



ATTENTION

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

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

Thank you for your patience.

1 Glenda Allison (Estate)

Case No. 02CEPR00788

Atty Diener, Tanlyn Gail (pro per former Executor)
Atty Kruthers, Heather (for Administrator, Public Administrator)

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

DOD: 4/28/2002	TANLYN G. DIENER was appointed as Executor with full IAEA authority and without bond on 11/19/2002.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 7/31/14. Minute order states Attorney Kruthers requests a 90 day continuance for the inventory and appraisal and the final distribution to be filed.</p> <p>1. Need inventory and appraisal, first account, petition for final distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
	Letters issued on 11/19/2002.	
Cont. from 13114, 050214, 073114	Inventory and appraisal was due April 2003.	
Aff.Sub.Wit.	First account or petition for final distribution was due December 2003.	
Verified	Notice of Status Hearing was mailed to Tanyn Diener on 11/15/13.	
Inventory	Minute order dated 1/31/14 states the Court on its own motion removes Tanlyn G. Diener as the executor and appoints the Public Administrator as the personal representative. The Public Administrator is directed to take whatever actions are necessary.	
PTC	Letters issued to the Public Administrator on 2/13/14.	
Not.Cred.	Former Status Report filed on 7/29/14 states Senior Probate Assistant Susan Banuelos researched the Court file and discovered only one asset, which is the IRA at American Express. She tried to contact the executor without success. Ms. Banuelos will be contacting American Express to learn more about the asset. In order to allow time to further investigate this mater, the Public Administrator respectfully requests the next status hearing be set no sooner than 90 days from the date of this status hearing.	
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 on: 11/4/14
		Updates:
		Recommendation:
		File 1 – Allison

DOD: 1-12-89	MARY ELLEN RODRIGUEZ and DOLORES TRUJILLO , Daughters, were appointed as Co-Administrators without IAEA and with bond of \$8,000.00 on 1-16-1990.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: The Co-Administrators were previously represented by attorney Jin Ishikawa, now deceased. Pursuant to Substitution of Attorney filed 10-1-14, Attorney Danielle Guerrero now represents the sole remaining Administrator, Dolores Trujillo.</p> <p>Minute Order 8-14-14: The Court needs the inventory and appraisal as well as an accounting. Mary Ellen Rodriguez is deceased. The Court directs that her death certificate be filed with the Court. The house is for sale for \$10,000.00. The matter is continued to cure the defects listed in the Examiner Notes.</p> <p>Note: I&A filed 10-1-14 indicates that the estate consists of residential real property valued at \$30,000.00 at the decedent's date of death.</p> <p>1. Need account or petition for final distribution pursuant to Probate Code §12200 or verified written status report pursuant to Local Rule 7.5.</p>
Cont. from 081414, 100214	Bond was filed and Letters issued on 1-17-1990.	
Aff.Sub.Wit.	Nothing further was filed.	
Verified		
Inventory	The open estate was discovered and the Court set this status hearing.	
PTC		
Not.Cred.		
Notice of Hrg	Notice of Status Hearing was sent to Dolores Trujillo on 7-2-14.	
Aff.Mail		
Aff.Pub.	<u>Note:</u> The original petition for probate estimated the estate to contain personal property valued at \$7,000.00 and real property valued at \$55,000.00; however, no Inventory and Appraisal was ever filed pursuant to Probate Code §8800.	
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp	<u>Note:</u> The original petition indicated that the decedent had 10 adult children who would be heirs to this estate.	
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed on: 11-4-14
		Updates:
		Recommendation:
		File 2 – Rodriguez

Petition for Termination of Proceedings Due to Lack of Assets and Inability to Reach the Personal Representative and Request to Defer Filing Fee

