

Atty Markeson, Thomas A., of Wild Carter & Tipton (for Petitioner Philip A. Mounts, Executor)

(1) First and Final Account; and (2) Petition for Settlement of Account; (3) Final Report; (4) and Petition for Approval of Final Report; for (5) Allowance of Attorneys' Compensation; (6) for Allowance of Costs Advanced, and (7) for Final Distribution

<b>DOD: 1/15/2011</b>		<b>PHILIP ANDREW MOUNTS</b> , son and Executor, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Account period: <u>1/16/2011 – 7/13/2012</u>	<p><b>Continued from 9/18/2012.</b></p> <p><b>Note:</b> Status Statement [to be filed 10/19/2012] by Executor of the Estate, Philip Andrew Mounts, states:</p> <ul style="list-style-type: none"> <li>• His <i>First and Final Account</i> filed 8/9/2012 requested an order of the Court that allowed him to retain a condominium for the benefit of the two minor beneficiaries of Decedent's Will;</li> <li>• He has reconsidered this plan, and is now engaged in efforts to sell the real property; he will likely seek approval of the Court to purchase the property himself;</li> <li>• Accordingly, he is requesting that the Court <b>continue this matter for 120 days</b> for status on those efforts;</li> <li>• If he purchases the property, he will file a petition to approve the sale and follow that with a new petition for distribution;</li> <li>• If the property sells prior to that date to another party, he will file a new petition for distribution;</li> <li>• If the property is not sold in the 120 days, he will file a status report detailing the activities for the period in question.</li> </ul>
<b>Cont. from 091812</b>		Accounting - <b>\$205,245.13</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$ 96,000.00</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$100,780.19</b> (\$5,280.19 is cash)	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Executor - <b>waives</b>	
<input checked="" type="checkbox"/>	<b>PTC</b>	Attorney - <b>\$4,607.35</b> (exceeds statutory?)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Costs - <b>\$861.00</b> (filing fees, probate referee, publication)	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	<b>Petitioner states:</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> W/	<ul style="list-style-type: none"> <li>• The estate real property is a condominium in Fresno, which has been rented and Petitioner has collected rents since April 2011; Petitioner maintained the property and the mortgage is current;</li> <li>• Petitioner donated personal property worth ~<b>\$500.00</b> to charity per Decedent's direction, because the property was deemed to cost more to store than it was worth; Petitioner delivered the remaining personal property to the estate beneficiaries;</li> </ul>	
<input type="checkbox"/>	<b>Aff.Pub.</b>	~Please see additional page~	
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b> 042111		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by:</b> LEG	
		<b>Reviewed on:</b> 10/19/12	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 1 - Mounts</b>	

**Petitioner states, continued:**

- Decedent was survived by two grandchildren, both minors, and Decedent's Will passes her entire estate to her two grandchildren, **TAYLOR LORYN MOUNTS** (currently age 16) and **DYLAN JEFFREY MOUNTS** (currently age 14) in equal shares;
- The estate is solvent and is now in a condition to be closed.

**Petitioner requests** authority to deliver the real property of the estate to himself for the benefit of his children pursuant to the California Uniform Transfer to Minors Act (CUTMA), based upon the following:

- The Decedent owned a condominium at the time of her death with a value of **\$95,000.00**, and the Petitioner does not believe the value has increased significantly, if at all, since the date of Decedent's death (DOD 1/15/2011);
- The balance on the mortgage is about **\$80,000.00**, and if Petitioner was able to find a buyer, the net to the estate would be negligible after costs of sale;
- Because the equity in the property is small and the rents generated just cover expenses, Petitioner does not believe the expense to set up and maintain guardianships of the estate of the minors would be cost effective;
- Accordingly, Petitioner requests an order pursuant to Probate Code § 3906, which authorizes the Court to allow for a transfer to an adult on behalf of a minor in the absence of authorization by a will or trust, if [all of the following are met]:
  1. the personal representative believes the transfer to be in the best interest of the minor;
  2. the transfer is not [prohibited by or] inconsistent with the will or trust; and
  3. the transfer is authorized by the Court if it exceeds **\$10,000.00**. [Note: Value to each minor will be **~\$47,500.00**];
- Petitioner believes that delivery of the property to [himself to] hold for the benefit of the minors will be in their best interest;
- Petitioner is hopeful that real estate values will increase over time so that the property will have equity;
- Petitioner proposes that he continue to service the mortgage and maintain the property as a rental, and that he continue to collect the rents and otherwise maintain the property;
- Upon each child attaining the age of 18, Petitioner proposes he be allowed to file an ex parte request for an order to turn over ½ of the rental account to the former minor and to distribute ½ of the real property to the former minor.

