



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.

Petition for Appointment of Guardian of the Person

		<p>THERE IS NO TEMPORARY. No temporary was requested.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
		<p>ELIZABETH HERNANDEZ, maternal aunt, is petitioner.</p>	<p>Continued from 10/6/16. As of 10/27/16 the following issues remain:</p>
<p>Cont. from 100616</p>		<p>Please see petition for details.</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. Josephine Torres (mother) b. Albert Torres (minor) c. Unknown father 3. Need proof of 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. Unknown paternal grandparents.
<input type="checkbox"/>	Aff.Sub.Wit.		
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<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			<p>Reviewed by: KT</p>
			<p>Reviewed on: 10/27/16</p>
			<p>Updates:</p>
			<p>Recommendation:</p>
			<p>File 1- Torres</p>

Attorney Heather H. Kruthers (for Petitioner Public Guardian)

Fourth and Final Account and Report of Conservator; Petition for Allowance of Compensation to Conservator and Attorney; and Distribution

DOD: 4/16/2016	PUBLIC GUARDIAN , Conservator of the Person and Estate, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
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		Reviewed by: LEG
		Reviewed on: 10/26/16
		Updates:
		Recommendation:
		File 2- Dunlop

Petition for Removal of Administrator

DOD: 10/29/05		DORIS BROSI , Daughter, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Two Requests for Special Notice were filed in this matter. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing on Attorney Jeffrey Jaech of Baker Manock & Jensen, PC (for Louis Brosi, Jr., son), and Lang Richert & Patch, for Thomas Brosi (now deceased, unclear relationship) per Requests for Special Notice filed 10/9/07 and 2/7/08. Probate Code §1252. Notice of Hearing was sent to Attorney Heather Kruthers, but was not sent directly to the Public Administrator. The Court may require proper notice to the PA. The Court may also require notice to Attorney William Keeler and/or Dowling Aaron Incorporated, former attorneys for Cindy Henry. Attorney Keeler filed a Notice of Lien in this estate on 11/6/09. Need order. Local Rule 7.1.1.F.
		Petitioner states Stella Brosi died 10/29/05, a resident of Fresno County.	
		On 1/5/07, a Petition for Probate of Will and Letters Testamentary was filed by the decedent's son Louis Brosi, Jr.	
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<u>SEE ADDITIONAL PAGES</u>			
Reviewed by: skc			
Reviewed on: 10/26/16			
Updates:			
Recommendation:			
File 3A- Brosi			

Page 2 – Petitioner states on 11/27/07, Cindy Henry filed a Petition for Relief from Breach of Trust; to Compel Information and Account in the Louis Brosi, Sr., Trust 07CEPR01213, which sought to unwind certain transactions between Louis Brosi, Jr., as trustee of the Louis Brosi, Sr., Trust, and his sons, which involved the property.

The litigation carried on for years with a settlement in October 2014 involving the property and both the Louis Brosi, Sr., Trust and the Stella Brosi Estate. As part of the settlement, Cindy and Robert assigned their interests in the property and both the Louis Brosi, Sr., Trust and the Stella Brosi Estate to Louis C. Brosi, III. Consequently, neither have any further interest in the property or the Stella Brosi Estate.

Because half of the property owned by the Stella Brosi Estate was involved in the trust litigation, administration, the estate was essentially put on hold and no actions have been taken by the Public Administrator's office other than an appraisal of the property. *[Examiner's note: No I&A has been filed in this estate.]* Now that the trust litigation has been resolved, the Stella Brosi Estate is now in a position to complete the remaining administration tasks and close the estate.

On or about 9/29/16, Attorney Franco contacted Attorney Heather Kruthers to inform her of the trust settlement and the need to complete administration of the Stella Brosi Estate. Ms. Kruthers accepted Mr. Franco's offer to have Doris Brosi replace the PA as Administrator to close the estate. Doris is the named successor trustee of Stella's testamentary trust and is also the successor and current acting trustee of the Louis Brosi, Sr., Trust. As the daughter, she has higher priority than the PA, and the necessity that once existed for the PA to serve no longer exists.

