

Report of Administrator of Insolvent Estate and Request for Final Discharge [Prob. C. 11600]

DOD: 05/14/05		<p>PUBLIC ADMINISTRATOR, Special Administrator, is Petitioner.</p> <p>Petitioner states:</p> <ol style="list-style-type: none"> Per minute order dated 09/27/05, the Public Administrator was appointed as special administrator and Letters were issued on 10/14/05 and expired on 12/20/05. Notice to creditors was duly published, although the first publication date is unknown to Petitioner. According to the court's docket, proof of publication was filed on 06/29/05. The docket also reflects that two Creditor's Claims were filed against the estate by the California Franchise Tax Board ("FTB") on 04/15/06. In a letter to the FTB dated 10/26/06 Deputy County Counsel Heather Kruthers explained that the claims were not timely filed and that the Special Administration had expired. According to the docket, Lydia Murphy and Geraldine Hughes were contesting each other's claims to the estate and trust of the decedent. Ultimately, a settlement agreement was reached directing who was to receive which assets. Petitioner asserts that given the settlement agreement, and the lack of assets in the estate, this administration should be closed. Petitioner was never able to marshal any assets. <p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> Settling, allowing and approving the final report as filed and all acts of Petitioner be confirmed and approved; and Discharging the Public Administrator as Special Administrator. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: The Franchise Tax Board was provided with Notice of this hearing on 10/22/13.</p>
Cont. from 082813			
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<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Reviewed by: JF			
Reviewed on: 11/06/13			
Updates:			
Recommendation:			
File 1 - Murphy			

	<p>BEVERLY ANN HALL, Conservator with bond of \$182,600, is Petitioner.</p> <p>Petitioner states she was appointed as Conservator of the Person and Estate on 3-27-13. Letters issued on 4-4-13.</p> <p>During the period 4-4-13 through 9-30-13, Conservator performed services in excess of 117 hours in order to assess and marshal assets, repair and clean estate property, meet obligations, and otherwise manage the conservatee's estate. Petitioner believes a reasonable fee for her services is \$1,870.00. In addition, she has incurred out-of-pocket expenses of \$4,526.08. Declaration describes work performed and expenses in connection with the Conservatee's Arizona property, which was cleaned up and sold.</p> <p>Attorney Teixeira has also performed legal services and requests payment of \$9,700 based on a rate of \$250/hr, plus costs of \$2,707.76 for services performed in the conservatorship matter, including establishing the conservatorship, . In addition, Attorney Teixeira requests payment related to the petition for substituted judgment in the amount of \$1,950.00 plus costs of \$435. See declaration.</p> <p>Petitioner believes \$11,650.00 in fees and costs of \$3,142.76 is reasonable given the time expended, the complexity of the matter, the expertise of the attorney, the results achieved, and the size of the estate.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Pursuant to Cal. Rules of Court 7.752, the Court may require accounting prior to allowance of compensation.</p> <p>Note: The first account is due by 10-24-14 per minute order 9-19-13; however, the Court may require sooner account pursuant to CRC 7.752.</p> <p>Note: The conservatorship estate consists of \$117,127.23 cash, which is the proceeds from the sale of the AZ property. At this time, it is not known what the Conservatee's income or expenses are, as there has not yet been an accounting.</p>
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Duties/Supp		
Objections		
Video Receipt		
CI Report		
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Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 11-6-13
		Updates:
		Recommendation:
		File 2 – Dhooghe

(1) First and Final Report of Administration, (2) Petition for Statutory Attorneys Fees and (3) for Final Distribution on Waivers of Accounting [Prob. C. 10954, 11600, 11601, 11603, 11640, 10810, 10811]

DOD: 2/6/2013		JUDY BIER , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	
		I & A - \$203,790.49	
		POH - \$220,917.00	
Cont. from		Executor - waives	
<input type="checkbox"/>	Aff.Sub.Wit.	Attorney - \$7,075.81 (statutory)	
<input checked="" type="checkbox"/>	Verified	Closing- \$1,500.00	
<input checked="" type="checkbox"/>	Inventory	Distribution, pursuant to Decedent's Will and agreement of beneficiaries, is to:	
<input checked="" type="checkbox"/>	PTC	Ray Lee Pittman - \$5,000.00	
<input checked="" type="checkbox"/>	Not.Cred.	Russell Allyn Pittman - \$5,000.00	
<input checked="" type="checkbox"/>	Notice of Hrg	Judy Lorraine Bier – 1/3 interest in American Mutual Fund and \$3,663.06.	
<input checked="" type="checkbox"/>	Aff.Mail	Johnna Paulette Farley – 2006 Buick LaCross and 1/3 interest in American Mutual Fund less \$10,000.00 and \$3,663.06.	
	Aff.Pub.	Sandra Lynn Gilchriest – 1980 Sahara Mobile Home and 1/3 interest in American Mutual Fund less \$15,000.00 and \$3,663.06.	
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	5/8/13	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
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<input checked="" type="checkbox"/>	Order		
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	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 11/6/13
			Updates:
			Recommendation: SUBMITTED
			File 3 – Pittman

