraordinary Attorney's Fees

<b>Age: 11/26/11</b>		<p><b>JOCELYN ALSDORF</b>, Administrator with Will Annexed is petitioner.</p> <p>Accounting is waived.</p> <p>I &amp; A - <b>\$362,211.31</b></p> <p>POH - <b>\$ 64,372.00</b></p> <p>Administrator - <b>Waives</b></p> <p>Attorney (statutory) - <b>\$10,244.62</b></p> <p>Attorney x/o - <b>\$4,000.00</b> (per itemization and declaration. 20.40 hours @ \$200 - \$325/hr. for sale of real property and personal tax matters.)</p> <p>Attorney costs (filing fee) - <b>\$435.00</b></p> <p>Administrator costs (utilities for real property, trash) - <b>\$291.76</b></p> <p>Closing reserve - <b>\$3,000.00</b></p> <p>Decedent's Will devises the decedent's estate to the decedent's 4 children to be held in trust with distributions of 1/3 at age 30, 1/3 at age 40 and 1/3 at age 50. Petition requests that the court allow outright distribution to the beneficiaries pursuant to Probate Code §15408(a) and (b).</p> <p style="text-align: center;"><b>Please see additional page.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> W/		
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<input checked="" type="checkbox"/>	<b>Letters</b> 5/1/13		
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by:</b> KT	
		<b>Reviewed on:</b> 10/8/14	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 5 - Alsdorf</b>	

**Proposed distribution as follows:**

Jocelyn Alsdorf	-	<b>\$11,600.16</b>
Gunner Alsdorf	-	<b>\$11,600.16</b>
Rebecca Alsdorf	-	<b>\$11,600.16</b>
Sarah Alsdorf	-	<b>\$11,600.16</b>

**Status Hearing Re: Filing of the First Account and Report of Conservator**

<b>DOD: 7/1/14</b>	<b>PUBLIC GUARDIAN</b> was appointed conservator of the person and estate on 5/29/13.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need first account.</p>
	Letters issued on 5/30/13.	
<b>Cont. from 080114</b>		
<b>Aff.Sub.Wit.</b>	Inventory and appraisal, part 1, was filed on 5/13/13 showing a value of \$165,000.00	
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>	Inventory and appraisal, final, was filed on 7/30/13 showing a value of \$53,220.97	
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>	Inventory and Appraisal, supplemental, was filed on 6/3/14 showing a value of \$210.00	
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>	Minute order dated 5/29/13 set this status hearing for the filing of the first account.	
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>	<b>Status Report filed on 7/29/14</b> states the Public Guardian completed the necessary documents to file the first account. However, before the account was complete, the conservatee died. A copy of the conservatee's will was obtained, and County Counsel found that more time was needed in order to check the status of a promissory note mentioned in the will. In order to allow the Public Guardian more time to research the status of the promissory note and complete the accounting it is respectfully requested that the next status hearing be set no sooner than 9/12/14.	
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 10/7/14</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 6 – Henrichs</b>

<b>DOD: 11/26/12</b>	<b>BETTY PHILLIPS and ROSE LEE LITTLE,</b> Executors, are petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<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>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>	6/11/13	
<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>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>	Betty Phillips - \$70,000.00	
<input type="checkbox"/> <b>Aff. Posting</b>	Rose Lee Little - \$70,000.00	
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input checked="" type="checkbox"/> <b>FTB Notice</b>		
	<b>I &amp; A - \$678,096.95</b>	
	<b>Petitioners state</b> the estate is not yet in a condition to close because Karlie Steinhauer who is a named beneficiary of a parcel of real property of the estate is also a debtor of the estate. Karlie Steinhauer signed a "Loan Agreement" with the decedent to repay a loan of \$55,000.00 with interest. Karlie Steinhauer has refused to make continuing payments on the loan. Petitioners Betty Phillips and Rose Lee Little, who are the beneficiaries of the residual estate have filed a civil action for breach of contract against Karlie Steinhauer to collect said loan.	
	<b>Petitioners request a preliminary distribution as follows:</b>	
	Kimberly Dee McLay – Real property located at 945 S. Clovis Ave., Unit J, Fresno (appraised at \$145,000).	
	Betty Phillips - \$70,000.00	
	Rose Lee Little - \$70,000.00	
	Petitioners state the above described distributions can be made without harm to the estate. After said distributions the value of the estate remaining will be \$457,523.78 which is more than sufficient to pay creditor's claims, if any, other devisees and all commissions, fees and costs of administration.	
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 10/8/14</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 7 - Kiramidjian</b>

Atty Fanucchi, Edward L. (for Administrator Isabel Diaz-Casillas)

(1) First and Final Account and Report of Personal Representative, Petition for Settlement (2) for Allowance of Attorneys' Fees for Ordinary Services, (3) Waiver of Commission, Costs, Reserve and (4) for Final Distribution to Verbal Testamentary Trust

<b>DOD: 1-17-13</b>	<b>ISABEL DIAZ-CASILLAS</b> , Sister and Administrator with Full IAEA without bond, is Petitioner.	<p><b>NEEDS/PROBLEMS/ COMMENTS:</b></p> <p><b>Continued from 8/28/2014.</b> Minute Order [Judge Oliver] states: No appearances. Mr. Fanucchi is ordered to personally appear on 10/9/2014 and prepare to address the issues or file amendments if needed.</p> <p><b>Note:</b> Nunc Pro Tunc Consent of Designated Beneficiary to Probate of Assets and Distribution to Trust for Children of Decedent was filed 10/6/2014 by the following persons:</p> <ul style="list-style-type: none"> <li>Isabel Diaz-Casillas, sister of Decedent;</li> <li>Dina Diaz, sister of Decedent.</li> </ul> <p><b>SEE ADDITIONAL PAGES</b></p>
<b>Cont. from 082814</b>		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory		
PTC	X	
<input checked="" type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	W	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
<input checked="" type="checkbox"/> Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202	X	
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
<input checked="" type="checkbox"/> FTB Notice		
	<p><b>Account period: 1-18-13 through 6-30-14</b> Accounting: \$155,082.17 Beginning POH: \$155,082.17 Ending POH: \$119,894.35 (cash)</p> <p><b>Administrator (Statutory): Waived</b></p> <p><b>Attorney (Statutory): \$5,652.47</b></p> <p><b>Closing: \$5,000.00</b></p> <p><b>Petitioner states</b> that pursuant to the wishes of the decedent prior to her death, it was her intention that the following assets be held in trust by Petitioner for the benefit of her two children and that funds be disbursed in the discretion of the trustee for the benefit of each child in an amount in the discretion of the trustee for the general welfare of said children and for payment of any debts owed by the decedent as a result of her death:</p> <ol style="list-style-type: none"> <li>Pension benefits payable to Gina Diaz (sister);</li> <li>Supplemental Life Insurance Policy with Symetra Life Insurance Company payable to Gina Diaz</li> <li>Basic Life Insurance Policy with Symetra Life Insurance Company payable to Isabel Diaz-Casillas</li> </ol> <p>The funds referenced above are to be deposited in the trust account of Quinlan, Kershaw &amp; Fanucchi, LLP, and funds are to be disbursed upon the authority of the trustee.</p> <p><b>Distribution pursuant to "Agreement Re Verbal Testamentary Trust" is to:</b> <b>Isabel Diaz-Casillas, as Testamentary Trustee for Amando Montero: \$53,252.56;</b> <b>Isabel Diaz-Casillas, as Testamentary Trustee for Jessica Montero Hinojosa: \$54, 692.82</b></p>	
		<p><b>Reviewed by:</b> skc (LEG for 10/8/14)</p> <p><b>Reviewed on:</b> 10/8/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b> File 8 – Lujan</p>

1. Petitioner states that prior to the decedent's death, the decedent stated that it was her intention that certain assets be held in trust for her two children (who are adults), including:
  - a. Pension benefits payable to Gina Diaz (the decedent's sister) in the net amount of \$8,853.55, after deduction of \$2,770.10 for federal income taxes withheld, and in the net amount of \$2,770.10, after deduction of \$692.52 for federal income taxes withheld;
  - b. Supplemental Life Insurance Policy with Symetra Life Insurance Company payable to Gina Diaz (the decedent's sister) in the amount of \$60,093.70; and
  - c. Basic Life Insurance Policy with Symetra Life Insurance Company payable to Isabel Diaz-Casillas (Petitioner) in the amount of \$75,117.12.

