1 Clyde W. Lowe (Estate) Case No. 07CEPR00995

Attorney **Gregory R. Lowe, of Santa Barbara (for Petitioner Alan Lowe)**

Ex Parte Petition for Appointment as Sole Personal Representative and Issuance of Letters

DOD: 8/11/2007			**ALAN LOWE**, sole surviving Co-Administrator appointed with Full IAEA authority without Bond on 11/21/2007, is Petitioner.
Cont. from			**Petitioner states:**
	Aff.Sub.Wit.		• A vacancy has occurred in the office of personal representative of the estate due to the death of his co-personal representative, **DAVID LOWE**, on 10/14/2013;
✓	**Verified**		• Petitioner is the sole beneficiary of the Decedent and he has waived bond; David Lowe died without issue; notice is not required to anyone;
	Inventory		• An account in the name of the Decedent remains to be closed, and there is an urgency to have it closed;
	PTC		• Amended Letters are required for Petitioner to close the account.
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	**Letters**		
	Duties/Supp		***[Verified] Supplement to Ex Parte Petition for Appointment as Sole Personal Representative and Issuance of Letters* filed on 9/29/2015:**
	Objections		
	Video Receipt		• **DAVID LOWE**, the deceased heir and Co-Administrator of the Estate, has no spouse and no children, and his parents are both deceased;
	CI Report		• Petitioner is the closest living relative to **DAVID LOWE**;
	9202		• An account in the name of the Decedent remains to be closed, and there is urgency to have it closed;
✓	**Order**		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		***~Please see additional page~***

NEEDS/PROBLEMS/COMMENTS:

Note: *Order on Ex Parte Petition for Appointment as Sole Personal Representative and Issuance of Letters* filed 9/15/2015 finds:

- The *Order on Final Distribution on Waiver of Account* filed 11/3/2008 did not contain an omnibus clause;
- The *Ex Parte Petition* does not identify the heirs of **DAVID LOWE**, deceased heir and Co-Administrator;
- Not enough information is provided regarding the account that needs to be closed;
- Petitioner shall provide notice of the hearing set for 10/13/2015 to all persons entitled thereto.

Note: It appears all issues raised by the *Order on Ex Parte Petition* have been addressed.

Reviewed by: LEG
Reviewed on: 10/7/15
Updates: 10/9/15
Recommendation:
File 1 – Lowe

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015

1 Additional Page, Clyde W. Lowe (Estate) Case No. 07CEPR00995

***[Verified] Supplement to Ex Parte Petition for Appointment as Sole Personal Representative and Issuance of Letters* filed on 9/29/2015, continued:**

- New Amended Letters are required for Petitioner to close the account;
- The account is identified as Tax Exempt fund of Calif. A *[number omitted]* at American Funds, Santa Ana, CA, in the amount of **~$250,000.00**;
- Said account was listed as part of the Order for Final Distribution of this Estate *[as Item #8 listed on page 3 of the Order of Final Distribution on Waiver of Account filed 11/3/2008]*.

Petitioner prays that:

1. Petitioner continues as the sole personal representative;
2. Bond not be required; and
3. Amended Letters be issued naming Petitioner as the sole personal representative with full authority under the IAEA.

2 Donald Lewis McDaniels (CONS/PE) Case No. 07CEPR01275

Attorney: Gary G. Bagdasarian (for Petitioner/Conservator of the Estate Bruce Bickel)

First Account Current and Report of Successor Conservator of the Estate and Petition for its Settlement; for Allowance of Fees to the Conservator of Estate and his Attorney.

Cont. from 091515		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	W/
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	**2620(c)**	
	Order	X
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

BRUCE BICKEL, Successor Conservator of the estate, is petitioner.

ROBERT N. LOWDER, III and **MARCIA LOWDER** are Successor Co-Conservators of the person.

Account period: 10/12/13 – 12/31/14

Accounting - **$967,789.52**
Beginning POH - **$742,043.92**
Ending POH - **$734,880.85**

Current bond: $280,000.00

Attorney - **$2,707.50**
($1,250.00 per Local Rule for preparation of the accounting plus 1.5 hrs @275/hr. to update conservatee's estate plan and 4.1 hrs. @ $250-$275 for care of conservatee)

Attorney costs - **$435.00** (filing fee)

Conservator - **$27,577.07**
(224.68 hrs. @ $60-$150/hr., already received $10,078.50 per order allowing payment of $600 per month leaving a balance due of $17,498.57)

Petitioner prays for an Order:

1. Approving, allowing and settling the first account;
2. Confirming, approving and ratifying all acts and transactions of Petitioner as conservator of the estate;
3. Approving fiduciary commissions and attorney fees and costs.

NEEDS/PROBLEMS/COMMENTS:

1. Disbursement schedule shows payments for auto registrations on a 1965 Chevy totaling $253.00 however there is no 1965 Chevy listed on the property on hand. Declaration filed on 10/5/15 states an inventory and appraisal, supplemental No. 1 will be filed. – Need Supplemental Inventory and Appraisal.

2. Order does not comply with Local Rule 7.6.1C. All orders settling accounts shall contain a statement as to the balance of the estate on hand, specifically noting the amount of cash included in the balance.

Reviewed by: KT
Reviewed on: 10/7/15
Updates:
Recommendation:
File 2 – McDaniels

Note: If the petition is granted, a status hearing will be set as follows:

- **Wednesday, March 1, 2017** at 9:00 a.m. in Department 303, for the filing of the second account.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

3 Michael John Rossi Special Needs Trust Case No. 09CEPR00201

Attorney Kruthers, Heather H (for Public Guardian – Trustee)

Probate Status Hearing Re: Filing of the Third Account

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	

PUBLIC GUARDIAN, was appointed as Successor Trustee on 08/03/2011.

Second Account Current and Report of Trustee; Petition for Allowance of Compensation to Trustee and Attorney filed 08/26/2014. The ending balance of property on hand is $170,849.23, all of which is cash.

Minute Order of 10/14/2014 set this Status Hearing for the Filing of the Third Account on 10/12/2015.

Notice of Hearing of Changed Calendar Setting was mailed to Attorney Jeff Reich and Attorney Heather Kruthers informing them of the new date of 10/13/2015.

NEEDS/PROBLEMS/COMMENTS:

OFF CALENDAR.
Third Account filed 10/09/2015. Hearing set for 12/02/2015.

Reviewed by: LV	
Reviewed on: 10/07/2015	
Updates:	
Recommendation:	
File 3 – Rossi	

4 Chris Martin Trust Case No. 09CEPR00543

Attorney Barron, Richard B. (for Perine & Dickens Professional Fiduciaries)

Petition of Trustee for Settlement of Fifth Account Current and for Allowance of Fees and Expenses to the Trustee and Its Counsel

Cont. from 092815		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	w/
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

PERINE & DICKEN PROFESSIONAL FIDUCIARIES, Co-Trustees Ronald Dicken, Patricia Dicken, and Karen Steele, are Petitioners.

Account period: 05/01/2014 through 04/30/2015
Accounting: $329,944.89
Beginning POH: $308,843.08
Ending POH: $258,925.32

Trustees: $2,652.00 (0.75%)
Trustees have already been paid $2,906.49; which includes $13.18 which the Court approved in the previous accounting; deducting that payment the total fees received for this Account was $2,893.31. Trustees were overpaid $241.31, upon discovery of this overpayment petitioner refunded this amount to the Trust. The refund will appear on the next accounting.

Attorney: $2,572.00, which includes 19.1 professional hours per declaration and $435.00 in costs.

Bond: Current bond is $400,000.00. Petitioner states as of the closing date of the accounting, the value of the estate was $258,925.32, and anticipates $20,000.00 in income in the next year; therefore, bond should be reduced to $355,000.00, which includes cost of recovery.

Petitioners pray for an Order:

1) Approving, allowing and settling the fifth account;
2) Approving the Trustee fees;
3) Reducing the trustee's bond to $355,00.00;
4) Authorizing the attorney fees and costs;

And For such other further relief as the Court deems just.

NEEDS/PROBLEMS/COMMENTS:

Note: A status hearing will be set as follows:

• If a 1-year accounting is required: **Tues 06/14/2016 at 9:00 a.m. in Dept. 303** for the filing of the 6th account.

• If a 2-year accounting is required: **Tues, 06/13/2017 at 9:00 a.m. in Dept. 303** for the filing of the 6th account.

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.

Reviewed by: LV
Reviewed on: 10/07/2015
Updates:
Recommendation:
File 4 – Martin

5 Steven Montes, Veronica Montes, Gabriel Montes, (GUARD/P) & Israel Montes Case No. 11CEPR00065

Petitioner Mosqueda, Arthur Alexander, JR (Pro Per – Maternal Uncle)
Petitioner Mosqueda, Christine Diane (Pro Per – Maternal Aunt)
Objector Mosqueda, Anita (Pro Per – Mother)

Petition for Appointment of Temporary Guardian of the Person

Veronica Age: 16		
Cont. from		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	x
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	x
✓	Conf. Screen	
✓	Letters	
✓	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
✓	UCCJEA	
	Citation	
	FTB Notice	

GENERAL HEARING 12/09/2015

ARTHUR ALEXANDER MOSQUEDA, JR., maternal uncle, and **CHRISTINE DIANE MOSQUEDA,** maternal aunt, are petitioners.

