

Second Account Current and Report of Trustee; Petition for Allowance of Compensation to Trustee and Attorney

Age: 23	PUBLIC GUARDIAN , Trustee appointed by <i>Minute Order</i> on 4/12/2012, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 04/13/13 – 08/12/14	
Cont. from	Accounting - \$36,797.51	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH - \$7,852.48	
<input checked="" type="checkbox"/> Verified	Ending POH - \$34,340.71	
Inventory	(\$5,397.23 is cash)	
PTC		
Not.Cred.	Trustee - \$195.60 (1.5 staff hours @ \$76/hr. and .85 Deputy hours @ \$96/hr.)	
<input checked="" type="checkbox"/> Notice of Hrg	Attorney - \$450.00 (3 hours @ \$150/hr.)	
<input checked="" type="checkbox"/> Aff.Mail w/		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	Petitioner prays for an Order:	
Conf. Screen	1. Approving, allowing and settling the Second Account; and	
Letters	2. Authorizing the Trustee and attorney fees and compensation.	
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	Reviewed by: JF	
	Reviewed on: 10/15/14	
	Updates:	
	Recommendation:	
	File 1 – Soto	

(1) First and Final Report of Administrator on Waiver of Account and Petition for its Settlement; (2) for Allowance of Statutory and Extraordinary Fees to Attorney for Services; and (3) for Order for Final Distribution Pursuant to Probate Code 3600 et. seq.

DOD: 3/31/10		JOSEPH WILLIAM MARTIN, Administrator, is petitioner.		NEEDS/PROBLEMS/COMMENTS: Continued from 9/8/14. 1. It appears that the Joseph W. Martin Irrevocable Trust established on 1/16/14 is not a valid "special needs" trust. The requirements for creation of a special needs trust are that the beneficiary must be under the age of 65 at the time of the trust's creation. Mr. Martin is 86. (Title 42 United States Code section 1396p(d)(4)(A)). 2. Petition requests the distribution to the Joseph W. Martin Irrevocable Special Needs Trust, dated 1/16/14. The trust attached to the petition is entitled the Joseph W. Martin Irrevocable Trust established on 1/16/14 with no mention of a special needs trust. <p style="text-align: center;">Please see additional page</p>
		Accounting is waived.		
Cont. from 082514 090814		I & A	- \$125,873.74	
		POH	- \$127,424.94	
Aff.Sub.Wit.		Administrator	- waives	
✓	Verified	Attorney (statutory)	- \$4,776.22	
✓	Inventory	Attorney x/o	- \$9,100.00	
✓	PTC	(40.75 hours @ \$100 – 250/hr for services in connection with the civil litigation and creation of the special needs trust)		
✓	Not.Cred.	Costs	- \$1,304.32	
✓	Notice of Hrg	(probate Referee, publication, certified copies)		
✓	Aff.Mail	Petitioner states he established the JOSEPH W. MARTIN IRREVOCABLE SPECIAL NEEDS TRUST , ("SNT") dated 1/16/14, Donald Fischer, trustee. The SNT currently contains proceeds from the settlement of the civil litigation by order of the Honorable Kristi Culver-Kapetan in the matter entitled <i>Joseph W. Martin v. Mary Quin, et. al</i> , case no. 12CECG03130 filed on 4/2/14. Petitioner requests the court take judicial notice of the order.		
Aff.Pub.		Please see additional page		
Sp.Ntc.				
Pers.Serv.				
Conf. Screen				
✓	Letters	4/2/13		
Duties/Supp				
Objections				
Video Receipt				
CI Report				
✓	9202			
✓	Order			
Aff. Posting				
Status Rpt				
UCCJEA				
Citation				
✓	FTB Notice			
Reviewed by: KT				
Reviewed on: 10/15/14				
Updates:				
Recommendation:				
File 2 - Martin				

Petitioner request the assets of the estate be distributed to Donald E. Fischer, Trustee of the Joseph W. Martin Irrevocable Special Needs Trust dated 1/16/14.

NEEDS/PROBLEMS/COMMENTS (cont.):

3. Extra ordinary fee requests appear to include attorney services that benefited the administrator, Joseph Martin, personally and not the estate. For instance, Mr. McCloskey states he assisted Mr. Martin in a civil case for financial elder abuse against his daughter, Mary J. Quin entitled *Joseph W. Martin v Mary J. Quin*, case no. 12CECG03130. The action sought to recover assets Mr. Martin alleged were fraudulently taken by his daughter, Mary J. Quin. Mr. Martin was represented by Attorney Babette Fischer in the civil matter and not Mr. McCloskey. Mr. McCloskey also states he assisted in the creation of the Special Needs Trust for Mr. Martin. The special needs trust would be solely for the benefit of Mr. Martin and not for the benefit of the estate. In addition, there are questions regarding the validity of the Special Needs Trust. It appears any attorney fees incurred by the civil case or for Mr. Martin personally should be recovered from Mr. Martin personally outside of the estate. California Rules of Court, Rule 7.702(3) requires the declarant to show the benefit of the services to the estate. - **Declaration of Attorney Daniel T. McCloskey filed on 8/15/14 states** he feels the extraordinary fees are justified due to the unusual circumstances presented by the case, including but not limited to; preparation, filing and related actions to create the Special Needs Trust; preparation and filing and prosecution of the Petition to Determine Title; protracted civil litigation regarding the Petition to Determine Title and Petitioner's physical incapacity and mobility issues after his fall requiring travel to and from the convalescent home and hospital; that the misconduct alleged by his daughter occurred in 2010 and that it was his only daughter, a licensed attorney, who aggressively defended against the complaint and petition.

Status Report filed on 10/10/14 states at the hearing on 9/8/14 the court determined that the Joseph W. Martin Irrevocable Special Needs Trust was not a valid special needs trust pursuant to Title 42 USC §1396p(d)(4)(A), as Mr. Martin was over the age of 65 when the trust was created.

Mr. McCloskey states he has been in contact with the Special Needs Trust Division of the California Department of Health Services (DHS) regarding establishment of a special needs trust.