**Petitioner prays for an order:**

1. Bringing administration of this estate to a close;
2. Settling, allowing and approving the First and Final Account of Petitioner as Executor;
3. Ratifying, confirming and approving all acts and transactions of Petitioner as Executor;
4. Distributing the real property of the estate to Philip Andrew Mounts under the California Uniform Transfer to Minors Act as custodian for the benefit of Taylor Loryn Mounts and Dylan Jeffrey Mounts, in equal undivided interests as prayed for in the petition;
5. Allowing Petitioner to continue to collect the rents and otherwise maintain the property;
6. Requiring that upon each child attaining age 18, the Petitioner file an ex parte request for an order to turn over ½ of the rental account to the former minor and to distribute ½ of the real property to the former minor;
7. Allowing the statutory fees and reimbursement of costs advanced; and
8. Ordering a lien on the property distributed to the beneficiaries for any unpaid attorney fees.

**Note:** Based upon the *Status Statement [to be filed 10/19/2012]* by the Executor, the additional NEEDS/PROBLEMS/COMMENTS from the previous hearing are not included in these notes.



**Petition for Final Distribution on Waiver of Account and for Allowance of Statutory Compensation and Necessary Fees and Costs**

<b>DOD: 08/26/2011</b>	<b>MICHAEL J. BIGGS</b> , Executor, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Account waived	
	I&A - <b>\$182,749.54</b>	
	POH - <b>\$157,980.34</b>	
<b>Cont. from 100212</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>	Executor - <b>Waives</b>	
<input checked="" type="checkbox"/> <b>Inventory</b>	Executor Costs - <b>\$3,521.46</b> (funeral expenses, real property taxes)	
<input type="checkbox"/> <b>PTC</b>		
<input checked="" type="checkbox"/> <b>Not.Cred.</b>	Attorney - <b>\$6,482.49</b> (Statutory)	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b> w/		
<input type="checkbox"/> <b>Aff.Pub.</b>	Costs - <b>\$1,833.35</b> (Filing fees, probate referee, publication, certified copies, recording fees)	
<input checked="" type="checkbox"/> <b>Sp.Ntc.</b> w/		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>	Closing - <b>\$1,000.00</b>	
<input checked="" type="checkbox"/> <b>Letters</b> 11/29/11		
<input type="checkbox"/> <b>Duties/Supp</b>	<b>Distribution, pursuant to decedent's Will, is to:</b>	
<input type="checkbox"/> <b>Objections</b>	<b>Kenneth L. Biggs</b> -1/4 interest in real property, personal property and \$2,716.37	
<input type="checkbox"/> <b>Video Receipt</b>	<b>Michael J. Biggs</b> -1/4 interest in real property, personal property and \$2,716.37	
<input type="checkbox"/> <b>CI Report</b>	<b>Rebecca A. Biggs</b> -1/4 interest in real property, personal property and \$2,716.37	
<input checked="" type="checkbox"/> <b>9202</b>	<b>Daniel G. Biggs</b> -1/4 interest in real property, personal property and \$2,716.37	
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input checked="" type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 10/17/12</b>
		<b>Updates:</b>
		<b>Recommendation: SUBMITTED</b>
		<b>File 3 - Biggs</b>