Please see petition for details

NEEDS/PROBLEMS/COMMENTS:

Note: Petition pertains to minor, Veronica Montes only.

1. The Notice of Hearing filed 10/09/2015 does not indicate that a copy of the petition was served with the notice of hearing on the mother, Anita Mosqueda, and the father, Genaro Montes, at #3 on the proof of service. The Court may require clarification.

Reviewed by: LV
Reviewed on: 10/07/2015
Updates:
Recommendation:
File 5 – Montes

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015

6 Jesus Soto (Special Needs Trust)Case No. 11CEPR00718

Attorney Kruthers, Heather H (for Public Guardian – Trustee)

Probate Status Hearing Re: Filing of the Next Account

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	

PUBLIC GUARDIAN, was appointed as Trustee by *Minute Order* on 4/12/2012.

Order Settling Second Account Current and Report of Trustee; Order Authorizing Compensation to Trustee and Her Attorney was filed on 10/20/2014. The ending balance of property on hand is $34,340.71, of which $5,397.23 is cash on hand.

Minute Order of 10/20/2014 set this status hearing for the filing of the 3rd Account.

NEEDS/PROBLEMS/COMMENTS:

OFF CALENDAR.
Third Account filed 10/09/2015. Hearing set for 12/02/2015.

Reviewed by: LV

Reviewed on: 10/07/2015

Updates:

Recommendation:

File 6 – Soto

7 Ivone Carlson (Estate) Case No. 13CEPR00294

Atty **Hinshaw, Caroline K. (for Mark Reiff – Executor – Petitioner)**
Atty **Teixeira, J. Stanley (for Scott Raven – Objector)**
Petition for Instructions

DOD: 3-29-13		
Cont from 020315, 031015, 051215, 061615, 071415, 081815		
	Aff.Sub.Wit.	
✔	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✔	Notice of Hrg	
✔	Aff.Mail	w
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
✔	Objections	
	Video Receipt	
	CI Report	
	9202	
✔	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

MARK REIFF, Executor with full IAEA and bond of $2,100,000.00, is petitioner.

Petitioner states: The beneficiaries of the estate are Concordia Lutheran Church, Kingsburg, CA, Kingsburg High School, Fresno Chapter of the Arthritis Foundation, The Lutheran Hour, and the American Heart Association. Requests for Special Notice have been filed by Colleen Zanovitch (whose interest has been distributed), J. Stanley Teixeira, Esq., attorney for Scott Raven, American Heart Association, and State of California Franchise Tax Board (since withdrawn).

The decedent owned a 50% interest in Levin & Carlson, a California General Partnership, and also owned title to 50% of the partnership land, as set forth on Corrected I&A #3 filed 1-23-15. The other partner is Marilyn Lungren. Both women inherited their interests from their parents. The terms of the partnership documents permit continuance of the business upon agreement between Petitioner and the surviving partner or dissolution of the partnership at the end of the crop year following the death of a partner.

Petitioner's counsel periodically followed up with counsel for Ms. Lungren regarding the business, requesting reports, et al., required by the partnership documents if the business was to continue following the decedent's death. Ms. Lungren did provide certain information, including a nice letter dated 4-2-14, in which she notes that taxes are due in December 2014, giving the appearance that she intended for the partnership business to continue for a lengthy period of time.

SEE ADDITIONAL PAGES

NEEDS/PROBLEMS/COMMENTS:

Continued from 8/18/15. Minute order states Counsel represents that they are near an agreement and request 60 days.

Status Report of Attorney Caroline Hinshaw filed on 10/6/15 states a formal written agreement has been fully executed. The parties have cooperated to sign documents to close escrow for the sale of the Estate's interest in real property. Anticipated close of escrow is before October 13, 2015. Ms. Hinshaw anticipates the prompt filing of a petition for preliminary distribution of a substantial portion of the estate.

Status Report of J. Stanley Teixeira filed on 10/8/15 states he is happy to report that he purchase of the real property by his client has been completed. Escrow closed on 10/6/15.

Note: The Order Settling Executor's First Account entered 12-8-14 authorized continuation of the administration for up to one year. A status hearing is set for 1-11-16 for the filing of the Second/Final Account.

Reviewed by: skc

Reviewed on: 10/8/15 (KT – status report)

Updates: 10/9/15

Recommendation:

File 7 - Carlson

Petitioner states: The partnership is the lessor and Scott Raven is the lessee of that certain farm lease dated 12-1-02 (extension of prior 1993 lease) that expires in 2023 (Exhibit D). Complicated rights to purchase the real property are included in the referenced documents. The documents give Ms. Lungren the right to purchase the estate's interest in the partnership land. Scott Raven has a right of first refusal in the Farm Lease in the event the land is sold, but not if purchased by Ms. Lungren.

Earlier in 2014, communications occurred between Petitioner and Ms. Lungren and counsel regarding Ms. Lungren's intentions with respect to her right to purchase the decedent's interest. After a few months, Ms. Lungren proposed that she and Petitioner jointly market the real property. A price range was discussed in July 2014 between Petitioner and his counsel, Ms. Lungren and her counsel (Russell Wood, Esq.), and James Olivas, farm land specialist realtor.

Subsequently, Ms. Lungren and Petitioner agreed that an offer should be made to Scott Raven for purchase of the land for $32,000/acre less 4% in lieu of a real estate commission. This is in the range of the FMV that Mr. Olivas had suggested. Mr. Wood sent a letter to Mr. Raven, copied to his attorney, J. Stanley Teixeira, on 8-5-14 communicating the offer to sell the partnership land (Exhibit E).

On 10-6-14, Mr. Teixeira transmitted a letter to Petitioner's counsel via email and mail informing her that Scott Raven and Charlyse Raven had purchased Ms. Lungren's interest in the partnership land for an undisclosed price. See deed purporting to convey interest at Exhibit F. The amounts of transfer taxes are not disclosed, concealing the amount of reported consideration for the purported transaction. Mr. Teixeira's letter also included an offer to purchase the estate's interest in the partnership real property for $1,000,000.00.

To inform the Court, 241.9 acres at $32,000/acre calculates to $7,740,800; the estate's 50% share is $3,870,400. On information and belief, the Probate Referee considers the lengthy lease to Scott Raven to be a detriment to value and appraised the land in the range of $12,000/acre as of the decedent's death (3-29-13), severely discounting the value. The Probate Referee assigned a value of $1,456,021 to the combined partnership land, $12,021 of which was partnership cash.

To further inform the Court, the partnership documents prohibit sale of the partnership land by a partner without the consent of the other partner. Petitioner believes Ms. Lungren may have breached her fiduciary duties as partner by purporting to sell her interest in the land to Scott Raven and his wife, that the purported sale may be void or voidable and/or that Ms. Lungren may be liable to Petitioner and the estate by reason of her breach. From the information communicated to Petitioner by Mr. Olivas and others, Mr. Raven's proposal to purchase the estate's share of the partnership land is egregiously under market value.

Petitioner requests an order of this Court authorizing Petitioner not to proceed to sell the estate's interest in the partnership land as proposed by Mr. Raven.

SEE ADDITIONAL PAGES

Petitioner states: Petitioner believes he has rights to partition the land and is informed that if Mr. Raven's purchase is valid, the consequence may be that his leasehold is extinguished, thereby relieving the partnership land of the burden of the lease on its value and tremendously increasing the value to the estate.

In the alternative, if the lease is valid, it disparages the value of the land, and Petitioner may be better served to wait until the lease expires in 2023 and then sue in partition. The charitable beneficiaries of the estate are better served by obtaining the earliest highest and best price on sale of the land, and are not well served by delayed distribution, however, waiting until the value is not adversely impacted by the lease is in the beneficiaries' best interest.

Petitioner alleges that as executor and on behalf of the estate, he may have valid claims against Ms. Lungren, Mr. Raven, and potentially others. Petitioner does not have the legal knowledge to evaluate all of these issues and requires advice of skilled legal counsel to act prudently in these circumstances on behalf of the estate and beneficiaries.

Petitioner therefore requests authority to engage his attorneys, Bryan Hinshaw, a professional corporation, to provide him with a thorough legal analysis of the current issues. Exhibit G is a proposed fee agreement and CV of attorneys Richard Bryan and Caroline Hinshaw. The attorneys have indicated that they cannot accommodate the foreseeable level of legal work required to complete an analysis and advise Petitioner as to next steps if payment of fees for their services will be deferred for a long time period.

Therefore, Petitioner requests that the Court authorize execution of the proposed fee agreement and payment for legal services billed at regular rates up to the sum of $25,000.00 for Bryan Hinshaw to provide advice and guidance regarding the partnership and land. Petitioner understands that these legal services are separate from the decedent's estate and are to be accounted for separately. Both the legal services and the charges therefor in connection with the partnership land matters will be subject to subsequent Court review and can be reported periodically if the Court so wishes.

In addition, Petitioner is in a quandary regarding management of the partnership land in these uncertain circumstances. For example, County Tax Collectors will not accept partial payment of taxes. The portion purchased by Scott Raven will be reappraised for real property tax purposes. The estate should not incur the anticipated greatly increased real property taxes consequent to the reappraisal. Other issues include insurance, utilities, wells, etc. See declaration of J. Stanley Teixeira filed 11-24-14.