Mr. McCloskey states he was advised that DHS would require a special needs trust would for Mr. Martin provided it was administered by a professional fiduciary working for a non-profit organization. Mr. McCloskey's office contacted the Good Shepard Fund in San Jose and Golden State Pooled Trust in Napa, requesting their assistance in preparation and administration of a special needs trust on behalf of Mr. Martin. To date Mr. McCloskey states he has not received any response and will be following up on the selection of an appropriate trustee and special needs trust.

Mr. McCloskey states it is the Administrator's intention, once a non-profit fiduciary has been selected to petition the court for a revocation of the special needs trust entitled the Joseph W. Martin Irrevocable Trust dated, January 16, 2014, and request approval of a special needs trust by a non-profit fiduciary.

The Administrator, Joseph W. Martin, continues to reside in an assisted living facility in Fresno and has physical mobility issues that make it very hard, if not impossible, to attend the hearing. The Administrator requests that he be excused from attending the status hearing.

**Petition for Determination of Property belonging to Trust
(prob.c850,15660, and 17200)**

Walter J. Balzer DOD: 10-22-99	<p>JEROLD B. BALZER, Trustee, is Petitioner.</p> <p>Petitioner states Walter B. Balzer and Tiena L. Balzer, husband and wife, established the Balzer Family Trust on 12-31-90. Walter J. Balzer died 10-22-99. As the surviving trustor, Tiena L. Balzer had 100% access and control over all assets of the trust and on 3-26-10 signed a Modification and Complete Restatement of Declaration of Trust known as the Balzer Family Trust (attached).</p> <p>Petitioner states that pursuant to Exhibit A of the trust, Tiena L. Balzer transferred, or intended to transfer, certain assets to her name as trustee of the Balzer Family Trust, including a certain Charles Schwab account xx8323.</p> <p>Titles to all assets were in fact transferred from Tiena L. Balzer's individual name to Tiena L. Balzer's name as Trustee of the trust, except for the Charles Schwab account, which remains titled in her name individually. See attached statement.</p> <p>Petitioner states Tiena L. Balzer was a sophisticated investor and understood the value of a revocable living trust. For whatever reason, she inadvertently failed to re-register title to the Charles Schwab account to her name as trustee.</p> <p>The Charles Schwab account is mentioned in the trust's Exhibit A, which shows the trustor's intent to include the account as part of the trust.</p> <p>In order to allow the Charles Schwab account to be administered in the trust without the necessity of probate of the estate of Tiena L. Balzer, Petitioner requests an order confirming and determining that Tiena L. Balzer's 100% interest in the Charles Schwab account is owned by Petitioner as trustee of the trust.</p> <p>See Points and Authorities re Estate of Heggstad, Probate Code §850(a)(3)(B).</p>	NEEDS/PROBLEMS/COMMENTS:					
Tiena L. Balzer DOD: 7-11-10							
Aff.Sub.Wit.							
<input checked="" type="checkbox"/> Verified							
Inventory							
PTC							
Not.Cred.							
<input checked="" type="checkbox"/> Notice of Hrg							
<input checked="" type="checkbox"/> Aff.Mail W							
Aff.Pub.							
Sp.Ntc.							
Pers.Serv.							
Conf. Screen							
Letters							
Duties/Supp							
Objections							
Video Receipt							
CI Report							
9202							
<input checked="" type="checkbox"/> Order							
Aff. Posting							
Status Rpt							
UCCJEA							
Citation							
FTB Notice							
		<table border="1" style="width: 100%;"> <tr> <td>Reviewed by: skc</td> </tr> <tr> <td>Reviewed on: 10-15-14</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 3 – Belzer</td> </tr> </table>	Reviewed by: skc	Reviewed on: 10-15-14	Updates:	Recommendation:	File 3 – Belzer
Reviewed by: skc							
Reviewed on: 10-15-14							
Updates:							
Recommendation:							
File 3 – Belzer							

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

DOD: 9-15-04	<p>ERICA HERNANDEZ, daughter, was appointed as Administrator with Full IAEA without bond and Letters issued on 5-20-05.</p> <p>The original petition alleged personal property valued at \$2,000.00 and real property valued at \$270,000.00, encumbered for \$45,000.00.</p> <p>However, no Inventory and Appraisal was ever filed pursuant to Probate Code §8800.</p> <p>No accounting or petition for final distribution was ever filed pursuant to Probate Code §12200.</p> <p>The Court set this status hearing for failure to file Inventory and Appraisal and failure to file accounting or petition for final distribution. Both attorney and personal representative are ordered to appear.</p> <p>Notice of Status Hearing was mailed to Attorney Bruce A. Neilson and Administrator Erica Hernandez on 11-21-13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 2-14-14, 5-30-14, 7-21-14, 9-29-14</p> <p><u>Minute Order 9-29-14:</u> Mr. Neilson reports he cannot locate his petitioner. Status report needed.</p> <p>As of 10-15-14, nothing further has been filed.</p> <p>1. Need Inventory and Appraisal pursuant to Probate Code §8800 and accounting and petition for final distribution pursuant to Probate Code §12200, or verified written status report pursuant to local rules.</p> <p><u>Note:</u> The decedent's intestate heirs are his three children: Erica Hernandez, Cristobal Hernandez, and Andrea Hernandez.</p>
Cont. from 021414, 053014, 072114, 092914		
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: skc</p> <p>Reviewed on: 10-15-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 – Hernandez</p>	

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

DOD: 5/30/07	<p>LYCESTER WILLS, III and THELMA FRENCH were appointed Co-Administrators with full IAEA authority and without bond on 5/22/2007.</p> <p>Letters issued 5/22/2007.</p> <p>I & A was due 9/22/2007.</p> <p>First account or petition for final distribution was due 5/22/2008.</p> <p>Notice of Status Hearing was mailed to attorney Bruce A. Neilson on 2/5/2014.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 9/29/14.</p> <p>1. Need inventory and appraisal and first account or petition for final distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from 041814, 060614, 072114, 092914		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 10/15/14
		Updates:
		Recommendation:
		File 5 – Wills

Page 2

Petition for Instructions Regarding the Lowery Parcel: The decedent owned approx. 6.97 acres located on the Table Mountain Rancheria. The "Lowery Parcel" (Item No. 103 on Attachment #2 to I&A Partial No. 2 Final) constitutes a portion of the "Indian country" of the Table Mountain Rancheria Band of Indians, a Federally-recognized Indian tribe (the "Tribe") and is subject to the governmental jurisdiction and regulations of Table Mountain Rancheria, even though the Lowery Parcel is not "trust land"; i.e., land title to which is held by the United States in trust for a tribal member and their heirs or for the tribe.

