



## ATTENTION

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

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

Thank you for your patience.

Petition to Fix Residence Outside the State of California

		<p>SHELLY WILSON, paternal grandmother, was appointed guardian of the person on 2/11/2009 and is petitioner</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need <i>Notice of Hearing</i>.</li> <li>2. Need proof of service of <i>Notice of Hearing</i> with a copy of the petition at least 15 days before the hearing on:                     <ol style="list-style-type: none"> <li>a. Derek Haas (father)</li> <li>b. Natalie Bain-Orndoff (mother)</li> <li>c. Gary Haas (paternal grandfather)</li> <li>d. Robert Orndoff (maternal grandfather)</li> <li>e. Patti Miller (maternal grandmother)</li> <li>f. Kylie Bain (sibling – <i>if 12 years or older</i>)</li> </ol> </li> <li>3. Petition does not indicate the physical address nor the duration of the out-of-state move (#2 and #5 of the petition). Need address and if the move is expected to be more than four months a guardianship of the person will need to be commenced in the place of the new residence.</li> </ol> <p><b>Note:</b> If the petition is granted:</p> <ul style="list-style-type: none"> <li>• After the move the guardian must serve a <i>Post-Move Notice of Change of Residence of the Ward</i> (Judicial Council form GC-080) on the minors' parents within 30 days of the move and then file the original with the Court.</li> <li>• Petitioner must establish a guardianship or its equivalent in Oregon within four months of the date of the Court's order fixing the residence outside California.</li> <li>• A status hearing will be set on <b>Tuesday, May 9, 2017 at 9:00 am in Dept. 303</b> for the filing of the proof of establishment of a guardianship in Oregon.</li> </ul>
Cont. from		<p><i>Please see petition for details.</i></p>	
	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		
		Reviewed by: SEF	
		Reviewed on: 11/2/2016	
		Updates:	
		Recommendation:	
		File 2- Haas	

First and Final Account and Report of Executor and Petition for Its Settlement, for confirmation and approval of acts of Executor, for Allowance of Compensation to Executor for Ordinary Services and Attorney for Ordinary and Extraordinary Services; and for Final Distribution

<b>DOD: 1/18/14</b>	<b>SANDRA BROWN</b> , Executor with Full IAEA without bond, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Petitioner was originally represented by Attorney C. Michael Farmer. Therefore, need agreement re statutory compensation pursuant to Probate Code §10814.  2. The Court may disallow the reimbursement of \$15.10 in e-filing charges as a cost of doing business.  3. Need clarification as to why attorney fees and costs associated with the ancillary probate in Louisiana were not paid from that proceeding.  4. Need Declarations under Probate Code §13100 from the five heirs of Jarutha Marshall: - Dottie Jones Dejohnette - Audrey Jones Haydel - Arthur Earl Jones - James Bernard Jones - Alvin Lester Jones
	Account period: 3/25/15 – 9/12/16	
	Accounting: \$145,269.58	
	Beginning POH: \$115,973.96	
	Ending POH: \$126,153.05 (\$124,153.05 cash plus vehicle)	
	Executor (Statutory): \$5,388.09	
	Attorney (Statutory): \$5,388.09	
	Costs: \$57.55 to Attorney Krause for e-filing and certified letters; \$250.00 to Attorney Phillip M. Lester re ancillary probate in Louisiana	
	Attorney Krause (XO): \$2,150.00 (for 8.6 hours @ \$250/hr for diligence in researching heirs, sale of real property)	
	Attorney Lester: \$1,500.00 (for services in connection with the ancillary probate in Louisiana)	
	Closing: \$3,435.05	
	<b>Distribution pursuant to Decedent's will:</b>	
	Sellerstein Campbell: \$8,500.00	
	Barbara Smith: \$8,500.00	
	Shannon Faulk: \$500.00	
	Paulette Hayes (Fresno County Treasury): \$500.00	
	Candace White: \$500.00	
	Justice Grady: \$500.00	
	Sandra Brown: \$42,522.15 plus Chevy Pickup	
	Heirs of Jarutha Marshall: Dottie Jones Dejohnette: \$8,904.43 Audrey Jones Haydel: \$8,904.43 Arthur Earl Jones: \$8,904.43 James Bernard Jones: \$8,904.43 Alvin Lester Jones: \$8,904.43	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	
<input checked="" type="checkbox"/>	<b>Inventory</b>	
<input checked="" type="checkbox"/>	<b>PTC</b>	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w	
<input type="checkbox"/>	<b>Aff.Pub.</b>	
<input type="checkbox"/>	<b>Sp.Ntc.</b>	
<input type="checkbox"/>	<b>Pers.Serv.</b>	
<input type="checkbox"/>	<b>Conf. Screen</b>	
<input checked="" type="checkbox"/>	<b>Letters</b> 3/25/15	
<input type="checkbox"/>	<b>Duties/Supp</b>	
<input type="checkbox"/>	<b>Objections</b>	
<input type="checkbox"/>	<b>Video Receipt</b>	
<input type="checkbox"/>	<b>CI Report</b>	
<input checked="" type="checkbox"/>	<b>9202</b>	
<input checked="" type="checkbox"/>	<b>Order</b>	
<input type="checkbox"/>	<b>Aff. Posting</b>	
<input type="checkbox"/>	<b>Status Rpt</b>	
<input type="checkbox"/>	<b>UCCJEA</b>	
<input type="checkbox"/>	<b>Citation</b>	
<input checked="" type="checkbox"/>	<b>FTB Notice</b>	
<b>Reviewed by:</b> skc		
<b>Reviewed on:</b> 11/3/16		
<b>Updates:</b>		
<b>Recommendation:</b>		
<b>File 6- Robinson</b>		