To avoid penalties, Petitioner has paid the first installment of the 2014-2015 real property taxes on the land pursuant to tax bills received and certain water district assessments. Pending resolution, Petitioner requests the Court authorize Petitioner to pay 50% of the expenses and costs associated with the estate's ownership of the land and require Scott Raven and Charlyse Raven to pay the other 50%. Upon the anticipated legal analysis and recommendations from counsel, Petitioner will develop a plan of action and may apply again to the Court for instructions or complaints for declaratory or other relief.

SEE ADDITIONAL PAGES

Petitioner requests this Court to order that:

1. **Executor is authorized to not proceed to sell Estate's interest in the partnership land as proposed by Mr. Raven;**
2. **Executor is authorized to execute the fee agreement in the form attached hereto as Exhibit G to engage Bryan Hinshaw as counsel and to pay the attorneys fees for legal services on invoice up to the amount of $25,000.00 from the Estate, such legal services and the charges therefor to be subject to later review and approval by this Court;**
3. **Pending resolution of the issues, Petitioner requests the Order of this Court authorizing Petitioner to pay 50% of expenses and costs associated with the Estate's ownership of the subject land and requiring Scott M. Raven and Charlyse Raven to pay the other 50% of such expenses and costs; and**
4. **Such further order be made as the Court considers proper.**

See also Memorandum of Points and Authorities in Support of Petition for Instructions filed 12-22-14.

Objection were filed by Scott M. Raven, along with Memorandum of Points and Authorities, on 2-23-15. Supplement to Objections was filed 2-27-15.

Objector states Marlyn Lungren sold her interest to Objector by Grant Deed dated 9-29-14, and Ms. Hinshaw was advised of the sale by letter dated 10-6-14. No response was received for two and a half weeks, evidenced by Ms. Hinshaw's letter of 10-24-14. At no time during the course of repeated inquiry about purchasing the estate's interest in the land did Mr. Reiff or his attorney provide any indication that sale of the land implicated partnership interests. Objector was a bona fide purchaser of Ms. Lungren's interest in the property and Chicago Title Company provided title insurance without reservation.

Objector has made offers for purchase of the estate's interest and stands willing to purchase the property and negotiate terms of sale. There are factors affecting the value which if not addressed immediately could result in serious economic damage to the estate. The plum trees on the property are at risk of being dead within six months or less. Due to continuing uncertainties and delays, Objector has now served Executor with a demand for immediate response to this situation by virtue of a letter form attorney Justin Campagne to Ms. Hinshaw.

Executor requests that he be authorized not to sell the estate's interest in the land as proposed by Objector. If this means specifically Objector's offer of $1,000,000, it is irrelevant, as Objector has already confirmed his willingness to negotiate and will address the most recent appraisal. If the request is intended to bar any sale to Objector, then it is illogical as he is the most likely and logical buyer for the estate's one half undivided interest. Executor suggests waiting for the lease to expire before selling. This blissfully ignores the impact of projected drought conditions for the foreseeable future and lack of any guarantee the property will be worth the same or more at that time.

Executor requests authorization to enter into a fee agreement for extraordinary legal services up to $25,000. This seems an unnecessary and exorbitant charge on the estate's resources given that Objector does not dispute the estate's ownership interest or his obligations under the lease.

SEE ADDITIONAL PAGES

Objector states (Continued):
Petitioner requests the Court order Objector to pay 50% of the expenses and costs of the estate's ownership of the land. Objector, as a 50% owner of the land, is willing, has paid, and will pay 50% of expenses and costs associated with ownership, and as such, no order is necessary. Further, Objector, as a tenant, has paid rental proceeds as required under the terms of the lease, and has observed all terms and conditions and confirms obligations to the estate as a tenant.

In summary, Objector objects to the petition for instructions as irrelevant and unnecessary, causing undue expenses and protracted delay in estate administration, not to mention the risk to the estate posed by the glacial pace of response to the water/well matter. Objector has retained the services of Attorney Justin T. Campagne to evaluate potential action and remedy with respect to the apparent delay of the executor in addressing the water issues. Attorney Campagne has been in contact with Attorney Hinshaw, and is trying to ascertain whether any arrangements have been made by the executor for moving forward with drilling water wells. Attorney Campagne was informed that the Executor is in Israel for three weeks and his attorney has no means to communicate with him and cannot confirm whether the estate will replace the wells pursuant to the lease.

Despite repeated attempts to communicate regarding the urgency of this matter, Executor has been slow to respond and is now **incommunicado** (emphasis in original), though he is not in a third world country.

See Points and Authorities in support of Objection.

Attorney for Executor filed Memorandum of Points and Authorities in Response to Objection on 3-3-15.
See document for details.

8 Isaac Roman, Ilin Roman & Ilyssa Roman (GUARD/P)

Case No. 13CEPR00983

Petitioner: Guillermo Roman (pro per)
Petitioner: Maria Guadalupe Avila (pro per)

Petition for Appointment of Temporary Guardian of the Person

			GENERAL HEARING 12/7/15
			MARIA G. AVILA and **GUILLERMO ROMAN**, maternal grandparents, are petitioners.
Cont. from			
	Aff.Sub.Wit.		
✓	**Verified**		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	**Conf. Screen**		
✓	**Letters**		
✓	**Duties/Supp**		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
✓	**UCCJEA**		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

This petition is as to ILYSSA ROMAN only.

Petitioners were previously appointed as guardians for Isaac and Ilin (3/27/14).

1. Need Notice of Hearing.

2. Need proof of personal service of the Notice of Hearing along with a copy of the temporary petition or Consent and Waiver of Notice or Declaration of Due Diligence on:
   a. Ricardo Cantu (father)

Reviewed by: KT
Reviewed on: 10/7/15
Updates:
Recommendation:
File 8 – Roman

9A AujaNeek Moore & Mary Jane Roberts (GUARD/P) Case No. 13CEPR01049

Petitioner **Debra D. Johnson (Pro Per – Maternal Grandmother – Petitioner)**
Petitioner **Sherrelle Moore (Pro Per – Maternal Aunt – Competing Petitioner)**
Petition for Appointment of Guardian of the Person (AujaNeek)

Cont. from 063015, 081815, 092915

	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	x
	Aff.Mail	x
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	x
✓	Conf. Screen	
✓	Letters	
✓	Duties/Supp	
	Objections	
	Video Receipt	
✓	CI Report	
✓	Clearances	
✓	Order	
	Aff. Posting	
	Status Rpt	
✓	UCCJEA	
	Citation	
	FTB Notice	

DEBRA D. JOHNSON, Maternal Grandmother and Guardian of Mary Jane, is Petitioner.

SHERRELLE MOORE, Maternal Aunt, was appointed Guardian of AujaNeek 1/20/15.

~Please see Petition for details~

Court Investigator Jennifer Daniel filed a report on 8/11/15.

NEEDS/PROBLEMS/COMMENTS:

Continued from 9/29/2015. *Minute Order* states Ms. Johnson requests two weeks in order to obtain counsel. The Court admonished that it will proceed on that date barring extraordinary circumstances.

1. **Need Notice of Hearing.**
2. **Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 on:**
   - Sherrelle Moore (Guardian)
   - Anthony Roberts (Father)
   - AujaNeek Moore (Minor)
3. **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 §1511 or consent and waiver of notice or declaration of due diligence on:**
   - Samuel Moore (Maternal Grandfather)
   - Donald "Ray" Roberts (Paternal Grandfather)
   - Mary Jane Roberts (Sibling)

Note: Maternal Grandmother Debra D. Johnson and Maternal Aunt Sherrelle Moore originally filed competing petitions for both minors.

On 1/20/15, Ms. Johnson was appointed Guardian of Mary Jane and Ms. Moore was appointed guardian of AujaNeek.

In this petition, Ms. Johnson seeks guardianship of AujaNeek in addition to Mary Jane.

Page B is the corresponding Petition for Termination of AujaNeek's Guardianship with Ms. Moore.

Ms. Moore's competing petition seeking guardianship of Mary Jane in addition to AujaNeek are Pages C and D of this calendar.

Reviewed by: skc (LEG for 10/13/15)

Reviewed on: 10/8/15

Updates:

Recommendation:

File 9A – Moore & Roberts

9B AujaNeek Moore & Mary Jane Roberts (GUARD/P) Case No. 13CEPR01049

Petitioner Debra D. Johnson (Pro Per – Maternal Grandmother – Petitioner)
Petitioner Sherrelle Moore (Pro Per – Maternal Aunt – Competing Petitioner)

Petition for Termination of Guardianship (Ajuneek Moore)

			See Page 9A for details.	**NEEDS/PROBLEMS/COMMENTS:**
				<u>Continued from 9/29/2015</u>. *Minute Order* states Ms. Johnson requests two weeks in order to obtain counsel. The Court admonished that it will proceed on that date barring extraordinary circumstances.
				<u>Note</u>: It appears all service defects have now been cured.
Cont from 081815, 092915				
	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			**Reviewed by:** skc (LEG for 10/13/15)
	Status Rpt			**Reviewed on:** 10/8/15
	UCCJEA			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 9B – Moore/Roberts**

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015

9C AujaNeek Moore & Mary Jane Roberts (GUARD/P) Case No. 13CEPR01049

Petitioner **Debra D. Johnson (Pro Per – Maternal Grandmother – Petitioner)**
Petitioner **Sherrelle Moore (Pro Per – Maternal Aunt – Competing Petitioner)**

Petition for Appointment of Guardian of the Person (Mary Jane)

			SHERRELLE MOORE, Maternal Aunt and Guardian of AujaNeek, is Petitioner. **DEBRA D. JOHNSON**, Maternal Grandmother, was appointed Guardian of Mary Jane on 1/20/15 - *Personally served 7/1/15* **~Please see Petition for details~** **Court Investigator Jennifer Daniel filed a report on 8/11/15. See Page A for details.**
Cont from 081815, 092915			
	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		

NEEDS/PROBLEMS/COMMENTS:

<u>Continued from 9/29/2015</u>. *Minute Order* states Ms. Johnson requests two weeks in order to obtain counsel. The Court admonished that it will proceed on that date barring extraordinary circumstances.