Petitioner prays for an order:

- 1. Removing the Fresno County Public Administrator as Administrator of the Stella Brosi Estate; and**
- 2. For such other and further relief as the Court deems just and proper.**

Page 2

5. Two Requests for Special Notice were filed 10/9/07 and 2/7/08 in this matter. Therefore, need proof of service of Notice of Petition to Administer Estate with a copy of the petition at least 15 days prior to the hearing on Attorney Jeffrey Jaech of Baker Manock & Jensen, PC (attorney for Louis Brosi, Jr.), and Lang Richert & Patch, attorneys for Thomas Brosi (now deceased) pursuant to Requests for Special Notice filed 10/9/07 and 2/7/08. Probate Code §1252.
6. Notice of Petition to Administer Estate was sent to Attorney Heather Kruthers, but was not sent directly to the Public Administrator, who is the current Administrator of the Estate. The Court may require proper notice to the PA.
7. The Court may also require notice be served on Attorney William Keeler and/or Dowling Aaron Incorporated, former attorneys for Cindy Henry, who filed a Notice of Lien in this estate on 11/6/09.
8. Need DE-142 Waiver of Bond from all beneficiaries, or the Court may require bond:
 - Louis Brosi, Jr. (Son)
 - Louis Brosi, III (Grandson)
 - Cindy Henry (Granddaughter)
 - Robert Snow (Grandson)

Note: Although Petitioner alleges in her petition at Page A that Cindy and Robert assigned their interest in this estate to Louis Brosi, III, within the trust litigation settlement, no assignments have been filed within this Estate; therefore, they remain heirs entitled to bond and distribution.

Note: Although Petitioner alleges in this petition that the estate consists of income only in the amount of \$1,369,462.00, her petition at Page A alleges that the estate owns a one-half interest in the real property. Therefore, need estimated value of the decedent's interest in the real property.

Note: The decedent's will was admitted to probate on 8/31/07; therefore, it appears that if granted, the Order and Letters should reflect admission of the will on that date and appointment of Petitioner as Successor Administrator With Will Annexed. Examiner has interlineated the proposed order and Letters accordingly.

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

- Thursday, April 6, 2017 for filing the Inventory and Appraisal
- Thursday, January 4, 2018 for filing the first or final account.

Attorney Lisa Horton (for Petitioner Jennifer Sanchez, maternal aunt)
 Attorney Glenn R. Wilson (for Tony Navarro, father)

Second and Final Account and Report of Guardian and Petition for its Settlement;
 For Allowance of Attorney Fees and Costs Advanced; For Withdrawal of Funds from
 Blocked Account Pursuant to Order after Hearing and Stipulation; and for
 Termination of Guardianship Estate

		<p>JENNIFER SANCHEZ, maternal aunt and Guardian of the Estate with funds placed into a blocked account, is Petitioner.</p> <p align="center">~Please see Petition for details~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note Re Related Family Law Case 08CEFL00595: Court records show that Attorney Glenn Wilson requested a continuance of that matter on behalf of all parties, and was to notify Attorney Horton of the continued Court date, set for an Order to Show Cause on 11/14/2016 in Dept. 203.</p>																																																																			
<p>Cont. from</p> <table border="1"> <tr><td></td><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td>✓</td><td>Verified</td><td></td></tr> <tr><td></td><td>Inventory</td><td></td></tr> <tr><td></td><td>PTC</td><td></td></tr> <tr><td></td><td>Not.Cred.</td><td></td></tr> <tr><td>✓</td><td>Notice of Hrg</td><td>W/</td></tr> <tr><td>✓</td><td>Aff.Mail</td><td></td></tr> <tr><td></td><td>Aff.Pub.</td><td></td></tr> <tr><td></td><td>Sp.Ntc.</td><td></td></tr> <tr><td></td><td>Pers.Serv.</td><td></td></tr> <tr><td></td><td>Conf. Screen</td><td></td></tr> <tr><td></td><td>Letters</td><td></td></tr> <tr><td></td><td>Duties/Supp</td><td></td></tr> <tr><td></td><td>Objections</td><td></td></tr> <tr><td></td><td>Video Receipt</td><td></td></tr> <tr><td></td><td>CI Report</td><td></td></tr> <tr><td>✓</td><td>2620</td><td></td></tr> <tr><td>✓</td><td>Order</td><td></td></tr> <tr><td></td><td>Aff. Posting</td><td></td></tr> <tr><td></td><td>Status Rpt</td><td></td></tr> <tr><td></td><td>UCCJEA</td><td></td></tr> <tr><td></td><td>Citation</td><td></td></tr> <tr><td></td><td>FTB Notice</td><td></td></tr> </table>					Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.		✓	Notice of Hrg	W/	✓	Aff.Mail			Aff.Pub.			Sp.Ntc.			Pers.Serv.			Conf. Screen			Letters			Duties/Supp			Objections			Video Receipt			CI Report		✓	2620		✓	Order			Aff. Posting			Status Rpt			UCCJEA			Citation		
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		<p>Reviewed by: LEG</p> <p>Reviewed on: 10/27/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5- Navarro</p>																																																																				

