

Atty Perkins, Jan T. (for Stephen Ronald Cloud, Brother / Conservator)
 Atty Sanoian, Joanne (for Stephen Cloud, Jr., Estate Beneficiary)

(1) Amended Verified Sixth and Final Account and (2) Report of Conservator of the Person and Estate of Conservatee and (3) Petition for Discharge of Conservator on Final Account

(Prob. C. 2620)

DOD: 4-19-04		<p>STEPHEN RONALD CLOUD, brother and Conservator of the Person and Estate, is Petitioner. Mr. Cloud was originally appointed on 5-14-92 as a Co-Conservator with his father. After his father's death, he continued as sole Successor Conservator.</p> <p>The Fifth Account was settled 12-18-02.</p> <p>Amended Sixth Account period: 6-30-02 through 6-29-11</p> <p>Accounting: \$7,061,538.36 Beginning POH: \$2,578,039.04 Ending POH: \$6,723,119.54 (\$1,961,471.54 is cash) (6,723,119.54 less \$1,497,115.20 in liabilities = \$5,226,004.34)</p> <p>Conservator: Waives fee</p> <p>Petitioner prays for an order: 1. Approving, allowing, and settling the Sixth and Final Account; 2. Authorizing distribution to the estate of the remaining property in Conservator's possession; and 3. Discharge on the filing of proper receipts</p> <p>SEE PAGE 2 (re additional declarations)</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Page 3 of this calendar is the related estate file (status for closure). The estate is dependent on this conservatorship account and distribution to the personal representative.</p> <p>Background: The court previously requested clarification regarding certain unauthorized distributions and liabilities described in the accounting.</p> <p>The conservator had distributed funds as CDs came due directly to certain trusts that are beneficiaries of the decedent's estate. Attorney Perkins' declaration filed 5-25-11 suggested that the appropriate resolution would be reversal of the distribution with interest, and that surcharge is not necessary. <u>Attorney Perkins' declaration filed 6-30-11 reflects that the unauthorized distributions have been repaid to the conservatorship estate with interest.</u></p> <p>Conservator's declaration filed 5-2-11 explains the liabilities: In order to pay estate taxes owed by the decedent's estate, the conservatorship estate borrowed \$516,849.00 from a separate trust (the Jasmine Cloud Administrative Trust). Therefore, there is a note payable to the Jasmine Cloud Administrative Trust. Conservator also states that he advanced \$980,406.20 to the conservatorship estate from his personal funds to fund the expenses of the conservatorship estate while the conservatee was alive, and for expenses associated with her death. <u>Examiner notes that there is no documentation provided as to these notes or expenses paid.</u></p> <p>The description of the note to the conservator in the original account Schedule G states that the note "included \$35,878 for funeral expenses, \$205,000.00 for administration expense, \$39,727 for appraisals, and \$5,431 for taxes." <u>However, no documentation (itemization or receipts) is provided.</u></p> <p style="text-align: center;">SEE PAGE 2, 3</p> <p>Updates:</p> <p>Contacts: Reviewed 11-1-11</p> <p>Recommendation:</p> <p>Reviewed by: skc</p> <p>File 1 - Cloud</p>
Cont. from 030811, 050311, 053111, 071211, 091311			
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			
2620(c)	X		
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Atty Perkins, Jan T. (for Stephen Ronald Cloud, Brother / Conservator)

Atty Sanoian, Joanne (appeared at hearing on 7-12-11)

(1) Amended Verified Sixth and Final Account and (2) Report of Conservator of the Person and Estate of Conservatee and (3) Petition for Discharge of Conservator on Final Account

(Prob. C. 2620)

Declarations filed 5-2-11, 5-25-11, 6-30-11 address prior examiner notes:

- Regarding distribution to trusts: Petitioner states the sole beneficiaries of the probate estate are two testamentary trusts for the benefit of Ryan John Cloud and Stephen Ronald Cloud, Jr. After Conservatee died, CDs belonging to the conservatorship estate began coming due, and the Conservator transferred the cash to the trusts. Attorney Perkins' declaration filed 6-30-11 reflects that the unauthorized distributions have been repaid to the conservatorship estate with interest.

- Regarding liabilities: Petitioner states that money was loaned to the Conservatee's estate in order to fund the expenses of the estate while Conservatee was alive and pay those expenses associated with her death. Petitioner states it was his practice to fund all cash needs of the conservatorship estate with his own money. Liabilities include a note payable to a separate trust for \$516,849.00 for estate taxes and a note to Petitioner for \$980,406.20.

- Regarding Probate Code §2620(c): Petitioner states that because so much time has passed since closing of the accounts that records are not available.

- Attorney Perkins recommended reversal of the unauthorized distributions without surcharge, and provided revised schedules reflecting the reversal with interest.

Attorney Joanne Sanoian appeared at the hearing on 7-12-11 for Stephen Cloud, Jr., an Estate Beneficiary.

Minute Order 7-12-11: Ms. Sanoian advises the Court that her client has not received any notice regarding this matter. She further advises that she is going to want to do some kind of forensic accounting. Ms. Sanoian requests a continuance. Matter continued to 9-13-11.

Minute Order 9-13-11: Mr. Perkins advises the Court that they are trying to work out Ms. Sanoian's concerns; therefore, they are requesting a continuance. Matter continued to 11-8-11.

Status Report filed 11-4-11: **Since the hearing on 9-13-11, Attorneys Perkins and Sanoian have been cooperating; however, no resolution has been reached as of yet. The parties anticipate that forensic accountings which are being prepared in other matters will help resolve some or all of the concerns of Stephen Cloud, Jr.**

The following issues remain listed: See Page 3.

Atty Perkins, Jan T. (for Stephen Ronald Cloud, Brother / Conservator)

Atty Sanoian, Joanne (appeared at hearing on 7-12-11)

(1) Amended Verified Sixth and Final Account and (2) Report of Conservator of the Person and Estate of Conservatee and (3) Petition for Discharge of Conservator on Final Account

(Prob. C. 2620)

- 1. The main issues with the accounting as previously presented were: 1) the unauthorized distributions, and 2) the liabilities.** It appears the unauthorized distributions have been addressed and reversed; however, the court may require further clarification regarding the liabilities.

Conservator's 5-2-11 declaration provides a brief explanation of the note payable to another trust and the note payable to the conservator for personal funds advanced. The examples included in the description of the note payable to the conservator (funeral expenses, administration expenses, etc.) total \$286,036. The declaration does not explain what the remaining \$694,370.20 was used for, and further, the loan amounts do not appear to be reflected in the receipts schedules, there is no other documentation (receipts for goods and/or services) or itemization, and copies of the notes are not provided.

The original prayer requests distribution of all remaining property to the decedent's estate, but does not specifically include these liabilities. The revised schedules filed 6-30-11 appear to reduce the property on hand by the amount of the liabilities.

If it is Petitioner's intent for the notes to be paid prior to distribution to the decedent's estate, further clarification may be required at this time.

If it is Petitioner's intent for the notes payable to become obligations of the decedent's estate, the court may specifically reserve this issue to be addressed further in that case.

- 2. The declaration amending the account period and schedules to reflect actions subsequent to the prior account period is not verified by the fiduciary (Probate Code §1023).**
- 3. Need order. Petitioner may wish to submit the order for signature after the hearing.**
- 4. It appears notice has not been provided to all relatives within the 2nd degree pursuant to Probate Code §§ 2621, 1460(b)(6), 1821(b), Cal. Rule of Court 7.51. Need notice of hearing and appropriate notice.**
- Examiner notes that the list of relatives provided in the 1992 petition for conservatorship may be outdated. An updated list and notice is required.
- Examiner notes that the Notice of Hearing filed 2-8-11 (for the 3-8-11 hearing) reflects that notice to the two Estate Beneficiaries (Stephen Cloud, Jr., and Ryan Cloud) was sent "c/o Jeffrey G. Boswell, Esq., Kimble, MacMichael & Upton" but was not sent directly to the beneficiaries.

Note: Minute Order 5-31-11 states "Ms. Wright is appearing on behalf of Ms. Cloud." Examiner is unsure if this refers to Ms. Cloud the decedent (former conservatee?) or another related party.

Note: Examiner notes that when the 5th account was settled in 2002, the language ratifying acts and transactions of the conservator was stricken by the judge. The court may require similar revision to this order.

