

(1) Nineteenth Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney

Age: 60 years DOB: 11/8/1950	PUBLIC GUARDIAN , Conservator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 7/1/09 – 6/30/11	
	Accounting - \$454,944.73	
Cont. from	Beginning POH - \$383,744.69	
Aff.Sub.Wit.	Ending POH - \$368,224.50	
✓ Verified	Conservator - \$458.40	
Inventory	(.50 Deputy hours @ \$96/hr and 5.4 Staff hours @ \$76/hr)	
PTC	Attorney - \$1,500.00	
Not.Cred.	(per Local Rule)	
✓ Notice of Hrg	Bond fee - \$2,036.74	
✓ Aff.Mail W/	(o.k.)	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters	Petitioner prays for an Order:	
Duties/Supp	1. Approving, allowing and settling the nineteenth account.	
Objections	2. Authorizing the conservator and attorney fees and commissions	
Video Receipt	3. Payment of the bond fee	
CI Report		
9202		
✓ Order	Court Investigator Jo Ann Morris' Report filed on 9/23/11.	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 10/4/11
		Updates:
		Recommendation:
		File 1 - Pasquale

Probate Status Hearing Re: Failure to File a First Account and Failure to File Inventory and Appraisal (Prob. C. 12200, et seq)

Age: 88 years DOB: 9/26/22	<p>MARGUERITE S. HUGHES was appointed as conservator of the person and estate on 5/17/10 with bond set at \$412,500.00</p> <p>Bond of \$412,500 was filed on 8/12/10 and Letters issued on 9/15/10.</p> <p>Inventory and appraisal was due 12/15/10.</p> <p>First account is now due.</p> <p>This status hearing was set for the filing of the inventory and appraisal and for the filing of the first account.</p> <p>Notice of the status hearing was mailed to attorney Dennis Watson on 7/25/11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 9/6/11. Minute Order states Dennis Watson appears via Court Call and states a personal emergency had occurred. He is close to filing an accounting, pending a life insurance letter. The Court informs Mr. Watson he may appear via Court Call for the next hearing on October 11, 2011.</p> <p>1. Need current status report or inventory and appraisal and first account.</p>
Cont. from 090611		
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: KT	
	Reviewed on: 10/4/11	
	Updates:	
	Recommendation:	
	File 2 - Peters	

(1) First and Final Report of Administrator on Waiver of Account and Petition for Final Distribution; (2) for Waiver of Compensation to Administrator; (3) for Allowance of Attorney's Fees for Ordinary Fees and (4) for Final Distribution (Prob. C. 10954)

DOD: 5/11/10		<p>CANNON LUNDY HILL, Brother and Administrator, is Petitioner.</p> <p>Accounting is waived.</p> <p>I&A - \$277,882.93 POH - \$227,735.37 (\$72,735.37 <i>is cash</i>)</p> <p>Administrator -waives (statutory)</p> <p>Attorney - \$8,557.65 (statutory)</p> <p>Closing Reserve- \$500.00</p> <p>Petitioner requests distribution as follows: CANNON LUNDY HILL: 100% OF ESTATE (consisting of both real and personal property)</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED TO 11/15/11 AT THE REQUEST OF ATTORNEY PETTY.</u></p> <p>1. Intestate heir Shelia Ann Hill filed a <i>Disclaimer</i> of her intestate interest. Pursuant to Probate Code §282, Disclaimers have the effect as if the person disclaiming interest had predeceased the decedent. <i>Petition</i> does not state whether the Sheila has issue, who would succeed to her intestate share (See also Probate Code §240). Need clarification.</p>	
Cont. from 083111				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input checked="" type="checkbox"/>	PTC			
<input checked="" 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			8/18/10
<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			

Updates:
 Reviewed on: 10/4/11
Recommendation:
 Reviewed by: NRN
 File 3 - Hill

4A In Re the Trust of Elaine A Mclain (Trust)
 Atty PANZAK, GORDON G
 Atty Pasto, James H.

Case No. 11CEPR00028

Petition to Review Reasonableness of Trustees Compensation, Reasonableness of Attorney's Fees and Costs, for an Accounting and for Removal of Trustee (Prob. C. 17200, et seq)

Age:		NEEDS/PROBLEMS/COMMENTS:
DOD:		
Cont. from		
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		
		<u>CONTINUED TO 11/7/11 PER MINUTE ORDER OF 10/3/11</u>
		Reviewed by: NRN
		Reviewed on: 10/4/11
		Updates:
		Recommendation:
		File 4A - Mclain

4A

Notice of Motion and Motion to Amend Petition

Age:		NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED TO 11/7/11 PER MINUTE ORDER OF 10/3/11</u>
DOD:		
Cont. from		
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: NRN
		Reviewed on: 10/4/11
		Updates:
		Recommendation:
		File 4B - Mclain

Age: 2 years DOB: 3/20/09	TEMPORARY EXPIRES 10/11/11	NEEDS/PROBLEMS/COMMENTS:
	DIANNA JEANNE DECOSTE , Paternal Grandmother, is Petitioner.	1. Need <i>Notice of Hearing</i> .
	Father: AMIR NYN WHITE - <i>Incarcerated (Susanville)</i>	2. Need proof of personal service of <i>Notice of Hearing</i> with a copy of the Petition at least 15 days prior to the hearing <u>or</u> consent and waiver of notice <u>or</u> further diligence on: a. Amir Nyn White (Father)
Cont. from	Mother: SHALON MOON - <i>Court dispensed with notice per minute order dated 8/18/11.</i>	3. Need proof of service of the <i>Notice of Hearing</i> along with a copy of the Petition or consent and waiver of notice or declaration of due diligence on: a. Paternal grandfather b. Maternal grandfather c. Virginia (last name not listed) maternal grandmother.
Aff.Sub.Wit.	Paternal grandfather: Not provided Maternal grandfather: Not provided Maternal grandmother: Virginia (Last name not provided)	4. Petition does not include the names and addresses of the paternal grandfather and maternal grandparents.
✓ Verified	Petitioner states Mother is homeless and the baby has lived with Petitioner most of her life. When mother takes the baby, she returns her with scratches, marks, colds, rash, and a black eye. Last summer, she came back with a chipped tooth that had to be replaced with a silver tooth. Recently, she returned with a scalp rash that needed medication attention. Mother left her 5 weeks ago and has not called or returned for her. Petitioner states the baby is happy and secure with Petitioner and is very attached to her home and life here. Father is incarcerated.	
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		
	Court Investigator Samantha Henson's Report filed on 10/4/11.	Reviewed by: KT
		Reviewed on: 10/4/11
		Updates:
		Recommendation:
		File 5 – White

Pro Per Clark, Mary Gail (Pro Per Petitioner, paternal grandmother)

