



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Age: 11	NORA YERENA , maternal aunt, was appointed as Guardian of the Person on 01/04/12.	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>First Amended Petition to Transfer Proceedings to Santa Cruz County</i> pursuant to Probate Code § 2214 <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: a. Heather Huffman (mother) b. Jessie Collins (father) c. Connie Huffman (maternal grandmother) d. Earnest Hamm (maternal grandfather) e. Paternal grandparents Note: It is noted that Notice of Hearing was mailed to Heather Huffman and Connie Huffman on 08/28/15, however the proof of service does not indicate that a copy of the Petition was included with the Notice of Hearing. Note: If the Petition is granted, a status hearing will be set as follows: <ul style="list-style-type: none"> • Monday, January 4, 2016 at 9:00am in Dept. 303 for confirmation of receipt of transfer
Cont. from	Petitioner filed a First Amended Petition to Transfer Proceedings to Santa Cruz County, California on 08/19/15 requesting that this proceeding be transferred to Santa Cruz County pursuant to Probate Code §§ 2210 et seq. Petitioner states that the Guardian and minor both reside in Santa Cruz County and the biological mother, Heather Huffman, resides in Monterey County. Petitioner is employed as a doula, providing services and support to women during childbirth. As part of her job, she is on call and must immediately attend to her clients when they go into labor. Petitioner is also a mother and the care provider for her own children in addition to the minor.	
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
✓ Aff.Mail	w/o	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections	Petitioner states that it is a burden to take time off of work to travel to Fresno to attend hearings in this case. The travel time requires Petitioner to have to make other arrangements to ensure that all of the children under her care are fed and make it to school in a timely manner. This burden would be significantly lessened if the proceedings were moved to Santa Cruz County. Petitioner has attempted to use CourtCall, but the service is expensive.	
Video Receipt		
CI Report		
9202		
✓ Order	Now that the mother has moved to Monterey County, the minor has no contact in Fresno County.	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice	Petitioner prays for an Order transferring this proceeding to the Superior Court of California, County of Santa Cruz.	
		Reviewed by: JF
		Reviewed on: 10/13/15
		Updates:
		Recommendation:
		File 2 – O'Ryan

	<p>GERALD ISHII, Beneficiary and Co-Trustee, filed Petition of Beneficiary to Remove Successor Co-Trustees, Appoint Temporary Successor Trustee, and for Payment of Attorneys' Fees and Costs on 5-17-12. The petition was set for hearing on 7-2-12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont from 041315, 041315, 071315</p>	<p>LESLIE ISHII, Beneficiary and Co-Trustee, filed Objection on 6-21-12. Petitioner replied to the Objection on 6-25-12.</p>	
<p>Aff.Sub.Wit.</p>	<p>The hearing on 7-2-12 was continued numerous times, and after numerous status and settlement hearings, at the settlement conference hearing on 1-5-15, the parties represented that they are working on agreement, and the Court set this status hearing re the agreement.</p>	
<p>Verified</p>	<p>Status Declaration of Leigh Burnside filed 7/7/15 states a draft settlement has been reviewed and Gerald Ishii's attorney Jay M. Kelly, has been provided with comments and revisions. Once the parties decide on the matter of the lot line adjustment, Ms. Burnside anticipates that the settlement agreement can be finished. While the attorney understands this matter has been pending before the court for a very long time, she does believe the parties are trying to work toward a resolution.</p>	
<p>Inventory</p>	<p>Status Declaration of Leigh Burnside filed 10/9/15 states the line proposed by Gerald Ishii is located too close in proximity to Les Ishii's water pump and filters. The application was submitted to the County of Fresno's Dept. of Public Works and Planning without first obtaining the consent of Les Ishii to the location. She has written to counsel numerous times to discuss this issue, but counsel has failed to engage in any discussions. No response was received to her letter (attached). Ms. Burnside is informed by her client's accountant that he and Mr. Jeffries, Gerald's accountant, plan to continue discussing the matter later this month, but has no information that Gerald has reconsidered his position on the proposed lot line.</p>	
<p>PTC</p>		
<p>Not.Cred.</p>		
<p>Notice of Hrg</p>		
<p>Aff.Mail</p>		
<p>Aff.Pub.</p>		
<p>Sp.Ntc.</p>		
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p>Letters</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>		
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>		<p>Reviewed by: skc Reviewed on: 10/15/15 Updates: Recommendation: File 5 – Ishii</p>