<u>Note</u>: It appears all service defects have now been cured.

Reviewed by: skc (LEG for 10/13/15)

Reviewed on: 10/8/15

Updates:

Recommendation:

File 9C – Moore/Roberts

9D AujaNeek Moore & Mary Jane Roberts (GUARD/P) Case No. 13CEPR01049

Petitioner Debra D. Johnson (Pro Per – Maternal Grandmother – Petitioner)
Petitioner Sherrelle Moore (Pro Per – Maternal Aunt – Competing Petitioner)

Petition for Termination of Guardianship (Mary Jane)

		See Page 9C for details.	NEEDS/PROBLEMS/COMMENTS:
Cont from 081815			**Continued from 9/29/2015.** *Minute Order* states Ms. Johnson requests two weeks in order to obtain counsel. The Court admonished that it will proceed on that date barring extraordinary circumstances.
	Aff.Sub.Wit.		
	Verified		
	Inventory		**Note: It appears all service defects have now been cured.**
	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		**Reviewed by:** skc (LEG for 10/13/15)
	Status Rpt		**Reviewed on:** 10/8/15
	UCCJEA		**Updates:**
	Citation		**Recommendation:**
	FTB Notice		**File 9D – Moore/Roberts**

10 Carlie Jezzel DeLa Fuente (GUARD/PE) Case No. 13CEPR01075

Attorney **Van Doren, Cynthia M., of Selma (for Guardian Stephanee Woodward)**

Probate Status Hearing Re: Filing of the First Account

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	

STEPHANEE WOODWARD, mother's first cousin, was appointed Guardian of the Person and Estate on 8/22/2014.

Letters issued on 8/22/2014.

***Final Inventory and Appraisal* was filed 1/9/2015** showing an estate value of **$61,189.25**.

First account of the guardianship estate was due **8/22/2015.**

***Notice of Setting Status Hearing* filed 8/28/2014** set this status hearing on 10/13/2015 for filing of the first account of the guardianship estate.

Clerk's Certificate of Mailing shows the notice was mailed to Attorney Van Doren on 8/28/2015.

NEEDS/PROBLEMS/COMMENTS:

1. Need first account of the guardianship estate, or verified status report pursuant to Probate Code § 12200, and proof of service of notice of the status hearing pursuant to Local Rule 7.5(B).

Reviewed by: LEG	
Reviewed on: 10/7/15	
Updates:	
Recommendation:	
File 10 – Dela Fuente	

11 In Re: Cheryle Moon (Special Needs Trust) Case No. 14CEPR00410

Attorney: Steven M. Matlak (for Petitioner/Trustee Jeffrey Meyer)

Petition for Settlement of First Account Current and Report of Trustee, and for Approval of Attorney's Fees and Costs

Cont. from		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	W/
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	**2620(c)**	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

JEFFREY MEYER, Trustee, is petitioner.

Account period: 7/21/14 – 6/15/15

Accounting	-	**$465,184.53**
Beginning POH	-	**$0**
Ending POH	-	**$418,716.01**
Trustee	-	**waives**
Attorney (per itemization and declaration.)	-	**$8,157.00**
Costs (filing fee)	-	**$200.00**

Petitioner prays for an order:

1. The First Account current and Report of Trustee be settled, allowed, and approved as filed and all acts and transactions of Petitioner be ratified, approved and confirmed;
2. Petitioner be authorized and directed to pay Frank Cortez $18,325.00 reimbursement for shelter and necessities he provided to Cheryle in 2013-2014;
3. Petitioner be authorized to pay attorney fees and costs totaling $8,357.00.

NEEDS/PROBLEMS/COMMENTS:

1. Petition states the Trustee sold the ½ interest in real property owned by the trust. The trust instrument provides that any sale of real property must be authorized by the court pursuant to Probate Code §2540(b).
2. Petition states when the beneficiary was homeless, Frank Cortez offered her shelter and provided her a room in his shop. In addition he provided her with cash, toiletries, paper and utensil products and coffee. Petition requests authority to reimburse Mr. Cortez $18,325.00 from the trust for rent and costs. Housing costs, maintenance costs are generally not special needs. In addition the statement from Frank Cortez is not itemized, but just lists each category's total such as "cash 421 days x $25 per day = $10,525.00."

Please see additional page

Reviewed by: KT
Reviewed on: 10/8/15
Updates:
Recommendation:
File 11 – Moon

11 In Re: Cheryle Moon (Special Needs Trust) Case No. 14CEPR00410

NEEDS/PROBLEMS/COMMENTS (Cont.):

3. Petition states the trust received distribution from the Estate of Bernard M. Meyer (beneficiary's father). When Jeffery Meyer (petitioner herein) as executor of the estate distributed cash from the estate to the Trust he failed to hold aside cash in the estate to cover the final costs of administration and final income taxes due from the estate in 2013. Petitioner states the trust was required to reimburse the executor a total of $9,563.70, which includes attorney fees of $1,811.70. The Order for distribution in the estate ordered $228,010.21 to be paid to the trust. Receipt schedule in the Trust show receipt of $235,746.41 from the estate to the trust. The over payment to the trust from the estate totals $7,736.21 and the reimbursement to back to the estate from the trust totals $9,563.70. An overpayment to the estate of $1,827.49. There is no authority for this trust to pay expenses for the estate that were not ordered in the estate. The petitioner also states he paid attorney fees totaling $1,811.70. Where these attorney fees in addition to those ordered in the estate or are they part of the statutory attorney fees?

4. Attorney Matlack was awarded attorney fees at a flat rate of $4,500.00 for the establishment of the Special Needs Trust. Billing statement included for this matter includes $520.00 for the attorney to attend the hearing on the granting of the Special Needs Trust Petition. It appears that this charge should be included in the flat rate fee as it relates to the establishment of the Special Needs Trust.

Note: If the petition is granted, status hearings will be set as follows:

- **Wednesday, January 20, 2016** at 9:00 a.m. in Department 303, for the filing of the first final account of the special needs trust.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

12 Earniese Dickerson (GUARD/P) Case No. 14CEPR00752

Petitioner Carter, Tiffany (Pro Per – Guardian)

Petition for Termination of Guardianship

Age: 14			**TIFFANY CARTER,** guardian, is petitioner.	**NEEDS/PROBLEMS/COMMENTS:**
			Please see petition for details	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: • Earnest Dickerson (Father) • Demetria Detra Denise Strickland (Mother) • Earniese Dickerson (minor) • Ernest Dickerson, Sr. (Paternal Grandfather) • Linda Carter (Paternal Grandmother) • Linn Ray Johnson (Maternal Grandfather) • Christina Greathouse (Maternal Grandmother)
Cont. from				
	Aff.Sub.Wit.			
✓	**Verified**			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg	x		
	Aff.Mail	x		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	**Order**			
	Aff. Posting			**Reviewed by:** LV
	Status Rpt			**Reviewed on:** 10/08/2015
	UCCJEA			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 12 – Dickerson**

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015

13 Joseph Frank Fernandez (GUARD/P) Case No. 14CEPR00801

Petitioner: Emily Fernandez (pro per)
Guardian: Jack Frank Fernandez (pro per)
Guardian: Lydia P. Fernandez (pro per)

Petition for Termination of Guardianship

			EMILY FERNANDEZ, mother, is petitioner.	**NEEDS/PROBLEMS/COMMENTS:**
			JACK FERNANDEZ and **LYDIA FERNANDEZ**, maternal grandparents, were appointed guardians on 12/1/14.	1. Need proof of service of the Notice of Hearing on: a. Jack Fernandez (guardian) b. Lydia Fernandez (guardian) c. Austin Marks (father) d. Mario Dillanes (paternal grandfather) e. Monica Marks-Rea (paternal grandmother)
Cont. from				
	Aff.Sub.Wit.		**Please see petition for details.**	
✓	**Verified**		**Court Investigator Report filed on 10/6/15**.	
	Inventory			
	PTC			
	Not.Cred.			
✓	**Notice of Hrg**			
	Aff.Mail	X		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			**Note:** Petitioner, Emily Fernandez, has also filed a Petition for Visitation that is set for **hearing on 10/29/15.**
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting			**Reviewed by:** KT
	Status Rpt			**Reviewed on:** 10/8/15
	UCCJEA			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 13 – Fernandez**

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015

14 **Jacqueline Pickard (Estate)** **Case No. 15CEPR00067**

Attorney **Armo, Lance E. (for Robert Pickard – Administrator/Petitioner)**

Petition for Final Distribution on Waiver of Account and for Allowance of Compensation for Ordinary Services