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

DOD: 6/12/1995	NITZA PEÑA, niece, was appointed Administrator with Limited IAEA on 12/6/1995 with bond fixed at \$20,000.00.	NEEDS/PROBLEMS/COMMENTS:
Cont. from: 090910, 120610, 012711, 040611, 060711, 090611	Proof of Bond posted in the amount of \$20,000.00 was filed on 12/15/1995, and Letters issued on that date.	Continued from 9/6/2011. Minute Order states Keith Walker states that he has had a medical procedure keeping him away from court. Mr. Walker requests a continuance, stating, for example, a pending creditor's claim. The Court notes the creditor's claim and understands the matter will be finished at the next court hearing of 11/8/2011.
Aff.Sub.Wit.	The Inventory and Appraisal was due on 3/15/1996.	The following issues from the last hearing remain:
Verified	The first account or petition for final distribution was due on 12/15/1996.	<ol style="list-style-type: none"> 1. Need Final Inventory and Appraisal pursuant to Probate Code § 8800.
Inventory	Proof of Service by Mail – Failure to File Inventory and Appraisal was filed on 5/20/1996 indicating the notice of failure to file an inventory and appraisal, a first account or petition for final distribution was mailed to Attorney Keith Walker on 5/20/1996.	<ol style="list-style-type: none"> 2. Need first account, petition for final distribution, or current status report pursuant to Local Rule 7.5(B) and (C).
PTC	Notice of Status Hearing filed on 7/28/2010 set a status hearing on 9/9/2010 for failure to file the inventory and appraisal, and failure to file a first account or petition for final distribution. Clerk's Certificate of Mailing shows the Notice was mailed to Keith S. Walker on 7/28/2010.	Reviewed by: LEG
Not.Cred.	Notes from the previous status hearings for background:	Reviewed on: 11/1/11
Notice of Hrg	<ul style="list-style-type: none"> • Minute Order dated 9/9/2010 [Judge Gallagher] states Attorney Walker represents to the Court that he lost contact with his client for a period of time but has now obtained a current address and should be able to close the estate quickly as the property has been lost. If the accounting is filed, no appearance is necessary on 12/6/2010. • Minute Order dated 12/06/10 [Judge Hamlin] states Attorney Walker states his intention to file a Petition to Set Aside in this matter and requests a continuance. If said petition is filed, then no appearance is necessary on 1/27/2011. • Minute Order dated 1/27/2011 [Judge Oliver] states Counsel is directed to file the inventory with the petition. If filed by 4/6/2011 and reviewed by an examiner no appearance will be necessary. • Minute Order dated 4/6/2011 [Judge Oliver] states Mr. Walker is appearing via conference call. Counsel advises the Court that he has managed to re-establish contact with his client and has made contact with an attorney in San Diego. Counsel further advises that he will be filing a Petition for Family Allowance. • Minute Order dated 6/7/2011 [Judge Oliver] states Mr. Walker is appearing via conference call. Counsel requests a continuance. Matter continued to 9/6/2011. 	Updates:
Aff.Mail		Recommendation:
Aff.Pub.		File 2 - Vaughn
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Atty Perkins, Jan T. (for Conservator Stephen Ronald Cloud)
 Atty Sanoian, Joanne (for Stephen Cloud, Jr., Beneficiary)

Filing of First Account or Petition for Final Distribution and Filing of Inventory and Appraisal

DOD: 04/19/04	<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>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Page 1 of this calendar is the related conservatorship final account. This estate is dependent on the conservatorship account and distribution to the personal representative.</p> <p>Stephen Ronald Cloud is also Conservator of the Estate of Rhonda Jane Cloud in Case # 458379.</p> <p>1. Need Inventory and Appraisal and Petition for distribution.</p>
Cont. from 042810, 061510, 092110, 111610, 012511, 030811, 050311, 071211, 091311		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.	<p>Status Report of Stephen Ronald Cloud regarding the Inventory and Appraisal filed 4-19-10 states he is also the conservator of the estate of Rhonda Jane Cloud, case no. 0458379. As of the date of the status report the Conservator has not provided Attorney Rindlisbacher with the accounting required nor has the Conservator delivered the Conservatee's estate to Executor. When a final accounting has been prepared and approved by the Court in the Conservatorship, Executor will be in a position to administer the estate of the Decedent.</p> <p>Probate Referee Steven Diebert filed a Request for Special Notice on 8-31-11.</p>	<p><u>Notes:</u> <i>Minute Order 11-16-10</i> states attorney Rindlisbacher represents to the court that they are awaiting bank records that were requested several weeks ago with regard to the conservatorship accounting. <u>The court advises that this will be the last continuance with the possibility of sanctions absent extraordinary good cause.</u></p> <p>Status report filed 4-9-10 indicated Executor was awaiting distribution from conservatorship estate; however, <u>Examiner notes that the I&A for the probate estate should include assets as of date of death, and may not be contingent on distribution from the conservatorship estate.</u></p> <p>Documents filed in the Conservatorship Estate (0458379) indicate that Mr. Cloud made <u>unauthorized preliminary distributions</u> after the date of death <u>totaling \$1,779,985.14</u> directly from the conservatorship accounts to the probate estate beneficiaries' trust accounts, of which he is the trustee.</p> <p><u>Probate Referee Steven Diebert has filed a Request for Special Notice in this Estate case.</u></p>
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting	<p>Updates:</p> <p>Contacts: Reviewed 11-1-11</p> <p>Recommendation:</p> <p>Reviewed by: skc</p> <p>File 3 - Cloud</p>	
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

(1) First and Final Report and Account of Administrator and (2) Petition for Its Settlement, for Allowance of Attorneys' Fees and Reimbursement of Costs Advance, for Allowance of Extraordinary Fees to Attorney, for (3) Allowance of Fees to Administrator, for Allowance of Extraordinary Fees to Administrator, and for (4) Final Distribution (Prob. C. 1060, 10800, 10810 & 10951)

DOD: 2/21/08		IMELDA BASURTO , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting - \$38,588.13	
		Beginning POH - \$29,633.90	
		Ending POH - \$26,779.03	
Cont. from			
	Aff.Sub.Wit.	Attorney - \$1,523.53 (statutory, payable 1/3 to Lang, Richert & Patch and 2/3 to Wild, Carter & Tipton)	
✓	Verified		
✓	Inventory		
✓	PTC	Attorney x/o - \$38,175.30 (for services in defense of a contest to Ms. Basurto's appointment and to a contest of the Will)	
✓	Not.Cred.		
✓	Notice of Hrg	Executor - \$1,523.53 (statutory, to accept \$750.00 of personal property in lieu of cash in partial satisfaction of her claim for fees)	
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.	Costs - \$2,033.61 (for items associated with the litigation regarding the estate)	
	Pers.Serv.		
	Conf. Screen		
✓	Letters 10/7/08	Petitioner states the estate is insolvent. Petitioner proposes to pay all liquid funds to her attorney. The proposed distribution leaves the following unpaid expenses of administration: \$15,703.41 – x/o fees owed to Wild, Carter and Tipton. \$773.53 ordinary fees owed to Imelda Basturo.	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202		
✓	Order	Any additional after discovered property will go to pay the remaining unpaid costs of administration first and then to the creditors in their proportionate shares and according to priority of claims.	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		
			Reviewed by: KT
			Reviewed on: 11/2/11
			Updates:
			Recommendation:
			File 4 - Segura

Dept. 303, 9:00 a.m. Tuesday, November 8, 2011

Report of Sale and Petition for Order Confirming Sale of Real Property (Prob. C. 2540, 10308)

DOD: 8/3/2009		<p>ERICA LYNN DORFMEIER is Administrator/petitioner.</p> <p>Sale price - \$225,000.00</p> <p>Overbid - 236,750.00</p> <p>Reappraisal - \$225,000.00</p> <p>Property - 160.88 acres of unimproved land located at O'Neals, CA</p> <p>Publication - Business Journal</p> <p>Buyers - Phil Escalette and Matt Parsons, as tenants in common.</p> <p>Broker - \$22,500.00 (10% - Donna Pride of London Properties)</p> <p>Current bond is \$1,746,300.00. Petitioner states additional bond is not required.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Petitioner was granted Limited IAEA. The bond was set based on the decedent's Partnership interests, cash, securities and personal property. The bond did not include the real properties of the decedent. Petition states the current bond is \$1,956,123.00. Current bond on file is \$1,746,300.00. It appears that an addition bond of \$500,00.00 is needed.</p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
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<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input checked="" 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: 11/2/11</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5A – O'Neal</p>		

