

Third Account Current and Report of Trustee; Petition for Allowance of Compensation to Trustee and Attorney

DOD: 11/22/06	PUBLIC GUARDIAN , successor trustee, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Monday, 09/14/15 at 9:00a.m. in Dept. 303 for the filing of the fourth account. <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>
	Account period: 07/01/12 – 06/30/14	
Cont. from	Accounting - \$326,990.37	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH - \$326,901.46	
<input checked="" type="checkbox"/> Verified	Ending POH - \$93,489.97	
<input type="checkbox"/> Inventory	Trustee - \$123.60 (1.5 staff hours @ \$76/hr. and .10 deputy hours @ \$96/hr.)	
<input type="checkbox"/> PTC	Attorney - \$600.00 (4 hours @ \$150/hr.)	
<input type="checkbox"/> Not.Cred.	Bond fee - \$467.46 (ok)	
<input checked="" type="checkbox"/> Notice of Hrg	<p>Petitioner states that during the account period, the real property asset of the trust estate was abandoned by the trustee because it was "upside down". The note was for \$248,000.00 and the offers made were for about \$150,000.00. The monthly mortgage payment was about \$1,557.00. Continuing to pay to preserve property from which the Trust could not benefit would not have been a prudent expenditure of funds.</p> <p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> 1. Approving, allowing and settling the third account; 2. Authorizing the trustee and attorney fees and commissions; 3. Authorizing the bond fee; and 4. Any other orders the court deems proper. 	
<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: JF	
	Reviewed on: 11/05/14	
	Updates:	
	Recommendation:	
	File 1 - Hernandez	

Atty LeVan, Nancy J., sole practitioner (for Jonathan Holcomb, Executor)

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

DOD: 10/26/2007	JONATHAN HOLCOMB , son, was appointed Executor with Full IAEA authority without bond on 5/26/2009. Letters issued on 5/26/2009.	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p><u>Continued from 8/11/2014.</u></p> <p>Notes for background:</p> <ul style="list-style-type: none"> Minute Order dated 1/10/2014 states counsel informs the Court that they are proceeding with the recovery of assets turned over to the Controller. Creditor's Claim was filed 7/7/2009 by the Franchise Tax Board in the amount of \$481.07 [recently updated to the total of \$625.52.] <ol style="list-style-type: none"> Need Supplemental Inventory and Appraisal for the \$5,016.82 funds received, and all other funds received. Need first account and/or petition for final distribution, and proof of service of notice of the Status Report filed 11/6/2014, pursuant to Local Rule 7.5(B), including notice per Request for Special Notice filed by the Franchise Tax Board on 7/7/2009.
Cont. from 011014, 031114, 081114	Pursuant to Probate Code § 8800(b) , Final Inventory and Appraisal was due 9/26/2009. Final Inventory and Appraisal was filed on 3/25/2014 showing an estate value of \$23,738.31 .	
<input type="checkbox"/> Aff.Sub.Wit.	First account and/or petition for final distribution was due May 2010.	
<input checked="" type="checkbox"/> Verified	Notice of Status Hearing filed 11/15/2013 set a status hearing on 1/10/2014 for failure to file the inventory and appraisal and first account and petition for final distribution.	
<input type="checkbox"/> Inventory	Status Report filed by JONATHAN HOLCOMB on 11/6/2014 states:	
<input type="checkbox"/> Acct.	<ul style="list-style-type: none"> Forms have been completed and mailed to the Principal Financial Group to redeem the common shares in Decedent's name; Funds were received in the amount of \$5,016.82; an estate account was opened after acquiring an EIN number for the estate; A Request for Special Notice and Creditor's Claim were filed by the Franchise Tax Board on 7/7/2009; they have contacted the Franchise Tax Board and received an updated amount of the claim including interest totaling \$625.52, and a check will be mailed out on 11/7/2014 with a satisfaction and release of claim form for the Franchise Tax Board to sign and return; when they receive the signed satisfaction and release of claim form, they will file it with the Court; The Principal Financial Group sent several dividend checks to the State Controller because the checks were returned to the Principal Financial Group uncashed; it has taken several months and inquiries with the State Controller to find all of the funds received by the State Controller in Decedent's name; there were 4 claims to be made under Ann Marie Holcomb and 1 under Ann Holcomb; as of this date, they have not received the funds from the State Controller; After realizing that this matter could not be completed without his cooperation and work, he has been providing his attorney with the necessary documents to ascertain the assets in the estate, completed forms to recover funds, and opened an estate account when he received funds for the estate. 	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input checked="" type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		<p>Reviewed by: LEG</p> <p>Reviewed on: 11/5/14</p> <p>Updates: 11/7/14</p> <p>Recommendation:</p> <p>File 2 – Holcomb</p>

Atty Walters, Jennifer L. (for Lana Pratt – guardian)

Atty Ruiz, Richard A. (for Angelina Collins – Petitioner – Mother)

Petition for Termination of Guardianship

Nathaniel, 4	ANGELINA COLLINS , mother, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 09/15/2014.</p> <p>The following issues remain:</p> <ol style="list-style-type: none"> 1. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Termination of Guardianship or Declaration of Due Diligence or Consent & Waiver of Notice</i> for: <ul style="list-style-type: none"> - Paternal grandparents (not listed) - Kurt Ricardo (maternal grandfather) 2. Need Order.
Malichi, 3		
	LANA PRATT , maternal grandmother, was appointed guardian on 11/26/12. – served by mail on 02/10/2014	
	Father: NATHANIEL COMENGER , consents and waives notice	
	Paternal grandparents: NOT LISTED	
	Maternal grandfather: KURT RICARDO	
Cont. from 041514, 061714, 091514	Petitioner states: it has been almost 15 months since the guardianship of her boys was granted. She was very upset about her children being taken away and reacted with hatred and anger. She states she wants to be a better mother for her children and has therefore been attending counseling, she voluntarily enrolled in a parenting class, is seeking employment and has also moved into a better neighborhood. She states that the father of the children was also attending the parenting classes with her. The mother states that she and the father are residing together and plan on being together permanently.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report	Petitioner respectfully requests that Court grant her petition for termination of the guardianship. She knows that she can provide for her children. It would be in their best interest to be with their mother and father. She states she will ensure that they receive proper medical attention, ensure their hygiene is kept up, that they have a clean home to come to and a room and bed of their own.	
9202		
Order	X	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
Please see additional page		
		Reviewed by: LV
		Reviewed on: 11/05/2014
		Updates:
		Recommendation:
		File 3 – Collins

Objection to Mother's Request for Termination of Guardianship filed 04/15/2014 by the Guardian, Lana Pratt, states during the last year there has been nothing but problems with the children's mother. There were times she would show up at the guardian's home yelling and screaming. She would also call to inform the guardian that her boyfriend was beating her up. In November 2013 called indicating that her boyfriend threw her up against the wall and she was afraid to call the police. Guardian states she cannot figure out what is going on with the mother and her living situation.

During the first court proceeding, the children's father, Nathaniel Comeger was not engaged with the children or the case in any way. In his declaration filed with this current petition he indicates he and Angelina were still in a relationship during the time he resided in Colorado, which is the same time the initial guardianship was taking place. Angelina provided his contact information to the Court Investigator. The Investigator's report indicated Angelina to be home with her boyfriend, Norris Cobb, during the home visit. This is the same boyfriend she subsequently had a child with. Mr. Comenger has not been a part of the children's lives and is only assisting Angelina now because they appear to be back in a relationship.

After the incident in November, the guardian told Angelina she was going to move the children to Bakersfield, as their family resides there. Guardian was afraid of the issues that were occurring with the mother and the people she was associated with. The mother has not made any effort to call or set up a visit with the children since the move.

The boys are doing well, there has been great strides made last year. Nathaniel has been involved with special education to work with his learning disability. Malachi is now speaking and potty trained.

Guardian is requesting the Court deny mother's petition for termination of guardianship. The children do not recognize their mother, which is very sad. She needs to work on a visitation schedule before anything else progresses or changes.

Court Investigator Dina Calvillo's report filed 04/09/2014

Court Investigator Mario Correa, of Kern County, report filed 06/12/2014

Court Investigator Dina Calvillo's report filed 06/12/2014.