Attorney David M. Gilmore; Katherine M. Rigby (for Petitioner Melanie Horne, Trustee)  
 Attorney Jim D. Lee, of Hanford (for Respondent Duinkerken Farms; Herman Duinkerken;  
 Brad Duinkerken)

**Order to Show Cause Re: Preliminary Injunction**

	<b>MELANIE HORNE</b> , Trustee, filed an <i>Ex Parte</i> Application in Support of <i>Ex Parte</i> Request for Restraining Order and Order to Show Cause Re Preliminary Injunction on 8/16/2016, set by Order filed 8/17/2016 for order to show cause hearing on 9/7/2016.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Continued from 9/28/2016.</b>
		Minute Order states the previously granted OSC was not served to any interested parties, as counsel was not aware that the order had been signed. The Court is willing to continue the orders; Mr. Gilmore will submit a new order.
<b>Cont. from 092816</b>		
<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 checked="" 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		
	<p><b>Order Granting Application for Temporary Restraining Order and Order to Show Cause Re Preliminary Injunction was signed 9/7/2016 [Judge Vogt] ordering that:</b> Respondents Brad Duinkerken and Duinkerken Farms, their agents, employees, and representatives are restrained from entering onto or occupying any portion of the parcels identified as 1337 E. Wood Avenue, Fresno (18.35 acres) and 1291 E. Lewiston Ave., Fresno (23 acres) and further are ordered not to interfere with the harvest of crops from said properties. Respondents are restrained from attempting to market or sell the crops on said properties. Respondents are ordered to appear on 9/28/2016 at 9:00 a.m., in Dept. 303 before this Court to show cause why a preliminary injunction should not issue on the same terms and conditions as this restraining order pending resolution of the remaining issues in this case.</p> <p><b>Order Continuing Temporary Restraining Order and Issuing Order to Show Cause Re Preliminary Injunction was signed 10/11/2016 [Judge Kazanjian] ordering [the same findings as the order signed 9/7/2016],</b> and that the temporary restraining order continues in place until the hearing on 11/9/2016; and that Respondents are order to appear on 11/9/2016 before this Court to show cause why a preliminary injunction should not issue on the same terms and conditions as this restraining order pending resolution of the remaining issues in this case.</p>	<p><b>Note:</b> Notice of Entry of Order filed 10/17/2016 shows a copy of the Order Continuing Temporary Restraining Order and Issuing Order to Show Cause Re Preliminary Injunction filed 10/11/2016 was served by the Applicant (Trustee Melanie Horne) to all interested parties on 10/14/2016.</p>
		<b>Reviewed by:</b> LEG
		<b>Reviewed on:</b> 11/2/16
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 11- Rowland</b>