DOD: 12/29/14			**ROBERT PICKARD,** Administrator, is Petitioner.
			Accounting is waived.
Cont. from			I & A - **$320,000.00**
	Aff.Sub.Wit.		POH - **$214,744.18**
✓	**Verified**		
✓	**Inventory**		Administrator - **waived**
✓	**PTC**		
✓	**Not.Cred.**		Attorney - **$7,300.00** (statutory)
✓	**Notice of Hrg**		Creditor's Claim - **$945.44** (proof of payment filed 08/20/15)
✓	**Aff.Mail**	w/	**Distribution, pursuant to intestate succession, is to:**
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		Robert Pickard - $103,249.37
	Conf. Screen		Leslie Herlich - $103,249.38
	Letters	02/27/15	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	**9202**		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	**FTB Notice**		

NEEDS/PROBLEMS/COMMENTS:
Reviewed by: JF
Reviewed on: 10/08/15
Updates:
Recommendation: SUBMITTED
File 14 – Pickard

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015

15A Kenneth Harold Moore (Estate) Case No. 15CEPR00081

Attorney: Jeffrey B. Pape (for Petitioner Harold Rick Moore, son)
Attorney: Steven P. Braccini; Brian Wilson, of Palo Alto (for Respondent Kenneth Randolph Moore, son)
Attorney: Mark S. Poochigian (also for Respondent Kenneth Randolph Moore, son)
Attorney: Gary G. Bagdasarian (for Richard E. Huber, Special Administrator)

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

DOD: 7/14/2014

Cont. from 051415, 061615, 081115

	Aff.Sub.Wit.	S/P
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	W/
✓	**Aff.Pub.**	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	**Letters**	
✓	**Duties/Supp**	
✓	**Objections**	
	Video Receipt	
	CI Report	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

HAROLD RICK MOORE, son, and second named Executor without bond, is Petitioner.

Full IAEA — OK

Lost Will Dated: 4/10/2001

Residence — Fresno
Publication — Business Journal

Estimated value of the Estate:
Personal property - **$300,000.00**

Total **$300,000.00**

Probate Referee: **Rick Smith**

Petitioner states:

- Decedent's pour over Will conveyed assets to the **MOORE FAMILY TRUST dated 4/10/2001**, which provided that Decedent's assets were to be distributed in 5 equal shares to Decedent's children;
- After Decedent's stroke in 2011, the Will and the **MOORE FAMILY TRUST** were in physical possession of Decedent's son, **KENNETH RANDOLPH (RANDY) MOORE**, who was named executor;
- Randy then caused to be created and presented to his incapacitated father (Decedent) an irrevocable trust entitled the "**KENNETH HAROLD MOORE IRREVOCABLE TRUST dated 4/7/2011**" which was intended to alter the disposition of the Decedent's assets by excluding all of Decedent's children and leaving the entirety of the estate to Randy.

~Additional pages omitted~

NEEDS/PROBLEMS/COMMENTS:

Page 15B is the *Status Hearing Re Mediation*.

Page 16 is the related *Moore Family Trust*, 15CEPR00111.

Note: *Letters of Special Administration* issued to **RICHARD E. HUBER** on 8/20/2015.

Continued from 8/11/2015. *Minute Order* states Counsel reports that mediation is set for 9/25/2015 and a continuance is requested.

The following issue from the last hearing remains:

1. Pursuant to Probate Code § 8223, need revised proposed order containing the provisions of the lost Will.

Note: If *Petition* is granted, Court will set Status Hearings as follows:

- **Tuesday, March 15, 2016 at 9:00 a.m. in Dept. 303 for the filing of final inventory and appraisal; and**
- **Tuesday, December 13, 2016 at 9:00 a.m. in Dept. 303 for the filing of first account and/or petition for final distribution.**

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

Reviewed by: LEG
Reviewed on: 10/7/15
Updates:
Recommendation:
File 15A – Moore

15B Kenneth Harold Moore (Estate) Case No. 15CEPR00081

Attorney: Jeffrey B. Pape (for Petitioner Harold Rick Moore, son)
Attorney: Steven P. Braccini; Brian Wilson, of Palo Alto (for Respondent Kenneth Randolph Moore, son)
Attorney: Mark S. Poochigian (also for Respondent Kenneth Randolph Moore, son)
Attorney: Gary G. Bagdasarian (for Richard E. Huber, Special Administrator)

Probate Status Hearing Re: Mediation

DOD: 7/14/2014			**HAROLD RICK MOORE**, son, filed a *Petition for Probate of Will and for Letters Testamentary* on 1/26/2015. **KENNETH RANDOLPH MOORE**, son, filed a *Response to Petition for Probate of Will and for Letters Testamentary* filed on 5/12/2015. ***Minute Order* dated 8/11/2015** from the last hearing on the petition for probate states Counsel reports that mediation is set for 9/25/2015 and a continuance is requested. Matter set on 10/13/2015 for status re: mediation.	**NEEDS/PROBLEMS/COMMENTS:**
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			**Reviewed by:** LEG
	Status Rpt			**Reviewed on:** 10/7/15
	UCCJEA			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 15B – Moore**

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015

16A Moore Family Trust dated 4/10/2001 Case No. 15CEPR00111

Attorney: Jeffrey B. Pape (for Petitioner Harold Rick Moore, son)
Attorney: Steven P. Braccini; Brian Wilson, of Palo Alto (for Respondent Kenneth Randolph Moore)
Attorney: Mark S. Poochigian (also for Respondent Kenneth Randolph Moore, son)
Attorney: Gary G. Bagdasarian (for Richard E. Huber, Special Administrator)

Petition to Determine Existence of Trust, for Appointment of Harold Rick Moore as Trustee, for Imposition of Constructive Trust, to Enforce No Contest Clause, for Damages and for Attorneys' Fees and Costs

DOD: 7/14/2014

Cont. from 031715, 051415, 061615, 081115

	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	X
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

HAROLD RICK MOORE, son and remainder beneficiary, is Petitioner.

Petitioner states:

- On 4/10/2001, Decedent created the **MOORE FAMILY TRUST dated 4/10/2001** (**2001 TRUST**), which formed the basis of Decedent's estate plan (*copy attached as Exhibit A);*
- The **2001 TRUST** devised the Decedent's trust property in equal shares to his 5 adult children: **KENNETH RANDOLPH MOORE, ROBIN LARAE WILSON, HAROLD RICK MOORE, SHEILA RENEE SHAW** and **RONALD DEAN MOORE**;
- **2001 TRUST** provides Kenneth H. Moore is trustee; successor trustees in order of preference are Randy Moore, Rick Moor (Petitioner), and Ron Moore; Decedent was trustee until January 7, 2011, when Decedent suffered a debilitating stroke requiring him to be hospitalized for several weeks; Decedent suffered another stroke requiring hospitalization on 2/24/2011;
- As a result of these strokes, Decedent no longer had capacity to act as Trustee; while Decedent was in hospital during the first part of 2011, the first successor trustee, Respondent Kenneth Randolph Moore (Randy) asked his sister in law, **PAULA MOORE**, to provide him with the original estate planning documents, which she procured and delivered to Respondent;
- On 4/7/2011, Respondent presented Decedent with a new trust, the **KENNETH HAROLD MOORE IRREVOCABLE TRUST dated 4/7/2011** (**2011 TRUST**), which devised all of the trust property to Respondent.

~Additional pages omitted~

NEEDS/PROBLEMS/COMMENTS:

Page 16B is the *Status Hearing Re Mediation.*

Page 15 is the related *Estate of Kenneth Harold Moore*, 15CEPR00081.

Continued from 8/11/2015. *Minute Order* states Counsel reports that mediation is set for 9/25/2015 and a continuance is requested.

Note: *Status Hearing Report* filed 8/3/2015 for the last hearing by Attorney Pape for Harold Rick Moore states, in most pertinent part, that:

- There are two probate proceedings pending in this Court and two probate proceedings pending in Santa Clara Superior Court *[described in detail on Pages 1 and 2 of Report]*;
- Harold Rick Moore, Robin Wilson, and Sheila Renee Shaw have filed Petitions to Change Venue of the Santa Clara actions to Fresno County, and the matters were continued to **8/3/2015**.