<b>DOD: 12-18-11</b>		<p><b>JENNIFER R. KEMP</b>, Executor with Full IAEA without bond, is Petitioner.</p> <p>Account period: 12-18-11 through 8-31-12</p> <p>Accounting: \$795,987.25 Beginning POH: \$789,454.00 Ending POH: \$777,668.62 (\$600,668.62 cash, real property, vehicle)</p> <p>Executor (Statutory): Waived</p> <p>Attorney (Statutory): \$18,919.74</p> <p>Closing: \$2,000.00</p> <p><b>Distribution pursuant to Decedent's will:</b></p> <p>Julia Ann Ryan: \$50,000.00 cash</p> <p>Jamie Elizabeth Castillo: \$100,000.00 cash</p> <p>Jennifer Renee Ryan Kemp: \$214,874.44 plus an undivided one-half interest in the real property and vehicle</p> <p>Jennifer Renee Ryan Kemp, as Trustee of the Robert Arthur Ryan Testamentary Trust for Tyler Ray Kemp: \$214,874.44 plus an undivided one-half interest in the real property and vehicle</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
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<input checked="" type="checkbox"/>	<b>Inventory</b>			
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<input type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input checked="" type="checkbox"/>	<b>9202</b>			
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<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input checked="" type="checkbox"/>	<b>FTB Notice</b>			
		<b>Reviewed by:</b> skc		
		<b>Reviewed on:</b> 10-17-12		
		<b>Updates:</b>		
		<b>Recommendation:</b> SUBMITTED		
		<b>File 4 - Ryan</b>		

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

<b>Age:</b> 3	<b><u>NO TEMPORARY IN PLACE; TEMPORARY DENIED ON 08/30/12</u></b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>CONTINUED FROM 10/02/12</u></b>  <b>Minute Order from 10/02/12</b>  <b>States: Parties agree to participate in mediation with Donald Fischer on 10/03/12 at 2:00 pm. Matter continued to 10/23/12.</b></p> <p><b>As of 10/17/12, the following remains outstanding:</b></p> <ol style="list-style-type: none"> <li>1. Need proof of personal service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition or Consent &amp; Waiver of Notice or Declaration of Due Diligence</i> for:                      - April Carpenter (mother)</li> <li>2. 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>Petition or Consent &amp; Waiver of Notice or Declaration of Due Diligence</i> for:                      - Janet Carpenter (maternal grandmother)</li> </ol>
	<b>DALE and CARMEN MARTINEZ</b> , Paternal Grandparents, are Petitioners.	
	Father: <b>MATTHEW MARTINEZ</b> - Deceased	
	Mother: <b>APRIL CARPENTER</b>	
	Maternal Grandfather: Unknown Maternal Grandmother: Janet Carpenter	
<b>Cont. from 100212</b>	<p><b>Petitioners state</b> Noah resided with them from birth until 7-29-12. Both parents resided with Petitioners until September 2009, when the father was deployed to Iraq. In October 2009, the mother left Noah with Petitioners and executed a medical authorization. The father was discharged in August 2010, but died in June 2011 as a result of an injury while on deployment. Noah continued to reside with Petitioners following the father's death and was enrolled in preschool in December 2011.</p> <p>On 7-29-12, the mother picked Noah up for a visit and later told Petitioners that she did not intend to return him. On 7-31-12, Petitioners inquired at the preschool to ensure that the mother was taking him, but she was not. Petitioners went to the mother's residence to inquire about Noah, but the mother threatened to call the cops.</p> <p>Petitioners state that for Noah's entire life, the mother would come and go and was never a permanent and stable person for Noah to rely on. She visited once a week as convenient for her, all facilitated by Petitioners. She has only attended one of Noah's baseball games and has made no effort to be a part of the extracurricular activities that he enjoys.</p> <p><b>Points and Authorities</b> state Petitioners are Noah's <i>de facto</i> parents pursuant to Family Code §3041 and refer to Probate Code §§ 2250 and 15100 regarding good cause.</p> <p><b>Objection to Petition for General Guardianship filed 09/18/12 by April Carpenter, mother</b> states that she never left Noah in their care. She states that she allowed liberal visitation between Noah and his Father, who resided in Petitioners home, and left Noah with his father while she was in Army National Guard training. After Noah's father's death, she allowed Petitioners to continue visitation with Noah, but realized that he needed more stability and clarity to where his primary residence was and tried to arrange an appropriate visitation schedule with Petitioners, however, they were not in agreement with her suggestions and their counter visitation suggestion resulted in her only seeing Noah a couple times a week. Ms. Carpenter states that she became concerned with Petitioner's intentions and stopped visitation with them until it was court ordered on 08/30/12.</p> <p style="text-align: center;">Continued on Page 2</p>	
<input type="checkbox"/> Aff.Sub.Wit.		
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<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
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<input type="checkbox"/> Aff.Mail <span style="float: right;">x</span>		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv. <span style="float: right;">x</span>		
<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		
		<b>Reviewed by:</b> JF
	<b>Reviewed on:</b> 10/17/12	
	<b>Updates:</b>	
	<b>Recommendation:</b>	
	<b>File 5 – Martinez</b>	