4 Barnett Seymour Salzman (CONS/PE)

Case No. 12CEPR00588

Atty Wright, Janet L. (for Conservatee Barnett Seymour Salzman)

Atty Motsenbocker, Gary L. (for Vance Severin and Terri Severin – Temporary Conservators)

Status Hearing Re: Filing of First and Final Account of Temporary Conservator

	TEMP (ESTATE ONLY) EXPIRES 9-22-14	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>First and Second and Final Account filed 11-3-14 is set for hearing on 12-16-14.</p> <p><u>Minute Order 9-22-14:</u> Mrs. Salzman appears via CourtCall. If accounting not prepared by next hearing then the Court will consider removing temporary conservators.</p>
	<p>VANCE SEVERIN and TERRI SEVERIN, Brother and Sister of Mr. Salzman's wife, Stacy Salzman, were appointed as Temporary Co-Conservators of the Person and Estate without bond (bond upon permanent appointment) on 9-25-12.</p> <p>At a hearing on 11-5-12, the Court set status hearing for the filing of the I&A for 3-22-13.</p> <p>On 12-10-12, The Temporary Co-Conservators were authorized to sell the Conservatee's real property, with proceeds to be deposited into a blocked account.</p> <p>At hearing on 1-7-13, the petition for Conservatorship of the <u>Person</u> was withdrawn, and the Temporary Conservatorship of the <u>Estate</u> was extended to 3-29-13, but was limited to the sale of the property and negotiate and settle with the Conservatee's creditors, including California Franchise Tax Board and IRS.</p> <p>Also on 1-7-13, the Court set this status hearing for filing of the First or Final Account of Temporary Conservator.</p> <p>Note: I&A filed 5-22-13 indicates the Conservatee's 50% real property interest is valued at \$75,000.00.</p> <p>Note: Per Status Report filed 5-7-14, escrow closed on 4-18-14.</p> <p>Note: Attorney Motsenbocker states the conservators are evaluating what needs to be paid and requests an additional 45 days.</p>	
Cont. from 032913, 042613, 061413, 100413, 011014, 062314, 092214		
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: 11-5-14
		Updates: 11-6-14
		Recommendation:
		File 4 - Salzman

	DEBRA PASLEY , Mother, was appointed as Conservator of the Person and Estate on 2-1-13 with bond of \$15,000.00.	NEEDS/PROBLEMS/COMMENTS:
		Note: On 2-5-14, the Court granted the Conservator's petition to fix the conservatee's residence outside the State of California (to Virginia) and set a status hearing for the filing of a conservatorship or its equivalent in Virginia for 3-28-14.
Cont. from 041114, 052314, 072914, 073014, 092914	Bond was filed on 3-27-13 and Letters issued on 3-28-13.	On 3-28-14, the Court was informed that the Conservator is seeking employment in a number of other states, and is waiting to establish conservatorship until she obtains employment and moves on a permanent basis. The status hearing was continued to 5-28-14.
Aff.Sub.Wit.	At the hearing on 2-1-13, the Court set this status hearing for the filing of the first account.	However, at this time, accounting remains due.
Verified		Note: Pursuant to Probate Code §2630, this Court may retain jurisdiction of the conservatorship estate for the purpose of settling accounts prior to termination.
Inventory		Note: Per Declaration filed 1-30-13, the Conservatee's assets include a 1/5 interest in real property in Franklin County, Virginia and an account containing approx. \$13,087.22 as of 12-31-12.
PTC		Note: I&A filed 6-5-13 indicates the account containing \$13,438.31. The Virginia real property interest is not subject to this conservatorship estate; however, pursuant to Probate Code §1063(h), the property must be noted in a schedule of the accounting.
Not.Cred.	Declaration filed 4-10-14 states that due to her move and search for employment the conservator has not been able to complete an accounting. The attorney requests that status be continued for one month to file the account.	Therefore:
Notice of Hrg		1. Need First Account or status report pursuant to Local Rule 7.5.
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	Status Report filed 5-22-14 by Ms. Erlach states the conservator and Conservatee have moved to Oklahoma where the Conservator has secured employment. The Conservator is in the process of obtaining local counsel to initiate conservatorship proceedings in Oklahoma. An additional two (2) months is requested.	
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order	Status Report filed 7-29-14 states the Conservatee is being evaluated by the Dept. of Rehabilitation Services in Oklahoma in connection with initiating a conservatorship proceeding there, and the attorney requests an additional 30 days to complete and file the accounting.	
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 11-5-14
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 5B – Pasley

(1) First and Final Account and Report of Personal Representative, (2) Petition for Settlement, for (3) Allowance of Attorneys' Fees for Ordinary Services, Costs, and for (4) Final Distribution

DOD: 4/14/12	SANTOS PEREZ , Administrator, is petitioner.		NEEDS/PROBLEMS/COMMENTS: 1. Petition proposes to distribute the 1997 Automobile to Petitioner. Petitioner is not an heir to this estate. Therefore the property should be distributed to the heirs. 2. Petition proposes to distribute the real property subject to a life estate in favor of the petitioner, who is not an heir to this estate. Two of the beneficiaries, Mike Chavez and Richard Flores, Jr. have signed a Renunciation in favor of Petitioner for a life estate in the real property. The other two beneficiaries Isabel Alvarez and Sylvia Alaniz have not agreed the property being distributed subject to a life estate. 3. Petitioner proposes to distribute the real property subject to a lien in favor of the Department of Health Care Services for their creditor's claim in the amount of \$30,826.13. However there is nothing indicating that the Department of Health Care Services is in agreement.
	Current bond: \$78,000.00		
	Account period: 4/14/12 – 8/21/14		
Cont. from	Accounting	- \$96,400.00	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH	- \$96,400.00	
<input checked="" type="checkbox"/> Verified	Ending POH	- \$96,400.00	
<input checked="" type="checkbox"/> Inventory	Administrator	- waives	
<input checked="" type="checkbox"/> PTC	Attorney	- \$3,856.00	
<input checked="" type="checkbox"/> Not.Cred.	(statutory)		
<input checked="" type="checkbox"/> Notice of Hrg	Costs	- \$1,724.70 (filing fees, publication, probate referee, bond, recorder fees and certified copies)	
<input checked="" type="checkbox"/> Aff.Mail	W/		
<input type="checkbox"/> Aff.Pub.	Creditor: Department of Health Care Services	- \$30,826.13	
<input type="checkbox"/> Sp.Ntc.	Petitioner states he and the decedent lived together in the estate real property since 1987 until decedent's death in 2012. During the time that petitioner resided with decedent on the real property, he paid the mortgage payments each month, the maintenance and upkeep, and the annual property taxes. The decedent and petitioner agreed that petitioner would have a life estate in the property. Petitioner has continued to pay said expenses since the date of death of the decedent. Mike Chavez and Richard Flores, Jr. children of the decedent, executed a Renunciation in Favor of Santos Perez for a Life Estate; Isabel Alvarez and Sylvia Alaniz, daughters of the decedent did not execute such Renunciation.		
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters	6/18/13		
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input checked="" type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input checked="" type="checkbox"/> FTB Notice			
Please see additional page.			
Reviewed by: KT			
Reviewed on: 11/5/14			
Updates:			
Recommendation:			
File 6 – Gonzalez			

Petitioner seeks to distribution of a life estate in the real property under the principle of estoppel. The real property will be subject to a lien in favor of the of the Department of Health Care Services of the State of California until the death of Santos Perez, or the sale of the real property, and subject to the lien of Quinlan, Kershaw and Fanucchi L.L.P. for attorneys' fees and costs with interest at 10% per annum from the date of the order. In addition the property would be distributed subject to a lien in favor of the Department of Health Care Services in the amount of \$30,826.13 with interest accruing at 7% per annum from the date of recording of the Order and subject to a lien in favor of Quinlan, Kershaw and Fanucchi, LLP, for attorney fees and reimbursement of costs of administration.

Proposed distribution is to:

Santos Perez	-	1997 Chevy Automobile and a life estate in the real property
Mike Chavez (son)	-	1/4 th Interest in the real property
Isabel Alvarez (daughter)	-	1/4 th Interest in the real property
Richard Flores, Jr. (son)	-	1/4 th Interest in the real property
Sylvia Alaniz (daughter)	-	1/4 th Interest in the real property

DOD: 09/01/2012	JULIE RAVISCIONI , daughter was appointed Administrator with full IAEA authority without bond on 05/15/2013.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 08/18/2014: Mr. Krbechek is in trial and requests a continuance.</p> <p>Minute Order of 07/18/2014 (Judge Kristi Culver Kapetan): No appearances. Order to personally appear issued for Mr. Krbecheck.</p> <p>1. Need First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
	Letters issued 05/16/2013	
Cont. from 071814, 081814, 092214	Final Inventory and Appraisal filed 11/06/2013 shows an estate valued at \$182,150.00.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	Minute Order of 05/15/2014 set this status hearing for the filing of the First Account and/or Petition for Final Distribution.	
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>Former Declaration of Randolph Krbecheck Regarding the Status of Action and Request for Continuance filed 08/11/2014 states he cannot attend the hearing set for 08/18/2014 because he is required to be in Redwood City at the same time for trial in a pending superior court action. The trial is set to commence on 08/11/2014. Attorney Krbecheck respectfully requests the court continue the hearing on this matter to the next available date.</p> <p>Former Declaration of Randolph Krbechek regarding the Status of Action and Request for Continuance filed 09/19/2014 states the estate has just received the last payment on the Granville promissory note. Additional time is required to resolve the creditor's claims. Based thereon, a continuance of on this matter for 45 days is requested.</p>	
		Reviewed by: LV
		Reviewed on: 11/05/2014
		Updates:
		Recommendation:
		File 7 – Dupree