DOD: 2/7/2005	NANCY J. LeVAN , Attorney of record for Executor Grace Stuckey, is Petitioner.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Notes:</p> <ul style="list-style-type: none"> Minute Order dated 9/8/2014 from the Probate Status Hearing Re: Failure to file the Inventory and Appraisal and/or Failure to File a First Account or Petition for Final Distribution states: The Court allows Attorney LeVan to file a petition without the filing fee. The Court will determine if the fees will be deferred at the hearing. Notice of Status Hearing filed 11/21/2013 set the first status hearing for failure to file on 2/21/2014. The status hearings had been continued to 6/6/2014, 7/7/2014, and 9/8/2014, with no Status Reports having been filed since 2/19/2014. <ol style="list-style-type: none"> Need proof of 15 days' mailed service of Notice of Hearing to the FRANCHISE TAX BOARD with a copy of the <i>Petition for Termination of Proceedings Due to Lack of Assets</i>, per the Request for Special Notice filed 3/19/2007 pursuant to Probate Code §§ 1250 and 1252. (Note: Creditor's Claim was filed 3/19/2007 by the Franchise Tax Board in the amount of \$2,054.49.) Proposed order makes several findings that are not included in the <i>Petition for Termination of Proceedings Due to Lack of Assets</i>, such as the lack of assets to satisfy the Franchise Tax Board claim; proposed order cannot contain findings not contained in the pleadings or prayer for Court order.
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified	<ul style="list-style-type: none"> Petitioner submits her petition under Probate Code § 12251(a – c) alleging: <ul style="list-style-type: none"> Petitioner files this petition due to the inability to reach the personal representative; There were no assets marshaled into the estate and there are no assets to inventory; There were no other assets subject to administration; Numerous attempts to contact Ms. Stuckey failed; letters sent to Ms. Stuckey have been returned with "Return to Sender; Attempted – Not Known; Unable to Forward;" Although there was a phone listing on the internet for a Grace Stuckey, the person who answered the phone was not her and he told Petitioner he did not know such person; Due to the inability to reach the personal representative and Petitioner's belief that there are no assets to administer, Petitioner prays for an order: <ol style="list-style-type: none"> Terminating the proceedings due to lack of assets; Discharging the attorney of record due to the inability to locate or contact the personal representative; Deferring the filing fee due to inability to reach the personal representative and due to the fact there are no assets to pay the filing fee. 		
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input type="checkbox"/> Notice of Hrg	X		
<input type="checkbox"/> Aff.Mail	X		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.	X		
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters			
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: LEG
			Reviewed on: 11/3/14
			Updates:
			Recommendation:
			File 3 – Hayes

Notice of Hearing on Termination of Conservatorship

Age: 21	<p>KATHLEEN WELLS and SAMUEL WELLS, parents, were appointed co-conservators of the person on 06/11/2011.</p> <p>Letters issued on 07/14/2011.</p> <p>Notice of Status Hearing filed 08/27/2014 set this matter for hearing.</p> <p>Notice of Status Hearing was mailed to Attorney Joel Winter, Kathleen Wells and Samuel Wells.</p> <p>Court Investigator Samantha Henson's report filed 08/26/2014.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 10/3/14. Minute order (Judge Jane Cardoza) states no appearances. The Court requires proof of a conservatorship established in Utah. Mr. Winter is ordered to appear on 11/6/14. – Copy of the minute order mailed to Joel D. Winter on 10/3/14.</p>
Cont. from 100314		
Aff.Sub.Wit.		
Verified		
Inventory		
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Not.Cred.		
Notice of Hrg		
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Sp.Ntc.		
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Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
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Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: KT</p> <p>Reviewed on: 11/4/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 - Wells</p>