**Court Investigator Jennifer Young filed a report on 09/26/12.**

**Probate Mediation Agreement** states that the parties agree to return to mediation after the 10/23/12 hearing to work out a visitation schedule.

**Note:** With regard to any visitation agreement reached during mediation, the Probate Court will not have jurisdiction to make court orders regarding visitation unless a guardianship is granted. If a guardianship is not granted and the parties wish to pursue Court ordered visitation, they may do so in the Family Law court.



**7 Harold Cardwell (Estate)**

Case No. 12CEPR00828

Atty Aaron, Richard M, and Matlak, Steven M. (for Alisha Sacca and Gynifer L. De Aro – Petitioners)

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

<b>DOD: 8-25-12</b>		<b>SPECIAL ADMINISTRATION EXPIRES 10-23-12</b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Note:</u> Special Administration granted 9-19-12 authorized Petitioners to sell the Decedent's business and sign certain tax returns.</p> <p><u>Note:</u> The Court will set status hearings as follows:</p> <ul style="list-style-type: none"> <li>• Friday 2-8-13 for filing of the Inventory and Appraisal</li> <li>• Friday 2-7-14 for filing of the first account or petition for final distribution.</li> </ul> <p>If the necessary items are filed, no appearance at the status hearing is necessary.</p>								
		<p><b>ALISHA SACCA and GYNIFER L. DE ARO,</b> Daughters, are Petitioners and request appointment as Co-Administrators with Full IAEA without bond.</p> <p>Petitioners are the sole heirs.</p> <p>Full IAEA – ok</p> <p>Decedent died intestate</p> <p>Residence: Fresno</p> <p>Publication: Fresno Business Journal</p> <p><b>Estimated Value of Estate:</b></p> <table> <tr> <td>Personal property:</td> <td>\$ 320,000.00</td> </tr> <tr> <td>Annual income:</td> <td>\$ 15,200.00</td> </tr> <tr> <td>Real property:</td> <td>\$ 0.00</td> </tr> <tr> <td><b>Total</b></td> <td><b>\$ 335,200.00</b></td> </tr> </table> <p>Probate Referee: Steven Diebert</p>		Personal property:	\$ 320,000.00	Annual income:	\$ 15,200.00	Real property:	\$ 0.00	<b>Total</b>	<b>\$ 335,200.00</b>
Personal property:	\$ 320,000.00										
Annual income:	\$ 15,200.00										
Real property:	\$ 0.00										
<b>Total</b>	<b>\$ 335,200.00</b>										
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			<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 10-17-12</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b> SUBMITTED</p> <p><b>File 7 – Cardwell</b></p>								

<b>DOD: 04/12/10</b>		<p><b>ANN JOSEPH</b>, surviving spouse/named Executor without bond, is Petitioner.</p> <p>Full IAEA – OK</p> <p>Will dated 10/26/94</p> <p>Residence: Fresno</p> <p>Publication: The Business Journal</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Note:</u> Status hearing will be set as follows:</p> <ul style="list-style-type: none"> <li><b>Friday, February 22, 2013 at 9:00 am in Dept. 303</b> for filing of the Inventory &amp; Appraisal</li> <li><b>Friday, December 20, 2013 at 9:00 am in Dept. 303</b> for filing of Accounting and/or Petition for Final Distribution</li> </ul>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit. s/p		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
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<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
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<input checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	<p><b>Estimated Value of the Estate:</b></p> <p>Personal property - \$20,000.00</p> <p>Annual income - 1,000.00</p> <p><b>Total - \$21,000.00</b></p> <p>Probate Referee: <b>STEVEN DIEBERT</b></p>	
<input type="checkbox"/>	Pers.Serv.		
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<input type="checkbox"/>	Aff. Posting	<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 10/17/12</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b> SUBMITTED</p> <p><b>File 8 - Joseph</b></p>	
<input type="checkbox"/>	Status Rpt		
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<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

