



ATTENTION

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

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

Thank you for your patience.

1 Skilit Ruby Barajas & Richard Barajas(GUARD/P) Case No. 07CEPR00504

Guardian: Juanita Abdulla (pro per)

Petitioner: Mirna Aquilera (pro per)

Petition for Visitation

		MIRNA AQUILERA , mother, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Fee waiver was denied on 9/15/16. Therefore a filing fee of \$60.00 is due. 2. Need Notice of Hearing. 3. Need proof of service of the Notice of Hearing on: <ol style="list-style-type: none"> a. Juanita Abdulla (guardian) b. Skilit Barajas (minor) c. Richard Barajas (minor)
		Please see petition for details.	
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 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	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: KT
			Reviewed on: 10/17/16
			Updates:
			Recommendation:
			File 1- Barajas

Fourth Account and Report of Conservator of the Estate

		<p>JEFFREY DALE, Spouse and Conservator of the Estate with bond of \$340,000.00, is Petitioner.</p> <p>Account period: 10/1/14 – 8/1/16 Accounting: \$0 Beginning POH: \$0 Ending POH: \$0</p> <p>Petitioner states the conservatorship is assetless since the last accepted account. During the period of the account, there were no cash assets. The conservatorship estate ran out of funds in 2013 and the conservatee's debts were paid from funds borrowed by the conservator, who is the conservatee's husband.</p> <p>Petitioner states he has received no compensation for his services and is requesting none at this time.</p> <p>The Conservatee resides at Cottonwood Court), a locked residential care facility in Fresno.</p> <p>GORDON PANZAK will continue as conservator of the person.</p> <p>Petitioner requests that:</p> <ol style="list-style-type: none"> The court finds that the Notice of Hearing on this account, report and petition was given as required by law; The Court make an order approving, allowing and settling the account and report of the conservator in all respects as filed; and The Court grant such other relief as it considers just and proper. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 9/26/16: Mr. Panzak requests a 30-day continuance.</p> <p>As of 10/17/16, nothing further has been filed. Need Amended Fourth Account.</p> <ol style="list-style-type: none"> Pursuant to Probate Code §1061(a)(1), the property on hand at the beginning of the account period shall be the property on hand at the end of the prior account period. The Third Account, which was settled on 2/4/15, contained multiple account periods, the last of which ended on 6/30/14 with an ending POH value of \$280,144.59 (cash plus a one-half interest in real property). This Fourth Account begins 10/1/14, leaving a 3-month period unaccounted for, and does not correspond to the assets on hand and the end of the prior account. A Request for Special Notice was filed 8/23/16 by William Freed, Esq., attorney for Debbie Duehning, conservator of George McLain, IV. Need notice pursuant to Probate Code §1214, 1252. Need facility statements pursuant to Probate Code §2620(c)(5). The Court may require clarification as to whether the Conservatee receives Social Security or other income, and if so, whether it is handled by Petitioner as payee or by the care facility as share of cost. Need order. Local Rule 7.1.1.F. <p>Reviewed by: skc Reviewed on: 10/17/16 Updates: Recommendation: File 2A- Dale</p>
Cont. from 092616			
<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"/>	2620(c)	x	
<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		

Conservator of the Estate's Motion to Exonerate Bond of Assetless Conservatorship and Motion to Waive Bond and Order

		JEFFREY DALE , Conservator of the Estate, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 9/26/16</u>: Mr. Panzak requests a 30-day continuance.</p> <p>Note: See Page A re amended account needed.</p> <p>As of 10/17/16, nothing further has been filed. The following issues remain noted:</p> <p>6. A Request for Special Notice was filed 8/23/16 by William Freed, Esq., attorney for Debbie Duehning, conservator of George McLain, IV. Need notice pursuant to Probate Code §1214, 1252.</p> <p>7. The proposed order is not in compliance with Local Rule 7.6.1.F. Need revised order.</p>
		Petitioner states he was appointed conservator of the estate in 2008 and has satisfactorily performed his duties to date. The accounting has been duly filed and accepted by this court. The last accounting showed that all assets have been correctly and lawfully expended on behalf of the Conservatee. The estate is assetless, and there appears to be no need for future annual bonds to be imposed on the conservator of the estate. The Conservator of the Estate is informed and believes that an old bond placed upon the conservator in 2009 is still in place.	
Cont. from 092616		Petitioner prays that the Court find good cause exists and the court order that the bond be exonerated and waive the requirement for an annual bond on Mr. Dale.	
<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		
<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: 10/17/16			
Updates:			
Recommendation:			
File 2B- Dale			

3 Steven Garcia, III, Jessika Garcia, and Aliza Garcia (GUARD/P)

Case No. 11CEPR00721

Guardian Ayala Dominguez, Jose Luis (Pro Per – Guardian – Petitioner)

Guardian Ayala, Maria Concepcion (Pro Per – Guardian – Petitioner)

Petition for Termination of Guardianship

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of service of Notice of Hearing on the minors and all relatives pursuant to Probate Code §1460(b)(5):</p> <ul style="list-style-type: none"> - Steven Garcia, III (Minor) - Jessika Garcia (Minor) - Aliza Garcia (Minor) - Steven Garcia, II (Father) - Irma Trevino (Pat. Grandmother) - Siblings Quincie Rodriguez and Stacey Garcia, if age 12 or older <p><u>Note:</u> Attached to the Notice of Hearing filed 10/17/16 is what appears to be a printout of a Facebook group message to “Jody, Michelle” (unknown relationship) asking for the father’s address. The third message contains information re this hearing.</p>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
	Conf. Screen			
✓	Letters			10/19/11
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report	X		
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 10/17/16	
			Updates: 10/18/16	
			Recommendation:	
			File 3- Garcia	