(1) Waiver of Accounting and Report of Co-Executors and Petition for Its Settlement; (2) Waiver of Co-Executors' Compensation; (3) for Allowance of Statutory Attorney's Fees and Costs Reimbursement and (4) for Final Distribution [Prob. C. 10800, 10810, 10954 & 11640]

DOD: 5/15/2013		<p>SHERRY LYNN GREEN and KIMBERLY MARIE PRICE, Co-Executors, are petitioners.</p> <p>Accounting is waived ???</p> <p>I & A - \$154,500.00</p> <p>Executors - waive</p> <p>Attorney - \$5,629.00 (statutory)</p> <p>Costs - \$461.50 (filing fee, certified copies)</p> <p>Distribution, pursuant to Decedent's Will, is to:</p> <p>Sherry Green - 1/5 interest in real property and furniture and furnishings.</p> <p>Kimberly Price - 1/5 interest in real property and furniture and furnishings.</p> <p>Laura Roden - 1/5 interest in real property and furniture and furnishings.</p> <p>Judy Clay - 1/5 interest in real property and furniture and furnishings.</p> <p>Richard Herriott - 1/5 interest in real property and furniture and furnishings.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need waivers of accounting from:</p> <p>a. Laura Roden</p> <p>b. Judy Clay</p> <p>c. Richard Herriott</p>	
Cont. from				
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<input checked="" type="checkbox"/>	Inventory			
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<input checked="" type="checkbox"/>	Letters			6/19/13
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input checked="" type="checkbox"/>	9202			
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<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input checked="" type="checkbox"/>	FTB Notice			
<p>Reviewed by: KT</p> <p>Reviewed on: 11/6/2013</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 – Herriot</p>				

<p>William J. Dorris DOD: 7-22-13</p>	<p>BETTY M. BRASE, Trustee, is Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
	<p>Petitioner states that when the settlor died on 7-22-13, he was in the process of transferring title of all of his assets into the trust. Under Section 2.1 of the trust, the settlor declared that all property described in the Schedule of Trust Assets is transferred in trust under the terms of the trust. On 6.14.13, the settlor also executed a Notice of Revocation of Beneficiary Designation and Authorization to Transfer Assets to Revocable Trust ("Notice of Revocation"), which revoked any pay on death beneficiary designations on any of the accounts set forth therein and assigned all accounts to William J. Dorris and Betty M. Brase as trustees of the trust.</p>	<p>1. Citibank CD Acct. xxx265 is not listed in the Schedule of Trust Assets or the Notice of Revocation. The Court may require clarification as to including this account.</p> <p>2. The proposed order does not appear to include the Union Bank Money Market Acct. xxx049, which contains the proceeds of the time deposit count listed in the Schedule of Trust Assets. A revised proposed order may be necessary.</p> <p>3. Petitioner lists the trust beneficiaries and heirs; however, the petition does not state that the list contains each person <u>entitled to notice</u> pursuant to Probate Code §17201. The Court may require verification that all entitled to notice have been served.</p>
<p>Aff.Sub.Wit.</p>	<p>Based on the Estate of Heggstad, the settlor's written declaration is sufficient to create a trust in the property described in the Schedule of Trust Assets and the law does not require separate deeds or conveyances transferring the property to the trust.</p>	<p>Reviewed by: skc</p>
<p>Verified</p>	<p>The settlor was gravely ill when he implemented his estate plan and died before he was able to have legal title to all assets referenced in the Schedule of Trust Assets and Notice of Revocation transferred to the trust.</p>	<p>Reviewed on: 11-6-13</p>
<p>Inventory</p>	<p>Petitioner requests the Court confirm that all assets described in the Schedule of Trust Assets and Notice of Revocation are assets subject to the trust and under control of Petitioner as trustee, and requests that the designations of certain Union Bank and Citibank accounts described in the Schedule of Trust Assets include certain specific accounts.</p>	<p>Updates:</p>
<p>PTC</p>		<p>Recommendation:</p>
<p>Not.Cred.</p>		<p>File 5 – Dorris</p>
<p>Notice of Hrg</p>		
<p>Aff.Mail</p>		
<p>Aff.Pub.</p>		
<p>Sp.Ntc.</p>		
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p>Letters</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>		
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>		

DOD: 02/07/2005		<p>DONALD G. SELSOR, surviving spouse, is petitioner.</p> <p>No other proceedings.</p> <p>Will dated 09/10/2003 devises entire estate to spouse, Donald Selsor.</p> <p>Petitioner requests Court confirmation that 100% of the property located at 12376 E. Dinuba Ave., Selma, Ca. and 6271 Boston Ave., Kingsburg, Ca. pass to the petitioner.</p>	NEEDS/PROBLEMS/COMMENTS:	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			s/p
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<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: LV	
			Reviewed on: 11/06/2013	
			Updates:	
			Recommendation: Submitted	
			File 6 – Selsor	

