

Seventeenth Account and report of Conservator and Petition for Attorney's Fees

		<p>ISABEL OLIVARES, Mother and Conservator of the Estate, is Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> The Court will set a status hearing for the 18th account as follows:</p> <ul style="list-style-type: none"> Thursday, September 27, 2018
		<p>Account period: 8/1/14 – 7/31/16</p> <p>Accounting: \$237,325.61 Beginning POH: \$213,325.61 Ending POH: \$214,344.85 (\$2,349.82 cash plus real and personal property)</p>	
	Aff.Sub.Wit.	<p>Bond of \$14,300.00 is sufficient.</p>	
✓	Verified		
	Inventory	<p>Conservator waives compensation</p>	
	PTC		
	Not.Cred.	<p>Attorney: \$2,000.00 (less than local rule)</p>	
✓	Notice of Hrg		
✓	Aff.Mail	<p>Costs: \$435.00 (filing)</p>	
	Aff.Pub.		
	Sp.Ntc.	<p>Petitioner requests that the attorney fees and costs be paid from the conservatee's special needs trust 09CEPR00580.</p>	
	Pers.Serv.		
	Conf. Screen	<p>Petitioner prays for an order:</p> <ol style="list-style-type: none"> Settling and allowing the account and report and confirming and approving the acts of Petitioner as conservator; Authorizing payment of attorney fees and costs; and Such other and further relief as the Court may deem proper. 	
✓	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	2620(c)		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 10/20/16
			Updates:
			Recommendation:
			File 1- Olivares

Attorney David N. Knudson (for Cynthia Blackstock, Executor)

First Amended Second and Final Account and Report of Executor, for Statutory and Extraordinary Fees, and Final Distribution

DOD: 10/8/1997		CYNTHIA BLACKSTOCK, daughter and Executor appointed on 8/26/1998, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 022916, 041116, 060616, 091516		Account period: 10/1/2013 – 12/31/2015	<p>Note: Petitioner states she acknowledges that upon entry of an order for final distribution, filing fees must be paid to Court before release of the order, and Petitioner will cause to be paid such appropriate fees as necessary. Court records show the following fees previously waived totaling \$632.00 are due from Petitioner prior to distribution:</p> <ul style="list-style-type: none"> • Fees for 3 certified copies of ex parte order on 10/29/2012 of \$76.50; • Fee for 1 copy of the Minute Order dated 10/5/2012 of \$.50; • Fee for filing Probate Code § 850 petition on 10/25/2012 of \$435.00; • Fee for filing an ex parte Motion to Consolidate of \$60.00; • Fee for filing an ex parte Motion to Quash of \$60.00. <p>1. The <i>Petition</i> states that the real property on Pleasant Avenue is to distributable to CYNTHIA BLACKSTOCK as to an undivided ½ interest, and to ALISHA WATTS and TSION MULUGETA, (the children of ANGELA MANUEL) each as to an undivided ¼ interest. It appears the correct distribution is to CYNTHIA BLACKSTOCK as to an undivided ½ interest, and to the ESTATE OF ANGELA MANUEL as to an undivided ½ interest. Distribution of the ½ interest to the heirs of the ESTATE OF ANGELA MANUEL is not proper in the instant estate, and must be made in a separate proceeding.</p> <p>~Please see additional page~</p>
	Aff.Sub.Wit.	Accounting - \$190,000.00	
✓	Verified	Beginning POH- \$190,000.00	
✓	Inventory	Ending POH - \$190,000.00 (real property)	
	PTC	Executor - waives	
✓	Not.Cred.	Attorney - \$6,700.00 (statutory; attorney agrees statutory compensation is to be a lien against the real property distributed to Petitioner;)	
✓	Notice of Hrg	Attorney XO - Need declaration (for services listed on Pages 5 to 7 of <i>Petition</i> , including will and trust contest; petition to revoke probate; complaint for ejectment/confirm title; Washington State proceedings; preliminary injunction against foreclosure; unlawful detainer; recovery of funds from Edward Kent; to be a lien against the real property distributed to Petitioner;)	
✓	Aff.Mail w/		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report	Costs - \$304.00 (filing fees, certified copies, transcripts)	
✓	9202		
	Order X	~Please see additional page~	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 10/21/16
			Updates:
			Recommendation:
			File 3- Manuel

Petitioner states:

