1 Corvin Victor Siders (Estate) Case No. 02CEPR00472

Atty Zavala, Gilbert (for Petitioner Victor W. Siders)

Amended First and Final Accounting and Report of Status of Administration and Petition for Final Distribution

DOD: 8/5/2001			**VICTOR W. SIDERS,** Administrator with Will Annexed, is petitioner.	**NEEDS/PROBLEMS/COMMENTS:**
			Account period: 3/21/03 – 12/8/13	**Need Second Amended First and Final Account based on, but not limited to, the following:**
Cont. from 081414, 092514				
	Aff.Sub.Wit.			1. Accounting does not comply with Probate Code §1060 et seq.
	Verified			2. The pages of the pleadings after the first page are upside down.
	Inventory			3. Petition was not signed or verified by the fiduciary.
	PTC			4. Inventory and appraisal, partial no. 1, final was filed on 8/19/14 which implies there is another inventory and appraisal.
	Not.Cred.			5. It appears that the fiduciary transferred the real property into his name and refinanced. Need authority which would allow distribution prior to a court order.
	Notice of Hrg			6. The court will require more information about the refinance and distribution of the real property.
	Aff.Mail			7. Petition states the fiduciary was paid compensation totaling $16,266.44. Compensation cannot be paid prior to an order allowing compensation.
	Aff.Pub.			8. Need Notice of Hearing.
	Sp.Ntc.			9. Need proof of service of the Notice of Hearing on Brian L. Fox pursuant to his Request for Special Notice filed on 3/10/03.
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting			**Reviewed by: KT**
	Status Rpt			**Reviewed on: 11/14/14**
	UCCJEA			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 1 – Siders**

Dept. 303, 9:00 a.m. Thursday, November 20, 2014

2 Edward L. Myers (Estate) Case No. 03CEPR00979

Atty **Sullivan, Robert L. (for Monique M. Hutchings – Administrator with Will Annexed)**

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

DOD: 04/05/03		
Cont. from 071913, 092013, 032114, 062014, 091814		
	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	

EDWARD L. MYERS, JR. and **MONIQUE M. HUTCHINGS**, were appointed as Co-Administrator's with Will Annexed on 08/19/03.

Letters of Administration with Will Annexed were issued on 08/19/13.

Inventory & Appraisal, partial No. 1 filed 04/08/04 - $707,312.97

Inventory & Appraisal, final filed 04/21/04 - $16,968.64

Inventory & Appraisal, partial No. 1 corrected filed 11/10/04 - $877,312.97

Petition for Preliminary Distribution and Statutory Fees filed 03/16/05 was granted on 06/02/05.

Ex Parte Petition for Amended Letters granted 05/30/13 ordered that Monique M. Hutchings is the sole Administrator following the death of Edward L. Myers, Jr. **and set this matter for status.**

Amended Letters of Administration with Will Annexed were issued on 06/05/13.

Status Report filed 11/06/14 states: most of the property was distributed to the beneficiaries in a preliminary distribution by order of this Court on 06/02/05. The estate contains a bank account with a balance of $152,980.00 at this time. The Court also allowed the Co-Administrators to form an LLC to hold the remaining assets of the estate, namely, four parcels of environmentally contaminated real property. Pursuant to the Court's order, the Elm & Church, LLC was formed and currently holds a bank account with a balance of $50,000.00 as well as the four parcels of real property. At the time of decedent's death, an environmental contamination problem related to previously installed underground fuel storage tanks had been discovered and was in the process of being analyzed and remediated by the Decedent utilizing Krazan & Associates ("Krazan"). Krazan determined the existence of contamination from the underground fuel storage tanks and enrolled the property in the State of California Environmental Cleanup Fund, which reimburses property owners for expenses incurred in the identification, analysis and remediation or underground storage tank contamination. Remediation efforts on the property has been ongoing.

Continued on Page 2

NEEDS/PROBLEMS/ COMMENTS:

<u>CONTINUED FROM 06/20/14</u>

As of 11/17/14, nothing further has been filed.

1. Need **Final Accounting and/or Petition for Final Distribution**.

Status report filed 11/06/14 requests a 2 month continuance.

Reviewed by: JF

Reviewed on: 11/17/14

Updates:

Recommendation:

File 2 – Myers

Status Report filed 11/06/14 (con't): During the administration of the estate, Krazan determined the nature and extent of the environmental contamination and commenced procedures for the remediation of the contamination discovered. All expenses incurred by the estate in connection with the valuation and remediation of the contamination have been reimbursed by the State of California.

As reported in the Petition for Preliminary Distribution filed 03/16/05, the estate's membership interest in the LLC would continue to be held in the estate pending final resolution of the environmental concerns, since distribution of the LLC membership interest to the beneficiaries could expose the beneficiaries to the potential for individual liability, or actual individual liability. In her last status report, the Administrator reported that she thought the remediation could be completed within 3 to 4 months. However, the California Regional Water Quality Control Board – Central Valley Region ("RWQCB"), after inspection of the Property, refused to qualify the case for closure and did not provide a closing letter. The RWQCB instead requested further remediation as well as a study to determine whether current concentrations of petroleum hydrocarbon constituents ("PHCs") on the property pose a threat to human health. The Administrator asked Krazan to provide remediation proposal to the RWQCB, which it did on 02/28/14. The RWQCB has issued a statement that "case closure may be appropriate" for the property. It issued a "Preclosure Public Notification" on 05/21/14, which stated that a "Public Notice" proposing the site closure would be mailed to certain interested parties. The Notification stated that the case would be open for public comment until July 20, 2014. Upon completion of the public comment period, and in the absence of substantive comments against closure, the RWQCB will perform a closure inspection of the Property and issue a case closure letter.

No comments were received from the public and the RWQCB issued a letter to Monique Hutchings stating that the wells on the property should be destroyed and the site should be restored before a closure inspection by the RWQCB would occur and a closing letter would thereafter issue. The closing letter finally issued from RWQCB on 10/13/14 and Monique Hutchings may now sell the property. Therefore, Monique Hutchings respectfully requests that a status hearing be set at least 2 months from this date in order to allow time for the sale of the property and prepare and file the Petition for Final Distribution.

3A Marie Ophelia Hunter (Estate) Case No. 0650774

Atty **Seymour, William L., sole practitioner, Visalia (*formerly for removed* Executor Diana L. (Sanchez) Evans)**
Atty **Kruthers, Heather H., of County Counsel's Office (for Public Administrator)**
Atty **Teixeira, J. Stanley, sole practitioner (for *removed* Executor Diana L. (Sanchez) Evans; per *Substitution of Attorney* filed 11/4/2014)**

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

DOD: 8/9/1999

Cont. from 120613, 021414, 032814, 052314, 071514, 090214, 092314

	Aff.Sub.Wit.	
	Verified	
	Inventory	X
	PTC	
	Not.Cred.	
	Notice of Hrg	X
	Aff.Mail	X
	Aff.Pub.	
	Sp.Ntc.	X
	Pers.Serv.	
	Conf. Screen	
	Letters	072000
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

DIANA L. SANCHEZ [EVANS], daughter, was appointed Executor with Full IAEA without bond on 7/18/2000; *Letters* issued on 7/20/2000.

***Amended Petition for Probate* filed 6/27/2000** estimated the value of the property of the estate at **$152,000.00**, consisting of **$12,000.00** in personal property and **$140,000.00** in real property.

Decedent's Will dated 5/21/1997 devises all property and entire residue of the estate to the Trustee of the **GIBSON AND MARIE HUNTER REVOCABLE FAMILY TRUST dated 5/21/1997**.

Pursuant to Probate Code § 8800(b), *Final Inventory and Appraisal* was due **11/20/2000.** **Pursuant to Probate Code § 12200**, first account and/or petition for final distribution was due **7/20/2001.**

***Notice of Status Hearing* filed 10/31/2013** set a status hearing on 12/6/2013 for failure to file the inventory and appraisal and failure to file a first account or petition for final distribution. Status Hearings have been continued since 12/6/2013 to the present.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS:

Page 3B is the OSC issued to Attorney William Seymour.

Continued from 9/23/2014. *Minute Order [Judge Vogt]* states Ms. Evans is obtaining new counsel. The Court directs Ms. Evans to start paying back money that is owed.

Notes for background:

- ***Minute Order* dated 9/2/2014 states:** As of 9:40 a.m. Mr. Seymour is not present. The Court orders an Order to Show Cause for Mr. Seymour to personally appear with sanctions of **$1,000.00**. The Administrator is allowed to transfer the deed over to Mr. Mendoza.
- ***Minute Order* dated 7/15/2014 states:** Victor Mendoza is sworn and interprets for Pablo Mendoza, Sr. The Court on its own motion removes Diana (Sanchez) Evans as the Executor and appoints the **PUBLIC ADMINISTRATOR** as the personal representative. Matter continued to 9/2/2014. Mr. Seymour and Ms. Evans are ordered to provide an accounting and be personally present at the *[hearing on 9/2/2014.]*
- *Letters of Administration with Will Annexed* issued to the **PUBLIC ADMINISTRATOR** on 8/12/2014.