DOD: 07/10/2013		SHANE BARTELS , son, and JEREMY BARTLES , are petitioners.	NEEDS/PROBLEMS/COMMENTS: 1. The petition does not provide the relationship between the decedent and the petitioner, Jeremy Bartels. 2. Jeremy Bartels is not listed on Attachment 14. 3. Patrick Bartels, son, would also be entitled to a share of the decedent's estate per intestate succession. Patrick Bartels would also need to be a petitioner pursuant to Probate Code §13151. 4. Need Notice of Hearing. 5. Need proof of service on Petition to Determine Succession to Real Property. 6. Need Order.
		40 days since DOD	
Cont. from		No other proceedings	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	I&A - \$135,000.00	
<input type="checkbox"/>	Inventory	Decedent died intestate.	
<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 type="checkbox"/>	Conf. Screen		
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<input type="checkbox"/>	Order	x	
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<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 11/06/2013
			Updates:
			Recommendation:
			File 7 – Bartels

**Probate Status Hearing Re: Filing of the Inventory and Appraisal, and Petition for
 Final Distribution or Release from Ward Pursuant to Probate Code 2627**

DOD: 12-14-06		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR</u></p> <p>Report of Insolvent Estate filed 11-5-13 is set for hearing on 1-2-14.</p>
Cont. from 062712, 083112, 102612, 012513, 042513, 051613, 071113		
Aff.Sub.Wit.		
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UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: skc</p> <p>Reviewed on: 11-5-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8 - Murchison</p>

Atty LeFors, Teri (pro per Petitioner/guardian/paternal grandmother)
 Atty LeFors, Michael E. (pro per guardian/paternal step-grandfather)
 Atty Basquez, Patricia Viola (pro per mother)
 Atty Adams, Bryce S (pro per father)

Request for Modification of Visitation

Brooklyn age: 6	<p>TERI LEFORS, Guardian/paternal grandmother, is petitioner.</p> <p>Petitioner alleges: There has been a change in circumstances. During the 2012 through 2013 school year, both Brooklyn and Nevaeh have experienced extensive absences and almost all occurred while at their bi-weekly visits with their parents. Brooklyn has had 15 absences and 8 tardies in what amounts to only one half of the school year.</p> <p>This continued pattern of absences cause them to be summoned to attend a School Attendance Review Board pre-hearing. Both guardians and parents were in attendance. At that time all parties entered into an agreement to have the attendance problems resolved.</p> <p>Neither parent has taken any interest in attending parent attending parent/teacher conferences, special parent activities or participation in the education of Brooklyn and Nevaeh to the degree that is necessary to nurture and support their education.</p> <p>At the last parent/teacher conferences for both girls, Petitioner states she was advised that their homework is not consistent and turned in during the weeks the girls are with their parents.</p> <p style="text-align: center;">Please see additional page</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 10/8/2013. Minute order states Ms. Lefors informs the court that she is experiencing some medical issues which are affecting her ability to speak. M. Lefors requests a continuance.</p>	
Nevaeh age: 5			
Cont. from 081313, 100813			
Aff.Sub.Wit.			
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UCCJEA			
Citation			
FTB Notice			
		Reviewed by: KT	
		Reviewed on: 11/5/2013	
		Updates:	
		Recommendation:	
		File 9 – Adams	

Petitioner states on Wednesday, June 12, 2013, while on their weekly visit with their parents, Brooklyn jumped off the top bunk bed at a friend's house and hit her nose on the bed frame below. Brooklyn was not taken for any medical treatment by her parents, nor was Petitioner contacted and given the option to seek evaluation of the injury. It was not until Petitioner picked up Brooklyn and Nevaeh on Sunday, June 16 that she saw that Brooklyn had, what amounted to, two black eyes. On Monday, Petitioner states she made an appointment with Brooklyn's physician, for her to be seen on June 18. The Doctor examined Brooklyn, took her for an x-ray and diagnosed her with a fractured nose. Brooklyn has been referred to a specialist at Children's Hospital for further evaluation.

As a result of Brooklyn's nose injury a referral was made to Child Protective Services. Petitioner states they were interviewed by a CPS worker on June 26th and advised that she would make a visit to Bryce and Patricia and that this would be listed as a "substantiated" referral for medical neglect.

Petitioner states that she also learned there have been other CPS referrals in regards to Bryce and Patricia and all three of their children, Brooklyn, Neveah and Owen (DOB: 10/21/11) that Petitioner, as guardian, did not know about. Petitioner states she has requested copies of all CPS referrals that she is entitled to receive as Legal Guardian and will present them at the hearing.

Petitioner states Patricia does not have a driver's license due to two DUI convictions in Fresno within the last two years. During most of the last school year, Bryce Adams drove Brooklyn and Neveah to school in their visitation weeks. Bryce recently became employed full time and will not be available to drive Brooklyn and Neveah to and from school this next school year. Petitioner states she believes that Patricia will drive the girls to school, unlicensed, as she has admitted to driving unlicensed with baby Owen in the car.

Petitioner states they have recently learned that Patricia is pregnant and due after the first of the year. Petitioner states she is further advised that parentage is at issue. Since Bryce will no longer be home to assist with the children, Petitioner states she does not believe that Patricia will be able to effectively deal with the demands of pregnancy, caring for an 18 month old, maintaining the schedule for homework and legally get the girls to and from school each day.