DOD: 08/17/12	<p>EDWARD SIMPSON, brother, was appointed Administrator with Limited IAEA, without bond, with deposits of \$1,000,000.00 to be placed into a blocked account on 10/16/13. Letters of Administration were issued on 10/22/13.</p> <p>Status Hearing Report filed 11/06/14 states: The only possible asset of this estate was an insurance policy for \$1,000,000.00. The parties in the insurance litigation went to mediation in San Diego on 06/20/14 and settled the matter. The final settlement agreement was approved by the court in September 2014. The exact figure that will be received by the estate is unknown. The checks were supposed to be printed and mailed by the end of this week. The Administrator cannot file a receipt for the deposit of funds into a blocked account or a final inventory & appraisal because no funds have been distributed to the case. As soon as the estate knows the actual check amount, an Order to Deposit Finds into Blocked Account will be submitted Ex Parte for the court's review and signature.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 09/09/14</u></p> <p>1. Need Receipt & Acknowledgement of Order for the Deposit of Money into Blocked Account.</p> <p>Note: It does not appear that an Order to Deposit Money into Blocked Account has been submitted/signed.</p>
Cont. from 111513, 031714, 071514, 090914		
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: JF
		Reviewed on: 11/05/14
		Updates: 11/06/14
		Recommendation:
		File 8A – Simpson

DOD: 08/17/12	<p>EDWARD SIMPSON, brother, was appointed Administrator with limited IAEA, without bond, with deposits of \$1,000,000.00 to be placed into a blocked account on 10/16/13.</p> <p>Letters of Administration were issued on 10/22/13.</p> <p>Minute order dated 8/20/13 set this status hearing for the filing of the inventory and appraisal.</p> <p>Status Hearing Report filed 11/06/14 states: The only possible asset of this estate was an insurance policy for \$1,000,000.00. The parties in the insurance litigation went to mediation in San Diego on 06/20/14 and settled the matter. The final settlement agreement was approved by the court in September 2014. The exact figure that will be received by the estate is unknown. The checks were supposed to be printed and mailed by the end of this week. The Administrator cannot file a receipt for the deposit of funds into a blocked account or a final inventory & appraisal because no funds have been distributed to the case. As soon as the estate knows the actual check amount, an Order to Deposit Finds into Blocked Account will be submitted Ex Parte for the court's review and signature.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 09/09/14</u></p> <p>1. Need inventory and appraisal.</p>
Cont. from 012114, 031714, 071514, 090914		
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: JF</p> <p>Reviewed on: 11/05/14</p> <p>Updates: 11/06/14</p> <p>Recommendation:</p> <p>File 8B – Simpson</p>	

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 08/17/12	EDWARD SIMPSON, brother, was appointed Administrator with limited IAEA, without bond, with deposits of \$1,000,000.00 to be placed into a blocked account on 10/16/13.	NEEDS/PROBLEMS/COMMENTS: CONTINUED FROM 10/23/14 Minute Order from 10/23/14 states: Counsel reports that there is nothing to place on the blocked account as the funds have not been distributed. The Court orders that any proceeds be placed directly into a blocked account.
Cont. from 102314	Letters of Administration were issued on 10/22/13.	
Aff.Sub.Wit.	Minute order dated 8/20/13 set this status hearing for the filing of the First Account and/or Petition for Final Distribution.	1. Need First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
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: JF
		Reviewed on: 11/05/14
		Updates:
		Recommendation:
		File 8C – Simpson

Atty Kruthers, Heather H., of County Counsel's Office (for Petitioner Public Guardian)
 Atty LeVan, Nancy J., sole practitioner (Court-appointed for Conservatee)

First Account Current and Report of Conservator and Petition for Allowance of Compensation to Conservator and Attorney

Age: 86 years	PUBLIC GUARDIAN , Conservator of the Person and Estate, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Note: <i>Final Appraisal of Estate by Public Guardian</i> filed on 9/6/2013 shows Conservatorship estate value of \$40,516.89 as of 9/4/2013, which includes cash found at Conservatee's home totaling \$2,966.77 . Schedule A, Receipts, shows pension and public assistance benefits, as well as a transfer deposit totaling \$49,069.25 from Conservatee's son, STEVEN WESTENRIDER , who had transferred out over \$40,000.00 in funds from the Conservatee's bank account to safeguard her funds from her own mismanagement of them. 1. It appears Paragraph 2 of the <i>Petition</i> and the <i>Summary of Account</i> reflect an incorrect account period ending date of 9/10/ 2013 , based upon the schedules containing entry dates through September 2014 . ~Please see additional page~
	Account period: 5/10/2013 – 9/10/[2014]	
	Accounting - \$146,616.81	
Cont. from	Beginning POH - \$ 40,516.89	
Aff.Sub.Wit.	Ending POH - \$ 89,166.34 <i>(\$88,866.44 is cash)</i>	
✓ Verified		
✓ Inventory	Conservator - \$15,174.36 <i>(122.18 Deputy hours @ \$96/hr and 45.33 Staff hours @ \$76/hr)</i>	
PTC		
Not.Cred.		
✓ Notice of Hrg	Attorney - \$2,500.00 <i>(per Local Rule 7.16(B)(1) for establishment of conservatorship and preparation of first account;)</i>	
✓ Aff.Mail	W/	
Aff.Pub.		
Sp.Ntc.	Bond fee - [\$464.95 ?]	
Pers.Serv.		
Conf. Screen	Costs - [\$435.00 + 188.16?] <i>(filing fee, certified copies)</i>	
Letters		
Duties/Supp		
Objections	Petitioner prays for an Order:	
Video Receipt	1. Approving, allowing and settling the First Account;	
CI Report	2. Authorizing the Conservator and attorney fees and commissions; and	
✓ 2620	3. Authorizing payment of the bond fee and reimbursement of costs advanced;	
✓ Order	Court Investigator Jennifer Young's Report was filed on 7/2/2014.	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	Reviewed by: LEG	
	Reviewed on: 11/5/14	
	Updates:	
	Recommendation:	
	File 9 – Westenrider	

NEEDS/PROBLEMS/COMMENTS, continued:

2. Paragraph 7 of the *Petition* contains clerical errors regarding the amounts requested for reimbursement of the bond fee and processing fee, such that the amounts for each type of request appear to be transposed. Further, Paragraph 2 of the prayer requests a processing fee of **\$234.00** which is not stated in Paragraph 7 of the *Petition*. Although the types of fees requested and the amounts for each are fairly discernable from the paragraph as a whole, the prayer of the *Petition* creates additional confusion. Need an explanatory declaration to correct the clerical errors and ensure the proper amounts can be authorized by the Court.
3. *Exhibit B, Statement of Services*, which requests a fee of **\$15,174.36** and contains the itemization of Conservator's services, includes the following significant charges, about which the Court may require further information and justification, pursuant to the Local Rule 7.16(A) "just and reasonable" fee standard, regarding the amount of time spent and the value of the services to the Conservatee:
 - 5/14/2013, 5/15/2013, 5/16/2013 — total of **13.67 hours** calculating to **\$1,312.32** for Deputy travel and services to Conservatee's bank, Conservatee's former apartment, Kaiser for paperwork, and transport of Conservatee to Kaiser;
 - 5/21/2013, 6/12/2013, 6/13/2013, 6/18/2013, 6/24/2013 — total of **103.00 hours** calculating to **\$2,584.00** for Staff and **\$6,624.00** for Deputy, for travel and services to Conservatee's former apartment and new residence at Fairwinds for moving, including packing, sorting, loading, transporting, searching for hidden money and valuables, and delivery to storage and auction house. Entry states Conservatee had an extremely large amount of property and paperwork where she would hide cash, and it took several people several days to perform these services.

DOD: 05/22/13	<p>TERRI JEAN, spouse, was appointed as Administrator with limited IAEA and bond in the amount of \$64,400.00 on 10/30/13.</p> <p>Bond was filed 11/12/13 and Letters of Administration were issued on 11/20/13.</p> <p>Inventory & Appraisal, Partial No. 1 filed 03/12/14 - \$486,277.83</p> <p>Inventory & Appraisal, Partial No. 2 filed 09/25/2014 - \$185,740.00</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 09/29/2014.</p> <p>Minute Order of 08/04/2014: Attorney's represent to the Court that the Inventory and Appraisal is almost complete.</p> <p>Minute Order of 06/18/2014 (Judge Cardoza): Mr. Garland is appearing specially for the Office of Joanne Sanoian. Mr. Roberts requests a continuance.</p> <p>Minute Order of 04/30/2014 (Judge Whitehead): Mr. Garland is appearing specially for the Office of Joanne Sanoian. Mr. Roberts advises the Court that he is substituting in as counsel for Terri Jean.</p> <ol style="list-style-type: none"> Inventory & Appraisal, Partial No. 2 filed 09/25/2014 was not appraised by the assigned Probate Referee. 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>Cont. from 040414, 043014, 061814, 080414, 082514, 092914</p> <p>Aff.Sub.Wit.</p> <p>Verified</p> <p>Inventory</p> <p>PTC</p> <p>Not.Cred.</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 Order</p> <p>Aff. Posting</p> <p>Status Rpt</p> <p>UCCJEA</p> <p>Citation</p> <p>FTB Notice</p>		<p>Reviewed by: LV</p> <p>Reviewed on: 11/05/2014</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 - Jean</p>