Petitioner Corina Torres (Pro Per, maternal aunt)

Petition for Appointment of Guardian of the Person

		<p><b>TEMPORARY GRANTED ON THE COURT'S OWN MOTION EXPIRES 11/9/2016</b></p> <p><b>CORINA TORRES</b>, maternal aunt, is Petitioner.</p> <p align="center">~Please see Petition for details~</p> <p>Court Investigator's Report was filed on 5/23/2016.</p> <p>Objection to Guardianship filed by <b>URBANO MAGANA</b>, father, on 9/8/2016.</p> <p>Declaration filed by <b>SARA GONZALEZ</b>, on 10/24/2016.</p> <p>Declaration filed 10/24/2016 includes an attachment consisting of a notarized statement signed by <b>OSCAR LOPEZ GONZALEZ</b>.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 9/28/2016.</b> Minute Order states examiner notes provided to Petitioner in open court. The Court also notes that the service of Urbano Magana's Objection was defective. The Court grants temporary orders; Letters are to issue forthwith.</p> <p><b>The following defects from the last hearing remain to be addressed by Petitioner:</b></p> <ol style="list-style-type: none"> <li>1. Need proof of service by mail of the Notice of Hearing with a copy of the Petition for Appointment of Guardian, or a Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence: <ul style="list-style-type: none"> <li>• Oscar Gonzalez, father listed on child's birth certificate;</li> <li>• Urbano Magana, Sr., paternal grandfather;</li> <li>• Blanca Zuniga, paternal grandmother.</li> </ul> </li> </ol> <p><b>Note to Objector URBANO MAGANA:</b> Proof of Service filed 9/16/2016 shows a copy of the Objection was personally served to Petitioner Corina Torres and to Sara Gonzalez (who is the mother of Oscar Gonzalez) on <b>8/15/2016</b>. This proof of service is ineffective because the date the Objection was signed and filed of <b>9/9/2016</b> by Urbano Magana falls after the date that the person who personally served the Objection (Margarita Ayala) states that she served the copy.</p>
Cont. from 060116, 070616, 081716, 092816			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
Aff.Mail		X	
Aff.Pub.			
Sp.Ntc.			
✓ Pers.Serv.			
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
✓ Objections			
Video Receipt			
✓ CI Report			
✓ Clearances			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
			<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 11/3/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 12- Lopez</b></p>

<b>DOD: 11/02/2014</b>	<p><b>LAURENA GRIMMETT</b>, wife, was appointed Administrator with full IAEA authority without bond on 06/08/2016.</p> <p>Letters issued on 06/10/2016</p> <p>Minute Order of 06/08/2016 set this Status Hearing for the filing of the Inventory and Appraisal.</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<p>1. Need Inventory and Appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> LV
		<b>Reviewed on:</b> 11/02/2016
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 13- Grimmett</b>

**Petition for Appointment of Guardian of the Person**

		<p><b>There is no temporary.</b></p> <p><b>LINDA OMAN</b>, maternal great-aunt, is petitioner.</p> <p><i>Please see petition for details.</i></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 9/28/2016.</b>                  As of 11/3/16 the following issues remain:</p> <ol style="list-style-type: none"> <li>1. Paternal grandparents, maternal grandfather and siblings were mailed notice without a copy of the petition as required.</li> </ol>	
Cont. from 081716, 092816				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/O
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input 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 checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: KT / SEF	
			Reviewed on: 11/3/2016	
			Updates:	
			Recommendation:	
			File 14- Smith	

Petitioner: Irma I. Armenta (pro per)

Petitioner: Guadalupe Sandoval (pro per)