These cash assets were inventoried by the Administrator as assets of the estate on the I&A filed 9-4-13 pursuant to Probate Code §8901; however, these accounts had beneficiary designations.

Petitioner is the designated beneficiary of the Symetra Basic Life Insurance Policy. Is it correct to assume that by this petition, Petitioner consents to the probate of this asset as an asset of the estate?

Gina Diaz, the decedent's other sister, however, is the designated beneficiary of the Symetra Supplemental Life Insurance Policy and the EOC Pension benefits. Gina Diaz has not signed any consent to include these assets as assets of the estate, or to the "Agreement" that would allow these accounts to be probated and distributed ultimately to other beneficiaries.

Need authority for including the assets that designate Gina Diaz as beneficiary as assets of the estate.

2. Petitioner titles her declaration regarding the decedent's intent as "Agreement Re Verbal Testamentary Trust," and requests distribution pursuant thereto.

However, there is no such thing as a "verbal testamentary trust." A testamentary trust is a trust created by a will. See §17300. The decedent died intestate. Therefore, any distribution of estate assets would be pursuant to intestate succession, or beneficiary designation, pursuant to clarification of #1 above.

Further, the "Agreement" is signed only by Petitioner and although it includes a statement that the decedent verbally stated certain wishes, it does not provide details that would be relevant to the establishment of an oral trust in accordance with Probate Code §15207, and this petition has not been brought under that section. For example, no information is provided regarding the specific circumstances of how or when the decedent verbally made these statements, which appear to be very specific, yet contrary to the beneficiary designations that were previously in existence.

If Petitioner is alleging that an oral trust was created by the decedent prior to her death, it would need to be separately established under proper authority by clear and convincing evidence, and then Petitioner could theoretically request distribution of the estate pursuant to such previously established trust.

Alternatively, if the beneficiaries (Isabel Diaz-Casillas and Gina Diaz) and intestate heirs (Armando Montero and Jessica Montero Hinojosa) wish to make an agreement regarding the inclusion of certain assets in this probate estate and distribution pursuant to such agreement, an amended petition may be appropriate; however, whatever form such agreement takes, it would not be considered a "verbal testamentary trust."

SEE ADDITIONAL PAGES

3. Bank of America filed a creditor's claim \$32,911.04, which was rejected per Rejection filed 9-23-13. However, Petitioner does not state whether any lawsuit resulted from the claim/rejection pursuant to Cal. Rules of Court 7.403.

In the petition, Petitioner states that this claim was for a second deed of trust on real property "which was lost to foreclosure." However, the petition does not state when the property was lost to foreclosure. Was it was prior to or after the decedent's death in January 2013? In the "Agreement" signed by Petitioner in June 2013, Petitioner states the residence "is currently in proceedings for a Trustee's sale," which indicates that the real property was not yet foreclosed, and was owned by the decedent at her death and therefore should have been inventoried as an asset on the I&A.

Need verified statement regarding whether any action was taken by the creditor upon rejection of the claim, and clarification re the real property. If the property was not foreclosed, what actions were taken, if any, with regard to the property?

4. Petitioner did not answer #5 on the I&A re Property Tax Certificate. Need verified statement regarding the requirements of R&T Code §480.
5. The disbursements schedule indicates that Petitioner made numerous "advances" to the decedent's two children as trustee of the "trust" without Court authorization in violation of Probate Code §11620. Jessica Hinojosa has received \$10,559.74 and Armando Montero has received \$10,000.00, plus \$2,116.68 for funeral expenses (not itemized) plus \$2,000.00 paid to McCormick Barstow on Armando Montero's behalf (without explanation).
6. Petitioner does not address whether notice was required to the Director of the California Victim Compensation and Government Claims Board pursuant to Probate Code §9202(b).

Note: Based on the above issues, the Court may strike any language approving the acts and transactions of the personal representative.

7. Petitioner requests to retain a reserve amount of \$5,000.00 for closing expenses; however, Petitioner does not indicate what liabilities may be determined to be due. It appears from the disbursements schedule that the decedent's final taxes have been completed. The Court may require clarification regarding the purpose of the reserve, and, consistent with the Court's recent practice, if Court determines an informal accounting of the closing reserve is warranted, Court will set a Status Hearing as follows:

- Thursday, February 26, 2015 at 9:00 a.m. in Dept. 303 for an Informal Accounting of the \$5,000.00 Closing Reserve.

Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required. Filing of the informal accounting of closing reserve will not generate a new hearing date.

Atty Arthur, Susan K. (for Petitioner/Administrator Mary Jessie Avery)

(1) Waiver of Accounting and First and Final Report of Administrator and Petition for its Settlement, (2) for Allowance of Compensation for Ordinary Services, and (3) for Final Distribution

<b>DOD: 12/13/13</b>	<b>MARY JESSIE AVERY</b> , Surviving Spouse/Administrator, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Decedent died intestate. The petition for probate did not indicate whether or not the decedent was survived by siblings (item #6 of the Petition for Probate). Probate Code §6401(c)(2)(B) states if the decedent was survived by issue of a deceased parent then the issue of the deceased parent would be entitled to ½ of the decedent's separate property. The Court will require a verified declaration indicating whether or not the decedent was survived by siblings.</p> <p><b>Note:</b> Because of the issue raised above the Examiner looked up the decedent's obituary. The obituary from the Sanger Herald, dated 12/19/13, indicates the decedent was survived by a spouse, Mary "Jessie" Avery and daughters, Lisa, Tracy and Chaerise of California and Beborah Avery of Colorado. The Petition for Probate indicates the decedent was not survived by issue. The court may require more information on whether or not the decedent was survived by issue. If the decedent was survived by issue Probate Code §6401(c)(3)(A) indicates the children of the decedent would be entitled to a 2/3 share of the decedent's estate.</p> <p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 10/8/14</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 9 - Avery</b></p>
	Accounting is waived.	
<b>Cont. from</b>	I & A - <b>\$301,833.59</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	POH - <b>\$301,833.59</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Administrator - <b>waives</b>	
<input checked="" type="checkbox"/> <b>Inventory</b>	Attorney - <b>\$9,037.67</b>	
<input checked="" type="checkbox"/> <b>PTC</b>	(statutory, to be paid outside of the estate)	
<input checked="" type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Proposed distribution is to:</b>	
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	W/ Mary Jessie Avery - 3485 share of Sempra Energy Common Stock.	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>	4/24/14	
<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>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<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 checked="" type="checkbox"/> <b>FTB Notice</b>		

(1) First and Final Account and Report of Executor and Petition for its Settlement,  
 (2) for Allowance of Compensation for Ordinary Services, and (3) for Final  
 Distribution