Status RE: Settlement

	<p>GERALD ISHII, Beneficiary and Co-Trustee, filed Petition of Beneficiary to Remove Successor Co-Trustees, Appoint Temporary Successor Trustee, and for Payment of Attorneys' Fees and Costs on 5/17/12. The petition was set for hearing on 7/2/12.</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Minute Order 10/3/16: If the settlement agreement is not signed, the Court orders Gerald Ishii, Leslie Ishii, James Horn and John Jeffries to be personally present on 10/24/16.</p>
<p>Cont. from 012516, 052316, 082916, 100416</p>	<p>LESLIE ISHII, Beneficiary and Co-Trustee, filed Objection on 6/21/12.</p>	
<p>Aff.Sub.Wit.</p>	<p>After numerous status and settlement hearings, at the settlement conference hearing on 1/5/15, the Court set this status hearing re the agreement for 4/13/15. This status hearing is a continuation of numerous past status hearings.</p>	<p>Reviewed by: skc</p>
<p>Verified</p>		<p>Reviewed on: 10/17/16</p>
<p>Inventory</p>	<p>Status Report filed 9/28/16 by Attorney Burnside states the matter was tentatively resolved in 2014, but there were several deal-points that needed to be worked out, requiring input from the parties' accountants. Last year, Gerald Ishii proposed that the agreement include a lot-line adjustment involving separate adjacent parcels owned by him and by Les Ishii. Those parcels are not part of the trust or the underlying dipute. Les Ishii nevertheless agreed to the adjustment to give additional acreage to Gerald Ishii, but there remained details concerning the location of the new line. Those details have been resolved, but Les Ishii asked for access rights to maintain certain agricultural equipment located near the new lot line. Gerald agreed. A written settlement was circulated, and by the last hearing on 8/29/16, Ms. Burnside understood the changes were acceptable and forwarded the agreement to her client for signature.</p> <p>Two weeks after the last status hearing, Ms. Burnside received correspondence that the parties' accountants wanted additional changes made to the agreement. A revised draft was forwarded, and further additional changes were then requested. A further revised draft was emailed to Gerald Ishii's counsel on 9/23/16. At present, she is waiting to hear whether the additional changes are acceptable to Gerald Ishii.</p> <p>Status Report filed 9/30/2016 by Attorney Fanucchi's office states the Settlement Agreement terms and negotiations are in the final stages. A minor change was sent from Gerald Ishii's accountant to Leslie Ishii's accountant on Friday afternoon, 9/30/2016. The minor change is currently being reviewed and if all are in agreement, the Settlement Agreement is ready to be signed by all parties.</p>	<p>Updates:</p>
<p>PTC</p>		<p>Recommendation:</p>
<p>Not.Cred.</p>		<p>File 4- Ishii</p>
<p>Notice of Hrg</p>		
<p>Aff.Mail</p>		
<p>Aff.Pub.</p>		
<p>Sp.Ntc.</p>		
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p>Letters</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>		
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>		

Petition for Order Approving Settlement Agreement, Terminating Further Probate Proceedings and for Discharge of Personal Representative

DOD: 2/21/12		<p>RICHARD DEWAYNE PHILLIPS, Father and Administrator with Full IAEA without bond, is Petitioner.</p> <p style="text-align: center;">See petition for details.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proposed order pursuant to Local Rule 7.1.1.F.</p>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
✓	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters			12/4/12
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
✓	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 10/17/16	
			Updates:	
			Recommendation:	
			File 5- Phillips	

Petitioner: Gabriel Garza (pro per Father)

Objector: Ilda Aguilar (pro per Guardian/maternal grandmother)

Petition for Termination of Guardianship

		GABRIEL GARZA , father, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		ILDA AGUILAR , maternal grandmother, was appointed guardian on 9/22/15.	
		Please see petition for details.	1. Petition does not include the names and current addresses of the paternal grandparents and the maternal grandfather.
Cont. from		Objections to the Termination of Guardianship filed by Guardian, Ilda Aguilar on 9/2/16	2. Need Notice of Hearing.
<input type="checkbox"/>	Aff.Sub.Wit.		3. Need proof of service of the Notice of Hearing on: <ul style="list-style-type: none"> a. Ilda Aguilar (guardian) b. Maricruz Aguilar (mother) c. Arturo Garza (paternal grandfather) d. Jeanette Gaytan (paternal grandmother) e. Abel Iniguez (maternal grandfather)
<input checked="" type="checkbox"/>	Verified		For Objector:
<input type="checkbox"/>	Inventory		1. Need proof of service of the Objections on: <ul style="list-style-type: none"> a. Gabriel Garza
<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 type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input checked="" 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: KT
			Reviewed on: 10/17/16
			Updates:
			Recommendation:
			File 7- Garza

Petitioner Amanda Jean Freitas (Pro Per, mother)

Petition for Termination of Guardianship

		AMANDA JEAN FREITAS, mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		<i>~Please see Petition for details~</i>	
		Court Investigator's Report was filed 10/14/2016.	
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 checked="" type="checkbox"/>	Clearances		
<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: LEG
			Reviewed on: 10/17/16
			Updates: 10/18/16
			Recommendation:
			File 8- Freitas

Petition for Visitation

		JERRY KENNETH LEOS, father, is petitioner	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Current visitation per order dated 10/19/2015 stated supervised visits only to the mother and any other family member. No visits to the father until he comes to court.</p> <p>Continued from 9/12/2016. Matter was continued for service as to the guardians. As of 10/17/2016 no new documents filed and the following issues still exist:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of service at least 15 days before the hearing of the <i>Notice of Hearing</i> on: <ol style="list-style-type: none"> a. Richard Estrada (guardian/maternal grandfather) b. Jacqueline Estrada (guardian/maternal grandmother)
		RICHARD ESTRADA and JACQUELINE ESTRADA, maternal grandparents, were appointed temporary co-guardians of on 9/1/2015 and general co-guardians on 10/19/2015.	
Cont. from 091216			
<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 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		
		<i>Please see petition for details.</i>	
		Reviewed by: SEF	
		Reviewed on: 10/17/2016	
		Updates:	
		Recommendation:	
		File 9- Leos	

Attorney: Lisa Horton (for Zepure "Zeppy" Attashian – Executor)

Amended Petition for Approval of Waiver of Account, Report of Executor, Allowance of Executor's Statutory Fees, Allowance of Attorneys Statutory Fees, Allowance of Executor's Extraordinary Compensation and For Final Distribution

