

Atty Sanoian, Joanne

Atty Perkins, Jan T.

Probate Status Hearing Re: Filing Accounting

Age:		NEEDS/PROBLEMS/COMMENTS: <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>Amended petition filed 11-1-12 is set for hearing on 12-13-12.</p>
DOD:		
Cont. from		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<input type="checkbox"/>	Notice of Hrg	
<input type="checkbox"/>	Aff.Mail	
<input type="checkbox"/>	Aff.Pub.	
<input type="checkbox"/>	Sp.Ntc.	
<input type="checkbox"/>	Pers.Serv.	
<input type="checkbox"/>	Conf. Screen	
<input type="checkbox"/>	Letters	
<input type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input type="checkbox"/>	CI Report	
<input type="checkbox"/>	9202	
<input type="checkbox"/>	Order	
<input type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: skc
		Reviewed on: 11-2-12
		Updates:
		Recommendation:
		File 1 - Cloud

Probate Status Hearing Re: Filing First Account and Inventory & Appraisal

DOD: 4-19-04	<p>STEPHEN RONALD CLOUD was appointed Executor with full IAEA without bond on 8-29-06 and Letters Issued 8-30-06.</p> <p>Inventory and appraisal was due 12-29-06.</p> <p>First account or petition for final distribution was due 8-30-07.</p>	NEEDS/PROBLEMS/COMMENTS:
		<p>Note: This is the 15th status hearing regarding this matter.</p> <p>At the last hearing on 8-9-12, the Court set this status hearing as an Order to Show Cause for Stephen Cloud Re: failure to act as Executor and sanctions in the amount of \$1,000.00. Notice was mailed to Stephen Cloud, Jr. and Jan Perkins.</p> <p>Examiner's Note: Examiner notes that the notice to Steven Cloud <u>Jr.</u> may have been a clerical error; however, the addresses provided in the Court file are the same. <u>To clarify:</u> Steven Ronald Cloud is the Executor; Steven Cloud, <u>Jr.</u>, is an heir.</p> <p>Note: An amended accounting has been filed in the related conservatorship estate (0458379) and is set for hearing on 12-13-12.</p>
<input type="checkbox"/> Aff.Sub.Wit.		
<input type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 11-2-12
		Updates:
		Recommendation:
		File 2 - Cloud

(1) Final Report of Personal Representative Request for Approval of Report and (2) Authorization and Reserve

DOD: 7/27/2006		ANN SHINAVER , Executor, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Petitioner was originally represented by Attorney Gary Shinaver. Pursuant to Probate Code §10814 Mr. Shinaver would be entitled to a portion of the statutory attorney fees. Statutory attorney fees do not appear to be calculated correctly. Schedule E does not comply with California Rules of Court, Rule 7.705. Need corrected schedule E. Petition states there was an amended Inventory and appraisal filed. There is no record that an amended inventory and appraisal has been filed. Also an amended inventory would only be required if the original inventory needed to be amended in some way. The real property sold for a gain. A gain on sale should be listed on a separate schedule for gains on sales and not by filing an amended inventory. Need itemization of expenses of Executor. Order is incorrect. It references the amended inventory that has not been and should not be filed. Need revised order. 	
		Accounting is waived.		
Cont. from		I & A - \$ 39,400.27		
Aff.Sub.Wit.		POH - \$113,872.30		
<input checked="" type="checkbox"/>	Verified	Executor - \$3,436.17		
<input checked="" type="checkbox"/>	Inventory	Executor costs - \$521.40		
<input checked="" type="checkbox"/>	PTC	Attorney - \$3,436.17		
<input checked="" type="checkbox"/>	Not.Cred.	Closing - \$2,100.00		
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail	Distribution, pursuant to Decedent's Will, is to:		
	Aff.Pub.	David Cameron - \$34,792.85		
	Sp.Ntc.	Paul Schuette - \$34,792.85		
	Pers.Serv.	Ann Shinaver - \$34,792.85		
	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
	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			
				Reviewed by: KT
				Reviewed on: 11/5/12
			Updates:	
			Recommendation:	
			File 3 - Davies	