Petitioner respectfully requests that the current visitation schedule be modified to allow Brooklyn and Neveah to have visitation with Bryce Adams and Patricia Basquez every other weekend from Friday at 6:00 p.m. to Sunday at 4:00 p.m. to begin the week of the Court hearing.

Visitation order (per Minute Order dated 3/27/12): Visitation for the father Bryce Adams and the mother Patricia Basquez shall be on alternating weekends from Sunday at 6:00 p.m. until Sunday at 6:00 p.m. Pick-up and delivery of the children to be arranged by mother and father. The children are not to be driven in any vehicle unless licensed and insured, and the children are to be in appropriate safety restraints. No party shall have any amount of alcohol in their body while transporting the children.

Court Investigator Julie Negrete's Report filed 10/3/13

First Amended Final Account and Report and Petition for Final Distribution [Prob. C. 10400-10406, 10954, 11600-11642]

DOD: 8/18/2010		<p>ESTELLA GRIFFITH, sister and Administrator appointed on 9/26/2011 with Full IAEA without bond, is Petitioner.</p> <p>Account period: [9/26/2011 – 3/2013] <i>(Note: Petition does not state the account period pursuant to Probate Code § 1061(a). However, the schedules indicate the ending dates of the transactions reported in this account is March 2013.)</i></p> <table> <tr> <td>Accounting</td> <td>-</td> <td>[\$231,171.41]</td> </tr> <tr> <td>Beginning POH</td> <td>-</td> <td>[\$193,100.00]</td> </tr> <tr> <td>Ending POH</td> <td>-</td> <td>\$193,000.00</td> </tr> </table> <p><i>(no cash; 1/5 interest in rental real property located in Los Angeles)</i></p> <p>Administrator - waives</p> <p>Distribution pursuant to intestate succession is to:</p> <ul style="list-style-type: none"> • Estella Griffith: 1/8 of Decedent's 1/5 interest; • Ralph Escandon, Sr.: 1/8 of Decedent's 1/5 interest; • Raquel Pena: 1/8 of Decedent's 1/5 interest; • Albert Oliva: 1/8 of Decedent's 1/5 interest; • Donna Stevens: 1/2 of a 1/8 interest in Decedent's 1/5 interest; • Steven Escandon: 1/2 of a 1/8 interest in Decedent's 1/5 interest; • Raymond Beltran: 1/2 of a 1/8 interest in Decedent's 1/5 interest; • ESTATE OF Arthur Robles: 1/2 of a 1/8 interest in Decedent's 1/5 interest; • Esther Tinajero: 1/7 of a 1/8 interest in Decedent's 1/5 interest; • Sandra E. Rapozo: 1/7 of a 1/8 interest in Decedent's 1/5 interest; • Manuel Escandon, Jr.: 1/7 of a 1/8 interest in Decedent's 1/5 interest; • Pedro Escandon: 1/7 of a 1/8 interest in Decedent's 1/5 interest; • Christina Escandon: 1/7 of a 1/8 interest in Decedent's 1/5 interest; • Moses Escandon: 1/7 of a 1/8 interest in Decedent's 1/5 interest; • Monalissa Escandon: 1/7 of a 1/8 interest in Decedent's 1/5 interest; • Erlinda Cananda: 1/2 of a 1/8 interest in Decedent's 1/5 interest; • Jay Alamo: 1/2 of a 1/8 interest in Decedent's 1/5 interest. 	Accounting	-	[\$231,171.41]	Beginning POH	-	[\$193,100.00]	Ending POH	-	\$193,000.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 10/8/2013. Minute Order [Judge Cardoza] states the Petitioner is provided a copy of the examiner notes and directed to cure the defects.</p> <ol style="list-style-type: none"> 1. Final Inventory and Appraisal filed on 3/11/2011 is incomplete at Item 5 re: property tax certificate, as required by Probate Code § 8800(d). Need statement regarding Property Tax Certificate. (Revenue and Tax Code § 480.)—Supplemental Declaration to the Petition for Final Distribution filed 10/18/2013 states a Change of Ownership Statement – Death of Real Property Owner was prepared and mailed to the Assessor, Los Angeles County, on 10/17/2013. 2. Supplemental Declaration to the Petition for Final Distribution filed 8/14/2013 states a clearance certificate from the Franchise Tax Board will be filed with the Court upon receipt. Court records do not show such receipt has been filed; therefore, need said receipt to be filed with the Court showing no tax liability, or need proof of service of notice mailed to the Franchise Tax Board pursuant to Probate Code 9202(c)(1).—Proof of Service filed 10/18/2013 shows notice was mailed to the Franchise Tax Board on 10/17/2013 requesting an Estate Income Tax Clearance Certificate. Sixty days from date of mailing allowed for potential response from Franchise Tax Board lapses on 12/17/2013.—Supplemental Declaration to the Petition for Final Distribution filed 10/18/2013 states a Clearance Certificate will be filed upon receipt from FTB. <u>Continuance is necessary to allow ample time for any response and filing of receipt.</u> ~Please see additional page~
Accounting	-		[\$231,171.41]									
Beginning POH	-		[\$193,100.00]									
Ending POH	-		\$193,000.00									
Cont. from 100813												
Aff.Sub.Wit.												
✓ Verified												
✓ Inventory												
PTC	X											
✓ Not.Cred.												
✓ Notice of Hrg												
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Pers.Serv.												
Conf. Screen												
Letters	092611											
Duties/S												
Objections												
Video Receipt												
CI Report												
✓ 9202												
✓ Order												
Aff. Posting												
Status Rpt												
UCCJEA												
Citation												
✓ FTB Notice												
		Reviewed by: LEG										
		Reviewed on: 11/5/13										
		Updates:										
		Recommendation:										
		File 10 – Escandon										