DOD: 11/27/2014	ZEPURE "ZEPPY" ATTASHIAN , executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from	Petitioner was appointed Special Administrator on 9/2/2015 for the sole purpose of entering in a sales contract for decedent's real property. All net funds received were to be placed into a blocked account. \$35,758.90 were deposited into blocked account on 10/14/2015 for sale of real property located in Clovis, CA.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory		
<input checked="" type="checkbox"/> PTC		
<input checked="" type="checkbox"/> Not.Cred.	Accounting is waived	
<input checked="" type="checkbox"/> Notice of Hrg	Corrected I&A - \$375,003.50 POH - \$40,768.26 (\$35,764.76 is cash)	
<input checked="" type="checkbox"/> Aff.Mail	w/	
<input type="checkbox"/> Aff.Pub.	Executor - \$6,000.00 (less than statutory)	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	Executor X/O - \$2,000.00 (for sale of both decedent's real property pursuant to Local Rule 7.18(B))	
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters 11/16/2015	Costs - \$2,061.24 (for filing, publication, property tax and probate referee fees)	
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt	Attorney - \$6,000.00 (less than statutory)	
<input type="checkbox"/> CI Report	Closing - \$2,500.00	
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order	Distribution, pursuant to decedent's will, is to:	
<input type="checkbox"/> Aff. Posting	Jessica L. Bongardt - \$15,203.52 cash, stock and real property	
<input type="checkbox"/> Status Rpt	Suzanne Rosales - \$2,000.00 cash	
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: SEF
		Reviewed on: 10/17/2016
		Updates:
		Recommendation:
		File 10- Bongardt

Probate Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 4/10/2015	ARMEN L. GEORGE, child, was appointed Executor with Full IAEA authority with bond of \$152,500.00 on 3/29/2016.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: The instant estate expects distribution of assets from the Estate of Raffi Leon George, Case 04CEPR01552.</p> <p>1. Need final inventory and appraisal or current verified Status Report and proof of service pursuant to Local Rule 7.5(B),</p>
Cont. from 083016	Proof of Bond in the sum of \$152,500.00 was filed on 5/23/2016.	
Aff.Sub.Wit.	Letters issued on 5/23/2016.	
Verified	Pursuant to Probate Code § 8800(b), Final Inventory and Appraisal is due <u>9/23/2016</u>.	
Inventory	Minute Order dated 3/29/2016 from the hearing on the petition for probate set the matter for a Status Hearing on 8/30/2016 for filing of the final inventory and appraisal.	
PTC	Status Report filed by Attorney Simonian on 8/29/2016 for the previous Status Hearing states on 8/9/2016 a Partial #1 Inventory and Appraisal was mailed to Probate Referee Steven Diebert; as of 8/29/2016, it has not been returned by the Probate Referee; the real property to be appraised is to be distributed in connection with the Estate of Raffi Leon George, Case 04CEPR01552; the other assets of the estate are unknown at this time because they will consist of assets distributed from the Estate of Raffi Leon George, which has a hearing date of 11/29/2016 set for resolution of a Franchise Tax Board claim; once the Estate of Raffi Leon George is settled, a Final Inventory and Appraisal will be submitted to the Probate Referee for appraisal.	
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: LEG
		Reviewed on: 10/17/16
		Updates:
		Recommendation:
		File 11- George

Petition for Letters of Administration; Limited Authority under IAEA

DOD: 12/14/12	JODI SWAIN GALLAGHER , Daughter, is Petitioner and requests appointment as Administrator with Limited IAEA without bond, all funds to be placed into a blocked account.	NEEDS/PROBLEMS/COMMENTS: <u>Minute Order 9/26/16</u> : Counsel requests additional time. As of 10/17/16, nothing further has been filed. The following issues remain noted re the petition for reference: <p style="text-align: center;"><u>SEE PAGE 2</u></p>
Cont. from 062016, 080116, 092616	Petitioner is a resident of Las Vegas, NV.	
<input type="checkbox"/> Aff.Sub.Wit.	Limited IAEA – ok	
<input checked="" type="checkbox"/> Verified	Decedent died intestate	
<input type="checkbox"/> Inventory	Residence: Clovis	
<input type="checkbox"/> PTC	Publication: Business Journal	
<input type="checkbox"/> Not.Cred.	Estimated value of estate:	
<input checked="" type="checkbox"/> Notice of Hrg	Real property: \$300,000.00 (Whittier Trust has indicated the estate's interest in the trust could be as little as \$150,000 or as high as \$600,000)	
<input checked="" type="checkbox"/> Aff.Mail	Probate Referee: Rick Smith	
<input checked="" type="checkbox"/> Aff.Pub.	Petitioner states the sole purpose of opening this estate is to receive a distribution from the Clairice Benezra Trust. The trust has been being administered since before the decedent's death. There was litigation within the trust and other issues that have delayed the receipt and distribution of its assets. Currently, the Estate of Clairice Benezra, Nevada Case No. P061254 is open and awaiting assets which will pour into the trust. The trust is working to sell its remaining assets and deal with a 706 issue.	
<input type="checkbox"/> Sp.Ntc.	Hence, the Helen Swain Estate is being opened to receive asset from a trust, which is waiting to receive asset from an estate via pour-over will.	
<input type="checkbox"/> Pers.Serv.	Many things will need to occur before assets are distributed to this estate. However, the institutional trustee appears to be currently charging the trust \$50,000/year to administer the \$300,000 it is holding in reserve pending the assets pouring into it. When Petitioner objected, the trustee responded that a personal representative needed to be appointed.	
<input type="checkbox"/> Conf. Screen	Since there are no assets to pay a bond premium from, combined with the fact that the assets realistically may not be received for years, Petitioner requests the Court order that any and all assets received be deposited into a blocked account in lieu of requiring a bond at this time.	
<input type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: skc Reviewed on: 10/17/16 Updates: Recommendation: File 12- Swain

Page 2 – NEEDS/PROBLEMS/COMMENTS:

1. Heir Judy Swain appears to have been given notice at a business address (“Bamboo 2 U” in Leucadia, CA). The Court may require clarification re use of this address.
2. It is unclear from the description in the petition and in the supplement whether the estate is expected to receive and consist of real property or cash or other assets. Need clarification.
3. Petitioner is a resident of Las Vegas, NV. The Court may require waivers of bond from the two other heirs, Judy Swain and James Swain, or bond in an appropriate amount subject to #2 above.
4. The Court may require clarification regarding the status of the referenced pending cases in Nevada and the estimated time frame for closing this estate with reference to Probate Code §12200.