DOD: 4-4-12	LOUIS WAYNE WIEBE , Son, was appointed Executor with Full IAEA without bond and Letters issued on 6-25-12.	NEEDS/PROBLEMS/COMMENTS: <u>Minute Order 8-23-13: No appearances.</u> Matter continued to 10/11/13. Jeffrey Simonian is ordered to be personally present on 10/11/13 if the first account and petition for final distribution have not been filed. <u>Minute Order 10-11-13: No appearances.</u> The Court sets the matter for an Order to Show Cause on 12-13-13 regarding Jeffrey Simonian's failure to appear and imposition of sanctions in the amount of \$500.00. Jeffrey Simonian and Louis Wiebe are ordered to be personally present on 12-13-13. Continued to 12-13-13. OSC set on 12-13-13. <u>Minute Order 12-13-13:</u> Counsel informs the Court that the estate has sold the real property and is disposing of the vehicles. The OSC is dismissed. <u>Minute Order 2-14-13:</u> Continued to 4-15-14. <u>Minute Order 4-15-14:</u> Only issue left is the creditor's claims. <u>Minute Order 6-17-14:</u> Continued to 9-4-14 <u>Minute Order 9-4-14:</u> Continued to 11-6-14 <u>Note:</u> I&A filed 11-27-12 indicates a total estate value of \$208,915.73 consisting of cash and various real and personal property. <u>Note:</u> There are four (4) separate creditor's claims filed in this estate. <ol style="list-style-type: none"> 1. Need first account or petition for final distribution or verified written status report pursuant to Local Rule 7.5. 2. Need proof of service of Notice of Hearing on Wells Fargo Card Services per Request for Special Notice filed 6-5-12.
Cont from 082313, 101113, 121313, 021414, 041514, 061714, 090414	On 6-25-13, the Court set this status hearing for the filing of the first account or petition for final distribution.	
Aff.Sub.Wit.	Status report filed 6-16-14 states the estate has been liquidated and is in a position to close. However, to creditors of the estate have issued a form 1099-C, cancellation of debt for 2013, even though the estate has not closed. The attorney contacted the claimants to determine if the 1099-C is intended as a waiver of their claims against the estate and both confirmed. However, the issuance of the 1099-C forms causes implications that were not anticipated, and the cancellation of debt results in taxable income of \$15,562.97 for the estate and a return will need to be filed for calendar year 2013. Therefore, additional time is needed. Status report filed 9-3-14 states the cancellation of indebtedness resulted in taxable income for 2013 requiring income tax return for the estate. Additional time is needed to complete and file the proper fiduciary income tax returns. The estate will likely be closed as an insolvent estate. Mr. Simonian will attend the hearing.	
Verified		
Inventory		
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Notice of Hrg		
Aff.Mail		
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Duties/Supp		
Objections		
Video Receipt		
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Citation		
FTB Notice		
Reviewed by: skc		
Reviewed on: 11-4-14		
Updates:		
Recommendation:		
File 5 – Wiebe		

Age: 77	<p>HEATHER AGUIRRE, daughter, was appointed Conservator of the Person and Estate on 4/22/2013 with deposits of \$307,420.76 to be placed into a blocked account. <i>Letters</i> issued on 4/23/2013.</p> <p>Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account filed 10/28/2013 shows deposit of funds totaling \$307,420.76.</p> <p>Final Inventory and Appraisal filed 11/26/2013 shows an estate consisting of all cash in the sum of \$307,420.76.</p> <p>Pursuant to Probate Code § 2620(a), first account was due on 4/23/2014.</p> <p>Status Hearing Report filed 9/8/2014 states:</p> <ul style="list-style-type: none"> • Conservatorship of the Estate was originally sought in April 2013 in order for the Conservatee to receive an inheritance share from the estate of his late brother; • At that time, Conservatee was under the care and control of the Coalinga State Mental Hospital in Coalinga, California, where he was serving a lifetime civil commitment; • In August 2013, the inheritance funds were received by Conservator of the Estate and placed into a blocked account, where the funds remain; • Several days following the 7/25/2014 status conference, at which the Court granted a continuance to 9/8/2014, the Conservatee was transferred from the Coalinga State Mental Hospital to a skilled nursing facility in Clovis, California, because the criminal matter related to his civil commitment was dismissed by a Los Angeles County court on 7/26/2014; • Soon thereafter, Conservator petitioned this Court to also be appointed Conservator of the person • Because of the circumstances relating to the Conservatee's sudden change of residence, and the recent filing of the <i>Petition for Conservatorship of the Person</i>, a short continuance of 30 to 45 days is respectfully requested in order to complete the First Account. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u> First Account and Report of Conservator filed 10/07/14 and set for hearing on 11/20/14</p>
Cont. from 072514, 090814, 100214		
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		
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Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: JF</p> <p>Reviewed on: 11/04/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7A - MacMurray</p>	