Since there is no groundwater available in the portion of the Table Mountain Rancheria that encompasses the Lowery Parcel, the Tribe furnishes and controls the supply of water, and wastewater disposal and treatment, to and for the Lowery Parcel. Such services are only available and delivered to Table Mountain Rancheria owners, residents and/or occupants of real property on the Table Mountain Rancheria by the Tribe's Public Works Department and utilities. Owners of real property who are not members of the Tribe are not entitled to access to the Tribe's infrastructural facilities, and any non-Tribe member who may acquire or own any real property within the boundaries of the Table Mountain Rancheria is not entitled to access to such utilities or infrastructure.

There is no reliable groundwater supply below the Table Mountain Rancheria, and as a result, individual owners are not allowed to have wells or septic tanks on their respective properties. The Lowery Parcel is located on Table Mountain Road, which is a private road that is owned and maintained by the Tribe, which has the right to restrict access to the road.

Pursuant to the Order Settling First Report of Personal Representative, Determining Entitlement to Estate Distribution and Allowing Administration of Estate to Continue filed 7-15-13, there are seventy-four (74) intestate heirs to the decedent, such that distribution of the Lowery Parcel in kind among them would be impractical. Therefore, the Lowery Parcel must be sold.

The Tribe's governing body is the Tribal Council. Petitioner is the Chairperson of the Tribe, but does not participate in decisions of the Tribal Council relating to the Lowery Parcel. Except if the Lowery Parcel is conveyed to and owned by an heir of the decedent, a member of the Tribe, or the Tribe itself, the Tribal Council will not consent to the use by any future owner of the Lowery Parcel of Table Mountain Road to access the Lowery Parcel, or the Tribe's water and wastewater disposal and treatment facilities. As a result, any owner of the Lowery Parcel who does not fall into these categories would not be able to access the parcel, nor would occupancy be practical. Given that the buyer of the Lowery Parcel must be approved by the Tribe in order to have access to the road and necessary facilities, a unique procedure should be devised to maximize the amount likely to be realized by the estate from the sale of the parcel.

Petitioner proposes that a private auction for the right to purchase the Lowery Parcel would result in the highest price for sale. All persons to whom the Tribe would grant access to the road and necessary facilities would be invited to submit bids. Petitioner proposes certain guidelines for the auction including selecting a date and time, place, special master (Hon. Nickolas J. Dibiaso), notice, bid procedure and conduct, purchase and sale agreement, contingency in the event of default, definition of qualified bidders. See petition for details.

Petition for Instructions Regarding the Decedent's Gift Cards: Among the assets of the estate are 24 gift cards from eight (8) stores with remaining balances totaling \$20,221.35. Unlike real property, it is difficult to obtain cash for gift cards. See various terms and conditions attached. Because of the difficulties of converting gift cards to cash, a market for pre-owned gift cards has arisen on the Internet. The most visible gift card purchasers include Card Cash, Giftcard Zen, Giftcards.com, GiftCardRescue.com, and Cardpool.com. These purchasers do not pay full face value because they sell for discounted prices online. Most place a limit on the value of the gift cards they accept.

Petitioner states Card Cash is the best option to obtain cash for Decedent's gift cards because the business does not place a value limit and would accept all of the Decedent's gift cards. Card Cash will provide \$17,485.12 for Decedent's gift cards if they are mailed to their location in New Jersey. The specific amounts for each gift card are set forth on Exhibit B.

However, mailing gift cards valued at over \$20,000.00 across the country is inherently risky, as they may be lost or stolen. Further, the reliability of the type of businesses that buy gift cards is questionable. Many of the businesses mentioned have poor ratings or reviews. Card Cash specifically has had 39 complaints regarding "delivery issues" and 50 complaints regarding "problems with product/service" according to the Better Business Bureau.

Petitioner states therefore that an alternative for converting the gift cards to cash is needed. To avoid a potential loss if lost or stolen, Petitioner proposes to purchase all the gift cards for the amount offered by Card Cash, \$17,485.12, if no heir desires to purchase any of the gift cards for amounts greater than those listed in the table in Exhibit B. If any of the 74 intestate heirs desire to purchase some or all of the gift cards for amounts greater than listed in Exhibit B, they should contact Petitioner's counsel, Mark S. Poochigian, no later than five days before the hearing to make an offer and buy some or all of the gift cards. Counsel will report at the hearing if any offers were made.

Heirs, Advance Distribution: Petitioner is informed and believes and thereon alleges that all heirs are listed in Exhibit C. No advance distributions have been made. Petitioner proposes to make a preliminary distribution of \$3,400,000.00 as set forth in Exhibit D, which includes various payments on behalf of certain heirs, including payment to the Victim Compensation and Government Claims Board on behalf of heir Tobias Lewis and payment to Pascuzzi, Moore & Stoker Trust Account on behalf of heirs Melanie Sandoval and Sherilyn Carmen.

Petitioner states this preliminary distribution is less than 50% of the net value of the estate and may be made without loss to creditors or injury to the estate or anyone interested in it. After distribution, the approximate value of property remaining will be \$4,094,005.73. Petitioner estimates the amount of unpaid taxes, claims, and liabilities to be no more than \$500,000.00. Because there will be ample assets after distribution to secure the payment of any remaining taxes, claims, and expenses of administration, the Court can dispense with the furnishing of a bond by the distributees.

Examiner's Note: As a reminder, receipts must be filed for all preliminary distributions.

Personal Representative's Bond: If the preliminary distribution and payment of attorneys' fees for both California and Oregon counsel are approved as requested herein, the personal representative's bond can be reduced to \$4,084,496.84.

