



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.

DOD: 2-28-06	<p>Marie E. Donaldson and Maynard E. Goins, Co-Executors, filed a “First and Final Accounting” on 3-29-12 that was set for hearing on 5-9-12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
	<p>For hearing on 5-9-12, Examiner Notes indicated a number of issues, including:</p>	<p>Note: Notice of Status Hearing was sent to Attorney Donaldson on 10-15-13.</p>
Aff.Sub.Wit.	<ul style="list-style-type: none"> That the document filed was not a proper accounting in compliance with Probate Code, and further that no waivers of account had been filed; 	<p>1. Need final order.</p>
Verified	<ul style="list-style-type: none"> That the estate had already been distributed in violation of Probate Code §§ 11620, 11640, Cal. Rules of Court 7.651; 	
Inventory	<ul style="list-style-type: none"> That it was not known if the appropriate actions were taken with regard to notice to creditors, agencies, etc., as required by law (the petition did not allege that any notice had occurred and no proof of service of notice of hearing was filed); 	
PTC	<ul style="list-style-type: none"> That the document was only verified by one of the two petitioners and notice of hearing had not been served on the other; 	
Not.Cred.	<ul style="list-style-type: none"> That an “Ex Parte Petition for Final Discharge and Order” had been submitted prematurely, as the co-executors cannot be discharged until the estate is closed pursuant to applicable law. 	
Notice of Hrg	<p>Minute Order from hearing on 5-9-12 states: The Court accepts counsel's representation and grants the petition. Order to be signed upon receipt of waivers.</p>	<p>Reviewed by: skc</p>
Aff.Mail	<p>On 5-18-12, a “Waiver of Notice of Proposed Action” was filed; however, this does not appear to be an applicable form, and no proposed final order settling the estate was submitted.</p>	<p>Reviewed on: 11-7-13</p>
Aff.Pub.	<p>Examiner sent email and fax to Attorney Donaldson on 5-30-12 and again on 1-10-13.</p>	<p>Updates:</p>
Sp.Ntc.	<p>On 7-2-12, Mr. Donaldson appeared at the counter and stated he would submit an order; however, no order was submitted.</p>	<p>Recommendation:</p>
Pers.Serv.	<p>At this time, a final order settling the estate is necessary based on the minute order of 5-9-12.</p>	<p>File 1 – Goins</p>
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Probate Status Hearing Re: Failure to File Inventory & Appraisal and Petition for Final Distribution

DOD: 5-29-10	DEBORAH GURRY , Surviving Spouse, was appointed Administrator with Full IAEA without bond and Letters issued on 1-8-13.	NEEDS/PROBLEMS/COMMENTS: 1. Need petition to close the estate. <u>Note:</u> An ex parte petition is not appropriate to close this estate, as Letters have issued. Need petition to close estate with noticed hearing. If estate is insolvent, see Probate Code §§ 11000, 11640, other applicable law (9202, etc.) <u>Note:</u> The heirs of the estate include the Administrator as Surviving Spouse and the decedent's adult daughter Shane Gurry.
	At hearing on 1-8-13, the Court set status hearing for filing the I&A for 5-17-13.	
	A status report filed 5-13-13 by Attorney Flanigan (not verified by the Administrator) stated that the real property located at 6684 N. El Capitan in Fresno is the only asset of the estate, and is currently in foreclosure. The Administrator has no other funds to pay the costs of administration or to pay the mortgage on the real property asset of the estate. It is likely that after the foreclosure, there will be no assets left in the estate and the probate proceeding will be dismissed. The Administrator is the sole heir and there are no claims superior to the mortgage on the property. Counsel requested a 120 day continuance to file a Petition to close the Probate if dismissal is deemed appropriate.	
Aff.Sub.Wit.		
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Notice of Hrg		
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Aff.Pub.		
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Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202 Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	At hearing on 9-20-13, Counsel informed the Court that he filed an ex parte petition for dismissal, and the matter was taken off calendar.	
	On 10-21-13, the Court set this status hearing and ordered both Attorney Flanigan and Administrator Deborah Gurry to personally appear.	
		Reviewed by: skc
		Reviewed on: 11-8-13
		Updates:
		Recommendation:
		File 2 – Gurry

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution [Prob. C. 12200, et seq.]