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

Age: 13 years	NO TEMPORARY REQUESTED		NEEDS/PROBLEMS/COMMENTS: Note: UCCJEA filed on 8/9/2010 indicates the child has lived with the Petitioner since January 2009. 1. Need proof of personal service of the Notice of Hearing with a copy of the Petition for Appointment of Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence, for: <ul style="list-style-type: none"> • Ruth Sierra Carachure, mother, if Court does not find due diligence.
DOB: 6/26/1998	MARY GAIL CLARK , paternal grandmother, is Petitioner.		
Cont. from	Father: ROBERT CHARLES CLARK ; <i>consents and waives notice;</i>		
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory	Mother: RUTH SIERRA CARACHURE ; <i>whereabouts unknown; Declaration of Due Diligence filed on 8/15/2011;</i>		
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg	Paternal grandfather: Charles Albert Clark; <i>sent notice by mail 8/12/2011;</i>		
<input checked="" type="checkbox"/> Aff.Mail	W/		
<input type="checkbox"/> Aff.Pub.	Maternal grandfather: Unknown; <i>Declaration of Due Diligence filed on 8/15/2011;</i>		
<input type="checkbox"/> Sp.Ntc.	Maternal grandmother: Unknown; <i>Declaration of Due Diligence filed on 8/15/2011;</i>		
<input type="checkbox"/> Pers.Serv.	X		
<input checked="" type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Aff. Posting	Petitioner states the father is a felon on probation, and CPS does not want the child around her father. Petitioner states the child's mother abandoned the child when she was born, and Petitioner has not seen or heard from the mother since the one time Petitioner met her.		
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input checked="" type="checkbox"/> CI Report	Petitioner requests to be excused from giving notice to the mother because she only met her once and her whereabouts are unknown.		
<input checked="" type="checkbox"/> Clearances			
<input checked="" type="checkbox"/> Order			
<input checked="" type="checkbox"/> Letters			
<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA	Court Investigator Samantha Henson's Report was filed on 9/29/2011.		
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: LEG
			Reviewed on: 10/3/11
			Updates:
			Recommendation:
			File 6 - Clark

DOD: 6-2-11		<p>JAMES D. PORTMAN, Trustee of The Virginia Rose Emerzian Living Trust dated 10-2-03 as amended on 4-22-11, is Petitioner.</p> <p>40 days since DOD</p> <p>No other proceedings</p> <p>I&A: \$55,000.00</p> <p>Will dated 10-2-03 devises entire estate to the Trustee of The Virginia Rose Emerzian Living Trust.</p> <p>Petitioner requests court determination that Decedent's separate undivided 11/30th interest in certain real property passes to him as Trustee of The Virginia Rose Emerzian Living Trust dated 10-2-03 as amended on 4-22-11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need declaration regarding the trust pursuant to Local Rule 7.12.5.</p>	
<input type="checkbox"/>	Aff.Sub.Wit.			S/P
<input checked="" type="checkbox"/>	Verified			
<input checked="" 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			
<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			
			Reviewed by: skc	
			Reviewed on: 10-4-11	
			Updates:	
			Recommendation:	
			File 7 - Emerzian	

Atty Sanoian, Joanne (for Robin B. Sanchez aka Robin B. Smith – daughter/Petitioner)

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

DOD: 06/25/08		<p>ROBIN B. SANCHEZ aka ROBIN B. SMITH, daughter/named Executor without bond, is Petitioner.</p> <p>Full IAEA – ok</p> <p>Will dated 04/16/98</p> <p>Residence: Clovis Publication: The Business Journal</p> <p>Estimated Value of the Estate: Personal property - \$ 4,000.00 Real property - 190,000.00 Total - \$194,000.00</p> <p>Probate Referee: RICK SMITH</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit. s/p		
<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 checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<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: JF	
		Reviewed on: 10/04/11	
		Updates:	
		Recommendation: SUBMITTED	
		File 8 - Smith	

Atty Sanoian, Joanne (for Jean Smith – Spouse – Petitioner)

Atty Jaech, Jeffrey (of Baker Manock & Jensen, PC, Private Counsel for Proposed Conservatee)
Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

Age: 83 years DOB: 11-25-27	Temporary granted ex parte on 9-2-11 by Judge Black expired 9-14-11. Further temporary conservatorship was denied at the hearing on 9-14-11.	NEEDS/PROBLEMS/COMMENTS: <u>Minute Order 9-14-11: Present:</u> Joanne Sanoian, Mark Poochigian, Mike Smith. Also present: Sherri Woodward, daughter of Grace McCarter. The Court denies the Petition. The Court orders that Ben Smith not have any unsupervised visits to the residence when Ms. Smith is present. The visits may be supervised by Mike Smith or any adult family member. The general hearing remains set for 10-11-11. <u>Note: The Ex Parte Order Appointing Temporary Conservator signed 9-2-11 included authorization to change the proposed Conservatee's residence to Autumn Ridge (assisted living) and set aside the Durable Power of Attorney dated 8-19-10.</u> <u>Court Investigator advised rights on 9-6-11, 9- 27-11.</u> <u>Voting rights affected-need minute order.</u> 1. Need Capacity Declaration. Reviewed by: skc Reviewed on: 10-4-11 Updates: Recommendation: File 9 - Smith
	JEAN SMITH, Spouse, is Petitioner and requests appointment as Conservator of the Person with medical consent powers and dementia medication and placement powers.	
Aff.Sub.Wit.	Voting rights affected.	
<input checked="" type="checkbox"/> Verified	Need Capacity Declaration.	
Inventory	Petitioner states she and the Proposed Conservatee have been married 60 years. Ben was diagnosed with dementia several years ago. In August 2010, Ben executed several estate-planning documents including a trust, durable power of attorney and will. Petitioner and Ben's grandson, Michael Harrison Smith Jr. ("Butch") were both named as agents under the POA, but do not see eye to eye on Ben's care. Butch has used the POA to move Ben's funds. Petitioner states she has access to joint funds and Ben receives monthly benefits, so there is no need for the POA or conservatorship of the estate, but with Butch's access, he could interfere with Ben's care.	
PTC	Ben requires 24-hour supervision and has become violent on numerous occasions. Law enforcement has been called to the residence at least four times and twice has been placed on a 5150 72-hour hold. Adult Protective Services has been involved on numerous occasions.	
Not.Cred.	In June 2011, Ben was admitted to Autumn Ridge, an assisted living facility in northwest Fresno. Petitioner states Ben was happy there and the family believed the care and supervision he received there was outstanding. However, Butch, who has been financially dependent on his grandparents for years, removed Ben from the facility and "hid" him for several days before moving Ben in with his sister Grace McCarter, who is over 90 years old.	
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner states she and her son Mike Smith reside in the family home on a 20-acre ranch, and Butch has stated they should purchase a mobile home for him and his family so that he can care for Ben on the property and Ben will not need assisted living.	
<input checked="" type="checkbox"/> Aff.Mail W	However, Petitioner states that Ben's violence toward her, and her fear of him, necessitates his removal from the house. Ben has been violent for decades. Petitioner fears him and believes the violence will only escalate if he is not placed in a restrictive facility for his own and his family's safety and security.	
Aff.Pub.	Petitioner states she has suffered from caregiver stress for several years and suffered a stroke in July 2011 as a result of caring for her husband, who is steadily declining.	
Sp.Ntc.	Proposed Conservatee Benjamin Harrison Smith, Jr., filed an Objection on 9-12-11.	
<input checked="" type="checkbox"/> Pers.Serv. W	SEE PAGE 2	
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
Objections		
<input checked="" type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
<input checked="" type="checkbox"/> Citation		
FTB Notice		