Attorney
Trustee

Burnside, Leigh W. (for Beneficiary Joshua Davis)
Neilson, Bruce A. (Trustee, in pro per)

Probate Status Hearing

Thomas J. Davis DOD: 6-5-00	<p>JOSHUA DAVIS, Beneficiary, filed a Petition for Order Compelling Trustee to Account and Report on 4/1/14.</p> <p>BRUCE NEILSON, Trustee, filed an Account and Report of Trustee and Petition for Its Settlement on 3/26/15.</p> <p>On 10/7/15, the matter was set for trial on 1/19/16. Pursuant to various stipulations, the trial date was continued to 8/25/16; however, pursuant to Stipulation filed 8/22/16 and Order thereon filed 8/23/16, the Court set the Court set this status hearing.</p> <p>The Stipulation filed 8/25/16 states the trustee has engaged an accountant to prepare a California Probate Code-compliant accounting of the Davis Family 1989 Life Insurance Trust (sic) and the accountant anticipates needing until 9/29/16 to complete the accounting. Rather than have multiple trials, the parties agree the most prudent and efficient course of action would be to complete the new accounting, participate in mediation, and if necessary, proceed to trial later this calendar year. The parties are optimistic that a resolution can be reached after the new accounting is presented. However, if the parties cannot resolve the matter, they wish to proceed with trial but will need additional time to prepare. Accordingly, the parties stipulate that any new trial date set by the court will be used to calculate all discovery deadlines.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note: Page 8 is a related matter.</u></p>
Wealthea Davis DOD: 3-25-98		
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FTB Notice		
	<p>Reviewed by: skc</p> <p>Reviewed on: 10/27/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6- Davis Trust</p>	

Probate Status Hearing

Thomas J. Davis DOD: 6-5-00	<p>JOSHUA DAVIS, Beneficiary, filed a Petition for Order Compelling Trustee to Account and Report on 4/1/14.</p> <p>BRUCE NEILSON, Trustee, filed an Account and Report of Trustee and Petition for Its Settlement on 3/26/15, and an Amended Account on 10/5/15.</p> <p>On 10/7/15, the matter was set for trial on 1/19/16. Pursuant to various stipulations, the trial date was continued to 8/25/16; however, pursuant to Stipulation filed 8/22/16 and Order thereon filed 8/23/16, the Court set the Court set this status hearing.</p> <p>The Stipulation filed 8/25/16 states the trustee has engaged an accountant to prepare a California Probate Code-compliant accounting of the Davis Family 1989 Life Insurance Trust and the accountant anticipates needing until 9/29/16 to complete the accounting. Rather than have multiple trials, the parties agree the most prudent and efficient course of action would be to complete the new accounting, participate in mediation, and if necessary, proceed to trial later this calendar year. The parties are optimistic that a resolution can be reached after the new accounting is presented. However, if the parties cannot resolve the matter, they wish to proceed with trial but will need additional time to prepare. Accordingly, the parties stipulate that any new trial date set by the court will be used to calculate all discovery deadlines.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Page 6 is a related matter.</p>
Wealthea Davis DOD: 3-25-98		
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	<p>Reviewed by: skc</p> <p>Reviewed on: 10/27/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8- Davis Life Ins Trst</p>	

Petition for Final Distribution on Waiver of Account and for Allowance of Compensation for Ordinary Services