DOD: 01/23/11	<p>LESLEY WAGNER and MEAGAN WAGNER, were appointed Co-Administrators with Full IAEA and without bond on 07/26/11. Letters of Administration were issued on 07/27/11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from 042613, 072613	<p>Inventory & Appraisal, Partial No. 1 filed 02/15/13 - \$210,000.00</p>	<p><u>CONTINUED FROM 07/26/13</u> As of 11/08/13, nothing further has been filed.</p>
Aff.Sub.Wit.	<p>Notice of Status Hearing filed 03/01/13 set this matter for status regarding filing of the Accounting and/or Petition for Distribution. Clerk's Certificate of Mailing states that a copy of the Notice of Status Hearing was mailed to attorney Janet Wright on 03/01/13.</p>	<p>1. Need First Account and/or Petition for Final Distribution.</p>
Verified	<p>Status Report of Counsel for Lesley Wagner and Meagan Wagner filed 04/24/13 states: the Inventory & Appraisal, Partial #1 filed 02/15/13 reports the value of the decedent's personal residence. The residence appears to be the sole asset of the estate. Two Creditor's Claims have been timely filed in this matter: Citibank in the amount of \$10,580.79; and West Asset Management (for Bank of America) in the amount of \$11,264.98. The decedent's residence is presently occupied by the decedent's surviving spouse, Virginia Wagner. As the estate is presently illiquid, the Co-Administrators are exploring options for raising sufficient funds to satisfy the two creditor's claims without requiring the sale of the residence. Given the surviving spouse's occupation of the residence and the illiquidity of the estate, it is anticipated that it will take approximately 6 additional months to finalize matters and close the estate. Counsel respectfully requests a continuance to October 2013, subject to the hearing being taken off calendar upon the filing of the First Account and Report and Petition to Close and Distribute Estate.</p>	<p>Reviewed by: JF</p>
Inventory	<p>Status Report of Co-Administrator's filed 07/22/13 states: the Co-Administrators have made numerous attempts to contact the decedent's wife Virginia Wagner who currently lives in the estates real property. The property will need to be sold in order to satisfy creditor's claims that have been filed. Ms. Wagner has not responded to the Co-Administrators, but they informed her in a recent letter that they would be listing the property for sale within 30 days and that they would contact her to advise her of the date of inspection of the property. The Co-Administrators request a continuance until 10/24/13.</p>	<p>Reviewed on: 11/08/13</p>
PTC		<p>Updates:</p>
Not.Cred.		<p>Recommendation:</p>
Notice of Hrg		<p>File 4 – Wagner</p>
Aff.Mail		
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Sp.Ntc.		
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Conf. Screen		
Letters		
Duties/Supp		
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Video Receipt		
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Aff. Posting		
Status Rpt		
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Citation		
FTB Notice		

Probate Status Hearing Re: (1) Failure to File Inventory and Appraisal; (2) Filing of First Account or Petition for Final Distribution

DOD: 9-22-11	<p>KATHLEEN M. NORKUNAS, Surviving Spouse, was appointed Executor with Full IAEA without bond and Letters issued on 9-4-12.</p> <p>No Inventory and Appraisal has been filed; however, the original petition for probate estimated that the estate contained personal property valued at \$450,000.00, income of \$20,000.00, and real property valued at \$250,000.00.</p> <p>On 8-15-13, the Court set this status hearing for failure to file Inventory and Appraisal and failure to file a first account or petition for final distribution. Notice was mailed to Attorney Weinberg on 8-15-13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Inventory and Appraisal and first account or petition for final distribution, or verified status report pursuant to probate code and local rules.</p> <p>Note: Per the decedent's will, Ms. Norkunas is the sole heir; however, Letters have issued and the estate must be properly closed with appropriate notice pursuant to applicable law.</p>
Aff.Sub.Wit.		
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Status Rpt		
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Citation		
FTB Notice		
	<p>Reviewed by: skc</p> <p>Reviewed on: 11-8-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 – Karlee</p>	

DOD: 05/19/12	<p>SUZIE ANTUNA, daughter, was appointed Administrator with Full IAEA and without bond on 08/22/12.</p> <p>Letters of Administration were issued on 08/22/12.</p> <p>Minute Order from status hearing regarding filing of the Inventory & Appraisal dated 01/25/13 set this matter for a Status Hearing and states: Ms. Antuna informs the Court that the Inventory & Appraisal was filed this morning, however, a \$2,000.00 check was not included. Matter set for a Status Hearing on 05/10/13. The Court directs Ms. Antuna to meet with Court Examiner Sarah Campbell forthwith.</p> <p>Inventory & Appraisal filed 01/25/13 - \$57,287.66</p> <p>Supplemental Inventory & Appraisal filed 04/25/13 - \$2,000.00</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 10/01/13 Minute Order from 10/01/13</p> <p>1. Need Supplemental Inventory & Appraisal and/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 051013, 071213, 081613, 101113		
Aff.Sub.Wit.		
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FTB Notice		
Reviewed by: JF		
Reviewed on: 11/08/13		
Updates:		
Recommendation:		
File 6 - Rocha		