(1) Second and Final Account and Report of Conservator; (2) Petition for Allowance of Compensation to Conservator and Attorney; (3) for Authorization to Sell Personal Property and Retain Proceeds [Prob. C. 1860; 2620; 2623; 2630; 2631; 2942]

DOD: 4/14/12	PUBLIC GUARDIAN , Conservator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 2/6/08 – 4/14/12	
	Accounting - \$32,775.50	
Cont. from	Beginning POH - \$ 2,469.28	
<input type="checkbox"/> Aff.Sub.Wit.	Ending POH - \$ 2,815.35	
<input checked="" type="checkbox"/> Verified	Subsequent Account period: 4/15/12 – 8/8/12	
<input type="checkbox"/> Inventory	Conservator - \$1,709.60 (9.10	
<input type="checkbox"/> PTC	Deputy hours @ \$96/hr and 11.00 Staff hours @	
<input type="checkbox"/> Not.Cred.	\$76/hr)	
<input checked="" type="checkbox"/> Notice of Hrg	Attorney - \$1,250.00 (less than	
<input checked="" type="checkbox"/> Aff.Mail W/	per Local Rule)	
<input type="checkbox"/> Aff.Pub.	Bond fee - \$112.50 (o.k.)	
<input type="checkbox"/> Sp.Ntc.	Petitioner request that due to the insufficiency of	
<input type="checkbox"/> Pers.Serv.	the estate to pay the fees and commissions that	
<input type="checkbox"/> Conf. Screen	a lien be imposed upon the estate for any unpaid	
<input type="checkbox"/> Letters	balances of the authorized fees and commissions.	
<input type="checkbox"/> Duties/Supp	Petitioner states after the payment of fees and	
<input type="checkbox"/> Objections	commissions there will be no assets remaining to	
<input type="checkbox"/> Video Receipt	distribute to the deceased conservatee's heirs.	
<input type="checkbox"/> CI Report	Petitioner requests the authority to sell the	
<input type="checkbox"/> 9202	deceased conservatee's personal property and	
<input checked="" type="checkbox"/> Order	keep the proceeds as partial payment of their	
<input type="checkbox"/> Aff. Posting	fees and commissions.	
<input type="checkbox"/> Status Rpt	Petitioner prays for an Order:	
<input type="checkbox"/> UCCJEA	1. Approving, allowing and settling the	
<input type="checkbox"/> Citation	second and final account.	
<input type="checkbox"/> FTB Notice	2. Authorizing the conservator and attorney	
	fees and commissions	
	3. Payment of the bond fee	
	4. Authorize petitioner to impose a lien on	
	the estate for any unpaid balances of	
	authorized fees and commissions	
	Reviewed by: KT	
	Reviewed on: 11/2/12	
	Updates:	
	Recommendation:	
	File 4 - Overgaard	

(1) Petition for Final Distribution on Waiver of Accounting and (2) for Allowance of Statutory Attorneys' fees and (3) Costs of Administration