Atty Sanoian, Joanne (for Jean Smith – Spouse – Petitioner)**Atty Jaech, Jeffrey (of Baker Manock & Jensen, PC, Private Counsel for Proposed Conservatee)
Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821,
2680-2682)****SUMMARY (Continued):**

Proposed Conservatee Benjamin Harrison Smith, Jr., filed an Objection on 9-12-11. Objector states that he did not like living at Autumn Ridge, and with the help of his grandson Butch, he left there and has since been residing at his sister's home. He is happy there and his sister prepares his meals and cares for him. He does not want to live in a facility and would be amenable to moving back with his wife, if she would have him, but only if their son, Mike Smith, Sr., were first to move out.

Objector states that while he was at Autumn Ridge, his wife did not visit or call, and has not visited or called since. Butch has taken him to their house but she would not speak with them.

Objector states he has an account at Community Bank with money from the sale of real property that he inherited. In July 2011 he discovered that his wife had become a co-signer on that account and that since 2009, as much as \$50,000.00 had been taken without his authorization, most of which were transfers to his son, Mike Smith, Sr., or his business, Paradise Cleaners. In July 2011 Objector removed his wife as a signer so no more money can be taken without his authorization.

On 8-1-11, Objector signed a trust declaration for the Benjamin Smith 2011 Revocable Trust, which now holds his separate property, and also executed a Durable Power of Attorney naming Butch as Attorney-In-Fact. Previously, he had executed an Advance Health Care Directive naming Butch as his health care agent. He has revoked the POA dated 8-19-10. If he were to become incapacitated, his affairs and health care can be managed by his chosen trustee/agent under these documents, which is less restrictive than a conservatorship.

Objector was informed that a temporary conservatorship was established on an ex parte basis, which was improper. Petitioner failed to show that notice should be excused to protect from "immediate and substantial harm" (Probate Code §2250(k) and Cal. Rule of Court 7.1062), and also Petitioner failed to disclose his opposition to conservatorship, which was known to her since July 2011.

Objector is happy with the protections he has put in place and does not need or want a conservatorship. Accordingly, Objector requests the Court deny and dismiss the petition for appointment of a probate conservator.

Mr. Smith's sister, Grace McCarter, filed a Declaration on 10-5-11. Ms. McCarter states she is 86 years old. Ben has been residing in her home since 7-9-11. She prepares his meals and oversees his care, but Ben manages his personal hygiene without her assistance. He helps around the house and yard, and also helps with two grandchildren, ages 11 and 13, whom she cares for during the week and interacts with them appropriately. Ms. McCarter is happy to continue to care for her brother as long as necessary and she feels he does not need to reside in a care facility and is not in need of a conservatorship.

Court Investigator Samantha Henson filed a report on 10-4-11.

Probate Status Hearing Re: Filing First Account or Petition for Final Distribution

DOD: 7/25/00		<p>ARTHUR MIHARA was appointed Executor without bond on 7/15/03 and Letters issued.</p> <p>I & A - \$265,690.83 filed 8/23/04.</p> <p>Status Report of Attorney Lawson Renge filed on 8/17/11 states since the last status conference, the Unclaimed Property Division, California State Controller's Office has sent the Safeamerica Credit Union claim for \$7,257.11 to the Executor leaving only the Riversource Securities claim (5,570,581 Shares) outstanding.</p> <p>Pursuant to instructions received from the Unclaimed Property Division, brokerage information was mailed to said Division on 7/2/11, confirming that brokerage accounts had been open with Chase Investment Services.</p> <p>Mr. Renge states he telephoned the Unclaimed Property Division on several occasions to ascertain the status of the securities transfer to the Estate's brokerage account. Despite leaving messages, to date no return call has been received.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 8/23/11. Minute Order states Counsel advises the Court that he will be in contact with the proposed brokerage house. The Court advises counsel that he will entertain a partial distribution if necessary.</p> <p>1. Need current status report or petition for final distribution.</p>
Cont. from: 081710, 113010, 032911, 062811, 082311			
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			
		<p>Reviewed by: KT</p> <p>Reviewed on: 10/4/11</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 - Mukai</p>	

		<p>DAVID S. COLBURN was appointed Successor Trustee on 6-27-05 with bond of \$210,000.00 because he was not authorized to sell the real property of the trust without court confirmation.</p> <p>However, Mr. Colburn did sell the real property and the trust received net proceeds of \$2,258,513.39.</p> <p>On 1-12-11, Mr. Colburn resigned and Norman Brown was appointed Successor Trustee effective upon posting bond of \$2,000,000.00.</p> <p>Mr. Colburn previously filed a petition requesting to waive bond entirely for the Successor Trustee, which hearing set for 4-11-11; however, on 4-8-11, Mr. Colburn requested to dismiss that petition and the hearing was taken off calendar.</p> <p>This Status hearing was then set for 4-26-11 for failure to file bond, and has been continued to 7-26-11 and 9-13-11.</p> <p>Trustee’s Report filed 4-22-11 stated circumstances have changed. If Mr. Brown had become trustee before April 5 (the end of the UK tax year), taxes would have been minimal; however, at this time, the appointment of Mr. Brown would trigger “disastrous” tax consequences for the trust, including liability for capital gains taxes on all sales during the past five to seven years. <u>Petitioner stated that the beneficiaries have all asked in the strongest terms that efforts to install Mr. Brown as successor trustee be stopped and that his appointment be reversed.</u> Petitioner stated that the beneficiaries had been emailed a copy of the status report and requested that the court dispense with notice.</p> <p>On 4-26-11, the court ratified David Colburn as Trustee and ordered the balance of any funds not yet vested placed into a blocked account.</p> <p>On 7-26-11, counsel advised the court that the blocked account will be in the sum of \$2,000,000.00 and the continued bond will be in the amount of \$210,000.00.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: All parties (the court-appointed successor trustee, the income beneficiary, and all three remainder beneficiaries) reside in the UK.</p> <p>Minute Order 4-26-11: The court ratifies David Colburn as trustee. In lieu of increased bond the balance of any funds not yet vested shall be placed into a blocked account. The court is made aware that waivers of bond for all beneficiaries are on file. Matter continued to 7-26-11.</p> <p>Minute Order 7-26-11: Counsel advises the Court that the blocked account will be in the sum of \$2,000,000.00 and the continued bond will be in the amount of \$210,000.00.</p> <p>1. <u>Need proof of blocked account at Morgan Stanley.</u> Note: Order After Hearing from the 7-26-11 hearing was signed on 10-3-11.</p> <p>2. <u>The court may require clarification</u> regarding the Trustee’s sale of the real property without court order, and, if not dispensed, notice to all beneficiaries. <i>(Petitioner’s report filed 4-22-11 stated that all beneficiaries had been emailed a copy of the status report and requested that the court dispense with further notice.)</i></p> <p>Updates:</p> <p>Contacts: emailed notes 9-9-11</p> <p>Recommendation:</p> <p>Reviewed by: skc</p> <p>File 12 - Pomeroy</p>
Cont. from 042611, 072611, 091311			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	X		
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
✓ Status Rpt	X		
UCCJA			
Citation			
FTB Notice			

