

DOD: 2-28-06	<p><b>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.</b></p>	NEEDS/PROBLEMS/COMMENTS:
	<p><b>For hearing on 5-9-12,</b> Examiner Notes indicated a number of issues, including:</p>	<p><b>Note:</b> Notice of Status Hearing was sent to Attorney Donaldson on 10-15-13.</p>
Aff.Sub.Wit.	<ul style="list-style-type: none"> <li>• That the document filed was not a proper accounting in compliance with Probate Code, and further that no waivers of account had been filed;</li> </ul>	<p><b>1. Need final order.</b></p>
Verified	<ul style="list-style-type: none"> <li>• That the estate had already been distributed in violation of Probate Code §§ 11620, 11640, Cal. Rules of Court 7.651;</li> </ul>	
Inventory	<ul style="list-style-type: none"> <li>• 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);</li> </ul>	
PTC	<ul style="list-style-type: none"> <li>• That the document was only verified by one of the two petitioners and notice of hearing had not been served on the other;</li> </ul>	
Not.Cred.	<ul style="list-style-type: none"> <li>• 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.</li> </ul>	
Notice of Hrg	<p><b>Minute Order from hearing on 5-9-12 states:</b> The Court accepts counsel's representation and grants the petition. Order to be signed upon receipt of waivers.</p>	Reviewed by: skc
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>	Reviewed on: 11-7-13
Aff.Pub.	<p>Examiner sent email and fax to Attorney Donaldson on 5-30-12 and again on 1-10-13.</p>	Updates:
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>	Recommendation:
Pers.Serv.	<p><b>At this time, a final order settling the estate is necessary based on the minute order of 5-9-12.</b></p>	<p><b>File 1 – Goins</b></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**

<b>DOD: 5-29-10</b>	<p><b>DEBORAH GURRY</b>, Surviving Spouse, was appointed Administrator with Full IAEA without bond and Letters issued on 1-8-13.</p> <p>At hearing on 1-8-13, the Court set status hearing for filing the I&amp;A for 5-17-13.</p> <p>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.</p> <p>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.</p> <p>On 10-21-13, the Court set this status hearing and ordered both Attorney Flanigan and Administrator Deborah Gurry to personally appear.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. <b>Need petition to close the estate.</b></p> <p><b>Note:</b> 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.)</p> <p><b>Note:</b> The heirs of the estate include the Administrator as Surviving Spouse and the decedent's adult daughter Shane Gurry.</p>				
<b>Aff.Sub.Wit.</b>						
<b>Verified</b>						
<b>Inventory</b>						
<b>PTC</b>						
<b>Not.Cred.</b>						
<b>Notice of Hrg</b>						
<b>Aff.Mail</b>						
<b>Aff.Pub.</b>						
<b>Sp.Ntc.</b>						
<b>Pers.Serv.</b>						
<b>Conf. Screen</b>						
<b>Letters</b>						
<b>Duties/Supp</b>						
<b>Objections</b>						
<b>Video Receipt</b>						
<b>CI Report</b>						
<b>9202</b>						
<b>Order</b>						
<b>Aff. Posting</b>						
<b>Status Rpt</b>						
<b>UCCJEA</b>						
<b>Citation</b>						
<b>FTB Notice</b>						
<table border="1"> <tr> <td><b>Reviewed by:</b> skc</td> </tr> <tr> <td><b>Reviewed on:</b> 11-8-13</td> </tr> <tr> <td><b>Updates:</b></td> </tr> <tr> <td><b>Recommendation:</b></td> </tr> <tr> <td><b>File 2 – Gurry</b></td> </tr> </table>		<b>Reviewed by:</b> skc	<b>Reviewed on:</b> 11-8-13	<b>Updates:</b>	<b>Recommendation:</b>	<b>File 2 – Gurry</b>
<b>Reviewed by:</b> skc						
<b>Reviewed on:</b> 11-8-13						
<b>Updates:</b>						
<b>Recommendation:</b>						
<b>File 2 – Gurry</b>						