Report of Sale and Petition for Order Confirming Sale of Real Property (Prob. C. 2540, 10308)

Age:	<p>ERICA LYNN DORFMEIER is Administrator/petitioner.</p> <p>Sale price - \$275,000.00</p> <p>Overbid - 236,750.00</p> <p>Reappraisal - \$275,000.00</p> <p>Property - 206.42 acres of unimproved land located at O'Neals, CA</p> <p>Publication - Business Journal</p> <p>Buyers - Phil Escalette and Matt Parsons, as tenants in common.</p> <p>Broker - \$27,500.00 (10% - Donna Pride of London Properties)</p> <p>Current bond is \$1,746,300.00. Petitioner states additional bond is not required.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Petitioner was granted Limited IAEA. The bond was set based on the decedent's Partnership interests, cash, securities and personal property. The bond did not include the real properties of the decedent. Petition states the current bond is \$1,956,123.00. Current bond on file is \$1,746,300.00. It appears that an addition bond of \$500,00.00 is needed.</p>
DOD:		
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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: KT</p> <p>Reviewed on: 11/2/11</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5B – O'Neal</p>

Age: 3	<p>TERI LYN JACKSON, mother, was appointed Guardian of the Estate on 10/12/11.</p> <p>Minute Order dated 09/14/10 set this matter for status on 11/08/11.</p> <p>Inventory & Appraisal was filed 01/06/11.</p> <p>Notice of Motion and Motion to be Relieved as Counsel – Civil and Declaration in Support of Attorney’s Motion to be Relieved as Counsel – Civil was filed by attorney Erin Rhames-Childs on 11/03/11 and is set for hearing on 12/14/11. Ms. Rhames-Childs states that Ms. Jackson has failed to comply with the terms of their representation agreement and the attorney-client relationship has deteriorated due to her lack of communication. Ms. Rhames-Childs has asked Ms. Jackson to sign a substitution of attorney, but she has not done so.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account.</p>
DOB: 07/16/08		
Cont. from		
Aff.Sub.Wit.		
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Inventory		
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Notice of Hrg		
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Aff.Pub.		
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Duties/Supp		
Objections		
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Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	Reviewed by: JF	
	Reviewed on: 11/01/11	
	Updates: 11/04/11	
	Recommendation:	
	File 6 - Pelley	

Settled Case Status Hearing

Age: 82	<p>COLLEEN PENDERGRASS, daughter, is Petitioner and requested that the PUBLIC GUARDIAN be appointed Conservator of the Person and Estate with medical consent powers and dementia powers.</p> <p>PUBLIC GUARDIAN was appointed Temporary Conservator of the Person and Estate on 1-11-11. The Court revoked all prior powers of attorney, California Advance Healthcare Directives, and HIPAA Authorizations executed by the Proposed Conservatee.</p> <p>MARLENE HUBBEL, daughter, objected. The matter was ultimately set for trial on 9-20-11. Pursuant to Order Re Bifurcation signed 9-20-11, trial would proceed on 9-20-11 on the issue of whether the Proposed Conservatee had the requisite mental capacity to validly execute the Advance Health Care Directives and Durable Powers of Attorney (“Documents”) from September 2009 through the present, and as to whether or not the documents were procured by undue influence.</p> <p>Trial minutes from the 2nd Day (9-21-11) indicate that the parties reached an agreement as fully stated on the record, and the trial was vacated. The matter was continued to 11-8-11 for status of the settled case.</p> <p>Attorney Janet Wright, court-appointed counsel for the proposed conservatee, filed a status report on 11-4-11. The report states that settlement was reached on the record on 9-21-11 (transcript attached); however, since that date, a couple of incidences have occurred that appear to require clarification of the terms. Therefore, it was requested that Attorney Wright prepare and circulate a written settlement agreement. <u>The agreement is expected to be finalized and circulated by this hearing. At the hearing, counsel may request two weeks to allow parties to review and finalize the agreement with any modifications required.</u></p> <p>Pursuant to the agreement, Mr. McClintic has been moved to Sunrise Senior Living as of 10-12-11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need settlement agreement and associated documents/order/ letters.</p> <p><u>Note:</u> The agreement as set forth in the transcript attached to the status report appears to cover a number of issues outside of this conservatorship matter, including the dissolution, estate and trust issues, which it may not be appropriate to ratify in this conservatorship case.</p> <p><u>In addition</u>, the agreement appears to extend temporary letters of the Public Guardian, but also rely on certain powers of attorney and advance health care directives. Examiner notes that the Court previously <u>revoked</u> such documents in January. The Court may require that the written settlement Agreement clarify whether such other directives are in place and clarify the issue of <u>permanent conservatorship</u>.</p>
DOB: 7-13-28		
Aff.Sub.Wit.		
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Sp.Ntc.		
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Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
✓ Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: skc</p> <p>Reviewed on: 11-4-11</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 – McClintic</p>	

(1) First and Final Report of Executor, (2) Petition for Final Distribution on Waiver of Account and (3) Allowance of Statutory Attorney's Fees (Probate Code 10810, 10954, and 11640)

DOD: 01/06/11	ANDRIETTE LYNN BITTER , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Accounting is waived.	
Cont. from	I & A - \$3,102,276.65	
<input type="checkbox"/> Aff.Sub.Wit.	POH - \$3,157,380.37	
<input checked="" type="checkbox"/> Verified	(\$560,193.25 is cash)	
<input checked="" type="checkbox"/> Inventory	Executor - waives	
<input checked="" type="checkbox"/> PTC	Attorney - \$34,000.00 (less than statutory)	
<input checked="" type="checkbox"/> Not.Cred.	Costs - \$1,145.00 (for filing fees, publication, certified letters)	
<input checked="" type="checkbox"/> Notice of Hrg	Closing - \$5,000.00	
<input checked="" type="checkbox"/> Aff.Mail w/	Distribution, pursuant to decedent's Will, is to:	
Aff.Pub.	Andriette Lynn Bitter, as Trustee of the William Joe Bitter Residuary Trust - \$520,048.25 cash, plus real property and various stocks/securities.	
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters 05/25/11		
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: JF	
	Reviewed on: 11/01/11	
	Updates:	
	Recommendation: SUBMITTED	
	File 8 – Bitter	

Review of Bond Issue and Inventory and Appraisal

	<p>BRUCE BICKEL, a licensed fiduciary, was appointed Successor Trustee of the Trust on 8-10-11 with bond of \$3,600,000.00.</p> <p>The Court set this status hearing for review of the bond and to determine its adequacy pursuant to an Inventory and Appraisal to be filed prior to the hearing.</p> <p>Bond of \$3,600,000.00 was filed 9-19-11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Bond of \$3,600,000.00 was filed 9-19-11; however, there has been no documentation regarding adequacy of the bond amount.</p> <p>Therefore, need Inventory and Appraisal or other sufficient documentation.</p>	
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: skc
			Reviewed on: 11-1-11
			Updates:
			Recommendation:
	File 9A - Johnson		

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

DOD: 5-10-11	<p>VALERIE ANN HAYES, CHERRYL A. CASTILLO, PAUL GENE PEREZ and DANIEL RICHARD PEREZ are Petitioners.</p> <p>40 days since DOD</p> <p>No other proceedings</p> <p>I&A: \$95,000.00 (real property only)</p> <p>Will dated 12-21-01 devises entire estate to Petitioners (Decedent’s two natural children and two step-children).</p> <p>Petitioners natural children signed an agreement regarding the validity of the will, and have also included a declaration from the Attorney Steven C. Clark, who prepared the will, regarding Decedent’s intent pursuant to Probate Code §6110(c).</p> <p>Petitioners request court determination that Decedent’s 100% interest in real property located in Fresno passes to them in equal shares pursuant to Decedent’s will.</p>	NEEDS/PROBLEMS/COMMENTS:
<input type="checkbox"/> Aff.Sub.Wit.		
<input 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 type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 11-1-11
		Updates:
		Recommendation: SUBMITTED
		File 10 - Perez