<b>DOD: 12/11/13</b>	<b>GEORGE C. JOHNSON</b> , Executor, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Account period: 12/11/13 – 8/28/14	
<b>Conf. from</b>	Accounting - <b>\$389,500.00</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$385,000.00</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Ending POH - <b>\$389,000.00</b>	
<input checked="" type="checkbox"/> <b>Inventory</b>	Executor - <b>waives</b>	
<input checked="" type="checkbox"/> <b>PTC</b>	Attorney - <b>\$10,700.00</b>	
<input checked="" type="checkbox"/> <b>Not.Cred.</b>	(statutory)	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Distribution, pursuant to Decedent's Will, is to:</b>	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> W/	Marilyn F. Johnson - real property located in Clovis, CA.	
<input type="checkbox"/> <b>Aff.Pub.</b>	Shirleane Chadwick, as custodian, for Sierra Chadwick, Braden Chadwick and Gavin Chadwick (minors), under the Uniform Transfer to Minors Act - \$1,000.00 each.	
<input type="checkbox"/> <b>Sp.Ntc.</b>	Melaniee Johnson, as custodian for Alyssa Johnson (minor), under the Uniform Transfer to Minors Act - \$1,500.00	
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b> 4/28/14		
<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>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<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 checked="" type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed on:</b> 10/8/14
		<b>Updates:</b>
		<b>Recommendation:</b> SUBMITTED
		<b>File</b> 10 – Gordon

Status Hearing

Age: 18 years DOB: 2/9/96	LINDA JAMES, paternal grandmother, was appointed conservator of the person only on 8/21/14.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	LINDA JAMES petitioned to be appointed as conservator of the person and estate.	<b>Note to Judge:</b> If the Fresno County Public Guardian is to be appointed as conservator of the estate, they should be instructed to file a petition for appointment as conservator of the estate and to notice all parties entitled to notice.
Cont. from	<b>Minute order dated 8/21/14</b> states petition is granted for the person only. The Court Investigator is to get into contact with Alameda County Public Guardian, Fresno County Public Guardian and Bank Trustee Regarding estate which Sierra is a beneficiary.	
Aff.Sub.Wit.		
Verified	<b>Court Investigator Charlotte Bien's Report filed on 9/23/14</b> states she conferred with Regan Krainert, Deputy Public Guardian at Alameda County Public Guardian. She handles the guardianship estate of Sierra Moreno-Long with an approximate value of \$174,000.00. She indicated that now that Sierra has reached the age of majority she made a referral to Fresno Public Guardian to petition for a conservatorship of her estate. She believes that the Fresno County Public Guardian should be appointed conservator of the estate "as there needs to be a professional entity managing her estate." CI states she spoke to Public Guardian Manager Michelle Sloan. She indicates that their office has no objection to being appointed as conservator of the estate. It is recommended that the Fresno Public Guardian be appointed as conservator of the estate, to take over funds being held by Alameda Public Guardian who serves as guardian of the estate. It is recommended that the petition by Linda James for conservatorship of the estate be denied, and to appoint the Fresno County Public Guardian.	
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		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 10/8/17</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 11 – Moreno-Long</b>

**Notes to Judge (for some background on this case as it relates to the estate)**

- Sierra resides with her paternal grandmother, Petitioner Linda James, in a duplex. Her father, James Long, resides in the front unit of the duplex.
- According to Ms. James, the father, James Long, was convicted of a felony. She later admitted that he financially exploited Sierra by taking money from her accounts. He was removed as guardian of her estate and cannot serve as her conservator or be paid for caregiving.
- The trust pays for all of Sierra's medical costs and pays Petitioner approx. \$1,000 (as personal income) to provide Sierra with 24-hour care and supervision.
- The trust also recently purchased a van to transport Sierra to appointments. Mr. Long provided a copy of Sierra's "Life Care Plan," which was drafted when the trust was set up. It details the services that the trust pays for, and how often, including a home computer, leg braces, etc.; however, Mr. Long stated that his mother does not have a copy of this document.
- The Alameda County Public Guardian, as guardian of Sierra's estate, referred the matter to the Fresno County Public Guardian for possible conservatorship of the estate now that Sierra has reached age 18 and resides in Fresno.
- The Investigator states it is obvious that both Petitioner Linda James and the father James Long love Sierra very much, but it is complicated by the fact that both have come to rely on the income from the trust to care for Sierra. When asked if Ms. James would be willing to accept respite care, she responded that it would be helpful, but she does not want to receive any less income than her current pay.

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

<b>DOD: 06/15/2014</b>		<b>ABIGAIL SERRATO</b> , daughter, is petitioner.  Full IAEA – o.k.  Will dated: 11/09/2013 Codicil: 11/09/2013  Residence: Fresno Publication: The Fresno Bee	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Minute Order of 09/25/2014 (Judge Vogt):</b> <b>Documents to cure examiner notes were filed this morning. The Court will review documents.</b>  <b>The deficiencies with the pleadings include, but are not limited to, the following:</b>  1. Petition requests appointment as Executor and Administrator with Will Annexed. Need clarification.  2. Declaration of Attorney Franz Criego was not verified.  3. Need Notice of Petition to Administer Estate.  4. Need proof of service of the Notice of Petition to Administer Estate on pursuant to Probate Code §8110 on the following: <ul style="list-style-type: none"> <li>• Genaro V. Serrato</li> <li>• David Serrato</li> <li>• Javier Serrato</li> </ul> <b>Note:</b> Page 2 of the proof of service by mail was attached to the unverified declaration. Because the document is incomplete it is unclear whether the above individuals were noticed with the date, time, and department of the hearing.  5. Need Order.  6. Need Letters.
<b>Cont. from 092514</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b> s/p		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b> x		
<input type="checkbox"/>	<b>Aff.Mail</b> x		
<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b> x		
<input checked="" 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 type="checkbox"/>	<b>Order</b> x		
<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>		
			<b>Reviewed by:</b> LV <b>Reviewed on:</b> 10/08/2014 <b>Updates:</b> <b>Recommendation:</b> <b>File 12 - Serrato</b>

<b>DOD: 09/18/2013</b>	<b>ROBERT CRAIG ARSLANIAN</b> , son, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Minute Order of 09/25/2014 (Judge Vogt): Counsel informed the Court needs proof of holographic instrument.</b>
	40 days since DOD	
	No other proceedings	
<b>Cont. from 092514</b>	I&A - <b>\$67,500.00</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Holographic Will dated: 07/08/1993 devises decedent's entire estate to Robert Craig Arslanian except for \$1 which he leaves to his wife, Joy Paige Peelman Arslanian.	
<input checked="" type="checkbox"/> <b>Verified</b>		
<input checked="" 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/ Petitioners requests Court determination that decedent's 1/2 interest in real property located at 2802 N. Hacienda Dr. Fresno, Ca. pass to Robert Craig Arslanian pursuant to decedent's will.	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<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 type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<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>		
		<b>Reviewed by:</b> LV
		<b>Reviewed on:</b> 10/07/2014
		<b>Updates:</b>
		<b>Recommendation:</b> Submitted
		<b>File 13 - Arslanian</b>