<b>DOD: 7/29/2010</b>	<b>FRANK SCOTT HINE</b> was appointed Administrator with Full IAEA and bond set at \$118,260.00 on 1/5/2011.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need <b>First Account, Petition for Final Distribution</b> or <b>current written status report</b> pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
<b>Cont. from 062113, 080213, 091313</b>	Minute order dated 6/15/2012 states the court orders bond set at \$45,000.00 and Limited IAEA authority.	
<b>Aff.Sub.Wit.</b>	Bond of \$45,000.00 filed on 8/10/12.	
<b>Verified</b>	Letters issued 10/24/12.	
<b>Inventory</b>	Inventory and Appraisal filed on 6/6/2012 showing the estate valued at \$134,550.00	
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	<b>Creditor's Claims filed:</b>	
<b>Aff.Mail</b>	CitiBank - \$12,563.66	
<b>Aff.Pub.</b>	DCM Services - \$ 260.80	
<b>Sp.Ntc.</b>	Frank Hine - \$ 4,743.41	
<b>Pers.Serv.</b>	Donna Langley - \$17,625.99	
<b>Conf. Screen</b>	Wesley Langley - \$ 1,397.38	
<b>Letters</b>	FTB - \$ 2,660.09	
<b>Duties/Supp</b>	FTB - \$ 4,337.54	
<b>Objections</b>	<b>Total \$43,689.17</b>	
<b>Video Receipt</b>	<b>Former Status Report filed 9/9/13 states</b> Mr. Krbechek met with Mr. Hine since the last status conference. Mr. Hine will be present in court on 9/13/13 to provide updated information regarding the status of the estate. The beneficiary of the estate is the decedent's minor daughter, Noelle Hine. Ms. Hine will turn 18 before the end of this year. Mr. Hine has been making all the monthly payments on the house and the loan is current. Ms. Hine's future is uncertain and she is not ready to own a house. Thus, it is in the best interest of the estate that the house be sold. The personal representative will provide an update regarding the status of the property listing at the next hearing.	
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 11/12/2013</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 3 - Hine</b>

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

<b>DOD: 01/23/11</b>	<p><b>LESLEY WAGNER</b> and <b>MEAGAN WAGNER</b>, 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><b>Inventory &amp; Appraisal, Partial No. 1</b> filed 02/15/13 - \$210,000.00</p> <p><b>Notice of Status Hearing</b> filed 03/01/13 set this matter for status regarding filing of the Accounting and/or Petition for Distribution. <b>Clerk's Certificate of Mailing</b> states that a copy of the Notice of Status Hearing was mailed to attorney Janet Wright on 03/01/13.</p> <p><b>Status Report of Counsel for Lesley Wagner and Meagan Wagner</b> filed 04/24/13 states: the Inventory &amp; 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><b>Status Report of Co-Administrator's filed 07/22/13</b> 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><b>NEEDS/PROBLEMS/ COMMENTS:</b></p> <p><b>CONTINUED FROM 07/26/13</b></p> <p>As of 11/08/13, nothing further has been filed.</p> <p>1. Need First Account and/or Petition for Final Distribution.</p>
<b>Cont. from 042613, 072613</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 11/08/13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 4 – Wagner</b></p>

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

<b>DOD: 9-22-11</b>		<p><b>KATHLEEN M. NORKUNAS</b>, 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><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>1. Need Inventory and Appraisal and first account or petition for final distribution, or verified status report pursuant to probate code and local rules.</b></p> <p><b>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.</b></p>
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 11-8-13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 5 – Karlee</b></p>	

<b>DOD: 05/19/12</b>	<b>SUZIE ANTUNA</b> , daughter, was appointed Administrator with Full IAEA and without bond on 08/22/12.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>CONTINUED FROM 10/01/13 Minute Order from 10/01/13</b></p> <p>1. Need Supplemental Inventory &amp; Appraisal.</p>
<b>Cont. from 051013, 071213, 081613, 101113</b>	<b>Letters of Administration</b> were issued on 08/22/12.	
<b>Aff.Sub.Wit.</b>	<b>Minute Order from status hearing regarding filing of the Inventory &amp; Appraisal dated 01/25/13</b> 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.	
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>	<b>Inventory &amp; Appraisal filed 01/25/13 - \$57,287.66</b>	
<b>Aff.Pub.</b>	<b>Supplemental Inventory &amp; Appraisal filed 04/25/13 - \$2,000.00</b>	
<b>Sp.Ntc.</b>	<b>Status Hearing Report</b> filed 11/15/13 states: a final Supplemental Inventory & Appraisal was mailed to Steven Diebert on 11/08/13. This inventory contains the last assets to appraise. The real property in Orange Cove needs to be sold, so a reappraisal for sale of the lot was also provided to Mr. Diebert on 11/08/13. When the inventories are returned by Mr. Diebert they will be filed with the Court. The Administrator intends to purchase the real property from the estate, so a petition to confirm the sale will also be filed after the inventories are received. All 4 creditors of the estate have been contacted and requests for further information and proof of debt has been requested. All paperwork regarding the decedent's credit cards and debts were destroyed in the file and the decedent was previously a victim of identity theft, so the Administrator is diligently seeking verification of all creditors' claims before accepting or rejecting them. A 30-45 day continuance is requested.	
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 11/08/13</p> <p><b>Updates:</b> 11/13/13</p> <p><b>Recommendation:</b></p> <p><b>File 6 - Rocha</b></p>

for Final Distribution.