~Please see additional page~

Reviewed by: LEG
Reviewed on: 11/17/14
Updates:
Recommendation:
File 3A – Hunter

First Additional Page 3A, Marie Ophelia Hunter (Estate) Case No. 0650774

<u>NEEDS/PROBLEMS/COMMENTS, continued</u>: The following issues from the last several hearings remain for Attorney Seymour to address:

1. Need *Final Inventory and Appraisal* pursuant to Probate Code § 8800(b).

2. Need estate accounting per Court's order of 7/15/2014, and proof of service of notice of the Status Hearings pursuant to Local Rule 7.5(B) for the following persons:

- **CULLEN DOUGLAS BIRCH**, son;
- **GUY WESLEY BIRCH**, son;
- **JON KEITH BIRCH**, son;
- **Trustee of the GIBSON AND MARIE HUNTER REVOCABLE FAMILY TRUST dated 5/21/1997**;
- **E. Warren Gubler** per *Request for Special Notice* filed 6/8/2000.

***Probate Status [Report for] Hearing Re: Failure to File the Inventory and Appraisal and for Failure to File the First Account or Petition for Final Distribution* filed by Public Administrator on 8/28/2014 states:**

- Deputy Public Administrator Noe Jimenez researched the case and learned that Diana Evans, the former Administrator, sold a promissory note on a home;
- The total promissory note noted on deed of trust was for **$29,119.16**, and the buyer overpaid;
- Deputy Jimenez spoke with Ms. Evans, who reports that she spent the monies from the bank and is working on getting the monies back via a loan;
- She informed Deputy Jimenez that she was going to pay the overpayment back to the people who bought the house and wants it deeded to them;
- The Public Administrator agrees with this resolution;
- The following is a list of payments made on the promissory notes; most of these payments have supporting documents for them, except there is a missing receipt for those months that are in parenthesis:
    - **$5,000.00** down payment noted on promissory note;
    - 1996- (May) **$420.06** x 6 = **$2,520.36**
    - 1997- **$420.06** x 12 = **$5,040.72**
    - 1998- **$420.06** x 12 = **$5,040.72**
    - 1999- (Sept) **$420.06** x 11 = **$4,620.66**
    - 2000- **$420.06** X12 = **$5,040.72**
    - 2001- (June/0ct) **$420.06** x 10 = **$4,200.60**
    - 2002- (April) **$420.06** x 11 = **$4,620.66**
    - 2003- (March/April) **$420.06** x 10 = **$4,200.60**
    - 2004- (April) **$420.06** x 11 = **$4,620.66**
    - 2005- **$420.06** x 12 = **$5,040.72**
    - 2006- (March, June, July, and Dec) **$420.06** x 8 = **$3,360.48**
    - 2007- (June/0ct) **$420.06** x 10 = **$4,200.60**
    - 2008- **$420.06** x 12 = **$5,040.72**
    - 2009- (Aug) **$420.06** x 6 / **$422.00** x 5 = **$4,630.36**
    - 2010- (April-December) **$420.06** x 2 + **$422.00** = **$1,262.12**
- Summary of the above: Total Paid = **$63,440.70**; Promissory note = **$29,119.16**; Overpaid = **$34,321.54**;
- In addition to the overpayments received, there are creditors who have not been paid;
- The house must be put in the name of the buyer in order for them to obtain insurance, which is crucial at this point;
- Because there is proof that the loan was paid in full, and then some, the Public Administrator would like instruction allowing him to distribute the real property at this time.

~Please see additional page~

Second Additional Page 3A, Marie Ophelia Hunter (Estate) Case No. 0650774

***Declaration of VICTOR MENDOZA,* son of PABLO MENDOZA, claimant to Estate real property, filed on 9/29/2014 states:**

- He has been his father's interpreter in Court during the last 4 hearings regarding the matter;
- On 7/15/2014 when he was speaking to Fresno County Counsel Heather Kruthers in Judge Oliver's courtroom, Ms. Diana Sanchez/Evans asked him: "How do you want me to pay?"
- Ms. Kruthers immediately told him, "Don't answer that question!" Then Ms. Kruthers asked Ms. Diana Sanchez/Evans, "Where's the money?" Ms. Diana Sanchez/Evans said, "I don't know. I had it in an account, but I don't remember what happened to it. I think I lost the account." Ms. Kruthers then asked, "What did you do with the money?" Ms. Diana Sanchez/Evans said, "I guess I spent it." Ms. Kruthers asked Ms. Diana Sanchez/Evans, "How did you spend it?" Ms. Diana Sanchez/Evans said, "Maybe on groceries and stuff like that." Ms. Kruthers said, "No. I want to know if you bought a car or a TV, things like that. I want receipts." Ms. Diana Sanchez/Evans said, "It's been too long. I don't remember. I don't have any receipts. I'm going to look and see how much money was in there." During that Court hearing, Ms. Diana Sanchez/Evans also told Judge Oliver that she didn't remember what she did with the money;
- At the 9/2/2014 hearing, Ms. Diana Sanchez/Evans told Judge Oliver that she was going to make arrangements to pay by the next Court date on 9/23/2014;
- After the 9/2/2014 hearing, Ms. Diana Sanchez/Evans called him and asked him, "How can we make arrangements to pay your dad? I don't have all the money right now. I am going to try to get a loan. Ask your dad if I can make payments." He said, "I don't think my dad wants payments because it has been so long already." Ms. Diana Sanchez/Evans said, "OK. I understand. I am going to have at least a $10,000.00 check by the next court date on 9/23/2014."
- During one of his many phone calls he had with Deputy Public Administrator Noe Jiminez between 9/2/2014 and 9/23/2014, Deputy Jiminez told him that he and his dad should try to make a deal with Ms. Sanchez to help her pay back the money;
- On Friday, 9/19/2014, his dad traveled to the office of Deputy Jiminez for a meeting to sign papers; later that day, his dad told him that Deputy Jiminez said Ms. Diana Sanchez/Evans was a very nice lady who wanted to work out a deal to make a down payment on the money she owed him and then pay off the rest of the debt in 6 or 7 months; Deputy JIminez said Ms. Diana Sanchez/Evans wants to pay on a contract with collateral;
- At the hearing on 9/29/2014, Ms. Diana Sanchez/Evans asked for 60 days to figure stuff out, and Judge Vogt granted the continuance and set another hearing for 11/20/2014.

***Declaration of PABLO MENDOZA, JR.,* son of Pablo Mendoza, claimant to Estate real property, filed on 11/13/2014 states:**

- He has assisted his dad in Court during the hearings regarding this matter; on 10/14/2014, his dad was ordered to appear at the office of Deputy Public Administrator Noe Jiminez to sign Western Union Money Order Research Requests regarding 13 Money Orders finally surrendered by Attorney Seymour in Visalia;
- Review of those documents indicate that we now have evidence showing his dad continued to make house payments through 7/29/2010 to Attorney Seymour, who was collecting funds for Ms. Diana Sanchez/Evans, on behalf of the Estate; his dad's claim history filed with the Court on 7/10/2014 shows his records documented monthly house payments through 3/18/2010, which was 34 months past the 118 month payment schedule on the original Note; although my dad believed he had make house payments well past 3/18/2010, he did not have documents to prove it at that time; the money orders Deputy Jiminez' office has now recovered from Attorney Seymour prove that his dad made payments at least through 7/29/2010, which changes the total amount of overpayments that Deputy Jiminez had previously calculated as the amount Ms. Diana Sanchez/Evans currently owes;

~Please see additional page~

Dept. 303, 9:00 a.m. Thursday, November 20, 2014

Third Additional Page 3A, Marie Ophelia Hunter (Estate) Case No. 0650774

***Declaration of Pablo Mendoza, Jr.*, filed 11/13/2014, continued:**

- Deputy Jiminez told his dad that interest on the amount Ms. Diana Sanchez/Evans owes cannot be calculated because Judge Oliver has not ordered the exact amount of interest Diana Sanchez/Evans is to pay;
- His dad asks the Court to order Ms. Diana Sanchez/Evans to pay **18%** pre-judgment interest on her debt that she has avoided paying for 7 years and 5 months as of 11/18/2014;
- At the 9/2/2014 hearing, Ms. Diana Sanchez/Evans told Judge Oliver that she was going to make arrangements to pay by the next Court date of 9/23/2014; to date, his dad has not received any payments;
- At the hearing on 9/23/2014, his dad was willing to discuss making an agreement with Ms. Diana Sanchez/Evans where she would immediately pay half of the debt Deputy Jiminez had calculated she owes;
- His dad was also thinking to agree to accept a Secured Promissory Note to pay off the remaining balance plus interest on a 13-month notarized agreement signed by Ms. Diana Sanchez/Evans, which would include late payment fee and acceleration clauses;
- His dad thinks it would be fair to ask Ms. Diana Sanchez/Evans to put up her State of California CalPERS Retirement funds at Avenal State Prison as collateral until her debt is paid off; her collateral could be verified by the most current monthly statement of her funds that could be held in confidence by the Court;
- Judge Vogt did not allow us any more time to speak about reaching a fair agreement or contract;
- If his dad would have had control of the funds he over-paid in house payments to Ms. Diana Sanchez/Evans in an investment or savings account, that money could have been compounding interest monthly and accumulating earnings for over 7 years and 5 months; his dad was robbed of that opportunity.