Petition for Appointment of Guardian of the Person

		<u>TEMPORARY EXPIRES 11/9/2016</u>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>GUADALUPE SANDOVAL</b> , maternal grandmother, and <b>IRMA ARMENTA</b> , maternal aunt, are petitioners.	<b>Minute order dated 9/28/2016</b> states Alicia Sandoval's (mother) objects for the record. Written objections to be filed and properly served by 10/25/2016.
<b>Cont. from 092816</b>		<b>Court Investigator Charlotte Bien's Report</b> filed on 9/19/16.	As of 11/3/2016, the following issues exist:
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		<b>Petitioner:</b> 1. UCCJEA is incomplete. It does not provide the minor's residence information for the past 5 years. 2. Need proof of personal service at least 15 days before the hearing of the <i>Notice of Hearing</i> with copy of petition <u>or</u> consent and waiver of notice on Chastity Ayala (proposed ward).
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>	<b>Objections by Alicia Sandoval (mother) filed 9/28/2016.</b>	<b>Objector:</b> 1. Need proof of service of objections on petitioners Guadalupe Sandoval and Irma Armenta.
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	<i>Please see petition for details.</i>	<b>Reviewed by:</b> KT / SEF
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		<b>Reviewed on:</b> 11/3/2016
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input checked="" type="checkbox"/>	<b>Pers.Serv.</b>	W/	<b>Updates:</b>
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		<b>Recommendation:</b>
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input checked="" type="checkbox"/>	<b>Objections</b>	w/	<b>File 15- Ayala</b>
<input type="checkbox"/>	<b>Video Receipt</b>		
<input checked="" type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input checked="" type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

**16 Za'Morrah Johnson (GUARD/P)**

**Case No. 16CEPR00946**

Petitioner: LaShawn M. Jaso (Pro per – Great aunt)  
 Petitioner: George J. Jaso, Jr. (Pro per – Great uncle)

**Petition for Appointment of Guardian of the Person**

		<b><u>NO TEMPORARY REQUESTED</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>LASHAWN JASO and GEORGE JASO, JR.,</b> great aunt and great uncle, are petitioners		
<b>Cont. from</b>		<i>Please see petition for details.</i>	<ol style="list-style-type: none"> <li>1. Need <i>Notice of Hearing</i></li> <li>2. Need proof of personal service of <i>Notice of Hearing</i> with a copy of the petition at least 15 days before the hearing on:                             <ol style="list-style-type: none"> <li>a. D'Andre Demond Johnson (father) – <i>unless the Court excuses notice</i></li> </ol> </li> <li>3. Need proof of service of <i>Notice of Hearing</i> with a copy of the petition at least 15 days before the hearing on:                             <ol style="list-style-type: none"> <li>a. Paternal grandparents – <i>unless the Court excuses notice</i></li> <li>b. Za'Meerah Johnson (sibling) – <i>if 12 years or older</i></li> </ol> </li> </ol>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input type="checkbox"/>	<b>Notice of Hrg</b>			x
<input type="checkbox"/>	<b>Aff.Mail</b>			x
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			x
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>			
<input checked="" type="checkbox"/>	<b>Letters</b>			
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input checked="" type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input checked="" type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
			<b>Reviewed by:</b> SEF	
			<b>Reviewed on:</b> 11/3/2016	
			<b>Updates:</b>	
			<b>Recommendation:</b>	
			<b>File 16- Johnson</b>	

Petition for Appointment of Guardian of the Person

		<b><u>TEMPORARY EXPIRES 11/9/2016</u></b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Minute order dated 9/22/2016</b> re: temporary guardianship ordered petitioner to get the minors into counseling forthwith.</p> <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of service at least 15 days before the hearing of Notice of Hearing with copy of petition <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence for:                         <ol style="list-style-type: none"> <li>a. Karl Adams (maternal grandfather)</li> </ol> </li> </ol>
		TERESA VALLES, paternal grandmother, is petitioner	
		<i>Please see petition for details.</i>	
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 type="checkbox"/>	Notice of Hrg	x	
<input type="checkbox"/>	Aff.Mail	x	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<b>Reviewed by:</b> SEF	
		<b>Reviewed on:</b> 11/3/2016	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 18- Rodriguez</b>	