Petitioner requests this Court to order that:

1. The first account of Petitioner as Personal Representative be settled, allowed, and approved as filed;
2. All acts and proceedings of the Petitioner as personal representative be confirmed and approved;
3. The procedure described above for the sale of the Lowery Parcel be approved by the Court;
4. The personal representative be authorized to arrange for the sale of the Lowery Parcel as described above;
5. That the Honorable Nickolas J. Dibiaso be designated as the Special Master to perform the duties described above for the Lowery Parcel;
6. The procedure described above for the sale of the gift cards be approved by the Court;
7. The personal representative be authorized to purchase the gift cards or sell them to an heir who makes an offer to purchase the gift cards for the amounts listed in Exhibit B attached hereto;
8. Petitioner be authorized to pay herself the sum of \$44,417.78 as one-half of her statutory commissions and reimburse herself \$18,451.65 for costs she advanced to this estate;
9. Petitioner be authorized and directed to pay to Stoel Rives LLP the amount of \$1,485.00 for certain of their services in the Oregon ancillary probate;
10. Petitioner be authorized and directed to pay Baker Manock & Jensen, PC the sum of \$48,154.46 (\$44,417.78 as one-half of their statutory services; and plus \$3,736.36 for costs advanced to the estate);
11. The preliminary distribution requested in the petition be granted and the Court make its order for preliminary distribution as set forth herein; and
12. Such further order be made as the Court considers proper.

Note: On 10-16-14, Judith McDonald, successor to the estate of post-deceased heir Frank Lewis as sole surviving parent, filed a Declaration under Probate Code §§ 13100-13116 to allow payment to her. The proposed order reflects this distribution.

NEEDS/PROBLEMS/COMMENTS:

1. **Petitioner requests reimbursement for expenses and payment of fees in connection with the ancillary probate in Oregon. Typically, fees and expenses associated with an ancillary probate are paid from the ancillary probate. The Court may require clarification as to why fees are requested from this probate estate.**

Note: A separate declaration from Stoel Rives LLP has not yet been filed regarding the \$1,485.00 requested to be paid for services provided. Need declaration.

Note: Petitioner's request for reimbursement and the Distributions Schedule list many expenses in connection with the ancillary probate in addition to expenses for this probate. For clarification and future reference, the Court may require revised schedules that separate the expenses of the ancillary probate.

2. **Baker Manock & Jensen PC requests reimbursement for certain costs that are considered by the Court to be costs of doing business and not reimbursable pursuant to Local Rule 7.17. The Court may disallow reimbursement for the following amounts:**
 - Mileage \$23.98
 - Eddings Attorney Services – research \$63.00
3. **Baker Manock & Jensen PC requests reimbursement for two separate filing fees of \$435.00 for "First Report of Personal Representative" and "Petition to Determine Entitlement to Estate \$435.00. However, Court records indicate that this was actually only one petition filed 6-13-13 that included both of these requests, and only one filing fee was paid. Therefore, \$435.00 will be disallowed from the reimbursement.**
4. **It appears the proposed bond reduction may have been inadvertently omitted from the prayer and order. If granted, need revised order.**

7 Mary Margaret Walsh (Estate)

Case No. 13CEPR00686

Atty Neilson, Bruce A. (for John J. Walsh, Jr. and David T. Walsh – Co-Executors/Petitioners)

First and Final Account and Report of Executor and Petition for Its Settlement, for Allowance of Compensation for Ordinary and Extraordinary Services and for Final Distribution (Prob. C. 10800, 10801, 10951, 11640)

DOD: 05/29/13		JOHN J. WALSH and DAVID T. WALSH, Co-Executors, are Petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 08/18/14 Minute Order from 08/18/14 states: The court sets this matter for 60 days and not 90 days upon the representation of counsel that there are no taxes due.</p> <p>1. Notice of Administration of the Estate was mailed to the Franchise Tax Board on 08/15/14. 90 days from 08/15/14 is 11/13/14. As of 10/15/14, nothing further has been filed in this matter.</p>
		Account period: 09/12/13 – 07/07/14	
Cont. from 081814		Accounting - \$200,124.29	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$200,065.29	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$95,854.06 (all cash)	
<input checked="" type="checkbox"/>	Inventory	Executors - waived	
<input checked="" type="checkbox"/>	PTC	Attorney - \$2,531.25 (less than statutory)	
<input checked="" type="checkbox"/>	Not.Cred.	Closing - \$500.00	
<input checked="" type="checkbox"/>	Notice of Hrg	Distribution, pursuant to decedent's will, is to:	
<input checked="" type="checkbox"/>	Aff.Mail w/	John J. Walsh, Jr. - \$9,282.28	
<input type="checkbox"/>	Aff.Pub.	William E. Walsh - \$9,282.28	
<input type="checkbox"/>	Sp.Ntc.	Maureen A. Walsh - \$9,282.28	
<input type="checkbox"/>	Pers.Serv.	Michael R. Walsh - \$9,282.28	
<input type="checkbox"/>	Conf. Screen	Kathleen A. Walsh - \$9,282.28	
<input type="checkbox"/>	Letters 09/12/13	Kevin F. Walsh - \$9,282.28	
<input type="checkbox"/>	Duties/Supp	Patricia M. Bonnel - \$9,282.28	
<input type="checkbox"/>	Objections	Linda M. Anderson - \$9,282.28	
<input type="checkbox"/>	Video Receipt	Denise E. Walsh - \$9,282.28	
<input type="checkbox"/>	CI Report	David T. Walsh - \$9,282.29	
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: JF
			Reviewed on: 10/15/14
			Updates:
			Recommendation:
			File 7 – Walsh

Atty Piombino, Cynthia (Pro Per – Petitioner – Co-Guardian)
Atty Jaurique, George Danny (Pro Per – Co-Guardian)