Atty Kaufman, Jeffrey; Brawley, Mason, of Berliner Cohen of Merced (for Petitioners Eugene Espinola, Marvin Espinola, and Margaret Corvello, Beneficiaries)
Atty Esraelian, Robyn, of Richardson, Jones & Esraelian (for James Espinola and Irene Espinola St. Martin, Trustees)
Atty Rube, Melvin K., sole practitioner (also for James Espinola and Irene Espinola St. Martin, Trustees)

Status Re: Settlement Agreement

Oliver DOD: 9/1/2006	<p>EUGENE ESPINOLA, MARVIN ESPINOLA and MARGARET CORVELLO, children and Beneficiaries of 3 irrevocable Sub-Trusts created under the ESPINOLA FAMILY TRUST of 1990 (namely SURVIVOR'S TRUST, RESIDUAL TRUST and MARITAL TRUST), filed a <i>Petition for Order Instructing Trustees to Provide Supporting Documentation, Compelling Trustees to Account, and Instructing Trustees to Distribute Trust Assets</i> on 5/12/2014.</p> <p>JAMES DOUGLAS ESPINOLA and IRENE ESPINOLA ST. MARTIN, Petitioners' siblings, are the current Trustees of the Sub-Trusts and are the other two beneficiaries of the Sub-Trusts.</p> <p>Petitioners allege in the <i>Petition for Order Instructing Trustees</i>:</p> <ul style="list-style-type: none"> • During their administration of the Sub-Trusts, James and Irene have provided deficient accounts and have failed to fully and adequately disclose the Trustees' acts and transactions; • Despite the fact that the total value of Sub-Trusts assets is ~\$8 million (based on asset schedule provided by Trustees on 1/8/2014 showing ~\$4 million in SURVIVOR'S TRUST; ~\$2 million in RESIDUAL TRUST; and ~\$2 million in MARITAL TRUST), the Trustees have not made any distributions to the beneficiaries in the 2 years since Virginia's death; • The Sub-Trusts provide that upon Virginia's death, all of the assets of the Sub-Trusts shall be distributed outright and free of trust among the Settlor's 5 children: EUGENE ESPINOLA, MARVIN ESPINOLA, MARGARET CORVELLO, JAMES DOUGLAS ESPINOLA and IRENE ESPINOLA ST. MARTIN; • Petitioners seek Court orders instructing Trustees to provide the previously requested information, compelling Trustees to submit Sub-Trust accountings for 2011, 2012 and 2013 to the Court for approval, and instructing Trustees to distribute the Sub-Trust assets according to trust terms. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: <i>Minute Order</i> dated 9/22/2014 from the Settlement Conference Hearing states: Settlement agreement read in open Court. All parties agree. Counsel will submit settlement agreement for signature.</p> <p>1. Need settlement agreement per Court's <i>Minute Order</i> dated 9/22/2014.</p>	
Virginia DOD: 4/29/2012			
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 R			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			<p>Reviewed by: LEG</p> <p>Reviewed on: 11/5/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 - Espinosa</p>

Status Hearing Re: Determination and Proof of Bond

	<p>KEIGHT D'AMBROSIO, Cousin, was appointed Conservator of the Person and Estate with a bond amount to be determined on 7-30-14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>The Court may require clarification and notice. See issues detailed on Page 2.</p> <p>Note re History: The Conservatee, a developmentally disabled adult, had recently moved to California from Oklahoma, where she had been residing with Tom Steel. The original petition stated that Mr. Steel had been acting as her "guardian," but without court appointment. When he died, Donna was left alone in Oklahoma without family. The petition stated Donna may be entitled to assets in Tom Steel's estate and may have claims that property in the estate was misappropriated. Conservatorship is necessary in order to pursue any interest Donna may have in that estate for her. The attorney was in communication with an attorney handling that matter.</p>
	<p>Letters issued on 8-1-14.</p> <p>At the hearing on 7-30-14, the Court set this status hearing re determination and proof of bond.</p>	
Cont. from 093014	<p>Status Report filed 10-27-14 by Attorney Teixeira (not verified) states on 10-24-14, he received a copy of an Order Appointing Successor Trustee from Attorney Steven P. Flowers of Tulsa, OK (attached). Pursuant to the order, Keith D'Ambrosio has been appointed as Trustee of the Chester Farris Revocable Trust. Mr. Flowers also informed that all assets to which the Conservatee may be entitled from the probate of Tom Steel will be distributed to the trustee of the Chester Farris Revocable Trust.</p>	
Aff.Sub.Wit.		
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Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
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Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Since all assets for the benefit of the Conservatee will be in trust, it appears that a conservatorship of the estate is not needed at this time. Thus, Petitioner Keith D'Ambrosio will withdraw his request for appointment as Conservator of the Estate and no bond will be posted.</p>	<p>Reviewed by: skc</p> <p>Reviewed on: 11-5-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 - Farris</p>

Page 2

1. The status report states that because Mr. D'Ambrosio has been appointed as successor trustee of the Conservatee's father's trust (the Chester Farris Revocable Trust), of which the Conservatee is the sole beneficiary, conservatorship of the estate is now not needed because distribution of the Conservatee's share of Mr. Steel's estate will simply be distributed to him as trustee of the Chester Farris Revocable Trust.

However, rather than negate the need for conservatorship of the estate, the order attached, at #7, appears to specifically rely on the fact that Mr. D'Ambrosio has been appointed as conservator of Donna K. Farris' "person and property" in appointing him as successor trustee of the Chester Farris Revocable Trust.

Need clarification: Why will the Conservatee's share of Mr. Steel's estate be distributed to the trustee of the Chester Farris Revocable Trust? Do Mr. Steel's estate planning documents specify the Chester Farris Revocable Trust on her behalf? If not, then how can distribution be made to the Chester Farris Revocable Trust on her behalf?

Also, although the Conservatee is the sole beneficiary of the Chester Farris Revocable Trust, that trust itself is not a trust created for her benefit. How does the Chester Farris Revocable Trust provide for distribution to Donna Farris as the sole beneficiary? Is there a separate subtrust created for her benefit that the Chester Farris Revocable Trust will distribute to?

Basically, it appears this Conservatee will be the beneficiary of two separate anticipated distributions –one from Mr. Steel's estate, and one from her father's trust. It is unclear why her father's trust would receive a distribution from Mr. Steel's estate on her behalf, and it is also unclear how her father's trust will ultimately distribute to her. However, it appears substituted judgment may be necessary if her distributions are not going to be distributed to her conservatorship estate.

2. Also, the petition previously indicated that property in Mr. Steel's estate may have been misappropriated, and appointment as conservator of her estate was necessary to pursue her interest therein. The status report does not provide any update on that situation. The Court may require additional information or clarification why conservatorship of the estate is not now necessary to pursue assets misappropriated from Mr. Steel's estate on her behalf.
3. Conservatorship of the estate was already granted on 9-30-14; therefore, the petition cannot be withdrawn at this point. The Court may require a noticed petition to terminate, or service of this declaration on interested parties, including:
 - Conservatee Donna Farris
 - Richard Farris (her brother)

Note: A status hearing date set for the filing of the Inventory and Appraisal on 12-9-14.

Atty Baldwin, Kenneth A.; Cunningham, Nicole; of McCormick Barstow (for Petitioners Seanna Haslouer and Amy Haslouer Hansen)

Atty Burnside, Leigh W.; Johnson, Summer A.; of Dowling Aaron, Inc. (for Respondent Barbara Gill)

Petition for Order to Return Property to Decedent's Estate
 [Prob. C. 850(a)(2)(D)]

DOD: 10/25/2013	SEANNA HASLOUER and AMY HASLOUER HANSEN, grandchildren and Beneficiaries, are Petitioners.	NEEDS/PROBLEMS/ COMMENTS:
		Notes Re Proofs of Service:
Cont. from	Petitioners seek the return to the Decedent's estate of specific items of personal property, and the distribution to the Petitioners as the specific devisees the items of personal property, based upon the following:	<ul style="list-style-type: none"> • Notice of Hearing filed 10/20/2014 shows personal service of notice with a copy of the <i>Petition</i> to FRESNO CREMATION COMPANY dba CHAPEL OF THE LIGHT on 10/8/2014. • Notice and Acknowledgment of Receipt filed 10/20/2014 shows receipt on 10/10/2014 by Attorney Leigh Burnside of the notice with a copy of the <i>Petition</i>.
<input type="checkbox"/> Aff.Sub.Wit.	<ul style="list-style-type: none"> • Petitioners are Successors in Interest to the Decedent as beneficiaries under Decedent's Will (<i>copy of Will attached as Exhibit I</i>); • Decedent's Will, Paragraph 5th, left her jewelry to her son, JAMES HASLOUER, who predeceased the Decedent; • Decedent's Will contains contingent provisions in the same Paragraph 5th that specify that the jewelry, in the event of the son's prior demise, should be distributed to the Petitioners "...share and share alike, as they shall agree." • On 11/8/2013, BARBARA GILL, who was purportedly acting as agent under a Power of Attorney for Health Care, orchestrated the disposition of the Decedent's remains through CHAPEL OF THE LIGHT on Belmont Avenue in Fresno; • The Decedent was cremated, and the cremains were placed in an urn, along with the following items of jewelry that belonged to the Decedent and which were specifically bequeathed to Petitioners in the Decedent's Will [<i>please refer to page 2 of the Petition and Affidavit for Transfer of Personal Property under Probate Code § 13101 filed 9/26/2014 for list of jewelry items</i>]; • Additionally, three collectible frog items were placed in the niche around the urn; 	
<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.		
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<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		
	~Please see additional page~	Reviewed by: LEG Reviewed on: 11/6/14 Updates: Recommendation: File 13 – Azarian