**Spousal or Domestic Partner Property Petition (Prob. C. 13650)**

<b>DOD: 01/08/2006</b>		<b>DEBI QUAN</b> , surviving spouse, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		No other proceedings		
		Decedent died intestate		
<b>Cont. from</b>		Petitioner states she was married on 08/10/1991, at the time of the decedent's death on 01/08/2006, they had been married for 14 years. Decedent and Petitioner were married in California. Since the date of their marriage, Decedent' and Petitioner have resided in the State of California and accumulated all of their property from marital earnings of the parties. Decedent and Petitioner always intended and understood that all of the property described in this petition was community property in which they each held an undivided 1/2 interest. The real property described in this petition was purchased on 01/29/1993, and is currently held in the name of Decedent, a married man as his sole and separate property. Due to the fact Petitioner had prior credit problems, the lending company required that the real property be placed in the name of the Decedent alone even though the real property was purchased with community property funds. No legal proceedings were ever instituted to terminate the marriage or to determine the rights of the parties to their community property nor did the parties ever separate. Petitioner requests court determination that 1/2 interest in the property located at 9396 N. Boyd Avenue Fresno, Ca. be passed to petitioner and that the remaining 1/2 is confirmed as belonging to the petitioner.		
	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>			
	<b>Inventory</b>			
	<b>PTC</b>			
	<b>Not.Cred.</b>			
✓	<b>Notice of Hrg</b>			
✓	<b>Aff.Mail</b>			w/
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>			
	<b>Letters</b>			
	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			
			<b>Reviewed by:</b> LV	
			<b>Reviewed on:</b> 10/08/2014	
			<b>Updates:</b>	
			<b>Recommendation:</b> Submitted	
			<b>File 14 - Quan</b>	

Petition for Letters of Administration; Authorization to Administer Under IAEA  
 (Prob. C. 8002, 10450)

<b>DOD: 05/08/2014</b>		<p><b>GLEN R. BLUE</b>, father is the petitioner and requests appointment as Administrator without bond.</p> <p>All heirs waive bond</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate</p> <p>Residence: Fresno          Publication: The Business Journal</p> <p><b>Estimated value of the Estate:</b></p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$1,023,367.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$211,571.00</td> </tr> <tr> <td><b>Total</b></td> <td><b>-</b></td> <td><b>\$1,234,938.00</b></td> </tr> </table> <p>Probate Referee: Rick Smith</p>	Personal property	-	\$1,023,367.00	Real property	-	\$211,571.00	<b>Total</b>	<b>-</b>	<b>\$1,234,938.00</b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: If the petition is granted status hearings will be set as follows:</b></p> <ul style="list-style-type: none"> <li>• <b>Thursday, 02/19/2015 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u></li> <li>• <b>Thursday, 12/10/2015 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Personal property	-		\$1,023,367.00									
Real property	-		\$211,571.00									
<b>Total</b>	<b>-</b>		<b>\$1,234,938.00</b>									
<b>Cont. from</b>												
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>											
<input checked="" type="checkbox"/>	<b>Verified</b>											
<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 checked="" 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 checked="" type="checkbox"/>	<b>Letters</b>											
<input checked="" 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>											
<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>											
		<b>Reviewed by:</b> LV										
		<b>Reviewed on:</b> 10/08/2014										
		<b>Updates:</b>										
		<b>Recommendation:</b> Submitted										
		<b>File 15 - Blue</b>										

Probate Status Hearing RE: Filing of Increased Bond

<b>DOD: 3/29/13</b>	<p><b>MARK REIFF</b> was appointed executor with full IAEA and bond set at \$120,000.00 on 9/13/13.</p> <p>Bond filed on 7/8/13.</p> <p>Letters issued on 9/13/13.</p> <p>On 9/5/14 the Court signed an ex parte order increasing the bond to \$2,100,000.00.</p> <p>This status hearing was set for the filing of the increased bond.</p> <p><b>Note:</b> With the current bond of \$120,000.00 the increased bond will be \$1,980,000.00.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. <b>Need increased bond or current written status report</b> pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> KT
		<b>Reviewed on:</b> 10/7/14
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 16 - Carlson</b>

**Second Accounting**

<b>Ruby Isela, age 11</b>	<p><b>MARIA ARACELI CHAVEZ</b>, Mother and Guardian Of the Estate, is Petitioner.</p> <p><b>Account period:</b>  <b>11-31-11 through 4-14-14</b></p> <p>Accounting: \$52,492.54                  Beginning POH: \$52,239.82                  Ending POH: \$52,492.54 (cash)</p> <p><b>Petitioner states</b> all cash has been in an interest bearing blocked account at Bank of America. See attached account statement. In addition, with the distribution of \$25,000 dollars reported on the First Accounting, a home was purchased on 11-30-11. The amount of the purchase was divided in two and entered in the summary of accounts under non-cash assets. Attached also is a copy of the final settlement statement for the home and the grant deed showing the minors on title.</p> <p><b>Note:</b> Minute order dated 5/27/14 indicates the Court removed Maria Araceli as guardian of the estate and appointed the Public Guardian.</p> <p>Minute order dated 7/22/14 states the court will consider vacating its prior order appointing the Public Guardian upon the filing of a declaration from Ms. Chavez explaining why she should be reappointed and the Public Guardian relieved.</p> <p><b>Declaration of Maria Araceli Chavez filed on 7/31/14</b> states there is no one who has her daughters best interest in mind like she does. She would like to conserve as much money in their accounts as possible for their education. Ms. Chavez states she has been the guardian for the past 5 years and would like to continue.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>Please see related case on page 3.</p> <p>6. This accounting was filed with a fee waiver; however, based on the account, the filing fee of \$435.00 may be due.</p> <p>7. Accounting is not verified.</p> <p>8. Need Notice of Hearing.</p> <p>9. Need proof of service of the Notice of Hearing on Esmeralda B. Mendez.</p> <p>10. Need Order.</p> <p><b>Note:</b> A status hearing will be set on <b>Wednesday, May 11, 2016 at 9:00 a.m. in Dept. 303</b> for the filing of the third account.</p>
<b>Cont. from 082114</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>	X	
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	X	
<b>Aff.Mail</b>	X	
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>	X	
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 10/7/14 (KT for 10/9/14)</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p>File 17B - Chavez</p>

Pro Per Mack, Wealthy (Pro Per Petitioner, maternal great grandmother)  
 Pro Per Wilson, Shamika (Pro Per Guardian, maternal aunt)