Petition for Termination of Guardianship

Destiana Age: 12	<p>CYNTHIA PIOMBINO, co-guardian/paternal grandmother, is petitioner and is requesting that George Danny Jaurique, be removed as co-guardian.</p> <p>GEORGE DANNY JAURIQUE and CYNTHIA PIOMBINO, paternal grandparents, were appointed co-guardians on 11/14/2013. George Danny Jaurique was served by mail on 09/08/2014</p> <p>Father: TEMUJINE JAURIQUE, served by mail on 09/08/2014</p> <p>Mother: LISA MARCELLI, served by mail on 09/08/2014</p> <p>Maternal grandfather: Don Marcelli Maternal grandmother: Susan Marcelli</p> <p>Petitioner states: she has recently been made aware of multiple occasions where the co-guardian, George Danny Jaurique, has physically abused the minor children. Petitioner learned of an incident when Denicio, the minor, was hit so hard he fell off a chair and was called stupid. On another occasion petitioner was informed that the Denicio was slapped on the back of the head. Petitioner states on 07/18/2014 she received a call from her granddaughter stating that the Co-Guardian pulled over while driving and struck the minor, Destiana, on her arm. Petitioner states the children have expressed to her how mean the paternal grandfather is and they are fearful of his controlling behavior and that he ridicules and teases them repeatedly. Petitioner alleges that the Co-Guardian does not keep the children's scheduled medical appointments nor does he provide her with the names and contact information for medical providers for the minor children.</p> <p style="text-align: center;">Please see additional page</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:</p> <ul style="list-style-type: none"> • Don Marcelli (Maternal Grandfather) • Susan Marcelli (Maternal Grandmother) • Destiana Jaurique (Minor)
Denicio Age: 10		
Alyssa Age: 9		
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 checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order x		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
Reviewed by: LV		
Reviewed on: 10/16/2014		
Updates:		
Recommendation:		
File 8 – Juarique		

continued from previous page: Petitioner states that based upon the contact she has received from the children's school and the children's dental provider, she believes that the co-guardian, George Danny Jaurique, has assigned the duties of guardianship, without authority, to Tina Havens (co-guardian's wife), who is not seeking the appropriate care for the children. Petitioner has been informed that the co-guardian receives public assistance benefits on behalf of the minors and this is his basis for his refusal to allow her to exercise significant periods of physical custody with the children. She states that the co-guardian has made several luxury purchases since the receipt of public assistance benefits commenced, that the household could not afford if not for the supplemental income received from the public assistance. Petitioner is concerned that her son, the children's father, is residing in the home of the co-guardian and the children while on drugs after Court hearings and discussions with DSS said the father was to be excluded from the residence. On multiple occasions, the petitioner has been informed that Tina Havens, wife of the co-petitioner, has made disparaging comments about the petitioner to the children. Ms. Havens has even said she wish she could have punched the petitioner after a disagreement.

Court Investigator Julie Negrete's report filed 09/25/2014.

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

DOD: 4/6/1991	PAULA VAUGHN , Administrator, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Itemization of costs includes \$435.00 on 11/20/14 for the filing of an Amended Petition. There is no fee for the filing of an amended petition. In addition there is no record in the court's case management system that a filing fee was paid for the amended petition. Itemization of costs includes \$350 on 10/9/14 and another \$350 on 11/25/14 for publication costs. The attorney initially published the Notice of Hearing and not the Notice of Petition to Administer the Estate as required. This resulted in the additional \$350 charge to correctly publish the Notice of Petition to Administer the Estate. It appears that the client should not be charged for the mistake of the attorney. <p>Therefore the costs should be \$1,320.00 and Paula's share of the estate should be \$14,369.82.</p>	
	Account period: 4/28/14 – 8/31/14		
Conf. from	Accounting - \$60,000.00		
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH - \$60,000.00		
<input checked="" type="checkbox"/> Verified	Ending POH - \$35,539.64		
<input checked="" type="checkbox"/> Inventory	Administrator - waives		
<input checked="" type="checkbox"/> PTC	Attorney - \$2,080.00		
<input checked="" type="checkbox"/> Not.Cred.	(statutory, to be paid from the Administrator's share of the estate per agreement of the heirs.)		
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail W/	Costs - \$2,105.00		
<input type="checkbox"/> Aff.Pub.	(see notes #1 and 2 – costs are to be paid from the Administrator's share of the estate per agreement of the heirs.)		
<input checked="" type="checkbox"/> Sp.Ntc. W/			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen	Distribution, pursuant to intestate succession and agreement of the heirs, is to:		
<input checked="" type="checkbox"/> Letters 4/28/14	Paula Vaughn - \$13,584.82		
<input type="checkbox"/> Duties/Supp	DeAndre Vaughn - \$17,769.80		
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input checked="" type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input checked="" type="checkbox"/> FTB Notice			
			Reviewed by: KT
			Reviewed on: 10/15/14
		Updates:	
		Recommendation:	
		File 9 – Vaughn	

	Minute Order 9-15-14 (Settlement Conf.):	NEEDS/PROBLEMS/COMMENTS:
	Parties have resolved issues and are working on agreement to be filed. Set on 10-20-14 for status.	<p>1. Need agreement or written status report pursuant to Local Rule 7.5.</p>
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<input type="checkbox"/>	Notice of Hrg	
<input type="checkbox"/>	Aff.Mail	
<input type="checkbox"/>	Aff.Pub.	
<input type="checkbox"/>	Sp.Ntc.	
<input type="checkbox"/>	Pers.Serv.	
<input type="checkbox"/>	Conf. Screen	
<input type="checkbox"/>	Letters	
<input type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input type="checkbox"/>	CI Report	
<input type="checkbox"/>	9202	
<input type="checkbox"/>	Order	
<input type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: skc
		Reviewed on: 10-15-14
		Updates:
		Recommendation:
		File 11 – Caglia ST

DOD: 11-5-13		FELIX C. MAGALLANES, Spouse, is Petitioner and requests appointment as Administrator with Full IAEA without bond.	NEEDS/PROBLEMS/COMMENTS: <u>Continued from 8-1-14, 9-29-14</u> Minute Order 9-29-14: Publication receipt will be filed. Continued to 10-20-14. <u>As of 10-15-14, nothing further has been filed. The following issue remains:</u> 1. Need publication pursuant to Probate Code §8120. Note: If the petition is granted status hearings will be set as follows: • Monday 2-23-15 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Monday, 2-22-16 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. 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.
Cont. from 081114 092914			
	Aff.Sub.Wit.	All heirs waive bond.	
✓	Verified	Full IAEA – Need publication	
	Inventory	Decedent died intestate	
	PTC	Residence: Clovis	
	Not.Cred.	Publication – Need publication	
✓	Notice of Hrg	Estimated value of estate:	
✓	Aff.Mail	Real property: \$650,000.00	
	Aff.Pub.	X Probate Referee: Steven Diebert	
	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: 10-15-14	
		Updates:	
		Recommendation:	
		File 14 – Magallanes	