Age: 77		<u>TEMPORARY EXPIRES 10/02/14</u>		NEEDS/PROBLEMS/COMMENTS:	
		<p>HEATHER AGUIRRE, daughter, is Petitioner and requests appointment as Conservator of the Person with medical consent and dementia powers.</p>		<p><u>CONTINUED FROM 10/02/14</u> Minute Order from 10/02/14 states: Natalie Nuttall appears via Court Call. Ms. Nuttall requests a dismissal due to the death of Mr. MacMurray. The Court needs a death certificate.</p>	
Cont. from 100214		<p>Declaration of Ara Soghomonian, M.D. supports request for medical consent powers and the dementia power to administer dementia medications.</p>		<p>As of 11/04/14, no death certificate has been filed.</p>	
	Aff.Sub.Wit.			Voting rights affected, need minute order.	
✓	Verified			Court Investigator advised rights on 09/19/14.	
	Inventory			<ol style="list-style-type: none"> Petitioner is requesting dementia powers, but the Petition is missing the Attachment Requesting Special Orders Regarding Dementia. It is therefore unclear what dementia powers are requested. Need receipt for watching Conservatorship Video. 	
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail	w/			
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.	w/			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt	x			
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA				
✓	Citation				
	FTB Notice				
				Reviewed by: JF	
				Reviewed on: 11/04/14	
				Updates:	
				Recommendation:	
				File 7B - MacMurray	

8 Rick Brannon, Sr. (CONS/PE)

Case No. 13CEPR00330

Atty Kruthers, Heather H (for Petitioner/Conservator Public Guardian)

Atty Teixeira, J. Stanley (for Conservatee)

Status Hearing Re: Filing of the First Account and Report of Conservator

Age: 60 years	<p>PUBLIC GUARDIAN was appointed conservator of the person and estate on 5/29/13.</p> <p>Letters issued on 5/30/13.</p> <p>Appraisal filed on 9/3/13 shows the value of the estate at \$43,281.05.</p> <p>Minute order dated 5/29/13 set this status hearing for the filing of the first account.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR.</u> First Account filed and set for hearing on 12/18/14.</p>
Cont. from 080114		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 11/4/14
		Updates:
		Recommendation:
		File 8 – Brannon

		<p>BROOKE A. CASTLE, Granddaughter and Conservator, is Petitioner.</p> <p>Petitioner states she was appointed as Conservator of the Person and Estate of Patricia Stott on 8-15-13.</p> <p>Patricia Stott's immediate family consists of a sister, a daughter-in-law, adult grandchildren, and her stepson, Clayton James "Jim" Stott, who is currently the trustee of the Conservatee's revocable survivor's trust executed on 2-15-13.</p> <p>Petitioner requests to modify the Conservatee's current revocable Survivor's Trust solely for the purpose of appointing a third party professional fiduciary, H.F. RICK LEAS, with Central Valley Fiduciary Services, as sole acting trustee. The Conservatee has indicated to Petitioner that in an effort to diminish any continued conflict between the trustee (Mr. Stott) and the conservator (Petitioner), she wishes to have a neutral fiduciary act as the sole trustee of her survivor's trust.</p> <p>Currently, Ms. Castle, as conservator of the estate, is reliant upon Mr. Stott to provide sufficient funds from the trust to the conservatorship estate in order to pay the conservatee's numerous bills and living expenses. As this Court is well aware, the parties in this matter have sought the Court's assistance on several occasions to resolve their disputes.</p> <p>Mr. Leas is agreeable to act as trustee and is named in the proposed trust (Exhibit A). On the conservatee's death, the trustee will distribute as currently provided in the conservatee's existing estate plan. Petitioner is informed and believes that the Conservatee is in favor of the proposed action, and the proposed action would have no adverse effect on the estate.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: \$435 remains due from Clayton James Stott for the hearing required on the matter of his Ex Parte Application for Order Limiting Powers of Conservator as ordered per minute order on 2-5-14.</p> <p>Note: Pursuant to Minute Order 2-5-14, both matters were granted and orders as modified by the minute order were to be submitted for signature; however, it does not appear that orders were submitted.</p> <p>Note: Clayton James Stott was previously represented by Attorney Paul Franco; however, pursuant to Substitution filed 2-19-14, he is now represented by Attorney Gary Motsenbocker.</p> <p>1. This petition for substituted judgment, in essence, seeks to remove the existing current trustee Clayton James Stott, from office in a trust which was previously created by the Conservatee prior to conservatorship. An action for removal would need to be brought in a separate case under applicable law and with appropriate notice. See Probate Code §§ 17200, 15642, etc. Regardless of whether substituted judgment is granted, a separate trust action must be filed and heard under applicable law.</p> <p>2. The Court may require clarification as to why substituted judgment for an entirely new trustee is preferable to the named successor trustee, Darlene Stott, if Clayton James Stott is removed.</p> <p>3. Petitioner appears to assume that this modification requires continuing jurisdiction. However, Cal. Rules of Court 7.903 applies to trusts <u>funded</u> by Court order under Probate Code §2580. This trust was already funded and the modification does not affect the assets or funding. Therefore, need clarification and authority for continuing jurisdiction.</p> <p>Please also note, again, that if this petition is granted, a separate trust action must be filed for such continuing jurisdiction. See #1 above and Local Rule 7.1.2.</p>	
Cont. from 080814, 090514				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	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>SEE ADDITIONAL PAGES</p>	<p>Reviewed by: skc</p> <p>Reviewed on: 11-4-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 9A – Stott</p>	