- During the full course of administration of the estate, the estate has lacked sufficient funds to pay creditors claims; after giving notice to beneficiaries and receiving no objections, Petitioner entered into an agreement encumbering the estate's real property on Pleasant in Fresno, which loan was necessary to cure back property taxes; the estates real property will be distributed subject to said encumbrance;
- Franchise Tax Board claim filed 8/28/1998 for **\$348,196.00** was withdrawn; claim of **MICKEY MANUEL, SR.**, for **\$4,000,000.00** was rejected on 1/6/1999, and no action was brought on the rejected claim; the claim of **MICKEY MANUEL, SR.**, for **\$29,000.00** was filed 8/23/2012 after the claim filing period, the claim was rejected, an action was brought on the rejected claim [12CECL05667], and the action was consolidated into the probate action;
- *Partial Inventory No. 1* is the final inventory for the estate and shows all of the assets of the estate; no other assets have come into Petitioner's possession;
- The assets remaining for distribution consist of a residence with an appraised value of **\$190,000.00**; the estate consists of the Decedent's separate property; Petitioner believes the residence has a current fair market value of **~\$300,000.00**;
- The estate has debts and expenses of administration which have not been paid; Petitioner proposes to distribute the residence subject to the recorded lien [*loan noted above*] and subject to a lien for expenses of administration, including statutory attorney fees and extraordinary fees approved by the Court;
- Decedent's will devises the real property on Pleasant to Petitioner **CYNTHIA BLACKSTOCK** and **ANGELA MANUEL**, Decedent's daughter, who subsequently died, leaving two daughters: **ALISHA WATTS**, and **TSION MULUGETA**; accordingly, the real property residence on Pleasant is distributable to Petitioner **CYNTHIA BLACKSTOCK** as to undivided ½ interest, and to **ALISHA WATTS**, and **TSION MULUGETA**, each as to undivided ¼ interest;
- Prior to the hearing on this petition, Petitioner will file the consents of the distributees to receive the property in undivided interests; Petitioner has also been discussing acquiring the interests of the children of Alisha Watts pursuant to an assignment. In the event that occurs, Petitioner will further amend this petition to allow distribution accordingly.
- Decedent's Will devises the residence in Kent, Washington to her grandchildren, **ALISHA WATTS**, **TSION MULUGETA**, and **LEONARD WILLIAMS** in equal shares; that residence was misappropriated and stolen by Decedent's son, **MICKEY MANUEL, JR.**, and despite initiating ancillary proceedings in Washington State, no part of it was recovered, and the gift has lapsed;
- Decedent's Will devises tangible personal property to Petitioner, which she took possession of and declares the property had no significant value, for which she waives an accounting;
- Decedent's Will gives **\$1.00** to **MICKEY MANUEL, JR.**, with the intent that he be disinherited; Petitioner is unaware of his residence, save that she believes he is out of the state of California under threat of prosecution for criminal activity;
- All the rest, residue and remainder of the estate is distributable to Petitioner;
- Special Notice requested by the Franchise Tax Board was withdrawn; special notice was requested by **MICKEY MANUEL, SR.**, and Petitioner believes he died in the summer of 2015.

~Please see additional page~

3 Second Additional Page, Wilma Ruth Manuel (Estate) Case No. 0609019

Distribution pursuant to Decedent's Will is to:

- **CYNTHIA BLACKSTOCK** – ½ interest in the residence on Pleasant in Fresno, subject to specified liens, as follows:
 - (a) The existing note and deed of trust of **~\$42,000.00**;
 - (b) Statutory fees payable to Attorney Knudson of **\$6,700.00**;
 - (c) Extraordinary fees payable to Attorney Knudson in an amount as approved by the Court **[Need amount]**;
 - (d) Costs advanced of **\$304.00**;
- [and]*
- **[ESTATE OF ANGELA MANUEL]** – ½ interest in the residence on Pleasant in Fresno, subject to specified liens, as follows:
 - (e) The existing note and deed of trust of **~\$42,000.00**;
 - (f) Statutory fees payable to Attorney Knudson of **\$6,700.00**;
 - (g) Extraordinary fees payable to Attorney Knudson in an amount as approved by the Court **[Need amount]**;
 - (h) Costs advanced of **\$304.00.**

NEEDS/PROBLEMS/COMMENTS, continued:

2. Need declaration in support of Attorney's request for extraordinary fees.
3. Need proposed order per Local Rule 7.1.1(F).

Attorney Leigh W. Burnside (for Conservator Joseph Kalashian)

Probate Status Hearing Re: Filing of the Fifth Account

	JOSEPH KALASHIAN, brother, was appointed Conservator of the Person and Estate on 9/10/2008.	NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR Fifth Account Current filed 10/17/2016 is set for hearing on 12/5/2016.
	Proof of Additional Bond of \$231,825.50 was filed 6/6/2016.	
	<i>Minute Order</i> dated 4/9/2015 from the hearing on the Fourth Account set the matter for status hearing on 10/13/2016 for filing of the fifth account of the conservatorship, stating that if the fifth account is filed at least two court days prior, no appearance is necessary.	
Cont. from 101316		
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: LEG
		Reviewed on: 10/20/16
		Updates:
		Recommendation:
		File 4- Kalashian

Probate Status Hearing Re: Filing of the Next Accounting

	PUBLIC GUARDIAN , was appointed Conservator of the Estate on 05/05/2009.	NEEDS/PROBLEMS/COMMENTS: Continued from 07/14/2016
	Letters issued on 05/05/2009	
Cont. from 071416	Order Settling the Third Account was filed on 07/24/2014.	<p>1. Need Fourth Account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Aff.Sub.Wit.		
Verified		
Inventory		
PTC	Minute Order of 07/24/2014 set this Status Hearing for the filing of the Next Account.	
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		Reviewed by: LV
Order		Reviewed on: 10/20/2016
Aff. Posting		Updates:
Status Rpt		Recommendation:
UCCJEA		File 5- Sangster
Citation		
FTB Notice		

Petition for Appointment of Temporary Guardian of the Person

		TEMPORARY EXPIRES 10/27/2016	NEEDS/PROBLEMS/COMMENTS:
		GENERAL HEARING 11/30/2016	
		REARTIST WILLIAMS , maternal aunt, is petitioner	<p><u>Background:</u> Petitioner previously filed for guardianship of minors in 2011. Minute order 11/29/2011 indicates there were no appearances; petition was dismissed without prejudice.</p> <p>Continued from 10/13/2016. Continued for consent or notice as to the mother.</p> <p>The following issue still exists:</p> <ol style="list-style-type: none"> 1. Need proof of personal service of the 10/27/2016 hearing with at least 5 court days notice of <i>Notice of Hearing</i> with copy of temporary petition <u>or</u> consent and waiver of notice for: <ol style="list-style-type: none"> a. Rachel Williams (mother) – <i>unless the Court excuses notice**</i> <p>**Note: The proof of personal service filed 10/7/2016 (for the 10/13/2016 hearing) was defective.</p>
Cont. from 100616, 101316		Please see petition for details.	
<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 type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.	w/	
<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: SEF
			Reviewed on: 10/21/2016
			Updates:
			Recommendation:
			File 7- Smith

First and Final Account and Report of Former Administrator by Lisa R. Green, Successor Administrator