DOD: 9-27-10		LOUISE SCHIOTIS , Executor with full IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Petitioner does not state whether there were any actions on the rejected creditor's claims. Need clarification. 2. Probate Code §11801 requires distribution to post-deceased beneficiaries with the same effect as if made while the beneficiary was living. Therefore, distribution would be ½ to Petitioner and ½ to Joseph Schiotis' estate. 3. Petitioner requests reimbursement for the cost of copies in the amount of \$3.00. Pursuant to Local Rule 7.17.B.1., photocopy expenses are considered a cost of doing business and not reimbursable. The Court will reduce reimbursement of costs by \$3.00 to \$1180.50. Reviewed by: skc Reviewed on: 11-2-12 Updates: Recommendation: File 6 - Timpano
		Accounting is waived.	
		I&A: \$230,106.67	
		POH: \$32,613.50 (\$60.00 cash plus a one-half interest consisting of 2,500 shares in Anton-Warren, Inc., dba Allstate Leasing & Sales)	
		Executor (Statutory): Waived	
		Attorney (Statutory): \$7,602.13	
		Costs: \$1,183.50 (filing, certified letters, publication, copies)	
		Decedent's will devises the entire estate to Petitioner and her husband Joseph Schiotis (Decedent's nephew); however, Joseph Schiotis died in 2011.	
		Petitioner states there was more than \$100,000.00 in credit card debt, not including the mortgage, and no funds with which to pay the claims. All creditor's claims were rejected timely. The real property was returned to the mortgage holder because there were not sufficient funds in the estate to maintain the mortgage or utilities/maintenance on the property. Further, the beneficiaries did not want the liability of a second home. Petitioner states the shares of stock in Anton-Warren, Inc., dba Allstate Leasing & Sales have no value per the corporation's CPS, who advised that the corporation has not made income in the last few years.	
		Petitioner requests distribution of the entire estate to Louise Schiotis, 100%.	
Aff.Sub.Wit.			
✓	Verified		
✓	Inventory		
✓	PTC		
✓	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
✓	Letters	2-8-11	
Duties/Supp			
Objections			
Video Receipt			
CI Report			
✓	9202		
✓	Order		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
✓	FTB Notice		

Petition of Will Scott Jr. to Allocate Contingent Debt

DOD: 10/22/2011	WILL SCOTT, Jr. , surviving spouse, is petitioner.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Michelle Scott was appointed as Administrator with Will Annexed with full IAEA authority and bond set at \$165,000.00 on 2/2/2012. On 7/17/2012 Order was signed reducing the bond to \$10,000.00. Minute order states any funds held in excess to be held in a blocked account. Bond was ordered to be filed within 5 days of the order. As of 11/5/12 bond has not been filed and Letters have not issued. Michelle Scott has no power to Administrator the estate until Letters issue. Probate Code §8400.</p> <p>Note: A Settlement Conference Re: Will Contest and Petition of Will Scott, Jr. to Revoke Probate or Purported Holographic Will was continued to 11/13/12.</p> <p>1. Need Order</p>	
	Petitioner states there is one alleged debt of Petitioner and Decedent known to Petitioner that is subject to allocation, that being the contingent debt represented by a suit on a 2009 promissory note signed by the Decedent and Petitioner, being Los Angeles County Superior Court Case No. BC471669, <i>Melita Montgomery v. Will Scott, Jr. and Does 1 – 10 inclusive</i> ("the Collection Case").			
Cont. from	Petitioner has denied the allegations made in the Collection Case, which is still active and pending and Petitioner is defending same at his own expense.			
<input type="checkbox"/> Aff.Sub.Wit.	The note sued upon in the Collection Case has not been paid in full, and the Collection Case seeks an award of damages in excess of \$70,000 plus interest, costs and attorney's fees.			
<input checked="" type="checkbox"/> Verified	Petitioner alleges the debt represented by the Collection Case and the note sued upon should be allocated because:			
<input type="checkbox"/> Inventory	a. The alleged debt represents a joint and several community debt of the Decedent and Petitioner, for which Decedent's estate remains jointly and severally liable.			
<input type="checkbox"/> PTC	b. The Plaintiff in the Collection Case has elected to sue only Petitioner on the alleged debt, as is her prerogative.			
<input type="checkbox"/> Not.Cred.	c. As joint obligators, Petitioner has a right of contribution against his co-obligator, Decedent's estate, to recover on-half the amount of the Judgment entered in the Collection Case in the event that the alleged debt is found to be valid.			
<input checked="" type="checkbox"/> Notice of Hrg	<p align="center">Please see additional page</p>			
<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 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: 11/5/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8 - Scott</p>				

The allocation proposed by Petitioner is the sequestration of the sum of \$54,565.00 in cash (primarily) or other property (secondarily) held by the estate (applied first as to Decedent's share, of community property, if any, and second to Decedent's separate property, if any) from which petitioner will be paid an amount equaling one-half of any settlement entered into by Petitioner in the Collection Case or, in the event there is not settlement amount, an amount equaling one-half of any final judgment entered in the Collection Case.