Note: If granted, the Court will set status hearings as follows:

- Monday, December 12, 2016 for filing of bond, if required, or receipt for blocked account.
- Monday, March 27, 2017 for filing of Inventory and Appraisal
- Monday, December 4, 2017 for filing first or final account

Petitioner: Jose Mendez (pro per)

Petitioner: Myda Batrez (pro per)

Petition for Appointment of Guardian of the Person

		TEMPORARY EXPIRES 10/24/16	<p>JOSE MENDEZ, maternal great-grandfather and MYDA BATREZ, maternal aunt, are petitioners.</p> <p>Please see petition for details.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 8/22/16. Minute order states Diana Herdia represents that the paternal grandparents of Adriana are Estefania and Miguel Vizcaino, and the paternal grandparents of Elvira are unknown to her. She further represents that Miguel Vizcaino, father of Adriana, is in Mexico and she attempted to contact him via Facebook, and Jesus Garcia, father of Elvira, is in Tijuana. As of 10/17/16 the following issues remain:</p> <p>Note: If the Court does not dispense with notice will need proof of personal service of the Notice of Hearing along with a copy of the Petition or consent and waiver of notice on:</p> <ul style="list-style-type: none"> a. Miguel Vizcaino (father of Adriana) b. Jesus Garcia (father of Elvira) <p>And proof service (either personal or by mail) of the Notice of Hearing along with a copy of the Petition or consent and waiver of notice on:</p> <ul style="list-style-type: none"> a. Miguel Vizcaino (paternal grandfather of Adriana) b. Estefania Vizcaino (paternal grandmother of Adriana) c. Unknown paternal grandparents of Elvira d. Juan Heredia (maternal grandfather)
<p>Cont. from 071816, 082216</p>				
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<input type="checkbox"/>	Citation			
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			<p>Reviewed by: KT</p> <p>Reviewed on: 10/17/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13- Vizcaino/ Mendez</p>	

Petitioner: Lois Jane Robinson (Pro per – Maternal great-grandmother)

Petition for Appointment of Guardian of the Person

		<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:	
		LOIS JANE ROBINSON, maternal great-grandmother, is petitioner.		
		<i>Please see petition for details.</i>	<ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of personal service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the petition <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence for: <ol style="list-style-type: none"> a. Donovan McLaughlin (father) 3. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the petition <u>or</u> consents and waivers of notice <u>or</u> declarations of due diligence for: <ol style="list-style-type: none"> a. Paternal grandfather (unknown) b. Mary McLaughlin (paternal grandmother) c. Maternal grandfather (unknown) d. Carlyn Myers (maternal grandmother) 4. Item 3a of UCCJEA does not include minor's residence information for the past five years. Need minor's residence from 2011 through 2014. 	
Cont. from				
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			Reviewed by: SEF	
			Reviewed on: 10/17/2016	
			Updates:	
			Recommendation:	
			File 15- Mclaughlin	

Petitioner: Martha Molina (pro per)

Petitioner: Virginia Castillo (pro per)

Petition for Appointment of Guardian of the Person

		<p>THERE IS NO TEMPORARY. No temporary was requested.</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 Petition or Consent and Waiver of Notice on: <ol style="list-style-type: none"> a. Mario Padilla (minor) 3. Petition indicates the maternal grandfather Humberto Mosti's address is unknown. Need declaration of due diligence or proof of service of the Notice of Hearing along with a copy of the petition.
		<p>VIRGINIA CASTILLO and MARTHA MOLINA, maternal aunts, are petitioners.</p>	
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			<p>Reviewed by: KT</p> <p>Reviewed on: 10/17/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16- Padilla</p>

Petition for Injunction, for Confirmation of Current Trustee, for Accounting by Trustee an Attorney's Fees and Costs [Prob. Code §17200(b), et seq.]

		LETICIA LOPEZ , Trustee, is Petitioner. (Relationship not stated.)	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p>
		Petitioner states the trust was created 2/7/96 by Settlor Teresa Silva-Rincon as trustee (Exhibit A).	
	Aff.Sub.Wit.	On 9/28/13, Settlor Teresa Silva aka Teresa Silva-Rincon aka Teresa Silva Flores amended said trust (Exhibit B).	
✓	Verified	On 9/24/13, Settlor executed a Durable Power of Attorney for Financial Management in favor of Petitioner (Exhibit C).	
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg	On or about May 2015, Edward L. Fanucchi, Teresa's attorney for 40 years, advised Petitioner that Teresa was no longer capable of making decisions of a legal, transactional, and financial nature based upon his several conversations and contacts with her over the phone and in person.	
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen	On 6/12/15, Petitioner exercised her right to become successor trustee (Exhibit D).	
	Letters		
	Duties/Supp	On 3/17/16, to medically establish the degree of Teresa's incapacitation, Petitioner took Teresa to her primary care physician for a mental capacity evaluation. See Confidential Capacity Declaration. It was not possible to have this evaluation earlier because Teresa had been in Mexico from October 2014 to 2/29/16, when she began living with Petitioner.	
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	x	
	Aff. Posting	Petitioner states Fresno is the proper jurisdiction as the trust has been administered in this county since its inception, and Teresa's residence lies within Fresno County. Over the last few years, she has spent about half of the year or more in Mexico, where she owns property which is entangled in a web of confusions in the Courts of Colima. Since 9/24/13, Petitioner has been handling all of the Settlor's affairs in California and assisting her with her lawsuits in Mexico.	
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
<u>SEE ADDITIONAL PAGES</u>			<p>Reviewed by: skc</p> <p>Reviewed on: 10/18/16</p> <p>Updates:</p> <p>Recommendation: File 17- Rincon</p>

Page 2 – Petitioner states since 6/12/15, she was and now is the duly appointed successor trustee and has managed the trust's assets, being:

- a. Settlor's residence on E. Bulah in Parlier, CA, which was destroyed by fire on 12/21/14 with all its contents; there are related fire loss claims with Nationwide Insurance;
- b. A rental on the E. Bulah Parlier property;
- c. Landlord interest, as to ½ thereof, in the business known as T&J Arco located on E. Manning in Parlier;
- d. Land in Parlier where the T&J Arco business is located, as to a ½ interest;
- e. A note and deed of trust on other realty located on S. Rene Lopez in Parlier (now paid in full).

Petitioner states Teresa has been and remains incompetent in conducting her legal, transactional, and financial affairs and is easily manipulated and subject to undue influence. See Capacity Declaration. Teresa is addicted to gambling, and she would run out of funds to pay her bills because of her gambling.

Since the house fire, Petitioner has filed claims for personal and real property loss with Nationwide from right after the fire in December 2014. She has prepared affidavits, inventories, proof of loss, sworn statements, hired an attorney, filed police reports, and this summer settled the personal property loss for about \$161,000 and the real property loss for \$282,000. Petitioner was able to induce Nationwide to pay the full insured value which was more than the appraisal of the real property loss. A \$40,000 down payment was paid to the construction company. Funds from the realty loss in the amount of \$191,000 were received and deposited in a trust account at Wells Fargo. A contract was signed by Petitioner to rebuild the house with Sammy Construction of a much larger size and with amenities to accommodate Teresa in her aging years, as she suffers from dementia and hearing loss.