DOD: 1/22/13		<p>LISA R. GREEN, Daughter and Successor Administrator, with Full IAEA with bond of \$25,000.00 (cash to be held in blocked accounts), is petitioner.</p> <p>Petitioner is accounting for the period of time that GWEN G. HEMMINGER acted as Administrator pursuant to Probate Code §10953(c), as Ms. Hemminger is alleged to be an absconding personal representative. Ms. Hemminger, Daughter, a resident of the State of Florida, was appointed Administrator on 5/1/13 with bond of \$550,000.00 and Letters to her on 6/26/13. Ms. Hemminger was removed on 11/19/15 and Letters issued to Ms. Green with bond of \$25,000.00 on 1/12/16.</p> <p>Account period: 6/26/13 – 1/12/16 Accounting: \$711,574.07 / \$715,061.14 (Accounting does not balance)</p> <p>Beginning POH: \$282,251.21 consisting of:</p> <ul style="list-style-type: none"> \$224,751.21 cash real property located at 152 E Street, Fresno valued at \$55,000.00 Household furnishings valued at \$500.00 1973 Chevrolet pickup w/ camper shell valued at \$2,000.00 <p>Ending POH: \$408,619.95 consisting of:</p> <ul style="list-style-type: none"> \$21,798.31 cash real property located at 152 E Street, Fresno valued at \$55,000.00 Household furnishings valued at \$500.00 1973 Chevrolet pickup w/ camper shell valued at \$2,000.00 Judgment against Tascia Tucker filed 3/30/16 in favor of the Estate of Lindsay R. Green in the amount of \$121,306.85 in Fresno Superior Court Case No. 15CECG00450 Judgment against Erma Marzette aka Erma Mayo aka Marzette Erma Green filed 3/30/16 in the amount of \$208,014.79 in Fresno Superior Court Case No. 15CECG00450 <p style="text-align: center;">SEE ADDITIONAL PAGES</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p><u>Cont. from 6/30/16</u></p> <p><u>Update: Supplemental Objection was filed 10/21/16. See Page 4.</u></p> <p><u>Note: On 9/15/16, an order was entered granting authority to pay legal and accounting fees in connection with the petition to recover assets and misappropriation of funds.</u></p> <p style="text-align: center;">SEE ADDITIONAL PAGES</p>	
Cont. from 063016				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" 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			1/12/16
<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			
		<p>Reviewed by: skc</p> <p>Reviewed on: 10/20/16</p> <p>Updates: 10/24/16</p> <p>Recommendation:</p> <p>File 8- Green</p>		

Page 2 – Petitioner provides this accounting on behalf of **Former Administrator GWEN G. HEMMINGER** pursuant to Probate Code § 10953(c). As reflected on the Summary of Account, the total receipts and disbursements do not match, as there may have been other disbursements made from accounts of which Petitioner is unaware. The difference is \$3,487.07.

In addition, the information that has come into the possession of Petitioner reflects that all withdrawals of estate funds were by cash withdrawals or wire transfers for which there is no explanation as to whether they were for the benefit of the estate. A separate petition will be brought for surcharge against the former administrator for the full amounts of the total charges, less her 25% intestate interest in the estate.

Statutory compensation: Request will be made by Petitioner for approval of statutory and extraordinary compensation to be allocated between counsel for Petitioner and the former Administrator upon completion of the administration of the estate.

The file and accounting schedules provide the following details:

- **Beginning POH** per I&A filed 2/20/14 and 3/27/14 total \$282,251.21, which consisted of \$224,751.21 in cash held in four (4) Bank of America accounts. The Final I&A filed 3/27/14 reflected \$57,500.00 and consisted of the residence at 152 E street, furnishings, and the pickup.
- **Receipts Schedule** indicates two receipts totaling **\$100,001.22**, the source of which is unknown.
- **Petitioner states** the Former Administrator opened an account in August 2013 at Bank of America and said account was closed within nine days. She then opened another account at Bank of America (xx7789) which was an estate account, and deposited the sum of **\$206,401.97** on 8/27/13. The Disbursements schedule are disbursements from that account.
- **Disbursements Schedule** indicates total disbursements of **\$306,441.19**, consisting of a wire transfer of \$163,589.08 to Emmanuel, Sheppard and Condon, Attorneys at Law, \$142,852.11 in cash withdrawals and service fees, without explanation.
- **Disbursements Schedule** indicates the account was closed on 4/23/15.
- **Schedule D Property On Hand** indicates **\$21,798.31** remaining in three (3) Bank of America accounts, as well as the real property, furnishings, vehicle, and two judgments recently obtained.

Petitioner prays for an order that the First and Final Account and Report of LISA R. GREEN, Successor Administrator, on behalf of GWEN G. HEMMINGER, Former Administrator, be accepted as filed; and for such other and further orders as the Court may deem proper.

Objection was filed 6/24/16 by Hartford Fire Insurance Company, Surety.

SEE ADDITIONAL PAGES

Page 3 – Objection filed 6/24/16 by Hartford Fire Insurance Company, Surety (re Former Administrator's bond of \$550,000.00) states:

1. The account admittedly does not balance by \$3,487.07, which would be attempted to be fixed prior to any hearing on same. The surety is issuing a subpoena for all bank records held at Bank of America in the name of the decedent, the principal, and the successor administrator, which will hopefully assist in resolving the outstanding issue.
2. A petition to surcharge should be heard in conjunction with the accounting in order to serve the interests of justice and judicial economy. Petitioner contemplates filing a separate petition for surcharge against Ms. Hemminger for the cash withdrawals/transfers for which there are no explanation. Surety expects the successor administrator will seek surcharge not just for those amounts, but also for their own administrator and attorney fees and costs and expenses related to the preparation of the reconstructed account plus penalties and interest owed to tax authorities for failure to timely pay same.