<b>DOD: 3/17/2012</b>	<b>JOSHUA HOUSIERE and CARA HOUSIERE</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note:</b> Once Letters have issued a Request for Dismissal cannot be filed. Petitioners will need to petition the court to close the estate.
	were appointed co-Executors with full IAEA and without bond on 9/11/2012.	
	Letters issued on 9/11/12.	
<b>Cont. from 021513, 081613</b>	Inventory and Appraisal was due on 1/11/13.	
<b>Aff.Sub.Wit.</b>	Creditor's Claim filed by Capital One Bank on 11/19/2012 in the amount of \$19,190.84.	
✓ <b>Verified</b>	<b>Status Report filed on 11/5/2013</b> states the Executors initiated this probate proceeding, so that an ancillary probate proceeding could be initiated in Louisiana for purposes of transferring the mineral rights owned by the decedent to the Executors as the sole beneficiaries of the estate.	
<b>Inventory</b>	The ancillary proceeding in Louisiana has now been concluded. In doing so, the court completed the distribution of the oil interests to the beneficiaries under the decedent's will rather than completing the distribution to the Executors of the decedent's estate. Therefore, there remains no assets to administer in the State of California.	
<b>PTC</b>	The Executors are preparing a Request for Dismissal of the probate proceedings. The Request for Dismissal will be filed with this court when the creditor's claim on filed has been resolved.	
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
✓ <b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: LV /KT</b>
		<b>Reviewed on: 11/12/2013</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 7 - Houssiere</b>

Age:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><b><u>OFF CALENDAR</u></b></p> <p style="text-align: center;"><b>First &amp; Final Account and Report of Executor was filed 09/13/10; hearing has been continued to 12/16/13</b></p>
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 11/08/13
		Updates:
		Recommendation:
		File 8 – Hays

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

Age:		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b><u>OFF CALENDAR</u></b> <b>Order for Settlement on Waiver          of Account filed 03/11/13</b>
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 11/08/13
		Updates:
		Recommendation:
		File 9 – Spencer

**Status Hearing Re: Filing of the Inventory and Appraisal**

<b>DOD: 03/13/13</b>	<p><b>SANDRA L. FUNK</b>, daughter, was appointed Executor without bond on 06/12/13 and Letters Testamentary were issued on 06/12/13.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need Inventory &amp; 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.</li> </ol>	
<b>Cont. from</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b> <input checked="" type="checkbox"/>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
<b>Reviewed by:</b> JF			
<b>Reviewed on:</b> 11/08/13			
<b>Updates:</b>			
<b>Recommendation:</b>			
File 10 – Zielke			

Atty Flanigan, Philip M.  
 Atty Krbechek, Randolf

Status Hearing Re: Filing of Proof of Bond

<b>Age:</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b><u>OFF CALENDAR</u></b> <b>Bond filed 10/28/13 and Letters issued on 10/29/13</b>
<b>DOD:</b>		
<b>Cont. from</b>		
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	
<input type="checkbox"/>	<b>Verified</b>	
<input type="checkbox"/>	<b>Inventory</b>	
<input type="checkbox"/>	<b>PTC</b>	
<input type="checkbox"/>	<b>Not.Cred.</b>	
<input type="checkbox"/>	<b>Notice of Hrg</b>	
<input type="checkbox"/>	<b>Aff.Mail</b>	
<input type="checkbox"/>	<b>Aff.Pub.</b>	
<input type="checkbox"/>	<b>Sp.Ntc.</b>	
<input type="checkbox"/>	<b>Pers.Serv.</b>	
<input type="checkbox"/>	<b>Conf. Screen</b>	
<input type="checkbox"/>	<b>Letters</b>	
<input type="checkbox"/>	<b>Duties/Supp</b>	
<input type="checkbox"/>	<b>Objections</b>	
<input type="checkbox"/>	<b>Video Receipt</b>	
<input type="checkbox"/>	<b>CI Report</b>	
<input type="checkbox"/>	<b>9202</b>	
<input type="checkbox"/>	<b>Order</b>	
<input type="checkbox"/>	<b>Aff. Posting</b>	
<input type="checkbox"/>	<b>Status Rpt</b>	
<input type="checkbox"/>	<b>UCCJEA</b>	
<input type="checkbox"/>	<b>Citation</b>	
<input type="checkbox"/>	<b>FTB Notice</b>	
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 11/08/13
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 11 – Rylee</b>