Reviewed by: LEG
Reviewed on: 10/7/15
Updates:
Recommendation:
File 16A – Moore

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015

16B Moore Family Trust dated 4/10/2001 Case No. 15CEPR00111

Attorney: Jeffrey B. Pape (for Petitioner Harold Rick Moore, son)
Attorney: Steven P. Braccini; Brian Wilson, of Palo Alto (for Respondent Kenneth Randolph Moore, son)
Attorney: Mark S. Poochigian (also for Respondent Kenneth Randolph Moore, son)
Attorney: Gary G. Bagdasarian (for Richard E. Huber, Special Administrator)

Probate Status Hearing Re: Mediation

DOD: 7/14/2014			**HAROLD RICK MOORE**, son, filed a *Petition to Determine Existence of Trust, for Appointment of Harold Rick Moore as Trustee, for Imposition of Constructive Trust, to Enforce No Contest Clause, for Damages and for Attorney's Fees and Costs* on 2/2/2015. **KENNETH RANDOLPH MOORE**, son, filed an *Objection to Petition to Determine Existence of Trust, for Appointment of Harold Rick Moore as Trustee, for Imposition of Constructive Trust, to Enforce No Contest Clause, for Damages and for Attorney's Fees and Costs* on 5/11/2015. ***Minute Order* dated 8/11/2015** from the last hearing on the petition to determine existence of trust states Counsel reports that mediation is set for 9/25/2015 and a continuance is requested. Matter set on 10/13/2015 for status re: mediation.	**NEEDS/PROBLEMS/COMMENTS:**
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			**Reviewed by:** LEG
	Status Rpt			**Reviewed on:** 10/7/15
	UCCJEA			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 16B – Moore**

16B

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015

17 Ken Shintaku (Estate) Case No. 15CEPR00318

Attorney **Steven L. Shahbazian (for Administrator Robert Shintaku)**

Probate Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 2/17/20				**NEEDS/PROBLEMS/COMMENTS:**
				OFF CALENDAR
				***Final Inventory and Appraisal* filed 9/18/2015.**
Cont. from				**<u>NOTE</u>:** Based upon filing of the *Petition for Final Distribution upon Waivers of Account, etc.,* set for hearing on **11/5/2015**, the Status Hearing set on **8/15/2016** for filing of the first and/or final account is **OFF CALENDAR**.
	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			**Reviewed by:** LEG
	Status Rpt			**Reviewed on:** 10/8/15
	UCCJEA			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 17 – Shintaku**

17

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015

18 Bernice Elizabeth Couto Samarin (Estate) Case No. 15CEPR00336

Attorney James J. Mele (for Corey Kliewer, Administrator with Will Annexed)

Probate Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 2/11/2015		
Cont. from		
	Aff.Sub.Wit.	
	Verified	
	Inventory	X
	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	X
	UCCJEA	
	Citation	
	FTB Notice	

COREY KLIEWER, grandson, was appointed Administrator with Will Annexed with Full IAEA authority without bond on 5/12/2015.

***Letters* issued on 5/13/2015.**

Pursuant to Probate Code § 8800(b), *Final Inventory and Appraisal* was due **9/13/2015**.

***Minute Order* dated 5/12/2015** from the hearing on the petition for probate set the matter for a Status Hearing on 10/13/2015 for filing of the final inventory and appraisal.

NEEDS/PROBLEMS/COMMENTS:

2. Need *Final Inventory and Appraisal* pursuant to Probate Code § 8800(b), or verified Status Report and proof of service of notice of the Status Hearing pursuant to Local Rule 7.5(B).

Reviewed by: LEG

Reviewed on: 10/8/15

Updates:

Recommendation:

File 18 – Samarin

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015

19 In Re: Gramenz Family Living Trust Agreement Case No. 15CEPR00398

Attorney: Steven S. Picone, (for Objectors Daniel Caballero & Baldermar Martinez)
Attorney: Lisa Horton (for Petitioner Rande L Gramenz)

Amended First Account and Report of Trustee and Petition for its Settlement

Cont. from 090115		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	W/
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
✓	**Objections**	
	Video Receipt	
	CI Report	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

RANDE L. GRAMENZ, Successor Trustee, is petitioner.

Petitioner states settlor, Opal E. Gramenz, died on 12/28/12.

Account period: 12/29/12 – 6/30/15

Accounting	-	**$1,575,344.83**
Beginning POH	-	**$1,432,128.43**
Ending POH	-	**$1,334,752.81**

Petition states pursuant to Article V section 1 of the trust he has paid his attorney $5,000.00. Pursuant to Probate Code §15681 he is entitled to reasonable compensation from the Trust. Trust funds totaling $14,850.00 have been used to pay Trustee's reasonable compensation for his services. This figure was derived from 1% of the total sale price ($1,485.000) of the duplex.

Petitioner states the decedent has a bank account at Chase with Kenneth Caballero for the purpose of having someone available to sign checks. Kenneth Caballero was a joint owner but never signed a check, deposited or withdrew funds from the account while the Decedent was alive. All of the funds in the account on Decedent's date of death were hers. After Decedent's death, Kenneth Caballero used some of the funds to pay for funeral expenses, but kept the remaining funds. Trustee demanded the funds so that they could be deposited into the trust account but Kenneth Caballero refused. Since Kenneth Caballero kept those funds, then in the sum of those funds ($59,494.49, after the payment of funeral expenses) will be counted as a preliminary distribution and taken from Kenneth Caballero's distributive share.

Petitioner prays that the Trustee's first account and report be settled, allowed and approved as filed.

NEEDS/PROBLEMS/COMMENTS:

Continued from 9/1/15. Minute order states Ms. Horton reports that she is trying to work things out with Mr. Picone.

Reviewed by: KT
Reviewed on: 10/7/15
Updates:
Recommendation:
File 19 - Gramenz

19 In Re: Gramenz Family Living Trust Agreement Case No. 15CEPR00398

Objections to Amended First Account and Report filed by Daniel Caballero and Baldemar Martinez on 8/31/15. Objectors object to the Accounting with respect to Petitioner Trustee's assertion that the joint checking account titled in the name of Kenneth Caballero and Opal Gramenz was a Trust asset and that Kenneth Caballero's beneficial interest in the Trust should be reduced by the amounts left in the joint account at the date of Opal Gramenz's death.

Petitioner's assertion that the funds in the Chase Bank joint account are trust assets and should be counted against Kenneth Caballero's share is flatly wrong as a matter of law. As such the accounting should be revised.

Probate Code §5302 (a) establishes in pertinent part that:

> "Sums remaining on deposit at the death of a party to a joint account belong to the surviving party or parties as against the estate of the decedent unless there is clear and convincing evidence of a different intent. . ."

Petitioner has not alleged, let alone proven, that Opal Gramenz and Kenneth Caballero intended for the money held in the Chase joint checking account to be distributed in a different manner other than that provided for by law.

Wherefore, Objectors pray as follows:

1. That the Petition to Approve the Amended Account be denied;
2. That Rande L. Gramenz be ordered to file and serve a code compliant amended accounting of the Trust within 45 days of issuance of the order;
3. For costs, and for such other and further relief as the Court deems just and proper.

20 Nicola Nitti, III (GUARD/P) Case No. 15CEPR00568

Petitioner Laurie Lee Cardoza (Pro Per Petitioner, maternal cousin)
Objector MaryAnne Wilson (Pro Per Objector, mother)

Petition for Appointment of Guardian of the Person

Cont. from 080415, 090115			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/ Pet. and Decl.	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
✓	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

NO TEMPORARY REQUESTED

LAURIE LEE CARDOZA, maternal cousin, is Petitioner.

~Please see Petition for details~

Court Investigator Dina Calvillo's *Report* was filed on 7/28/2015.

Petitioner filed on 7/31/2015 a *Declaration of Statements for Judge Review*.

Declaration of MARYANNE WILSON, mother, was filed 8/31/2015.

Petitioner LAURIE CARDOZA filed on 9/22/2015 a *Declaration of Statements to the Judge for Review.*

NEEDS/PROBLEMS/COMMENTS:

Continued from 9/1/2015. *Minute Order* states the Petitioner is ordered to file her response to Ms. Wilson's recently filed document *[Declaration filed 8/31/2015]* by no later than 9/15/2015. Parties are admonished that the Court will not consider anymore late filing by anyone.

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 for*:
   - Nicola Nitti, II, father, *if Court does not find due diligence per Declaration filed 7/6/2015; and filed on 8/5/2015, stating no information or findings were obtained from Petitioner's search.*
2. Need proof of service by mail 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 for*:
   - Nicola Nitti, paternal grandfather, *if Court does not find due diligence per Declaration filed 7/6/2015; and filed on 8/5/2015, stating no information or findings were obtained from Petitioner's search.*

Reviewed by: LEG
Reviewed on: 10/8/15
Updates:
Recommendation:
File 20 – Nitti

21 **Leland Hobson (GUARD/P)** **Case No. 15CEPR00651**

Petitioner **Campbell, Phyllis Renee (pro per – maternal cousin)**

Petition to Appoint Guardian of the Person

Age: 9		
Cont. from 090115		
	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**	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
✓	**UCCJEA**	
	Citation	
	FTB Notice	

NO TEMPORARY REQUESTED

PHYLLIS CAMPBELL, maternal cousin, is Petitioner.

Father: **SCOTT HOBSON** – *served by mail on 09/30/15*

Mother: **JOANNA ROWE** – *personally served on 07/20/15*

Paternal grandfather: DECEASED
Paternal grandmother: ANGEL HOBSON – *served by mail on 09/30/15*

Maternal grandfather: DECEASED
Maternal grandmother: STACY THOMAS – *served by mail on 09/30/15*

Petitioner states [see Petition for details].

Sibling: ALEXIS LOPEZ – *Consent & Waiver of Notice filed 07/02/15*

Court Investigator Samantha Henson filed a report on 08/26/15.

NEEDS/PROBLEMS/COMMENTS:

1. The UCCJEA is incomplete. Need minor's residence history for the past 5 years.

2. Need proof of service of *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian of the Person* or Consent & Waiver of Notice or Declaration of Due Diligence for:
   a. Scott Hobson (father) – *personal service required; Proof of Service filed 10/02/15 indicates that Mr. Hobson was served by mail on 09/30/15, however the parents are entitled to Personal service*

3. Proof of Service filed 10/02/15 indicates that Scott Hobson (father), Angel Hobson (paternal grandmother) and Stacy Thomas (maternal grandmother) were served by mail on 09/30/15, which is only 13 days notice. The Probate Code requires 15 days notice.