DOD: 01/08/15	BROOKE A. CASTLE , Conservator, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 09/21/15 Minute Order from 09/21/15 states: Ms. Johnson reports that she is awaiting the return of the PC § 13100 affidavit with the Trustee's signature; she requests 3 weeks.</p> <p>As of 10/13/15, nothing further has been filed.</p> <p>1. Need Affidavit for Collection or Transfer of Personal Property from Clayton James Stott pursuant to Probate Code § 13100.</p>
	Account period: 09/22/14 – 06/22/15	
Cont. from 081015, 083115, 092115	Accounting: \$43,607.28	
Aff.Sub.Wit.	Beginning POH: \$20,286.77	
<input checked="" type="checkbox"/> Verified	Ending POH: \$7,928.46	
Inventory	Conservator: waived	
PTC	Attorney: \$1,250.00 (ok per Local Rule)	
Not.Cred.	Petitioner prays for an Order:	
<input checked="" type="checkbox"/> Notice of Hrg	1. Settling and allowing this second and final account and confirming the acts of the petitioner as conservator;	
<input checked="" type="checkbox"/> Aff.Mail w/	2. Authorizing the attorney's fees; and	
Aff.Pub.	3. Authorizing Petitioner to turn over the remaining assets of the conservatorship estate to Clayton James Stott, successor trustee of The Patricia Stoll Gregory Stott Survivor's Trust.	
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
<input checked="" type="checkbox"/> 2620(c)	Supplement to Second and Final Account and Report of Conservator filed 08/10/15 states: There is currently existing a trust known as the "Patricia Stoll Gregory Stott Survivor's Trust" to which reference is made in the report. The last will of Patricia Stoll Gregory Stott was signed 01/03/08 and references the "Don Claypool Stott and Patricia Stoll Gregory Stott 1986 Family Declaration of Trust, as Amended. The Patricia Stoll Gregory Stott Survivor's Trust is established by the deceased conservatee on 02/15/13 with her share of the assets of the original Stott Family Trust. The Will could not reference the Survivor's Trust, as it was not created until 02/15/13.	
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Continued on Page 2

However, there have been no other or later will found by the conservator. Therefore, this is the only will that can be presented to the court and is the intention of the surviving settlor (decedent, Patricia Stott) to dispose of assets that were under her ownership and control under the terms of the original trust. Under the terms of the original 1986 trust, the surviving settlor, had the exclusive right to the assets assigned to the surviving spouse (the Survivor's Trust) and could amend or alter it at her discretion. Except for the assets currently held by conservatee, all other assets of the decedent are currently held by Clayton James Stott as the successor trustee of the Survivor's Trust. Mr. Stott, as trustee, has appeared in this matter. He is currently represented by Summer Johnson who has also appeared in this matter on Mr. Stott's behalf.

Any declaration of trustee required by Local Rule 7.12.5 would have to be filed by Mr. Stott, as trustee, and submitted to the Court. Mr. Stott has appeared in this matter multiple times and has been the trustee of the Survivor's Trust since December 2012, prior to the death of the conservatee. Any such information that is needed from Mr. Stott under Local Rule 7.12.5 cannot be filed by the conservator. However, information already in the court's file confirms that Clayton James Stott has been and currently is the acting trustee of the Survivor's Trust. (Notification by Trustee Pursuant to Probate Code § 16061.7 attached).

The Affidavit Procedure pursuant to Probate Code § 13100 would have to be prepared by the successor trustee, Mr. Stott, however, that is unnecessary in this action as the conservator need only transfer the conservatorship's remaining assets (after closing expenses) to the trustee pursuant to Probate Code § 2631(c). At that point, the trustee can sign a "Receipt" for said assets for filing with the Court (see Probate Code § 11751).