Petitioner estimates the total contingent debt represented by the Collection Case to be \$109,130.00, based on an estimated October 2013, trial date in the Collection Case and note and allegations of the Complaint in the Collection Case.

Wherefore, Petitioner prays:

1. That the Court order the Personal Representative/Administrator to sequester the sum of \$54,565.00 in cash, (primarily) or other property (secondarily) held by the estate (applied first as to Decedent's share, of community property, if any, and second to Decedent's separate property, if any) from which petitioner will be paid an amount equaling one-half of any settlement entered into by Petitioner in the Los Angeles Superior Court Case No. BC471669, Melita Montgomery V. Will Scott, Jr. and DOES 1 to 10 inclusive or, in the event there is not settlement amount, an amount equaling one-half of any final judgment entered in the Los Angeles Superior Court Case No. BC471669, Melita Montgomery V. Will Scott, Jr. and DOES 1 to 10 inclusive, with the remainder, if any, to be distributed pursuant to further order of the Court;
2. That Petitioner be awarded his costs of suit.

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

DOD: 8/20/12		<p>DONALD S. PRIES, named executor without bond, is petitioner.</p> <p>Full IAEA – o.k.</p> <p>Will dated: 6/27/2008</p> <p>Residence: Fresno Publication: Fresno Business Journal</p> <p>Estimated value of the estate:</p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$298,000.00</td> </tr> <tr> <td>Annual income</td> <td>-</td> <td>\$ 2,000.00</td> </tr> <tr> <td>Total</td> <td>-</td> <td>\$300,000.00</td> </tr> </table> <p>Probate Referee: Steven Diebert</p>	Personal property	-	\$298,000.00	Annual income	-	\$ 2,000.00	Total	-	\$300,000.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, April 5, 2013 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. • Friday, January 10, 2014 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>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.</p>
Personal property	-		\$298,000.00									
Annual income	-		\$ 2,000.00									
Total	-		\$300,000.00									
Cont. from												
<input type="checkbox"/>	Aff.Sub.Wit.		S/P									
<input checked="" type="checkbox"/>	Verified											
<input type="checkbox"/>	Inventory											
<input type="checkbox"/>	PTC											
<input type="checkbox"/>	Not.Cred.											
<input type="checkbox"/>	Notice of Hrg											
<input checked="" type="checkbox"/>	Aff.Mail		W/O									
<input checked="" type="checkbox"/>	Aff.Pub.											
<input type="checkbox"/>	Sp.Ntc.											
<input type="checkbox"/>	Pers.Serv.											
<input type="checkbox"/>	Conf. Screen											
<input checked="" type="checkbox"/>	Letters											
<input 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: KT

Reviewed on: 11/5/12

Updates:

Recommendation: SUBMITTED

File 9 - Pries

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

DOD: 9/20/2012		<p>GANESA MULAR, son/named executor without bond, is petitioner.</p> <p>Full IAEA – o.k.</p> <p>Will dated: 9/20/1990 Codicil dated: 12/15/1995</p> <p>Residence: Fresno Publication: Fresno Business Journal</p> <p>Estimated value of the estate:</p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$380,000.00</td> </tr> <tr> <td>Annual income</td> <td>-</td> <td>\$ 17,800.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td><u>\$150,000.00</u></td> </tr> <tr> <td>Total</td> <td>-</td> <td>\$547,800.00</td> </tr> </table> <p>Probate Referee: Steven Diebert</p>	Personal property	-	\$380,000.00	Annual income	-	\$ 17,800.00	Real property	-	<u>\$150,000.00</u>	Total	-	\$547,800.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> Friday, April 5, 2013 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Friday, January 10, 2014 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>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.</p>
Personal property	-		\$380,000.00												
Annual income	-		\$ 17,800.00												
Real property	-		<u>\$150,000.00</u>												
Total	-		\$547,800.00												
Cont. from															
<input type="checkbox"/>	Aff.Sub.Wit. S/P														
<input checked="" type="checkbox"/>	Verified														
<input type="checkbox"/>	Inventory														
<input type="checkbox"/>	PTC														
<input type="checkbox"/>	Not.Cred.														
<input type="checkbox"/>	Notice of Hrg														
<input checked="" type="checkbox"/>	Aff.Mail W/														
<input checked="" type="checkbox"/>	Aff.Pub.														
<input type="checkbox"/>	Sp.Ntc.														
<input type="checkbox"/>	Pers.Serv.														
<input type="checkbox"/>	Conf. Screen														
<input checked="" type="checkbox"/>	Letters														
<input checked="" type="checkbox"/>	Duties/Supp														
<input type="checkbox"/>	Objections														
<input type="checkbox"/>	Video Receipt														
<input type="checkbox"/>	CI Report														
<input type="checkbox"/>	9202														
<input checked="" type="checkbox"/>	Order														
<input type="checkbox"/>	Aff. Posting														
<input type="checkbox"/>	Status Rpt														
<input type="checkbox"/>	UCCJEA														
<input type="checkbox"/>	Citation														
<input type="checkbox"/>	FTB Notice														
		<p>Reviewed by: KT</p> <p>Reviewed on: 11/5/12</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 10 - Chambers</p>													

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 9/7/12	MICHELE R. CURLEY , daughter, is petitioner and requests appointment as Administrator with bond set at \$30,000.00.	NEEDS/PROBLEMS/COMMENTS: Note: If the petition is granted, status hearings will be set as follows: <ul style="list-style-type: none"> • Friday, December 17, 2012 at 9:00 a.m. in Department 303, for the filing of the bond. • Friday, April 5, 2013 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. • Friday, January 10, 2014 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.
Cont. from	Full IAEA – o.k.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Decedent died intestate.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Residence: Fresno	
<input type="checkbox"/> Not.Cred.	Publication: Fresno Business Journal	
<input type="checkbox"/> Notice of Hrg		
<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 - \$24,365.00	
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<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 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: 11/5/12
		Updates:
		Recommendation: SUBMITTED
		File 11 - Martinez

Petition for Termination of Guardianship

Sergio, 17		<p>MARIA C. JIMENEZ, maternal great-aunt, is Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This Petition pertains to Sergio Garcia & Luis Hernandez only. The guardianship of Jesse Garcia was terminated on 07/12/07.</p> <p>1. Need proof of service by mail at least 15 days before the hearing of <i>Petition for Termination of Guardianship</i> or Consent & Waiver of Notice or Declaration of Due Diligence for:</p> <ul style="list-style-type: none"> - Sergio Garcia (minor) - Luis Hernandez (minor) - Jesse Garcia (brother) - Fernando Hernandez (Luis' father) - Paternal grandparents (unknown)
Luis, 15			
Cont. from		<p>Father (Sergio): JOSE GARCIA – served by mail on 09/25/12</p> <p>Father (Luis): FERNANDO HERNANDEZ</p>	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	<p>Mother: FLOR LOPEZ JIMENEZ – Consent & Waiver of Service signed 09/08/12</p>	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	<p>Paternal grandparents: UNKNOWN</p>	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	<p>Maternal grandfather: JOSE JIMENEZ – served by mail on 09/25/12</p> <p>Maternal grandmother: DECEASED</p>	
<input checked="" type="checkbox"/>	Aff.Mail		w/
<input type="checkbox"/>	Aff.Pub.	<p>Sibling: JESSE GARCIA</p>	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	<p>Petitioner states that Sergio is now serving a six year sentence and has been in and out of Juvenile Hall for years. Luis is also very disobedient and does not communicate with her and comes and goes as he pleases. Petitioner states that she can no longer handle them and requests that the guardianship be terminated.</p>	
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters	<p>Court Investigator Jennifer Young filed a report on 10/31/12.</p>	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections	<p>Reviewed by: JF</p>	
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report	<p>Reviewed on: 11/05/12</p>	
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order	<p>Updates:</p>	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt	<p>Recommendation:</p>	
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation	<p>File 12 – Garcia & Hernandez</p>	
<input type="checkbox"/>	FTB Notice		