DOD: 12/9/2015		<p>DONNA HENDRICK, Executor with full IAEA without bond is petitioner</p> <p>Accounting is waived</p> <p>I&A - \$95,000.00</p> <p>POH - \$95,000.00 <i>(no cash)</i></p> <p>Executor - \$3,800.00 <i>(statutory)</i></p> <p>Attorney - \$3,800.00 <i>(statutory)</i></p> <p>Costs - \$1,395.00 <i>(for filing, publication and probate referee fees)</i></p> <p>Distribution, pursuant to decedent's will, is to:</p> <p>Dean Clark – real property located at 2745 E. Holland, Fresno CA 93726)</p>	NEEDS/PROBLEMS/COMMENTS:	
Cont. from				
	Aff.Sub.Wit.			
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✓	FTB Notice			
<p>Reviewed by: SEF</p> <p>Reviewed on: 10/26/2016</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 9- Clark</p>				

Waiver of First and Final Account and Report of Administrator and Petition for Settlement; for Allowance of Compensation to Attorney for Ordinary Services; and for Final Distribution

DOD: 12/24/2015	BRENT PIUS , administrator with full IAEA without bond, is petitioner	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Page 4, ¶15 and 16 of the petition state that the 2005 GMC truck, sold for \$500.00 and is identified as item 4, to attachment 2 of the Partial I&A. However, item 4 of the Partial I&A lists a 1985 Toyota. This appears to be a clerical error as the Toyota Truck is no longer listed on the property on hand schedule. Need clarification. Petitioner requests that three creditor's claims filed by himself and family affiliations, be allowed by the Court. CA Rules of Court 7.401 requires each creditor's claim received by the court to be allowed or rejected and a copy of the allowance or rejection to be filed with the court. Per petitioner's request, need <i>Allowance or Rejection of the Creditor's Claim</i> (Judicial Council Mandatory Use Form DE-174) submitted for the Court's approval. Per item 2, above, it appears the estate is not in a condition to be closed. If the creditor's claims are allowed by the Court as requested, they must be satisfied prior to distribution of the estate.
	Accounting is waived	
	I&A - \$312,950.00	
Cont. from	POH - \$317,408.63 (\$5,258.63 is cash)	
<input type="checkbox"/> Aff.Sub.Wit.	Administrator - waives	
<input checked="" type="checkbox"/> Verified	Attorney - \$9,253.00 (statutory)	
<input checked="" type="checkbox"/> Inventory	The estate consisted of noncash assets. Petitioner paid from his own personal funds for the benefit of the estate during the course of administration, the following:	
<input checked="" type="checkbox"/> PTC	\$15,156.16 (DMV fees, loan payoffs, mortgage payments, insurance, etc)	
<input checked="" type="checkbox"/> Not.Cred.	\$1,697.50 (filing, publication and probate referee fees)	
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner requests the Court acknowledge his payments and costs advanced.	
<input checked="" type="checkbox"/> Aff.Mail w/	Petitioner and petitioner's spouse (father and mother of decedent) filed two creditors' claims for amounts loaned to decedent in 2015 and owed to them prior to their son's death. An additional claim was filed for decedent's funeral expenses. Administrator seeks court approval of the three creditor claims. Both claimants are heirs of the estate. Although there is insufficient cash in the estate to pay the above-mentioned claims, petitioner seeks to have them approved by the Court. No other claims have been filed or presented against the estate. The estate is solvent.	
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Please see additional page.		<p>Reviewed by: SEF</p> <p>Reviewed on: 10/26/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10- Pius</p>

Supplemental information regarding pending creditor's claims:

\$83,664.19 Pius Construction, Inc. and Brent and Diana Pius (*loan by corporation to decedent for home repairs and improvements; home purchased needed extensive work*)**

\$20,706.22 Diana Pius (*money loaned to decedent during home purchase - appliances, HOA dues, drywall work, fence repair, pool resurfacing, etc.*)

\$7,652.30 Diana Pius and Brent Pius (*funeral expenses*)

**Declaration filed 7/28/2016 in support of creditor claim by Pius Construction states Diana Pius and Brent Pius are President and Secretary, respectively, of Pius Construction, Inc. They are the parents of decedent, who purchased a home in Prather, CA in December 2014. Declarants loaned decedent funds to make the house habitable. They did not formalize the loan with a promissory note and/or a deed of trust on the real property so as not to interfere with decedent's first deed of trust with Wells Fargo.