Atty Flanigan, Philip M., sole practitioner (for Petitioner Tiana A. Hefley-Favila)

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

DOD: 11/17/2009	<p>TIANA A. HEFLEY-FAVILA, daughter, is Petitioner and requests appointment as Administrator without bond.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;">OFF CALENDAR</p> <p><i>Amended Petition for Probate filed on 10/25/2011 is set for hearing on 11/29/2011.</i></p>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	Reviewed by: LEG	
	Reviewed on: 11/1/11	
	Updates:	
	Recommendation:	
	File 11 - Hefley	

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

DOD: 8-6-10		JOYCE CERONSKY , Spouse, is Petitioner and requests appointment as Administrator with full IAEA without bond.	NEEDS/PROBLEMS/COMMENTS:
		Full IAEA – <i>Need publication</i>	<ol style="list-style-type: none"> 1. Need Duties and Liabilities of Personal Representative (DE-147) and Confidential Supplement DE-147S). 2. Need Notice of Petition to Administer Estate (DE-121). 3. Need proof of service of Notice of Petition to Administer Estate at least 15 days prior to the hearing pursuant to Probate Code §8110 and Cal. Rule of Court 7.51 on: <ul style="list-style-type: none"> - David Ceronsky (son) - Wayne Ceronsky (son) - Andrew Ceronsky (grandson) 4. Need affidavit of publication pursuant to Probate Code §8121. 5. Need bond of \$150,000.00 or waivers of bond from all intestate heirs.
Aff.Sub.Wit.			
✓ Verified		Residence: Fresno Publication: <i>Need publication</i>	
Inventory			Estimated value of estate: Personal property: \$150,000.00
PTC		Probate Referee: Rick Smith	
Not.Cred.			Petitioner states she is the surviving spouse and the sole heir of this estate. The only asset is an unliquidated wrongful death claim which arose during the marriage while the decedent was domiciled in California. There are no known creditors or debts.
Notice of Hrg	X	9202	
Aff.Mail	X		Order X
Aff.Pub.		Aff. Posting	
Sp.Ntc.			Status Rpt
Pers.Serv.		UCCJEA	
Conf. Screen			Citation
Letters	X	FTB Notice	
Duties/Supp	X		
Objections			
Video Receipt			
CI Report			
9202			
Order	X		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: skc
			Reviewed on: 11-1-11
			Updates:
			Recommendation:
			File 12 - Ceronsky

Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C 1820, 1821, 2680-2682)

Age: 95 years DOB: 10/13/16	<p>CHERYL GRAHAM was appointed Temporary conservator of the person and estate with bond set at \$152,500.00 TEMPORARY EXPIRES 11/1/11 – (bond has not been filed and Letters have not issued)(Note: Temporary also revoked all Powers of Attorney, Advance Health Care Directives and HIPAA Authorizations until further order of the court.)</p> <p>CHERYL GRAHAM, granddaughter, is petitioner and requests appointment as conservator of the person with medical consent and dementia powers to authorize the administration of dementia medications and estate with bond set at \$152,500.00</p> <p>Declaration of Matthew Lozono, M.D., filed 3/3/11.</p> <p>Declaration of Linda J. Hewett, Psy.D, filed 6/13/11.</p> <p>Estimated value of the Estate: Personal property - \$ 32,000.00 Annual income - \$ 83,000.00 Total - \$115,000.00</p> <p>Petitioner states she was raised by and has resided primarily with the proposed conservatee since birth. Approximately 10 years ago the proposed conservatee suffered a stroke. Since her stroke, the proposed conservatee has required an in home care provider. In 2002 Petitioner took over the operation of Conservatee’s Ranch. Proposed conservatee has been diagnosed with dementia, and has been suffering from dementia symptoms for the past 18 months or more. In early January while at work, Petitioner received a call from the proposed conservatee’s care provider informing her that there was an unknown woman at the house informing her she had been fired.</p> <p style="text-align: center;"><i>Please see additional page</i></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 10/3/11. Minute Order states Mr. Fanucchi advises the court that he sent out a proposal for settlement.</p> <p><i>Court Investigator Advised Rights on 2/16/11.</i></p>
Cont. from 030311, 050511, 070711, 081811, 090811		
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 W/		
Video Receipt		
✓ CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
✓ Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 11/1/11
		Updates:
		Recommendation:
		File 6 - Lung

Continued from previous page - The unknown woman turned out to be the proposed conservatee's estranged daughter, Elaine. When Petitioner returned home, attorney Jennifer Reitz demanded Petitioner leave the residence. In order to avoid confrontation, Petitioner left. When Petitioner went to Lion Raisins to pick up crop profits for the Ranch crop proceeds, she was told someone came with a Power of Attorney and picked up the crop profits check. Petitioner states conservatee needs the immediate appointment of a temporary conservator in order to prevent any further fraud and undue influence being exerted upon the proposed conservatee. Petitioner further requests the court enter an order revoking all Durable Powers of Attorney, Advanced Health Care Directives and HIPAA Authorizations.

Objections to Petition for Appointment of Conservator filed on 2/25/11 by Elaine Wolf states the appointment of Cheryl Graham as conservator of the person and estate is not in the best interest of the proposed conservatee because Cheryl Graham is controlling the proposed conservatee for her own self-interests against the interests of the proposed conservatee and the other heirs of the property of the proposed conservatee. The assertion is supported by declarations filed with the objections.

Objector prays for an Order:

- 1. That the Petition of Cheryl Graham for appointment of Conservator of the person and estate be denied;**
- 2. The Public Guardian be appointed as conservator of the person and estate.**

Declaration of Elaine Wolf attached to the Objections concludes that she opposes the appointment of Cheryl Graham as conservator of the person and/or estate of her mother, Mollie Lung. Ms. Wolf believes that her mother is totally under the control of Cheryl Graham and believes it will become the most awful turn of events if Cheryl became her conservator. Ms. Wolf believes that Cheryl is taking advantage in order to deprive her of a share in the estate, as well as her sister, Carrie Webb.

Declaration of Carrie Webb in support of Objections to Appointment of Conservator filed on 2/25/11 concludes that she believes that her grandmother does require a conservator. She is totally against the appointment of Cheryl Graham as conservator. She believes that Cheryl is a detriment to her grandmother's mental and physical state and in the management of her 40 acres and other assets. Ms. Webb believes that Cheryl will use everything to the detriment of her and her aunt, Elaine Wolf.

Court Investigator Julie Negrete's Report filed 2/25/11.

Supplemental Declaration of Nick Jerkovich in Support of Objections provides documentation as to raisin prices in 2003.

Atty Wall, Peter J., of Childs Law Group (for Petitioner Stuart Gong, father)
 Atty Barrus, John E., of Barrus & Roberts (Court-appointed for Conservatee)

Petition for Appointment of Limited Probate Conservator of the Person (Prob. C. 1820, 1821)