Petition for Appointment of [Successor] Guardian of the Person

Hasainah Age: 8 years	WEALTHY MACK, maternal great grandmother, is Petitioner.		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Page 18B</b> is the <i>Petition for Termination of Guardianship</i> filed by Wealthy Mack, maternal great grandmother.</p> <p><b>Pages 25 and 26</b> are the Status Hearings for filing of the receipts for the blocked accounts that were authorized by the Court following the petition of Guardian Shamika Wilson to be guardian of the children's estates (Case 14CEPR00482 and 14CEPR00483) in order to collect life insurance proceeds of ~\$800.00 to be distributed to each child.</p> <p><b>Note:</b> Minute Order dated 8/18/2014 from the hearing on the petition for appointment of temporary guardian states: No vacancy for a guardian. Children are to stay with maternal great grandmother [Wealthy Mack.] Guardian and Petitioner are to have a copy of the order. The Court Investigator is to get into contact with parties; also check into the allegations and inquiry with CPS.</p> <p><b>Note Re Guardianship of the Person of Sibling Micah Madden:</b> <i>Petition for Appointment of Guardian of the Person</i> was filed by SUSAN HOLLIMAN, great grandmother, in 10CEPR00362 for sibling MICAH MADDEN (age 5), set for hearing on <b>12/4/2014</b>.</p> <p align="center">~Please see additional page~</p> <p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 10/7/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 18A – Muhammad &amp; Madden</b></p>
Hasain Age: 7 years	SHAMIKA WILSON, maternal aunt, was appointed Guardian on <b>2/7/2011</b> . Personally served Guardian on 8/12/2014.		
<b>Cont. from 081814</b>			
<input type="checkbox"/> Aff.Sub.Wit.	Father: <b>HASAIN MUHAMMAD, SR.;</b> personally served 8/12/2014.		
<input checked="" type="checkbox"/> Verified	Mother: <b>SHAUNTÉ SUZETTE MADDEN;</b> personally served 8/18/2014.		
<input type="checkbox"/> Inventory	Paternal grandfather: Hasaam Muhammad; sent notice by mail 8/11/2014.		
<input type="checkbox"/> PTC	Paternal grandmother: Sherly Ann Muhammad; sent notice by mail 8/11/2014.		
<input type="checkbox"/> Not.Cred.	Maternal grandfather: Patrick Madden, Sr.; sent notice by mail 8/11/2014.		
<input checked="" type="checkbox"/> Notice of Hrg	Maternal grandmother: Jeanell Wilson; deceased.		
<input checked="" type="checkbox"/> Aff.Mail	W/	<b>Petitioner states</b> the Guardian is no longer able to care for the children as her health is deteriorating fast due to multiple sclerosis, and she is unable to provide them with a safe home as she allows her newly acquainted men into the home with the children. Petitioner states the Guardian's man friend is a convicted felon and moved in immediately into the home where the children are staying;	
<input type="checkbox"/> Aff.Pub.		~Please see additional page~	
<input type="checkbox"/> Sp.Ntc.			
<input checked="" type="checkbox"/> Pers.Serv.			
<input checked="" type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Aff. Posting			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input checked="" type="checkbox"/> CI Report			
<input checked="" type="checkbox"/> Clearances			
<input checked="" type="checkbox"/> Order			
<input checked="" type="checkbox"/> Letters			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			

**Petitioner states, continued:**

- Less than a month ago, another man moved in to the Guardian's home and the children reported to Petitioner that they saw a video on the Guardian's phone showing the man and the Guardian performing various sex acts;
- The Guardian has allowed the man to roam around the house naked, and when Hasain reported to the Guardian that the man hit him with a belt the Guardian did not believe it;
- Also, the man has a picture of Hasainah in her pajamas on his cell phone which he has shown his friend, and this concerns Petitioner greatly;
- The Guardian has told the children not to report to anyone what goes on in their home and if they do she will call the police and they will be taken away;
- The Guardian yells at the children and tells them she hates them, and calls Hasainah a [curse word omitted], and as a result Hasainah ran away and called Petitioner to go for her, and Petitioner did;
- The Guardian handed Petitioner a handwritten note stating that Petitioner could keep the children for the summer; (note dated 5/10/2014 attached to Petition); however, now the Guardian is calling and asking that Petitioner return the children to her immediately or she will call the police on her;
- Petitioner fears for the children's safety because the Guardian is not keeping her psychotherapeutics appointments, and Petitioner is afraid for the children especially because the Guardian states she wants to go join her deceased mother;
- In order to keep the children safe, Petitioner is asking for [temporary guardianship].

**Petitioner attaches to the *Petition* a signed handwritten note dated 5/10/2014 stating:** "I Shamika T. Wilson legal guardian of Hasainah J. Muhammad am giving legal guardianship to Wealthy M. Mack."

**Court Investigator Julie Negrete's Report was filed on 10/1/2014.**

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

1. CI Report filed 10/1/2014 indicates the Petitioner reports that the children may have Native American Ancestry, and that the Court Investigator provided an ICWA packet to the Petitioner. Court records do not show the *Notice of Child Custody Proceeding* (Form ICWA-030) has been submitted by Petitioner to the Court for service as required. Need the *Notice of Child Custody Proceeding* (Form ICWA-030) to be completed by the Petitioner and submitted to the Probate Clerk for the Court to serve this form to required parties and agencies. A blank copy of the *Notice of Child Custody Proceeding for Indian Child* (Form ICWA-030) is in the file for Petitioners' use. Petitioner should complete the form and return it to the Probate Clerk as soon as possible.

**Note Re ICWA:** CA Rule of Court 7.1015(c)(9) states if after a reasonable time following service of notice under the act—but in no event less than 60 days—no determinative response to the *Notice of Child Custody Proceeding* (ICWA 030) is received, the Court may determine that the act does not apply to the proceeding unless further evidence of its applicability is later received.

Pro Per Mack, Wealthy (Pro Per Petitioner, maternal great grandmother)  
 Pro Per Wilson, Shamika (Pro Per Guardian, maternal aunt)

Petition for Termination of Guardianship

Hasainah Age: 8 years	<b>WEALTHY MACK</b> , maternal great grandmother, is Petitioner.	<b>NEEDS/PROBLEMS/ COMMENTS:</b>  <b>Pages 25 and 26</b> are the Status Hearings for filing of the receipts for the blocked accounts that were authorized by the Court following the petition of Guardian Shamika Wilson to be guardian of the children's estates (Case 14CEPR00482 and 14CEPR00483) in order to collect life insurance proceeds of ~ <b>\$800.00</b> to be distributed to each child.  <b>Reviewed by:</b> LEG <b>Reviewed on:</b> 10/7/14 <b>Updates:</b> <b>Recommendation:</b> <b>File 18B – Muhammad &amp; Madden</b>
Hasain Age: 7 years	<b>SHAMIKA WILSON</b> , maternal aunt, was appointed Guardian on <b>2/7/2011</b> . <i>Personally served Guardian on 8/12/2014.</i>	
<b>Cont. from 081814</b>		
<input type="checkbox"/> Aff.Sub.Wit.	Father: <b>HASAIN MUHAMMAD, SR.</b> ; <i>personally served 8/12/2014.</i>	
<input checked="" type="checkbox"/> Verified	Mother: <b>SHAUNTÉ SUZETTE MADDEN</b> ; <i>personally served 8/18/2014.</i>	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Paternal grandfather: Hasaam Muhammad; <i>sent notice by mail 8/11/2014.</i>	
<input type="checkbox"/> Not.Cred.	Paternal grandmother: Sherly An Muhammad; <i>sent notice by mail 8/11/2014.</i>	
<input checked="" type="checkbox"/> Notice of Hrg	Maternal grandfather: Patrick Madden, Sr.; <i>sent notice by mail 8/11/2014.</i>	
<input checked="" type="checkbox"/> Aff.Mail	Maternal grandmother: Jeanell Wilson	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv.	<b>Petitioner states</b> the Guardian is physically and mentally not able to care for the children, as she has a health condition (multiple sclerosis) that was diagnosed on 4/19/2013 and she has been in and out of the hospital, often taken by ambulance and spends an average of 1 to 2 days inpatient each time. Petitioner states when the Guardian is taken to the hospital, she generally keeps the children, and that the Guardian was hospitalized approximately 6 times or more during the month of April alone. Petitioner states the Guardian has stated she is ready to go with her dead mother, plus she has men in and out of her apartment.	
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report	<b>Court Investigator Julie Negrete's Report</b> was filed on 10/1/2014.	
<input checked="" type="checkbox"/> Clearances		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