Probate Status Hearing RE: Filing of the First Account

DOD: 04/12/13	<p>JEOFFERY SPEER, son, was appointed Administrator of the Estate without bond and with full IAEA on 11/18/13. Letters of Administration were issued on 11/20/13.</p> <p>On 10/07/14, at a status hearing regarding filing of the Inventory & Appraisal, the Court removed Jeoffery Speer as Administrator and, on its own motion, appointed the Public Administrator.</p> <p>Note: On 2-3-15, Jeoffery Speer, former Administrator, filed an Inventory and Appraisal; however, the document is incomplete.</p> <p>Minute Order from hearing on 02/09/15 set this matter for status regarding filing of the Account/Petition for Distribution.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Letters of Administration have not been issued to the Public Administrator.</p> <p>1. Need Accounting/Petition for Final Distribution and/or current verified status report.</p>
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		
		<p>Reviewed by: JF</p> <p>Reviewed on: 10/13/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 – Speer</p>

Attorney

Setrakian, Philip S. (for Connie Hamlin – Administrator – Petitioner)

First Amended First and Final Account and report of Administrator and petition for Settlement Thereof; for Allowance of Statutory Attorney Fees and Administrator Compensation and for Final Distribution

DOD: 4/1/14	CONNIE HAMLIN , Daughter and Administrator with Full IAEA without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 9/14/15: Counsel has a proposed order to submit after court today that he feels addresses the defects.</p> <p>Note: Declaration of Administrator was filed 9/21/15. The following issue remains noted:</p> <ol style="list-style-type: none"> 1. Preliminary distributions totaling \$183,204.60 were made without prior Court authorization in violation of Probate Code §11620 et seq. <p>Although the Declaration filed 9/21/15 states notice was given and funds used to pay these preliminary distributions were less than one-half of the total net value of the estate pursuant to §113623(2), the Court may require clarification with reference to the request that all acts and proceedings of the Administrator be confirmed, ratified, and approved.</p> <p>Reviewed by: skc</p> <p>Reviewed on: 10/13/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 – Ash</p>
Cont. from 091415	Account period: 4/1/14 – 6/1/15	
<input type="checkbox"/> Aff.Sub.Wit.	Accounting: \$488,472.32	
<input checked="" type="checkbox"/> Verified	Beginning POH: \$478,437.52	
<input checked="" type="checkbox"/> Inventory	Ending POH: \$233,843.77 (Cash)	
<input checked="" type="checkbox"/> PTC	Administrator (Statutory): \$12,438.73	
<input checked="" type="checkbox"/> Not.Cred.	Attorney (Statutory): \$12,438.73	
<input checked="" type="checkbox"/> Notice of Hrg	Closing: \$4,966.31	
<input checked="" type="checkbox"/> Aff.Mail	Distribution pursuant to intestate succession:	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	Steven Ash: \$51,000.00	
<input type="checkbox"/> Conf. Screen	Connie Hamlin: \$51,000.00	
<input checked="" type="checkbox"/> Letters	Randy Ash: \$51,000.00	
<input type="checkbox"/> Duties/Supp	Timothy Ash: \$51,000.00	
<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		

12 Ryan James Hall & Randii Jaiden Hall (GUARD/P) Case No. 14CEPR00819

Petitioner Hall, Aaron J. (Pro Per – Father – Petitioner)

Guardian Carr, Theresa D. (Pro Per – Paternal Grandmother – Guardian)

Petition for Termination of Guardianship

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing per Probate Code §1460(b)(5) on <u>all relatives</u>: <ul style="list-style-type: none"> - Amanda Haven (Mother) - Randy Hall (Paternal Grandfather) - David Owen (Maternal Grandfather) - Mary Owen (Maternal Grandmother) 	
	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			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 10/13/15	
			Updates:	
			Recommendation:	
			File 12 – Hall	

Petitioner Estrada, Richard Lucio (Pro Per – Maternal Grandfather – Petitioner)

Petitioner Estrada, Jacqueline (Pro Per – Maternal Grandmother – Petitioner)

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

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 9/1/15 (Temp):</u> The Court dispenses with notice to the father unless and until his whereabouts become known. The Court orders that the father not be allowed to have any visits. Mother is authorized to have supervised visits only, and no overnights. Additionally, mother is not to be left alone with the child in any way.</p>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail			
	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>Reviewed by: skc</p> <p>Reviewed on: 10/13/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13 – Leos</p>	

Petitioner Alvarez, Chantelle (Pro Per – Aunt – Petitioner)

