



ATTENTION

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

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

Thank you for your patience.

1 Catherine V. Jacobs (Estate)

Case No. 08CEPR00558

Atty Kruthers, Heather H (for Petitioner/Successor Administrator Public Guardian)

(1) Report of Administration; and (2) Petition for Fees and (3) Final Distribution of Insolvent Estate

DOD: 4/10/2008		PUBLIC ADMINISTRATOR , Successor Administrator, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> At the time the petition for Probate was filed in June of 2008 beneficiary Audrey L. Jacobs was a minor. The petition does not indicate whether or not Audrey is now an adult. Former Administrator Rebecca Jacobs was removed as Administrator and the Public Administrator was appointed to investigate whether or not Ms. Jacob should be surcharged. A surcharge order was entered against Rebecca in the amount of \$14,317.93. Since Rebecca was a 1/2 beneficiary in the estate she was entitled to 1/2 the surcharge amount. Therefore the estate was paid \$7,157.98 from the bonding company. Petition proposes to distribute the property on hand in the estate 1/2 to the bonding company for Rebecca's share and 1/6 each to Turner, Jason, and Audrey the decedent's grandchildren. Rebecca's 1/2 has already been distributed to the bonding company therefore the remaining 1/2 of the estate should pass to the remaining heirs only. <p>Note: Examiner has spoken with Ms. Kruthers. Ms. Kruthers indicates she is aware of the issues raised and will be filing something from the bonding company indicating they agree they should not be receiving any portion of the remaining estate. She will also be submitting a revised order.</p>
		Account period: 8/31/10 – 9/12/12	
Cont. from		Accounting - \$7,158.97	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$7,159.97	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$6,447.57	
<input checked="" type="checkbox"/>	Inventory	Administrator (statutory) - \$286.36	
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.	Attorney (statutory) - \$286.36	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	Attorney X/O - \$1,065.00 (per itemization and declaration for surcharge petition, 7.10 hours @ \$150/hr)	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	Bond fee (o.k.) - \$25.00	
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	Court fees - \$25.50	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections	Proposed distribution, pursuant to intestate succession, is to:	
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report	ACIC (bond company)- \$2,162.17 representing beneficiary and former Administrator Rebecca A. Jacobs 1/2 share.	
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order	Turner A. Jacobs - \$720.73 Jason D. Jacobs - \$720.73 Audrey L. Jacobs - \$720.73	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Reviewed by: KT

Reviewed on: 11/9/12

Updates:

Recommendation:

File 1 - Jacobs

**(1) Petition for Final Distribution on Waiver of Account and (2) for Compensation to
 Executor's Attorney for Statutory Services [Prob. C. 10800, 10801, 10954]**

DOD: 8/27/2007		DALE EUGENE ANDREWS , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Petition does not include a statement under Probate Code 9202(c)(1) re: Notice to the Franchise Tax Board. 2. Need property on hand schedule. California Rules of Court 7.550 and Local Rule 7.13. 3. Need change in asset schedule. California Rules of Court 7.550. 4. Need Trustee's declaration pursuant to Local Rule 7.12.5. 5. Need proposed order.
		Accounting is waived.	
Cont. from		I & A - \$103,918.00	
<input type="checkbox"/>	Aff.Sub.Wit.	POH - ???	
<input checked="" type="checkbox"/>	Verified	Executor - waives	
<input checked="" type="checkbox"/>	Inventory	Attorney - \$2,000.00 (less than statutory)	
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
Notice of Hrg		Distribution, pursuant to Decedent's Will, is to:	
Aff.Mail		Dale Eugene Andrews, as Successor Trustee of the Alberta Andrews Living Trust	
Aff.Pub.		- ????	
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
<input checked="" type="checkbox"/>	Letters 3/6/09		
Duties/Supp			
Objections			
Video Receipt			
CI Report			
<input checked="" type="checkbox"/>	9202		
	Order	X	
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
	FTB Notice	X	
Reviewed by: KT			
Reviewed on: 11/9/12			
Updates:			
Recommendation:			
File 2 - Andrews			

Former Successor Co-Trustees Philip and Debra Hudson's Preliminary and Partial Account for Time Period of 10/19/2004-4/5/2011