Declarants did have an agreement whereby decedent would repay amounts when he could afford to do so. Declarants kept a running tally of all amounts borrowed and payments made. Because declarants own a construction company, they paid workers from the corporation to occasionally work on decedent's house, which decedent agreed to repay. Although declarants are the heirs at law in this estate and will, under the laws of intestate succession, inherit decedent's home, they felt it was important to memorialize the loan by filing a creditor's claim against the estate.

All costs and labor expended by declarants, as shareholders in Pius Construction, Inc., in and for repairing, updating and maintaining decedent's home was in the form of a loan to decedent.

Distribution, pursuant to intestate succession of property on hand consisting of real property, furniture and furnishings and personal effects, autos, cash and a firearm, are to:

Diana Pius (50%)

Brent Pius (50%)

11
 Petitioner
 Objector

Angelee Ibarra (GUARD/P)
 Ragsdale, Alyssabeth Rose (Pro Per – Sister – Petitioner)
 Ibarra, Rosenda (Pro Per – Mother – Objector)

Case No. 16CEPR00537

Petition for Appointment of Guardian of the Person

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: Note: See Minute Order of 8/25/16 re visitation for Rosenda Ibarra (mother). 1. Petitioner filed Declarations of Due Diligence on 9/21/16 and 10/13/16 re Richard Ibarra, Father. If diligence is not found, need notice, pursuant to Probate Code §1511.	
Cont. from 072116, 082516, 092216				
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		Reviewed by: skc		
		Reviewed on: 10/25/16		
		Updates:		
		Recommendation:		
		File 11- Ibarra		

Attorney: Melvin K. Rube (for Petitioner Lois Harris Perkins)

Attorney: Thomas A. Markeson (for Objector Andre Perkins)

Petition to Determine Succession to Real Property

DOD: 8/3/15		<p>LOIS HARRIS PERKINS, surviving spouse, is petitioner.</p> <p>40 Days since DOD.</p> <p>No other proceedings.</p> <p>Will dated: 3/23/05 devises entire estate to spouse, Lois Harris Perkins.</p> <p>I & A - \$110,000.00</p> <p>Petitioner requests Court determination that Decedent's interest in real property pass to her pursuant to Decedent's will.</p> <p>Opposition to Petitioner to Determine Succession to Real Property and Will Contest of Purported Will, Petition for Breach of Contract; Petition for Specific Performance of Contract; Petition for Damages for Unjust Enrichment; Petition for Declaratory Relief filed by Andre Perkins on 9/28/16. Objector believes the will to be a forgery. It should be noted that LOIS HARRIS PERKINS has failed to submit the original will to the clerk of the court as required by Probate Code §8200. Furthermore, in 2009 the decedent promised to transfer the 1643 Fifth Street property to Objector and his brothers in exchange for work Objector did at that house and on his father's residence. Objector alleges he performed under the agreement and is entitled to enforce that contract.</p> <p>Objections include a Will contest, breach of contract to make a will, specific performance of contract, unjust enrichment/restitution, and declaratory relief.</p> <p style="text-align: center;">Please see additional page</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute order dated 9/29/16 states Mr. Rube represents that his client does not wish to proceed any longer, and will be filing a request for dismissal. Additionally, he represents that she will no longer make the mortgage payments, but will instead walk away from the home.</p> <ol style="list-style-type: none"> 1. There is no record that the original will has been deposited. Probate Code §8200. 2. Attachment 11 does not state the decedent's interest in the real property as required. 3. Need Order.
Cont. from 090816, 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		
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<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		
		<p>Reviewed by: KT</p> <p>Reviewed on: 10/27/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12- Perkins</p>	

Amended Opposition to Petitioner to Determine Succession to Real Property and Will Contest of Purported Will, Petition for Breach of Contract; Petition for Specific Performance of Contract; Petition for Damages for Unjust Enrichment; Petition for Declaratory Relief filed by Andre Perkins on 10/25/16.