Petition for Termination of Guardianship

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page A - Petition for Termination of Guardianship with Tennison Finney, Step-Mother.</p> <p>Page B - Petition for Guardianship with Chantell Alvarez, Paternal Aunt.</p> <p>Minute Order 8/27/15 (Temp): Petitioner represents that the minors have been residing with her since June, despite what Tennison Finney, aka Tennison Stone, previously reported to the Court. The Court orders that the Orders/Letters appointing Tennison Finney are suspended forthwith and appoints Chantelle Alvarez as Temporary Guardian of the minors.</p> <p>Minute Order 9/9/15 (OSC): Ms. Stone reports that the minors are with Chantelle Alvarez, but were still in Ms. Stone's care until June when they went to stay with Ms. Alvarez for the summer. She did not obtain counseling for Breanna as ordered because the minor was not with her. The Court vacates the OSC and orders that Ms. Stone need not appear at the general hearing on 10/19/15.</p>	
	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			x
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 10/13/15	
			Updates:	
			Recommendation:	
			File 14A - Finney	

14B Nathan Finney, Breanna Finney & Rikki Finney (GUARD/P)

Case No. 15CEPR00122

Petitioner Alvarez, Chantelle (Pro Per – Aunt – Petitioner)
Petition for Appointment of Guardian of the Person

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note: Continuance is required for Court Investigation.</u></p>	
	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			X
	Clearances			X
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 10/13/15	
			Updates:	
			Recommendation:	
			File 14B - Finney	

Petitioner Andres Alfonso Cobarubias (Pro Per – Brother – Petitioner)

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

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 9/28/15:</u> Petitioner represents that the paternal grandfather is Alberto Reyes and the paternal grandmother is deceased. Continued for proper notice to the paternal grandfather.</p> <p>1. Notice of Hearing filed 9/30/15 indicates mailed service to “Alberto Pacheco, grandfather on dad’s side” and “Rosa Pacheco, grandmother on dad’s side.”</p> <p>These names are inconsistent with the information provided at the hearing. Is the paternal grandfather Alberto Reyes or Alberto Pacheco? Is the paternal grandmother deceased, or is Rosa Pacheco the paternal grandmother?</p>	
Cont. from 061515, 072015, 083115, 092815				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			
	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>Reviewed by: skc</p> <p>Reviewed on: 10/13/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15 - Reyes</p>				

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

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 8/31/15:</u> Ms. Perez is sworn and interprets for the petitioner. The petitioner is directed to bring Aurora Heredia to the next hearing.</p> <p><u>Minute Order 7/20/15:</u> Maria Vargas and Ruby Martinez are to file written objections by 8/3/15 or the Court will not consider them.</p> <p>As of 10/13/15, no objections have been filed.</p> <p>The following issue remains noted:</p> <ol style="list-style-type: none"> 1. Notices of Hearing served on paternal grandmother Felipa Arredondo and maternal grandmother Ruby Martinez on 9/30/15 are still defective. Notice of Hearing appears to have served along with the Temp Order (GC-140) and Duties (GC-248) only, but not a copy of the petition per §1511. 	
Cont. from 061515, 072015, 083115				
	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			
		Reviewed by: skc		
		Reviewed on: 10/13/15		
		Updates:		
		Recommendation:		
		File 16 - Saavedra		

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

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 8/31/15:</u> Petitioner advises the Court that she has had some deaths in the family and would like to request continuance.</p> <p>As of 10/13/15, nothing further has bene filed. The following issues remain:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of Notice of Hearing with a copy of the petition per Probate Code §1511 at least 15 days prior to the hearing or consent and waiver of notice on: <ul style="list-style-type: none"> - Thurman Lignons (Father) - Laquandra Kinchen Lignons (Mother) 3. Need proof of service of Notice of Hearing with a copy of the petition per Probate Code §1511 at least 15 days prior to the hearing or consent and waiver of notice or declaration of due diligence on: <ul style="list-style-type: none"> - Paternal Grandmother - Maternal Grandfather Nick Kinchen - Maternal Grandmother Cassandra Miles - Siblings age 12 or older 	
Cont. from 061515, 072715, 083115				
	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			
	DSS Report			X
	Clearances			X
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: skc		
		Reviewed on: 10/13/15		
		Updates:		
		Recommendation:		
		File 17 - Lignons		