<b>Age:</b> 4	<b><u>GENERAL HEARING 12/11/12</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>AMANDAJAY MATHIA</b> , paternal aunt, is Petitioner.	1. Need <b>Notice of Hearing</b> .
	Father: <b>THOMAS BINGHAM-MATHIA</b>	2. Need proof of personal service at least 5 court days before the hearing of <b>Notice of Hearing</b> with a copy of the <b>Petition for Appointment of Temporary Guardian of the Person</b> or Consent & Waiver of Notice or Declaration of Due Diligence for: - Thomas Bingham-Mathia (father)
<b>Cont. from</b>	Mother: <b>TERESA BINGHAM-MATHIA – Consent &amp; Waiver of Notice filed 10/11/12</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Paternal grandfather: VINCENT MATHIA	
<input checked="" type="checkbox"/> <b>Verified</b>	Paternal grandmother: CATHY AMERO	
<input type="checkbox"/> <b>Inventory</b>	Maternal grandfather: CHAD JONES	
<input type="checkbox"/> <b>PTC</b>	Maternal grandmother: REBECCA JONES	
<input type="checkbox"/> <b>Not.Cred.</b>	<b>Petitioner alleges</b> that Rachel has lived with her since October 2011 and is very bonded to her as her primary care giver. Rachel's mother is unable and unwilling to care for her at this time and her father lives in Arizona. The father was previously ordered in a family law matter to have supervised visits only and has not exercised any visits since February 2012. Petitioner states that temporary guardianship is necessary so that she can have the legal ability to make decisions for the child.	
<input type="checkbox"/> <b>Notice of Hrg</b>		
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<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
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<input type="checkbox"/> <b>Citation</b>		
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		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 10/18/12
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 9 – Bingham-Mathia</b>

Status Hearing Re: Second Accounting

<b>Age:</b> 92	<p><b>ALERT FRANCO</b> and <b>PATRICIA LEONARD</b>, were appointed as Co-Conservators of the Person &amp; Estate with medical consent powers and bond of \$181,280.00 on 06/10/10 and Letters were issued on 06/21/10.</p> <p><b>Conservator's First Account and Report</b> was approved on 08/23/11.</p> <p><b>Minute Order dated 08/23/11</b> set this matter for status regarding filing of the Second Accounting.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
	<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 10/18/12</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 10 - Kozera</b></p>	

11 Johnny Ochoa-Boyce, Angelina Ochoa-Boyce and Emileo Ochoa-Boyce  
Case No. 00CEPR10535

Atty Ragsdale, Wanetta (pro per – Guardian/Petitioner)  
Petition for Termination of Guardianship

Johnny, 18	<p><b>WANETTA RAGSDALE</b>, maternal grandmother/Guardian, is Petitioner.</p> <p><b>WANETTA RAGSDALE</b>, maternal grandmother, was appointed Guardian of the Person and Letters of Guardianship were issued on 01/29/01.</p> <p>Father: <b>JOHN OCHOA</b></p> <p>Mother: <b>WANETTA BOYCE</b> – <i>Consent to Termination and Waiver of Service of Notice of Hearing signed 07/31/12</i></p> <p>Paternal grandfather: UNKNOWN Paternal grandmother: CINDY MILLER</p> <p>Maternal grandfather: DAVID BOYCE</p> <p>Petitioner states that Angelina and Emileo are going to reside with their paternal aunt Rachel Miller. She will file for guardianship of the children in Colorado where they live.</p> <p><b>Court Investigator Charlotte Bien filed a report on 10/03/12.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>THIS PETITION PERTAINS TO ANGELINA &amp; EMILEO ONLY. JOHNNY TURNED 18.</b></p> <ol style="list-style-type: none"> <li>1. Need <b>Notice of Hearing</b>.</li> <li>2. Need proof of service by mail at least 15 days before the hearing of <b>Notice of Hearing</b> with a copy of the <b>Petition for Termination of Guardianship or Consent and Waiver of Notice or Declaration of Due Diligence</b> for: <ul style="list-style-type: none"> <li>- John Ochoa (father)</li> <li>- Paternal grandfather (unknown)</li> <li>- Cindy Miller (paternal grandmother)</li> <li>- David Boyce (maternal grandfather)</li> </ul> </li> </ol>
Angelina, 17		
Emileo, 16		
Cont. from		
Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
Inventory		
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Notice of Hrg		
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Duties/Supp		
Objections		
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<input checked="" type="checkbox"/> CI Report		
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<input checked="" type="checkbox"/> Order		
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Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 10/18/12
		Updates:
		Recommendation:
		File 11 - Boyce