Petitioner Tammy Marie Jones Swanegan (Pro Per, daughter)
 Attorney Curtis D. Rindlisbacher (Court-appointed for Conservatee)

Petition for Appointment of Probate Conservator of the Person and Estate

		NO TEMPORARY REQUESTED	<p>TAMMY SWANEGAN, daughter, is Petitioner.</p> <p style="text-align: center;">~Please see Petition for details~</p> <p>Court Investigator's Report was filed on 9/1/2016.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 9/8/2016. Minute Order [Judge Vogt] states examiner notes provided in open court.</p> <p>Note: Court records show Petitioner filed on 9/26/2016 the following documents:</p> <ul style="list-style-type: none"> • Copy of Advanced Health Care Directive, apparently signed by proposed Conservatee and notarized on 4/15/2014. • Copy of General Durable Power of Attorney, apparently signed by proposed Conservatee and notarized on 4/15/2014. • Request for Dismissal of the instant petition, which on 9/27/2016 was not entered as requested for the following reasons: "Dismissal is not appropriate based upon Court Investigator Report filed on 9/1/2016 and appointment of counsel for proposed Conservatee on 8/24/16. Hearing remains set on 11/3/2016." A copy of the rejection was placed in the pro per Petitioner's runner box for the document preparer assisting Petitioner. <p style="text-align: center;">~Please see additional page~</p>
Cont. from 090816				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input checked="" type="checkbox"/>	Cap. Dec.			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg	X		
<input type="checkbox"/>	Aff.Mail	X		
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input checked="" type="checkbox"/>	Conf. Screen			
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<input type="checkbox"/>	Objections			
<input checked="" 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 checked="" type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			<p>Reviewed by: LEG</p> <p>Reviewed on: 10/26/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13- Jones</p>	

NEEDS/PROBLEMS/COMMENTS, continued:**The following issues from the last hearing remain:**

1. Need *Notice of Hearing* and proof of service by mail of the notice with a copy of the *Petition for Appointment of Probate Conservator* showing notice was mailed at least **15 days** before the hearing pursuant to Probate Code § 1822 for all of the relatives named in the *Petition* pursuant to Probate Code § 1822(b)(2).
2. *Proof of Personal Service* of the *Citation* filed 8/29/2016 does not show notice was personally served to the proposed Conservatee at Item 3(a), as the proof does not indicate a date and time of service; additionally, no date is indicated at the signature of the person serving the notice (Bernardo Yniguez.) Need proof of personal service of the *Citation* at least **15 days** before the hearing pursuant to Probate Code § 1824.
3. Court may require Petitioner to provide additional information in Item 5(c) of the *Petition* filed 8/8/2016, as supporting facts for the Court to determine that the proposed conservatee is unable to properly provide for her personal needs for physical health, food, clothing, or shelter.
4. Need *Confidential Supplemental Information Form* (Judicial Council form GC-312) to be filed with the Court pursuant to Probate Code § 1821.
5. Item 1(k) of the *Petition* filed 8/8/2016 requests orders relating to dementia placement or treatment. Since dementia powers are requested, need the mandatory *Attachment Requesting Special Orders Regarding Dementia* (Judicial Council form GC-313) to be filed with the Court in support of the Petitioner's request.
6. *Petition* is **not marked** at Item 1(g) for the Court to consider granting medical consent powers. Additionally, *Petition* is **not marked** at Item 9(a) indicating that there is no form of medical treatment for which the proposed Conservatee has the capacity to give an informed consent. However, Item 9(b) is marked indicating that a *Medical Capacity Declaration* in support of Petitioner's request is filed with the *Petition*. Need confirmation regarding whether Petitioner requests medical consent powers in addition to the separate and distinct dementia powers.
7. Since dementia powers are requested, need the mandatory *Dementia Attachment to Capacity Declaration - Conservatorship* (mandatory-use Judicial Council form GC-335A) to be filed as part of the *Capacity Declaration* completed by the physician.

Note: Bond is required for conservatorship estates pursuant to Probate Code § 2320 and CA Rule of Court 7.207, except for the value of any real property of the proposed conservatee, which cannot be sold without Court approval. Real property valued at **\$203,000.00** is indicated as the only asset of the proposed conservatee. Court may waive bond (if Petitioner's representation is accurate regarding the estate assets) under Probate Code § 2321 which provides the Court may not waive bond without a good cause determination that Conservatee will not suffer harm as a result of the waiver.