Page 2

Petitioner states the Conservatee as a reasonably prudent person would indeed take the proposed action herself if not under a conservatorship. Petitioner states the Conservatee originally felt "badgered" by Mr. Stott with issues related to her financial assets, most of which are held in the trust, and therefore nominated Petitioner as her conservator. Most recently, for several months, Mr. Stott has failed to provide any funds to Ms. Castle from the trust which are necessary for Ms. Castle to pay the conservatee's bills and expenses. As such, Ms. Castle is unable to perform her duties as conservator.

As stated, the Conservatee has requested that a neutral person take over the responsibilities as trustee of her trust in order to alleviate the ongoing conflict between Mr. Stott and Ms. Castle and for the Conservatee's personal well-being and benefit.

The proposed modified trust (Exhibit A) includes the same provisions for distribution on the conservatee's death as the current trust, and becomes a trust subject to continuing jurisdiction under Cal. Rules of Court 7.903.

Petitioner requests an order:

1. **Authorizing and directing BROOK A. CASTLE, as Conservator of the person and estate of PATRICIA G. STOTT, to execute and date the modified proposed trust (entitled THE PATRICIA STOLL GREGORY STOTT REVOCABLE SURVIVOR'S TRUST ESTABLISHED PURSUATN TO COURT ORDER), attached as Exhibit A to this order, on behalf of PATRICIA G. STOTT, pursuant to California Probate Code Sections 2580(a)(1) and 2580(b)(11)(A); and**
2. **For such other and further relief as the Court deems proper.**

Objections filed 3-10-14 by Clayton James Stott state he has served as successor trustee for a number of years, is presently serving as the sole successor trustee at the special request and insistence of Patricia Stott Gregory Stott aka Patricia Stott, the Conservatee. Objector is informed and believes that there is no basis in law for Petitioner's request; neither Probate Code §2580(a) nor §2580(b)(11)(A) and §2580 provide for removal of a currently serving successor trustee who is not in breach of his duties as trustee. The Conservatee, while fully competent prior to appointment of Petitioner as conservator, nominated, elected, and appointed Objector as a successor trustee over her estate, entrusted and surrender her investment account to Objector and his brother Timothy Stott as successor co-trustees some years ago. Timothy Stott passed away in July 2012. Objector has had recent discussions with the Conservatee and she has assured him that it is her preference that he remain in place.