To further complicate matters, it appears the partial I&A filed 2/20/14 showed the value of the estate to be \$224,751.21. This would appear to be all the cash assets at the time of Ms. Hemminger's appointment. However, Schedule C identifies a wire transfer to a Florida law firm for \$163,589.08 and thereafter cash withdrawals of \$198,687.11, which amounts total \$362,276.19.

Therefore, it appears on its face that the disbursements exceed the initial deposit amount of \$206,401.97 and receipts of \$100,001.21, which totals \$306,403.18.

Obviously, the account needs to be amended and heard at the same time as a petition to surcharge.

3. Hartford continues in its efforts to obtain the cooperation of the former administrator and assist the estate in marshaling assets. In response to a Civil Code §2845 demand, the Florida law firm that received the aforementioned wire transfer forwarded correspondence that they never represented the former administrator nor the estate on anything. Florida counsel Alan B. Bookman of Emmanuel, Sheppard & Condon alleges that he represented the seller of real property in which Ms. Hemminger entered into a standard real estate purchase agreement for in Pensacola, FL. It is currently unknown what action, if any, the current administrator will take re this evidence that the principal converted estate assets for her own personal use and benefit by buying herself a home in Pensacola, FL. The outcome of what they do or do not do should be heard in conjunction with the hearing on the first and final account and any petition to surcharge.

While the surety appreciates the efforts of the successor administrator to reconstruct account on behalf of the former administrator, it is clear that this account is incomplete and should be amended to offer more detail as to what transpired during administration by Ms. Hemminger, and any petition to surcharge Ms. Hemminger and her surety Hartford should be heard in conjunction with the account so it is absolutely clear what occurred during her administration.

SEE ADDITIONAL PAGES

Page 4 – Objection filed 10/21/16 by Hartford Fire Insurance Company, Surety states bank records were only recently received by email on 10/15/16 and have not yet been evaluated. Objector therefore requests continuance of 60 days.

Objector has also retained Florida counsel to file a civil lawsuit in Florida to compel the Principal to perform her duties to her surety and perhaps will lead to cooperation and information in the present case.

As previously indicated, in response to a Civil Code §2845 demand that the successor administrator pursue the Florida law firm that received the wire transfer and upon notice to said firm, correspondence asserted that they never represented the former administrator. Mr. Bookman alleges that he represented the seller of real property in which Ms. Hemminger entered into a standard real estate purchase agreement for. The surety has demanded that the successor administrator pursue said real property under Civil Code §2845.

It is currently unknown what action, if any, the current administrator will take re this evidence that the principal converted estate assets for her own personal use and benefit by buying herself a home in Pensacola, FL. The outcome of what they do or do not do should be heard in conjunction with the hearing on the First and Final Account and any petition to surcharge.

The First and Final Account is incomplete and should be amended to offer more details as to what transpired during the administration of the estate by Ms. Hemminger. In addition, any petition to surcharge Ms. Hemminger and her surety should be heard in conjunction with the first and final account so it is absolutely clear what occurred during her administration.

SEE ADDITIONAL PAGES

Page 5 – NEEDS/PROBLEMS/COMMENTS:

1. The I&A reflects that the decedent had four (4) accounts at Bank of America (checking xx2494, money market savings xx2492, savings xx1865, and CD xx0877) totaling \$224,751.21 at his date of death (1/22/13).

Petitioner states the Former Administrator opened an estate account (xx7789) with \$206,401.97 on 8/27/13, made various unexplained deposits and disbursements, and closed said account on 4/23/15. Petitioner does not indicate any estate activity from 4/23/15 through 1/12/16 (a period of approx. 8 months).

However, Petitioner's Schedule D (Ending POH) indicates a total \$21,798.31 remaining in three (3) of the decedent's original accounts at 1/12/16. No breakdown of accounts provided, and Petitioner does not indicate any activity on any of these accounts.

What was the source of the \$206,401.97? Were these funds moved from the original four accounts? Were these original accounts then just left open during this time frame, without any activity, including between 4/23/15 and 1/12/16? What was the breakdown between accounts of the \$21,798.31?

How does the information provided in this account fit with the allegations of the civil litigation for which judgments were obtained? It appears there would have been some overlap in the time frames for the alleged misconduct of the Former Administrator with the unauthorized withdrawals by others from whom judgments were obtained in 15CECG00450.

2. Need clarification of the attorney's anticipated time frame for filing a petition for surcharge in order to set status hearing accordingly.

Probate Status Hearing Re: Filing of First Account

DOD: 12/12/74	<p>DOLORES MEDINA, Daughter, was appointed Administrator with Limited IAEA without bond on 10/30/14 and Letters issued 10/31/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 8/25/16:</u> Counsel requests 60 days.</p> <p><u>Note:</u> On 9/6/16, the Court confirmed the sale of real property. Receipt filed 9/29/16 shows proceeds deposited to blocked account.</p> <p>The following issue remains:</p> <p>1. Need first account or petition for final distribution per Probate Code §12200 or current status report per Local Rule 7.5.</p>
	<p>At the hearing on 10/30/14, the Court set this status hearing for the filing of the first account or petition for final distribution.</p>	
<p>Cont'd from 102915, 010716, 031716, 051916, 082516</p>		
Aff.Sub.Wit.	<p>Status Report filed 8/16/16 states the sole asset of the estate is real property located at 35 E. San Joaquin St., in Fresno. A Report of Sale and Petition for Sale of Real Property was set for hearing on 6/30/16 and continued to 9/6/16 for purposes of notice. Upon order approving the sale and completion of escrow thereon, the Administrator will be able to file a first and final account. Continuance of 60 days is therefore requested.</p>	
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: skc</p> <p>Reviewed on: 10/20/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 9 – Medina</p>