<p>Marjorie C. Hudson Resigned: 10-19-04 DOD: 7-27-12</p>	<p>PHILIP and DEBRA HUDSON, Former Successor Co-Trustees of the HUDSON TESTATMENTARY TRUST dated November 17, 1986 created by MARJORIE C. HUDSON (deceased) on 11-17-85, are Petitioners.</p> <p>History: Petitioners state due to the voluminous number of bank accounts utilized during the accounting period and the related bank statements which had to be subpoenaed, collected and line-item reviewed and entry by an accounting assistant, the length of time that Petitioners acted as Successor Co-Trustees, and the very lengthy amount of time which has passed since Petitioners acted as Co-Trustees, Petitioners respectfully request that they be allowed to augment this preliminary accounting and prepare an even more detailed accounting for the Court's review and approval.</p> <p>The Trust nominated Philip Hudson and his wife Debra Hudson (Petitioners) as Successor Co-Trustees should Marjorie C. Hudson die or become unable to act. Marjorie C. Hudson resigned her position as Trustee on 10-19-04, appointing Petitioners as Successor Co-Trustees.</p> <p>On 12-7-09, Palm Village Retirement Community filed a Petition on Marjorie C. Hudson's behalf seeking to have the FRESNO COUNTY PUBLIC GUARDIAN appointed as her conservator. The Public Guardian was appointed as Conservator of her person and estate on 2-9-10; however, Petitioners remained as Successor Co-Trustees of the Trust.</p> <p>On 4-5-11, pursuant to a petition by the Public Guardian, Petitioners were removed as Successor Co-Trustees and the Public Guardian was appointed Successor Trustee.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: This is a preliminary and partial accounting and Petitioners are not seeking Court approval at this time (see prayer), but seek to be allowed to supplement this accounting. Therefore, the Court will set further status hearing for completion of the accounting pursuant to the Court's order on 5-5-11.</p> <p>1. Need proof of service of Notice of Hearing at least 30 days prior to the hearing per Probate Code §17200 on: - Fresno County Public Guardian - Gale Dean Hudson (son)</p> <p>Note: County Counsel was served, but Public Guardian was not served.</p> <p>Note: Documentation in the related conservatorship case 09CEPR01001 indicates the whereabouts of Gale Dean Hudson were unknown to the Public Guardian, but were known to Savilla Hudson. The Court may require notice or diligence.</p>																																														
<table border="1" style="width: 100%;"> <tr><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td>✓ Verified</td><td></td></tr> <tr><td>Inventory</td><td></td></tr> <tr><td>PTC</td><td></td></tr> <tr><td>Not.Cred.</td><td></td></tr> <tr><td>✓ Notice of Hrg</td><td></td></tr> <tr><td>✓ Aff.Mail</td><td>w</td></tr> <tr><td>Aff.Pub.</td><td></td></tr> <tr><td>Sp.Ntc.</td><td></td></tr> <tr><td>Pers.Serv.</td><td></td></tr> <tr><td>Conf. Screen</td><td></td></tr> <tr><td>Letters</td><td></td></tr> <tr><td>Duties/Supp</td><td></td></tr> <tr><td>Objections</td><td></td></tr> <tr><td>Video Receipt</td><td></td></tr> <tr><td>CI Report</td><td></td></tr> <tr><td>9202</td><td></td></tr> <tr><td>Order</td><td>X</td></tr> <tr><td>Aff. Posting</td><td></td></tr> <tr><td>Status Rpt</td><td></td></tr> <tr><td>UCCJEA</td><td></td></tr> <tr><td>Citation</td><td></td></tr> <tr><td>FTB Notice</td><td></td></tr> </table>	Aff.Sub.Wit.		✓ Verified		Inventory		PTC		Not.Cred.		✓ Notice of Hrg		✓ Aff.Mail	w	Aff.Pub.		Sp.Ntc.		Pers.Serv.		Conf. Screen		Letters		Duties/Supp		Objections		Video Receipt		CI Report		9202		Order	X	Aff. Posting		Status Rpt		UCCJEA		Citation		FTB Notice		<p><u>SEE ADDITIONAL PAGES</u></p>	
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		<p>Reviewed by: skc</p> <p>Reviewed on: 11-9-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3 - Hudson</p>																																														

Page 2

Petitioners state it is their intention to further augment this filing with further detail for the Court in order to drill down to a more accurate accounting of items attributable to the Estate and items attributable to the Co-Trustees as potential advances.

Preliminary and Partial Account period: 10-19-04 through 4-5-11

Accounting: \$1,066,933.78

Beginning POH: \$492,023.80

Ending POH: \$135,100.02 (residence and household furniture and furnishings only)

Beginning POH consisted of the residence in Reedley and furniture and furnishings, plus \$356,923.80 in cash and mutual funds.