Since Teresa's return to Parlier on 2/29/16, her signs of dementia have increased; see petition for details. Petitioner has handled all repairs at T&J Arco and all improvements mandated by the lessee, and commenced talks with the tenant about making mandated repairs of about \$153,000. Petitioner has settled and received payment of \$9,028.68 on the note and deed of trust for the house on Rene Lopez in Parlier. Petitioner pays bills and obligations of Teresa and has been short of funds to stay current, and has advanced approx. \$9,000 of her personal funds from 2013-2015. Petitioner has allowed Teresa to pick up the \$2,000 monthly rental check, and Teresa also gets \$1,164 from Social Security, deposited into Wells Fargo Bank.

Petitioner states all these incomes Teresa spends on gambling, and Petitioner has had to loan Teresa money to pay bills totaling about \$2,000/month.

On 5/21/16, Teresa and her daughter Blanca Estela Garcia met at Petitioner's mother's funeral after a 13-year estrangement. On 6/11/16, Petitioner asked Teresa how she felt about seeing her daughter, and she replied, "I haven't seen her in 13 years since the day she beat me up. I'm afraid of her. She's my daughter but nobody knows what kind of daughter I have except for me."

SEE ADDITIONAL PAGES

Page 3 – Petitioner states on 7/8/16, Blanca told Petitioner that she wanted to take over her mother's finances. Petitioner told her that she had Mr. Edward L. Fanucchi as an attorney, and would get back to her after he returned from vacation.

On 7/17/16, Blanca wanted to pick up Teresa, but Teresa wanted to delay the visit. Blanca insisted, came to Petitioner's house, and took her mother, and Petitioner has not had her at Petitioner's house since 7/17/16. Petitioner received a message on 7/19/16 from Blanca that Teresa wanted all of her belongings or she would call the police.

On 7/31/16, Teresa and Blanca came to Mr. Fanucchi's office to demand recognition of a power of attorney signed 7/2/16, an accounting under the trust, control of the fire loss monies totaling \$340,000, and turnover of personal property and vehicles. All demands were made by ABlanca, who was overheard telling her mother not to say anything, while Mr. Fanucchi temporarily left his office.

Blanca called Wells Fargo about the \$191,000 to pay off the mortgage on the burned house and withdraw the balance to her address, which was followed by a letter to Wells Fargo from Mr. Fanucchi (Exhibit E).

On or about 7/29/16, Mr. Fanucchi learned that Blanca had hired Attorney Shepard in Selma to represent them, and the two attorneys spoke agreed that Petitioner would compile an accounting of trust assets for Mr. Shepard and his clients. It was learned some days later that Mr. Shepard had been discharged.

Blanca ordered Wells Fargo Bank to stop payment on the \$40,000 deposit to Sammy Construction. Wells Fargo Bank reversed all instructions from Blanca and put Petitioner on as the contact person.

Blanca has made demands on the lessee of T&J Arco for the monthly rent of \$2,000 for August and September 2016. The tenant made the August payment to Petitioner, but has refused to pay either for September based on instructions from Mr. Fanucchi. Teresa went to the lessee on or about 9/1/16 demanding, yelling, pounding the counter, and threatening the lessee to give her the \$2,000. She appeared crazed and made no sense. Teresa has told the lessee (Nellie Mendoza Rodriguez) that she does not know what Blanca is fighting for. This incident was reported to Petitioner by the lessee.

Teresa signed an amendment to the trust on 8/4/16 making Blanca her trustee and beneficiary along with Teresa's son, who also is estranged from Teresa for 40 years. Blanca has also gone to collect rent from the rental on Bulah in Parlier, and demanded a new rental agreement.

Petitioner states Teresa, though incompetent to do so and acting under the control and influence of Blanca, has signed an amendment to the trust which names Blanca as trustee and Blanca and her brother Jose as beneficiaries. Blanca is using that amendment as well as a Financial Durable Power of Attorney dated 7/29/16 at Wells Fargo Bank, T&J Arco to Lessee, Elva Martinez who owed the trust money on the house on Rene Lopez Street in Parlier, and with Nationwide to get control of the trust assets. This conduct continues to date.

SEE ADDITIONAL PAGES

Page 4 – Petitioner states a request was made of the lessee of T&J Arco by phone on 9/8/16 to sign a declaration in support of a temporary restraining order against the trustee from collecting rent.

Petitioner states she is the sole beneficiary of the trust, and other persons entitled to notice include Teresa “c/o Philip Flanigan, Esq.,” and Blanca Estela Garza.

Declaration of Edward L. Fanucchi filed 9/9/16 states he has known and represented Settlor Teresa Silva-Rincon aka Teresa Silva for about 40 or more years. There had been legal matters involving real estate leases, sales, domestic relations, creditor claims, and construction contracts. Since she returned in February 2016 from Mexico, Mr. Fanucchi has represented her and Leticia Lopez, her agent on her Power of Attorney and Trustee, in the proof of claims for the fire losses from the burning of her residence in Parlier on 12/21/14.

Mr. Fanucchi states Leticia has handled Teresa's affairs since 9/24/13, to wit, pay bills, collect rents (except when Teresa is here), deal with the lessee of T&J Arco on contracted matters, and assist with Teresa's lawsuits in the State of Colima, Mexico.

Mr. Fanucchi realized in May 2015 that Teresa could not handle her affairs because of inability to understand an issue, to reason about resolution of problems, her memory loss and she wanted others to make decisions for her. He recommended to Leticia Lopez that she needed to assume trusteeship for mental capacity of her aunt, and she did so on 6/12/15 by signing her appointment.

On 7/21/16, Leticia as trustee was involved in processing the personal property claim from the fire loss, and the insurer, Nationwide, kept demanding more and more information and set two statements under oath. Mr. Fanucchi advised the trustee with the processing of the claim which was finally concluded in July. The sum has not been paid because he instructed Nationwide to hold the settlement funds until there was a court order on whom to pay – Leticia Lopez as trustee or Blanca Garcia as trustee.