Reviewed by: JF

Reviewed on: 10/07/15

Updates:

Recommendation:

File 21 – Hobson

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015

22 Melissa Valenzuela (CONS/P) Case No. 15CEPR00719

Petitioner: Cynthia Garza Lopez (pro per)
Attorney: Lisa Horton (court appointed for conservatee)

Petition for Appointment of Probate Conservator

Cont. from 090115			
	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		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
✓	Citation		
	FTB Notice		

THERE IS NO TEMPORARY. No temporary was requested.

CYNTHIA G. LOPEZ, mother, is petitioner

Please see petition for details.

Court Investigator Report filed 8/26/15.

NEEDS/PROBLEMS/ COMMENTS:

Court Investigator Advised Rights on 8/11/15

Continued from 9/1/15. Minute order states the petitioner is provided a copy of the examiner not3es and directed to cure the defects. **As of 10/7/15 the following issues remain:**

1. Petition indicates the proposed conservatee is developmentally disabled. Therefore need proof of service of the Notice of Hearing along with a copy of the Petition, 30 days prior to the hearing, on regional center pursuant to Probate Code §1822(e).

2. Need Capacity Declaration re: medical consent.

Reviewed by: KT
Reviewed on: 10/7/15
Updates:
Recommendation:
File 22 – Valenzuela

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015

23 Seagraves Family Trust dated June 13, 2012 Case No. 15CEPR00738

Attorney: Gary G. Bagdasarian (for Petitioner Steven Seagraves)
Attorney: Curtis D. RIndlisbacher (for Objector Gregory Seagraves)

Petition by Successor Co-Trustee/Beneficiary for Removal of Successor Co-Trustee and Appointment of Sole Successor Trustee

Cont. from 091515		
	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	
	9202	
	Order	X
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

STEVEN SEAGRAVES, Successor Trustee of the Trust, is petitioner.

Petitioner alleges:

The **SEAGRAVES FAMILY TRUST** was established by declaration of Trust dated 6/13/12 by settlors **ELMER LEON SEAGRAVES** and **RUBY T. SEAGRAVES**.

Elmer L. Seagraves was the initial trustee.

Elmer L. Seagraves died on 6/16/15.

Pursuant to the terms of the trust, upon death of Elmer L. Seagraves, Steven Seagraves and Darrell Seagraves, children of the settlors, were appointed successor Co-Trustees. In addition, pursuant to the terms of the Trust, Steven Seagraves and Darrell Seagraves, were beneficiaries of equal shares of the Trust estate upon the passing of Ruby T. Seagraves.

Darrell Seagraves is currently incarcerated in the Fresno County Jail.

The Trust provides that if an individual Trustee cannot participate in the activities because of physical or mental incapacity, or otherwise cannot act, during any period of incapacity, the Co-Trustee, or if there is no Co-Trustee, then the Successor Trustee shall act as Trustee, having all rights and powers granted to the Trustee by instrument. Petitioner alleges that the incarceration of Darrell Seagraves prevents him from participating in the Trust activities and is otherwise unfit to administer the Trust pursuant to Probate Code §15642(b)(2).

Please see additional page

NEEDS/PROBLEMS/COMMENTS:

Continued from 9/15/15.
Minute order states the Court grants temporary orders to Steven Seagraves without prejudice. Any written objections are to be filed and properly served no later than 10/6/15.

1. Need Order

Reviewed by: KT
Reviewed on: 10/7/15
Updates:
Recommendation:
File 23 - Seagraves

The trust provides that no bond shall be required of any person named in the instrument as Trustee.

Petitioner requests that:

1. The Court appoint Steven Seagraves as sole successor Trustee of the Seagraves Family Trust dated June 13, 2012;

2. Steven Seagraves be granted full authority as sole Successor Trustee of the real property assets of the Trust including but not limited to property located at 5078 E. Weathermaker, Fresno;

3. The Court determine that no bond be required of the sol Successor Trustee.

Order appointing Steven Seagraves as acting sole successor Trustee until 10/13/15 was signed on 9/15/15.

Objection to Petition for Removal of Co-Trustee, with proof of service, filed on 10/2/15. GREGORY SEAGRAVES, in his capacity as agent for **DARRELL LEON SEAGRAVES**, is objector. Objector admits that Darrell Leon Seagraves is being held in the Fresno County Jail pending disposition of charges that have been filed against him. Objector believes that Darrell Leon Seagraves has plead "Not Guilty" to each of those charges. Darrell Leon Seagraves is presumed innocent of those charges and his being temporarily held in custody does not prevent him from fulfilling his duties as a Co-Trustee. The only asset of the Trust consists of the residence of Ruby Seagraves as well as the household furniture, furnishings and personal effects of Ruby Seagraves. Any administrative duties can be performed by Objector by discussing decisions with him and bringing any necessary documents to him for signature.

Objector further alleges that it was the express intent of his parents that Objector Darrell Leon Seagraves serve together with Steven Seagraves as Co-Trustees unless either one was incapacitated.

Darrell Leon Seagraves has lived with his parents for many years and was caring for his mother prior to being taken into custody. When released from custody Objector is informed and believes that Darrel Leon Seagraves plans to return to his parents' home to care for his mother.

Objector believes that Ruby Seagraves wants to reside in her own residence. There are caretakers who could be hired to provide for her own care in her own home, but Objector alleges Steven Seagraves is more interested in preserving the assets of the trust for his own use following the death of Ruby Seagraves than managing and administering the trust for the care of Ruby Seagraves.

On or about 8/13/15, Objector asked Steven Seagraves how much money was available and was told there was approximately $60,000 in a CD and $10,000 in the checking account. Steven Seagraves told Objector that he used about $7,000 for his attorney's fees.

Objector Prays that the Petition of Steven Seagraves be denied and that Steven Seagraves and Darrell Leon Seagraves continue to serve as Co-Trustees.

24 Celia P. Rios (CONS/P) Case No. 15CEPR00749

Attorney: Stephen M. Denning (for Petitioner Andrea Cantu)
Attorney: Flora Istanboulian (court appointed for Conservatee)

Petition for Appointment of Probate Conservator

			THERE IS NO TEMPORARY. No temporary was requested.	**NEEDS/PROBLEMS/COMMENTS:**
				Court Investigator Advised Rights on 9/1/15.
			ANDREA CANTU, daughter, is petitioner.	
Cont. from 091515				**Voting rights affected need minute order.**
	Aff.Sub.Wit.		**Please see petition for details.**	
✓	**Verified**			
	Inventory		**Court Investigator Report filed on 9/10/15**.	
	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**			
	9202			
✓	**Order**			
	Aff. Posting			**Reviewed by: KT**
	Status Rpt			**Reviewed on: 10/7/15**
	UCCJEA			**Updates:**
✓	**Citation**			**Recommendation:**
	FTB Notice			**File 24 – Rios**

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015

25 Justus Vargas-Sage (GUARD/P) Case No. 15CEPR00775

Petitioner: Sergio Robert Arreola (pro per)
Objector: Joey Vargas (pro per)

Petition for Appointment of Guardian of the Person

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	

THERE IS NO TEMPORARY. Temporary was denied.

SERGIO ROBERT ARREOLA, non-relative, is petitioner.

Please see petition for details.

Objection filed 8/18/15 by Joey Vargas

NEEDS/PROBLEMS/COMMENTS:

1. Need Notice of Hearing.

2. 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:
   a. Joseph Ronnie Munoz (father)
   b. Joey Vargas (mother)

3. 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:
   a. Paternal grandparents
   b. Kevin Sage (maternal grandfather)
   c. Guilien Dix (maternal grandmother)

Court Investigator to provide Court Investigator Report.

Reviewed by: KT
Reviewed on: 10/8/15
Updates:
Recommendation:
File 25 – Vargas-Sage

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015

26 Ileana Quiroz (GUARD/P) Case No. 15CEPR00776

Attorney LeVan, Nancy (for Thomas Quiroz & Alice Quiroz – paternal grandparents/Petitioners)

Petition for Appointment of Guardian of the Person

Age: 12			**NO TEMPORARY REQUESTED**	**NEEDS/PROBLEMS/COMMENTS:**
			THOMAS QUIROZ and **ALICE QUIROZ,** paternal grandparents, are Petitioners.	
			Father: **ALEX QUIROZ –** *Waiver of Notice filed 08/24/15*	
Cont. from			Mother: **ANGELA CORTEZ -** *Waiver of Notice filed 08/24/15*	
	Aff.Sub.Wit.		Maternal grandfather: BASILIO CORTEZ – *served by mail on 08/13/15*	
✓	**Verified**		Maternal grandmother: ANGELA CORTEZ – *served by mail on 08/13/15*	
	Inventory		Siblings: JOSE CORTEZ (8), DAMIEN LEON (5), SOPHIA LEON (3), DEREK LEON (8 mos.)	
	PTC		**Petitioners state** [see Petition for details].	
	Not.Cred.		**Court Investigator Charlotte Bien filed a report on 09/25/15.**	
✓	**Notice of Hrg**			
✓	**Aff.Mail**			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	n/a		
✓	**Conf. Screen**			
✓	**Letters**			
✓	**Duties/Supp**			
	Objections			
	Video Receipt			
✓	**CI Report**			
	9202			
✓	**Order**			
	Aff. Posting			**Reviewed by:** JF
	Status Rpt			**Reviewed on:** 10/08/15
✓	**UCCJEA**			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 26 – Quiroz**

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015

27 Isaiah Smith (GUARD/P) Case No. 15CEPR00781

Attorney Lopez, Amy L. (for Gilbert A. Ruelas – non-relative/Petitioner)