Attorney
Attorney

Schorling, Douglas D. (for Kevin S. Campbell – Beneficiary – Petitioner)
Roberts, Gregory J. (for Billie J. Campbell – Trustee – Respondent)

Petition to Compel Trustee to Account

<p>Jerry W. Campbell DOD: 8/4/00</p> <hr/> <hr/> <hr/> <p>Cont from: 062215, 070615, 081715</p> <p><input type="checkbox"/> Aff.Sub.Wit.</p> <p><input checked="" type="checkbox"/> Verified</p> <p><input type="checkbox"/> Inventory</p> <p><input type="checkbox"/> PTC</p> <p><input type="checkbox"/> Not.Cred.</p> <p><input checked="" type="checkbox"/> Notice of Hrg</p> <p><input checked="" type="checkbox"/> Aff.Mail W</p> <p><input type="checkbox"/> Aff.Pub.</p> <p><input type="checkbox"/> Sp.Ntc.</p> <p><input type="checkbox"/> Pers.Serv.</p> <p><input type="checkbox"/> Conf. Screen</p> <p><input type="checkbox"/> Letters</p> <p><input type="checkbox"/> Duties/Supp</p> <p><input checked="" type="checkbox"/> Objections</p> <p><input type="checkbox"/> Video Receipt</p> <p><input type="checkbox"/> CI Report</p> <p><input type="checkbox"/> 9202</p> <p><input checked="" type="checkbox"/> Order</p> <hr/> <p><input type="checkbox"/> Aff. Posting</p> <p><input type="checkbox"/> Status Rpt</p> <p><input type="checkbox"/> UCCJEA</p> <p><input type="checkbox"/> Citation</p> <p><input type="checkbox"/> FTB Notice</p>	<p>KEVIN S. CAMPBELL, Beneficiary, is Petitioner.</p> <p>Petitioner he is a beneficiary of The Restated Campbell Family Trust (The Trust) executed by JERRY W. CAMPBELL and BILLIE J. CAMPBELL on 3/16/95. The trust provides that upon the death of the first Trustor, the trust estate is to be divided into three trusts: Trust A, the Jerry W. Campbell Family Trust; Trust B, the Billie J. Campbell Family Trust; and Trust C, the Campbell QTIP Trust</p> <p>The Trust appoints BILLIE J. CAMPBELL as trustee of all three trust, and appoints the trustors' two sons, RANDALL D. CAMPBELL (DOD 1/4/07) and RICKY D. CAMPBELL (DOD 4/20/09), and DAVID ASH as successor co trustees. As a result of the deaths of Randall D. Campbell and Ricky D. Campbell, David Ash is the sole successor trustee.</p> <p>It is unclear to Petitioner whether Billie J. Campbell is still the trustee of the trusts. It is possible that she has resigned or has appointed David Ash as a co-trustee.</p> <p>The trustors are also the trustors of The Jerry W. Campbell and Billie J. Campbell Irrevocable Trust dated 3/28/91. DAVID ASH is the trustee of the Irrevocable Trust.</p> <p>Petitioner believes it is possible that Billie J. Campbell and David Ash have commingled assets between the Trust and the Irrevocable Trust.</p> <p>Paragraph 2.1 of Section V of the Trust specifically requires the trustee to account. Neither Billie J. Campbell nor David Ash has made any report of information about the Trust nor any account of the Trust.</p> <p>On 8/28/14, Petitioner mailed by certified mail a written demand for documentation including annual accountings, information under Probate Code §16060, 16061, 16060.7.</p> <p style="text-align: center;">SEE ADDITIONAL PAGES</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Minute Order 8/17/15: Mr. Schorling reports to the Court that he spoke with Mr. Roberts by phone this morning, who indicated that he inadvertently failed to calendar this morning's hearing, but that he has information to provide to Mr. Schorling. Mr. Roberts is ordered to be personally present in Court on 10/19/15.</p> <p>As of 10/13/15, nothing further has been filed.</p> <p>Note: Declaration of Douglas D. Schorling in Response to Response to Petition was filed 6/29/15. See additional pages.</p> <ol style="list-style-type: none"> Petitioner provides names and addresses of the "other beneficiaries;" however, Probate Code §17201 requires the petition to list of each person <u>entitled to notice</u>. Need complete list of each person entitled to notice in this proceeding, including Petitioner's own information. Notice of Hearing filed 6/3/15 indicates service mailed on <u>July 29, 2015</u>. Need amended Notice of Hearing reflecting the correct service date. <hr/> <p>Reviewed by: skc</p> <hr/> <p>Reviewed on: 10/13/15</p> <hr/> <p>Updates:</p> <hr/> <p>Recommendation:</p> <p>File 19 - Campbell</p>
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Petitioner states the trustee has failed and refused to prepare and provide Petitioner with the requested account and has failed and refused to Provide Petitioner with any of the requested information and documentation. In addition, the Trustee never provided Petitioner with the required notice under §16061.7 upon the death of Jerry W. Campbell.