Petitioners state, continued:

- Even though a formal probate proceeding in California has not commenced, and is not now being conducted, and absent the appointment of a personal representative, the Court nonetheless has jurisdiction over the administration of the Decedent's estate, including property belonging to the Decedent at the time of her death and passing to the persons entitled through the operation of a summary proceeding for collection and transfer of personal property by the successors in interest under Probate Code § 13100 et seq.;
- The following documents are filed in support of the Petitioner's claims to the Decedent's personal property:
 - (a) *Affidavit to Establish Successors in Interest for Commencement of Action on Behalf of Decedent (CCP Section 377.32) [filed on 9/26/2014];*
and
 - (b) *Affidavit for Transfer of Personal Property under Probate Code § 13101 [filed 9/26/2014];* summary of this *Affidavit* is as follows:
 - The property of Decedent that is to be delivered to the affiants consists of the following items: *white gold wedding set; silver ID bracelet; white gold solitaire necklace; Decedent's watch; yellow gold heart and diamond bracelet; yellow gold tanzanite and diamond ring; yellow gold diamond bracelet; white gold onyx and diamond bracelet; yellow gold diamond hoop earrings; yellow gold ruby and diamond ring; yellow gold ruby and diamond necklace; and 3 frog collectible items.*
- Health & Safety Code § 7100.1 states that burial instructions must be in writing; Petitioners allege that no written burial instructions were left by the Decedent, and that the placement of the described personal property in the Decedent's urn with the Decedent's cremains was the invention of Ms. Gill and was not the intent of the Decedent;
- The Decedent left a Will leaving all of her personal property, household items and personal effects, including, without reservation, jewelry, to her son, and in the alternative to Petitioners;
- The Decedent's son did not survive the Decedent and the Petitioners are therefore entitled to all personal items of the Decedent;
- The Decedent's Will is the only document which evidences the intent of the Decedent as to the disposition of the described personal property;'
- In accordance with Probate Code § 7000, the specific bequest to the Petitioners vested on the date of the Decedent's death;
- Through the operation of the Decedent's Will, Petitioners were the owners of the described items on and after 10/25/2013, but subsequent thereto such items were wrongfully delivered to Chapel of the Light by Ms. Gill and without authorization were placed inside the Decedent's urn, which is in possession of and is located at the Chapel of the Light;
- Accordingly, Chapel of the Light is in possession of the described personal property items that lawfully belonged to the Decedent's estate and passed thereunder to the Petitioners.

Petitioners pray for an Order:

1. That all of the items described in the Petition be retrieved and returned to the Decedent's estate and be delivered to the Beneficiaries as the Successors in Interest;
2. That pursuant to Probate Code § 859, Chapel of the Light, or in the alternative, **BARBARA GILL**, be found to be liable to Petitioners for twice the value of the property recovered for their having to bring this action to seek a return of property that was wrongfully taken, concealed and disposed of in bad faith and contrary to the Decedent's Will; and
3. That attorneys' fees and costs be awarded to Petitioners.

~Please see additional page~

Dept. 303, 9:00 a.m., Monday, November 10, 2014

Second Additional Page 13, Evelyn Azarian Estate (850) Case No. 14CEPR00886

Response and Objection of Barbara Gill to Petition for Order to Return Property to Decedent's Estate filed by Respondent BARBARA GILL on 11/6/2014 states:

- Petitioners essentially request an order from this Court disinterring Decedent **EVELYN AZARIAN** and her predeceased husband, **ALBERT AZARIAN, M.D.**, from their final resting place at the Chapel of the Light in order to obtain several pieces of jewelry interred at Decedent's request from amongst the mixed ashes of both Decedent and her husband;
- Contrary to their grandmother's express wishes, the Petitioners desire an order from this Court authorizing the removal of Dr. and Mrs. Azarian's Urn from Chapel of the Light, the authority to open the Urn to sift through ashes of Dr. and Mrs. Azarian for the exclusive purpose of removing items of jewelry belonging to Dr. and Mrs. Azarain;
- Petitioners' reliance on Probate Code § 850(a)(2)(D) is misplaced and does not provide the authority for the relief sought by way of Petitioners' *Petition*;
- More importantly, however, it will be demonstrated that Ms. Gill was following the express instructions of Decedent Mrs. Azarian in carrying out Mrs. Azarian's wishes for her interment consistent with Health & Safety Code § 7100(a) and (e).
- **Background:** At the time of Decedent Evelyn Azarian's death on 10/25/2013, Respondent **BARBARA GILL** was the designated agent under the Decedent's Statutory Form Advance Health Care Directive dated 7/13/2010 (copy attached as Exhibit A), was the attorney-in-fact for the Decedent pursuant to Durable Power of Attorney dated 7/13/2010, and the Successor Trustee of the **EVELYN AZARIAN LIVING TRUST** dated 2/10/2010 (Ms. Gill is not a beneficiary under the Decedent's Will or the Decedent's Trust);
- Prior to her death, Decedent suffered from Parkinson's disease, and the symptoms, including extreme hand tremors, increased in severity through to the end of her life;
- As a result, toward the end of her life Decedent could no longer write;
- Due to Decedent's various ailments, Decedent was cared for in her home by caregivers on a 24-hour a day basis; one caregiver, **MARY BORREGO**, had been employed by and cared for Decedent since 2010;
- Decedent's husband passed away on 3/1/2009; he was cremated, and Decedent also desired to be cremated; as a result, toward the end of her life Decedent undertook to provide for the disposition of her remains and her husband's remains;

[review of objection still in progress]

Demurrer to Petition for Order to Return Property to Decedent's Estate; Memorandum of Points and Authorities filed by Respondent BARBARA GILL on 11/6/2014 generally demurs to each and every cause of action set forth in the *Petition* pursuant to Code of Civil Procedure § 430.10 et seq. on the ground that the Probate Court has no jurisdiction of the subject of the cause of action alleged in the pleading.

- **Summary of Argument:** Though artfully pleaded as a claim under Probate Code § 850, at its essence the *Petition* requests an order from this Court disinterring the ashes of the Decedent and her predeceased husband in order to obtain several pieces of jewelry interred at the Decedent's request from amongst the mixed ashes of both Dr. and Mrs. Azarian;
- Petitioner's requested relief cannot be granted by the Superior Court sitting in Probate because the Probate Court lacks the jurisdiction to hear the underlying request, namely, the disinterment of Dr. and Mrs. Azarian from their final resting place.

Dept. 303, 9:00 a.m., Monday, November 10, 2014

DOD: 2-15-13	AMBER LYNNE WHITE, Daughter, was appointed as Executor with Full IAEA without bond on 5-13-13.	NEEDS/PROBLEMS/COMMENTS: 1. Need first account or petition for final distribution pursuant to Probate Code §12200 or verified written status report pursuant to local rules.
Cont. from 071114	At the hearing on 5-13-13, the Court set this status hearing for the filing of the petition for final distribution pursuant to Probate Code §12200.	
Aff.Sub.Wit.	I&A filed 9-4-13 indicates a total estate value of \$585,750.00 consisting of decedent's interest in various real property.	
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	"Status Conference Statement" filed 7-8-14 by Attorney Hemb (not verified) states the estate consists of a 50% undivided interest in real property valued at \$585,750, far higher than initially thought, based on its proximity to Reagan educational complex. The Executor and the other owner have agreed to sell the property. One bid has been received to date, but is considered too low. The property is actively marketed.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections	"Status Conference Statement" filed 10-30-14 by Attorney Hemb (not verified) states the property has received several offers, the last exceeding \$800,000 for the entire parcel. However, the personal representative and other owner believe that an offer in excess of \$1M for the entire parcel is feasible. The property continues to be actively marketed.	
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 11-5-14
		Updates:
		Recommendation:
		File 14 - Doolittle

Petition for Termination of Guardianship

Age: 9	VIRGINIA WOODS, maternal grandmother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: See page 15B for Petition for Appointment of a new Guardian. 1. Need <i>Notice of Hearing</i> . 2. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Termination of Guardianship</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: a. Father (Rodney Marcus?) b. Leatha Jones (mother) c. Paternal grandparents d. Claude Jones (maternal grandfather) e. Ernest Collins (brother)
	Father: UNKNOWN (previously identified as RODNEY MARCUS)	
	Mother: LEATHA JONES	
Cont. from	Paternal grandparents: UNKNOWN	
<input type="checkbox"/> Aff.Sub.Wit.	Maternal grandfather: CLAUDE JONES	
<input checked="" type="checkbox"/> Verified	Sibling: ERNEST COLLINS (18)	
<input type="checkbox"/> Inventory	Petitioner states that she is no longer able to serve as guardian due to health problems.	
<input type="checkbox"/> PTC	Court Investigator Jennifer Young filed a report on 10/31/14.	
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input 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 type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 11/05/14
		Updates:
		Recommendation:
		File 15A – Jones