Receipts total \$574,909.98 and include capital gains, various deposits, dividends, interest, long-term gains, and Social Security income.

Disbursements total \$923,441.62 and are categorized by Petitioners as:

- Advance – Phil & Debra (Total \$245,469.27)
- Bank Charges (Total \$13,296.15)
- Bank Fee (Total \$20.00)
- Card Payment (Total \$5,864.73)
- Care Home (Total \$149,045.81)
- Caretakers (Total \$74,747.63)
- Clothing (Total \$29,878.65)
- Fuel (Total \$1,115.07)
- Groceries (Total \$41,670.68)
- Health Insurance (Total \$10,091.65)
- Household Supplies (Total \$39,274.42)
- Insurance (Total \$8,867.15)
- Laundry (Total \$205..50)
- Meals & Entertainment (Total \$1,761.00)
- Medical (Total \$19,206.04)
- Office Supplies (Total \$1,576.13)
- Payroll Taxes (Total \$4,986.43)
- Reading Material (Total \$156.34)
- Repair & Maintenance (Total \$38,440.54)
- Subscriptions (Total \$579.05)
- Taxes (Total \$30,961.28)
- Uncategorized (Total \$173,817.27)
- Utilities (Total \$32,410.83)
- **Total: \$923,441.**

Petitioners pray that:

- 1. The former Successor Co-Trustees be allowed to supplement this Preliminary and Partial Accounting; and**
- 2. Such other further relief be granted as the Court considers proper.**

Petition to Compel Turnover of the Betty Ruth Cozby Trust Pursuant to Probate Code Section 16061.5 and for Damages and Attorney's Fees Pursuant to Probate Code Section 16061.9

		JANICE POTTER is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 10/4/12. As of 11/9/12 the following issue remains:</p> <p>1. Need Order.</p>
		Petitioner states she is an heir at law, and believes she is a beneficiary of the Betty Ruth Cozby Trust.	
		Betty Ruth Cozby died in April 2011.	
		Betty Cozby was unmarried and did not have children, and her parents and siblings predeceased her.	
		Petitioner is a niece of Betty Cozby and heir at law under applicable Probate Code intestacy statutes.	
		Petitioner believes Betty Cozby's friend, Edward D. Reimer, is the named successor Trustee of the Betty Ruth Cozby Trust.	
		Upon the death of Ruth Cozby the Trust became irrevocable. Petitioner states she requested orally, and then more formally, through counsel, a copy of the Trust. The formal request was made on 8/17/2011. No response has been received to the request.	
		Probate Code §16061.5 provides that a trustee has a duty to provide a true and complete copy of the terms of an irrevocable trust, or irrevocable portion of a trust, to any beneficiary who requests it, and to any heir of a deceased settlor who requests it.	
		Wherefore, Petitioner seeks relief as follows:	
		1. For an Order compelling Edward D. Reimer to provide full and complete copies of the Betty Ruth Cozby trust, including any applicable schedules and amendments, if any;	
		2. For an Order compelling turnover of relevant information on the administration of assets of the Trust pursuant to Probate Code section 16061;	
		3. That Edward D. Reimer be ordered to personally pay Petitioner's attorney's fees and costs in filing and prosecuting this petition.	
		Statement of Assets Held in The Betty Cozby Living Trust filed by Edward D. Reimer and Ola May Langley on 6/4/12.	
Cont. from 022912, 040412, 060412, 081312, 100412			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: KT	
		Reviewed on: 11/9/12	
		Updates:	
		Recommendation:	
		File 4A - Cozby	

Status Re: Accounting

		<p>JANICE POTTER filed a Petition to Compel Turnover of the Betty Ruth Cozby Trust and for Damages and Attorney's Fees. The matter was heard on 4/4/12 and continued to 6/4/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 10/4/12. Minute order states Mr. Campbell is appearing via conference call. Mr. Gilmore advises the Court that the appraisal of the coins is completed and the value is just under \$12,000.00. He further advises that he should have everything necessary to complete the accounting in a couple of weeks. The Court is advised that the terms of the trust call for the check being issued to Janice and Steve Potter as husband and wife, however they are in the process of getting a divorce.</p> <p>1. Need Accounting or current written status report pursuant to Local Rule 7.5.</p>
<p>Cont. from 081312, 100412</p>			
Aff.Sub.Wit.		<p>At the hearing on 6/4/12 the court set this status hearing for the filing of the accounting.</p>	<p>Reviewed by: KT</p> <p>Reviewed on: 11/9/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4B – Cozby</p>
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			