Mr. Fanucchi states he was called by Blanca that she and Teresa wanted to see him and there was a meeting on 7/21/16 in his office. He invited Leticia Lopez to be present. Blanca showed a power of attorney dated 7/19/16 and said her mother wanted her to handle her affairs, not Leticia. Teresa said nothing. She looked at her daughter mostly, ignored Leticia Lopez, and was disconnected with Mr. Fanucchi. He asked Teresa why she no longer wanted Leticia to handle her affairs; she looked at her daughter and turned to him and said, “She is stealing my money.” Then she turned and looked at her daughter. The daughter asked her mother, “Do you want Mr. Fanucchi to be your attorney?” Teresa looked at her daughter, turned to him, then looked back at her daughter without answering. Any question he asked Teresa she would not answer, but looked to her daughter.

Mr. Fanucchi states Blanca showed a power of attorney form that she had filled out that was signed by her mother, and said she was taking over all her mother's affairs. HE told her it was not valid because Teresa was incompetent to understand and know the consequences of legal acts and documents. On 7/29/16, he was handed another power of attorney by two young ladies with Teresa present, and Teresa said nothing to him.

SEE ADDITIONAL PAGES

Page 5 – Petitioner prays for an order:

1. For an injunction permanently enjoining Teresa Silva-Rincon aka Teresa Flores, and Blanca Estela Garcia and all others on their behalf from collecting or attempting to collect future rental income from trust assets and from interfering with the collections of those rentals by the authorized successor trustee, Leticia Lopez, and from collecting or attempting to collect any assets of the trust;
2. That Teresa be deemed incompetent to handle her legal and financial affairs; and that a Spanish-speaking psychiatrist or neuro-psychologist be appointed to examine the mental capacity of Teresa;
3. That the amendment to the trust dated 8/4/16 is of no force and effect, and shall not be used for any lawful purpose;
4. That Leticia Lopez is the lawful Successor Trustee of the trust;
5. That Leticia Lopez account for trust assets from 6/12/15 to current;
6. That Blanca be ordered to pay to the trust reasonable attorney fees and court costs to defend the trust from the actions of Teresa Silva-Rincon, aka Teresa Silva, generated by the influence of Blanca Estela Garcia; and
7. For any further orders the Court may deem proper.

SEE ADDITIONAL PAGES

Page 6 – NEEDS/PROBLEMS/COMMENTS:

1. The following pertinent documents are referenced, but are not provided:
 - 7/2/16 Power of Attorney in favor of Blanca
 - 7/29/16 Financial Durable Power of Attorney in favor of Blanca
 - 8/4/16 Trust amendment in favor of Blanca and JoseThe Court may require copies of such pertinent documents for review in order to make the requested determinations.
2. The only indication of relationship between Teresa and Leticia is in Attorney Fanucchi's Declaration wherein he refers to Teresa as Leticia's aunt. The Court may require further clarification re Petitioner's relationship with Teresa.
3. Although Petitioner describes certain trust assets, the copy of the trust provided does not include the Schedule A, which is referenced at Section II on Page III-3 of the 1996 Trust. The Court may require a copy of Schedule A, and/or other pertinent documentation confirming the referenced assets as assets of the trust in order to make the requested determinations and injunctions.
4. The petition does not list all parties entitled to notice pursuant to Probate Code §17201, as the following are omitted and were not given notice. Need revised verified list and continuance for proper notice to:
 - Jose Antonio Villareal (son and beneficiary under 1996 trust and 8/4/16 amendment)
 - Hilaria Rodarte (named second successor trustee under 2013 amendment)
 - Anyone else referenced in the 8/4/16 amendment that is not provided
5. The original 1996 trust names Bertha Silva Padron and Jose M. Silva as first and second successor trustees, respectively. The Court may require clarification re relationships and notice to them.
6. The Court may require clarification re Attorney Flanigan as Teresa's current attorney and may also require notice to Attorney Shepard, referenced in the petition as Teresa's former attorney.
7. The Court may require clarification re the referenced litigation in Colima, Mexico, including a description of the lawsuits and the parties involved.
8. The Court may require authority for determination of Teresa's incapacity in this trust proceeding.
9. Petitioner requests to be ordered to account from 6/12/15 to current (the date Petitioner signed the "Incapacitation of Trustor/Trustee" and accepted appointment as successor trustee; however, Petitioner states she has been handling all of the Settlor's affairs in California and assisting with her lawsuits in Mexico since 9/24/13. In addition, Teresa had been in Mexico from October 2014 to 2/29/16. The Court may require an expanded account period including these dates.
10. Petitioner Leticia Lopez states administration is in Fresno County; however, it appears that Blanca Garza, alleged current trustee under the 2016 amendment, resides in Dinuba, which is Tulare County. The Court may require clarification re Fresno as proper venue.
11. Need order. Local Rule 7.1.1.F.

Attorney Allan R. Frumkin, of Loomis (for Petitioner Kenneth Robert Boyd, Beneficiary)
 Attorney David M. Gilmore (for Lizbeth Boyd, surviving spouse of Beneficiary Joseph D. Boyd)

**Petition of Beneficiary to Remove Trustee and to Appoint Successor Trustee;
 Petition for an Accounting**

DOD: 3/24/2015	<p>KENNETH ROBERT BOYD, son and Beneficiary, is Petitioner.</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> Decedent executed the JOSEPH HAIG BOYD LIVING TRUST and pour-over Will in the County of Fresno (<i>copy of Trust attached as Exhibit A</i>); Decedent is survived by Petitioner KENNETH ROBERT BOYD, son, MARTHA MARSH, daughter, and LOUISE ELMA AUTENRIEB, daughter; Decedent's predeceased son, JOSEPH DENNIS BOYD, is survived by his wife LIZBETH BOYD, and his son, JOSEPH FREDERICK BOYD; Per the Trust, MARTHA MARSH became the Successor Trustee of the Trust upon Decedent's death; MARTHA MARSH has a clear conflict of interest as she is both a trustee and a beneficiary; LOUISE ELMA AUTENRIEB is also responsible for the breach of fiduciary duties as she assisted MARTHA MARSH with many of the actions she took against KENNETH ROBERT BOYD and JOSEPH DENNIS BOYD; After Decedent's death, Petitioner is informed that MARTHA MARSH began to misuse her position as Trustee to benefit herself and her sister, LOUISE ELMA AUTENRIEB, to the detriment of both KENNETH ROBERT BOYD and JOSEPH DENNIS BOYD; In July and August 2016, MARTHA MARSH breached her fiduciary duty to the Trust by proposing an extreme financial loss to a Trust asset, an office building in Kerman; her action could cause a loss of ~\$250,000.00 to the Trust, based on her offering to pay \$1.6 million when the property was worth \$1.35 million; <p style="text-align: center;">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Pursuant to Probate Code § 17200 et seq., need mandatory-use Judicial Council form DE-120, <i>Notice of Hearing – Decedent's Estate or Trust</i>, and proof of service of notice by mail 30 days prior to hearing for all persons entitled to notice. (<i>Note: Proof of Service by Mail filed 9/16/2016 is insufficient to provide this information.</i>) Need proposed order pursuant to Local Rule 7.1.1(F) which provides a proposed order shall be submitted with all pleadings that request relief. 	
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	<p>Reviewed by: LEG</p> <p>Reviewed on: 10/18/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18- Boyd</p>		