	<p>TEMP EXPIRES 9-29-14</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
	<p>CATHLEEN WHARTON and DANNY WHARTON, JR., paternal cousins, are Petitioners.</p>	<p>Continued from 9-29-14. The following issue remains noted:</p>
<p>Cont. from 092914</p>	<p>Father: SHAWN MILTON</p>	<p>1. The Court found diligence as to the mother for the temporary guardianship at hearing on 8-7-14. However, at this time, the Court may require clarification as to whether additional efforts have been made to locate and serve the mother with Notice of Hearing and a copy of the petition for this general hearing for permanent guardianship per Probate Code §1511.</p>
<p><input type="checkbox"/> Aff.Sub.Wit.</p>	<p>- Consents and waives notice</p>	
<p><input checked="" type="checkbox"/> Verified</p>	<p>Mother: AMANDA STIVERS</p>	
<p><input type="checkbox"/> Inventory</p>	<p>- Diligence found at hearing 8-7-14</p>	
<p><input type="checkbox"/> PTC</p>	<p>Paternal Grandfather: Wendell Milton</p>	
<p><input type="checkbox"/> Not.Cred.</p>	<p>- Served by mail on 7-29-14</p>	
<p><input checked="" type="checkbox"/> Notice of Hrg</p>	<p>Paternal Grandmother: Dorothy Milton</p>	
<p><input checked="" type="checkbox"/> Aff.Mail</p>	<p>- Served by mail on 7-29-14</p>	
<p><input type="checkbox"/> Aff.Pub.</p>	<p>Maternal Grandfather: Herman Demick</p>	
<p><input type="checkbox"/> Sp.Ntc.</p>	<p>- Served by mail on 7-29-14</p>	
<p><input type="checkbox"/> Pers.Serv.</p>	<p>Maternal Grandmother: Shari Stivers (Purkey)</p>	
<p><input checked="" type="checkbox"/> Conf. Screen</p>	<p>- Served by mail on 7-29-14</p>	
<p><input checked="" type="checkbox"/> Letters</p>	<p>Siblings: Blake Brier, Havenlee Peace Brier, Cerenity Diann Milton, Aydha Lee Milton, Charizzma Brier, Travis Milton</p>	
<p><input checked="" type="checkbox"/> Duties/Supp</p>	<p>- Served by mail on 7-29-14</p>	
<p><input type="checkbox"/> Objections</p>	<p>Petitioners state they have had custody of Harmony since she was six months old. The father was previously incarcerated and Petitioners don't know his whereabouts currently, but he signed a temporary guardianship agreement in January 2014. The last contact with the mother was when Harmony was nine months old. Petitioners believe she may be living in Missouri at this time. Harmony has five other siblings/half-siblings that are all living with various other relatives. Petitioners plan to enroll her in preschool and need guardianship in order to obtain medical care and vaccines.</p>	
<p><input type="checkbox"/> Video Receipt</p>	<p>Court Investigator Jennifer Daniel filed a report on 9-16-14.</p>	
<p><input checked="" type="checkbox"/> CI Report</p>		<p>Reviewed by: skc</p>
<p><input checked="" type="checkbox"/> Clearances</p>		<p>Reviewed on: 10-15-14</p>
<p><input checked="" type="checkbox"/> Order</p>		<p>Updates:</p>
<p><input type="checkbox"/> Aff. Posting</p>		<p>Recommendation:</p>
<p><input type="checkbox"/> Status Rpt</p>		<p>File 15 - Milton</p>
<p><input checked="" type="checkbox"/> UCCJEA</p>		
<p><input type="checkbox"/> Citation</p>		
<p><input type="checkbox"/> FTB Notice</p>		

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

Age: 14 years		TEMPORARY EXPIRES 10/20/14		NEEDS/PROBLEMS/COMMENTS:			
		WENDY TINER , maternal step-grandmother, is petitioner.		1. Need Notice of Hearing.			
Cont. from		Father: BRANDON LEBAR		2. Need proof of personal service of the Notice of Hearing or Consent and Waiver of Notice or Declaration of Due Diligence on:			
<input type="checkbox"/>	Aff.Sub.Wit.	Mother: AMY TINER		a. Rhonda LeBar (minor)			
<input checked="" type="checkbox"/>	Verified	Paternal grandfather: Marty LeBar		b. Brandon LeBar (father)			
<input type="checkbox"/>	Inventory	Paternal grandmother: Rhonda LeBar – deceased.		c. Amy Tiner (mother)			
<input type="checkbox"/>	PTC	Maternal grandfather: Lonnie Tiner		3. Need proof of service of the Notice of Hearing or Consent and Waiver of Notice or Declaration of Due Diligence on:			
<input type="checkbox"/>	Not.Cred.	Maternal grandmother: Theresa Green		a. Marty LeBar (paternal grandfather)			
<input type="checkbox"/>	Notice of Hrg	<p>Petitioner states mom has moved around several times and has been plagued with drug use. The minor has been removed Child Protective Services in other counties on a couple of occasions and placed in foster care. After coming to petitioner's home the minor has begged to stay. She does not want to be returned to her mother as she does not attend school regularly, her mother uses drugs and does not have a stable home.</p> <p>Court Investigator Charlotte Bien's Report filed on 10/6/14.</p>		b. Lonnie Tiner (maternal grandfather)			
<input type="checkbox"/>	Aff.Mail			X		c. Theresa Green (maternal grandmother)	
<input type="checkbox"/>	Aff.Pub.						
<input type="checkbox"/>	Sp.Ntc.						
<input type="checkbox"/>	Pers.Serv.			X			
<input checked="" type="checkbox"/>	Conf. Screen						
<input checked="" type="checkbox"/>	Letters						
<input checked="" type="checkbox"/>	Duties/Supp						
<input type="checkbox"/>	Objections						
<input type="checkbox"/>	Video Receipt						
<input checked="" type="checkbox"/>	CI Report						
<input type="checkbox"/>	9202						
<input checked="" type="checkbox"/>	Order						
<input type="checkbox"/>	Aff. Posting						
<input type="checkbox"/>	Status Rpt						
<input checked="" type="checkbox"/>	UCCJEA						
<input type="checkbox"/>	Citation						
<input type="checkbox"/>	FTB Notice						
				Reviewed by: KT			
				Reviewed on: 10/15/14			
				Updates:			
				Recommendation:			
				File 16 – Lebar			