**Petition for Modified Visitation**

Age: 2 years		<p><b>BRIANNA SHAW</b>, mother, is petitioner.</p> <p><b>NORMA JEFFERY</b>, maternal great-grandmother, was appointed guardian on 3/29/12.</p> <p><b>Current visitation order:</b> Per minute order dated 3/29/12 visits are allowed for Brianna Shaw at Spirit of Women, for two hours, on Saturdays or Sundays. Ms. Jeffery, as guardian, and Ms. Shaw as mother have the right to mutually agree to increase the visitation. However, Ms. Jeffery may decrease or stop visitation if it is not deemed appropriate for the minor.</p> <p><b>Petitioner states:</b> she is currently in the Spirit of Women program. At the end of the program Petitioner states she will be going to the Hacienda Transition/Sober Living program and will complete 6 months of after care. Petitioner states her goal is to eventually get her daughter placed back with her and she feels that 2 hours per week isn't enough time to fully bond with her. Petitioner states her therapist and her case manager both feel that it is an appropriate time for her to petition for overnight visits. This will allow Aaliyah to attend play therapy on the weekends. Letter from the case manager is attached to the petition.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of service of the Notice of Hearing on:             <ol style="list-style-type: none"> <li>a. Norma Jeffery (guardian)</li> </ol> </li> </ol>
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	X		
Aff.Mail	X		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order	X		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p><b>Reviewed by:</b> KT</p> <p><b>Reviewed on:</b> 10/18/12</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 12 - Garcia</b></p>	

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

Age: 7	TEMPORARY EXPIRES 8-14-12, extended to 9-11-12	NEEDS/PROBLEMS/COMMENTS:
		<u>Continued from 8-14-12, 9-11-12.</u>
	<b>LETICIA GUERRERO and CRUZ RANGEL</b> , paternal aunt and uncle, are Petitioners.	<u>Minute Order 8-14-12:</u> No appearances. The Court continues the matter to 9/11/12. The temporary is extended to 9/11/12. The Court orders the petitioners Leticia Guerrero and Cruz Rangel to be personally present on 9/11/12. A copy of the minute order was mailed to Petitioners on 8-17-12.
Cont. from 081412, 091112	Father: <b>ALBERT GUERRERO</b> - <i>Incarcerated (Avenal)</i>	<u>Minute Order 9-11-12:</u> Petitioners advise the Court that the child is living with them. Examiner Notes are provided to Petitioners. The Petitioners are directed to cure the defects. Matter continued to 10-23-12. Temporary is extended to 10-23-12.
Aff.Sub.Wit.	Mother: <b>SYLVIA TORRES</b> (Deceased)	<u>As of 10-17-12, nothing further has been filed. The following issues remain:</u>
✓ Verified	Paternal Grandfather: Albert Guerrero	1. Need Notice of Hearing.
Inventory	Paternal Grandmother: Sally Guerrero	2. Need proof of personal service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per Probate Code §1511 on: - Albert Guerrero (Father)
PTC	Maternal Grandfather: Unknown	3. Need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Albert Guerrero (Paternal Grandfather) - Sally Guerrero (Paternal Grandmother) - Maternal Grandfather - Maternal Grandmother
Not.Cred.	Maternal Grandmother: Unknown	<u>Note:</u> Petitioner states the maternal grandparents are unknown; however, the Child Information Attachment at #4 states Petitioner was friends with the mother since they were children and is in contact with the mother's husband Daniel Bonilla. Therefore, Petitioners may be able to find them and provide notice.
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
✓ Conf. Screen	<b>Petitioner states</b> the mother passed away in June. His step-father Danny contacted Petitioner to care for the minor.	
✓ Letters		
✓ Duties/Supp		
Objections		
Video Receipt		
✓ CI Report	<b>Court Investigator Charlotte Bien filed a report on 7-24-12.</b>	
✓ Clearances		
✓ Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 10-17-12
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 13 - Guerrero