Proof of service filed 10/14/2014 and 9/30/2014 shows *Declaration of Victor Mendoza* was served to Diana Sanchez Evans, Attorney William Seymour and Attorney Heather Kruthers on 9/29/2014.

<u>Notes for Background</u>:

***Creditor's Claim* filed on 7/10/2014 by PABLO MENDOZA, claimant to Estate real property for an amount "to be determined by the Court," contains *Exhibit A through Exhibit H* consisting of voluminous supporting documents and receipts, and states:**

- The Decedent and her husband, **GIBSON PETE HUNTER**, owned real property located at 1535 S. Third Street in Fresno;
- Claimant and his wife, **GEORGINA MENDOZA**, began renting the home located at 1535 S. Third Street from Mr. and Mrs. Hunter in ~1992 or 1993;
- Over time, he and his wife became good friends with Mr. and Mrs. Hunter, so much so that Mr. and Mrs. Hunter came to their home weekly for lunch and a visit, not just for the purpose of collecting the rent when it was due; he and his wife always paid their rent to Mr. and Mrs. Hunter in person;
- In early 1996, he and his wife entered into an agreement with Mr. and Mrs. Hunter to purchase their property on 1535 S. Third Street for **$40,000.00** *(copies of loan and Escrow documents attached);*

~Please see additional page~

***Creditor's Claim* filed on 7/10/2014 by PABLO MENDOZA, continued:**

- On 6/22/1996, he and his wife made a **$5,000.00** down payment toward the purchase of the home *(copy of down payment receipt signed by Mr. Hunter attached; copy of signed and notarized Note for purchase of house dated 8/20/1996 attached);*
- On 7/18/1996, he and his wife began making monthly payments of **$420.06** on a **$29,119.16** note, plus interest, for purchase of the home; **CULLEN D. BURCH**, one of Mrs. Hunter's sons, assumed control of the Hunters' business affairs in 1999, and he and his wife's house payments were then made in cash or money order to Mrs. Burch; he and one of his sons traveled every month to Mr. Burch's home in Hanford to make their house payment *(copies of monthly payment receipts dated from **3/16/1996 through 2/22/2010** attached);*
- After Mr. Hunter and then Mrs. Hunter passed away, sometime in 2000 a dispute broke out between Cullen Burch and **DIANA SANCHEZ** *[Executor]*, and attorney William Seymour became involved in the Estate of Marie Ophelia Hunter;
- With the assistance of one of his sons, he began traveling to Lemoore each month to personally make his house payments at Attorney Seymour's law office, the first of which was made on 6/21/2000; he traveled without fail each month to Lemoore to make their house payments;
- In July of 2003, Attorney Seymour instructed him in writing to continue to make house payments to the Estate of Marie Hunter, but to mail the payments to Diana Sanchez at 232 N. Lemoore Ave. #26, Lemoore *(copy of letter from Attorney Seymour dated 7/1/2003 attached)*;
- He complied with Attorney Seymour's instructions and mailed their payment to Diana Sanchez; however, their 7/14/2003 payment was returned by the US Postal Service due to insufficient address; he resumed making trips to Attorney Seymour's office in Lemoore to make their house payments, as he had no way of locating Diana Sanchez and it seemed to him that Attorney Seymour was continuing to be Diana Sanchez' collection agent; when Attorney Seymour moved his office to Visalia, he travelled to Visalia to make their house payments at Attorney Seymour's office each month, well into the year 2010 (*copies of monthly payment receipts to Law Office of William Seymour attached)*;
- Sometime in 2010, Attorney Seymour stated to him while making their house payment at his office in Visalia that he should stop making the house payments because they had overpaid their Note; Attorney Seymour held up a 2 ½ to 3 inch stack of Money Orders that had not been cashed, and told him and his son that the stack represented ~3 years of their house payments;
- Attorney Seymour stated, "The Estate of Marie Hunter will owe you a lot of money back."
- His records document monthly house payments through 3/18/2010 which is 34 months past the 118 month payment schedule on their original note; he believes they have made payments well past 3/18/2010, but has yet to complete compiling his remaining records; based on his calculations, their overpayment on their Note to date is **$14,295.62** *(copies of Amortization schedule attached);*
- In early 2011, they were told the Estate of Marie Hunter had settled; Attorney Seymour's office instructed him to travel to his law office in Visalia to meet Attorney Seymour and Diana Sanchez, who was now the personal representative of the Estate of Marie Hunter, and that Diana Sanchez would appear at Attorney Seymour's office to sign a *Deed of Personal Representative* to finally release title to the property located at 1535 S. Third Street to him and his wife, who had been legally residing at the residence well before their 6/22/1996 down payment to purchase the property*;*

~Please see additional page~

***Creditor's Claim* filed on 7/10/2014 by PABLO MENDOZA, continued:**

- Diana Sanchez failed to appear at Attorney Seymour's office in Visalia for the initial scheduled meeting, and she continued not to show up at all of the later scheduled meetings at Attorney Seymour's office to which he and his son made repeated trips, possibly more than 10 times;
- **Without legal title to their home, they cannot purchase fire insurance or claim their home as an asset, even though they have paid the Fresno County Property Tax on their home since 1997** *[emphasis in original];*
- Diana Sanchez again did not show up to the last scheduled meeting, and Attorney Seymour gave him an unsigned copy of the *Deed of Personal Representative* and told him it was his responsibility to hire a Private Investigator to search for and locate Diana Sanchez and to have her sign that document and return the signed document to Attorney Seymour; *(copy of unsigned deed for transferring title from the Estate to Pablo Mendoza attached);*
- Attorney Seymour told him that he was unable to locate Diana Sanchez and referred him to a local Private Investigator in Visalia; his son, on his behalf, contacted the Private Investigator who quoted a fee for services of **$900.00** to locate Diana Sanchez, but he was unable to hire the Private Investigator because he did not have the **$900.00** to pay for his service.

***Declaration of Sheila Krebs*, registered process server, filed 7/14/2014 states:**

- On 7/9/2014, she received the assignment to serve the Creditor's Claim to the Law Office of William L. Seymour located at 220 N. Santa Fe Street, Visalia, CA 93292; on 7/10/2014 at 11:25 a.m., she arrived at the address 220 N. Santa Fee Street, Visalia, and the building had a listing of people on the left side of the door, and Attorney Seymour's name was listed as one of the people who had an office in that building; the building is actually the Visalia Chamber of Commerce;
- She went to the counter where the receptionists were sitting and she asked to be directed to Attorney Seymour's office and the receptionist informed her that he used to have an office in this building but does not have an office at this location anymore, and it is used as a mail-drop where he receives all of his mail at that building; she indicated that he checked mail every few days;
- She asked if she left [documents] with her would he receive it and she said yes; she asked her if she should write on her proof of service that she left the documents at the Law Office of William L. Seymour and was she authorized to receive documents, and she said yes that was correct; at 11:30 a.m. she handed her the Creditor's Claim with all of the Exhibits attached.

Notes for Background:

- **Attorney E. Warren Gubler filed a *Request for Special Notice* on 6/8/2000** in relation to a **$14,102.00** Creditor's Claim of Mission Medical Enterprises dba Hanford Rehab Hospital. *Allowance of Creditor's Claim* was filed **8/18/2000**, allowing the claim for **$14,102.00** of Mission Medical Enterprises d.b.a. Hanford Rehab Hospital.
- **Creditor's Claim was filed on 9/26/2000** by Kings Credit Services on behalf of Hanford Community Medical Center for **$63,118.47;**

~Please see additional page~

Sixth Additional Page 3A, Marie Ophelia Hunter (Estate) Case No. 0650774

Notes for Background, continued:

- ***Minute Order* dated 12/6/2013 from the hearing set by the *Notice of Status Hearing* filed 10/31/2013** for failure to file the inventory and appraisal and failure to file a first account or petition for final distribution states: **MS. [MARLENE] HUBBEL** is appearing specially for Attorney William Seymour. The Court directs Mr. Seymour to file a declaration requesting to be relieved as counsel with a copy of any correspondence or substitution of attorney sent to Diana Sanchez. The Court will allow Mr. Seymour to withdraw as counsel upon review of the documents and an order after hearing. The Court orders Mr. Seymour to retain any documents in his possession. Said documents will be subject to being turned over to either Diana Sanchez or an individual subsequently appointed. The Court sets the matter for an Order to Show Cause on 2/14/2014 regarding failure to file the inventory and appraisal; failure to file the first account or petition for final distribution, and imposition of sanctions in the amount of **$500.00**. The Court orders Diana Sanchez to be personally present on 2/14/2014.
- ***Minute Order* dated 2/14/2014 states**: Order to Show Cause to issue for Diana Sanchez upon receipt of a new address from counsel. Attorney Seymour appeared (not Diana Sanchez), and Pablo Mendoza and Victor Mendoza also appeared.
- ***Minute Order* dated 3/28/2014** from the last Status Hearing held in this matter states the Order to Show Cause issued to Executor Diana Sanchez is dismissed. Diana Sanchez was not present at hearing on 3/28/2014. Attorney William Seymour appeared at hearing on 3/28/2014.
- ***Minute Order* dated 5/23/2014** continued the matter to 7/15/2014, and it was at that hearing that the Court appointed the Public Administrator as personal representative.