Petitioner states, continued:

- Petitioner seeks to remove **MARTHA MARSH** as Trustee of the Trust on the basis of her breach of her fiduciary duty to the beneficiaries;
- **MARTHA MARSH** failed to communicate with the beneficiaries, assumed exclusive ownership of Trust properties, and deposited Trust monies into her personal checking account;

Petitioner asserts the following causes of action [headings and brief summary]:

1. **Breach of Fiduciary Duty:** Successor Trustee **MARTHA MARSH** breached her duty to her co-beneficiaries **KENNETH ROBERT BOYD** and **JOSEPH DENNIS BOYD** by failing to exercise due care and undivided loyalty to all trust beneficiaries. *[Please refer to pages 4 to 5 for complete argument];*
2. **Accounting:** In March of 2015, Decedent delivered his real and personal property to Martha Mash as successor trustee under the Trust and pour-over Will. Petitioner seeks a Court order that Martha Marsh is to provide an Accounting, within two (2) weeks after the Order, of all moneys earned by the Trust, all Trust moneys used or expended by her on behalf of the Trust since Decedent's death in March of 2015. Petitioner believes the amount of money due to Petitioner cannot be determined by Petitioner without an accounting; Petitioner believes the amount due to him as August 2016 is **~\$10,000,000.00**, as well as any amounts that may be determined by the accounting. *[Please refer to pages 6 to 7 for complete argument].*

Petitioner prays the Court:

1. Remove **MARTHA MARSH** as Successor Trustee of the Trust;
2. Appoint Petitioner **KENNETH ROBERT BOYD** as Successor Trustee of the Trust;
3. Order that **MARTHA MARSH** is to provide within 2 weeks an accounting for all Trust moneys earned, spent, or expended since Decedent's death.

Lizbeth Boyd's Non-Opposition to Petition for Removal of Trustee; Accounting filed by Attorney DAVID GILMORE on 10/12/2016 states:

- **LIZBETH BOYD** is not a beneficiary of the Trust; she was married to **JOSEPH DENNIS BOYD**, now deceased, who was one of Decedent's children;
- **LIZBETH BOYD** was apparently served with the Petition as the representative of, or successor to, the Estate of **JOSEPH DENNIS BOYD**; however, no probate was ever set up for him and there is no estate proceeding pending;
- It appears from review of the Trust attached to the Petition that the interest of **JOSEPH DENNIS BOYD**, since he predeceased the Decedent, passed directly to his son, **JOSEPH FREDERICK BOYD**, not to **LIZBETH BOYD**;
- As a result, **LIZBETH BOYD** submits that she is not a party to nor properly served with the Petition; because she has no standing here regarding the Trust, she takes no position with regard to the Petition.

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under the IAEA

DOD: 4/20/2016		<p>JOHN GONZALES, son and named executor without bond, is petitioner.</p> <p>Full IAEA – o.k.</p> <p>Will dated 6/10/2014</p> <p>Residence: Fresno</p> <p>Publication: Fresno Business Journal</p> <p>Estimated value of Estate:</p> <table> <tr> <td>Personal property</td> <td>\$</td> <td>10,000.00</td> </tr> <tr> <td>Annual gross income:</td> <td>\$</td> <td>0.00</td> </tr> <tr> <td>Real property:</td> <td>\$</td> <td>200,000.00</td> </tr> <tr> <td>Total:</td> <td>\$</td> <td>210,000.00</td> </tr> </table> <p>Probate Referee: Steven Diebert</p>	Personal property	\$	10,000.00	Annual gross income:	\$	0.00	Real property:	\$	200,000.00	Total:	\$	210,000.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> • Tuesday, March 28, 2017 for filing Inventory and Appraisal • Tuesday, January 9, 2018 for filing the first account or petition for 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>
Personal property	\$		10,000.00												
Annual gross income:	\$		0.00												
Real property:	\$		200,000.00												
Total:	\$		210,000.00												
Cont. from															
<input type="checkbox"/>	Aff.Sub.Wit.		S/P												
<input checked="" type="checkbox"/>	Verified														
<input type="checkbox"/>	Inventory														
<input type="checkbox"/>	PTC														
<input type="checkbox"/>	Not.Cred.														
<input checked="" type="checkbox"/>	Notice of Petn Admin														
<input checked="" type="checkbox"/>	Aff.Mail		w/												
<input checked="" type="checkbox"/>	Aff.Pub.														
<input type="checkbox"/>	Sp.Ntc.														
<input type="checkbox"/>	Pers.Serv.														
<input type="checkbox"/>	Conf. Screen														
<input checked="" type="checkbox"/>	Letters														
<input checked="" type="checkbox"/>	Duties/Supp														
<input type="checkbox"/>	Objections														
<input type="checkbox"/>	Video Receipt														
<input type="checkbox"/>	CI Report														
<input type="checkbox"/>	9202														
<input checked="" type="checkbox"/>	Order														
<input type="checkbox"/>	Aff. Posting														
<input type="checkbox"/>	Status Rpt														
<input type="checkbox"/>	UCCJEA														
<input type="checkbox"/>	Citation														
<input type="checkbox"/>	FTB Notice														
		Reviewed by: SEF													
		Reviewed on: 10/17/2016													
		Updates:													
		Recommendation: SUBMITTED													
		File 19- Gonzales													