Atty Denning, Stephen M.

Atty Kruthers, Heather H

Atty Maseredjian, David G.

Status Hearing Re: Confirmation of Receipt of Transfer

Age:		NEEDS/PROBLEMS/COMMENTS: <p style="text-align: center;"><u>OFF CALENDAR</u></p> Transfer received by Los Angeles Superior Court on 9-22-11.
DOD:		
Cont. from		
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: skc
		Reviewed on: 10-4-11
		Updates:
		Recommendation:
		File 12 - Davidson

Pro Per Supersad, Jankie N. (Pro Per Petitioner, Conservator of the Person and Estate)

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

Age: 51 years		<p>JANKIE N. SUPERSAD, father and Conservator of the Person and Estate appointed on 7/24/1992, is Petitioner and requests that PEARL D. SUPERSAD, mother, JOANNE A. SUPERSAD, M.D., sister, and JILL N. GOODIN, R.N., sister, also be appointed as Co-Conservators of the Person, with medical consent powers.</p> <p>Bond was set at \$10,000.00 by <i>Order</i> signed 7/24/1992, and proof of posted bond was filed with the Court on 7/24/1992.</p> <p>Estimated value of the Estate: Annual income from public assistance - \$9,024.00 Wages - \$125.00 "Other" - \$80.00 Total - \$9,229.00</p> <p>Capacity Declaration of Mateo Desoto, M.D., was filed on 7/27/1992.</p> <p>Voting rights NOT affected.</p> <p>Petitioner states the Conservatee is physically and mentally challenged and due to the Conservator's medical condition from Parkinson's Disease and a heart condition, Petitioner requests that the Conservatee's mother and sisters, who have consented to be joint conservators in the best interest of the Conservatee, also be appointed as Co-Conservators along with him.</p> <p>Court Investigator Advised Rights on 8/8/2011.</p> <p>Court Investigator Charlotte Bien's Report was filed on 8/12/2011.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 8/23/2011.</u> <i>Minute Order</i> states Examiner notes are provided to the Petitioner. The Petitioner is directed to cure the defects. The Court advises the Petitioner that all parties wishing to be co-conservators need to be present at the next hearing. The Court further advises the Petitioner that it is going to treat this matter as a petition for conservatorship of the person and not the estate.</p> <p><u>The following issues from the last hearing remain:</u></p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i> and proof of service by mail with a copy of the petition pursuant to Probate Code § 1822 for the following persons: <ul style="list-style-type: none"> • June V. Supersad, Conservatee; • Pearl Supersad, mother; • Joanne A. Supersad, M.D, sister (<i>of Concord, CA</i>); • Jill N. Goodin, R.N., sister (<i>of Merced, CA</i>). 2. Need proof of mailed service of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Probate Conservator</i>, showing service was mailed at least 30 days before the hearing, for Central Valley Regional Center pursuant to Probate Code § 1822(e). 3. Need <i>Confidential Conservator Screening</i> form GC-314 for the following persons: <ul style="list-style-type: none"> • Pearl Supersad, mother; • Joanne A. Supersad, M.D, sister; • Jill N. Goodin, R.N., sister. 4. Need <i>Duties of Conservator</i> form GC-348 for the following persons: <ul style="list-style-type: none"> • Pearl Supersad, mother; • Joanne A. Supersad, M.D, sister; • Jill N. Goodin, R.N., sister. 5. Need <i>Video Viewing Certificate</i> for the following persons: <ul style="list-style-type: none"> • Joanne A. Supersad, M.D, sister; • Jill N. Goodin, R.N., sister.
DOB: 7/29/1960			
Cont. from 082311			
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<input checked="" type="checkbox"/> Verified			
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<input type="checkbox"/> PTC			
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<input type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/>		
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<input type="checkbox"/> Sp.Ntc.			
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<input type="checkbox"/> Objection			
<input type="checkbox"/> Video Receipt	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/> CI Report			
9202			
<input checked="" type="checkbox"/> Order			
<input checked="" type="checkbox"/> Letters			
<input type="checkbox"/> Stat Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notc			
Reviewed by: LEG			
Reviewed on: 10/3/11			
Updates:			
Recommendation:			
File 13 – Supersad			

Order to Show Cause Re: Failure to File an Inventory and Appraisal

DOD: 4/20/10		<p>WILLIAM ROBINSON was appointed Executor with full IAEA and without bond on 2/8/11 and letters issued.</p> <p>Inventory and appraisal filed on 9/22/11 (estate valued at \$123,500)</p> <p>There was a status hearing for the filing of the inventory and appraisal on 8/30/11. Minute order from 8/30/11 states: No appearances. The court sets this matter for an Order to Show Cause Re: Failure to File Inventory and Appraisal. William Robinson is ordered to be present on 10/11/11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Future hearing: Status Hearing on 4/9/12 for the filing of the first account or petition for final distribution.</p>
Cont. from			
Aff.Sub.Wit.			
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Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: KT	
		Reviewed on: 10/4/11	
		Updates:	
		Recommendation:	
		File 14 - Robinson	