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

Age: 9	TEMPORARY DENIED ON 09/17/14	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Petitioner, Paula Grove, lives in Tulare, CA.</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of <u>personal service</u> of <i>Notice of Hearing</i> with a copy of <i>Petition for Appointment of Guardian of the Person</i> at least 15 days prior to the hearing <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence for: <ul style="list-style-type: none"> - Rodney Marcus (Father) - Leatha Jones (Mother) <p>Note: Petitioner's Declaration of Due Diligence filed 9-5-14 states that the father's whereabouts are unknown and the mother resides in Arizona. If diligence is not found, need notice per above.</p> 3. Need proof of <u>service by mail</u> of <i>Notice of Hearing</i> with a copy of <i>Petition for Appointment of Guardian of the Person</i> at least 15 days prior to the hearing <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence for: <ul style="list-style-type: none"> - Paternal grandparents (unknown) - Claude Jones (maternal grandfather) - Ernest Collins (sibling)
	PAULA GROVE , non-relative, is Petitioner.	
	VIRGINIA WOODS , maternal grandmother, was appointed Guardian on 01/30/12.	
Cont. from	Father: UNKNOWN (previously identified as RODNEY MARCUS)	
<input type="checkbox"/> Aff.Sub.Wit.	Mother: LEATHA JONES	
<input checked="" type="checkbox"/> Verified	Paternal grandparents: UNKNOWN	
<input type="checkbox"/> Inventory	Maternal grandfather: CLAUDE JONES	
<input type="checkbox"/> PTC	Sibling: ERNEST COLLINS (18)	
<input type="checkbox"/> Not.Cred.	Petitioner states that the current guardian can no longer care for the minor and the mother is not stable.	
<input type="checkbox"/> Notice of Hrg	Court Investigator Jennifer Young filed a report on 10/31/14.	
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input checked="" type="checkbox"/> Conf. Screen		
<input 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: JF	
	Reviewed on: 11/05/14	
	Updates:	
	Recommendation:	
	File 15B – Jones	

Petition for Termination of Guardianship

Age: 6	FRANCISCA AYALA, mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Minute Order of 09/15/2014: Court Investigator is ordered to do another investigation. 1. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination of Guardianship or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Gabriel Lopez (Father) • Linda Lopez (Paternal Grandmother) • Miguel Ayala (Maternal Grandfather)
	AURELIA AYALA , maternal grandmother, was appointed Guardian on 09/17/12. Personally served on 07/08/2014.	
Cont. from 091514		
<input type="checkbox"/> Aff.Sub.Wit.	Father: GABRIEL LOPEZ	
<input checked="" type="checkbox"/> Verified	Paternal Grandfather: Gilbert Lopez, Deceased	
<input type="checkbox"/> Inventory	Paternal Grandmother: Linda Lopez	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Maternal grandfather: Miguel Ayala	
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner states the child wants to live with the petitioner and is safe. Petitioner states she is only looking out for the best interest of the child.	
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv. w/	Court Investigator Dina Calvillo's report filed 05/29/2014.	
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters	Court Investigator Dina Calvillo's report filed 10/29/2014.	
<input 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 type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LV
		Reviewed on: 11/05/2014
		Updates:
		Recommendation:
		File 16 - Lopez

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

Age: 21		<p align="center"><u>NO TEMPORARY REQUESTED</u></p> <p>SANDRA GARCIA, mother, is Petitioner and requests appointment as Conservator of the Person with medical consent powers.</p> <p>Petitioner states the proposed Conservatee suffers from mental disabilities, and has issues and episodes.</p> <p>Petitioner attaches a list of the following problems applicable to the proposed Conservatee:</p> <ul style="list-style-type: none"> • Unable to make decisions about her education; • Unable to make decisions about her residence; • Unable to make medical decisions; • Unable to enter a contract; • Unable to make decisions about her social contacts; • Unable to be left alone; • Unable to prepare her own meals; • Unable to perceive or appreciate danger, including financial or personal abuse; • Unable to handle any and all of her financial needs. <p>Petitioner states in addition to that mentioned in the list above that the proposed Conservatee won't talk to anyone or answer questions when asked, and she doesn't like to hear anything about herself, for example her age, and she doesn't like to hear anyone talking about her life at all in her presence. Petitioner states the proposed Conservatee is unable to go anywhere by herself, and is unable to function independently in the workplace.</p> <p>Court Investigator Samantha Henson filed a report on 10/31/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator advised rights on 10/17/14.</p> <p>1. Petitioner states that the paternal grandmother's whereabouts are unknown and therefore she is unable to provide her notice. If notice to the paternal grandmother is not dispensed with, need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Probate Conservator</i> <u>or</u> <i>Declaration of Due Diligence</i> <u>or</u> <i>Consent & Waiver of Notice for Guadalupe Garcia</i> (paternal grandmother).</p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input checked="" type="checkbox"/>	Pers.Serv.			w/
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input checked="" type="checkbox"/>	Video Receipt			
<input 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 type="checkbox"/>	UCCJEA			
<input checked="" type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: JF</p> <p>Reviewed on: 11/05/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 17 – Garcia</p>		