Status RE: Filing of the Inventory and Appraisal

DOD: 1/23/15	<p>BRUCE BICKEL was appointed Administrator with Full IAEA with bond of \$215,000.00 on 9/23/15.</p> <p>Bond was filed 10/6/15 and Letters issued 10/9/15.</p> <p>At the hearing on 9/23/15, the Court set this status hearing for the filing of the Inventory and Appraisal.</p> <p>Status Report filed 2/24/16 states the decedent's conservatorship action Case No. 0237515 which currently holds possession of the assets has not yet concluded. The Second and Final Account is scheduled for hearing on 3/1/16, which petition asks that the assets be delivered to the administrator of the estate. The Administrator has not yet filed an Inventory and Appraisal because the assets have not come into this estate.</p> <p>Therefore, Ms. Horton humbly requests that this status hearing be continued to 3/1/16 or alternatively for 60 days.</p> <p>Partial I&A No. 1 was filed 9/1/16; however, a Final I&A has not yet been filed.</p> <p>Status Report filed 9/27/16 states the conservatorship action which held possession of the assets concluded 7/29/16. The probate referee is working on the final appraisal. 30 days is requested.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 9/29/16: Counsel requests 30 days. No appearance is necessary at the status hearing if the I&A is filed at least two court days prior.</p> <p>1. Need Final Inventory and Appraisal per Probate Code §8800 or current written status report per Local Rule 7.5.</p>
Cont'd from 022516, 050516, 051216, 062316, 072116, 090116, 092916		
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: 10/20/16
		Updates:
		Recommendation:
		File 10- Inman

Petition for Letters of Administration; Authorization to Administer Under the Independent Administration of Estates Act

DOD: 4/27/2013	JOHN E. ROGERS, JR., ESQ. , was appointed Special Administrator with no IAEA Authority without bond with special powers on 8/13/2015.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 6/23/2016. Minute Order states counsel will not receive any more leniency, absent an extraordinary circumstance, to file documents after the date given by the Court. The Court will not allow excuses. A verified status report by the client is due by 10/20/2016. Special Administration Letters extended to 10/27/2016.</p> <p align="center">~Please see additional page~</p>
Cont. from 091015, 102915, 060216, 062316	LETTERS OF SPECIAL ADMINISTRATION EXPIRE ON 9/10/2015; extended to 10/29/2015; extended to 6/2/2016; extended to 6/23/2016; extended to 10/27/2016;	
<input type="checkbox"/> Aff.Sub.Wit.	JOHN E. ROGERS, JR., ESQ. , nominee of Decedent's father, MELVIN COOPER, JR. , is Petitioner and requests appointment as Administrator with Limited IAEA authority without bond.	
<input checked="" type="checkbox"/> Verified	Limited IAEA — OK	
<input type="checkbox"/> Inventory	Decedent died intestate.	
<input type="checkbox"/> PTC	Residence — Fresno	
<input type="checkbox"/> Not.Cred.	Publication — Business Journal	
<input checked="" type="checkbox"/> Notice of Hrg	Estimated value of the Estate:	
<input checked="" type="checkbox"/> Aff.Mail	Personal property - \$0.00*	
<input checked="" type="checkbox"/> Aff.Pub.	*The estate has no assets except for a wrongful death action with regard to Decedent's death.	
<input type="checkbox"/> Sp.Ntc.	Probate Referee: Steven Diebert	
<input type="checkbox"/> Pers.Serv.	Petitioner states: The sole heir of the estate is Decedent's father, MELVIN COOPER, JR. , pursuant to Probate Code § 6402. Attorneys NAZARETH HAYSBERT and MILIN CHUN are attorneys with BOUCHER LLP , the law firm involved with the wrongful death lawsuit filed in federal court on behalf of Decedent's estate.	
<input type="checkbox"/> Conf. Screen	Petitioner John E. Rogers, Jr.'s Status Report for Estate of Rodney Allen Cooper filed 10/20/2016 states:	
<input checked="" type="checkbox"/> Letters	<ul style="list-style-type: none"> The Petitioner filed the <i>Petition for Letters of Administration</i> in order to establish a representative in connection with a wrongful death matter entitled "<i>Melvin Cooper V. Edmund G. Brown, Jr., et al.</i>" in Eastern District Court Case No. [omitted]; The Plaintiff in the federal civil matter is MELVIN COOPER, JR., who is the Decedent's father; Petitioner believes there exists no other assets outside the potential to obtain and collect a judgment in the federal civil matter; 	
<input checked="" type="checkbox"/> Duties/Supp	~Please see additional page~	
<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 checked="" type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed on: 10/21/16
		Updates:
		Recommendation:
		File 11 – Cooper

Petitioner John E. Rogers, Jr.'s Status Report for Estate of Rodney Allen Cooper filed 10/20/2016, continued:

- Petitioner is a licensed California attorney in good standing with the State Bar of California, who also has experience with the probate court system. The Petitioner has no previous professional or personal relationship with the Decedent. The Petitioner is informed that there existed concerns as to whether the members of Decedent's family would qualify for a probate bond in the event the Decedent's estate was funded through the federal civil matter. For this reason, the Petitioner was brought into the probate proceeding by **BOUCHER LLP**, the law firm representing the Plaintiffs in the matter, and therefore the law firm is the Petitioner's direct client. Based on representations by **BOUCHER LLP**, a probate proceeding was necessary in order to continue to pursue the federal civil matter.
- On 5/31/2016, Petitioner, through his counsel of record, was provided an update from **BOUCHER LLP** in the federal civil matter. In the email, Attorney **BRIAN BUSH** stated that the federal civil matter is currently stayed pending the resolution of a consolidated appeal before the United States Court of Appeal, Ninth Circuit on the issue of qualified immunity. Based on further correspondence from **BRIAN BUSH**, dated 10/14/2016, the federal civil matter remains stayed as this matter is up on appeal before the United States Court of Appeal, Ninth Circuit. Oral arguments are not currently scheduled, but all parties have fully briefed the primary issue in the appeal;
- Beneficiaries of the Estate. The decedent died intestate. Petitioner is informed that the [Decedent] is survived by his father, **MELVIN COOPER, JR.**, that the Decedent died without a spouse or domestic partner, and did not leave children or issue of predeceased children;
- Special Administration. Based on representations by **BOUCHER LLP**, a probate proceeding was necessary in order to continue to pursue the federal civil matter. The Court appointed the Petitioner as Special Administrator with special letters issuing on 8/19/2015. As there are no assets besides the potential judgment in the federal civil matter, no assets have been marshaled at this time;
- Inventory and Appraisals. No Inventory and Appraisal has been filed with the Court at this time as general letters have not yet issued. Additionally, there the current value of the estate is dependent on whether a judgment is obtained in the federal civil matter.