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

Age:		NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR Order for Settlement on Waiver of Account filed 03/11/13
DOD:		
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Inventory		
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Notice of Hrg		
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Duties/Supp		
Objections		
Video Receipt		
CI Report		
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Aff. Posting		
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Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 11/08/13
		Updates:
		Recommendation:
		File 9 – Spencer

DOD: 03/13/13	<p>SANDRA L. FUNK, daughter, was appointed Executor without bond on 06/12/13 and Letters Testamentary were issued on 06/12/13.</p>	NEEDS/PROBLEMS/COMMENTS:	
		<p>1. Need Inventory & Appraisal <u>or</u> 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>	
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Citation			
FTB Notice			
		Reviewed by: JF	
		Reviewed on: 11/08/13	
		Updates:	
		Recommendation:	
		File 10 – Zielke	

11 **Freddie L. Rylee (Estate)**

Case No. 13CEPR00680

Atty Flanigan, Philip M.

Atty Krbechek, Randolph

Status Hearing Re: Filing of Proof of Bond

Age:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u> Bond filed 10/28/13 and Letters issued on 10/29/13</p>
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		Reviewed by: JF
		Reviewed on: 11/08/13
		Updates:
		Recommendation:
		File 11 – Rylee

DOD: 10-7-06	DORIS ELAINE RACKLEY , Sister, was appointed Administrator with Full IAEA without bond and Letters issued on 8-28-07.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Inventory and Appraisal. 2. Need petition for final distribution or status report pursuant to Probate Code §12200, local rules. 3. If further hearings are held, notice may be required to FTB pursuant to Request for Special Notice, and to the heirs of this estate. <p>Note: The Decedent Irene Hamby's will devises her estate to her nephews Brian Rackley and Kevin Rackly.</p> <p>Note: It appears that this estate may be dependent on the closure of the Estate of Herbert C. Hamby 07CEPR00788, as this estate may be a beneficiary of that estate.</p>
	On 7-1-08, a Creditor's Claim and Request for Special Notice was filed by the CA Franchise Tax Board.	
	Substitution of Attorney filed 7-28-08 indicates that Ms. Rackley is no longer represented by Attorney Jeff Reich and is currently self-represented.	
	No Inventory and Appraisal was ever filed; however, the original petition estimated that the estate consisted of personal property valued at \$8,000.00 and real property valued at \$120,000.00.	
	In addition, the Court is aware that this decedent was an heir to another estate:	
	A status hearing was held on 9-20-13 in the Estate of Herbert C. Hamby 07CEPR00788, of which Ms. Rackley is also the Administrator. Upon review of the status of that estate, it was learned that this decedent is a post-deceased heir of Herbert C. Hamby, but that this estate also appeared abandoned.	
	Ms. Rackley was present at that hearing, and the Court continued that matter (Page 14) and also set this status hearing for the Estate of Irene Hamby.	
Aff.Sub.Wit.		
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Status Rpt		
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Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 11-8-13
		Updates: 11-8-13
		Recommendation:
		File 13 – Hamby

Probate Status Hearing for Failure to File a First Account or Petition for Final Distribution

DOD: 9-6-05	<p>ELAINE RACKLEY, Daughter, was appointed as Administrator with Will Annexed with Limited IAEA without bond and Letters issued on 8-28-07.</p> <p>Also on 8-28-07, the decedent's will dated 4-2-75 was admitted to Probate.</p> <p>No Inventory and Appraisal was ever filed; however, the original petition estimated that the estate consisted of personal property valued at \$30,000.00 and real property valued at \$210,000.00 for a total estate value of \$240,000.00.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 9-20-13</u></p> <p><u>As of 11-8-13, nothing further has been filed.</u></p> <ol style="list-style-type: none"> Need Inventory and Appraisal. Probate Code §8900. Need petition for final distribution or status report pursuant to Probate Code §12200. <p><i>Note:</i> The Administrator was formerly represented by Attorney Marvin T. Helon; however, pursuant to Substitution of Attorney filed 7-10-13, Ms. Rackley is now self-represented. (It was the filing of the Substitution that brought this overdue estate to the Court's attention. Notice of Status Hearing was mailed to Ms. Rackley on 7-30-13.)</p> <p><i>Note:</i> The beneficiaries of the estate are the decedent's three daughters: Elaine Rackley, Marilyn Hamby, and Irene Hamby. However, Irene Hamby is deceased, and Elaine Rackley, was also appointed as Executor of that estate on 8-28-07 in 07CEPR00763 (at the same time as . It appears Elaine Rackley was represented by Attorney Jeff Reich in those proceedings until he subbed out in 2008. The Court will be setting that matter for status hearing for failure to file I&A and petition for final distribution also. Notice to follow.</p>
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	<p>Reviewed by: skc</p> <p>Reviewed on: 11-8-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14 – Hamby</p>	