3B Marie Hunter (Estate) Case No. 0650774

Atty **Seymour, William L., sole practitioner, Visalia (for *removed* Executor Diana L. Sanchez)**
Atty **Kruthers, Heather H., of County Counsel's Office (for Public Administrator)**

Order to Show to Cause

DOD: 8/9/1999		
Cont. from 092314		
	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	

PUBLIC ADMINISTRATOR was court-appointed as personal representative on 7/15/2014, following removal of **DIANA L. SANCHEZ [EVANS]**, daughter, as Executor of the estate.

***Minute Order* dated 7/15/2014 states:** Victor Mendoza is sworn and interprets for Pablo Mendoza, Sr. The Court on its own motion removes Diana (Sanchez) Evans as the Executor and appoints the **PUBLIC ADMINISTRATOR** as the personal representative. Matter continued to 9/2/2014. Mr. Seymour and Ms. Evans are ordered to provide an accounting and be personally present at the *[hearing on 9/2/2014.]* Ms. Evans provides the following contact information to the Court *[omitted.]*

***Minute Order* dated 9/2/2014 states:** As of 9:40 a.m. Mr. Seymour is not present. The Court orders an Order to Show Cause for Mr. Seymour to personally appear with sanctions of **$1,000.00**. The Administrator is allowed to transfer the deed over to Mr. Mendoza.

***Response to Order to Show Cause in RE: Sanctions* filed by Attorney William Seymour on 9/16/2014 states:**

- He was absent from a court-ordered hearing on 9/2/2014; he apologizes to the Court and to each of the other participants in this matter;
- He was not aware of the 9/2/2014 hearing date, and was at the Court on 9/9/2014, the date he had calendared for the matter;
- He has a severe and progressive hearing problem in both ears and use auditory enhancement devices at all times; the devices are not particularly consistent, ever;
- When the 9/2/2014 date was set, he was having a particularly difficult time following the dialog, and had to repeatedly ask his former client for help; he also had to ask the Judge to repeat himself on several occasions;
- At a short meeting with the participants outside the courtroom, he asked what the next Court date was;
- He was told September 9;
- The courtroom where their case was being heard also has terrible acoustics, and he has had problems hearing on other cases there; the amplification system seems to never be working properly;
- Each time he appears in that courtroom, he tries to position himself as close to the bench as possible;
- Again, he apologizes to the Court and the case participants and sincerely regrets the waste of time they all incurred in moving toward resolving the Hunter probate issues.

NEEDS/PROBLEMS/ COMMENTS:

Continued from 9/23/2014.

Reviewed by: LEG

Reviewed on: 11/17/14

Updates:

Recommendation:

File 3B - Hunter

Dept. 303, 9:00 a.m. Thursday, November 20, 2014

4 Brian L Fulcher (Estate) **Case No. 11CEPR00144**

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

Status Hearing

Cont. from 102913, 052114		
	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	

PUBLIC ADMINISTRATOR was appointed on the court's own motion as Successor Administrator on 7/31/13.

JULIE FULCHER, ex-wife, was appointed as Administrator with Full IAEA without bond on 8/23/11. Ms. Fulcher was removed and the Public Administrator appointed on 7/31/13.

The intestate heirs are the Decedent's two children, one of whom is a minor.

NEEDS/PROBLEMS/COMMENTS:

1. **Need petition to close the estate 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.

Reviewed by: KT
Reviewed on: 11/14/14
Updates:
Recommendation:
File 4 – Fulcher

5 Analilia Anguiano (Estate) Case No. 11CEPR00560

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

(1) First and Final Account and Report of Successor Administrator and (2) Petition for Allowance of Ordinary Commissions and Fees and for (3) Distribution

DOD: 5/9/2011		
Cont. from		
	Aff.Sub.Wit.	
✓	**Verified**	
✓	**Inventory**	
	PTC	
✓	**Not.Cred.**	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	W/
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	**Letters**	11/29/11
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	**9202**	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

PUBLIC ADMINISTRATOR, Successor Administrator, is petitioner.

MAGDAENA MANCILLA, former Administrator was removed by minute order on 2/22/13.

Account period: 2/28/13 – 10/8/14

Accounting	-	**$140,000.00**
Beginning POH	-	**$140,000.00**
Ending POH	-	**$ 4,068.67**
Administrator (statutory)	-	**$272.91**
Attorney (statutory)	-	**$272.91**
Court fees (certified copies)	-	**$25.50**

Distribution, pursuant to intestate succession, is to:

Jesus Escobedo	-	**$1,165.78**
Magdalena Mancilla	-	**$466.32**
Jacinto Mancilla	-	**$466.32**
Jessica Escobedo	-	**$466.32**
Juan Carlos Escobedo	-	**$466.32**
Lourdes Escobedo	-	**$466.32**

NEEDS/PROBLEMS/COMMENTS:

1. This estate was opened with a fee waiver by the former Administrator, Magdalena Mancilla. Filing fees are considered costs of administration and must be paid prior to distribution. Therefore the filing fee of $435.00 is due.

Reviewed by: KT
Reviewed on: 11/14/14
Updates:
Recommendation:
File 5 – Anguiano

6 Jo Ann Quinn (Estate) **Case No. 11CEPR00814**

Atty Knudson, David N. (for Petitioners/Executors Susan J. Quinn and Rhonda Wallace)

(1) Second and Final Account and Report of Co-Executors; (2) Petition for Payment of Balance of Statutory Attorney's Fees and (3) for Final Distribution

DOD: 8/28/11

Cont. from

	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**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✓	**FTB Notice**	

SUSAN J. QUINN and **RHONDA WALLACE,** Co-Executors, are petitioners.

2nd Account period: 10/1/12 – 9/30/14

Accounting - **$627,990.86**
Beginning POH- **$596,790.86**
Ending POH - **$ 73,640.99**

Executors - **waive**

Attorney - **$3,785.00**
(total statutory of $16,385.00 less $12,600 allowed in the first account.)

Costs - **$495.00**
(filing fee, certified copies, recorder fees)

Closing reserve- **$25,000.99**

Distribution, pursuant to Decedent's Will, is to:

Rhonda Wallace- **$11,090.00**

Ronald Wallace- **$11,090.00**

Susan Quinn - **$22,180.00**

NEEDS/PROBLEMS/COMMENTS:

1. **Need Order.** Local Rule 7.1 states a proposed Order shall be submitted with all pleadings that request relief. If the proposed order is not received in the Probate Filing Clerk's Office ten (10) days before the scheduled hearing, a continuance may be required.

Note: If Court determines an informal accounting of the closing reserve is warranted, Court will set a Status Hearing as follows:

Wednesday, May 20, 2015 at 9:00 a.m. in Dept. 303 for an Informal Accounting of **$25,000.99** Closing Reserve.

Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required. **Filing of the informal accounting of closing reserve will not generate a new hearing date.**

Reviewed by: KT
Reviewed on: 11/14/14
Updates:
Recommendation:
File 6 – Quinn

7 Juanita Mason (Estate) **Case No. 12CEPR00881**

Atty Armas, J. Todd (for Gregory Taylor – Executor – Petitioner)

[Fourth] Amended Waiver of Accounting and Petition for Final Distribution and for Allowance of Compensation

DOD: 3-31-12		
	Aff.Sub.Wit.	
✓	Verified	
✓	Inventory	
✓	PTC	
✓	Not.Cred.	
✓	Notice of Hrg	w
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	Letters	11-9-12
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✓	FTB Notice	

GREGORY TAYLOR, Executor with Full IAEA without bond, is Petitioner.

Accounting is waived

I&A: $277,794.06 (Cash)
POH: $277,794.06 (Cash)

Executor (Statutory): Waived

Attorney (Statutory): $8,555.88

Distribution pursuant to decedent's will, Article Fifth:
Christopher Taylor: $10,000.00
Jeffrey Taylor: $5,000.00
Nicole Taylor: $5,000.00
Gregory Taylor, Sr. $249,238.18

Declaration of J. Todd Armas filed 10-15-14 states:

- Item 5(b) of the I&A should have been marked and the requirements of Revenue and Taxation Code §480 have been satisfied.
- Property taxes on the subject real property have been paid and are up to date. In fact, the home sold for $350,000.00 on or about 8-14-14.
- On 8-23-04, the decedent and her spouse signed a trust that Attorney Armas prepared for them, which provides for a distribution identical to the distribution set forth in the decedent's will. Attached are the relevant sections of the trust and the will, confirming that the distribution is identical.
- Although the trust was prepared and signed, Joseph and Juanita Mason never transferred any assets into the trust; therefore, there are no trust assets. Distribution should be pursuant to Article Fifth of the decedent's will.
- The Probate Examiner also questioned the interest earned in the decedent's accounts. All of the accounts were consolidated into one interest-bearing account. The interest was used to help the executor pay property taxes and related costs to prepare house for sale.

NEEDS/PROBLEMS/COMMENTS:

SEE ADDITIONAL PAGES

Reviewed by: skc

Reviewed on: 11-14-14

Updates:

Recommendation:

File 7B – Mason

NEEDS/PROBLEMS/COMMENTS:

1. The original Inventory and Appraisal filed 11-2-12 totaled $504,522.95 as of the date of Decedent's death, 3-31-12, including the following:
   - $204,522.95 cash including Western National Policy, four Morgan Stanley accounts, and a Golden 1 Credit Union account
   - Real property valued at $300,000.00

   The prior petition included the house as property on hand to be distributed; however, mention of preparation of the house for sale caused Examiner to check public real estate records, which indicated that the house was actually sold in August 2014. Attorney Armas' Declaration filed 10-15-14 confirms this information.