Petitioner requests that the Court grant his *Petition for Letters of Administration* to serve as Administrator of the estate of **RODNEY ALLEN COOPER** as prayed. In the alternative, the Petitioner requests a **90-day** continuance of this matter due to the pending appeal in the federal civil matter, with special letters extended to the next hearing date.

NEEDS/PROBLEMS/COMMENTS, continued:

Note Re Future Hearings: If *Petition for Letters of Administration* is granted, Court may set status hearings as follows:

- **Thursday, April 6, 2017 at 9:00 a.m. in Dept. 303** for filing of inventory and appraisal; and
- **Thursday, January 25, 2018 at 9:00 a.m. in Dept. 303** for filing of first account and/or petition for final distribution.

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

~Please see additional page~

Dept. 303, 9:00 a.m. Thursday, October 27, 2016

NEEDS/PROBLEMS/COMMENTS, continued:

Note Re Special Administration: *Ex Parte Order Appointing Special Administrator* filed 8/13/2015 authorizes the Petitioner special powers to pursue wrongful death litigation and to pursue any claims associated with the lawsuit on behalf of the Decedent's estate. *Ex Parte Petition* indicated that appointment of a special administrator was necessary to avoid dismissal of the initial wrongful death complaint which was filed 4/28/2015 by **BOUCHER, LLP**, in federal court without anyone having been appointed as administrator of Decedent's estate, and an amended complaint was required by 8/26/2015.

Note Re Bond: *Attachment 3(d)* to the *Petition* states Petitioner requests no bond be required until such time as assets come into the estate, as there are no funds with which to pay a bond premium. If assets are recovered from litigation on behalf of Decedent's estate, a petition to the Court will be required regarding the need for bond pursuant to Probate Code § 8482 and CA Rule of Court 7.204, which provides that immediately upon the occurrence of facts making it necessary or appropriate to increase the amount of the bond, the personal representative or the attorney must make an ex parte application for an order increasing the bond. Alternatively, the petition can request all funds be placed into a blocked account for the estate.

Notes for background:

- ***Minute Order dated 6/2/2016*** from the previous hearing states counsel represents that a declaration was fax-filed yesterday, but the Court notes that there is no entry in Odyssey at this time. Counsel is admonished that the Court is considering imposing sanctions if a verified status report is not filed. The Letters of Special Administration are extended to 6/23/2016.
- ***[Verified] Supplemental Declaration Re Status of Special Administration filed 6/22/2016 states:*** The Court named John E. Rogers, Jr., as special administrator on 8/19/2015; there is currently pending a federal lawsuit (wrongful death action); on 5/31/2016, *[Attorney Parada]* received an email from Brian M. Bush, an attorney for Boucher, LLP, the attorney of record of the plaintiff in the wrongful death action, stating that the wrongful death action is currently stayed pending the resolution of a consolidated appeal before the U.S. Court of Appeal, Ninth Circuit, on the issue of qualified immunity; Mr. Bush also informed him that the answering briefs in this appellate matter are due in two weeks.
- ***Supplemental Declaration filed 10/27/2015 states [briefly] that John E. Rogers, Jr. is a licensed California Attorney who has no relationship to Decedent, but who would be able to obtain the necessary probate bond; the federal Court has ordered in the wrongful death action that responsive pleadings be filed by 12/11/2015.***
- ***Minute Order dated 10/29/2015*** from a previous status hearing states Counsel represents that there are no assets other than the anticipated proceeds from a successful personal injury case. The Court extends the Letters of Special Administration to 6/2/2016. A verified status report is to be filed by 5/31/2016, and Counsel is ordered to be personally present in court or via CourtCall on 6/2/2016.

Attorney Mario D. Vega; Robert S. Parada; of Los Angeles (for John E. Rogers, Jr., Esq.)

Petition for Letters of Administration; Authorization to Administer Under the Independent Administration of Estates Act

DOD: 11/10/2013	JOHN E. ROGERS, JR., ESQ. , nominee of Decedent's mother, RAMONA TALAMANTEZ , is Petitioner and requests appointment as Administrator with Limited IAEA authority without bond.	NEEDS/PROBLEMS/COMMENTS: Continued from 6/23/2016. Minute Order states counsel will not receive any more leniency, absent an extraordinary circumstance, to file documents after the date given by the Court. The Court will not allow excuses. A verified status report by the client is due by 10/20/2016. Special Administration Letters extended to 10/27/2016.
Cont. from 091015, 102915, 060216, 062316	Limited IAEA — OK	
<input type="checkbox"/> Aff.Sub.Wit.	Decedent died intestate.	
<input checked="" type="checkbox"/> Verified	Residence — Fresno	
<input type="checkbox"/> Inventory	Publication — Business Journal	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Estimated value of the Estate:	
<input checked="" type="checkbox"/> Aff.Mail W/	Personal property - \$0.00*	
<input checked="" type="checkbox"/> Aff.Pub.	<i>*The estate has no assets except for a wrongful death action with regard to Decedent's death.</i>	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	Probate Referee: Rick Smith	
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters	Petitioner states: This estate has no assets and has been opened for the purpose of having a representative to file a wrongful death action with regard to Decedent's death.	
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202	Supplemental Declaration filed 10/27/2015 states [briefly] that John E. Rogers, Jr. is a licensed California Attorney who has no relationship to Decedent, but who would be able to obtain the necessary probate bond.	
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input checked="" type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice	~Please see additional page~	
		Reviewed by: LEG
		Reviewed on: 10/21/16
		Updates: 10/24/16
		Recommendation:
		File 12 – Mendoza