Status Hearing Re: Receipt of Funds in Blocked Account

Age: 8	<p>VALENE MADRID, mother, was appointed Guardian of the Estate on 10/17/13. Letters of Guardianship were issued on 10/18/13.</p> <p>Order to Deposit Money Into Blocked Account in the amount of \$17,000.00 was filed 10/17/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Receipt and Acknowledgement of Order for the Deposit of Money into Blocked Account.</p>
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<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
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<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 11/08/13
		Updates:
		Recommendation:
		File 15 – Dupree

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

DOD: 08/01/02	<p>HECTOR JAVIER SAENZ, JR., son, was appointed Administrator with full IAEA and without bond but with funds recovered to be deposited into a blocked account, on 10/08/02. Letters of Administration were issued on 10/09/02.</p> <p>Notice of Status Hearing filed 09/16/13, set this matter for a Status Hearing on 11/15/13. Clerk's Certificate of Mailing indicates that the Notice of Status Hearing was mailed to H. Ty Kharazi on 09/16/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Nothing further was filed in this matter after Letters were issued on 10/09/02.</p> <ol style="list-style-type: none"> 1. Need Inventory & Appraisal. 2. Need Account/Report on Waiver of Account and Petition for Distribution 3. Need Status Update Report. 	
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			Reviewed by: JF
			Reviewed on: 11/08/13
			Updates:
	Recommendation:		
	File 16 – Saenz		

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

DOD: 08/23/02	BRIAN COSTALES , son, was appointed Administrator without bond on 10/24/02. Letters of Administration were issued on 10/31/02.	NEEDS/PROBLEMS/COMMENTS: 1. Need Account/Report on Waiver of Account and Petition for Distribution.
Cont. from	Inventory & Appraisal, Final filed 12/05/02 - \$80,000.00	
Aff.Sub.Wit.		
Verified		
Inventory	Notice of Status Hearing filed 09/16/13 set this matter for status. Clerk's Certificate of Mailing indicates that the Notice of Status Hearing was mailed to Brian J. Costales on 09/16/13.	
PTC		
Not.Cred.		
Notice of Hrg	Declaration of Brian Costales filed 09/20/13 states: He was previously represented by attorney Stanton Levy, who died several years ago. He was appointed Administrator of his mother's estate several years ago. To the best of his recollection, the only asset of the estate was the decedent's residence which was sold and the proceeds of the sale were distributed between himself and two siblings as directed in the decedent's will. Mr. Levy received his fee from the sale proceeds paid directly to him by escrow. Mr. Levy advised him that everything was complete and as far as he was aware there was nothing more to be filed or accomplished. Mr. Levy died soon after these events took place. It has been a decade since all of this transpired. Unfortunately, there was a recent fire at his home (09/10/13) and therefore all of his legal papers were destroyed. Mr. Costales further states that his health is poor and hopes this can be resolved quickly so to avoid causing him greater stress and illness.	
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Status Rpt		
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Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 11/08/13
		Updates:
		Recommendation:
		File 17 – Costales

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

DOD: 04/03/02	<p>PATRICK J. HARRINGTON, was appointed Executor without bond on 12/17/02. Letters Testamentary were issued on 12/17/02.</p> <p>Notice of Status Hearing filed 09/16/13 set this matter for status on 11/15/13. Clerk's Certificate of Mailing indicates that the Notice of Status Hearing was mailed to Patrick J. Harrington in Redding, CA on 09/16/13. A letter was received on 10/16/13 indicating that Mr. Harrington no longer lived at the address the Notice was sent to. A new Notice of Status Hearing filed 10/21/13 was mailed to Mr. Harrington at an address located in Arizona.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Inventory & Appraisal. 2. Need Account/Report on Waiver of Account and Petition for Final Distribution.
Cont. from		
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FTB Notice		
		Reviewed on: 11/08/13
		Updates:
		Recommendation:
		File 18 – Harrington

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>NEEDS/PROBLEMS/COMMENTS:</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				
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<input type="checkbox"/> PTC				
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<input type="checkbox"/> UCCJEA				
<input type="checkbox"/> Citation				
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			Reviewed by: JF	
			Reviewed on: 11/08/13	
			Updates:	
		Recommendation:		
		File 19 – Simpson		