DOD: 07/25/2016		<p><b>ROBIN GAYLE BENSON</b>, daughter, and <b>TODD F. MORELOCK</b>, son, and named co-executors without bond, are petitioners.</p> <p>Full IAEA – o.k.</p> <p>Will dated: 03/26/2015</p> <p>Residence: Clovis Publication: The Fresno Bee</p> <p><b>Estimated value of the Estate:</b> Personal property -\$220,000.00</p> <p>Probate Referee: Steven Diebert</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: If the petition is granted status hearings will be set as follows:</b></p> <ul style="list-style-type: none"> <li>• <b>Wednesday, 04/05/2017 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <b>and</b></li> <li>• <b>Wednesday, 01/03/2018 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
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 checked="" 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		
		Reviewed by: LV	
		Reviewed on: 11/03/2016	
		Updates:	
		Recommendation: Submitted	
		File 19- Morelock	

**20 Betty Thomas (Det. Succ) Case No. 16CEPR01008**

Petitioner Thomas, Mary L. (Pro Per Petitioner)  
 Petitioner Thomas, Anita R. (Pro Per Petitioner)  
 Petitioner Thomas, Matthew B., Jr. (Pro Per Petitioner)  
 Petitioner Thomas, Jeffery D. (Pro Per Petitioner)

**Petition to Determine Succession to Real Property**

<b>DOD: 2/2/16</b>		<b>MARY L. THOMAS, ANITA R. THOMAS, MATTHEW B. THOMAS, JR., and JEFFERY D. THOMAS</b> , Adult children of the decedent, are Petitioners.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need date of death of deceased spouse per Local Rule 7.1.1.D.</li> <li>2. A copy of the will is not attached to the petition. Need copy of will per #5, 12a, and Probate Code §13152(c).   <b>Note:</b> Court records indicate that the original will was deposited with the Court in DW 16CEPR00100 pursuant to Probate Code §8200; however, a copy must be attached to this petition or separately filed by declaration within this case file, as the original will remain lodged separately.</li> <li>3. This petition was filed with a fee waiver. Need filing fee of \$435.00 prior to order passing the real property asset to Petitioners.   <b>Note:</b> Examiner has interlineated the proposed order at #9b to specify that each petitioner will receive a <u>25% undivided interest</u> in the property.</li> </ol>
		40 days since DOD	
S/P	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>	No other proceedings	
✓	<b>Inventory</b>	I&A: \$90,000.00 (real property located at 1262 Klette Ave in Fresno)	
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>	Will dated 3/20/02 devises the residue of the estate to Decedent's four children (Petitioners herein).	
✓	<b>Aff.Mail</b>	<i>Note: Will is not attached to the petition. Need copy for verification.</i>	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>	Petitioners request Court determination that the decedent's real property passes to them in equal shares.	
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
			<b>Reviewed by:</b> skc
			<b>Reviewed on:</b> 11/3/16
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 20- Thomas</b>

**Petition to Determine Succession to Real Property**

<b>DOD: 6/1/16</b>		<b>SAMUEL LYTTON</b> , Son, is Petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. There is no provision for assignments in summary proceedings. The Court is limited to making determinations specifically set forth in the statute. The instant petition requires the Court to make inquiry as to the fairness, reasonableness, circumstances surrounding the transfer and/or consideration for execution for the transfer/ agreement/ request/ instructions. The plain meaning of the statute wasn't intended to prompt additional inquiry by the Court which this situation does.</li> <li>2. Attachment #11 does not state the decedent's interest in the real property.</li> <li>3. Notice to the minor heir should be sent directly, not "c/o" parents. Cal. Rule of Court 7.51.</li> <li>4. Decedent's will dated 2/10/89 is not self-proving. Need Proof of Subscribing Witness (DE-131) pursuant to Probate Code §8220.</li> <li>5. Codicil dated 12/27/06 is not self-proving, and is holographic. Need Proof of Holographic Instrument (DE-135) pursuant to Probate Code §§ 8220, 8222.</li> </ol> <p><i>Note: A Court order determining the right to succeed necessarily includes a determination as to its validity, even if the will is not technically probated. See Commentary under Probate Code Annotated, §13151.</i></p>
		40 days since DOD	
		No other proceedings	
<input type="checkbox"/>	Aff.Sub.Wit.	x	
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
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<input checked="" type="checkbox"/>	Notice of Hrg		
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<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			<p>Will dated 2/10/89 devises the entire estate to Decedent's four children, Julie Ann Lytton, Kathleen Frances Lytton, Elizabeth Carol Lytton (predeceased), and Samuel Joseph Lytton.</p> <p>Codicil dated 12/27/06 makes additional specific gifts of \$7,500.00 cash each (or by assets of equal value) to the decedent's three granddaughters, Megan Lee Grant, Casey Grant, and Sydney A. Lytton.</p> <p>Petitioner requests Court determination that the real property passes to him 100% pursuant to Assignments by the Surviving Spouse, Jean L. Cherry-Lytton, as well as Julie Ann Lytton, Kathleen Frances Lytton, Megan Lee Grant, Casey Grant, and Sydney A. Lytton (a minor, by parents Samyel Lytton and Toni Lytton).</p>
			<p>Reviewed by: skc</p> <p>Reviewed on: 11/3/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 21- Lytton</p>