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

<b>DOD: 1/6/1997</b>	<p><b>VALERIE YOUNGER</b>, was appointed as Administrator with full IAEA authority and without bond on 2/5/2002.</p> <p>Letters issued on 2/5/2002.</p> <p>Inventory and appraisal was due 6/5/2002.</p> <p>First account or petition for final distribution was due 2/5/2003.</p> <p>Notice of Status Hearing was mailed to Valerie Younger on 7/31/13.</p> <p><b>Minute Order dated 10/4/13 states</b> there are no appearances. Matter continued to 11/15/13. The court orders Valerie Younger to be personally present on 11/15/13. Copy of the Minute Order was mailed to Valerie Younger on 10/8/13.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need inventory and appraisal, first account or petition for final distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
<b>Cont. from 100413</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 11/12/2013</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 12 - Applewhite</b>

<b>DOD: 10-7-06</b>	<b>DORIS ELAINE RACKLEY</b> , Sister, was appointed Administrator with Full IAEA without bond and Letters issued on 8-28-07.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li><b>1. Need Inventory and Appraisal.</b></li> <li><b>2. Need petition for final distribution or status report pursuant to Probate Code §12200, local rules.</b></li> <li><b>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.</b></li> </ol> <p><b>Note: The Decedent Irene Hamby's will devises her estate to her nephews Brian Rackley and Kevin Rackly.</b></p> <p><b>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.</b></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.	
<b>Aff.Sub.Wit.</b>	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.	
<b>Verified</b>	In addition, the Court is aware that this decedent was an heir to another estate:	
<b>Inventory</b>	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.	
<b>PTC</b>	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.	
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		

<b>Reviewed by:</b> skc
<b>Reviewed on:</b> 11-8-13
<b>Updates:</b> 11-8-13
<b>Recommendation:</b>
<b>File 13 – Hamby</b>

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

<b>DOD: 9-6-05</b>	<p><b>ELAINE RACKLEY</b>, 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><b>NEEDS/PROBLEMS/COMMENTS:</b></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"> <li><b>Need Inventory and Appraisal. Probate Code §8900.</b></li> <li><b>Need petition for final distribution or status report pursuant to Probate Code §12200.</b></li> </ol> <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&amp;A and petition for final distribution also. Notice to follow.</p>
<b>Cont. from 092013</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
	<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 11-8-13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 14 – Hamby</b></p>	

Status Hearing Re: Receipt of Funds in Blocked Account

<b>Age:</b> 8	<p><b>VALENE MADRID</b>, mother, was appointed Guardian of the Estate on 10/17/13. Letters of Guardianship were issued on 10/18/13.</p> <p><b>Order to Deposit Money Into Blocked Account</b> in the amount of \$17,000.00 was filed 10/17/13.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need Receipt and Acknowledgement of Order for the Deposit of Money into Blocked Account.</p>		
<b>Cont. from</b>				
<input type="checkbox"/> Aff.Sub.Wit.				
<input type="checkbox"/> Verified				
<input type="checkbox"/> Inventory				
<input type="checkbox"/> PTC				
<input type="checkbox"/> Not.Cred.				
<input type="checkbox"/> Notice of Hrg				
<input type="checkbox"/> Aff.Mail				
<input type="checkbox"/> Aff.Pub.				
<input type="checkbox"/> Sp.Ntc.				
<input type="checkbox"/> Pers.Serv.				
<input type="checkbox"/> Conf. Screen				
<input type="checkbox"/> Letters				
<input type="checkbox"/> Duties/Supp				
<input type="checkbox"/> Objections				
<input type="checkbox"/> Video Receipt				
<input type="checkbox"/> CI Report				
<input type="checkbox"/> 9202				
<input type="checkbox"/> Order				
<input type="checkbox"/> Aff. Posting				
<input type="checkbox"/> Status Rpt				
<input type="checkbox"/> UCCJEA				
<input type="checkbox"/> Citation				
<input type="checkbox"/> FTB Notice				
			<b>Reviewed by:</b> JF	
			<b>Reviewed on:</b> 11/08/13	
			<b>Updates:</b>	
		<b>Recommendation:</b>		
		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

<b>DOD: 08/01/02</b>		<p><b>HECTOR JAVIER SAENZ, JR.</b>, 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><b>Notice of Status Hearing</b> filed 09/16/13, set this matter for a Status Hearing on 11/15/13. <b>Clerk’s Certificate of Mailing</b> indicates that the Notice of Status Hearing was mailed to H. Ty Kharazi on 09/16/13.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Nothing further was filed in this matter after Letters were issued on 10/09/02.</b></p> <ol style="list-style-type: none"> <li>1. Need Inventory &amp; Appraisal.</li> <li>2. Need Account/Report on Waiver of Account and Petition for Distribution</li> <li>3. Need Status Update Report.</li> </ol>
<b>Cont. from</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 11/08/13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 16 – Saenz</b></p>	