**14A Erianna Owens, Dorian Maham & Dominik Maham (GUARD/P)**

**Case No. 12CEPR00608**

Atty Starnes, Lola Annette (Pro Per – Petitioner – Maternal Grandmother)  
 Atty McClary, Cynthia Wilson (Pro Per Paternal Grandmother)  
 Atty McClary, Henry Brown (Pro Per Paternal Step-Grandfather)  
 Atty Thompson, Aaron (pro per Objecter/father)

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

<b>Erianna Owens</b> Age: 8	<b>TEMPORARY EXPIRES 10/23/12</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>14B is the competing Petition pertaining to Dorian and Dominik only filed by the Paternal Grandparents, Cynthia and Henry McClary.</b>  <b>Continued from 9/10/12. Minute order states Erianna's father, Aaron Thompson, is objecting. Matter is continued to 10/23/12.</b>  1. Petition does not include the names and addresses of the minors' parents, paternal grandparents and maternal grandparents. 2. Need Notice of Hearing. 3. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> <li>• Billy Maham (Father of Dorian &amp; Dominik)</li> <li>• Shanice Owens (mother)</li> </ul> 4. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> <li>• Paternal Grandparents (of Erianna) (Not Listed)</li> <li>• Maternal Grandfather (Not Listed)</li> </ul>
<b>Dorian Maham</b> Age: 3		
<b>Dominik Maham</b> Age: 3		
<b>Cont. from 091012</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Notice of Hrg</b> <span style="float: right;">x</span>		
<input type="checkbox"/> <b>Aff.Mail</b> <span style="float: right;">x</span>		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b> <span style="float: right;">x</span>		
<input checked="" type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
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<input type="checkbox"/> <b>Status Rpt</b>		
<input checked="" type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		

**LOLA ANNETTE STARNES**, maternal grandmother, is petitioner.  
 Father (of Erianna): **AARON THOMPSON**  
 Father (of Dorian & Dominik): **BILLY MAHAM**  
 MOTHER: **SHANICE OWENS**  
 Paternal grandparents (of Erianna): not listed  
 Paternal grandfather (of Dorian & Dominik): Daniel Maham  
 Paternal grandmother (of Dorian and Dominik): Cynthia McClary  
 Maternal grandfather: not listed  
**Petitioner states:** she has had her grandchildren for two years and their mother has only visited twice. The mother lost her place in Lompoc so she came to Fresno and took the children because she had no income. She and the children moved into a Motel 6 with a man she just met who was on parole. She sells her body and does drugs in front of the children. She leaves the eldest child to watch her two younger siblings in the motel room. Mother was picked up for prostitution on 06/30/2012, she was admitted to a mental hospital on 07/03/2012 and released on 07/05/2012. She returned to the streets and the petitioner refused to allow her to take the children.

**Objection filed 07/27/2012** – Mother states that if the petitioner loved her grandchildren so much she would have never kicked them out two days before the Court date. She states that she was served with half of the documents the following day after the Court hearing.

**Please see additional page**

**Reviewed by:** KT  
**Reviewed on:** 10/17/12  
**Updates:**  
**Recommendation:**  
**File 14A – Owens & Maham**

Attached to the mother's objection is a handwritten note from a friend named Monica Russell which states that she witnessed the mother, Shanice Owens, crying and walking with her luggage and children. She stated that her mother (petitioner) had just kicked her and her children out of the house. It further states that the mother handles her responsibility very well and that it is hard to believe the false allegations made against her.

Mother filed an Ex Parte Petition for Return of Children on 07/27/2012 and it was denied on that same day.