Attorney: Gregory J. Roberts (for Kathleen Sowell)

Attorney: Deborah Boyette (Court-appointed for proposed conservatee)

Petition for Appointment of Probate Conservator

		<u>NO TEMPORARY REQUESTED</u>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 9/22/2016. Continued for investigation to be completed.</p> <p>Court Investigator to provide:</p> <ul style="list-style-type: none"> • Advisement of rights • Investigation report <p style="text-align: center;"><i>See additional page.</i></p>	
		<p>KATHLEEN SOWELL, sister, is petitioner and requests appointment as conservator of the person and estate with medical consent powers and bond of \$51,000.00.</p> <p style="text-align: center;"><i>Please see petition for details.</i></p>		
Cont. from 092216				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
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<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.			w/
<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 type="checkbox"/>	CI Report			x
<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: SEF	
			Reviewed on: 10/26/2016	
			Updates:	
			Recommendation:	
			File 14- Partridge	

NEEDS/PROBLEMS/COMMENTS, *continued*:

Note: If the petition is granted, status hearings will be set as follows:

- **Tuesday, December 6, 2016** at 9:00 am in Department 303, for the filing of the bond.
- **Tuesday, March 7, 2017** at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal.
- **Tuesday, January 9, 2018** at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

Attorney Gary G. Bagdasarian (for Petitioner Alice Colleen Bethel)

Petition for Letters of Administration; Authorization to Administer under IAEA

DOD: 7/31/2016	ALICE COLLEEN BETHEL , daughter, is Petitioner and requests appointment as Administrator with full IAEA without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 10/20/2016. Minute Order [Judge Hamilton] states matter is continued due to the issues raised in the examiner notes.</p> <p>Note: If <i>Petition</i> is granted, Court will set status hearings as follows:</p> <ul style="list-style-type: none"> • Monday, April 3, 2017, at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and • Monday, January 8, 2018 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution. <p>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 is required.</p>
Cont. from 102016		
Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Full IAEA — OK	
Inventory		
PTC	Decedent died intestate.	
Not.Cred.		
Notice of Hrg	N/A Residence — Fresno Publication — Business Journal	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	Estimated value of the Estate: Personal property - \$190,000.00 Annual income PP - \$ 1,000.00	
Conf. Screen		
<input checked="" type="checkbox"/> Letters	Total - \$191,000.00	
<input checked="" type="checkbox"/> Duties/Supp		
Objections	Probate Referee: Rick Smith	
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 10/26/16
		Updates:
		Recommendation:
		File 18- Bethel

Petition to Determine Succession to Real Property

DOD: 8/13/14	LEO AGUIRRE, JR. is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Need Amended Petition based on but not limited to:</p> <ol style="list-style-type: none"> 1. It appears that the petitioner is not the sole heir of the decedent. Decedent's death certificate lists a daughter, Susie Garcia. In addition, an attachment to the Notice of Hearing lists other persons, identified as family members. Pursuant to intestate succession, all children of the decedent and any children of a deceased child are entitled to a share of the decedent's property. Probate Code §13150 provides that all who succeed to the property must also be petitioners. Therefore need amended petition with all persons entitled to a share of the estate as petitioners. 2. Need attachment 11 indicating the decedent's interest in the property. 3. #13 does not state the specific property interest claimed. 4. Need attachment 14 listing the names, ages and relationship, and address of all persons entitled to notice. 5. Need order
	40 days since DOD.	
	No other proceedings.	
Cont. from	Decedent died intestate.	
<input type="checkbox"/> Aff.Sub.Wit.	I & A - \$85,150.00	
<input checked="" type="checkbox"/> Verified	Petitioner requests ???	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
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<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
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<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: 10/27/16
		Updates:
		Recommendation:
		File 20- Aguirre

Petition to Determine Succession to Real Property

DOD: 6/30/16		<p>RANDY J. FORISTIERE, CHERI O'HALLORAN, and MICHAEL A. FORISTIERE, adult children of the decedent, are Petitioners.</p> <p>40 days since DOD</p> <p>No other proceedings</p> <p>I&A: \$145,000.00 (real property located at 4855 E. Turner in Fresno)</p> <p>Will dated 3/12/12 devises the estate to Petitioners in equal shares.</p> <p>Petitioners request Court determination that the decedent's real property passes to them in undivided one-third interests each pursuant to the decedent's will.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
S/P	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
	PTC		
	Not.Cred.		
N/A	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: 10/27/16
			Updates:
			Recommendation: SUBMITTED
			File 22- Foristiere