DOD: 06/29/2016		JUAN CARLOS CRUZ, JR. , son is petitioner and requests appointment as Administrator with Will Annexed, without bond.	<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, 03/20/2017 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Monday, 12/18/2016 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>
Cont. from		Full IAEA – o.k.	
<input checked="" type="checkbox"/>	Prf. Hol. Will		
<input checked="" type="checkbox"/>	Verified	Holographic Will: 05/15/2016	
	Inventory	Residence: Fresno	
	PTC	Publication: The Business Journal	
	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/	
	Aff.Pub.		
	Sp.Ntc.	Probate Referee: Steven Diebert	
	Pers.Serv.		
	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Estimated value of the Estate:
			Real property - \$165,000.00
			Less encumbrances - \$120,000.00
			Total - \$45,000.00
			Reviewed by: LV
			Reviewed on: 10/18/2016
			Updates:
			Recommendation: Submitted
			File 20- Montez

DOD: 04/20/2016		HOWARD K. HIYAMA , 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, 03/20/2017 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Monday, 12/18/2016 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: 07/14/1975												
<input type="checkbox"/>	Aff.Sub.Wit.	s/p												
<input checked="" type="checkbox"/>	Verified													
<input type="checkbox"/>	Inventory													
<input type="checkbox"/>	PTC													
<input type="checkbox"/>	Not.Cred.													
<input checked="" type="checkbox"/>	Notice of Hrg													
<input checked="" type="checkbox"/>	Aff.Mail	w/												
<input type="checkbox"/>	Aff.Pub.													
<input type="checkbox"/>	Sp.Ntc.													
<input type="checkbox"/>	Pers.Serv.													
<input type="checkbox"/>	Conf. Screen													
<input checked="" type="checkbox"/>	Letters													
<input checked="" type="checkbox"/>	Duties/Supp													
<input type="checkbox"/>	Objections													
<input type="checkbox"/>	Video Receipt													
<input type="checkbox"/>	CI Report													
<input type="checkbox"/>	9202													
<input checked="" type="checkbox"/>	Order													
<input type="checkbox"/>	Aff. Posting													
<input type="checkbox"/>	Status Rpt													
<input type="checkbox"/>	UCCJEA													
<input type="checkbox"/>	Citation													
<input type="checkbox"/>	FTB Notice													
		<p>Residence: Parlier</p> <p>Publication: The Business Journal</p> <p>Estimated Value of the Estate:</p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$279,050.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$360,500.00</td> </tr> <tr> <td>Less encumbrances</td> <td>-</td> <td>\$144,200.00</td> </tr> <tr> <td>Total</td> <td>-</td> <td>\$495,350.00</td> </tr> </table> <p>Probate Referee: Rick Smith</p>	Personal property	-	\$279,050.00	Real property	-	\$360,500.00	Less encumbrances	-	\$144,200.00	Total	-	\$495,350.00
Personal property	-	\$279,050.00												
Real property	-	\$360,500.00												
Less encumbrances	-	\$144,200.00												
Total	-	\$495,350.00												
		Reviewed by: LV												
		Reviewed on: 10/18/2016												
		Updates:												
		Recommendation: Submitted												
		File 21- Hiyama												

Petition for Final Distribution on Waiver of Accounting, and for Allowance of Statutory Attorney's Fees; Report of Administrator

DOD: 10/21/2015	JEREMY PRESTON EVANS, administrator, is petitioner.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 10/11/2016 Counsel will file receipts and submit a new order.</p> <p>As of 10/17/2016, no new documents filed and the following issues still exist:</p> <ol style="list-style-type: none"> 1. Need receipts from distributees, for preliminary distribution of personal property. 2. Need new order. Pursuant to Local Rule 7.6.1A, all orders shall set forth all matters ruled on by the court, the relief granted and the names of persons, descriptions of property and/or amounts of money affected with the same particularity required of judgments in general civil matters. Monetary distributions must be stated in dollars and not as a percentage of the estate.
	Accounting is waived		
Cont. from 101116	I&A	- \$239,605.12	
<input type="checkbox"/> Aff.Sub.Wit.	POH	- \$42,020.47	
<input checked="" type="checkbox"/> Verified	(\$38,020.47 is cash)		
<input checked="" type="checkbox"/> Inventory	Administrator	- waives	
<input checked="" type="checkbox"/> PTC	Costs	- \$1,110.25	
<input checked="" type="checkbox"/> Not.Cred.	<i>(filing and probate referee fees)</i>		
<input checked="" type="checkbox"/> Notice of Hrg	Attorney	- \$7,792.00	
<input checked="" type="checkbox"/> Aff.Mail	w/		
<input type="checkbox"/> Aff.Pub.	Closing	- \$500.00	
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.	Distribution, pursuant to intestate succession and preliminary distributions, of property on hand consisting of cash and a Chevy TrailBlazer, is to:		
<input type="checkbox"/> Conf. Screen			
Letters: 2/25/16			
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections	Jeremy Preston Evans	50%	
<input type="checkbox"/> Video Receipt	Jacob Phillip Lockie	50%	
<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: SEF
			Reviewed on: 10/17/2016
			Updates:
			Recommendation:
			File 23- Lockie

24 The Nellie V. Trantham Family Trust, Dated November 14, 2001

Case No. 16CEPR00701

Attorney Teixeira, J. Stanley (for Petitioner Charles Trantham)
 Attorney Boyajian, Thomas M. (for Objector Cindy Busch)

Probate Status Hearing RE: Hiring of New Counsel and Agreement or Trial Setting

DOD: 1/18/09	<p>CHARLES TRANTHAM, Trustee, filed a Petition for Order Confirming Trust Assets on 7/5/16.</p> <p>CINDY BUSCH, Granddaughter, filed objections on 8/1/16.</p> <p>At hearing on 8/23/16, the matter was set for trial on 10/11/16.</p> <p>On 10/11/16, the Court set this status hearing re hiring of new counsel and agreement or trial setting.</p> <p>Minute Order 10/11/16 states: The Court admonishes Cindy Busch that if new counsel is retained, that person must be present on 10/24/16.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: As of 10/11/16, nothing further has been filed. It appears counsel of record remains as reflected above.</p>
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 10/17/16
		Updates:
		Recommendation:
		File 24- Trantham

25 Israel Eli Baez (GUARD/P)

Case No. 16CEPR01035

Petitioner: Maria Emilia Garcia De Baiz (pro per)

Petitioner: Jesus Baiz (pro per)

Petition for Appointment of Temporary Guardian of the Person

		GENERAL HEARING 12/12/16	NEEDS/PROBLEMS/COMMENTS:
		JESUS BAIZ and MARIA BAIZ , paternal grandparents, are petitioners.	
Cont. from			<ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of 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. Elia Soriano (mother)
<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: 10/18/16
			Updates:
			Recommendation:
			File 25- Baez