Petition for Payment of Attorney's Fees

Age: 87 years	JENNIFER WALTERS, petitioner was Court appointed to represent the Conservatee on 1/3/14.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: <ol style="list-style-type: none"> a. Public Guardian (conservator) b. Heather Kruthers (attorney for conservator) c. Lizibet E. Rousseau (conservatee) 3. Order Appointing Jennifer Walters as Counsel states "This order is only effective as to the above named attorney and no other attorney may serve it his or her place." Fee request includes time charged for attorney Lisa Horton (2.40 hours @ \$225.00 per hour for a total of \$540.00), time charged for and unknown person with the initials CE (.40 hours @ \$145.00 per hour for a total of \$58.00) and another unknown person with the initials JRL (.40 hours @ \$55.00 per hour for a total of \$22.00). Court may require clarification. 4. Request for fees includes mileage totaling \$10.08. Mileage is considered a cost of doing business and is not reimbursable. <p>Please see additional page.</p> <p>Reviewed by: KT</p> <p>Reviewed on: 11/4/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 - Rousseau</p>
Cont. from	PUBLIC GUARDIAN was appointed Conservator of the Person and Estate on 8/26/14.	
Aff.Sub.Wit.		
✓ Verified	Petitioner requests fees in connection with the representation of the Conservatee for (1) the son, Albert Rousseau's petition for appointment of Conservator and (2) the subsequent petition of the Public Guardian to be appointed conservator.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	X	
Aff.Mail	X	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	Petitioner asks that she be paid from the conservatorship estate for 17.5 hours @ \$245.00 per hour for herself, 3.2 hours for others ranging from \$55.00 per hour to \$225.00 per hour for a total of \$4,917.58.	
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt	In addition petitioner request reimbursement of costs totaling \$435.00 for the filing fee.	
CI Report		
9202		
✓ Order	Services are itemized by date and include review of documents, visits with client, and court appearances.	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

5. Fee request includes 2.40 hours (\$588.00) for Petitioner to travel to and from court. Local Rule 7.17B.5. states travel to and from court is considered to be cost of doing business and is not reimbursable.
6. Order does not comply with Local Rule 7.6B – No riders or exhibits may be attached to the order. (Note: Order includes all the billing statements as an attachment when it should include the request for fees in a narrative format.)

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

DOD: 12/27/2013	VICTORIA PUMO , daughter/named executor without bond, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Attorney did not sign the petition. Decedent's will does not meet the requirements of a valid will under Probate Code §6110. The will was notarized but was not signed by two witnesses as required. The Will is not self-proving. Need proof of subscribing witness. – See declaration filed on 8/20/14 Proposed personal representative is a resident of Colorado. Probate Code 8571 states notwithstanding a waiver of bond, the court in its discretion may require a nonresident personal representative to give a bond in an amount determined by the court. Need wavier of bond from Rhonda Boren. (Will devises Rhonda \$1.00) <p><u>Please see additional page for Status Hearings</u></p>
	Petitioner is a resident of Castle Rock, Colorado	
	All heirs waive bond. See Note #5	
Cont. from 100214	Full IAEA – o.k.	
<input type="checkbox"/> Aff.Sub.Wit.	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/> Verified	Will dated: 10/20/2005	
<input type="checkbox"/> Inventory	Residence: Fresno	
<input type="checkbox"/> PTC	Publication: The Business Journal	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Estimated value of the Estate	
<input checked="" type="checkbox"/> Aff.Mail	Personal property - \$30,000.00	
<input checked="" type="checkbox"/> Aff.Pub.	Real property - \$146,000.00	
<input type="checkbox"/> Sp.Ntc.	Total - \$176,000.00	
<input type="checkbox"/> Pers.Serv.	Probate Referee: Rick Smith	
<input type="checkbox"/> Conf. Screen	Declaration filed 08/20/2014 states at the time that her father prepared his Last Will and Testament, the petitioner was in communication with him, was aware of his desires and wishes, was aware of his health and mental condition, was aware he had prepared the Will. When her mother was alive, she had an Advance Health Care Directive prepared, and the Notary Public came to the house to witness her signature notarize the document. Based upon this procedure, petitioner's father believed that having his signature notarized on the Will was more legal and binding than having it witnessed by two witnesses. Therefore, he took it to a Notary Public to sign it. Petitioner has searched for the Notary Public who notarized the Will, Mickey Flowers, without success. Petitioner's attorneys have also searched for said Notary Public, and the website for the Secretary of State does not indicate that he/she has a current Notary Public license. The attorney have written to the Secretary of State for further information as to the Notary and his/her licensing. Petitioner' brothers were also in communication with the father regularly before his death, and are aware of the contest of the Last Will and Testament and agree that the original Will in their father's possession at the time of his death is the last Will and Testament of their father in existence at the time of his death.	
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LV / KT
		Reviewed on: 11/4/14 (KT)
		Updates:
		Recommendation:
		File 11 - Fees

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

- **Thursday, 12/11/2014 at 9:00a.m. in Dept. 303** for the filing of the Bond, if required **and**
- **Thursday, 04/09/2015 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal **and**
- **Thursday, 01/07/2016 at 9:00a.m. in Dept. 303** for the filing of the first account and final distribution.