Petition for Termination of Guardianship

<b>Age 3</b>	<b>JACQUELINE WELCH</b> , mother, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Notice of Hearing.  2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination of Guardianship or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> <li>• Zephlin Henson (Father)</li> <li>• Shelby Morgan (Guardian)</li> <li>• Paternal Grandfather (Unknown)</li> <li>• Trina Henson (Paternal Grandmother)</li> <li>• Eddie Welch (Maternal Grandfather)</li> </ul>
	<b>SHELBY MORGAN</b> , maternal aunt, was appointed guardian on 11/20/2012.	
<b>Cont. from</b>	Father: <b>ZEPHLIN HENSON</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Paternal Grandfather: Unknown	
<input checked="" type="checkbox"/> <b>Verified</b>	Paternal Grandmother: Trina Henson	
<input type="checkbox"/> <b>Inventory</b>	Maternal Grandfather: Eddie Welch	
<input type="checkbox"/> <b>PTC</b>	Maternal Grandmother: Shirley Helm,	
<input type="checkbox"/> <b>Not.Cred.</b>	Consents and Waives Notice	
<input type="checkbox"/> <b>Notice of Hrg</b>	<b>Petitioner states:</b> it is in the best interest of the minor to terminate the guardianship because petitioner is able to care for him to the best of her ability. Petitioner has a stable home, a part-time job and plans on enrolling in school as soon as possible. Petitioner states that the guardian has stated numerous times that she doesn't want the child and that he is a burden.	
<input type="checkbox"/> <b>Aff.Mail</b>		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<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>	<b>Court Investigator Jennifer Daniel's report filed 10/01/2014.</b>	
<input type="checkbox"/> <b>Video Receipt</b>		
<input checked="" type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<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>		
		<b>Reviewed by:</b> LV
		<b>Reviewed on:</b> 10/08/2014
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 19 - Henson</b>

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

<b>Age: 4 months</b>		<b><u>TEMPORARY EXPIRES 10/09/2014</u></b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Minute Order of 08/11/2014: The Court directs the parties to pick up an ICWA packet and complete as to Indian Heritage.</b>
		<b>CAROLINA PARKER</b> , paternal aunt, is petitioner.		
		Father: <b>JOHNNY W. BOLECH</b> , consents and waives notice, personally served on 06/06/2014		
<b>Cont. from 081114</b>		Mother: <b>TERESA G. FARKAS</b> , consents and waives notice, personally served on 06/06/2014		
	<b>Aff.Sub.Wit.</b>		Paternal Grandfather: Johnny Bolech, Deceased	
✓	<b>Verified</b>		Paternal Grandmother: Isabel Flores, served by mail on 07/17/2014	
	<b>Inventory</b>		Maternal Grandfather: Gary Farkas, served by mail on 07/17/2014	
	<b>PTC</b>		Maternal Grandmother: Annette Farkas, served by mail on 07/17/2014	
	<b>Not.Cred.</b>		<b>Sibling:</b> Misty Hisks, Dusty Hisks, Johnnie Bolech, Anthony Auburn, Traver Bolech, Jayson Bolech, Salina Bolech, each served by mail on 07/17/2014	
✓	<b>Notice of Hrg</b>		<b>Petitioner states:</b> the parents are homeless and not able to properly care for the child. Father has a long history of substance abuse and incarceration. Each of the parents' consent to the guardianship however now they have made demands to have the minor returned to their custody. Petitioner fears the parents are using the child to obtain emergency housing and cash aide, as they are homeless and have no jobs or source of income.	
✓	<b>Aff.Mail</b>	w/		
	<b>Aff.Pub.</b>	n/a		
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
✓	<b>Conf. Screen</b>			
✓	<b>Letters</b>			
✓	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
✓	<b>CI Report</b>			
	<b>9202</b>			
✓	<b>Order</b>		<b>Court Investigator Julie Negrete's report filed 07/31/2014.</b>	
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
✓	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			
				<b>Reviewed by:</b> LV
				<b>Reviewed on:</b> 10/07/2014
				<b>Updates:</b>
				<b>Recommendation:</b>
				<b>File 20 – Bolech</b>

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

<b>Age: 15 years</b>		<b><u>TEMPORARY EXPIRES 10/9/2014</u></b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>BETTY JULIA PEELE</b> , maternal grandmother, is petitioner.		1. Need Notice of Hearing.	
<b>Cont. from</b>		Father: <b>JIMMY FRAUSTO</b>		2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			<ul style="list-style-type: none"> <li>• Jimmy Frausto (Father)</li> <li>• Trancee Frausto (Minor)</li> </ul>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Mother: <b>RASHEDIA WALKER</b> – consents and waives notice.		3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
<input type="checkbox"/>	<b>Inventory</b>	Paternal grandparents: Unknown		<ul style="list-style-type: none"> <li>• Paternal Grandparents (Unknown)</li> <li>• Calvin Elbert Peele (Maternal Grandfather)</li> </ul>	
<input type="checkbox"/>	<b>PTC</b>	Maternal grandfather: Calvin Elbert Peele.			
<input type="checkbox"/>	<b>Not.Cred.</b>				
<input type="checkbox"/>	<b>Notice of Hrg</b>	<input checked="" type="checkbox"/>	<b>Petitioner states</b> the minor has been living with her since January 2014 when CPS became involved after an altercation with the mother's live in boyfriend. The mother made a safety plan for the minor to reside with the petitioner.		
<input type="checkbox"/>	<b>Aff.Mail</b>	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	<b>Aff.Pub.</b>	<input type="checkbox"/>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>	<input type="checkbox"/>			
<input type="checkbox"/>	<b>Pers.Serv.</b>	<input checked="" type="checkbox"/>			
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	<b>Letters</b>	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>	<input type="checkbox"/>	<b>Court Investigator Jennifer Young's report filed on 09/30/2014.</b>		
<input type="checkbox"/>	<b>Objections</b>	<input type="checkbox"/>			
<input type="checkbox"/>	<b>Video Receipt</b>	<input type="checkbox"/>			
<input type="checkbox"/>	<b>CI Report</b>	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	<b>9202</b>	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	<b>Order</b>	<input type="checkbox"/>			
<input type="checkbox"/>	<b>Aff. Posting</b>	<input type="checkbox"/>			
<input type="checkbox"/>	<b>Status Rpt</b>	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	<b>UCCJEA</b>	<input type="checkbox"/>			
<input type="checkbox"/>	<b>Citation</b>	<input type="checkbox"/>			
<input type="checkbox"/>	<b>FTB Notice</b>	<input type="checkbox"/>			
				<b>Reviewed by:</b> LV	
				<b>Reviewed on:</b> 10/08/2014	
				<b>Updates:</b>	
				<b>Recommendation:</b>	
				<b>File 21 - Frausto</b>	

Atty Greenwood, Anthony Dean (pro per Petitioner)

Atty Greenwood, Kimberli E. (pro per Petitioner)

Petition to Establish Fact of Marriage

		<b>ANTHONY GREENWOOD</b> and <b>KIMBERLI GREENWOOD</b> , are petitioners.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>#5a of the Declaration in Support of Petition to Establish Fact of Marriage was not marked stating that a marriage license was obtained. <b>Note:</b> A marriage license is required for a valid marriage in California. This proceeding cannot establish the validity of a California marriage if no marriage license was obtained.</li> <li>#6 of the Declaration in Support of Petition to Establish Fact of Marriage was not answered re: whether or not the marriage is important to a court case or proceeding.</li> <li>Witness Shirley Simmons-Keith's statement must be verified.</li> </ol>
		Petitioners request the Court establish fact, date and place of their marriage as follows: July 15, 1989 In Los Angeles County California.	
<b>Cont. from</b>		Petitioners state a certified copy of the official record cannot be found after a search done through the Los Angeles County Recorder's Office.	
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
	<b>Notice of Hrg</b>	Unverified declaration of Shirley Simmons-Keith states that she was a witness to the exchange of vows between then Kimberli Bell and Anthony Greenwood. She signed the marriage license and served as the Maid of Honor at their wedding on July 15, 1989.	
	<b>Aff.Mail</b>	N/A	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>	<b>Petitioners request</b> the Court establish the fact of marriage of Anthony Greenwood and Kimberli Greenwood on July 15, 1989 in Los Angeles County, California.	
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
			<b>Reviewed by:</b> KT
			<b>Reviewed on:</b> 10/8/14
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 22 - Greenwood</b>