DOD: 1-2-08		<p>CARMEN EARL, Spouse, and NICHELLE LAWS, daughter, are Petitioners.</p> <p>40 days since DOD</p> <p>No other proceedings</p> <p>I&A: \$60,000.00 (real property located at 2370 South Eunice in Fresno)</p> <p>Decedent died intestate</p> <p>Petitioners request Court determination that the Decedent's 100% interest in the residence passes to them in 50% undivided interests each.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 9-29-14. All issues have been cured.</p>	
Cont. from 092914				
<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			
			Reviewed by: skc	
			Reviewed on: 10-15-14	
			Updates:	
			Recommendation: SUBMITTED	
			File 17 - Earl	

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

DOD: 07/31/2014		NOEL STEELE WILLIAMS , son/named executor without bond, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Monday, 02/23/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Monday, 01/04/2016 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
		Full IAEA – o.k.	
Cont. from		Will dated: 10/20/2006	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Residence: Clovis Publication: The Business Journal	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Estimated value of the Estate: Personal property - \$311,000.00 Real property - \$144,000.00 Total - \$455,000.00	
<input checked="" type="checkbox"/>	Aff.Mail	w/ Probate Referee: Rick Smith	
<input checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 10/15/2014
			Updates:
			Recommendation: Submitted
			File 18 – Williams

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

DOD: 09/20/2013	J. STEVEN WORTHLEY , Successor Trustee of the Majors Family Trust, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Declaration pursuant to Local Rule 7.12.5 regarding distribution to Intervivos Trust. 2. #9a(2) of the petition indicates that the decedent's spouse is deceased. Pursuant to Local Rule 7.1D the name and date of death of the decedent's spouse is required. 3. Laurie Knight Martinez was not listed on the Attachment 16 of the petition. 4. Pursuant to Probate Code §1208, need proof of service of the Notice of Hearing on the following persons: <ul style="list-style-type: none"> • Laurie Knight Martinez 5. The legal description and APN listed on #9a of the order does not match the legal description and APN listed in the Inventory and Appraisal. Need new order.
	40 days since DOD	
	No other proceedings	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	I&A - \$5,000.00	
<input checked="" type="checkbox"/> Inventory	Will dated: 01/06/2012 devises estate pass to the Trustee of the Majors Family Trust	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner requests Court determination that decedent's 100% interest in real property located at 2712 Sea Garden Ave, Salton Ca. pass to the Trustee of The Majors Family Trust pursuant to the decedent's will.	
<input checked="" type="checkbox"/> Aff.Mail	w/o	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LV
		Reviewed on: 10/15/2014
		Updates:
		Recommendation:
		File 19 – Majors

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

DOD: 6/29/14		<p>GLORIA PEREZ, HENRY HURTADO, CONNIE GUZMAN, RAYMOND HURTADO, LAWRENCE HURTADO, IRENE BERDUGO, CATHY ESTRADA, GLORIA LOPEZ and DORA ESTRADA, siblings, are petitioners.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>Decedent died intestate.</p> <p>I & A - \$141,154.00</p> <p>Petitioners request court determination that Decedent's interest in real property located in Fresno County, 1999 Chevrolet van, 1997 Ford and \$2,354.00 passes to them in equal shares.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Attachment 11 does not include the decedent's interest in the property.</p>				
Cont. from							
<input type="checkbox"/>	Aff.Sub.Wit.						
<input checked="" type="checkbox"/>	Verified						
<input checked="" type="checkbox"/>	Inventory						
<input checked="" type="checkbox"/>	PTC						
<input type="checkbox"/>	Not.Cred.						
<input checked="" type="checkbox"/>	Notice of Hrg						
<input checked="" type="checkbox"/>	Aff.Mail			W/			
<input type="checkbox"/>	Aff.Pub.						
<input type="checkbox"/>	Sp.Ntc.						
<input type="checkbox"/>	Pers.Serv.						
<input type="checkbox"/>	Conf. Screen						
<input type="checkbox"/>	Letters						
<input type="checkbox"/>	Duties/Supp						
<input type="checkbox"/>	Objections						
<input type="checkbox"/>	Video Receipt						
<input type="checkbox"/>	CI Report						
<input type="checkbox"/>	9202						
<input checked="" type="checkbox"/>	Order						
<input type="checkbox"/>	Aff. Posting						
<input type="checkbox"/>	Status Rpt						
<input type="checkbox"/>	UCCJEA						
<input type="checkbox"/>	Citation						
<input type="checkbox"/>	FTB Notice						
<table border="1"> <tr> <td>Reviewed by: KT</td> </tr> <tr> <td>Reviewed on: 10/16/14</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 20 – Hurtado</td> </tr> </table>			Reviewed by: KT	Reviewed on: 10/16/14	Updates:	Recommendation:	File 20 – Hurtado
Reviewed by: KT							
Reviewed on: 10/16/14							
Updates:							
Recommendation:							
File 20 – Hurtado							

		GENERAL HEARING 12-10-14	NEEDS/PROBLEMS/COMMENTS:
		JOSUE ANTONIO ORELLANA ARIAS , Minor, is Petitioner.	<u>Note:</u> The minor will turn 18 prior to the hearing date for the general guardianship petition.
		Petitioner requests that KELLY CAMPOS , a nonrelative, be appointed as Temporary Guardian of his person.	<u>Note:</u> Petitioner also seeks factual findings regarding "Special Immigrant Juvenile" status. See Page A.
	Aff.Sub.Wit.		<p>1. Pursuant to Probate Code §2250(e), need proof of personal service of Notice of Hearing with a copy of the temp petition at least five court days prior to the temp hearing on both parents:</p> <ul style="list-style-type: none"> - Adolfo Orellano (Father) - Maria Tomasa Arias de Orellano (Mother)
✓	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		
		<p>Father: ADOLFO ORELLANO (El Savlador) Mother: MARIA TOMASA ARIAS DE ORELLANO (El Salvador)</p> <p>Paternal Grandfather: Bernardo Orellana (El Salvador) Paternal Grandmother: Maria Rosario Rodriguez (El Salvador)</p> <p>Maternal Grandfather: Dionicio Arias (El Salvador) Maternal Grandmother: Maria Mercedes Guardado (Deceased)</p> <p>Siblings: Maria Beatriz Orellana Arias, Jose Saul Orellana Arias (Deceased), Jose Cruz Dionicio Orellano Arias (Mendota), Jose Joel Orellana Arias (Mendota)</p> <p>Petitioner states he fled El Salvador due to gang violence infiltrating his town, including his school. His parents could not protect him from worsening conditions and did not have authorization to enter the United States. They remain in El Salvador while Petitioner lives in the safety of his propped guardian, Kelly Campos' home. Kelly is his brother's fiancée and Petitioner's future sister-in-law. She is the only person he knows in the United States with immigration status and this enables her to provide the stability he needs while he seeks refuge from his country.</p>	
			Reviewed by: skc
			Reviewed on: 10-16-14
			Updates:
			Recommendation:
			File 21B – Arias