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

Aysia, 3	<p align="center"><u>TEMPORARY EXPIRES 11/10/14</u></p> <p>GINA WALKER, paternal grandmother, is Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 10/06/14</u> Minute Order from 10/06/14 states: Mother objects to the guardianship. Mother is advised that this will be her last opportunity to submit written objections and meet with the court investigator. Mother is ordered to file her written objections with the Clerk's office and provide the necessary service by no later than 10/20/14. Failure to file said objections by the time allotted will be deemed a waiver by the Court. The petitioner is ordered to file her response with the Clerk's office and provide the necessary service by no later than 10/27/14. Mother is ordered to schedule an appointment with the court investigator immediately after today's hearing. In addition, mother is ordered to provide her contact information to the court investigator. The court investigator is directed to provide an updated report to the Court by no later than 10/30/14. For purposes of today's hearing, the Court will not make any visitation orders and will leave it to the guardian to determine pending the next hearing. Matter continued to 11/10/14. The temporary is extended to 11/10/14.</p>			
Jerome, 1			<p>Father: JEROME DIXON – deceased</p>	<p>Mother: CIDNEY TAYLOR – Personally served on 07/28/14 with Notice of Hearing only</p>	
	<p>Paternal grandfather: DERRICK WALKER</p>	<p>Note: Kajuana and Charles Taylor, maternal grandparents, filed a competing petition on 10/23/14 that is set for hearing on 01/06/15.</p>			
Cont. from 063014 081114, 100614	<p>Maternal grandmother: KAJUANA TAYLOR Maternal grandfather: CHARLES TAYLOR</p>	<p>1. Need Notice of Hearing. 2. Need proof of service at least 15 days before the hearing of Notice of Hearing with a copy of the <i>Petition for Appointment of Guardian of the Person or Consent & Waiver of Notice or Declaration of Due Diligence</i> for:</p>			
<table border="1"> <tr> <td data-bbox="105 556 162 598"></td> <td data-bbox="162 556 441 598">Aff.Sub.Wit.</td> <td data-bbox="441 556 950 598"></td> </tr> </table>		Aff.Sub.Wit.		<p>Petitioner states the mom abuses drugs and alcohol and is homeless. Father is deceased. Petitioner states the children have been in her care since 11/2013.</p>	<p>a. Cidney Taylor (mother) – Proof of service filed 08/08/14 indicates the mother was personally served on 07/28/14 with the Notice of Hearing only</p>
	Aff.Sub.Wit.				
<table border="1"> <tr> <td data-bbox="105 598 162 640">✓</td> <td data-bbox="162 598 441 640">Verified</td> <td data-bbox="441 598 950 640"></td> </tr> </table>	✓	Verified		<p>Court Investigator Jennifer Young filed a report on 06/20/14.</p>	<p>b. Paternal grandfather – service by mail sufficient</p>
✓	Verified				
<table border="1"> <tr> <td data-bbox="105 640 162 682"></td> <td data-bbox="162 640 441 682">Inventory</td> <td data-bbox="441 640 950 682"></td> </tr> </table>		Inventory		<p>Objection to Guardianship filed 10/20/14 by Cidney Taylor (mother) states: She does not believe Gina Walker is a good example as a parent and does not trust her to raise her children. Mother states that she has always cared for her children and just asked for help because she was struggling with alcohol after the recent death of the children's father. Mother states that she has got her act together and wants her children back or if the court feels a guardianship is necessary she prefers that her parents, Kajuana and Charles Taylor be appointed.</p>	<p>c. Maternal grandparents – service by mail sufficient</p>
	Inventory				
<table border="1"> <tr> <td data-bbox="105 682 162 724"></td> <td data-bbox="162 682 441 724">PTC</td> <td data-bbox="441 682 950 724"></td> </tr> </table>		PTC		<p>Court Investigator Jennifer Young filed a report on 10/30/14.</p>	<p>Reviewed by: JF</p>
	PTC				
<table border="1"> <tr> <td data-bbox="105 724 162 766"></td> <td data-bbox="162 724 441 766">Not.Cred.</td> <td data-bbox="441 724 950 766"></td> </tr> </table>		Not.Cred.			<p>Reviewed on: 11/05/14</p>
	Not.Cred.				
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	Notice of Hrg	x			
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	Aff.Mail	x			
<table border="1"> <tr> <td data-bbox="105 850 162 892"></td> <td data-bbox="162 850 441 892">Aff.Pub.</td> <td data-bbox="441 850 950 892"></td> </tr> </table>		Aff.Pub.			<p>File 18 - Dixon</p>
	Aff.Pub.				
<table border="1"> <tr> <td data-bbox="105 892 162 934"></td> <td data-bbox="162 892 441 934">Sp.Ntc.</td> <td data-bbox="441 892 950 934"></td> </tr> </table>		Sp.Ntc.			
	Sp.Ntc.				
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✓	Pers.Serv.	w/o			
<table border="1"> <tr> <td data-bbox="105 976 162 1018">✓</td> <td data-bbox="162 976 441 1018">Conf. Screen</td> <td data-bbox="441 976 950 1018"></td> </tr> </table>	✓	Conf. Screen			
✓	Conf. Screen				
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✓	Letters				
<table border="1"> <tr> <td data-bbox="105 1060 162 1102">✓</td> <td data-bbox="162 1060 441 1102">Duties/Supp</td> <td data-bbox="441 1060 950 1102"></td> </tr> </table>	✓	Duties/Supp			
✓	Duties/Supp				
<table border="1"> <tr> <td data-bbox="105 1102 162 1144">✓</td> <td data-bbox="162 1102 441 1144">Objections</td> <td data-bbox="441 1102 950 1144"></td> </tr> </table>	✓	Objections			
✓	Objections				
<table border="1"> <tr> <td data-bbox="105 1144 162 1186"></td> <td data-bbox="162 1144 441 1186">Video Receipt</td> <td data-bbox="441 1144 950 1186"></td> </tr> </table>		Video Receipt			
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<table border="1"> <tr> <td data-bbox="105 1186 162 1228">✓</td> <td data-bbox="162 1186 441 1228">CI Report</td> <td data-bbox="441 1186 950 1228"></td> </tr> </table>	✓	CI Report			
✓	CI Report				
<table border="1"> <tr> <td data-bbox="105 1228 162 1270"></td> <td data-bbox="162 1228 441 1270">9202</td> <td data-bbox="441 1228 950 1270"></td> </tr> </table>		9202			
	9202				
<table border="1"> <tr> <td data-bbox="105 1270 162 1312">✓</td> <td data-bbox="162 1270 441 1312">Order</td> <td data-bbox="441 1270 950 1312"></td> </tr> </table>	✓	Order			
✓	Order				
<table border="1"> <tr> <td data-bbox="105 1312 162 1354"></td> <td data-bbox="162 1312 441 1354">Aff. Posting</td> <td data-bbox="441 1312 950 1354"></td> </tr> </table>		Aff. Posting			
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<table border="1"> <tr> <td data-bbox="105 1354 162 1396"></td> <td data-bbox="162 1354 441 1396">Status Rpt</td> <td data-bbox="441 1354 950 1396"></td> </tr> </table>		Status Rpt			
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<table border="1"> <tr> <td data-bbox="105 1396 162 1438">✓</td> <td data-bbox="162 1396 441 1438">UCCJEA</td> <td data-bbox="441 1396 950 1438"></td> </tr> </table>	✓	UCCJEA			
✓	UCCJEA				
<table border="1"> <tr> <td data-bbox="105 1438 162 1480"></td> <td data-bbox="162 1438 441 1480">Citation</td> <td data-bbox="441 1438 950 1480"></td> </tr> </table>		Citation			
	Citation				
<table border="1"> <tr> <td data-bbox="105 1480 162 1522"></td> <td data-bbox="162 1480 441 1522">FTB Notice</td> <td data-bbox="441 1480 950 1522"></td> </tr> </table>		FTB Notice			
	FTB Notice				

Jayden (m), 10 mos.	TEMPORARY EXPIRES 11/10/14	NEEDS/PROBLEMS/COMMENTS:
Jaylen (f), 10 mos.		
	MARY HELEN BARAJAS , Maternal Grandmother, is Petitioner.	<ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person or Consent & Waiver of Notice or Declaration of Due Diligence</i> for: <ol style="list-style-type: none"> a. Lorenzo McCray (father) – personal service required b. Sylvia Barajas (mother) – personal service required; unless diligence is found, declaration of due diligence filed 10/23/14 c. Paternal grandparents (not listed in petition) – service by mail sufficient d. Steve Barajas (maternal grandfather) – service by mail sufficient e. Carlos Manzo (brother) – service by mail sufficient f. Selena Ochoa (sister) – service by mail sufficient g. Savannah Ochoa (sister) – service by mail sufficient h. Cuautemoch Serratos (brother) – service by mail sufficient
	Father: LORENZO MCCRAY Mother: SYLVIA ANN BARAJAS – <i>Declaration of Due Diligence</i> filed 10/23/14	
Cont. from	Paternal grandfather: NOT LISTED Paternal Grandmother: NOT LISTED	
<input type="checkbox"/> Aff.Sub.Wit.	Maternal Grandfather: STEVE BARAJAS	
<input checked="" type="checkbox"/> Verified	Siblings: CARLOS MANZO (22), SELENA OCHOA (18), SAVANNAH OCHOA (16), CUAUTEMOCH SERRATOS (12)	
<input type="checkbox"/> Inventory	Petitioner states both parents are using drugs. The mother is homeless and is living on the streets. Petitioner has witnessed the mother physically and mentally abuse the children. The mother is unable to provide diapers, milk and clothes for the children. There is domestic violence between the parents and the mother has been violent towards Petitioner. Petitioner currently has a restraining order protecting her and her husband from the mother. Petitioner also states that all of the mother's other children have been removed from her care.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input 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	Court Investigator Dina Calvillo filed a report on 10/31/14.	
		Reviewed by: JF
		Reviewed on: 11/05/14
		Updates:
		Recommendation:
		File 19 – McCray

		NO TEMP REQUESTED	NEEDS/PROBLEMS/COMMENTS:
		<p>MARTHA E. HERNANDEZ and MARIA E. HERNANDEZ, nieces, are Petitioners and request appointment as co-conservators of the person with medical consent powers under Probate Code §2355 and dementia medication and placement powers under Probate Code §2356.5., and as co-conservators of the estate without bond.</p> <p>Estimated Value of Estate: Income (pension, SS): \$5,840.00 annually(?)</p> <p>Petitioners state the proposed Conservatee suffers from Alzheimer's and resides in a care home in Dinuba, Tulare County. Petitioners reside in Orange Cove, Fresno County, and are filing for conservatorship in Fresno given it is more feasible for them. They were able to seek affordable help to prepare and file the petition in Fresno.</p> <p>Court Investigator Dina Calvillo filed a report on 10-31-14.</p>	<p>Note: If this petition goes forward, the following issues exist:</p> <ol style="list-style-type: none"> 1. Need counsel appointed for Proposed Conservatee pursuant to Probate Code §2356.5. 2. Need Court Investigation, Advisement of Rights. 3. Need Capacity Declaration with Dementia Attachment (Forms GC-335 and GC-335A) in support of request for medical consent and dementia medication and placement powers. 4. Petitioners request appointment without bond, and also request that the Court waive the filing of an inventory and appraisal and accountings pursuant to Probate Code §2628. <p>However, pursuant to Cal. Rules of Court 7.207, every conservator of the estate must furnish bond, including a reasonable amount for cost of recovery under Probate Code §2320(c)(4).</p> <p>Further, it is the policy of this Court to require Inventory and Appraisal and a first account before waiving further accountings pursuant to Probate Code §2628.</p> <p>If bond is not waived, need clarification: Is the figure provided for the proposed Conservatee's income an annual figure or a monthly figure?</p> <p>If annual, bond should be fixed at \$6,424.00. If monthly, bond should be fixed at \$77,088.00.</p> <p>Note: If applicable, the Court will set status hearings for the filing of the Inventory and Appraisal and filing of the first account.</p>
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		w
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.		w
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
✓	Video Receipt		
✓	CI Report		x
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
✓	Citation		
	FTB Notice		
			<p>Reviewed by: skc</p> <p>Reviewed on: 11-5-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 20 – Garcia De Arzola</p>