Petitioner John E. Rogers, Jr.'s Status Report for Estate of Ramon Talamantez Mendoza filed 10/21/2016 states:

- The Petitioner filed the *Petition for Letters of Administration* in order to establish a representative in connection with a wrongful death matter entitled "*M. (minor) et al V. Schwarzenegger., et al.*" in Eastern District Court Case No. [omitted];
- The Plaintiffs in the federal civil matter including Decedent's minor children: **CASSIDY RAMONA MENDOZA** and **ISHMEAL PASQUAL MENDOZA**; **RAMONA TALAMANTEZ**, who is the Decedent's mother, is also included as a Plaintiff;
- Petitioner is a licensed California attorney in good standing with the State Bar of California, who also has experience with the probate court system. The Petitioner has no previous professional or personal relationship with the Decedent. The Petitioner is informed that there existed concerns as to whether the members of Decedent's family would qualify for a probate bond in the event the Decedent's estate was funded through the federal civil matter. For this reason, the Petitioner was brought into the probate proceeding by **BOUCHER, LLP**, the law firm representing the Plaintiffs in the matter, and therefore the law firm is the Petitioner's direct client;
- On 5/31/2016, Petitioner, through his counsel of record, was provided an update from **BOUCHER, LLP** in the federal civil matter. In the email, attorney **BRIAN M. BUSH** stated that on 11/9/2015, a complaint for damages was filed with the federal court system, wherein 8th Amendment and 14th Amendment violations were alleged. The parties to the federal civil matter had conducted preliminary discovery, including but not limited to the receipt of the decedent's medical records. Mr. Bush also informed Petitioner's counsel that **BOUCHER, LLP** had filed a motion to withdraw as attorneys for Plaintiffs in the federal civil matter. The withdrawal motion from Boucher LLP was granted by the federal court with the order signed and filed as of 9/20/2016 (*copy of the US District Court Order attached as Exhibit A; copies of the Court's separate findings and recommendations recommending dismissing action for failure to obey a court order and failure to prosecute attached as Exhibit B*);
- As the Petitioner's client is **BOUCHER, LLP**, Petitioner seeks to withdraw his *Petition*, asking that the *Petition* be denied without prejudice.

13 Donald David Roberts (Estate)

Attorney: Marvin T. Helon (for Michelle Sullivan – Administrator)

Case No. 15CEPR00994

Probate Status Hearing RE: Filing of the Inventory and Appraisal

DOD: 6/17/2015	MICHELLE SULLIVAN , spouse, was appointed administrator with will annexed with limited IAEA with \$10,000 bond.	NEEDS/PROBLEMS/COMMENTS:
	Letters issued 1/27/2016.	
Cont. from 062316	Partial no. 1 inventory and appraisal filed 6/8/2016 shows an estate value of \$2,100.00 .	
<input type="checkbox"/> Aff.Sub.Wit.		
<input type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory	Second status report of Attorney Helon filed 10/20/2016 states the partial I&A filed 6/8/2016 reports assets that appear subject to this proceeding. To the best of counsel's knowledge, to date additional assets which require administration and which were not listed in the Partial Inventory No. 1 have not been located or recovered. Under Probate Code 13500 and 13502 assets mentioned in decedent's will left to decedent's spouse do not require and are not subject to administration unless the surviving spouse elects to have the assets administered.	
<input checked="" type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	w/	
<input type="checkbox"/> Aff.Pub.		
<input checked="" type="checkbox"/> Sp.Ntc.	w/	
<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 checked="" type="checkbox"/> Status Rpt	The decedent's affairs and records were in disarray at the time of his passing. Future circumstances or information may warrant the Administrator pursuing further efforts to determine if there is any additional property that needs to be inventoried and administered. However, unless the Administrator later discovers other assets that need to be administered, there presently does not appear to be property (other than that listed in the partial inventory) to inventory and the inventory previously filed should be considered the final.	
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice	If additional assets requiring administration are later discovered or recovered a supplemental inventory can be filed.	
		Reviewed by: SEF
		Reviewed on: 10/21/2016
		Updates:
		Recommendation:
		File 13- Roberts

Petition to Determine Succession to Real Property

DOD: 12/30/2015	SHANNON VIRGINIA MASON, daughter, is petitioner	NEEDS/PROBLEMS/COMMENTS:
	40 days since DOD	
Cont. from 091516	No other proceedings	
<input type="checkbox"/> Aff.Sub.Wit.	I & A - \$145,000.00	
<input checked="" type="checkbox"/> Verified	Decedent died intestate.	
<input checked="" type="checkbox"/> Inventory		
<input checked="" type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Petitioner requests Court	
<input checked="" type="checkbox"/> Notice of Hrg	determination that decedent's 100%	
<input checked="" type="checkbox"/> Aff.Mail w/	interest in real property located at	
<input type="checkbox"/> Aff.Pub.	21158 S. Marks, Riverdale, CA	
<input type="checkbox"/> Sp.Ntc.	(APN: 055-120-30) pass to her in its	
<input type="checkbox"/> Pers.Serv.	entirety, pursuant to intestate	
<input type="checkbox"/> Conf. Screen	succession.	
<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: SEF
		Reviewed on: 10/21/2016
		Updates:
		Recommendation: SUBMITTED
		File 19- Puckett