First and Final Account and Report of Conservator; Petition for Allowance of Compensation to Conservator and his Attorney; and Distribution [Probate Code 1860; 2620; 2623, 2630, 2942, 11850(a)]

<b>DOD: 12/10/2013</b>	<b>PUBLIC GUARDIAN, Conservator, is petitioner.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Account period: 8/14/13 – 12/10/13	
	Accounting - <b>\$8,289.53</b>	
<b>Cont. from</b>	Beginning POH - <b>\$0</b>	
<b>Aff.Sub.Wit.</b>	Ending POH - <b>\$7,373.03</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Subsequent Account period: 12/11/13 – 7/8/14	
<b>Inventory</b>		
<b>PTC</b>	Accounting - <b>\$28,817.31</b>	
<b>Not.Cred.</b>	Beginning POH - <b>\$ 7,376.03</b>	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	Ending POH - <b>\$24,962.15</b>	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> W/	Conservator - <b>\$7,128.88</b> (62.78 Deputy hours @ \$96/hr and 14.5 Staff hours @ \$76/hr)	
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>	Attorney - <b>\$2,000.00</b> (per Local Rule)	
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>	Bond fee - <b>\$25.00</b> (o.k.)	
<b>Letters</b>	Court fees - <b>\$617.00</b> (filing fees, certified copies)	
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>	<b>Petitioner prays for an Order:</b>	
<b>CI Report</b>	1. Approving, allowing and settling the first and final account;	
<b>9202</b>	2. Authorizing the conservator and attorney fees and commissions;	
<input checked="" type="checkbox"/> <b>Order</b>	3. Payment of the bond fee;	
<b>Aff. Posting</b>	4. Authorizing payment of court fees;	
<b>Status Rpt</b>	5. Distribution of the remaining property on hand to the Public Administrator for administration under Probate Code §7660.	
<b>UCCJEA</b>		<b>Reviewed by: KT</b>
<b>Citation</b>		<b>Reviewed on: 10/8/14</b>
<b>FTB Notice</b>		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 23 - Lehr</b>

Petition for Appointment of Temporary Conservatorship of the Person and Estate

Age: 79	<b>TEMPORARY GRANTED EX PARTE; EXPIRES</b> <b>10/09/2014</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Court Advised Rights on 09/26/2014.</b>  1. Need proof of personal service of Notice of Hearing with a copy of the Petition for Appointment of Temporary Conservator, at least five (5) days prior to the hearing on the Conservatee pursuant to Probate Code §2250(e).
	<b>GENERAL HEARING 11/05/2014</b>		
Cont. from	<b>PUBLIC GUARDIAN</b> , is petitioner, and requests appointment as Conservator of the Person and of the Estate.		
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory		<b>Estimated value of the Estate:</b>	
<input type="checkbox"/> PTC		Personal property - \$239,126.75	
<input type="checkbox"/> Not.Cred.		Annual Income - \$23,986.32	
<input checked="" type="checkbox"/> Notice of Hrg		<b>Petitioner states:</b> the conservatee is 79 years old and suffers from Dementia. She has been residing with various nieces and nephews. The conservatee indicated to the Public Guardian that she did not want to live with the niece who has her now. That niece stated that she would move the conservatee from the state before she would let her be put into a facility. There is evidence that she has been the victim of financial elder abuse. Several checks were written to one of the nieces for things like rent, utility bills, tickets to a water park, and other unknown expenses. Statements have revealed that roughly \$17,000.00 was withdrawn from the proposed conservatee's account in July 2014.	
<input checked="" type="checkbox"/> Aff.Mail	w/		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.	x		
<input type="checkbox"/> Conf. Screen	n/a		
<input checked="" type="checkbox"/> Letters			
<input type="checkbox"/> Duties/Supp	n/a		
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order		<b>Court Investigator Julie Negrete's report filed 09/30/2014.</b>	
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			<b>Reviewed by:</b> LV
			<b>Reviewed on:</b> 10/08/2014
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 24 - Brown</b>

Pro Per Wilson, Shamika (Pro Per Petitioner, Guardian, maternal aunt)

Petition for Appointment of Guardian of the Estate

Age: 8 years	SHAMIKA WILSON, maternal aunt and Guardian of the Person, is Petitioner and requests appointment as Guardian of the Estate <b>[request for deposits into a blocked account is not included.]</b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Page 25B</b> is the Status Hearing for filing receipt of funds deposited in a blocked account. <b>Page 26</b> is a related matter for sibling.</p> <p><b>Continued from 10/2/2014.</b> Minute Order [Judge Cardoza] states: No appearances. The Court orders Ms. Wilson to be personally present on 10/9/2014 and to provide receipt of funds placed in blocked account.</p> <p><b>Note:</b> Minute Order dated 7/17/2014 states the Court orders that Ms. Wilson is authorized to place money into a blocked CUTMA account, per Probate Code § 3900. The Court will sign order to deposit money into blocked account ex parte.</p>
Cont. from 070314 071714 100214		
Aff.Sub.Wit.	<b>Estimated Value of the Estate:</b>	
✓ Verified	Property - \$ not stated	
Inventory	Father: <b>HASAIN MUHAMMAD, SR.</b>	
PTC	Mother: <b>SHAUNTÉ MADDEN</b>	
Not.Cred.	Paternal grandfather: Not listed	
Notice of Hrg	Paternal grandmother: Not listed	
Aff.Mail	Maternal grandfather: Patrick Madden, Sr.	
Aff.Pub.	Maternal grandmother: Jeanell Wilson	
Sp.Ntc.		
Pers.Serv.		
✓ Conf. Screen	<b>Petitioner states</b> no reasons that appointment of a guardian of the estate is necessary.	
✓ Letters		
✓ Duties/Supp		
Objections		
Video Receipt	~Please see additional page~	
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
✓ UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 10/8/14
		Updates:
		Recommendation:
		File 25A – Muhammand

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

**The following issues remain to be addressed:**

1. Item 1(c) of the *Petition* does not include information regarding a blocked account for the Guardianship Estate as required by Local Rule 7.8.1 (l).
2. *Child Information Attachment* attached to the *Petition* is incomplete at Item 2 which requires the child's relatives and their current addresses to be listed. (**Note:** Names of some relatives have been obtained from Guardianship Case #10CEPR00362; however, the Court requires this information, including current known addresses, to be provided in the instant case file 14CEPR00482 on completed *Child Information Attachment* forms.
3. Probate Code § 1511(b)(2) provides notice of the petition for appointment of guardian of the person or estate or both shall be given as provided in subdivisions (b) (c) (d) and (e) and shall be accompanied by a copy of the petition. Need *Notice of Hearing* and proof of service of notice by mail to the following persons:
  - **HASAIN MUHAMMAD, SR.**, Father;
  - **SHAUNTE MADDEN**, Mother;
  - **PATRICK MADDEN, SR.**, Maternal grandfather;
  - Paternal grandparents.
4. Item 7 of the *Petition* regarding character and estimated value of the estate is incomplete as Petitioner lists no property. Need information regarding the source of the funds for which the guardianship estate will be established. The Court cannot exercise oversight of property of the child that is not currently existing or not even anticipated to be received by the child in the near future. Unless the Petitioner knows or has reason to know of a gift or inheritance that will with certainty be soon received by the child from an identified and specific source, the *Petition for Appointment of Guardian of the Estate* should be denied and dismissed for lack an estate of the child at this time.
5. Item 8 of the *Petition* states no reasons that appointment of a guardian of the estate is necessary.