(1) First and Final Account and Report of Executor and (2) Petition and for Its Settlement, and (3) Petition for Final Distribution, (4) for Allowance Compensation to Executor and Attorney for Ordinary Services (Prob. C 11600)

DOD: 04/12/12	LINDA LIPARI , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 04/12/12 – 09/30/12	
Cont. from	Accounting - \$251,844.27	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH - \$245,593.48	
<input checked="" type="checkbox"/> Verified	Ending POH - \$216,272.51 (\$211,272.51 is cash)	
<input checked="" type="checkbox"/> Inventory		
<input checked="" type="checkbox"/> PTC	Executor - \$8,036.89 (statutory)	
<input checked="" type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/	Attorney - \$8,036.89 (statutory)	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	Closing - \$500.00	
<input type="checkbox"/> Conf. Screen	Distribution, pursuant to decedent's Will, is to:	
<input type="checkbox"/> Letters 05/31/12	Linda Lipari - \$100,000.00 plus tangible personal property valued at \$5,000.00.	
<input type="checkbox"/> Duties/Supp	Daniel J. Kesler - \$25,000.00	
<input type="checkbox"/> Objections	Keith Kesler - \$50,000.00	
<input type="checkbox"/> Video Receipt	Renee Stark - \$4,924.68	
<input type="checkbox"/> CI Report	Linda McCoy - \$4,924.68	
<input checked="" type="checkbox"/> 9202	Mrs. Tom Werdel - \$4,924.68	
<input checked="" type="checkbox"/> Order	Mrs. Jean Fitz - \$4,924.69	
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 11/09/12
		Updates:
		Recommendation: SUBMITTED
		File 5 - Kesler

Petition for Approval of Payment of Conservator's Attorney Fees and Reimbursement of Costs Advanced; Request for Payment of Conservator's Fees [Prob. C. 2640(a)(2)-(3)]

Age: 92	<p>ANITA LEAL-IDROGO, daughter, was appointed temporary Conservator of Person on 06/25/12 and was subsequently appointed as Conservator of the Person on 07/23/12.</p> <p>BRUCE BICKEL, professional fiduciary, was appointed temporary Conservator of the Estate on 06/25/12 and was subsequently appointed as Conservator of the Estate on 07/23/12 with bond fixed at \$1,298,519.36.</p> <p>Petitioner requests fees in connection with her petition to be named as Conservator of the Person and naming Bruce Bickel as Conservator of the Estate. Summer A. Johnson performed legal services on behalf of the Petitioner in connection with the Petition for appointment of Conservator from 05/29/12 until 08/30/12.</p> <p>Petitioner asks that Johnson & Wright be paid from the Conservatorship Estate for legal services and costs as follows: 65.1 hours @ \$200.00/hr. for \$13,020.00; and .8 hours @ \$325.00/hr. for \$260.00; and \$1,360.50 in costs for filing fees/certified copies, and personal service of the Citation; for a total fee request of \$14,640.50.</p> <p>Services are itemized by date and include consultation with Petitioner, drafting of documents, obtaining capacity declaration, conferences with client, and court appearances.</p> <p>Petitioner also requests reimbursement for travel expenses in the amount of \$1,392.39 to attend the hearing on the general conservatorship on 07/23/12, in lieu of any Conservator's fee to be paid to Petitioner.</p> <p>Petitioner states that she intends to travel to Fresno to visit the Conservatee at least twice more in the next six months and requests that the Court authorize Bruce Bickel, Conservator of the Estate, to reimburse Petitioner reasonable travel expenses for the two trips up to a maximum of \$5,000.00 total, without prior court approval, upon submission of appropriate receipts and/or documentation. Petitioner believes that this will prevent unnecessary dissipation of estate funds for repeated requests for approval of the Conservator's reimbursement of travel expenses.</p> <p>To date the following Inventory & Appraisals have been filed by the Conservator of the Estate:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">I & A, partial no. 1</td> <td style="width: 10%; text-align: center;">-</td> <td style="width: 40%; text-align: right;">\$280,000.00</td> </tr> <tr> <td>I & A, partial no. 2</td> <td style="text-align: center;">-</td> <td style="text-align: right;">\$963,184.30</td> </tr> <tr> <td>Total</td> <td style="text-align: center;">-</td> <td style="text-align: right;">\$1,243,184.30</td> </tr> </table> <p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> 1. Authorizing Bruce Bickel, Conservator of the Estate, to pay Johnson & Wright \$14,640.50 for legal services and costs rendered; 2. Authorizing Bruce Bickel, Conservator of the Estate to reimburse Petitioner, Anita Leal-Idrogo, the amount of \$1,393.27 for travel expenses and costs incurred to attend the 07/23/12 hearing; and 3. Authorizing Bruce Bickel, Conservator of the Estate, to pay Petitioner, Anita Leal-Idrogo, up to \$5,000.00 total as reimbursement for future travel costs, upon submission of appropriate receipts and/or documentation. 	I & A, partial no. 1	-	\$280,000.00	I & A, partial no. 2	-	\$963,184.30	Total	-	\$1,243,184.30	NEEDS/PROBLEMS/COMMENTS: 1. Need Order.
I & A, partial no. 1	-	\$280,000.00									
I & A, partial no. 2	-	\$963,184.30									
Total	-	\$1,243,184.30									
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											
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<input type="checkbox"/> Aff.Pub.											
<input type="checkbox"/> Sp.Ntc.											
<input type="checkbox"/> Pers.Serv.											
<input type="checkbox"/> Conf. Screen											
<input type="checkbox"/> Letters											
<input type="checkbox"/> Duties/Supp											
<input type="checkbox"/> Objections											
<input type="checkbox"/> Video Receipt											
<input type="checkbox"/> CI Report											
<input type="checkbox"/> 9202											
<input type="checkbox"/> Order	x										
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<input type="checkbox"/> Status Rpt											
<input type="checkbox"/> UCCJEA											
<input type="checkbox"/> Citation											
<input type="checkbox"/> FTB Notice											
		Reviewed by: JF									
		Reviewed on: 11/09/12									
		Updates:									
		Recommendation:									
		File 6 - Haney									