**Page 2 – Petitioner states** on 12/14/12, Settlor executed a durable power of attorney for financial management which appointed Petitioner as his attorney-in-fact (Exhibit F).

Settlor executed the 10<sup>th</sup> Amendment to the trust on 8/30/13 (Exhibit G).

On 5/27/16, Settlor resigned as trustee of the Trust in favor of Petitioner as Successor Trustee (Exhibit H). Petitioner resides in Fresno County; the principal place of administration of the trust is Fresno County. Settlor currently resides in Contra Costa County, CA.

Petitioner is informed, believes, and thereon alleges that Respondent **RENZA NASSAB aka LORENZO NASSAB** currently resides in Contra Costa County.

**Petitioner states** in approx. mid-2012, Settlor's third wife was placed in hospice care, during which time Settlor began spending increasing amounts of time in various bars and restaurants and frequently become inebriated at such establishments. At one such bar, Settlor met and befriended Carolyn Thelemaque, who introduced Settlor to the Respondent. Settlor and Respondent developed their own relationship independent of Ms. Thelemaque, and grew to trust her and rely on her for companionship. Respondent seldom left Settlor out of her sight, even when he was attending to his dying wife. Her constant presence upset the wife greatly, but Respondent could not be persuaded to keep her distance. Settlor lacked the mental wherewithal to bar Respondent from visiting or demand her removal once she arrived.

Around this same time, Settlor's neurocognitive functions began to decline, at times causing him to become confused and suffer bouts of short-term memory loss. During this period, Petitioner and his siblings discovered two pieces of jewelry, a Cartier watch valued at \$59,000, and a necklace valued at \$15,000, purchased with Mr. Stevens' American Express credit card, and his wife's wedding ring, were missing.

Petitioner received a call from Settlor's bank, Wells Fargo Bank, on or around 1/12/16, whose agent informed Petitioner that Respondent had taken Settlor into the bank and appeared to be pressuring Settlor into adding her as a joint owner or signor on his accounts. According to the agent, Settlor was confused and did not appear to understand what the change would do. Wells Fargo refused to take any action with respect to Settlor's accounts.

Following this conversation, Petitioner began to investigate Settlor's assets to determine if Respondent had managed to assume control of any other assets. Petitioner discovered that large amounts were being withdrawn or transferred out of Settlor's Wells Fargo account, some directly to Respondent. Petitioner also discovered that around the time Settlor's third wife passed away, Respondent began charging large amounts of money to Settlor's American Express card. From December 2011 to present, Petitioner alleges that Respondent charged approx. \$244,514.01 to the card.

Petitioner also discovered that several large checks made payable to Respondent had been withdrawn from Settlor's checking account totaling \$779,000.00. Most checks contain the notation: "Process same day as issued." See Exhibit I.

**SEE ADDITIONAL PAGES**

**Page 3** – Most alarmingly, Petitioner learned that Settlor had transferred real property to Respondent as a joint tenant (Exhibit J).