Age: 18 years	<p align="center">NO TEMPORARY REQUESTED</p> <p>STUART GONG, father, is Petitioner and requests appointment as Limited Conservator of the PERSON.</p> <p>Petitioner requests orders under Probate Code § 2351.5 granting the following powers and duties to the Limited Conservator, and limiting the civil and legal rights of the proposed Limited Conservatee as follows:</p> <ol style="list-style-type: none"> 1. Conservator has power to fix the residence or specific dwelling of the Limited Conservatee, limiting his right to choice of residence or specific dwelling; 2. Conservator has power to access the confidential records and papers of the Limited Conservatee, limiting his right to sole access to his confidential records and papers; 3. Conservator has power to give or withhold medical consent for the Limited Conservatee, limiting his right to give or withhold medical consent; 4. Conservator has power to make decisions concerning the education of the Limited Conservatee, limiting his right to make decisions concerning his education. <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p align="center">Court Investigator Advised Rights on 10/13/2011.</p> <p align="center">Voting Rights Affected – Need <i>Minute Order</i>.</p> <p>Note: <i>Petition</i> indicates the proposed Conservatee lives with his mother in Riverdale, and visits with his father (the Petitioner) and his step-mother on the weekends. Court records indicate the proposed Conservatee was involved in Family Law Case #06CEFL02671, and the parents have joint physical and legal custody.</p> <ol style="list-style-type: none"> 1. <i>Proof of Service by Mail of the Notice of Hearing</i> filed on 11/3/2011 indicates notice was mailed to the relatives listed in the <i>Petition</i> on 11/3/2011, which is only <u>6 days</u> prior to the hearing rather than <u>15 days</u> as required by Probate Code § 1822. (Note: <i>Consent to Appointment of Guardian</i> was filed on 10/14/2011 indicating that these persons consent to appointment and waive notice of the hearing on the <i>Petition</i>. Court may choose to deem the signed “consent and waivers” from these persons sufficient to meet the requirements of the Probate Code for conservatorship proceedings, despite that this form applies only to guardianship proceedings.) 2. <i>Capacity Declaration</i> filed on 10/6/2011 is not initialed by Dr. Aoki at Item 7(b) on Page 3 of the form as required. <p align="center">~Please see additional page~</p>	
DOB: 4/2/1993			
Cont. from			
Aff.Sub.W			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail			W/
Aff.Pub.			
Sp.Ntc.			
✓ Pers.Serv.			W/
✓ Conf. Screen			
Aff. Post			
✓ Duties			
Objections			
✓ Video Receipt			
✓ CI Report			
9202			
✓ Order			
Letters			
Status Rpt			
UCCJEA			
✓ Citation			
FTB Notice			
Reviewed by: LEG			
Reviewed on: 11/2/11			
Updates: 11/7/11			
Recommendation:			
File 14 - Gong			

Petitioner states:

- The proposed Conservatee was diagnosed with Autism at ~5 years old, he is a client of Central Valley Regional Center (CVRC), and he is likely to remain low functioning indefinitely;
- The proposed Conservatee is indifferent to his physical health and will not obtain proper nutrition or hydration without constant supervision, pays almost no heed to personal safety such as watching for traffic when entering roadways, and he is unable to interact appropriately with other people;
- Although the proposed Conservatee is quite good at basic arithmetic, he does not comprehend the value or worth of money;
- The proposed Conservatee does not make independent decisions and will simply do what the Petitioner or his mother tell him to do, but he has potential for improvement in his independence and self-support if he receives proper care and services.

Capacity Declaration of Jeffrey E. Aoki, M.D., was filed on 10/6/2011.

Court Investigator Charlotte Bien's Report was filed on 10/25/2011.

Petition for Termination of Guardianship

Age: 18 years DOB: 12/25/1992	<p>REGINA FREITAS, Guardian/mother, is Petitioner.</p> <p>Father: GABRIEL QUIJANO – <i>deceased.</i></p> <p>Paternal grandfather: Edward Quijano – <i>consents and waives notice.</i></p> <p>Paternal grandmother: Ines Quijano – <i>consents and waives notice.</i></p> <p>Maternal grandfather: Robert Maciel – <i>consents and waives notice.</i></p> <p>Maternal grandmother: Lupe Maciel – <i>consents and waives notice.</i></p> <p>The minor is now an adult and will be using the funds for her college education.</p> <p>Petitioner states an investment reversal occurred in Olivia’s account due to alleged (by Petitioner) account-churning and inappropriate investment strategies. Petitioner states she brought suit which resulted in approximately \$20,000 of Olivia’s account being replenished. This occurred in 2005-2006. At all times mentioned, Olivia’s investments were made pursuant to advice from account executives with Petitioner’s approval. An in-depth accounting was performed during the litigation. Accordingly, Petitioner requests the guardianship be terminated without the need for another accounting.</p>	NEEDS/PROBLEMS/COMMENTS:	
		Continued from 9/27/11. Minute Order states Guardianship cannot be terminated without an accounting. The Court suggests Ms. Freitas seek assistance from an individual knowledgeable with probate guardianship accountings, e.g. paralegal, and states it will do its best to accommodate an accounting presented in simple form. Ms. Freitas states a paralegal or attorney is too costly. The Court emphasizes the accounting is necessary. Ms. Freitas states the funds are currently in a blocked account through Merrily Lynch, and the balance is approximately \$75,000.00.	
Cont. from 092711			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg		X	
Aff.Mail		X	
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>1. Need <i>Notice of Hearing</i>.</p> <p>2. Need proof of service of the <i>Notice of Hearing</i> on: a. Olivia Quijano (former minor)</p>	
		Reviewed by: KT	
		Reviewed on: 11/2/11	
		Updates:	
		Recommendation:	
		File 15A - Quijano	

<p>Age: 18 years DOB: 12/25/1992</p>	<p>REGINA FREITAS, mother, is Guardian of the estate.</p> <p>Guardian Regina Freitas filed a Petition to Terminate the Guardianship and a Petition for Withdrawal of Funds from Blocked Account.</p> <p>Petitioner's first account for the account period ending 5/29/1998 showed a property on hand balance of \$113,884.53. The petition for termination (page 9A) stated all funds have been held in a blocked account at Merrill-Lynch. The termination petition further stated the current balance of the account is \$108,383.75.</p> <p>On 8/9/11 the Court continued the Petition to Terminate the Guardianship (page 9A), granted the petition to withdraw funds from blocked account, as amended, authorizing withdrawal of \$25,000.00 and set this status hearing for the filing of the final account.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 9/27/11. Minute Order states Guardianship cannot be terminated without an accounting. The Court suggests Ms. Freitas seek assistance from an individual knowledgeable with probate guardianship accountings, e.g. paralegal, and states it will do its best to accommodate an accounting presented in simple form. Ms. Freitas states a paralegal or attorney is too costly. The Court emphasizes the accounting is necessary. Ms. Freitas states the funds are currently in a blocked account through Merrily Lynch, and the balance is approximately \$75,000.00.</p> <p>1. Need final account or current status report.</p>
<p>Cont. from 092711</p>		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: KT</p> <p>Reviewed on: 11/2/11</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15B - Quijano</p>

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

Age: 7	<p>GENERAL HEARING 1-4-12</p> <p>NORA SUE HUFFMAN, Maternal Aunt, is Petitioner.</p> <p>Father: JESSIE RAY COLLINS <i>- Declarations of Due Diligence have been filed by previous petitioners, most recently on 6-1-10 by Mother Heather Hamm</i></p> <p>Mother: HEATHER HAMM <i>- Personally served 11-1-11</i></p> <p>Paternal grandfather: Unknown Paternal grandmother: Unknown</p> <p>Maternal grandfather: Earnest Hamm <i>- Deceased</i></p> <p>Maternal grandmother: Connie L. Huffman <i>- Former Guardian from 10-5-06 through 12-16-10</i> <i>- Current visitation order for supervised visits on Saturdays from 10am to 2pm</i> <i>- Filed Declaration in support of this petition on 10-31-11</i></p> <p>Petitioner states the child's safety and well-being are in immediate danter. Mother has exposed the child to a dangerous person, Christopher Allen Wilkenson, whom she has been advised to keep away from the child. As of 10-13-11, the child accused Wilkinson of sexually abusing her over the past year.</p> <p>Since termination of the prior guardianship, Mother has isolated Zoe from openly communicating with Petitioner or Grandmother. Zoe indicates that she is upset and scared at home, but refrains from discussing <i>why</i> because Mother has told her she cannot tell anyone what is happening. Zoe told her grandmother that she is afraid of Wilkenson but was afraid her mother would be mad that she told. On 8-27-11, Zoe became hysterical and said, "Mom smacks me and I'm afraid of Chris. Don't make me go home." Grandmother did not want to keep the child any longer because she was afraid of losing her visitation; however, six weeks later, the child revealed to her mother that Wilkenson had been sexually abusing her. The child was left alone numerous times with this man. There is a current investigation with the Fresno Police Dept.</p> <p>Mother also is reportedly using drugs with the child present and has a habit of keeping the child out of school. Petitioner states Mother is threatening to move the child out of state, which will prevent any family from protecting her.</p> <p>Maternal Grandmother Connie Huffman's declaration filed 10-31-11 also expresses concern for Zoe regarding Mother's boyfriend and describes the circumstances of the molestation allegations.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Petitioner resides in Castroville, which is Monterey County.</p> <p>1. Court records indicate that the Confidential Guardian Screening Form was filed on 10-24-11; however, the form is not with the file for review. The Court may wish to obtain a copy from the petitioner or require a new form.</p>
DOB: 8-3-04		
Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
Inventory		
PTC		
Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv. W		
Conf. Screen X		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: skc</p> <p>Reviewed on: 11-1-11</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16 - Oryan</p>	

Order to Show Cause Re: Failure to File Inventory and Appraisal & Failure to File a First Account or Petition for Final Distribution (Prob. C. §12200, et seq.)