<table border="1"> <tr><td>Faith Rose Venegas (12) DOB: 12-7-98</td></tr> <tr><td>Jessica Garcia (8) DOB: 11-17-02</td></tr> <tr><td>Ruben Venegas (7) DOB: 11-22-03</td></tr> <tr><td>Isaiah Venegas (5) DOB: 5-30-06</td></tr> <tr><td>Ruby Frances Garcia (2) DOB: 2-16-09</td></tr> <tr><td>Aff.Sub.Wit.</td></tr> <tr><td>✓ Verified</td></tr> <tr><td>Inventory</td></tr> <tr><td>PTC</td></tr> <tr><td>Not.Cred.</td></tr> <tr><td>✓ Notice of Hrg</td></tr> <tr><td>✓ Aff.Mail W</td></tr> <tr><td>Aff.Pub.</td></tr> <tr><td>Sp.Ntc.</td></tr> <tr><td>✓ Pers.Serv. W</td></tr> <tr><td>✓ Conf. Screen</td></tr> <tr><td>✓ Letters</td></tr> <tr><td>✓ Duties/Supp</td></tr> <tr><td>Objections</td></tr> <tr><td>Video Receipt</td></tr> <tr><td>✓ CI Report</td></tr> <tr><td>✓ Clearances</td></tr> <tr><td>✓ Order</td></tr> <tr><td>Aff. Posting</td></tr> <tr><td>Status Rpt</td></tr> <tr><td>✓ UCCJEA</td></tr> <tr><td>Citation</td></tr> <tr><td>FTB Notice</td></tr> </table>	Faith Rose Venegas (12) DOB: 12-7-98	Jessica Garcia (8) DOB: 11-17-02	Ruben Venegas (7) DOB: 11-22-03	Isaiah Venegas (5) DOB: 5-30-06	Ruby Frances Garcia (2) DOB: 2-16-09	Aff.Sub.Wit.	✓ Verified	Inventory	PTC	Not.Cred.	✓ Notice of Hrg	✓ Aff.Mail W	Aff.Pub.	Sp.Ntc.	✓ Pers.Serv. W	✓ Conf. Screen	✓ Letters	✓ Duties/Supp	Objections	Video Receipt	✓ CI Report	✓ Clearances	✓ Order	Aff. Posting	Status Rpt	✓ UCCJEA	Citation	FTB Notice	<p>TEMPORARY EXPIRES 10-11-11</p> <p>MONICA NALLELY CARDENAS, Paternal Aunt, is Petitioner.</p> <p>PATRICIA MARQUEZ GOMEZ, a family friend (“Aunt”), was appointed Guardian on 6-20-11. - <i>Declaration of Due Diligence filed 8-11-11</i></p> <p>Father: RUBEN GARCIA - <i>Deported to Mexico</i> - <i>Consent and Waiver of Notice for original petition of Paternal Grandparents with Petitioner Monica N. Cardenas filed 5-5-11</i></p> <p>Mother: FRANCES MARIE VENEGAS LOPEZ - <i>Personally served 8-13-11</i></p> <p>Paternal grandfather: Angel Gustavo Garcia - <i>Personally served 8-13-11</i></p> <p>Paternal grandmother: Patricia Garcia - <i>Personally served 8-13-11</i></p> <p>Maternal grandfather: Joe Venegas - <i>Mailed service 8-15-11</i></p> <p>Maternal grandmother: Mary Venegas - <i>Deceased</i></p> <p>Petitioner states Guardian Patricia Marquez Gomez was deported to Mexico. CPS placed Ruben and Isaiah with Petitioner and advised her to seek guardianship. The UCCJEA indicates that the minors have been with Petitioner since 7-29-11.</p> <p>Court Investigator Dina Calvillo filed a report on 9-28-11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> This petition is for Ruben (7) and Isaiah (5) only.</p> <p><u>Note:</u> Visitation schedule for all children with Mother and separately with paternal grandparents was established at a hearing on 9-21-11: For Ruben and Isaiah, Mother’s visitation is Friday 5:00 pm to Sunday 5:00 pm, and Paternal Grandparents’ visitation is every Sunday at Mother’s home from 3:00 to 5:00 pm.</p> <p>1. Declaration of Due Diligence states Petitioner spoke with Patricia Marquez Gomez’ daughter, but she did not have an address in Mexico for her after she was deported.</p> <p><u>If diligence is not found</u>, need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per Probate Code §§ 1460 (b)(6) and 1511 <u>or</u> consent and waiver of notice <u>or</u> further diligence on: - Patricia Marquez Gomez (Guardian)</p> <hr/> <p>Reviewed by: skc</p> <p>Reviewed on: 10-4-11</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15 – Garcia & Venegas</p>
Faith Rose Venegas (12) DOB: 12-7-98																														
Jessica Garcia (8) DOB: 11-17-02																														
Ruben Venegas (7) DOB: 11-22-03																														
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Status Rpt																														
✓ UCCJEA																														
Citation																														
FTB Notice																														

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

Rachel age: 4 years DOB: 2/13/07		<p>THERE IS NO TEMPORARY. No temporary was requested.</p> <p>REARTIST WILLIAMS, maternal aunt and EVERETT SMITH, Jr. fiancé of maternal aunt, are petitioners.</p> <p>Father: CHARLES SMITH, JR.</p> <p>Mother: RACHEL WILLIAMS –<i>consent and waiver of notice filed on 8/10/11.</i></p> <p>Paternal grandfather: Charles Smith, Sr. Paternal grandmother: Paulett (no last name listed) Maternal grandfather: Theartist Williams Maternal grandmother: Betty Bryant – <i>declaration of due diligence filed on 8/10/11.</i></p> <p>Petitioners state the parents do not have a stable home at this time. Both parents are on drugs.</p> <p>Court Investigator Charlotte Bien’s Report filed on 9/21/11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Fee Waivers for both petitioners were denied. Therefore a filing fee of \$225.00 is now due. Need Notice of Hearing. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or consent and waiver of notice or declaration of due diligence on: <ol style="list-style-type: none"> Charles Smith, Jr. (father) Need proof of service of the Notice of Hearing along with a copy of the petition or consent and waiver of notice or declaration of due diligence on: <ol style="list-style-type: none"> Charles Smith, Sr. (paternal grandfather) Paulett (no last name listed) (paternal grandmother) Theartist Williams (maternal grandfather) Betty Bryant (maternal grandmother) <i>if court does not dispense with notice.</i> UCCJEA is incomplete. Need the minors’ residence information from 2/13/07 to 6/10/11. Confidential Guardian Screening form for Petitioner Everett Smith, Jr. is incomplete at question #8. Petitioner is or is not aware of reports alleging any form of child abuse, neglect, molestation etc. regarding him or another person living in his home.
Kimberly age: 3 years DOB: 7/5/08			
Cont. from			
Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
Inventory			
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Notice of Hrg	X		
Aff.Mail	X		
Aff.Pub.			
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Pers.Serv.	X		
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Objections			
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<input checked="" type="checkbox"/> Order			
Aff. Posting			
Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
Citation			
FTB Notice			
		Reviewed by: KT	
		Reviewed on: 10/4/11	
		Updates:	
		Recommendation:	
		File 16 - Smith	