   In addition, there was a question of whether the house was this decedent's community or separate property, because of Petitioner's confusing proposed distribution.

   It was then determined that the same house, in its entirety, has also been inventoried as an asset of this decedent's spouse in the Estate of Joseph Mason 14CEPR00064.

   Examiner Notes from the Third Amended Petition heard on 9-18-14 raised a number of issues in connection with the above information provided.

   Now, Petitioner has filed an Amended Inventory and Appraisal that simply indicates $277,794.06 cash and states: "The above sum represents the separate property of Juanita Mason. There is an additional $277,794.06 that is assigned to the Estate of Joseph Mason as his community property interest and not subject to distribution by this estate."

   This Amended I&A filed 10-15-14, with one line item of cash only, does not appear to be an accurate representation of the decedent's assets at her date of death. If Petitioner meant to clarify that the assets included on the prior I&A were community property of the decedent and her husband, this is not an appropriate way to do so. The Court may require clarification or further amended I&A.

2. If it is determined that the Amended I&A filed 10-15-14 is correct, need clarification as to how one lump sum of cash remained exactly the same from March 2012 to now, as Petitioner states that same amount is the amount of property on hand for distribution.

   Alternatively, if it is determined that the house and accounts listed on the I&A were assets of the decedent's at her date of death, need further amended I&A and amended petition containing information regarding the changes in the forms of these assets per Cal. Rule of Court 7.550.

3. The above issues affect the calculation of statutory compensation.

SEE ADDITIONAL PAGES

NEEDS/PROBLEMS/COMMENTS (Continued):

4. As previously noted, the decedent's will distributes her estate to the Mason Family Trust of 2004. Petitioner states that the trust was never funded; therefore, distribution should be made directly to heirs pursuant to Article Fifth of the decedent's will. Examiner Notes previously noted that the trust did appear to have been funded by the execution of Schedule A Transfer of Assets; therefore, distribution should be made to the Trust pursuant to Article Third of the Will, and a declaration pursuant to Local Rule 7.12.5 is needed.

   Attorney Armas continues to assert his original position regarding the trust and requests distribution directly to the heirs; however, no authority is provided.

   Examiner notes, also, that Article Fifth of the will does not appear to distribute directly to the heirs as requested; rather, it appears to create a testamentary trust based on the 2004 trust.

5. The decedent's husband, Joseph Mason, died 1-21-13. The original petition for final distribution in this estate was filed 1-23-14 and included a waiver of accounting signed by Cheryl Mason "Power of Attorney for Joseph Mason." A Power of Attorney does not have authority to waive accounting on behalf of a beneficiary; however, it appears this was previously overlooked among the myriad of other issues. At this time, Cheryl Mason (represented by Attorney Armas) is now the Executor of the Estate of Joseph Mason. Also, as a note: It does not appear that the I&A filed 2-25-14 in that estate, which includes the house and other accounts, has been corrected yet.

8A Richard Lee MacMurray (CONS/E) **Case No. 13CEPR00207**

Atty Nuttall, Natalie R. (for Heather Aguirre – daughter/Petitioner)

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

DOD: 09/23/14		
Cont. from 100214, 110614		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	w/
	Aff.Pub.	
	Sp.Ntc.	
✓	Pers.Serv.	w/
✓	Conf. Screen	
✓	Letters	
✓	Duties/Supp	
	Objections	
	Video Receipt	x
✓	CI Report	
	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
✓	Citation	
	FTB Notice	

TEMPORARY EXPIRES 10/02/14

HEATHER AGUIRRE, daughter, is Petitioner and requests appointment as Conservator of the Person with medical consent and dementia powers.

Petitioner states the proposed conservatee has been diagnosed with Dementia. He was recently released from a civil commitment at Coalinga State Hospital to an assisted living facility in Clovis. He left the hospital with no supplemental insurance, which is necessary for his current and ongoing physician appointments and medications. Conservatorship of the person is requested so that petitioner can seek supplemental insurance on behalf of the conservatee and to make important health and medical decisions for him.

Court Investigator Charlotte Bien filed a report on 09/19/14.

NEEDS/PROBLEMS/COMMENTS:

At the last hearing, the Court was notified that Mr. MacMurray died.

CONTINUED FROM 11/06/14

Minute Order from 11/06/14 states: Ms. Nuttall represents that she just received the proposed conservatee's death certificate and will file it forthwith. The Court's intent is to dismiss the petition upon the filing.

Declaration filed 11/13/14 attaches a copy of the death certificate.

Reviewed by:	JF
Reviewed on:	11/17/14
Updates:	
Recommendation:	
File 8A - MacMurray	

Dept. 303, 9:00 a.m. Thursday, November 20, 2014

8B Richard Lee MacMurray (CONS/E) Case No. 13CEPR00207

Atty Nuttall, Natalie R. (for Heather Aguirre – daughter/Petitioner)

First Account and Report of Conservator; Ptn for its Settmement and Atty's fees (Prob. C. 2620, 2623, 2640)

DOD: 09/23/14		
Cont. from 100214, 110614		
	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	
✓	**2620(c)**	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

HEATHER AGUIRRE, Conservator, is Petitioner.

Account period: **10/18/13 – 09/30/14**

Accounting - **$307,449.81**
Beginning POH - **$307,420.76**
Ending POH - **$307,249.81**

Conservator - **Not addressed**

Attorney - **$15,775.00** ($7,090.00 to the Law Office of Joanne Sanoian for services from 04/18/13 – 02/11/14, including 30.8 attorney hours @ $225/hr., .6 paralegal hours @ $125/hr., .25 law clerk hours @ $100/hr. and 1 hour file clerk hours @ $60/hr. **and** $8,685.00 to the Law Office of Natalie Nuttall for services from 06/10/14 – 09/30/14, including 38.6 attorney hours @ $225/hr.; itemizations provided)

Bond in the amount of $352,000.00 was filed 09/03/14.

Petitioner prays for an Order:

1. Approving, allowing and settling the first account;
2. Authorizing the attorney fees and commissions;
3. Unblocking conservatee's account at Wells Fargo Bank so that Petitioner may continue to pay for Conservatee's remaining medical bills and costs relating to his burial services; and
4. For any other orders the Court deems just and proper.

NEEDS/PROBLEMS/COMMENTS:

1. Petitioner states that the conservatee began living at Anjali house on 07/31/14. Need original billing statements from the Anjali house pursuant to Probate Code § 2620(c)(5).

2. Fee request to the Law Office of Joanne Sanoian's office includes 1 hour of file clerk time @ $60/hr. that appears to for services that are secretarial in nature. Pursuant to Local Rule 7.17B(4) secretarial services are considered to be part of the cost of doing business and are not reimbursable. Therefore the fee request payable to Ms. Sanoian's office may be reduced by $60.00.

Note: If the Petition is approved, a status hearing will be set as follows:

- **Thursday, February 19, 2015 at 9:00 am in Dept. 303** for filing of the second and final account

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.

Reviewed by: JF
Reviewed on: 11/17/14
Updates:
Recommendation:
File 8B - MacMurray

9 **Evelyn J. Enos (Estate)** **Case No. 13CEPR00677**

Atty **Knudson, David N. (for Petitioner/Executor Bruce M. Brown)**

(1) First and Final Account and Report of Executor and (2) Petition for Final Distribution and (3) for Payment of Statutory Fees

DOD: 7/25/13		
Cont. from		
	Aff.Sub.Wit.	
✓	**Verified**	
✓	**Inventory**	
✓	**PTC**	
✓	**Not.Cred.**	
✓	**Notice of Hrg**	W/
✓	**Aff.Mail**	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	**Letters**	9/5/13
	Duties/Supp	
	Objection	
	Video Receipt	
	CI Report	
✓	**9202**	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✓	**FTB Notice**	

BRUCE M. BROWN, Executor, is petitioner.

Account period: 7/25/13 – 10/10/14

Accounting	-	**$1,632,479.13**
Beginning POH	-	**$1,571,677.55**
Ending POH	-	**$1,451,084.36**
	($96,084.36 is cash)	
Executor (statutory)	-	**$29,307.74**
Attorney (statutory)	-	**$29,307.74**
Costs (filing fee, publication, probate referee)	-	**$1,365.00**
Closing	-	**$3,000.00**

Petitioner states distribution of the estate will be made subject to the claim of Wild Carter & Tipton Pension Plan, as evidenced by promissory notes secured by deed of trust on the Blackstone property. Petitioner, the Wild Carter & Tipton Pension Plan and the beneficiary are discussing how the claim will be satisfied.

Proposed distribution is to:

Central California SPCA – real property and $33,103.88 (subject to satisfaction of creditor's claim of Wild Carter & Tipton Pension Plan)

NEEDS/PROBLEMS/COMMENTS:

1. **Need Order.** Local Rule 7.1 states a proposed Order shall be submitted with all pleadings that request relief. If the proposed order is not received in the Probate Filing Clerk's Office ten (10) days before the scheduled hearing, a continuance may be required.