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 02/09/2012	MARK MARTINEZ, REBECCA MARTINEZ and ROSALINA MARTINEZ, children, are petitioners.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 090512, 101712	40 days since DOD	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	No other proceedings	
<input checked="" type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	I&A - \$55,000.00	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Will dated: 08/31/2011	
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.	Petitioners request Court determination that decedent's 100% interest in real property located at 1204 West Valencia, Fresno pass to decedent's children Mark Martinez, Rebecca Martinez and Rosalina Martinez in 1/3 shares pursuant to decedent's will.	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 11/2/12
		Updates:
		Recommendation: SUBMITTED
		File 13 - Martinez

Atty Avila, Ralph, sole practitioner (for Petitioner Guadalupe Guerra)

Petition for Appointment of [Successor] Conservator of the Person (Prob. C. 1510)

Age: 59 years		<p>GUADALUPE GUERRA, brother, is Petitioner and requests appointment as [Successor] Conservator of the Person, with authority to change the proposed Conservatee's residence.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Advised Rights on 10/19/2012.</p> <p>Voting Rights Affected – Need Minute Order.</p> <p>Note: Minute Order dated 10/10/2012 from the hearing on the petition for appointment of temporary conservator states:</p> <ul style="list-style-type: none"> Ralph Avila is appearing as counsel on behalf of Guadalupe Guerra [Substitution of Attorney filed 10/10/2012]; Counsel advises the Court that Mario Guerra is in the hospital. The Court indicates for the Minute Order that it is removing Mario Guerra as the Conservator based on his inability to care for the Conservatee. The Court grants the petition and appoints Guadalupe Guerra as temporary Conservator of the person. The temporary expires on 11/7/2012. The general hearing remains set for 11/7/2012. Counsel is directed to prepare an order for the removal of Mario Guerra as Conservator. Guadalupe Guerra is directed to provide his contact information to the Clerk's Office forthwith. The Court orders the consolidation of case #0290406 and #12CEPR00856. Case #12CEPR00856 to be the lead case. <p>~Please see additional page~</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Aff. Posting		
<input 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 checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation	N/A	
<input type="checkbox"/>	FTB Notice		
		<p>Petitioner states the proposed Conservatee was born with [Down syndrome and is severely mentally retarded], he is disabled and has never been able to care for himself since birth, and he has always needed a family member to care for him. Petitioner states the Conservatee lives with one of his brothers, MARIO GUERRA, who has not provided for the Conservatee's needs and has placed him in danger by surrounding him with persons abusing alcohol and drugs, and there is also gang activity in the home. Petitioner states the Conservatee's brother Mario is supposed to be taking care of the financial matters of the Conservatee, but is misusing the Conservatee's funds.</p> <p>Petitioner requests authority to change the Conservatee's residence from the back house on their property to the front house on their property in order to bring the home in which he resides up to "sub-code" and to clean the property to make it livable.</p> <p>~Please see additional page~</p>	
		<p>Reviewed by: LEG</p> <p>Reviewed on: 11/5/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15 - Guerra</p>	

Court Investigator Julie Negrete's Report was filed on 10/24/2012.

NEEDS/PROBLEMS/COMMENTS, continued:

1. Need proof of mailed service of the *Notice of Hearing* with a copy of the *Petition for Appointment of [Successor] Conservator* for the Conservatee, Jose Guerra, pursuant to Probate Code §§ 2683 and 1460(b)(2).

2. Need proof of mailed service of the *Notice of Hearing* with a copy of the *Petition for Appointment of Probate Conservator*, showing 30 days' mailed service of notice to the regional center pursuant to Probate Code § 1822(e), or waiver of such notice. (Note: Notice is required to Central Valley Regional Center (CVRC) despite that the CVRC case manager reported that Joe's involvement with the CVRC day program was recently terminated in September 2012.)