<p>DOD: 2-1-07</p>	<p>EMILY LOPEZ was appointed Administrator with Limited IAEA without bond and Letters issued on 9-18-07.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont. from 092711</p>	<p>On that date, the Court directed that no sale of real property or receiving of any monies is to be performed without Court approval, and Administrator verbally acknowledged this direction in Court.</p>	<p><u>Note:</u> Administrator was formerly represented by Attorney Sandra J. Smith, who is no longer eligible to practice law as of 6-3-11.</p>
<p>Aff.Sub.Wit.</p>	<p>On 6-30-08, Petitioner requested dismissal of the estate because the house had been foreclosed; however, because the Administrator had already been appointed, dismissal could not be entered without a final report.</p>	<p><u>Note:</u> The Administrator's address of record was the decedent's residence address, which the file indicates was foreclosed, so it was unclear if she had received notice of past status hearings. Examiner obtained a new address via a records search and a copy of the minute order of 9-27-11 was mailed to Administrator at the new address on 9-29-11.</p>
<p>Verified</p>	<p>On 6-3-11, the Court set a status hearing for failure to file Inventory and Appraisal and failure to file a First Account or Petition for Final Distribution. Notice was mailed to Administrator and her attorney.</p>	<p><u>As of 11-1-11</u>, nothing further has been filed.</p>
<p>Inventory</p>	<p>On 6-27-11, Attorney Sandra J. Smith filed Notification of Disqualification to Act as Attorney, with proof of service by mail on Administrator.</p>	<p>1. Need Inventory and Appraisal and/or petition for final distribution or current status report.</p>
<p>PTC</p>	<p>At the status hearing on 7-26-11, there were no appearances, and the Court set Order to Show Cause and ordered Administrator to be present on 9-27-11. A copy of the minute order was mailed to Administrator on 7-28-11.</p>	<p><u>Note:</u> It is unknown if the estate is in a position to be closed or if there were other assets because no I&A was filed. There is a creditor's claim for medical care and the required agencies (Franchise Tax Board, Dept. of Health, etc.) have not been noticed, so there may be additional claims. The petition for probate listed 5 heirs.</p>
<p>Not.Cred.</p>	<p>On 9-27-11, Administrator did not appear. The Court was concerned that she did not receive notice. The matter was continued to 11-8-11 and notice was sent to Administrator at the address recently obtained by the Court.</p>	<p><u>Note:</u> A copy of these Examiner Notes has been sent to County Counsel for the Public Administrator.</p>
<p>Notice of Hrg</p>		
<p>Aff.Mail</p>		
<p>Aff.Pub.</p>		
<p>Sp.Ntc.</p>		
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p>Letters</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>		<p>Reviewed by: skc</p>
<p>Status Rpt</p>	<p>X</p>	<p>Reviewed on: 11-1-11</p>
<p>UCCJEA</p>		<p>Updates:</p>
<p>Citation</p>		<p>Recommendation:</p>
<p>FTB Notice</p>		<p>File 17 - Lopez</p>

Atty Hernandez, Teresa (pro per Petitioner/guardian/paternal grandmother)
 Petition for Supervised Visitation

Erika age: 7 years DOB: 9/21/04	TERESA HERNANDEZ, guardian/paternal grandmother, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
Logan age: 4 years DOB: 2/25/07	Petitioner was appointed guardian on 2/9/09.	Continued to 1/4/2012 at the request of the Petitioner.
Jaydin age: 3 years DOB: 7/28/08	Father: HECTOR HERNANDEZ	1. Need <i>Notice of Hearing</i> .
Cont. from	Mother: ELIZA FRAUSTO Minute Order dated 7/15/09 granted mother unsupervised visitation every Saturday and Sunday from 10:00 a.m. to 6:00 p.m.	2. Need proof of service of the <i>Notice of Hearing</i> on: a. Eliza Frausto (mother)
<input type="checkbox"/> Aff.Sub.Wit.	Petitioner states the mother, Eliza Frausto, has failed more than 50% of the time to exercise her visitation rights. The times that she has exercised her visitation she has arrived at least one hour late most of the time.	
<input checked="" type="checkbox"/> Verified	Petitioner states on several occasions when the minors return from a visit their hair and clothing smells of marijuana. Also, Erika has been present when the mother is injecting herself and her boyfriend with drugs.	
<input type="checkbox"/> Inventory	Petitioner has instructions from the doctor not to let Jaydin get into any swimming pool because of tubes in his ears and mom is not following those instructions.	
<input type="checkbox"/> PTC	Logan comes back from visits with bruises and scratches and says that his mother hits him.	
<input type="checkbox"/> Not.Cred.	Erika's behavior is changing. Erika reported that one time her mother tried to give her some type of cigarette that was so small her mother had to hold it with her fingertips.	Reviewed by: KT Reviewed on: 11/1/11
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner states she is also worried about the youngest child (petitioner does not have guardianship of her). Gabriella was born in January 2010. Petitioner states she is also her grandchild and she is worried about her wellbeing.	Updates:
<input checked="" type="checkbox"/> Aff.Mail	For the above reasons Petitioner requests the mother's visitation be modified to supervised visits.	Recommendation:
<input type="checkbox"/> Aff.Pub.	File 18 - Hernandez	
<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		

19 Amani Ellen Battle-Yancey & Aubree Noray Battle-Yancey (GUARD/P)

Case No.

10CEPR00050

Atty Yancey, Kendra (pro per Petitioner)

Atty McClain-Yancey, Tori (pro per Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 7 months DOB: 03/02/11	<u>Temporary Expires 11/8/11</u>	NEEDS/PROBLEMS/COMMENTS:
	TORI McCLAIN-YANCEY and KENDRA YANCEY , foster aunts (foster sisters of child's mother), are Petitioners.	<u>This Petition Pertains To AMANI ELLEN BATTLE-YANCEY Only.</u>
Cont. from 100411	Father: UNKNOWN	1. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Guardianship Petition</i> or Consent and Waiver of Notice or Declaration of Due Diligence for:
Aff.Sub.Wit.	Mother: K-IESHA BATTLE- <i>Notice dispensed with by minute order dated 8/16/11.</i>	a. Maternal grandparents.
✓ Verified	<i>Foster grandmother consents and waives notice.</i>	Court Investigator Julie Negrete to provide:
Inventory	Paternal grandfather: Unknown Paternal grandmother: Unknown	1. Court Investigator's Report
PTC	Maternal grandfather: Unknown Maternal grandmother: Unknown	2. Clearances
Not.Cred.	Petitioners state the child has been in their care since she was 3 months old. Mother is not able to provide for her. Petitioner would like the minor to be raised with her sister Aubree who she already has guardianship of.	<u>Note:</u> The Court dispensed with notice to the mother, K-iesha Battle unless and until an address becomes known. <i>Notice of Hearing</i> filed on 9/19/11 shows mother being service by mail at an address in Fresno. Probate Code §1511 requires personal service.
✓ Notice of Hrg	Court Investigator Julie Negrete's Report filed on 11/1/11.	
✓ 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		
		Reviewed by: KT
		Reviewed on: 11/1/11
		Updates:
		Recommendation:
		File 19 – Battle-Yancey