Reviewed by: KT

Reviewed on: 11/14/14

Updates:

Recommendation:

File 9 – Enos

Dept. 303, 9:00 a.m. Thursday, November 20, 2014

10 Earl Manoid Robinson (Estate) Case No. 14CEPR00563

Atty **Farmer, C. Michael (for Sandra Brown – named Executor/Petitioner)**

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

DOD: 01/18/14		
Cont. from 080714, 100214		
✓	**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**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

SANDRA BROWN, named Executor without bond, is Petitioner.

Full IAEA – OK

Will dated 01/12/01

Residence: Fresno
Publication: The Business Journal

Estimated Value of the Estate:

Personal property	- $ 50,000.00
Real property	- 86,000.00
Total	**- $136,000.00**

Probate Referee: **RICK SMITH**

Note: If the petition is granted status hearings will be set as follows:

- **Thursday, 04/16/15 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal **and**
- **Thursday, 02/18/16 at 9:00a.m. in Dept. 303** for the filing of the first account and final distribution.

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.

NEEDS/PROBLEMS/COMMENTS:

CONTINUED FROM 10/02/14

Minute Order from 10/02/14 states: Counsel informs the Court he needs to obtain a declaration.

As of 11/17/14, nothing further has been filed and the following issues remain:

1. The petition states that the decedent's original will was lost as it could not be located after his death. Pursuant to Probate Code § 6124, there is a presumption that the testator destroyed the will with an intent to revoke it if the original is unable to be located after the testators death and the original will was last in the testators possession. Petitioner does not allege any facts rebutting the presumption that decedent destroyed the will with intent to revoke it. Need more information/evidence that the testator did not destroy the will with intent to revoke it.
2. The Letters are not dated. Need Letters that are signed and dated.
3. The Petition is incomplete at item 5(a)(7) or (8) regarding issue of a predeceased child.
4. The Petition indicates that two beneficiaries of the will, Paulette Hayes and Ezola Ridley, are deceased. Pursuant to Local Rule 7.1.1D - If a beneficiary, heir, child, spouse, or registered domestic partner in any action before the Probate Court is deceased, that person's date of death shall be included in the petition.

Reviewed by: JF	
Reviewed on: 11/17/14	
Updates:	
Recommendation:	
File 10 – Robinson	

11 Joseph W. Hayes III (Estate) **Case No. 14CEPR00653**

Atty Winter, Gary L (for Joseph W. Hayes – Administrator)

Probate Status Hearing Re: Filing Proof of Bond

				NEEDS/PROBLEMS/COMMENTS:
				OFF CALENDAR.
				Receipt of Bond filed 10/17/2014.
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			**Reviewed by:** LV
	Status Rpt			**Reviewed on:** 11/14/2014
	UCCJEA			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 11 – Hayes**

Dept. 303, 9:00 a.m. Thursday, November 20, 2014

12 Rhonda LeBar (GUARD/P) Case No. 14CEPR00734

Atty **Walters, Jennifer L. (for Petitioner Wendy Tiner)**

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

Age: 14 years		
Cont. from 102014		
	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	
	FTB Notice	

TEMPORARY EXPIRES 11/20/14

WENDY TINER, maternal step-grandmother, is petitioner.

Father: **BRANDON LEBAR**

Mother: **AMY TINER –** *court dispensed with notice per minute order dated 10/20/14.*

Paternal grandfather: Marty LeBar
Paternal grandmother: Rhonda LeBar – deceased.
Maternal grandfather: Lonnie Tiner
Maternal grandmother: Theresa Green

Petitioner states mom has moved around several times and has been plagued with drug use. The minor has been removed Child Protective Services in other counties on a couple of occasions and placed in foster care. After coming to petitioner's home the minor has begged to stay. She does not want to be returned to her mother as she does not attend school regularly, her mother uses drugs and does not have a stable home.

Court Investigator Charlotte Bien's Report filed on 10/6/14.

NEEDS/PROBLEMS/COMMENTS:

1. Need Notice of Hearing.

2. Need proof of personal service of the Notice of Hearing or Consent and Waiver of Notice or Declaration of Due Diligence on:
   a. Rhonda LeBar (minor)
   b. Brandon LeBar (father)

3. Need proof of service of the Notice of Hearing or Consent and Waiver of Notice or Declaration of Due Diligence on:
   a. Marty LeBar (paternal grandfather)
   b. Lonnie TIner (maternal grandfather)
   c. Theresa Green (maternal grandmother)

Reviewed by: KT
Reviewed on: 11/14/14
Updates:
Recommendation:
File 12 – Lebar

Dept. 303, 9:00 a.m. Thursday, November 20, 2014

13 Josue Orellana Arias (GUARD/P) Case No. 14CEPR00921

Atty **McKibben, Kristina (of Sacramento, for Minor Josue Antonio Orellana Arias – Petitioner)**

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

Age: 17		
Cont. from		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	w/
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	x
✓	Conf. Screen	
	Letters	x
✓	Duties/Supp	
	Objections	
	Video Receipt	
✓	CI Report	
	9202	
	Order	x
	Aff. Posting	
	Status Rpt	
✓	UCCJEA	
	Citation	
	FTB Notice	

TEMPORARY EXPIRES 11/20/2014

JOSUE ANTONIO ORELLANA ARIAS, Minor, is Petitioner.

Petitioner requests that **KELLY CAMPOS**, a nonrelative, be appointed as Guardian of his person.

Father: **ADOLFO ORELLANO** (El Salvador), served by mail on 10/20/2014

Mother: **MARIA TOMASA ARIAS DE ORELLANO** (El Salvador), served by mail on 10/20/2014

Paternal Grandfather: Bernardo Orellana (El Salvador), served by mail on 10/20/2014
Paternal Grandmother: Maria Rosario Rodriguez (El Salvador), served by mail on 10/20/2014

Maternal Grandfather: Dionicio Arias (El Salvador), served by mail on 10/20/2014
Maternal Grandmother: Maria Mercedes Guardado (Deceased)

Siblings: Maria Beatriz Orellana Arias, Jose Saul Orellana Arias (Deceased), Jose Cruz Dionicio Orelllano Arias (Mendota), Jose Joel Orellana Arias (Mendota) – Siblings served by mail on 10/20/2014

Petitioner states he fled El Salvador due to gang violence infiltrating his town, including his school. His parents could not protect him from worsening conditions and did not have authorization to enter the United States. They remain in El Salvador while Petitioner lives in the safety of his propsed guardian, Kelly Campos' home. Kelly is his brother's fiancée and Petitioner's future sister-in-law. She is the only person he knows in the United States with immigration status and this enables her to provide the stability he needs while he seeks refuge from his country.

DSS Social Worker Irma Ramirez's report filed 11/13/2014

NEEDS/PROBLEMS/COMMENTS:

Note: Order Regarding Eligibility for Special Immigrant Juvenile Status was signed by Judge Oliver on 10/23/2014.

1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:
   - Adolfo Orellano (Father)
   - Maria Tomasa Arias De Orellano (Mother)

Note: Proof of service filed 10/23/2014 shows Mother and Father were served by mail. Pursuant to Probate Code §2250 personal service is required.

2. Need Order Appointing Minor of Guardian.

3. Need Letters of Guardianship.

Reviewed by: LV

Reviewed on: 11/14/2014

Updates:

Recommendation:

File 13 – Arias

14 James Allen Ransom (CONS/P) **Case No. 14CEPR00939**

Atty Horton, Lisa (for Sheila Van der Smissen – Spouse – Petitioner)
Atty Boyett, Deborah K. (Court appointed attorney for Proposed Conservatee)
Atty LeVan, Nancy (for Aran Ranson – Son)

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

	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	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
✓	Citation	
	FTB Notice	

TEMP EXTENDED TO 11-20-14

SHEILA VAN DER SMISSEN, Spouse, is Petitioner and requests appointment as Conservator of the Person with medical consent powers under Probate Code §2355 and dementia medication and/or placement powers pursuant to Probate Code §2356.5.

Voting rights affected

A Capacity Declaration was filed 10-14-14.

Petitioner states she is a nominee of the proposed Conservatee pursuant to Advance Health Care Directive dated 6-27-08. She and James have been married for over nine years. James has two children from a previous marriage: Aran and Megan. Aran has an extensive history of alcoholism and drug abuse and a criminal history. Aran is currently unemployed and residing in a garage in Madera with his wife Debbie. Petitioner states after an incident in 2010, James went into a program and since then has rarely drank alcohol. They did not have contact with Aran from 2010 to 2013 until Aran called for James' 70th birthday, and since then have had some communication.

James was diagnosed with dementia in 2013, and is now diagnosed with Alzheimer's. He also has other conditions for which he takes medication. Petitioner felt James would be a positive influence in Aran's life, and would program Aran's address into James' GPS so that he could visit him.

On 10-2-14, Aran invited James to spend the night at his house. Petitioner thought James would be safe and would spend time with his son. The next day, James did not answer his cell phone, and Aran did not call back. Petitioner received a text message from James' phone that he was all right.

SEE ADDITIONAL PAGES

NEEDS/PROBLEMS/ COMMENTS:

Court Investigator advised rights on 10-29-14

Voting rights affected
- **Need minute order**

1. **The petition at #1k requests orders related to dementia placement or treatment; however, the Attachment Requesting Special Orders Regarding Dementia (mandatory Judicial Council form GC-313) is not attached to the petition.**

   Additionally, the Capacity Declaration does not support dementia medication or placement powers.