Petitioner is also informed, believes, and thereon alleges that valuable stocks have also been transferred from Settlor's investment accounts; however, the number and value is unknown. In addition, at least one vehicle, a BMW X5, was transferred to Respondent.

When Petitioner confronted Settlor about the aforementioned transactions, Settlor had no recollection of making the gifts and did not believe that he had done so. Settlor subsequently asked Respondent to return the real property and various assets, but Respondent refused.

Petitioner subsequently noticed Respondent wearing various pieces of jewelry that had disappeared while Settlor's third wife was in hospice care.

Upon realizing the scope of Respondent's misconduct, Petitioner began taking action to ensure that Settlor was both physically and financially protected from further malfeasance. Pursuant to his fiduciary duties as trustee and the terms of the durable power of attorney, Petitioner has contacted Settlor's various financial institutions to ensure that no assets are withdrawn or transferred without his consent, and Petitioner has ensured that Settlor is in an appropriate care facility. Petitioner is also in the process of severing the joint tenancy allegedly created pursuant to the 11/2/15 deed.

**1<sup>st</sup> Cause of Action (Petition for Order Compelling Transfer of Trust Assets – Probate Code §§850 et seq., 17200.1):** Petitioner states Settlor intended for all of his real and personal property to be held pursuant to the terms of the trust. Respondent currently appears to have title to certain real property interests that are properly assets of the trust estate, specifically **739 Paradise Valley Court, Danville, CA 94526**, and cash and other items.

Petitioner states Respondent also currently appears to be in possession of cash and other items of personal property that are assets of the trust estate. At a minimum, Respondent has misappropriated approx. \$244,514.01 in cash and various items of jewelry, including the \$59,000 Cartier watch, a \$15,000 necklace, Settlor's wife's wedding ring, and stocks and other financial instruments of unknown character in unknown amounts.

Petitioner alleges Settlor lacked sufficient capacity to validly transfer the aforementioned property to Respondent and did not understand the consequences of his actions and has no recollection of making such transfers. Petitioner alleges that Respondent coerced Settlor into transferring such property interests through fraud and undue influence.

Petitioner requests the Court order Respondent to transfer any and all trust assets or assets otherwise received from Settlor in her custody or control to the Trustee pursuant to Probate Code §850, including but not limited to the assets described above.

**SEE ADDITIONAL PAGES**

**Page 4 – Second Cause of Action (Rescission – Civil Code §§ 39, 1689):** Petitioner states at the time the 11/2/15 deeds were executed, Settlor was of unsound mind pursuant to Civil Code §39 and not represented by counsel. He was confused, unable to understand the consequences of his actions, and substantially unable to resist undue influence. To date he has no recollection of executing the joint tenancy deed. The deed was procured by fraud and undue influence. Settlor enjoyed a relationship of trust and confidence with Respondent, and through her actions, Settlor relied on her for companionship when he was vulnerable to overreaching due to his age, infirmity, the death of his wife, and his declining mental capacity. Respondent had knowledge of the transfer and was actively involved in the procurement of the property, and has refused to return the property. The transfer was unnatural and unduly benefitted Respondent. Respondent is not related to Settlor, and at the time transfers began, had no pre-existing relationship with Settlor outside of informal social meetings during which settlor was typically inebriated.

As such, Petitioner requests the Court rescind the 11/2/15 instrument transferring an interest in the Danville real property to Respondent as a joint tenant.

**Third Cause of Action (Financial Elder Abuse – W&I Code §§15610.30 et seq., 15657.6):** Petitioner states Settlor was over age 65 at all times relevant herein. Respondent took, obtained, and appropriated Settlor's real and personal property by receiving said property, and retained said property when she refused to return at Settlor's request. Respondent knew or should have known that Settlor was at a minimum of unsound mind, but not entirely without understanding, at the time she received the property. Respondent took, obtained, appropriated, and retained Settlor's real and personal property for a wrongful use because she knew that conduct would be harmful to Settlor due to his age, infirmity, and inability to generate additional income, and through undue influence.