NEEDS/PROBLEMS/COMMENTS, continued:

3. *Schedule F* "Heirs of Decedent and Proposed Distribution" includes distribution to Arthur Robles (on Page 1), who post-deceased the decedent. Based upon his having survived the Decedent, but being now deceased, pursuant to Probate Code § 11802, his distributive interest in the real property should be distributed to the personal representative of his estate (who may choose to distribute the real property via Probate Code § 13200, et seq. or some other mechanism.) Proposed order should include this finding. —**Supplemental Declaration to the Petition for Final Distribution filed 10/18/2013 states Estella Griffith will be the representative of Deceased Arthur Robles and will receive his distributive interest in the real property. It is not satisfactory for the Personal Representative of the instant estate to claim that she will be the representative of Deceased Arthur Robles and will receive his distributive interest in the property. Proposed order will be interlined to reflect that Petitioner is not the personal representative of the Estate of Arthur Robles, and order will reflect that the distribution will be made to the Estate of Arthur Robles.**

Note: *Schedule C* entitled "Initial Distribution" indicates Petitioner paid a total of **\$7,354.59** to estate heirs consisting of rental income receipts from the real property. It appears such payments may be considered preliminary distributions under Probate Code § 10520(a), as the real property rental receipts are income received during administration. Dates of payments are not provided on *Schedule C*, raising the question of whether the time for filing claims had expired prior to the distributions; however, it appears the preliminary distributions were made without loss to creditors or injury to the estate as required by Probate Code 10520(a).

Note: *Supplemental Declaration to the Petition for Final Distribution* filed 8/14/2013 provides fairly satisfactory explanations for much of the transactions presented in the accounting which were previously questionable and unexplained. However, Petitioner does not explain, nor request that the Court approve, the payment from the Decedent's estate the sum of **\$3,200.00** as indicated on *Schedule D* "Estate Expenses" (in the initial First Account), to **LEGAL TECH** for typing service, which is an unauthorized expense from the estate. Probate Code § 10831(a)(1) and (2) provides that at the time of filing the final account and petition for an order for final distribution, the personal representative may petition the Court for an order fixing and allowing the personal representative's compensation and the compensation of an attorney for all services rendered in the estate proceeding. The Probate Code provisions do not provide for payment of fees of document preparer services.

Note: Documents entitled *Waiver of Account*, each stating that the undersigned beneficiary of the estate "hereby waives the filing and settlement of a final account," were filed by the Petitioner on the following dates, signed by the following persons (these persons do not constitute all heirs listed in the initial petition for letters of administration):

- **PEDRO S. ESCANDON**, nephew, filed 10/29/2012;
- **ESTHER E. TINAJERO**, niece, filed 10/29/2012;
- **ESTELLA GRIFFITH**, sister (Petitioner), filed 10/23/2012;
- **DONNA STEVENS**, niece, filed 6/25/2012;
- **STEVEN ESCANDON**, nephew, filed 6/21/2012;
- **JAY ALAMO**, nephew, filed 5/29/2012;
- **RAYMOND BELTRAN**, nephew, filed 5/21/2012;
- **ALBERT OLIVA**, nephew, filed 3/16/2012;
- **ERLINDA CANANDA LOPEZ**, niece, filed 3/16/2012;
- **ARTHUR ROBLES**, nephew, filed 3/15/2012; [Note: Heir is post-deceased per Minute Order dated 11/13/2012.]
- **RAQUEL PENA**, sister, filed 3/15/2012;
- **CHRISTINA ESCANDON**, niece, filed 3/15/2012.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS, continued:

Note: Declaration of Estella Griffith filed 7/13/2011 states, in pertinent part, that Decedent had two families, and that Decedent's nephew, **MANUEL ESCANDON, JR.**, does not want Decedent's estate to be distributed to any of the Decedent's second family, consisting of the following children: **CHRISTINA ESCANDON, MOSES ESCANDON, and MONALISSA ESCANDON**. It appears from the filed documents that Petitioner may have attempted to seek the waiver of account from all estate heirs, and perhaps being unsuccessful in that effort, she filed a *Final Account and Report* on 5/9/2013, and later she filed the instant *First Amended Final Account and Report* on 9/5/2013. It appears Petitioner may be unable to obtain waivers of account from the following estate heirs:

- **RALPH ESCANDON, SR.**, brother;
- **MANUEL ESCANDON, JR.**, nephew;
- **SANDRA RAPOZO**, niece;
- **MOSES ESCANDON**, nephew;
- **MONALISSA ESCANDON**, niece.