Atty Schlak, Lawrence W. Dr. (pro per – maternal grandfather/Petitioner)
 Atty Fearnside, William (for Carol Schmock – paternal grandmother/objector/competing Petitioner)

Petition for Appointment of Temporary Guardian of the Person

Colin, 2	<p><u>TEMPORARY GRANTED EX PARTE:</u> <u>TEMPORARY EXPIRES 11/07/12</u></p> <p><u>GENERAL HEARING 01/03/13</u></p> <p>DR. LAWRENCE W. SCHLAK, maternal grandfather, is Petitioner.</p> <p>Father: COLIN LEE SCHMOCK, SR. – <i>Declaration of Due Diligence filed 10/24/12</i></p> <p>Mother: GENEVIEVE SCHLAK SCHMOCK</p> <p>Paternal grandfather: DECEASED Paternal grandmother: CAROL SCHMOCK</p> <p>Maternal grandmother: VICTORIA BOWLING</p> <p>Petitioner alleges that both parents are unfit to care for the minors at this time. The father is physically and psychologically abusive to the mother and children. There is a history of domestic violence between the parents and the father has a history of mental illness and is currently on a 5150 hold at the VA hospital. Mother is currently staying at a shelter with the children.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Competing Petition filed 11/05/12 by paternal grandmother, Carol Schmock, is set for hearing on 11/19/12.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service at least 5 court days before the hearing of Notice of Hearing with a copy of the Petition for Temporary Guardianship <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ul style="list-style-type: none"> - Colin Lee Schmock, Sr. (father) unless diligence is found - declaration filed 10/24/12) - Genevieve Schlak Schmock (mother) she signed nomination of Guardian filed 10/24/12, but did not sign consent to appointment) 	
Kali, 2 mos.			
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			x
✓ Duties/Supp			
✓ Objections			
Video Receipt			
CI Report			
9202			
Order			x
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
Reviewed by: JF			
Reviewed on: 11/05/12			
Updates:			
Recommendation:			
File 16 - Schmock			

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

Christopher, age 11	<p>GENERAL HEARING 1-7-13</p> <p>DONNA DEAVER, Aunt, is Petitioner.</p> <p>Father: BRADLY GARCIA - Personally served 10-25-12</p> <p>Mother: SELINA LOPEZ - Declaration of Due Diligence filed 10-31-12</p> <p>Paternal Grandfather: John Garcia - Mailed service 10-26-12</p> <p>Paternal Grandmother: "N/A"</p> <p>Maternal Grandfather: Roy Lopez - Mailed service 10-26-12</p> <p>Maternal Grandmother: Debora Harmon - Mailed service 10-26-12</p> <p>Petitioner states CPS placed the children in her care due to the mother being arrested for child neglect and physical abuse.</p> <p>Petitioner requests the Court excuse notice to the mother because she could not locate her.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> It is unclear if Petitioner is an aunt on the maternal side or the paternal side. The Court may require clarification.</p> <p><u>Note:</u> Petitioner listed "N/A" for the paternal grandmother. The Court may require clarification: Is the paternal grandmother unknown or deceased?</p> <p>1. Petitioner states she could not locate anyone that is in contact with the mother. If notice is not dispensed, need proof of personal service of Notice of Hearing with a copy of the Temporary Petition at least five Court days prior to the hearing per Probate Code §2250(e) on: - Selina Lopez (Mother)</p> <p>2. Petitioner's Confidential Guardian Screening Form does not provide information regarding Petitioner's answer at #3.</p>	
Alexiah, age 7			
Jaden, age 6			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail			W
Aff.Pub.			
Sp.Ntc.			
✓ Pers.Serv.			W
✓ Conf. Screen			X
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 11-5-12	
		Updates:	
		Recommendation:	
		File 17 - Garcia	