Jonathan age: 14 years DOB: 12/26/96	<p style="text-align: center;">TEMPORARY EXPIRES 9/27/11</p> <p>NOURAK CHANTHALANSY, paternal aunt, is petitioner.</p> <p>Father: VILAYSACK CHANTHALANGSY</p> <p>Mother: EKAE SEE</p> <p>Paternal grandfather: Soun Chanthalangsy – <i>served by mail on 5/3/11</i></p> <p>Paternal grandmother: Ling Chanthalangsy - <i>served by mail on 5/3/11</i></p> <p>Maternal grandfather: Kong See</p> <p>Maternal grandmother: Khong See</p> <p>Petitioner states both parents are mentally unstable and unable to properly care for the minors. They are homeless as well. The children have been taken numerous times by CPS in Tulare. Sabrina was molested by the mother’s current girlfriend and the mother did nothing about it.</p> <p>Objections of Vilaysack Chanthalangsy, father, filed on 7/8/11. Father states the children have always been in his care. They stay with him and his parents. Father states he feels he should be the recipient of money received through SSI for his children. Nourak Chanthalangsy is incapable of caring for his children. She does not have a current address. The paternal grandfather is the only one who cares for the children more than she does. Both the father’s parents feed them and provide for them. They have always been living with the father and his parents. Even her own children are in the care of his parents. She is unfit to care for her children as well as his children.</p> <p>Court Investigator Jennifer Young’s Report filed on 7/25/11.</p> <p>Supplemental Report of Court Investigator Jennifer Young filed on 9/20/11</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 9/27/11. Minute Order states the father, Vilaysach Chanthalangsy, is not in favor of the guardianship. Mr. Chanthalangsy is to provide the whereabouts of Ekae See, mother, to petitioner. Ms. See is currently in a mental health facility. Mr. Chanthalangsy states he currently resides with his parents. The Court states the children are to live with petitioner; therefore the temporary letters are extended to 11/8/11. The mother and maternal grandparents are to be served.</p> <ol style="list-style-type: none"> 1. Need proof of personal service, 15 days prior to the hearing, of the Notice of Hearing along with a copy of the petition or consent and waiver of notice or declaration of due diligence on: <ol style="list-style-type: none"> a. Ekae See (mother) b. Jonathan See (minor, age 14) c. Justin See (minor age 12) 2. Need proof of service by mail, 15 days prior to the hearing, of the Notice of Hearing along with a copy of the petition or consent and waiver of notice or declaration of due diligence on: <ol style="list-style-type: none"> a. Kong See (maternal grandfather) b. Khong See (maternal grandmother)
Justin age: 12 years DOB: 5/24/99		
Sabrina age: 10 years DOB: 12/10/00		
Dayna age: 8 years DOB: 6/19/03		
Lai La age 6 years DOB: 7/7/05		
Cont. from 062111, 080911, 092711		
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		
Reviewed by: KT		
Reviewed on: 11/1/11		
Updates:		
Recommendation:		
File 20 - See		

Age: 2 years DOB: 03/25/09	<p style="text-align: center;"><u>Temporary Expires 11/8/11</u></p> <p>CHRISTINA BARBOSA, maternal grandmother, is Petitioner.</p> <p>Father: JAMES CRUZ</p> <p>Mother: CHRISTINA PADILLA – <i>Consents and waives notice.</i></p> <p>Paternal grandfather: Deceased Paternal grandmother: Martha Cruz – <i>personally served on 9/17/11</i></p> <p>Maternal grandfather: Mario Padilla – <i>personally served on 9/14/11</i></p> <p>Petitioner states the minor’s mother is incarcerated in federal prison and it is unknown when she will be released. The minor’s father is addicted to meth and petitioner fears that the minor will not be properly cared for when he is with his father.</p> <p>Court Investigator Samantha Henson’s Report filed on 9/27/11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of personal service at least 15 court before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Guardianship or Consent and Waiver of Notice or Declaration of Due Diligence</i> for:</p> <p>a. James Cruz (father) (<i>Note: Minute order from the temporary hearing on 8/15/11 indicates the father was in court and was in favor of the petition.</i>)</p>
Cont. from 100411		
Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
Inventory		
PTC		
Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
Aff.Mail		
Aff.Pub.		
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		
Objections		
Video Receipt		
<input checked="" type="checkbox"/> CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
Citation		
FTB Notice		
Reviewed by: KT		
Reviewed on: 11/1/11		
Updates:		
Recommendation:		
File 21 - Cruz		

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 14 years DOB: 12/28/1996	<u>TEMPORARY EXPIRES 11/08/11</u>	NEEDS/PROBLEMS/COMMENTS:
	DOROTHY BISHOP , maternal grandmother, is petitioner.	
	Father: MICHAEL DIXSON – <i>deceased</i> .	1. Proof of service by mail of <i>Notice of Hearing</i> to: - Michael Dixson (paternal grandfather) - Judy Parsons Dixson (paternal grandmother) - Roger Bishop (maternal grandfather) is not marked indicating that a copy of the <i>Petition for Guardianship</i> was served along with the notice as required pursuant to Probate Code § 1511(a).
Cont. from	Mother: RACHEL BISHOP – <i>consent and waiver of notice filed 10/28/11</i>	
Aff.Sub.Wit.	Paternal grandfather: Michael Dennis Dixson – <i>served by mail 09/12/11</i>	Reviewed by: JF
✓ Verified	Paternal grandmother: Judy Sue Parsons Dixson - <i>served by mail 09/12/11</i>	
Inventory	Maternal grandfather: Roger Bishop - <i>served by mail 09/12/11</i>	Reviewed on: 11/01/11
PTC	Petitioner states it is in the best interest of the child to live in Petitioner’s home because the child needs a stable environment.	Updates: 11/02/11
Not.Cred.	Petitioner states that the mother and her boyfriend openly grow and smoke marijuana in front of the child.	Recommendation:
✓ Notice of Hrg	Court Investigator Samantha Henson’s report filed 11/01/11.	File 22 - Bishop
✓ Aff.Mail w/o		
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		

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 12	<p style="text-align: center;"><u>TEMPORARY EXPIRES 11/08/11</u></p> <p>PAMELA JOY NEWMAN, paternal grandmother, is Petitioner.</p> <p>Father: ROBERT NEWMAN – <i>personally served 09/10/11</i></p> <p>Mother: SHANNON RAFFA – <i>court dispensed with notice on 09/19/11</i></p> <p>Paternal grandfather: ROBERT NEWMAN – <i>deceased</i></p> <p>Maternal grandfather: GREG RAFFA – <i>served by mail 09/26/11</i></p> <p>Maternal grandmother: JOAN RAFFA – <i>served by mail 09/26/11</i></p> <p>Petitioner states that Caitlin’s father is abusing her. He does not take care of her needs and spends her public assistance on drugs for himself. Petitioner states that Caitlin lived with her for several years in the past before living with her father. Petitioner states that she and Caitlin have a good relationship and Caitlin wants to live with her again.</p> <p>Declaration of Jacqueline Thornton, great-grandmother, filed 11/03/11 states that Caitlin and her father (Robert Newman) have lived in her home for the past year. Ms. Thornton states that she has witnessed Mr. Newman being verbally and physically abusive to Caitlin. She further states that Mr. Newman continues to use drugs. Ms. Thornton states that she does not believe that Mr. Newman should be raising his daughter under these conditions and asks the court to appoint Pamela Newman as guardian of Caitlin.</p> <p>Court Investigator Julie Negrete’s report was filed 11/03/11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need proof of personal service of <i>Notice of Hearing</i> along with a copy of the <i>Petition for Guardianship</i> at least 15 days before the hearing <u>or</u> Consent and Waiver of Notice for: - Caitlin Newman (minor) 2. Petitioner reported to the CI that the minor has Native American ancestry on both sides of her family. Therefore, a <i>Notice of Child Custody Proceeding for Indian Child (Form ICWA-030)</i>, must be served together with copies of petition and all attachments, including this form, on the child’s parent; any Indian custodian; any Indian tribe that may have a connection to the child; the Bureau of Indian Affairs (BIA), and possibly the U.S. Secretary of the Interior, by certified or registered U.S. Mail, return receipt requested. (Please see Probate Code 1460.2, and CA Rules of Court 7.1015). (A blank <i>Notice of Child Custody Proceeding for Indian Child (Form ICWA-030)</i> is in the file for the Petitioner’s use) 3. Per item 2, above, need proof of service of notice, including copies of the notices sent and all return receipts and responses received, pursuant to Probate Code 1460.2(d).
DOB: 10/18/99		
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 checked="" type="checkbox"/> Pers.Serv.		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input 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 checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
<input type="checkbox"/> Reviewed by: JF		
<input type="checkbox"/> Reviewed on: 11/02/11		
<input type="checkbox"/> Updates: 11/03/11; 11/04/11		
<input type="checkbox"/> Recommendation:		
<input type="checkbox"/> File 23 - Newman		

Atty Lee, Felicia (Pro Per – Sister – Petitioner)

Atty Moultrie, Lafon (Pro Per – Brother-in-law – Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