**Note to Petitioner Re Responsibilities as Guardian of the Estate:** Appointment as Guardian of the Estate requires compliance with strict and complex requirements pursuant to § 2620 et seq. of the Probate Code. If appointed, Petitioner must adhere to Part 2 of the *Duties of Guardian* [form GC-248], which she signed and filed with the Court on 5/29/2014. Petitioner should be aware that if the Petitioner is appointed as Guardian of the Estate, the Court will set Status Hearings to ensure compliance with the strict requirements of the Probate Code.

Pro Per Wilson, Shamika (Pro Per Petitioner, Guardian, maternal aunt)

Probate Status Hearing Re: Filing for Receipt of Blocked Account

Age: 8 years	<p><b>SHAMIKA WILSON</b>, maternal aunt and Guardian of the Person, filed a <i>Petition for Appointment of Guardian of the Estate</i> on 5/29/2014.</p> <p><b>Minute Order dated 7/17/2014</b> states the Court orders that Ms. Wilson is authorized to place money into a blocked CUTMA account, per Probate Code § 3900. The Court will sign order to deposit money into blocked account ex parte.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 10/2/2014.</b> Minute Order [Judge Cardoza] states: No appearances. The Court orders Ms. Wilson to be personally present on 10/9/2014 and to provide receipt of funds placed in blocked account.</p> <p>1. Need Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account (Judicial Council form MC-356) to be filed with the Court, showing the funds belonging to the child have been placed into a blocked CUTMA (California Uniform Transfer to Minors Act) account, per the Court's order on 7/17/2014.</p>
Cont. from 100214		
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: LEG
		Reviewed on: 10/8/14
		Updates:
		Recommendation:
		File 25B - Muhammad

Pro Per Wilson, Shamika (Pro Per Petitioner, Guardian, maternal aunt)

Petition for Appointment of Guardian of the Estate

Age: 7 years	<p><b>SHAMIKA WILSON</b>, maternal aunt and Guardian of the Person, is Petitioner and requests appointment as Guardian of the Estate <b>[request for deposits into a blocked account is not included.]</b></p> <p><b>Estimated Value of the Estate:</b> Property - \$ <b>not stated</b></p> <p>Father: <b>HASAIN MUHAMMAD, SR.</b> Mother: <b>SHAUNTÉ MADDEN</b></p> <p>Paternal grandfather: Not listed Paternal grandmother: Not listed</p> <p>Maternal grandfather: Patrick Madden, Sr. Maternal grandmother: Jeanell Wilson</p> <p><b>Petitioner states</b> no reasons that appointment of a guardian of the estate is necessary.</p> <p align="center">~Please see additional page~</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Page 26B</b> is the Status Hearing for filing receipt of funds deposited in a blocked account.</p> <p><b>Continued from 10/2/2014.</b> Minute Order [Judge Cardoza] states: No appearances. The Court orders Ms. Wilson to be personally present and to provide receipt of funds placed in blocked account.</p> <p><b>Note:</b> Minute Order dated 7/17/2014 states the Court orders that Ms. Wilson is authorized to place money into a blocked CUTMA account, per Probate Code § 3900. The Court will sign order to deposit money into blocked account ex parte.</p>
Cont. from 070314 071714 100214		
Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg <input type="checkbox"/>		
Aff.Mail <input checked="" type="checkbox"/>		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
Citation		
FTB Notice		
<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 10/8/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 26A - Muhammand</b></p>		

NEEDS/PROBLEMS/COMMENTS, continued:The following issues remain to be addressed:

6. Item 1(c) of the *Petition* does not include information regarding a blocked account for the Guardianship Estate as required by Local Rule 7.8.1 (I).
7. *Child Information Attachment* attached to the *Petition* is incomplete at Item 2 which requires the child's relatives and their current addresses to be listed. (**Note:** Names of some relatives have been obtained from Guardianship Case #10CEPR00362; however, the Court requires this information, including current known addresses, to be provided in the instant case file 14CEPR00482 on completed *Child Information Attachment* forms.
8. Probate Code § 1511(b)(2) provides notice of the petition for appointment of guardian of the person or estate or both shall be given as provided in subdivisions (b) (c) (d) and (e) and shall be accompanied by a copy of the petition. Need *Notice of Hearing* and proof of service of notice by mail to the following persons:
  - **HASAIN MUHAMMAD, SR.**, Father;
  - **SHAUNTE MADDEN**, Mother;
  - **PATRICK MADDEN, SR.**, Maternal grandfather;
  - **JEANELL WILSON**, Maternal grandmother;
  - Paternal grandparents.
9. Item 7 of the *Petition* regarding character and estimated value of the estate is incomplete as Petitioner lists no property. Need information regarding the source of the funds for which the guardianship estate will be established. The Court cannot exercise oversight of property of the child that is not currently existing or not even anticipated to be received by the child in the near future. Unless the Petitioner knows or has reason to know of a gift or inheritance that will with certainty be soon received by the child from an identified and specific source, the *Petition for Appointment of Guardian of the Estate* should be denied and dismissed for lack an estate of the child at this time.
10. Item 8 of the *Petition* states no reasons that appointment of a guardian of the estate is necessary.

**Note to Petitioner Re Responsibilities as Guardian of the Estate:** Appointment as Guardian of the Estate requires compliance with strict and complex requirements pursuant to § 2620 et seq. of the Probate Code. If appointed, Petitioner must adhere to Part 2 of the *Duties of Guardian* [form GC-248], which she signed and filed with the Court on 5/29/2014. Petitioner should be aware that if the Petitioner is appointed as Guardian of the Estate, the Court will set Status Hearings to ensure compliance with the strict requirements of the Probate Code.

Pro Per Wilson, Shamika (Pro Per Petitioner, Guardian, maternal aunt)

Probate Status Hearing Re: Filing receipt of blocked account

<b>Age: 7 years</b>	<p><b>SHAMIKA WILSON</b>, maternal aunt and Guardian of the Person, filed a <i>Petition for Appointment of Guardian of the Estate</i> on 5/29/2014.</p> <p><b>Minute Order dated 7/17/2014</b> states the Court orders that Ms. Wilson is authorized to place money into a blocked CUTMA account, per Probate Code § 3900. The Court will sign order to deposit money into blocked account ex parte.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 10/2/2014.</b> Minute Order [Judge Cardoza] states: No appearances. The Court orders Ms. Wilson to be personally present on 10/9/2014 and to provide receipt of funds placed in blocked account.</p> <p>2. Need Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account (Judicial Council form MC-356) to be filed with the Court, showing the funds belonging to the child have been placed into a blocked CUTMA (California Uniform Transfer to Minors Act) account, per the Court's order on 7/17/2014.</p>
<b>Cont. from 100214</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> LEG
		<b>Reviewed on:</b> 10/8/14
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 26B – Muhammad</b>