Atty LeVan, Nancy J. (for Patricia Gonzalez – Guardian/Mother)

Probate Status Hearing RE: Failure to File Final Account and Petition to Terminate Guardianship of the Estate

Age: 21	PATRICIA GONZALEZ, mother, was appointed guardian of the estate on 10/01/2007.	NEEDS/PROBLEMS/COMMENTS:
	The Property On Hand at the end of the First Account, 10/31/2008, there was \$94,675.40. There have been several withdrawals from the blocked account. The minor is now twenty one years of age and it is time that the guardianship of the estate come to a close and the final account be filed.	1. Need Petition for Final Account and Petition to Terminate Guardianship of the Estate or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from	Notice of Hearing filed 09/19/2014 set this status hearing for the Failure to File Final Account and Petition to Terminate Guardianship of the Estate. Notice was mailed to Attorney Nancy J. LeVan and guardian, Patricia Gonzalez, on 09/19/2014.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 10/16/2014
		Updates:
		Recommendation:
		File 22 – Gonzalez

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 5/1/13	<p>KAYING LO was appointed as Executor with full IAEA authority and without bond on 1/7/14.</p> <p>Letters issued on 1/7/14.</p> <p>Inventory and appraisal is now due.</p> <p>Minute Order dated 1/7/14 set this status hearing for the filing of the inventory and appraisal.</p> <p>Minute Order dated 5/9/14 states no appearances. The Court orders Kaying Lo to be personally present on 6/24/14. Copy of the minute order mailed to Kaying Lo on 5/16/14.</p> <p>Mr. Kayling Lo has not appeared at any of the status hearings.</p> <p>Letters of Administration issued to the Public Administrator on 9/9/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 8/19/14. Minute states no appearances. The court removes Kayling Lo and appoints the Public Administrator. The Court orders Kayling Lo to be personally present and issues and order to show cause with sanctions of \$500.00 for Kayling Lo. – Order to show cause mailed to Kayling Lo on 8/19/14.</p> <p>1. Need inventory and appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from 050914, 062414, 081914		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: KT</p> <p>Reviewed on: 10/15/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 23 - Stratton</p>	

Status Hearing Re: Filing of the Inventory and Appraisal

Age:		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Final Inventory & Appraisal filed 06/16/14
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 10/16/14
		Updates:
		Recommendation:
		File 24 – Graff

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

Age: 13 years	<p>TEMPORARY (GRANTED EXPARTE) EXPIRES 10/20/14</p> <p><u>GENERAL HEARING 12/10/14</u></p> <p>ABEL MALDONADO, maternal grandfather, is petitioner.</p> <p>Father: UNKNOWN – petitioner states the father is unknown to him. Mother has not provided any information as to his identity and he is not listed on the birth certificate.</p> <p>Mother: RAQUEL RODRIGUEZ</p> <p>Paternal grandparents: Unknown Maternal grandmother: Carmen Valles</p> <p>Petitioner states the minor was born with severe handicaps and requires frequent medical and surgical attention. The minor has lived with petitioner since birth and petitioner has been his sole provider. Petitioner states he has made all efforts to ensure the minor receives the best medical care for his handicaps. Petitioner states he enrolled the minor to be cared for at Shriners’s Hospital for all his medical and surgical needs and has provided all financial responsibility for this. Six weeks ago mom took the minor from petitioner’s care to live with her. Mom immediately went to social security to change the minor’s payee.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> a. Alejandro Maldonado (minor) b. Raquel Rodriguez (mother) c. Unknown father (unless the court dispenses with notice) 	
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input type="checkbox"/> Notice of Hrg			X
<input type="checkbox"/> Aff.Mail			
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			X
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
		Reviewed by: KT	
		Reviewed on: 10/16/14	
		Updates:	
		Recommendation:	
		File 26 – Maldonado	

27 Abbigail Hope Rhodes (GUARD/P)
 Atty Rhodes, Dennis (pro per Petitioner/paternal grandfather)
 Atty Rhodes, Brenda Baughn (pro per Petitioner/paternal step-grandmother)

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

Age: 5 years		<p>THERE IS NO TEMPORARY. No temporary was requested.</p> <p>DENNIS RHODES, paternal grandfather and BRENDA RHODES, paternal step-grandmother, are petitioners.</p> <p>Father: DEREK RHODES – consents and waives notice.</p> <p>Mother: TIFFANY VAUGHAN – consents and waives notice.</p> <p>Paternal grandmother: Not listed. Maternal grandparents: Deceased.</p> <p>Petitioners state both parents are unstable and/or unable to provide for the minor's basic needs. Father is currently incarcerated. He had sole legal and physical custody of the minor since 2011. Dad and minor have resided with Petitioners since 2010. Mom has made no efforts to visit with her daughter since that time.</p> <p>Court Investigator Julie Negrete's Report filed on 10/8/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Petition does not include the name and address of the biological paternal grandmother. The step-grandmother is listed where the biological grandmother should be. 2. Need Notice of Hearing. 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: <ol style="list-style-type: none"> a. Paternal grandmother (biological) 	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			X
<input type="checkbox"/>	Aff.Mail			X
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 10/16/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 27 – Rhodes</p>		