   If Petitioner wishes to pursue dementia medication and/or placement powers under Probate Code §2356.5, need capacity declaration in support, and the Court may require amended petition and notice.

Reviewed by: skc

Reviewed on: 11-17-14

Updates:

Recommendation:

File 14 – Ransom

Petitioner states she went with Madera police officers to Aran's to check on James. The officers told Petitioner that they could not help her without a court order. That night, Petitioner saw that there were several charges on the credit cards and funds taken from the ATM. The next day, she learned that $5,000.00 had been taken from the savings account, and an additional $1,400.00 was taken on 10-7-14. Petitioner states the funds were deposited into a new bank account in James' and Debbie's (Aran's wife) names. Petitioner James called his daughter Megan recently and started shouting at her. Debbie was heard in the background telling James that he "did a good job."

Petitioner again went to see James on Monday 10-6-14 with the assistance of police officers and was only able to talk with him through a security door. He seemed disoriented and confused. Petitioner heard Aran yelling that his dad was getting a divorce and staying there with him.

Petitioner believes Aran is influencing and controlling James and that James does not know what is going on. Petitioner believes Aran does possess firearms and will use the assistance of the police. **James has Alzheimer's and Petitioner believes that Aran and his wife only want James at their place so they can control his finances.** *[Emphasis in original.]*

Petitioner requests appointment as conservator of the person of her husband so that she can prevent Aran from taking advantage of James again.

Petitioner states she and James had a trust, wills, durable power of attorney, and advance health care directive drafted in 2008. Attached is the Advance Health Care Directive dated 6-27-08 in which Petitioner is designated as agent and nominated as conservator. Their assets are in trust and Petitioner and James are the trustees. Also attached is a signed statement dated 1-1-11 and signed by Petitioner, James, and two additional alternate nominees that states that if Jim needs care, the care is not to be provided by Aran, and under no circumstances should Aran benefit financially or otherwise from Petitioner's and James' financial savings and planning. There is no need for conservatorship of the estate because all assets are in trust.

Aran Ransom, Son, filed an Objection on 10-17-14. However, on 11-17-14, he withdrew his Objection. See Notice of Withdrawal of Objection.

Court Investigator Julie Negrete filed a report on 11-12-14.

Deborah K. Boyett, Court appointed attorney for Proposed Conservatee James Ransom, filed a report on 11-14-14. The report states Mr. Ransom reported he was very comfortable at home with his wife, and when asked if he wanted a divorce, he said, "Hell, no!" He stated he believes his son took advantage of him by taking him to a family law attorney to file for divorce.

Ms. Boyett spoke with Attorney Nancy LeVan, who gave her authorization to speak with her client, Aran. Aran states that he is suspicious of Petitioner's motivations and that when his father was last at Aran's home, he stated that he did not want to be with Petitioner. Aran and Ms. LeVan provided cell phone videos to that effect. However, Mr. Ransom states he cannot remember what they were discussing at the time the videos were taken. At the end of the conversation, Aran expressed concern for his father and stated he wants to see him; that Petitioner has been separating them.

Ms. Boyett spoke with Mr. Ransom's daughter Megan, who stated that she supports Petitioner's petition for conservatorship.

Ms. Boyett states she believes appointment of Sheila Van der Smissen as Conservator is in Mr. Ransom's best interest.

15 John Padgett (CONS/PE) **Case No. 14CEPR00943**

Atty Fanucchi, Edward L. (for Petitioner Kathryn Padgett)

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

Age: 65 years			**Temporary Expired on 10/23/14.**	**NEEDS/PROBLEMS/COMMENTS:**
			KATHRYN PADGETT, spouse, is petitioner and requests appointment as conservator of the person with medical consent powers and of the estate with bond set at $109,046.00. Capacity Declaration – need **Estimated value of the Estate:** Personal property - $ 45,500.00 Annual income - $ 69,546.00 **Total - $109,046.00** **Petitioner states** the proposed conservatee was in a motorcycle accident on 9/1/14 and is unable to care for himself. **Court Investigator Jennifer Young's Report filed on 11/6/14**.	**If the Petition goes forward the following issues will need to be addressed:** **2.** Need capacity declaration **3.** Need Notice of Hearing with proof of service on all interested parties. **4.** **Need Order.** Local Rule 7.1 states a proposed Order shall be submitted with all pleadings that request relief. If the proposed order is not received in the Probate Filing Clerk's Office ten (10) days before the scheduled hearing, a continuance may be required. **Note:** Petitioner was appointed temporary conservator of the person and estate on 10/17/14 and Letters issued on that same date. If the general petition is denied and dismissed an accounting for the temporary conservatorship is still required under Probate Code §2256(a) which states the temporary conservator of the estate shall present her account to the court for settlement and allowance within 90 days after the appointment of a conservator of the estate or within such other time as the court may fix.
				Reviewed by: KT
				Reviewed on: 11/17/14
				Updates:
				Recommendation:
				File 15 – Padgett
Cont. from				
	Aff.Sub.Wit.			
✓	**Verified**			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg	X		
	Aff.Mail	X		
	Aff.Pub.			
	Sp.Ntc.			
✓	**Pers.Serv.**			
✓	**Conf. Screen**			
	Letters	X		
✓	**Duties/Supp**			
	Objections			
	Video Receipt			
✓	**CI Report**			
	9202			
	Order	X		
	Aff. Posting			
	Status Rpt			
	UCCJEA			
✓	**Citation**			
	FTB Notice			

Dept. 303, 9:00 a.m. Thursday, November 20, 2014

16 Maggie Hooker (Estate) **Case No. 14CEPR00951**

Atty Fanucchi, Edward L. (for Petitioner Herminia Hawkins)

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

DOD: 9/9/14			**HERMINIA HAWKINS**, named Executor without bond, is petitioner.	**NEEDS/PROBLEMS/COMMENTS:**
				1. Petition was signed by someone other than attorney Edward Fanucchi.
			Full IAEA – o.k.	2. Proposed personal representative is a resident of Everett, Washington. Probate Code 8571 states notwithstanding a waiver of bond, the court in its discretion may require a nonresident personal representative to give a bond in an amount determined by the court.
Cont. from			Will dated: 10/25/2007	3. Need proof of service of the Notice of Petition to Administer the Estate on the recognized diplomatic or consular official for Nicaragua. Probate Code §8113.
	Aff.Sub.Wit.	S/P	Residence: Fresno	4. Proof of service on beneficiary Myrna Campbell was sent "in care of" Lloyda Campbell. California Rules of Court, Rule 7.81(a)(2) states notice mailed to a person in care of another person is insufficient unless the person entitled to notice has directed the person giving notice in writing to send the notice in care of the second person.
✓	**Verified**		Publication: Fresno Business Journal	5. Proof of service of the Notice of Petition to Administer the Estate for Stella Campbell and Lilly Campbell states address unknown. Need declaration of Due Diligence.
	Inventory			6. Need date of death of deceased spouse. Local Rule 7.1.1.D
	PTC			
	Not.Cred.			
	Notice of Hrg			
✓	**Aff.Mail**	W/		
✓	**Aff.Pub.**		**Estimated value of the estate:**	
	Sp.Ntc.		Real property- **$25,000.00**	
	Pers.Serv.			
	Conf. Screen			
✓	**Letters**		**Probate Referee: Rick Smith**	
✓	**Duties/Supp**			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	**Order**			
	Aff. Posting			**Reviewed by: KT**
	Status Rpt			**Reviewed on: 10/17/14**
	UCCJEA			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 16 – Hooker**

Dept. 303, 9:00 a.m. Thursday, November 20, 2014

17 Rose Rodriguez (CONS/PE) **Case No. 14CEPR00994**

Atty **Krbechek, Randolf (for Dennis Rodriguez)**

Atty **McFarland, Pamela (for Petitioner Maxine Rodriguez)**

Atty **Knudson, David (Court appointed for Conservatee)**

Petition for Appointment of Temporary Conservatorship of the Person and Estate

Age: 82 years		
Cont. from		
	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	X
✓	**CI Report**	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

GENERAL HEARING 1/13/2015

MAXINE RODRIGUEZ, daughter, is petitioner and requests appointment as temporary conservator of the person and estate without bond.

Estimated value of the Estate:
Personal property - $855.00

Petitioner states the proposed conservatee is incapacitated due to a stroke. Her husband provided for her basic need however he died suddenly on 8/13/14. The proposed conservatee is unable to provide for her basic needs for physical health, food, clothing and shelter. Following her father's death, the Proposed conservator has assumed the responsibility of taking care of her mother.

Court Investigator Jennifer Daniel's Report filed on 11/13/14.

NEEDS/PROBLEMS/COMMENTS:

Note: Proposed Conservatee's son, Dennis Rodriguez has filed a competing Petition for appointment as conservator of the estate only. His petition is set for hearing on 12/11/14.

1. Need proof of personal service of the Notice of Hearing along with a copy of the Temporary Petition on:
   a. Rose Rodriguez (proposed conservatee)
2. Confidential Supplemental Information includes the Petitioner's information at #1 when it is supposed to include the proposed conservatee's information.
3. Capacity Declaration is incomplete. Pages 2 and 3 are totally blank.
4. Confidential Conservator Screening form is incomplete. Question #20 was not answered. Do you, or does another person living in your home, have a social worker or parole or probation offers assigned to him or her?
5. Need Conservatorship Video Viewing Certificate.