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

DOD: 08/16/11		DANIEL T. MCCLOSKEY , named Executor without bond, is Petitioner. Full IAEA – NEED Will dated 10/20/05 Residence: Fresno Publication: NEED <u>Estimated Value of the Estate:</u> Personal property - \$273,000.00 Probate Referee: RICK SMITH	NEEDS/PROBLEMS/COMMENTS: CONTINUED TO 11/29/2011 Per attorney request 1. Need proof of Publication. 2. Need <i>Notice of Petition to Administer Estate</i> . 3. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Petition to Administer Estate</i> on: a. William C. Voss b. William W. Gray c. Teresita L. Guthrie d. Lorene Garcia
Cont. from			
Aff.Sub.Wit.	s/p		
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	x		
Aff.Mail	x		
Aff.Pub.	x		
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
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✓ Duties/Supp			
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CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: JF Reviewed on: 10/04/11 Updates: Recommendation: File 17 – Kearns	

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

DOD: 05/09/11		<p>MAGDELENA MANCILLA, daughter, is petitioner.</p> <p>40 days since DOD</p> <p>I & A - \$135,000.00</p> <p>Decedent died intestate</p> <p>Petitioner requests Court determination that decedent's interest in real property located in Sanger, CA (APN: 317-112-04) pass to her pursuant to intestate succession.</p>	<p>NEEDS/PROBLEMS/COMMENTS: The Petition contains multiple problems and errors, including, but not limited to:</p> <ol style="list-style-type: none"> The Petition is not marked at item 6(a) – No proceeding for the administration of decedent's estate is being conducted or has been conducted in California; or 6(b) – Decedent's Personal representative's consent to use this procedure. <i>Note: Petitioner has filed a Petition for Probate for the administration of this estate (Case No. 11CEPR00560). No personal representative has been appointed in the estate matter. The next hearing date in the estate matter is set for 10/27/11.</i> The petition is not marked at item 9(a)(3) regarding issue of a predeceased child. Item 11 states that the personal property seeking to be passed with this petition is money yet to be acquired through a pending personal injury case. Pursuant to Probate Code § 13152, the total value of property to be passed with this type of Petition may not exceed \$100,000.00. Therefore, an unknown, to be determined, amount of personal property cannot be passed with this Petition. Attachment 13 does not state the decedent's interest in the property petitioner wishes to have passed to her. Petitioner lists a spouse and other children of the decedent (besides herself) in item 14 of the Petition. All of these people may be deemed to have succeeded the decedent by intestate succession. The Petition must be joined in by all those who have succeeded to the real property by intestate succession. The Inventory & Appraisal includes Real Property. The Real property must be appraised by the Probate Referee. Will need an amended Inventory and Appraisal. Also, the personal property seeking to be passed must be included in the Inventory & Appraisal. Need <i>Notice of Hearing</i>. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> to all persons listed in item 14 of the Petition. The Order is incomplete. Attachment 9b to the order states that the decedent was not married, however item 14 of the Petition lists Jesus Escobedo as the decedent's spouse.
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
✓ Inventory			
PTC			
Not.Cred.			
Notice of Hrg	x		
Aff.Mail	x		
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Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
Reviewed by: JF			
Reviewed on: 10/04/11			
Updates:			
Recommendation:			
File 18 – Anguiano			

Age: 54 years	TEMPORARY CONSERVATORSHIP EXPIRES 10/11/11	NEEDS/PROBLEMS/COMMENTS
DOB: 1/13/1957	MITZIE GAY MCBRIDE , is the Conservatee (<i>Conservatee was present at the last hearing on 7/19/11</i>).	<u>Note:</u> No order has been received regarding the last hearing on 7/19/11, and temporary letters for Mr. McBride have not issued.
Cont. from 090611	MICHAEL MCBRIDE , son, is the temporary Conservator of the <i>Estate</i> , per Court Order of 7/19/11.	
Aff.Sub.Wit.	SHARRON STOOPS , sister, is the former Conservator of the Estate.	Updates:
Verified	<i>Ms. Stoop's Fifth Account and Report of Conservator, Petition for Allowance of Fees to Attorney for Conservator and for Acceptance of Resignation of Conservator came on for hearing on 7/19/11.</i>	Reviewed on: 10/5/11
Inventory	7/19/11 Minute Order grants Ms. Stoops Petition and states: Court appoints Michael McBride as Temporary Conservator of Mitzie Gay McBride provisionally pending 9/6/11 Status Hearing. Temporary Conservatorship expires on 9/6/11. Counsel to prepare order.	Recommendation:
PTC	9/6/11 Minute Order states: Michael McBride is not present. Marvin Helon requests to continue the matter. Some issues at hand, which need to be resolved, are Medi-Cal and Mr. McBride becoming a substitute payee by sometime next month.	Reviewed by: NRN
Not.Cred.	<i>[Court Investigator Charlotte Bien's Report filed on 5/11/11.</i>	File 19 - McBride
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters	X	
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order	X	
Aff. Posting		
Status Rpt	X	
UCCJEA		
Citation		
FTB Notice		