Note: Supplemental Declaration to the Petition for Final Distribution filed 8/14/2013 states Consent to Distribut[ion] of Real Property was sent to each beneficiary, and [7] out of the 17 that were sent out have been signed and returned to Petitioner. Signed Consents to Distribution of Real Property have been filed with the Court for the following estate heirs:

- **CHRISTINA ESCANDON**, niece, filed 7/23/2013;
- **ESTELLA GRIFFITH**, sister (Petitioner), filed 7/31/2013;
- **ALBERT OLIVA**, nephew, filed 7/31/2013;
- **JAY ALAMO**, nephew, filed 7/31/2013;
- **ERLINDA CANANDA LOPEZ**, niece, filed 8/27/2013;
- **STEVEN ESCANDON**, nephew, filed 10/2/2013;
- **DONNA STEVENS**, niece, filed 10/3/2013.

Note: Pursuant to Local Rule 7.12.4, the Court does not order distribution of real property in undivided interests without the written consent of all distributees. The desire to have the parties agree and thus have the estate distributed expeditiously reflects the preference of the Court, but is not a requirement of the Probate Code. Therefore, the Court may proceed with distribution of the real property in undivided interests despite being unable to obtain the consent of all of the distributees.

Atty Bonner, Lisa (Pro Per – Maternal Grandmother – Petitioner)

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

Age: 5 months		<u>TEMP EXPIRES 11-12-13</u>		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: This petition pertains to the minor Saniya Tellez only. Petitioner was appointed as guardian of this minor's siblings on 4-5-11 and 8-21-12.</p> <p>1. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior of the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Portirio Tellez (Father) - Bernisa Leavy (Mother)</p> <p>Note: The mother signed the Nomination form, but did not sign consent and waiver of notice, therefore, personal service is still required.</p> <p>Note: Notices of Hearing indicate the parents were mailed notice of the temp hearing on 9-23-13 only, but there is no indication that they have been personally served with notice of <u>this</u> general guardianship hearing.</p> <p>2. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior of the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Paternal Grandparents - Maternal Grandfather Richard Leavy</p> <p>Reviewed by: skc</p> <p>Reviewed on: 11-6-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 – Leavy & Tellez</p>			
		LISA BONNER, maternal grandmother, is petitioner.					
		Father: PORTIRIO TELLEZ - Mailed Notice of Hearing as to <u>Temp hearing only</u>					
	Aff.Sub.Wit.						
✓	Verified						
	Inventory						
	PTC						
	Not.Cred.						
✓	Notice of Hrg						
✓	Aff.Mail		w				
	Aff.Pub.						
	Sp.Ntc.						
	Pers.Serv.		x				
✓	Conf. Screen						
✓	Letters						
✓	Duties/Supp						
	Objections						
	Video Receipt						
✓	CI Report						
✓	Clearances						
✓	Order						
	Aff. Posting						
	Status Rpt						
✓	UCCJEA						
	Citation						
	FTB Notice						

Age: 3 years		<u>NO TEMPORARY IN PLACE</u>		NEEDS/PROBLEMS/COMMENTS:	
		BARBARA PETERSON , maternal great grandmother, is petitioner.		<u>CONTINUED FROM 09/25/13</u>	
		Father: NOT LISTED		1. Need Notice of Hearing	
Cont. from 092513, 101513		Mother: BREA ORR		2. Need proof of service of the Notice of Hearing along with a copy of the Petition <u>or</u> Consent and Waiver of Notice <u>or</u> Declaration of Due Diligence for:	
<input type="checkbox"/>	Aff.Sub.Wit.	Paternal grandparents: Not Listed Maternal grandfather: Not Listed Maternal grandmother: Tanzola Elder Petitioner states mother does not have housing and is currently in an abusive relationship. Petitioner states the child has been in her care for approximately 3 years. Court Investigator JoAnn Morris filed a report on 11/01/13.		a. Father – Personal service required	
<input checked="" type="checkbox"/>	Verified			b. Brea Orr (mother) – Personal service required	
<input type="checkbox"/>	Inventory			c. Paternal grandparents – Service by mail sufficient	
<input type="checkbox"/>	PTC			d. Maternal grandfather – Service by mail sufficient	
<input type="checkbox"/>	Not.Cred.			e. Tanzola Elder (maternal grandmother) – Service by mail sufficient	
<input type="checkbox"/>	Notice of Hrg			3. Confidential Guardian Screening Form is incomplete at #1a – 1e.	
<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			Reviewed by: JF	
<input checked="" type="checkbox"/>	Letters			Reviewed on: 10/10/13	
<input checked="" type="checkbox"/>	Duties/Supp			Updates:	
<input type="checkbox"/>	Objections			Recommendation:	
<input type="checkbox"/>	Video Receipt			File 12 – Orr	
<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				

Atty Green, Shanika M. (pro per – maternal aunt/Petitioner)