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

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 11/13/13	JOHN MCMURRAY , son, was appointed as Executor with full IAEA and without bond on 04/10/14.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 09/12/14</u> Minute Order from 09/12/14 states: No appearances. Mr. Armo is ordered to personally appear unless Inventory & Appraisal is filed.</p> <p>Clerk’s Certificate of Mailing filed 09/12/14 states that a copy of the minute order was mailed to Lance Armo, Terri Holford, and Alva Holford on 09/12/14.</p> <p>1. Need Inventory & Appraisal and/or current written status report.</p>
Cont. from 091214	ALVA HOLFORD , surviving spouse, filed a Spousal Property Petition on 07/11/14. The Petition was dismissed on 08/19/14 when no one appeared at the hearing. (Petition to Remove Personal Representative and Petition for Order for Issuance of Citation for Examination Regarding Property of the Estate were also dismissed due to no appearances).	
Aff.Sub.Wit.		
Verified		
Inventory	x	
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202 Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 11/04/14
		Updates:
		Recommendation:
		File 12 - Holford

Atty LeVan, Nancy J., sole practitioner (for Karen Maxwell Grimes, Administrator)

(1) Report of Administration of Administrator and Petition for Settlement Thereof Upon Waiver of Account; (2) for Allowance of Statutory Compensation for Administrator; (3) for Statutory Fees for Attorney; and (4) for Final Distribution

DOD: 7/18/2013	KAREN MAXWELL GRIMES , daughter and Administrator with Lost Will Annexed, is Petitioner.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. <i>Petition</i> requests distribution to the successor trustee of the 2004 HELEN MAXWELL REVOCABLE TRUST. Pursuant to Local Rule 7.12.5, if property in the estate is to be distributed to a pre-existing trust, the current trustee must file a declaration setting forth the name of the trust, its establishment date, and taxpayer identification number, verifying that the trust is in full force and effect, and that the trustee has an executed copy of the trust in possession. Paragraph 18 of the <i>Petition</i> regarding the Trust does not include all of the information required by the local rule, nor does the <i>Exhibit A to Report of Administrator</i> that was filed on 10/7/2014, which contains only a copy of Page 9 of the Trust, naming JOANNE MAXWELL LEATHERMAN as Successor Trustee. Need declaration of trust signed by the Successor Trustee containing the information required by Local Rule 7.12.5.</p> <p>Note: Proposed order has been interlineated to include the name of the Successor Trustee, and to comply with Local Rule 7.6.1, requiring that the order include the specific cash amount to be distributed.</p> <p>Reviewed by: LEG</p> <p>Reviewed on: 11/4/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13 – Maxwell</p>
	Accounting is waived.		
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.	I & A	— \$221,267.89	
<input checked="" type="checkbox"/> Verified	POH	— \$221,158.16 <i>(all cash)</i>	
<input checked="" type="checkbox"/> Inventory			
<input checked="" type="checkbox"/> PTC	Administrator <i>(statutory)</i>	— \$7,425.35	
<input checked="" type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg	Attorney <i>(statutory)</i>	— \$7,425.35	
<input checked="" type="checkbox"/> Aff.Mail		W/	
Aff.Pub.	Distribution pursuant to Decedent's Lost Will is to:		
Sp.Ntc.	<ul style="list-style-type: none"> JOANNE MAXWELL LEATHERMAN as Successor Trustee of the 2004 HELEN MAXWELL REVOCABLE TRUST dated 10/29/2004 – entire estate consisting of \$206,307.46 cash. 		
Pers.Serv.			
Conf. Screen			
Letters 041714			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
<input checked="" type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
<input checked="" type="checkbox"/> FTB Notice			