Age: 3	Temporary Letters expired 6-29-11, extended to 9-27-11.	NEEDS/PROBLEMS/COMMENTS:
DOB: 4-15-08		
Cont. from 062911, 092711	At hearing on 9-27-11, the Temporary Letters were <u>not</u> extended; however, Petitioner filed a new temporary request on 9-27-11 and Temporary Letters granted ex parte on 9-28-11 expire 10-11-11.	<p><u>Minute Order 6-29-11</u>: Examiner notes provided to Petitioner; Petitioner is directed to cure the defects and attend the Guardianship Clinic.</p> <p><u>Minute Order 9-27-11</u>: The Court instructs Petitioner to attend the Guardianship Clinic. The Court notes Petitioner’s referrals to CPS (referral of 6-2-10); therefore, the temporary letters are not extended. A blank Notice of Child Custody Proceeding for Indian Child and Examiner Notes are provided to Petitioner.</p> <p><u>Petitioner filed a new Temporary Petition on 9-27-11</u> (after the Temporary Letters were not extended at the hearing) stating that continued Temporary Letters were necessary for medical attention/therapy through EPU.</p> <p><u>As of 10-4-11</u>, nothing further has been filed to address the issues previously noted. The following issues remain:</p> <p style="text-align: center;"><u>SEE PAGE 2</u></p>
Aff.Sub.Wit.		
✓ Verified	<p>Father: STEPHEN FORBES - Court dispensed with notice 5-9-11</p> <p>Mother: TAWAJANAE BRADEN - Declaration of Due Diligence filed 4-27-11 - Personally served 5-4-11 for Temporary Hearing only</p> <p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Taiwan Braden (<i>deceased</i>) Maternal grandmother: Tasha Lyday</p> <p>Petitioner states her granddaughter [<i>mother of the minor</i>] is on drugs and does not have a stable home. Mom has abused the minor and abandoned him for months at a time while she travels from state to state. Petitioner fears mom will take the minor out of state and it would be a danger to him.</p> <p>Court Investigator Jennifer Young’s report was filed 6-22-11.</p>	
Inventory		Father: STEPHEN FORBES - Court dispensed with notice 5-9-11
PTC		
Not.Cred.	Mother: TAWAJANAE BRADEN - Declaration of Due Diligence filed 4-27-11 - Personally served 5-4-11 for Temporary Hearing only	
Notice of Hrg		<p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Taiwan Braden (<i>deceased</i>) Maternal grandmother: Tasha Lyday</p> <p>Petitioner states her granddaughter [<i>mother of the minor</i>] is on drugs and does not have a stable home. Mom has abused the minor and abandoned him for months at a time while she travels from state to state. Petitioner fears mom will take the minor out of state and it would be a danger to him.</p> <p>Court Investigator Jennifer Young’s report was filed 6-22-11.</p>
Aff.Mail	Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Taiwan Braden (<i>deceased</i>) Maternal grandmother: Tasha Lyday	
Aff.Pub.		<p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Taiwan Braden (<i>deceased</i>) Maternal grandmother: Tasha Lyday</p> <p>Petitioner states her granddaughter [<i>mother of the minor</i>] is on drugs and does not have a stable home. Mom has abused the minor and abandoned him for months at a time while she travels from state to state. Petitioner fears mom will take the minor out of state and it would be a danger to him.</p> <p>Court Investigator Jennifer Young’s report was filed 6-22-11.</p>
Sp.Ntc.	<p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Taiwan Braden (<i>deceased</i>) Maternal grandmother: Tasha Lyday</p> <p>Petitioner states her granddaughter [<i>mother of the minor</i>] is on drugs and does not have a stable home. Mom has abused the minor and abandoned him for months at a time while she travels from state to state. Petitioner fears mom will take the minor out of state and it would be a danger to him.</p> <p>Court Investigator Jennifer Young’s report was filed 6-22-11.</p>	
Pers.Serv.		<p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Taiwan Braden (<i>deceased</i>) Maternal grandmother: Tasha Lyday</p> <p>Petitioner states her granddaughter [<i>mother of the minor</i>] is on drugs and does not have a stable home. Mom has abused the minor and abandoned him for months at a time while she travels from state to state. Petitioner fears mom will take the minor out of state and it would be a danger to him.</p> <p>Court Investigator Jennifer Young’s report was filed 6-22-11.</p>
✓ Conf. Screen	<p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Taiwan Braden (<i>deceased</i>) Maternal grandmother: Tasha Lyday</p> <p>Petitioner states her granddaughter [<i>mother of the minor</i>] is on drugs and does not have a stable home. Mom has abused the minor and abandoned him for months at a time while she travels from state to state. Petitioner fears mom will take the minor out of state and it would be a danger to him.</p> <p>Court Investigator Jennifer Young’s report was filed 6-22-11.</p>	
✓ Letters		<p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Taiwan Braden (<i>deceased</i>) Maternal grandmother: Tasha Lyday</p> <p>Petitioner states her granddaughter [<i>mother of the minor</i>] is on drugs and does not have a stable home. Mom has abused the minor and abandoned him for months at a time while she travels from state to state. Petitioner fears mom will take the minor out of state and it would be a danger to him.</p> <p>Court Investigator Jennifer Young’s report was filed 6-22-11.</p>
✓ Duties/Supp	<p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Taiwan Braden (<i>deceased</i>) Maternal grandmother: Tasha Lyday</p> <p>Petitioner states her granddaughter [<i>mother of the minor</i>] is on drugs and does not have a stable home. Mom has abused the minor and abandoned him for months at a time while she travels from state to state. Petitioner fears mom will take the minor out of state and it would be a danger to him.</p> <p>Court Investigator Jennifer Young’s report was filed 6-22-11.</p>	
Objections		<p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Taiwan Braden (<i>deceased</i>) Maternal grandmother: Tasha Lyday</p> <p>Petitioner states her granddaughter [<i>mother of the minor</i>] is on drugs and does not have a stable home. Mom has abused the minor and abandoned him for months at a time while she travels from state to state. Petitioner fears mom will take the minor out of state and it would be a danger to him.</p> <p>Court Investigator Jennifer Young’s report was filed 6-22-11.</p>
Video Receipt	<p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Taiwan Braden (<i>deceased</i>) Maternal grandmother: Tasha Lyday</p> <p>Petitioner states her granddaughter [<i>mother of the minor</i>] is on drugs and does not have a stable home. Mom has abused the minor and abandoned him for months at a time while she travels from state to state. Petitioner fears mom will take the minor out of state and it would be a danger to him.</p> <p>Court Investigator Jennifer Young’s report was filed 6-22-11.</p>	
✓ CI Report		<p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Taiwan Braden (<i>deceased</i>) Maternal grandmother: Tasha Lyday</p> <p>Petitioner states her granddaughter [<i>mother of the minor</i>] is on drugs and does not have a stable home. Mom has abused the minor and abandoned him for months at a time while she travels from state to state. Petitioner fears mom will take the minor out of state and it would be a danger to him.</p> <p>Court Investigator Jennifer Young’s report was filed 6-22-11.</p>
✓ Clearances	<p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Taiwan Braden (<i>deceased</i>) Maternal grandmother: Tasha Lyday</p> <p>Petitioner states her granddaughter [<i>mother of the minor</i>] is on drugs and does not have a stable home. Mom has abused the minor and abandoned him for months at a time while she travels from state to state. Petitioner fears mom will take the minor out of state and it would be a danger to him.</p> <p>Court Investigator Jennifer Young’s report was filed 6-22-11.</p>	
✓ Order		<p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Taiwan Braden (<i>deceased</i>) Maternal grandmother: Tasha Lyday</p> <p>Petitioner states her granddaughter [<i>mother of the minor</i>] is on drugs and does not have a stable home. Mom has abused the minor and abandoned him for months at a time while she travels from state to state. Petitioner fears mom will take the minor out of state and it would be a danger to him.</p> <p>Court Investigator Jennifer Young’s report was filed 6-22-11.</p>
Aff. Posting	<p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Taiwan Braden (<i>deceased</i>) Maternal grandmother: Tasha Lyday</p> <p>Petitioner states her granddaughter [<i>mother of the minor</i>] is on drugs and does not have a stable home. Mom has abused the minor and abandoned him for months at a time while she travels from state to state. Petitioner fears mom will take the minor out of state and it would be a danger to him.</p> <p>Court Investigator Jennifer Young’s report was filed 6-22-11.</p>	
Status Rpt		<p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Taiwan Braden (<i>deceased</i>) Maternal grandmother: Tasha Lyday</p> <p>Petitioner states her granddaughter [<i>mother of the minor</i>] is on drugs and does not have a stable home. Mom has abused the minor and abandoned him for months at a time while she travels from state to state. Petitioner fears mom will take the minor out of state and it would be a danger to him.</p> <p>Court Investigator Jennifer Young’s report was filed 6-22-11.</p>
✓ UCCJEA	<p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Taiwan Braden (<i>deceased</i>) Maternal grandmother: Tasha Lyday</p> <p>Petitioner states her granddaughter [<i>mother of the minor</i>] is on drugs and does not have a stable home. Mom has abused the minor and abandoned him for months at a time while she travels from state to state. Petitioner fears mom will take the minor out of state and it would be a danger to him.</p> <p>Court Investigator Jennifer Young’s report was filed 6-22-11.</p>	
Citation		<p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Taiwan Braden (<i>deceased</i>) Maternal grandmother: Tasha Lyday</p> <p>Petitioner states her granddaughter [<i>mother of the minor</i>] is on drugs and does not have a stable home. Mom has abused the minor and abandoned him for months at a time while she travels from state to state. Petitioner fears mom will take the minor out of state and it would be a danger to him.</p> <p>Court Investigator Jennifer Young’s report was filed 6-22-11.</p>
FTB Notice	<p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Taiwan Braden (<i>deceased</i>) Maternal grandmother: Tasha Lyday</p> <p>Petitioner states her granddaughter [<i>mother of the minor</i>] is on drugs and does not have a stable home. Mom has abused the minor and abandoned him for months at a time while she travels from state to state. Petitioner fears mom will take the minor out of state and it would be a danger to him.</p> <p>Court Investigator Jennifer Young’s report was filed 6-22-11.</p>	