Atty Green, Mark (pro per – maternal aunt's fiancé/Petitioner)

Atty McCoy, Isaac (pro per – Ineisha's father/Objector)

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

Ineisha, 9	TEMPORARY EXPIRES 11/12/13		<p>SHANIKA GREEN and MARK GREEN, maternal aunt and her fiancé, are Petitioners.</p> <p>Father (Ineisha): ISAAC MCCOY – <i>Personally served on 08/06/13</i> Father (Lazaya): ZACHARY TUCKER – <i>Consent & Waiver of Notice filed 07/23/13</i></p> <p>Mother: LANIESHA GREEN – <i>Consent & Waiver of Notice filed 07/23/13</i></p> <p>Paternal grandparents (Ineisha): UNKNOWN Paternal grandfather: ZACK TUCKER – <i>Consent & Waiver of Notice filed 07/23/13</i> Paternal grandmother: D.D. TUCKER</p> <p>Maternal grandfather: TOMMY GREEN Maternal grandmother: JANET PALMER – <i>Consent & Waiver of Notice filed 07/23/13</i></p> <p>Petitioners allege that the parents are unable to care for the minors. Petitioners states that they are willing to step in and care for the minors because they do not want them to go to foster care.</p> <p>Objection to Guardianship filed by Isaac McCoy (Ineisha's father) on 08/08/13 states: That he is Ineisha's father and can provide a home for her. He states that he believes that the petitioners will not protect Ineisha from her mother. He states that he wants to make sure that the mother does not get Ineisha back because she failed to protect her from abuse at the hands of the mother's boyfriend. Mr. McCoy states that Ineisha wants to live with him and he wants to be allowed to be a parent to her. Further Mr. McCoy states that he is concerned that the Petitioners already have other children and they won't be able to pay attention to Ineisha's needs.</p> <p>Court Investigator Julie Negrete filed a report on 09/17/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 09/24/13 Minute Order from 09/24/13 states: Louelle McCoy also present. Father needs to file documents with the clerks office. The parties are to workout visits between Mr. McCoy and child. Temporary extended to 11/12/13.</p> <p>As of 11/06/13, nothing further has been filed in this matter.</p> <p>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 Appointment of Guardian of the Person</i> or <i>Consent & Waiver of Notice</i> or <i>Declaration of Due Diligence</i> for:</p> <ul style="list-style-type: none"> - Paternal grandfather - D.D. Tucker – paternal grandmother - Tommy Green – maternal grandfather
Lazaya, 4				
Cont. from 092413				
	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			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			<p>Reviewed by: JF</p> <p>Reviewed on: 11/06/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13 – McCoy & Tucker</p>	

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

Age: 1	NO TEMPORARY REQUESTED	NEEDS/PROBLEMS/COMMENTS:
	JOHN LEDGER , maternal uncle, is petitioner.	Minute Order of 10/15/2013: No appearances. John Ledger is directed to complete and submit the Notice of Child Custody Proceedings for Indian Child form.
	Father: PEDRO HERRERA , Declaration of Due Diligence filed on 08/06/2013	
Cont. from 101513	Mother: MARY HERRERA Declaration of Due Diligence filed on 08/06/2013	
<input type="checkbox"/> Aff.Sub.Wit.	Paternal Grandparents: Unknown	The following issues still remain:
<input checked="" type="checkbox"/> Verified	Maternal Grandparents: Deceased	1. Need Notice of Hearing.
<input type="checkbox"/> Inventory	Petitioner states: Absent parents. No other known relative is willing to take and provide.	2. 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:
<input type="checkbox"/> PTC		<ul style="list-style-type: none"> Pedro Herrera (Father) Unless Court dispenses with notice.
<input type="checkbox"/> Not.Cred.	Court Investigator Dina Calvillo's report filed 10/07/2013.	Note: Declaration of Due Diligence filed 08/06/2013 states address unknown.
<input type="checkbox"/> Notice of Hrg <input checked="" type="checkbox"/>		<ul style="list-style-type: none"> Mary Herrera (Mother) Unless Court dispenses with notice.
<input type="checkbox"/> Aff.Mail <input checked="" type="checkbox"/>		Note: Declaration of Due Diligence filed 08/06/2013 states address unknown.
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv. <input checked="" type="checkbox"/>		
<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: LV
		Reviewed on: 11/05/2013
		Updates:
		Recommendation:
		File 14 - Herrera

Needs/Problems/Comments (continued)

3. Need proof of 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 :
 - Paternal Grandparents (Unknown)
4. UCCJEA does not provide child's residence since birth.
5. The general petition indicates that the maternal grandmother is Dumma Indian. Therefore, a *Notice of Child Custody Proceeding for Indian Child* (Form ICWA-030), must be served prior to the general hearing, together with copies of petition and all attachments, including this form, on the child's parent; any Indian custodian; any Indian tribe that may have a connection to the child; the Bureau of Indian Affairs (BIA), and possibly the U.S. Secretary of the Interior, by certified or registered U.S. Mail, return receipt requested. (Please see Probate Code 1460.2, and CA Rules of Court 7.1015)
6. Per item 5 above, Petitioners will need to return the completed copy of the *Notice of Child Custody Proceeding for Indian Child* to the probate clerk. The probate clerk will then mail the notice to the required agencies as required.
7. After mailing, per item 6 above, need proof of service of notice, including copies of the notices sent and all return receipts and responses received, pursuant to Probate Code 1460.2(d).