Age: 90	On 06/03/14, LINDA COURTNEY , daughter, filed a Petition for Appointment of Probate Conservator.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 09/18/14</u> Minute Order from 09/18/14 states: The Court signs order appointing approved reporter. Amended Petition will be filed.</p> <p>Note: Linda Courtney, has filed an Amended Petition for Probate of the Person and Estate that is set for hearing on 12/08/14.</p>
	RICHARD NATIVIDAD , son, filed an Objection on 06/10/14.	
Cont. from 091814		
Aff.Sub.Wit.	At the hearing re Temporary Conservatorship on 06/11/14, the matter was set for a Court Trial on 08/12/14.	
Verified		
Inventory		
PTC		
Not.Cred.	Minute Order from Court Trial on 08/12/14 , states: Parties are working on a settlement agreement and set this matter for status regarding Settlement Agreement.	
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 11/04/14
		Updates:
		Recommendation:
		File 14 - Keehn

Attorney Knapp, Bonnie J.; Kimball, Patrick K., of Glendale (for Petitioner Eric Schloen, Special Administrator)

Petition for Termination of Further Proceedings and Discharge of the Personal Representative

DOD: 11/30/2013	ERIC SCHLOEN, Special Administrator appointed without bond on 6/23/2014, is Petitioner. Letters will expire on 1/22/2015.	NEEDS/PROBLEMS/COMMENTS:
Cont. from	I & A - waived per Order for Probate signed 6/23/2014 appointing the Special Administrator.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		
	<p>Petitioner states:</p> <ul style="list-style-type: none"> • Petitioner, as agent of COMMUNITY REGIONAL MEDICAL CENTER, the hospital at which the Decedent died, was appointed Special Administrator for the limited purpose of obtaining Medi-Cal benefits for the decedent to settle medical bills incurred by decedent prior to his death; • Petitioner has diligently searched for all assets of the Decedent but has not been able to discover any property of any kind belonging to the Decedent that would otherwise be subject to administration, and at all times prior to filing until the present time, this estate has been insolvent <i>[emphasis in original]</i>; • Consistent with Probate Code § 9202, Petitioner has given written notice to the CA Dept. of Health Care Services Estate Recovery Division, as well as the Franchise Tax Board's Probate Unit <i>(copy of notice and response from each attached)</i>; • Petitioner has concluded the reason and purpose of this estate, and there is no longer any need for the continued administration of the estate; Medi-Cal eligibility has been established <i>(copy of proofs of eligibility attached)</i>. <p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> 1. Terminating further proceedings for the administration of the estate; and 2. Discharging Petitioner as the personal representative of the estate. 	
		Reviewed by: LEG
		Reviewed on: 11/4/14
		Updates:
		Recommendation: SUBMITTED
		File 16 - Gibbs

Atty Gleason, Mark J., of Dowling Aaron Inc. (for Petitioners Cecelia Pesa and Cynthia Dolan)

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

DOD: 8/2/2014	CECELIA J. PESA and CYNTHIA A. DOLAN, daughters and named Co-Executors without bond, are Petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Item 3(c)(7) of the <i>Petition</i> lists a total of \$222,694.75 as the estimated value of the estate; however, based upon the amounts listed in (c)(1) through (c)(6), that total appears incorrect as it exceeds the values listed by \$2,000.00, such that the correct estimated total value of the estate appears to be \$220,694.75.</p>
Cont. from	Full IAEA – O.K.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Will Dated: 12/7/2010	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Residence: Fresno	
<input checked="" type="checkbox"/> Notice of Hrg	Publication: Business Journal	
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input checked="" type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Estimated value of the Estate:	
<input type="checkbox"/> Pers.Serv.	Real property - \$200,000.00	
<input type="checkbox"/> Conf. Screen	Personal property - \$ 20,694.75	
<input type="checkbox"/> Aff. Posting	Total - \$220,694.75	
<input checked="" type="checkbox"/> Duties/Supp	Probate Referee: Rick Smith	
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input checked="" type="checkbox"/> Letters		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: LEG
		Reviewed on: 11/4/14
		Updates:
		Recommendation:
		File 18 – Whitted