Mother filed an Ex Parte Petition for Reconsideration of the Temporary Guardianship on 07/27/2012 and it was denied on 07/30/2012.

**Declaration of Aaron Thompson (father of Erianna) filed 08/10/2012 states** that he is not in prison, his current record is mostly clean except for one misdemeanor over two years ago. He states he has been active in the child's life since birth. He lives in Arkansas but has maintained visits when the mother would permit him. He visited the child in 2009 and the child was recently with him for Christmas break. He states that both he and his wife are fully capable of taking care of the child. He also states that he has a great relationship with the child as well as with the maternal grandmother and petitioner, Lola Starnes.

**Court Investigator Samantha D. Henson's report filed 09/04/2012**

**Needs / Problems / Comments continued:**

5. UCCJEA filed 07/30/2012 is still incomplete as to the dates of the children's residence for the past five years as well as who the children have been residing with.

Atty Starnes, Lola Annette (Pro Per Maternal Grandmother)  
 Atty McClary, Cynthia Wilson (Pro Petitioner/Per Paternal Grandmother)  
 Atty McClary, Henry Brown (Pro Per Petitioner/Paternal Step-Grandfather)

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

Dorian Maham Age: 3		<p><b>TEMPORARY Guardianship was granted to Lola Starnes. TEMPORARY EXPIRES 10/23/12</b></p> <p><b>CYNTHIA WILSON MCCLARY</b>, paternal grandmother, and <b>HENRY BROWN MCCLARY</b>, paternal step-grandfather, are petitioners.</p> <p>Father: <b>BILLY MAHAM</b> – personally served 9/26/12</p> <p>MOTHER: <b>SHANICE OWENS</b> – personally served 9/21/12</p> <p>Paternal grandfather: Daniel Maham – served on 9/14/12.                  Maternal grandfather: not listed                  Maternal grandmother: Lola Starnes – served on 9/14/12.</p> <p><b>Petitioners allege:</b> Guardianship is necessary for the best interest of their grandsons in respect to physical, mental and moral health. Their father is currently incarcerated in prison and the mother cannot provide food, clothing, shelter or medical care.</p> <p><b>Court Investigator Samantha Henson's Report filed on 10/16/12</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>This petition is as to Dorian and Dominik only.</p>	
Dominik Maham Age: 3				
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
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<input type="checkbox"/>	Aff.Pub.			
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<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report	X		
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
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<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Reviewed by: KT		
		Reviewed on: 10/17/12		
		Updates:		
		Recommendation:		
		File 14B – Owens & Maham		



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

<b>Age:</b> 13	<p><b><u>GENERAL HEARING 12/11/12</u></b></p> <p><b>SHERRY WRIGHT</b>, non-relative, is Petitioner.</p> <p>Father: <b>ANDY FERNANDEZ</b> – <i>Consent &amp; Waiver of Notice filed 10/11/12</i></p> <p>Mother: <b>ANDREA FERNANDEZ</b> – <i>Consent &amp; Waiver of Notice filed 10/11/12</i></p> <p>Paternal grandfather: PETE FERNANDEZ          Paternal grandmother: DECEASED</p> <p>Maternal grandfather: NOT LISTED          Maternal grandmother: EYDIE LAZALDI</p> <p>Siblings: SERGIO CEDILLO, ROSEMARY CEDILLO, APRIL FERNANDEZ</p> <p><b>Petitioner alleges</b> that she is a former foster parent for Adrianna and states that Adrianna has been unsuccessful living with her mother, refusing to follow rules and attend school. Petitioner feels Adrianna will be more successful living with her.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>UCCJEA filed 10/11/12 is signed by father, Andy Fernandez, and is not signed by Petitioner. Need UCCJEA signed by Petitioner.</li> <li>Need <b>Notice of Hearing</b>.</li> <li>Need proof of personal service at least 5 court days before the hearing of <b>Notice of Hearing</b> with a copy of the <b>Petition for Appointment of Temporary Guardian of the Person</b> or Consent &amp; Waiver of Notice for:              - Adrianna Fernandez (minor)</li> </ol>
<b>DOB:</b> 07/21/99		
<b>Cont. from</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
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		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 10/18/12
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 16 - Fernandez</b>