Note: A blank copy of the *Notice of Child Custody Proceeding for Indian Child* (Form ICWA-030) is in the file to hand to petitioner at the hearing. Petitioner should complete the form and return it to the probate clerk for mailing.

16 Jade Kaabua, Jake Vongxay, and Jazzmin Vongxay (GUARD/P)

Case No. 13CEPR00811

Atty Petway, Dr. Jacob R. (Pro Per – Maternal Uncle – Petitioner)

Atty Petway, Somlith (Pro Per – Maternal Aunt – Petitioner)

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

Jade, age 10	<p style="text-align: center;">TEMPORARY EXPIRES 11-12-13</p> <p>Dr. JACOB R. PETWAY and SOMLITH PETWAY are Petitioners. Somlith Petway is a first cousin of the mother Chine Kaabua.</p> <p>Father: BOUN VONGXAY - Notice dispensed per Minute Order 9-25-13 unless location becomes known</p> <p>Mother: CHINE KAABUA - Nomination, Consent, and Waiver of Notice filed 9-11-13</p> <p>- Notice dispensed per Minute Order 9-25-13 unless location becomes known</p> <p>Paternal grandparents: Unknown Maternal grandfather: Pom Kaabua Maternal grandmother: Deceased.</p> <p>Petitioners state mom requested they care for Jake and Jade. Both children have resided with them for the past year and a half. Jazzmin was left with them on 8/19/13. Mom has been showing outward signs of substance abuse and child endangerment.</p> <p>Court Investigator Charlotte Bien filed a report on 10-28-13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> The Court may require an update or further diligence regarding notice to the Father pursuant to Probate Code §1511. The Court may require notice or declaration of due diligence to the maternal grandfather and paternal grandparents pursuant to Probate Code §1511. 	
Jake, age 9			
Jazzmin, age 8			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			X
Aff.Mail			X
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			X
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
✓ Clearances			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 11-6-13	
		Updates:	
		Recommendation:	
		File 16 – Kaabua & Vongxay	

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

Age: 21 years	<p style="text-align: center;">THERE IS NO TEMPORARY. No temporary was requested.</p> <p>ROSARIO RODRIGUEZ, mother, is petitioner and requests appointment as Conservator of the person with medical consent powers.</p> <p>Capacity Declaration – NEED (see note #5).</p> <p>Petitioner states she has always had a hard time taking her daughter to the doctors. If it wasn't for her she would never go. The proposed conservatee has anxiety around doctors. Petitioner states she does not trust the proposed conservatee to be around the kitchen at all. She has always taken her to buy her clothes. She would not be able to shop for herself. The proposed conservatee lives with petitioner and will continue to do so.</p> <p>Court Investigator Julie Negrete's Report filed on 10/24/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Advised Rights on 10/21/13.</p> <ol style="list-style-type: none"> 1. #1 of the petition and the caption lists petitioner as Rosario Rodriguez however the Petition is signed by Rosario Lemus. Need clarification as to the correct name of the petitioner. 2. Need Notice of Hearing. 3. Need proof of service of the Notice of Hearing along with a copy of the petition on: <ol style="list-style-type: none"> a. Gabriel Rodriguez (father) b. Marie Luz Quezada (grandmother) c. Jazabelle Rodriguez (daughter) d. Cinthia Rodriguez (sister) e. Gabriel Rodriguez, Jr. (brother) f. Luz Maria Rodriguez (sister) g. Central Valley Regional Center. 4. Need Citation. 5. Need proof of personal service of the Citation along with a copy of the petition on Jeannette Rodriguez. 6. Capacity Declaration was completed by a Nurse Practitioner. The Capacity Declaration must be completed by a California licensed physician. 	
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			X
Aff.Mail			X
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			X
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
✓ Video Receipt			
✓ CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation	X		
FTB Notice			
		Reviewed by: KT	
		Reviewed on: 11/7/13	
		Updates:	
		Recommendation:	
		File 17 – Rodriguez	

DOD: 04/30/2013		<p>MARGUERITE HUGHES, niece is petitioner and requests appointment as Administrator with will annexed with bond set at \$550,000.00.</p> <p>Full IAEA - ?</p> <p>Will dated: 08/19/2000</p> <p>Residence: Reedley Publication: NEED</p> <p>Estimated value of the Estate: Personal property \$550,000.00</p> <p>Probate Referee: Steven Diebert</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>The following issues remain:</p> <p>1. Need Affidavit of Publication.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 12/13/2013 at 9:00a.m. in Dept. 303 for the filing of the bond <u>and</u> Friday, 04/04/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 01/02/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <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 093013, 110413				
✓	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			w/
✓	Aff.Mail			
	Aff.Pub.			x
	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: LV</p> <p>Reviewed on: 11/06/2013</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18 – Peters</p>		