Petitioner Valerie Jean Bland (Pro Per, mother)

Petition for Appointment of Probate Conservator

		NO TEMPORARY REQUESTED	NEEDS/PROBLEMS/COMMENTS:
		VALERIE JEAN BLAND, mother, is Petitioner.	
		<i>~Please see Petition for details~</i>	
		Court Investigator's Report was filed on 10/21/2016.	
Cont. from 092916			
<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 checked="" type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input checked="" 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 type="checkbox"/>	UCCJEA		
<input checked="" type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 10/20/16
			Updates: 10/24/16
			Recommendation:
			File 20- Bland

21
 Petitioner
 Objector

Andrena Ortega (GUARD/P)
 Colmenero, Vivian (Pro Per – Paternal Great-Grandmother – Petitioner)
 Ramos, Gena B. (Pro Per – Mother – Objector)

Case No. 16CEPR00896

Petition for Appointment of Guardian of the Person

		See petition for details.	NEEDS/PROBLEMS/COMMENTS:	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
✓	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 10/20/16	
			Updates:	
			Recommendation:	
			File 21- Ortega	

Petition for Appointment of Guardian of the Person

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> This petition is for Noah only. <u>Note:</u> A separate petition for guardianship of Manuel, Robert, Liliانا, Jayden, and Jaylyn filed by Paternal Grandmother Norma Torres is set for 12/12/16. 1. 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: - Maternal Grandfather Rick Maltos	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: skc		
		Reviewed on: 10/20/16		
		Updates:		
		Recommendation:		
		File 22- Torres		

Petitioner Raterman, Mary A (Pro Per)

Petition for Probate of Will and for Letters Testamentary

DOD: 04/22/2015		MARY RATERMAN, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Full IAEA - ?	The deficiencies with the pleadings include, but are not limited to, the following:
Cont. from		Residence: Fresno Publication: Need	1. The caption of the petition requests <i>Probate of Will and or Letters Testamentary</i> however it is unclear from the petition if the decedent left a Will or if the decedent died intestate as the petition is incomplete at: <ul style="list-style-type: none"> • #2b regarding what petitioner is seeking appointment as, i.e. Executor, Administrator, Administrator with Will Annexed. • #3e.(1) regarding decedent died intestate, or • #3e.(2) regarding copy of decedent's will dated.
Aff.Sub.Wit.	X		
Verified		Estimated value of the Estate: Real property \$204,000.00 Less encumbrances \$98,000.00 Total \$106,000.00	2. #2c of the petition is incomplete as to full or limited authority be granted to administer estate under IAEA.
Inventory	✓		
PTC		Probate Referee: Rick Smith	3. #2d(1), 2d(2), or #2d(3) of the petition regarding bond is incomplete.
Not.Cred.			
Notice of Hrg	X	Conf. Screen	4. Petitioner is listed on #8 of the petition as Executor only, her relationship to the decedent is unclear.
Aff.Mail	X		
Aff.Pub.	X	Letters	5. Need Confidential Supplement to Duties & Liabilities of Personal Representative, Mandatory Judicial Council Form DE-147S.
Sp.Ntc.			
Pers.Serv.		Duties/Supp	6. Need Affidavit of Publication.
Conf. Screen			
Letters	✓	Objections	7. Need Notice of Petition to Administer Estate.
Duties/Supp	✓		
Objections		Video Receipt	8. Need proof of service of the Notice of Petition to Administer Estate pursuant to Probate Code §8110 on: <ul style="list-style-type: none"> • Jason T. Moody • Vincent T. Moody
Video Receipt			
CI Report		9202	Reviewed by: LV
9202			
Order	✓	Aff. Posting	Reviewed on: 10/20/2016
Aff. Posting			
Status Rpt		UCCJEA	Updates:
UCCJEA			
Citation		FTB Notice	Recommendation:
FTB Notice			
			File 23- Moody

Attorney Deborah K. Boyett (for Petitioners Lisa Stockdale and Stephanie Panek, daughters)
 Attorney J. Stanley Teixeira (Court-appointed for Conservatee)

Petition for Appointment of Probate Conservator of the Person and Estate

		NO TEMPORARY REQUESTED	NEEDS/PROBLEMS/COMMENTS:
		<p>LISA STOCKDALE and STEPHANIE PANEK, daughters, are Petitioners.</p> <p style="text-align: center;">~Please see <i>Petition for details</i>~</p> <p>Court Investigator's Report was filed on 10/21/2016.</p>	
Cont. from			<p>1. <i>Petition</i> requests power to operate for a period longer than 45 days the proposed Conservatee's business constituting an asset of the estate. Item 3(e) of the <i>Petition</i> indicates personal property, but does not indicate annual gross income from personal property, such as profits from a business. Court may require confirmation of the accuracy of the character and estimated value of the property of the estate in order to determine the appropriate amount of bond to be posted by Petitioners. If estate value is accurately estimated, Conservator's bond should be posted at \$62,040.00.</p> <p>2. Item 1(k) of the <i>Petition</i> filed 9/19/2016 requests orders relating to dementia placement or treatment. Since dementia powers are requested, need the mandatory <i>Attachment Requesting Special Orders Regarding Dementia</i> (Judicial Council form GC-313) to be filed with the Court in support of the Petitioners' request.</p>
<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 checked="" type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input checked="" 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 type="checkbox"/>	UCCJEA		
<input checked="" type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 10/20/16
			Updates: 10/24/2016
			Recommendation:
			File 24- Panek

		<u>GENERAL HEARING 01/03/2017</u>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Petition is as to Huiseong Lee only.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Temporary Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Dong Keol Lee (Father)
		HAEYOUNG JUNG, non-relative, is petitioner.	
		<u>Please see petition for details</u>	
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	x	
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	x	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: LV
			Reviewed on: 10/21/2016
			Updates:
			Recommendation:
			File 25- Lee