Attached to the petition are the Exhibit A – Restated Campbell Family Trust dated 3/16/95, Petitioner's Letter dated 8/28/14, and the certified mail return receipt for the Letter.

Petitioner prays for an order:

1. Compelling Billie J. Campbell and/or David Ash to prepare and file with this Court an account of the Trust since its commencement on 3/28/91, including copies of any and all documents that support, substantiate, or evidence any item set forth in the accounting. See petition for specifics re requested documentation;
2. Instructing Billie J. Campbell and/or David Ash to petition this Court for the settlement of the account and give notice of hearing on the petition;
3. Compelling Billie J. Campbell and/or David Ash to provide Petitioner with all information necessary under §06060 to keep the beneficiaries reasonably informed of the trust and its administration;
4. Compelling Billie J. Campbell and/or David Ash to provide Petitioner with information under §16061 to report to the beneficiary by providing the requested information relating to the administration of the trust relevant to the beneficiary's interest;
5. Compelling Billie J. Campbell and/or David Ash to provide Petitioner with the terms of the Trust, as required by §16060.7;
6. For such attorney fees and costs as may be allowable by law; and
7. For all other orders the court deems proper.

Response filed 6/8/15 by BILLIE J. CAMPBELL states:

- Respondent is the sole beneficiary and currently acting sole trustee of Trust B with power to amend and/or revoke Trust B, and as trustee, no duty to account to any other person of the financial transactions of Trust. B.
- No Trust C (QTIP Trust) was established pursuant to the death of Jerry W. Campbell as the trust had insufficient assets to require such establishment.
- Trust A was not subdivided into "Exempt Family Trust A" and "Non-Exempt Family Trust A" because there were no generation-skipping issues which would require such subdivision. Respondent is the lifetime sole beneficiary of Trust A and unless as trustee she determines to make discretionary distributions to others, the lifetime sole principal beneficiary of Trust A, the intention of Jerry W. Campbell being to provide first for the needs of his surviving spouse (see Trust). There is no distribution of Trust A assets required to be made to any beneficiary other than Respondent until Trust A is divided into separate shares upon her death.

SEE ADDITIONAL PAGES

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Respondent states the duty of the trustee to account is to the beneficiaries of "their trust." Until the death of Respondent, no trusts are established for any beneficiaries other than Respondent. Consequently, Trustee currently has no duty to account to anyone other than Respondent of the transactions of any trust established under the Restated Campbell Family Trust.

To Respondent's belief, the administration of the Irrevocable Trust, of which Respondent was not a trustee, has been concluded.

Respondent has had to retain counsel to file this response and asks the Court to order Petitioner to reimburse the costs and fees incurred, as proven upon subsequent declaration of Gregory J. Roberts.

Respondent prays for an order:

1. That Respondent is the sole beneficiary of Trust B entitled to an accounting;
2. That Respondent was never a trustee of the Irrevocable Trust and has no obligation to account or participate in any accounting;
3. That Petitioner shall reimburse Respondent for the costs and attorney's fees she has incurred; and for
4. Such other and further relief as the Court deems proper.

Examiner's Note: The Irrevocable Trust is not before the Court at this time; therefore, the Court cannot make orders regarding Respondent's obligations in connection with the Irrevocable Trust.