Petitioner requests the Court award compensatory damages and punitive damages as well as attorney's fees and costs pursuant to W&I Code §15657.5.

**Fourth Cause of Action (Petition to Determine Validity of Trust Instrument – Probate Code §17200):** Petitioner is concerned that the 10<sup>th</sup> Amendment, was procured through fraud and undue influence, as the gift called for in the 10<sup>th</sup> Amendment is unnatural and unduly benefits Respondent. As such, Petitioner requests the Court determine the validity of the 10<sup>th</sup> Amendment.

**SEE ADDITIONAL PAGES**

**Page 5 – Petitioner respectfully requests the following:**

**On the First Cause of Action (Probate Code §§850 et seq., 17200.1):**

1. An order compelling Respondent to transfer any and all property received from Settlor to Petitioner in his capacity as successor trustee of the trust, including but not limited to the assets described above;
2. A finding that Respondent is liable for twice the value of the property wrongfully taken pursuant to Probate Code §859;
3. An award of reasonable attorney's fees and costs pursuant to Probate Code §859;

**On the Second Cause of Action (Civil Code §§39, 1689):**

4. Rescission of the grant deed dated 11/2/15 and recorded in the records of Contra Costa County, CA;

**On the Third Cause of Action (W&I Code §§ 15610.30 et seq., 15657.6):**

5. An award of compensatory damages according to proof;
6. An award of punitive damages sufficient to deter similar conduct in the future by Respondent and others;
7. An award of reasonable attorney's fees and costs pursuant to WI& Code §15657.5;

**On the Fourth Cause of Action (Probate Code §17200):**

8. An order determining the validity or invalidity of the 10<sup>th</sup> Amendment to the trust;

**On all causes of action:**

9. Any and all other relief the Court deems just and proper; and
10. An award of his costs of suit herein incurred.

**23 Lurisa Flores, Xavier Flores, Nathaniel Flores,  
Danielle Gonzales, Anthony Ramirez (GUARD/P) Case No. 16CEPR00831**  
 Petitioner: Rita Avila Maldonado (Pro per – Paternal great grandmother/Step great grandmother)

**Petition for Appointment of Temporary Guardian of the Person (as to  
Nathaniel, Danielle and Anthony only)**

<u>GENERAL HEARING 1/10/2017</u>		NEEDS/PROBLEMS/COMMENTS:	
RITA AVILA MALDONADO, paternal great grandmother and step great grandmother, is petitioner.		<p><b>Petition is as to Nathaniel, Danielle and Anthony only.</b> Vanessa Soza was appointed guardian of Lurisa and Xavier on 10/11/2016.</p> <ol style="list-style-type: none"> <li>Consent and waiver of notice filed 10/26/2016 by Daniel Ramirez, father of Danielle and Anthony, is incomplete. It is blank at #1 re: who is to serve as guardian and at #4 re: filing date of the petition for appointment of guardian.</li> <li>Need <i>Notice of Hearing</i>.</li> <li>Need proof of personal service with at least 5 court days notice of <i>Notice of Hearing</i> with a copy of the temporary petition <u>or</u> consents and waivers of notice <u>or</u> declarations of due diligence for:                             <ol style="list-style-type: none"> <li>George Flores (Nathaniel's father)</li> <li>Rachel Flores Gonzales (mother)</li> </ol> </li> </ol>	
Please see petition for details.			
Cont. from			
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<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
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		<b>Reviewed by:</b> SEF	
		<b>Reviewed on:</b> 11/4/2016	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 23- Flores/ Gonzales/ Ramirez</b>	

**24 Karley Gonzales, Kayson Gonzales (GUARD/P) Case No. 16CEPR01117**

Petitioner Gonzales, Conrad, Jr. (Pro Per – Paternal Grandfather – Petitioner)

Petitioner Gonzales, Sylvia Jean (Pro Per – Paternal Grandmother – Petitioner)

**Petition for Appointment of Temporary Guardian of the Person**

		See petition for details.	NEEDS/PROBLEMS/COMMENTS:	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
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✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 11/4/16	
			Updates:	
			Recommendation:	
			File 24- Gonzales	