<p>Angela Williams Age: 13 DOB: 7-18-98</p> <hr/> <p>Robert McLean Age: 16 DOB: 2-26-95</p> <hr/> <p>Aff.Sub.Wit.</p> <p><input checked="" type="checkbox"/> Verified</p> <p>Inventory</p> <p>PTC</p> <p>Not.Cred.</p> <p>Notice of Hrg <input checked="" type="checkbox"/></p> <p>Aff.Mail <input checked="" type="checkbox"/></p> <p>Aff.Pub.</p> <p>Sp.Ntc.</p> <p>Pers.Serv. <input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/> Conf. Screen</p> <p><input checked="" type="checkbox"/> Letters</p> <p><input checked="" type="checkbox"/> Duties/Supp</p> <p>Objections</p> <p>Video Receipt</p> <p><input checked="" type="checkbox"/> CI Report</p> <p><input checked="" type="checkbox"/> Clearances</p> <p><input checked="" type="checkbox"/> Order</p> <p>Aff. Posting</p> <p>Status Rpt</p> <p><input checked="" type="checkbox"/> UCCJEA</p> <p>Citation</p> <p>FTB Notice</p>	<p>NO TEMPORARY – BOTH TEMPORARY PETITIONS WERE DENIED AT HEARING ON 9-22-11</p> <p>FELICIA LEE and LAFON MOULTRIE, Angela’s sister and brother-in-law, are Petitioners</p> <p>Father: JAMES MCLEAN Mother: BEVERLY ANN WILLIAMS (MINNIEWEATHER) - <i>Deceased</i></p> <p>Paternal Grandfather: not listed Paternal Grandmother: not listed</p> <p>Maternal Grandfather: Deceased Maternal Grandmother: Deceased</p> <p>Petitioners state they have been caring for the children since Mother passed away in 2007.</p> <p>STEPHANIE ATKINS, “sister-in-law” (fiancé of the children’s brother DAVID HOLLIMAN), is a competing petitioner for Angela only. See Page 24A.</p> <p>Court Investigator Charlotte Bien filed a report on 10-25-11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page 24A is a petition for minor Angela Williams (13) <u>only</u>.</p> <p>Page 24B is a petition for both minors Angela Williams (13) and Robert McLean (16).</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per Probate Code §1511 or consent and waiver of notice or declaration of due diligence on Robert’s father James McLean. 3. Need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per Probate Code §1511 or consent and waiver of notice or declaration of due diligence on: <ul style="list-style-type: none"> - Robert’s paternal grandfather - Robert’s paternal grandmother - Siblings age 12 or older <p>Reviewed by: skc</p> <p>Reviewed on: 11-2-11</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 24B – Williams & McLean</p>
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Atty Gonzales, Sandra

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

Age: 6 years DOB: 3/22/05	<p>GENERAL HEARING 1/4/2012</p> <p>SANDRA GONZALES, paternal grandmother, is petitioner.</p> <p>Father: SERGIO GONZALES – <i>consents and waives notice.</i></p> <p>Mother: LYDIA ROMERO – <i>consents and waives notice.</i></p> <p>Paternal grandfather: Sergio Anaya Maternal grandfather: Armando Romero – <i>consents and waives notice.</i></p> <p>Maternal grandmother: Marina Torres – <i>consents and waives notice.</i></p> <p>Petitioner states mom was never in the minor’s life and dad is no longer in the home.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Please see related case on page 25. Petitioner is also requesting to be appointed as guardian of this minor’s half sibling, Benjamin Gonzales (they have the same father).</p>	
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			N/A
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 11/2/11</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 25 - Gonzales</p>	

Atty Gonzales, Sandra (Pro per, Petitioner/paternal grandmother)

Atty Sanchez, Yvonne E. (pro per maternal grandmother)

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

Age: 1 month DOB: 10/3/11	GENERAL HEARING 1/4/2012	NEEDS/PROBLEMS/COMMENTS:
	SANDRA GONZALES , paternal grandmother, is petitioner.	This petition is as to BENJAMIN ONLY.
	Father: SERGIO GONZALES	A competing petition for temporary guardianship of all the minors was filed by the maternal grandmother was heard on 11/7/11.
Cont. from	Mother: AMBREA SANCHEZ	Also, please see related case on page 26. Petitioner is also requesting to be appointed as guardian of Benjamin's half sibling (they have the same father).
Aff.Sub.Wit.	Paternal grandfather: Sergio Anaya	
✓ Verified	Maternal grandparents: not listed.	1. <i>Need Notice of Hearing.</i>
Inventory		2. <i>Need proof of personal service of the Notice of Hearing along with a copy of the Petition for Appointment of Temporary Guardian, or Consent and Waiver of Notice or Declaration of Due Diligence on:</i>
PTC		a. Sergio Gonzales (father)
Not.Cred.		b. Ambrea Sanchez (mother)
Notice of Hrg X		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv. X		
✓ Conf. Screen	Petitioner states mom is in rehab and dad is no longer in the home.	
✓ Letters		
✓ Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		Reviewed by: KT
Status Rpt		Reviewed on: 10/31/11
✓ UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 22 - Gonzales

DOD: 1/21/04	<p>R. FRANK BUTLER, Trustee of the Gregory Sakajian Living Trust (“Trust”) is Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
	<p>Petitioner states:</p>	
Cont. from	<ul style="list-style-type: none"> Decedent Gregory Sakajian (“Decedent”) executed the Trust on 8/14/03 as a widower (his spouse Arpy Sakajian passed away 3/24/99) (<i>Trust attached to Petition as Exh. A</i>); 	<p>Note: This Petition was before the Court <i>ex parte</i> on 10/27/11; the Court set the matter for hearing on 11/8/11, and ordered that all interested parties be provided with 4 days’ notice of hearing. <i>Notice provided 11/1/11</i></p>
Aff.Sub.Wit.		
√ Verified		
Inventory		
PTC	<ul style="list-style-type: none"> Decedent died on 1/21/04; 	
Not.Cred.		
√ Notice of Hrg	<ul style="list-style-type: none"> Decedent transferred to the Trust, by the Trust’s Schedule A, “all assets previously in the Survivor’s Trust of the of the Gregory Sakajian and Arpy Sakajian Revocable Living Trust dated June 14, 1993 consisting of ...all bank, savings and loan, brokerage accounts, stocks, bonds, notes, insurance policies, annuities and other investments now in or subsequently transferred to this Trust.” (<i>This 1993 Trust, which includes an Amendment dated 10/22/97, is attached to Petition as Exh. C</i>); 	
√ Aff.Mail	<ul style="list-style-type: none"> Decedent’s 1/3 undivided interest in real property located in Los Angeles County and deeded in the individual name of “Gregg Sakajian” and further described in the grant deed attached as <i>Exh. D</i> (“Real Property”), is an asset of the Trust as described and intended as such by Decedent because: <ul style="list-style-type: none"> 1) <u>the Real Property was an asset of the 1993 Survivor’s Trust by reason of the following:</u> <ul style="list-style-type: none"> Decedent and his wife were married in 1934 and lived together as husband and wife continuously thereafter and domiciled in Fresno until Decedent’s wife’s death in 1999; The Real Property was acquired by Decedent on 1/28/47; The Real Property is a California asset acquired during the marriage of Decedent and his wife, and was their community property pursuant to Family Code §760; furthermore, real property held in a revocable trust continues to be community property unless the trust provides otherwise (Family Code §761 (a)) The 1993 Trust provides that all other Trust property acquired during the Settlor’s marriage shall retain the nature of its previous character and shall be distributed according to the (1993) Trust terms; and 2) <u>as the Real Property was an “investment,” as expressly described in Schedule A of the Trust.</u> 	
w/o		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
√ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		<p>Reviewed by: NRN</p>
FTB Notice		<p>Reviewed on: 11/2/11</p>
		<p>Updates: 11/7/11</p>
		<p>Recommendation:</p>
	<p>Petitioner requests that the Court order, pursuant to PrC §15200(a) and <i>Heggstad v. Heggstad</i> (1993) 16 Cal. App. 4th 9043, that the Real Property is an asset of the Trust, and that title to Decedent’s interest in the Real Property be transferred to Petitioner as the trustee of the Trust.</p>	<p>File 27 - Sakajian</p>