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

<b>DOD: 08/23/02</b>	<b>BRIAN COSTALES</b> , son, was appointed	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Administrator without bond on 10/24/02.	
	Letters of Administration were issued on	
	10/31/02.	
<b>Cont. from</b>	<b>Inventory &amp; Appraisal, Final</b> filed 12/05/02	
Aff.Sub.Wit.	-	
Verified	\$80,000.00	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	<b>Notice of Status Hearing</b> filed 09/16/13 set this	
Aff.Mail	matter for status. <b>Clerk's Certificate of</b>	
Aff.Pub.	<b>Mailing</b> indicates that the Notice of Status	
Sp.Ntc.	Hearing was mailed to Brian J. Costales on	
Pers.Serv.	09/16/13.	
Conf. Screen	<b>Declaration of Brian Costales filed 09/20/13</b>	
Letters	states: He was previously represented by	
Duties/Supp	attorney Stanton Levy, who died several	
Objections	years ago. He was appointed Administrator	
Video Receipt	of his mother's estate several years ago. To	
CI Report	the best of his recollection, the only asset of	
9202	the estate was the decedent's residence	
Order	which was sold and the proceeds of the sale	
Aff. Posting	were distributed between himself and two	
Status Rpt	siblings as directed in the decedent's will.	
UCCJEA	Mr. Levy received his fee from the sale	
Citation	proceeds paid directly to him by escrow.	
FTB Notice	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.	
		1. Need Account/Report on Waiver of Account and Petition for Distribution.
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 11/08/13
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 17 – Costales</b>

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

<b>DOD: 04/03/02</b>		<p><b>PATRICK J. HARRINGTON</b>, was appointed Executor without bond on 12/17/02. Letters Testamentary were issued on 12/17/02.</p> <p><b>Notice of Status Hearing</b> filed 09/16/13 set this matter for status on 11/15/13. <b>Clerk's Certificate of Mailing</b> 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><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need Inventory &amp; Appraisal.</li> <li>2. Need Account/Report on Waiver of Account and Petition for Final Distribution.</li> </ol>	
<b>Cont. from</b>				
<b>Aff.Sub.Wit.</b>				
<b>Verified</b>				
<b>Inventory</b>	x			
<b>PTC</b>				
<b>Not.Cred.</b>				
<b>Notice of Hrg</b>				
<b>Aff.Mail</b>				
<b>Aff.Pub.</b>				
<b>Sp.Ntc.</b>				
<b>Pers.Serv.</b>				
<b>Conf. Screen</b>				
<b>Letters</b>				
<b>Duties/Supp</b>				
<b>Objections</b>				
<b>Video Receipt</b>				
<b>CI Report</b>				
<b>9202 Order</b>				
<b>Aff. Posting</b>				
<b>Status Rpt</b>				
<b>UCCJEA</b>				
<b>Citation</b>				
<b>FTB Notice</b>				
				<b>Reviewed by:</b> JF
				<b>Reviewed on:</b> 11/08/13
				<b>Updates:</b>
				<b>Recommendation:</b>
		<b>File 18 – Harrington</b>		

Status Hearing Re: Filing of Receipt for Blocked Account

<b>DOD: 08/17/12</b>		<p><b>EDWARD SIMPSON</b>, 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><b>Status Hearing Report</b> filed 11/12/13 states: The only assets of the estate are an insurance policy for \$1,000,000.00 and a possible worker's compensation claim as the decedent died while working. In the car accident that killed the decedent, there was a passenger who was injured. That passenger is making a claim against the insurance policy. The passenger hired an attorney and is seeking the full \$1,000,000.00. There are depositions scheduled for mid-December and the passenger still needs to go through a medical evaluation before the parties can go back to mediation. The Administrator is still trying to ascertain if the estate will receive a distribution from a worker's comp claim. Receipts cannot be filed because there are no funds to deposit at this time. No life insurance funds will be distributed until the matter with the passenger is settled. A 60 day continuance is requested.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need Receipt &amp; Acknowledgement of Order for the Deposit of Money into Blocked Account.</p> <p><b>Note:</b> It does not appear that an Order to Deposit Money into Blocked Account has been submitted/signed.</p>
<b>Cont. from</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 11/08/13</p> <p><b>Updates:</b> 11/13/13</p> <p><b>Recommendation:</b></p> <p><b>File 19 – Simpson</b></p>	