Petition for Appointment of Guardian of the Person

Age: 8			**TEMPORARY EXPIRES 10/13/15**
			GILBERT RUELAS, non-relative, is Petitioner.
			Father: **ROBERT MEDINA** – *Consent & Waiver of Notice filed 08/11/15*
Cont. from			
	Aff.Sub.Wit.		Mother: **ALEXANDRIA SMITH** – *Personally served on 08/21/15*
✓	**Verified**		
	Inventory		Paternal grandfather: UNKNOWN Paternal grandmother: ERNESTINA MEDINA – *served by mail on 08/17/15*
	PTC		
	Not.Cred.		
✓	**Notice of Hrg**		Maternal grandfather: BRIAN SMITH – *Consent & Waiver of Notice filed 08/11/15* Maternal grandmother: CLAUDIA NOE – *served by mail on 08/17/15*
✓	**Aff.Mail**	w/	
	Aff.Pub.		
	Sp.Ntc.		
✓	**Pers.Serv.**	w/	**Petitioner states** [see file for details].
✓	**Conf. Screen**		**Court Investigator Julie Negrete filed a Supplemental Report on – NEED REPORT.**
	Letters	x	
✓	**Duties/Supp**		
	Objections		
	Video Receipt		
	CI Report	x	
	9202		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
✓	**UCCJEA**		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

1. Need CI/DSS Report and clearances – CI to provide.
2. Need proof of service by mail at least 15 days before the hearing of *Notice of Hearing* or Consent & Waiver of Notice or Declaration of Due Diligence for:
   a. Paternal grandfather
3. Need Letters.

Reviewed by: JF

Reviewed on: 10/08/15

Updates:

Recommendation:

File 27 – Smith

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015

28 Hailey Turner-Hope, Caitlyn Turner-Hope (GUARD/P)

Case No. 15CEPR00787

Petitioner **Carey, Erica (pro per – half-sister)**

Petition for Appointment of Guardian of the Person

Hailey, 9		
Caitlyn, 9		
Cont. from		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	w/o
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	x
✓	**Conf. Screen**	
✓	**Letters**	
✓	**Duties/Supp**	
	Objections	
	Video Receipt	
✓	**CI Report**	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
✓	**UCCJEA**	
	Citation	
	FTB Notice	

TEMPORARY EXPIRES 10/13/15

ERICA CAREY, half-sister, is Petitioner.

Father: **WILLIAM SKAGGS** – *Declaration of Due Diligence filed 08/24/15 & 09/28/15*

Mother: **MELINDA TURNER** – *Consent & Waiver of Notice filed 08/13/15; now deceased*

Paternal grandfather: PHILLIP SKAGGS - *deceased*
Paternal grandmother: ELLAMAE SKAGGS – *Served by mail on 09/25/15 with Notice of Hearing only*

Maternal grandfather: JOHN TURNER - *deceased*
Maternal grandmother: BOBBI GODDARD – *Served by mail on 09/25/15 with Notice of Hearing only*

Siblings: TARYN HOPE (21) – *Consent & Waiver of Notice filed 08/13/15*, ANDREW SKAGGS, DARBY SKAGGS, CRAIG SKAGGS – *Declarations of Due Diligence filed 09/28/15*

Petitioner states [see file for details].

Court Investigator Jennifer Young filed a report on 10/07/15.

Declaration filed 10/08/15 by Petitioner Erica Carey [see file for details].

NEEDS/PROBLEMS/COMMENTS:

1. Need proof of service at least 15 days before the hearing of *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian of the Person* or Consent & Waiver of Notice or Declaration of Due Diligence for:
   a. William Skaggs (father) – *personal service needed; unless diligence is found*
   b. Ellamae Skaggs (paternal grandmother) – *service by mail ok; Proof of service filed 09/28/15 does not indicate that she was served a copy of the Petition along with the Notice of Hearing.*
   c. Bobbi Goddard (maternal grandmother) – *service by mail ok; Proof of service filed 09/28/15 does not indicate that she was served a copy of the Petition along with the Notice of Hearing.*
   d. Andrew Skaggs (half-brother) – *service by mail ok; unless diligence is found*
   e. Darby Skaggs (half-brother) - *service by mail ok; unless diligence is found*
   f. Craig Skaggs (half-brother) - *service by mail ok; unless diligence is found*
2. Need completed CI Investigation report and clearances.

Reviewed by: JF

Reviewed on: 10/08/15

Updates:

Recommendation:

File 28 – Turner-Hope

29 Shaquille Wortham (GUARD/P) Case No. 15CEPR00960

Petitioner Johnson, Darneisha (Pro Per – Cousin)

Petition for Appointment of Temporary Guardian of the Person

Age: 14			**GENERAL HEARING 12/07/2015**	**NEEDS/PROBLEMS/COMMENTS:**
			DARNEISHA JOHNSON, cousin, is petitioner.	1. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Temporary Guardian or consent and waiver of notice or declaration of due diligence for: • Ursula Richardson (Mother) • Shaquille Wortham (Minor)
Cont. from			**Please see petition for details**	
	Aff.Sub.Wit.			
✓	**Verified**			
	Inventory			
	PTC			
	Not.Cred.			
✓	**Notice of Hrg**			
✓	**Aff.Mail**	w/		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	x		
✓	**Conf. Screen**			
✓	**Letters**			
✓	**Duties/Supp**			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	**Order**			
	Aff. Posting			**Reviewed by:** LV
	Status Rpt			**Reviewed on:** 10/08/2015
✓	**UCCJEA**			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 29 – Wortham**

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015

30 Jordan Gongora (GUARD/P) Case No. 15CEPR00961

Petitioner Lopez, Bonifacio (Pro Per – Step-Father)

Petition for Appointment of Temporary Guardian of the Person

Age: 4			**GENERAL HEARING 12/08/2015**	**NEEDS/PROBLEMS/COMMENTS:**
			BONIFACIO LOPEZ, step-father, is petitioner.	2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Temporary Guardian or consent and waiver of notice or declaration of due diligence for: • Adrian Alfonso Cervantes (Father) – Unless the Court dispenses with notice **Note:** Declaration of Due Diligence filed 10/05/2015 states petitioner has never met the father. The mother informed the petitioner she last saw the father four years ago when she was pregnant.
Cont. from			**Please see petition for details**	
	Aff.Sub.Wit.			
✓	**Verified**			
	Inventory			
	PTC			
	Not.Cred.			
✓	**Notice of Hrg**			
✓	**Aff.Mail**	w/		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	x		
✓	**Conf. Screen**			
✓	**Letters**			
✓	**Duties/Supp**			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	**Order**			
	Aff. Posting			**Reviewed by:** LV
	Status Rpt			**Reviewed on:** 10/08/2015
✓	**UCCJEA**			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 30 – Gongora**

31 Ryan Roesing, Emily Roesing, and Joel Roesing (GUARD/P)

Case No. 15CEPR00964

Petitioner **Tammy Potter (Pro Per)**

Petition for Appointment of Temporary Guardian of the Person

			General Hearing set for 12/8/2015	**NEEDS/PROBLEMS/ COMMENTS:**
			TAMMY POTTER, maternal grandmother, is Petitioner.	
Cont. from			***~Please see Petition for details~***	
	Aff.Sub.Wit.			
✓	**Verified**			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg	N/A		
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
✓	**Conf. Screen**			
✓	**Letters**			
✓	**Duties/Supp**			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	**Order**			
	Aff. Posting			**Reviewed by:** LEG
	Status Rpt			**Reviewed on:** 10/8/15
✓	**UCCJEA**			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 31 – Roesing**

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015

32 **Ronald Martinson (Det. Succ)** **Case No. 15CEPR00830**

Attorney **Gromis, David Paul (for Christy L. Pedron – Petitioner)**

Petition to Determine Succession to Real Property

DOD: 01/15/14		
Cont. from 100615		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	w/
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

CHRISTY L. PEDRON, daughter, is Petitioner.

40 days since DOD

Personal representative consents.

I & A - $75,250.00

Will dated 01/31/06 devises estate 50% to Christy Pedron, 25% to Ronald P. Martinson, and 25% to Debra Ann Winters.

Petitioner requests Court determination that decedent's 35% interest in real property located at 941 Holly Ave, Clovis pass to her pursuant to a Settlement and Release Agreement wherein Debra A. Winters and Ronald P. Martinson accepted $25,000.00 as payment in full for any interest they have in the Estate of Ronald M. Martinson, including his interest in the real property at 941 Holly Ave., Clovis, CA.

NEEDS/PROBLEMS/COMMENTS:

CONTINUED FROM 10/06/15

Minute Order from 10/06/15 states: The Court will review the matter with regard to the issues raised in the Examiner's notes. If the Court is able to approve the petition, then no appearance will be necessary on 10/13/15.

1. In a summary proceeding the court is limited to making determinations specifically set forth in the statute. The instant petition requires the court to make an inquiry as to the fairness, reasonableness or circumstances surrounding the transfer and/or consideration for the execution of the transfer agreement/request/instructions. The plain meaning of the statute wasn't intended to prompt additional inquiry by the court, which this situation does.

Reviewed by: JF
Reviewed on: 10/09/15
Updates:
Recommendation:
File 32 – Martinson

Dept. 303, 9:00 a.m. Tuesday, October 13, 2015