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

Age: 68	TEMPORARY EXPIRES 10-18-12	NEEDS/PROBLEMS/COMMENTS:
	ISABEL BARRIENTOS , daughter, is Petitioner and requests appointment as Conservator of the Person and Estate with medical consent and dementia medication and placement powers. <i>[Note: Per Minute Order 10-12-12, Estate request is dismissed.]</i>	<u>Court Investigator advised rights on 8-21-12.</u>
Cont. from 090612, 101812	VOTING RIGHTS NOT AFFECTED	<u>Continued from 9-6-12, 10-18-12. As of 10-12-12, nothing further has been filed.</u>
Aff.Sub.Wit.	Need Capacity Declaration.	Note: The temporary order also authorized Petitioner to move the Conservatee's residence to reside with Petitioner.
✓ Verified	Petitioner states: Petition is blank. No facts are provided.	Note: Examiner notes that the Petitioner also checked boxes for additional powers under Probate Code §§ 2590, 2351-2358, limited conservatorship, and dementia powers.
Inventory	Court Investigator Charlotte Bien filed a report on 8-27-12.	<u>Minute Order 10-12-12:</u> The Petitioner informs the Court that Ricardo Barrientos is back in a convalescent home. <u>The Court dismisses the Petition for Appointment of Conservator of the Estate finding that the Petitioner's desire not to go forward with that petition is a request for dismissal.</u> The Court continues the Petition for Appointment of Conservator of the Person to 11/15/12. The temporary is extended to 11/15/12.
PTC		Note: <u>Nothing further has been filed. There are still extensive deficiencies. See Page 2.</u>
Not.Cred.		SEE PAGE 2
Notice of Hrg X		Reviewed by: skc
Aff.Mail X		Reviewed on: 11-9-12
Aff.Pub.		Updates:
Sp.Ntc.		Recommendation:
Pers.Serv. X		File 7 - Barrientos
✓ Conf. Screen		
✓ Letters		
✓ Duties/Supp		
Objections		
Video Receipt X		
✓ CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation X		
FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

1. Need Capacity Declaration (GC-335) with Dementia Attachment (GC-335A) for consideration of medical consent and dementia medication and placement powers.

Note: Petitioner attached a physician's statement to her Confidential Supplemental Information form; however, the Capacity Declaration is a mandatory Judicial Council form that is necessary for the Court to make the findings required to grant medical consent and dementia powers. See GC-335.