Declaration of Douglas D. Schorling in Response to Response to Petition to Compel Trustee to Account filed 6/29/15 states under Probate Code §24, a "beneficiary" as it relates to a trust means a person who has any present or future interest, vested or contingent. Petitioner is clearly a beneficiary and is entitled to all of the rights granted to a beneficiary under the Probate Code. In her response, the trustee admits that Trust A is irrevocable, but take the position that the trustee has no duty to account because she is still alive. Not only is the trustee's position contrary to California law, it also ignores the fact that Petitioner has requested more than an accounting. Petitioner has requested the information to which he is entitled pursuant to §16060, 16060.7, 16061, and 16061.5. The trustee has also failed to provide notification as required by §16061.7 and is therefore liable under §16061.7 for all damages, attorney's fees, and costs caused by that failure. See declaration for authority. Declaration states Petitioner is entitled to the relief requested in the petition.

Petitioner is also sensitive to the fact that the trustee, who is his grandmother, apparently feels burdened by Petitioner's requests. Consequently, Attorney Schorling has advised counsel for the trustee that Petitioner is willing to forego an official accounting if the trustee is willing to provide the other information and documentation requested. To the extent any of the requested information is also available to third parties, such as financial institutions, the trustee is free to have the information provided directly to petitioner by such third parties rather than providing herself.

Attorney Curtis D. Rindlisbacher (Petitioner and Court-appointed Attorney for Conservatee)

Petition for Order for Attorney Fees and for Order Terminating Appointment of Counsel

		<p>CURTIS D. RINDLISBACHER, Attorney Court-appointed on 8/12/2015 to represent the Conservatee, is Petitioner.</p> <p>PUBLIC GUARDIAN was appointed Conservator of the Person and Estate on 7/2/2015; Amended Order Appointing Probate Conservator of the Person and Estate was filed 8/26/2015.</p> <p style="text-align: center;">~Please see Petition for details~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail W/		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: LEG</p> <p>Reviewed on: 10/13/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 21 - Cotton</p>	

Petitioner Charleena T. Mack (Pro Per Petitioner)

Petition for Appointment of Guardian of the Person

		NO TEMPORARY REQUESTED	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 8/31/2015.</u> <i>Minute Order</i> states in pertinent part that the Court notes that Charles Mack is deceased and is the Petitioner's father. The Petitioner is provided a copy of the examiner notes and is directed to cure the defects. <i>(Note: All defects appear to have been cured.)</i></p>
		<p>CHARLEENA T. MACK, maternal aunt, is Petitioner.</p> <p><i>~Please see Petition for details~</i></p> <p>Court Investigator's Report was filed on 8/18/2015.</p>	
Cont. from 083115			
	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		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 10/13/15
			Updates:
			Recommendation:
			File 22 – Hadley

Petitioner Jonathan Grimes (Pro Per, maternal grandfather)

Petitioner Paquita Yolanda Grimes (Pro Per, maternal grandmother)

Petition for Appointment of Guardian of the Person

		NO TEMPORARY REQUESTED	NEEDS/PROBLEMS/COMMENTS:
		JONATHAN D. GRIMES and PAQUITA YOLANDA GRIMES , maternal grandparents, are Petitioners.	
Cont. from		<i>~Please see Petition for details~</i>	<ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i> and proof of personal service of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian</i>, or <i>Consent to Appointment of Guardian and Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i>, for: <ul style="list-style-type: none"> • Joseph N. Williams, father; 2. Need proof of service by mail of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian</i>, or <i>Consent to Appointment of Guardian and Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i>, for: <ul style="list-style-type: none"> • Paternal grandparents; • Jasmine Alvarado, sibling, if age 12 or over. 3. Item 8 on Page 5 of the <i>Child Information Attachment</i> filed 8/18/2015 for both of the children is incomplete regarding Indian child inquiry and ancestry. 4. <i>UCCJEA</i> form filed on 8/18/2015 does not provide residence information for the last 5 years as required.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Court Investigator Julie Negrete to provide Report and clearances.	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	X	
<input type="checkbox"/>	Aff.Mail	X	
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<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	X	
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<input checked="" type="checkbox"/>	Letters		
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<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report	X	
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<input checked="" type="checkbox"/>	Order		
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<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 10/13/15
			Updates:
			Recommendation:
			File 24 – Williams-Alvarado