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

DOD: 09/20/2008	AIDA VARELDJIAN, and AMALIA VARELDJIAN, are petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Need Amended Petition based on, but not limited to the following:</p> <ol style="list-style-type: none"> Petition does not provide the relationship between the decedent and the petitioners. #9a(1) or #9a(2) of the petition was not answered regarding spouse. Attached to the Petition is a Judgment for Dissolution of Marriage filed 09/16/1999, dissolving the marital status of the decedent and Nunik Aslanyan. Also attached to the Petition is the decedent's death certificate dated 09/30/2008 listing the surviving spouse as, Nunik Aslanyan. Was the decedent married at the time of death? #9a(3) or #9a(4) of the petition was not answered regarding registered domestic partner. #9a(7) or #9a(8) of the petition was not answered regarding issue of predeceased child. Need Attachment 11 containing (1) the legal description of the real property and its APN and (2) decedent's interest in the property. Need attachment 14 listing the names and relationships of all heirs to the decedent that would take under intestacy. Petitioners did not verify the Inventory and Appraisal. Need proposed order pursuant to Local Rule. 7.1.1.F. Note: A proposed order was stapled to the petition and is now a part of the case file therefore need new order.
	40 days since DOD	
Cont. from	No other proceedings	
Aff.Sub.Wit.	I&A - \$145,000.00	
✓ Verified		
Inventory	Decedent died intestate	
PTC		
Not.Cred.	Petitioners requests Court	
Notice of Hrg	determination that decedents interest in real property located at 3012 W. San Jose, Fresno, Ca pass ½ to Aida Varedjian and ½ to Amalia Varedjian.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order	x	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 11/06/2014
		Updates:
		Recommendation:
		File 21 – Varedjian

22 Bryce Hayes & Bailey Hayes (GUARD/P)

Case No. 14CEPR00813

Atty Hayes, Roger (Pro Per – Petitioner -Paternal Grandfather)

Atty Hayes, Valerie (Pro Per-Petitioner -Paternal Grandmother)

Atty Hopper, Cindy J (for Rodger and Debbe Sheffield – Maternal Grandparents)

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

Bryce Age: 15 years	TEMPORARY EXPIRES 11/10/2014		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:</p> <ul style="list-style-type: none"> • Bryce Hayes (Proposed Ward) • Bailey Hayes (Proposed Ward)
Bailey Age: 14 years	<p>ROGER HAYES and VALERIE HAYES, paternal grandparents, are Petitioners.</p> <p>Father: TRAVIS HAYES, deceased.</p> <p>Mother: JOANNE SHEFFIELD, personally served on 09/19/2014</p> <p>Maternal grandfather: Rodger Sheffield, served by mail on 09/10/2014</p> <p>Maternal grandmother: Debbie Sheffield, served by mail on 09/10/2014</p> <p>Petitioners state the children’s father passed away on 8/23/2014 from medical issues, and he had joint legal and sole physical custody of the children. Petitioners state the children have lived with them for the last 10 years and they are immensely bonded with Petitioners, and the mother chose not to be in the children’s lives based on her lifestyle of drugs and criminal activity, she has only seen the children 3 or 4 times in the last 10 years, the last time she visited or called the children was 6 years ago, and the few times the mother has called the children sadly have never wanted to talk to her.</p> <p>Declarations filed by Maternal Grandparents, Debbie Sheffield, and Rodger Sheffield, filed 09/16/2014 state they do not object to the guardianship, but since the children have been with petitioners, their requests for contact with the children have been met with resistance or no response. The Sheffields request an order allowing some time with their grandchildren as well as request that the children have some sort of counseling to help them deal with any issues they have with their mother.</p> <p>Court Investigator Jennifer Young’s report filed 10/31/2014.</p>		
Cont. from			
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Reviewed by: LV			
Reviewed on: 11/06/2014			
Updates:			
Recommendation:			
File 22 – Hayes			

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

	GENERAL HEARING 1-7-15		NEEDS/PROBLEMS/COMMENTS: 1. The TDM dated 10-23-14 states: "Tiffany will be released to her father Sean Pottorff." If Petitioner is the father, Guardianship under the Probate Code is not appropriate. Petitioner may seek custody or visitation in the Family Court. 2. Need Notice of Hearing. 3. Need proof of personal service of Notice of Hearing with a copy of the petition at least five court days prior to the hearing on: - Denia Adams (Mother) - Unknown father
	SEAN POTTORFF is Petitioner.		
	Mother: DENIA ADAMS		
	Father: UNKNOWN		
	Paternal Grandfather: Unknown Paternal Grandmother: Unknown		
	Maternal Grandfather: Unknown Maternal Grandmother: Unknown		
	Sibling: Trinity Thornton		
	Petitioner states: "I am the only father she knows," at #5 to explain his relationship to the minor.		
	However, Petitioner does not provide a reason for temporary guardianship. (#7 is blank.)		
	Petitioner also provided a copy of a DSS Team Decision-Making Summary Report (TDM) dated 10-23-14, pursuant to which the minor was released to Petitioner's custody.		
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	Pers.Serv.	x	
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✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
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	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 11-5-14
			Updates:
			Recommendation:
			File 23 – Adams

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

DOD: 07/26/2013		<p>ROY BORUNDA, brother is petitioner and requests appointment as Administrator without bond.</p> <p>All heirs waive bond – See Note</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate</p> <p>Residence: Caruthers Publication: The Fresno Bee</p> <p>Estimated value of the Estate: Personal property - \$159,000.00</p> <p>Probate Referee: Rick Smith</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 11/03/2014: Mr. Warson obtained publishing and will file forthwith; continued for the examiners to review the filing. If the Inventory and Appraisal and the First Accounting are filed at least 10 days prior to the hearing dates, no appearance will be necessary.</p> <p>The following Status Hearings have already been set per Minute Order of 11/03/2014</p> <ul style="list-style-type: none"> • Monday, 03/02/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Thursday, 01/14/2016 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.
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		<p>Reviewed by: LV</p> <p>Reviewed on: 11/06/2014</p> <p>Updates:</p> <p>Recommendation: Submitted</p> <p>File 24 – Borunda</p>	

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

DOD: 09/22/14		<p>JENNIFER WILLIAMSON, sister/named Executor without bond, is Petitioner.</p> <p>Full IAEA – OK</p> <p>Will dated 05/03/96</p> <p>Residence: Fresno Publication: The Business Journal</p> <p>Estimated Value of the Estate: Personal property - \$1,500,000.00 Annual income - 100,000.00 Real property - 130,000.00 Total - \$1,730,000.00</p> <p>Probate Referee: RICK SMITH</p> <p>Declaration of Jeffrey A. Jaech filed 10/30/14 states: Decedent and Patricia Williamson's divorce became final on 06/20/14. Under the Marital Settlement Agreement, each party waived the right to take property from the other by devise, bequest, or inheritance. Furthermore, Petitioner did not petition that the document dated 03/27/07 be admitted to probate because by its own terms its validity was made conditional on the testator not surviving his impending surgery. The testator did survive that surgery causing the document to be invalid.</p>	<p>NEEDS/PROBLEMS/COMMENTS: CONTINUED FROM 11/03/14 As of 11/06/14, nothing further has been filed.</p> <ol style="list-style-type: none"> It appears from the Petition that Petitioner is seeking to admit only the 1996 Will to probate; however a later dated (2007) holographic instrument has also been deposited with the court. The Court may require authority to admit a prior will when a more recently dated testamentary instrument also exists. Petitioner contends that the 2007 Holographic instrument was conditional on the testator surviving a surgery he was to have. The pertinent part of the 2007 document states, "This brief letter will serve to document my change in my will if something should happen to me..." "I will formalize this in rewriting a formal will if I survive [sic] my operation." The court may require more information/authority regarding Petitioner's contention that this instrument was conditional. If the 2007 holographic instrument is to be admitted to probate, will need Proof of Holographic Instrument (form DE-135) and a typed copy of the document pursuant to Probate Code § 8002. The Petition requests that Jennifer Williamson be appointed as Executor without bond as she is nominated as such in the 1996 will, however, due to the questions regarding the 2007 holographic document, it is unclear whether her appointment as executor is appropriate. The Court may require authority.
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<input type="checkbox"/>	FTB Notice		
		Reviewed by: JF	
		Reviewed on: 11/06/14	
		Updates:	
		Recommendation:	
		File 25 – Williamson	

1 Richard Michael Noroyan (Estate)
 Atty Keeler, William J. (for Ian Mitchinson – Friend – Petitioner)
 Atty Shafer, Claudia Y. (of Murphys, CA for Hugo Noroyan – Father/Contestant)
 Atty Motsenbocker, Gary L. (for Patricia English – Mother/Contestant)
 Atty Kruthers, Heather H. (for Public Administrator – Administrator)

Case No. 13CEPR00542

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

	<p>The Fresno County Public Administrator was appointed as the personal representative of the estate on 8-19-13.</p> <p>At the hearing on 8-19-13, the Court set this status hearing for the filing of the first account or petition for final distribution.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> This matter is scheduled for 8:30 am along with Court Trial assignment.</p> <p><u>Note:</u> Pursuant to Stipulation filed 10-6-14, Court Trial in this matter is also set for 11-10-14 at 8:30 am in Dept. 303 for assignment.</p> <p><u>Note:</u> Pursuant to Order filed 9-29-14, the Court authorized release of the Decedent's original will for forensic examination in connection with the trial. It does not appear that the original document has been returned to the Court's custody.</p>
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	Reviewed by: skc	
	Reviewed on: 11-6-14	
	Updates:	
	Recommendation:	
	File 1 - Noroyan	