2. Need Citation (GC-322).
3. Need proof of personal service of Citation with a copy of the Petition at least 15 days prior to the hearing pursuant to Probate Code §1824 on Mr. Barrientos.
4. Need Notice of Hearing (Form GC-020).
5. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on all relatives pursuant to Probate Code §1822.

Note: Petitioner does not list relatives on the Petition; however, the Court Investigator's Report indicates the following relatives:

- Guadalupe Barrientos (Spouse)
- Diana Gamez (Daughter)
- Alice Ayala (Daughter)
- Demetrio Barrientos (Son)
- Sylvia (Daughter)
- Cindy (Daughter)

6. Need Video Receipt (Local Rule 7.15.8.)

Note: Due to the above issues, continuance for compliance may be necessary. Examiner has retained the Order and will prepare accordingly if/when granted.

Amended Petition to Determine Succession to Real Property

DOD: 03/26/12	LINDA JOYCE DUFFICY , Trustee of the M.E. Holland 2009 Trust established September 29, 2009, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.	40 days since DOD.	
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory	No other proceedings.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	I & A - \$65,000.00	
<input checked="" type="checkbox"/> Notice of Hrg	Will dated September 29, 2009	
<input checked="" type="checkbox"/> Aff.Mail	w/ devises entire estate to the M.E. Holland 2009 Trust.	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	Petitioner requests Court determination that decedent's 100% interest in real property located at 1544 W. Cambridge, Fresno pass to her pursuant to decedent's will.	
<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: 11/09/12
		Updates:
		Recommendation: SUBMITTED
		File 8 - Holland

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

DOD: 08/02/12		<p>CAYCE BORDEN and GREG BORDEN, children of decedent, are Petitioners.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>I & A - \$125,623.75</p> <p>Will dated: 02/01/02 devises estate to William Reede – 50%, Greg L. Borden – 25%, and Cayce C. Borden – 25%. If any of the above named beneficiaries does not survive decedent, such deceased beneficiaries share shall be distributed equally among the then living above named beneficiaries.</p> <p>Petition states that William Reede died on 11/09/08.</p> <p>Petitioners request Court determination that the decedent's 100% interest in real property located at 229 7th Street, Clovis, CA, a 2000 Honda Cr-V, household furnishings and personal property located at 229 7th Street, Clovis, CA, and 3 Bank of America bank accounts pass to them in equal 50% shares pursuant to decedent's will.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Will is not self-proving. Need Affidavit of Subscribing Witness.</p> <p>Although the will is not being admitted to probate, this summary proceeding does necessarily include a determination of validity. See Probate Code §13151 and commentary.</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 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		
		<p>Reviewed by: JF</p> <p>Reviewed on: 11/09/12</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 11 - Borden</p>	

DOD: ?	LUPE BONILLA HERNANDEZ , surviving spouse, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Petition is incomplete at item 3. Need decedent's date of death. 2. The Petition is missing Attachment 7 which is to state the facts upon which Petitioner bases the allegation that the property described Attachment 7a is property that should pass or to her as the surviving spouse. 3. Need Order.
	No other proceedings.	
Cont. from	Decedent died intestate.	
<input type="checkbox"/> Aff.Sub.Wit.	Petitioner states - ???? [no statement is made]	
<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	Petitioner requests court confirmation that real property property (APN: 554-270-016) passes to her.	
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order	x	
<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: 11/09/12
		Updates:
		Recommendation:
		File 12 - Hernandez

DOD: 7/2/2008	<p>PUBLIC ADMINISTRATOR is the Successor Administrator of the Estate.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
	<p>STEVE GAUCIN, son, was appointed as Administrator on 9/186/2008 without bond and with full IAEA authority.</p>	
Cont. from		
Aff.Sub.Wit.	<p>Letters never issued. Mr. Gaucin failed to administer the estate.</p>	
Verified		
Inventory	<p>On 9/29/2011 the Court removed Mr. Gaucin and appointed the Public Administrator.</p>	
PTC		
Not.Cred.	<p>Status Report filed on 11/9/2012 states the Public Administrator has sold the sole asset of the estate, real property located in Selma. They are currently finishing the taxes. In order to allow time to finish the taxes and to prepare the final account it is requested that the next status hearing be set no earlier than 60 days from the date of this hearing.</p>	
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: KT</p>
		<p>Reviewed on: 11/9/12</p>
		<p>Updates:</p>
		<p>Recommendation:</p>
		<p>File 13 - Gaucin</p>