NEEDS/PROBLEMS/COMMENTS (Continued):

- 1. #1c(1) of the Guardianship Petition Child Attachment is blank re: member or eligible for membership in an Indian tribe. #1c(2) states the minor is not an Indian child. However the Court Investigator's report states Petitioner reports the maternal family has Cherokee ancestry. If it is determined that the child is an Indian child , Petitioner will need to return the completed copy of the *Notice of Child Custody Proceeding for Indian Child* (blank for given to Petitioner by the court investigator and blank form in the file) to the probate clerk. The probate clerk will then mail the notice to the required agencies as required.**
- 2. Confidential Guardian Screening form is incomplete at items 1a- 1e (name, date of birth, social security number, driver's license number, telephone number(s) of the proposed guardian).**
- 3. Petition does not include ~~the last name of the father or mother~~ or the names and addresses of the paternal grandparents. (*New Temporary Petition filed 9-27-11 provides last names of parents.*)**
- 4. Minor's name on the birth certificate is spelled Deri'eon.**
- 5. Need *Notice of Hearing*.**
- 6. Need proof of personal service of the Notice of Hearing along with copy of the petition, 15 days prior to the hearing, along with a copy of the petition or consent and waiver of notice on:**
 - a. Tawajanae Braden (mother) - *Declaration of due diligence filed on 4/27/11. However, a proof of service was filed on 5/4/11 for mom for the temporary hearing showing mom at an address on Vassar Street.***
- 7. Need proof of service of the Notice of Hearing along with a copy of the petition, 15 days prior to the hearing, along with a copy of the petition or consent and waiver of notice or declaration of due diligence on:**
 - a. Paternal grandparents**
 - b. Tasha Lyday (maternal grandmother)**

21 The Cenci Family Trust (Trust)

Case No. 10CEPR00244

Atty Sanoian, Joanne (for Petitioner Richard G. Cenci)

Atty Keeler, William (for former Trustee Terese McGee)

Atty Helon, Marvin (for Bruce Bickel, successor trustee of Survivor's Trust, and formerly for Esther Cenci (now deceased))

Motion to Continue Pending Action Pursuant to Code of Civil Procedure 377.41

Age:	RICHARD CENCI , beneficiary and current Successor Trustee of the Family Trust, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
DOD:		
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 type="checkbox"/> Notice of Hrg		
<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	X	
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" 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		
	<p>Petition states:</p> <ul style="list-style-type: none"> On 4/30/92, Herman R. Cenci and Esther C. Cenci established the CENCI FAMILY TRUST ("Trust"). Petitioner is the Successor Trustee of the Trust and a person interested in said Trust, as he is the son of Herman R. Cenci and Esther C. Cenci and also a testate heir. Herman R. Cenci passed away on 6/3/05. Pursuant to the Trust, upon Herman R. Cenci's death, Esther C. Cenci became the sole Trustee of all Trusts created under the Trust, including the Esther C. Cenci Survivor's Trust ("Survivor's Trust") and the Herman R Cenci Family Bypass Trust ("Bypass Trust"). On or about 1/24/09, Esther Cenci resigned as Trustee of the Survivor's Trust and appointed McGee as Successor Trustee of that Trust. Petitioner commenced this action on 3/23/10 by filing his Petition to Remove Trustee, to Compel Accounting, For Appointment of Successor Trustee, For Breach of Fiduciary, For Financial Abuse of Elder, Undue Influence, Fraud and for Restitution, Imposition of Constructive Trust, For Double Damages, Punitive Damages, Attorney Fees and Costs, For Order Compelling Transfer of Assets, and For Monies Due on Promissory Notes ("Petition"), and an Amended Petition was filed 5/23/11 naming Esther Cenci as Respondent. On 7/6/11, Esther Cenci filed an Objection to the First Amended Petition. On 8/31/11, Esther Cenci passed away. No proceeding is now pending in California for administration of Decedent's estate. Trial in this case is currently set for 10/18/11, and a successor- in interest needs to be appointed to allow the proceeding against Decedent Esther Cenci to continue. Jonalyn Cenci is an heir and is Decedent's successor in interest as defined in C.C.P. §377.41, and succeeded to Decedent's interest in this action. No other person has a superior right to commence the action or to be substituted for the Decedent. <p>Petitioner requests the Court:</p> <ol style="list-style-type: none"> Continue the pending action and Appoint Jonalyn Cenci as successor in interest to Esther C. Cenci for the remaining duration of the court action. <p><i>[Declarations of Joanne Sanoian and Jonalyn Cenci in support of Petitioner's Motion to Continue, filed 9/30/11.]</i></p>	<p>Notes:</p> <ol style="list-style-type: none"> On 10/3/11, this Court granted Petitioner's <i>Ex Parte</i> Application for an Shortening Time to hear Petitioner's <i>Motion to Continue Pending Action</i>, originally scheduled for 11/17/11. Bruce Bickel is the current Successor Trustee of the Survivor's Trust. There is currently a trial date of 10/18/11, to determine who will be named as Successor Trustee of the Family Trust and the Survivor's Trust. <p style="text-align: center;"><u>See attached page</u></p>
		Reviewed by: NRN
		Reviewed on: 10/5/11
		Updates:
		Recommendation:
		File 21 – Cenci

Consent and Waiver of Conflict of Interest, filed 10/6/11 by Terese Ann Cenci McGee, states:

***Ms. McGee consents to Attorney Marvin Helon's representation of Bruce Bickel as Successor Trustee of the Survivor's Trust , and that she waives any conflict of interest arising from Attorney Helon's prior representation of Esther Cenci.**