Reviewed by: KT

Reviewed on: 11/17/14

Updates:

Recommendation:

File 17 – Rodriguez

18 Charles Lee Jefferson (Estate) Case No. 08CEPR00469

Atty **Fanucchi, Edward L., of Quinlan, Kershaw & Fanucchi (for Wanda Foster, Successor Administrator)**

Status Hearing Re: Filing Proof of Bond

DOD: 12/12/2006		
Cont. from		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
	Bond	X
	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	

WANDA FOSTER, step-daughter (daughter of the deceased Administrator **QUEEN E. JEFFERSON**, DOD 12/1/2013), was appointed Successor Administrator with Limited IAEA authority with bond of **$245,700.00** on 10/29/2014.

Letters have not issued to the Successor Administrator.

Notes for background:

- **QUEEN E. JEFFERSON**, spouse, had been appointed Administrator with Full IAEA authority with Bond of **$195,000.00** on 7/17/2008;
- *Proof of Bond* was filed 9/8/2008 in the sum of **$195,000.00** issued to **QUEEN E. JEFFERSON**;
- **QUEEN E. JEFFERSON** is deceased as of 12/1/2013, necessitating appointment of a Successor Administrator; following competing successor administration petitions, **WANDA FOSTER**, step-daughter, was appointed on 10/29/2014;
- A *Final Inventory and Appraisal* was filed on 8/7/2012, showing an estate value of **$245,700.00**;
- Therefore, *Order for Probate* filed 10/29/2014 increased the required bond to be posted by the Successor Administrator **WANDA FOSTER** to **$245,700.00.**

NEEDS/PROBLEMS/COMMENTS:

1. Need proof of bond to be filed with the Court by **WANDA FOSTER** as Successor Administrator; the amount of the bond has been ordered to be increased from the current bond posted of **$195,000.00** to **$245,700.00**.

Reviewed by: LEG
Reviewed on: 11/17/14
Updates:
Recommendation:
File 18 – Jefferson

Dept. 303, 9:00 a.m. Thursday, November 20, 2014

19 Francisco De La Mora, Jr (GUARD/PE) **Case No. 12CEPR00785**
Atty Horton, Lisa (for guardian Delia Gonzalez)

Status Hearing Re: Receipt of Assets from the Estate

Age: 17 years	**DELIA GONZALEZ,** paternal aunt, **RAFAEL DE LA MORA MARTIN** and **MARIA DE JESUS GOMEZ MUNOZ,** paternal grandparents were appointed guardians of the person on 10/31/12. **DELIA GONZALEZ** was appointed guardian of the estate on 10/31/12. Letters issued on 10/31/12. Partial Inventory and appraisal filed on 12/18/12 showing a value of $117,353.88. This status hearing was set to inform the court of the status of the assets to be received from the estates of the minor's deceased parents Lorena De La Mora and Francisco De La Mora.	**NEEDS/PROBLEMS/COMMENTS:** 1. **Need 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.
Cont. from 120613, 121213, 022114, 050214, 062614		
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		**Reviewed by: KT**
Status Rpt		**Reviewed on: 11/14/14**
UCCJEA		**Updates:**
Citation		**Recommendation:**
FTB Notice		**File 19 – De La Mora**

Dept. 303, 9:00 a.m. Thursday, November 20, 2014

20 Fernando De La Mora, Jr (GUARD/PE) **Case No. 12CEPR00786**

Atty Horton, Lisa (for guardian Delia Gonzalez)

Status Hearing Re: Receipt of Assets from the Estate

Age: 14 years	**DELIA GONZALEZ,** paternal aunt, **RAFAEL DE LA MORA MARTIN** and **MARIA DE JESUS GOMEZ MUNOZ,** paternal grandparents were appointed guardians of the person on 10/31/12. **DELIA GONZALEZ** was appointed guardian of the estate on 10/31/12. Letters issued on 10/31/12. Partial Inventory and Appraisal filed on 12/18/12 shows a value of $117,353.17. This status hearing was set to inform the court of the status of the assets to be received from the estates of the minor's deceased parents Lorena De La Mora and Francisco De La Mora.	**NEEDS/PROBLEMS/COMMENTS:** 1. **Need 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.
Cont. from 120613 , 121213, 022114, 050214, 062614		
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		**Reviewed by: KT**
Status Rpt		**Reviewed on: 11/14/14**
UCCJEA		**Updates:**
Citation		**Recommendation:**
FTB Notice		**File 20 – De La Mora**

Dept. 303, 9:00 a.m. Thursday, November 20, 2014

21 Beverly Dois Cook (CONS/PE) Case No. 13CEPR00966

Atty **Rindlisbacher, Curtis D. (for Conservator Shelia Stearns)**

Status Hearing Re: (1) Filing of Bond; (2) Receipt for Funds into Blocked Account

Cont. from 041814, 051614, 060914, 072114, 081814, 100614

	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	

SHELIA STEARNS was appointed Conservator of the Person and Estate with bond of $50,000.00 and $425,000.00 to be placed into blocked accounts pursuant to Evidentiary/Settlement Conference Minute Order dated 2-25-14. The Order was signed on 3-5-14.

Ms. Stearns was formerly represented by Attorney Sheldon Feigel.

On 3-5-14, the Court set status hearing for the filing of the bond and receipt for blocked account and mailed Notice of Status Hearing to Attorney Feigel.

At the fourth (4th) status hearing on the matter on 6-8-14, there were no appearances and Mr. Feigel was ordered to be personally present on 7-21-14.

On 7-21-14, Mr. Rindlisbacher appeared for the conservator and stated that a substitution would be filed.

On 8-25-14, the Conservator filed "Appointment of Attorney to Represent Conservator" indicating that Mr. Feigel is no longer eligible to practice law as of 7-31-14 and has not responded to requests to sign the Substitution of Attorney.

On 8-13-14, bond of $50,000.00 was filed. Thereafter, Letters were issued on 8-25-14.

NEEDS/PROBLEMS/COMMENTS:

Continued from 4-18-14, 5-16-14, 6-9-14, 7-21-14, 8-18-14, 10-6-14

Minute Order 10-6-14: Counsel to submit an order regarding the $425,000.00.

As of 11-14-14, nothing further has been filed.

1. **Need receipts re blocked accounts (MC-356) or verified written status report pursuant to local rules.**

Note: If, per the statement in the Minute Order of 5-16-14, the money is in one account, it appears it would be over the FDIC limit. Please see applicable law regarding accounts. Need receipts reflecting the blocked accounts and the amounts therein.

Reviewed by: skc

Reviewed on: 11-14-14

Updates:

Recommendation:

File 21 – Cook

22 Alvin B. Turmon (Estate) **Case No. 14CEPR00772**

Atty Shepard, Jeff S. (for Dennis A. Turmon – Executor)

Status Hearing Re: Bond

DOD: 06/13/2014		**DENNIS A. TURMON,** son, was appointed Executor with full IAEA authority with bond set at $922,000.00, on 10/21/2014. Minute Order of 10/21/2014 set this Status Hearing for the filing of the Bond.	**NEEDS/PROBLEMS/COMMENTS:** 1. Need Proof of Bond to be filed with the Court in the amount of $922,000.00 pursuant to Probate Code §8480.
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		**Reviewed by:** LV
	Status Rpt		**Reviewed on:** 11/14/2014
	UCCJEA		**Updates:**
	Citation		**Recommendation:**
	FTB Notice		**File 22 – Turmon**

23 Leticia Wilson (GUARD/P) **Case No. 12CEPR00762**

Atty Cipolla, Katie (pro per Guardian)
Atty Brabbin, Kenneth (pro per Guardian)
Atty Palacios, Shannalee (pro per Petitioner/guardian)

Petition for Termination of Guardianship

Age: 4 years

Cont. from

	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	X
	Aff.Mail	X
	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	

SHANNALEE PALACIOS, mother, is petitioner.

KENNETH BRABBIN, maternal uncle, and **KATIE CIPOLLA,** uncle's former fiancée, were appointed co-guardians on 1/17/13.

Father: UNKNOWN

Paternal grandparents: Unknown
Maternal grandfather: Edward Wilson
Maternal grandmother: Deceased

Petition does not state any reasons why it is in the best interest of the minor to terminate the guardianship.

Court Investigator Jennifer Young's Report filed on 11/10/14.

NEEDS/PROBLEMS/COMMENTS:

1. Need Notice of Hearing.
2. Need proof of service of the Notice of Hearing on:
   a. Kenneth Brabbin (guardian)
   b. Katie Cipolla (guardian)
   c. Edward Wilson (maternal grandfather)
3. Petition does not state why terminating the guardianship would be in the minor's best interest.

Reviewed by: KT
Reviewed on: 11/10/14
Updates:
Recommendation:
File

Dept. 303, 9:00 a.m. Thursday, November 20, 2014

24 Zaidyn Duane Henson (GUARD/P) **Case No. 12CEPR00840**

Atty Welch, Jacqueline (Pro Per – Petitioner – Mother)

Petition for Termination of Guardianship

Age 3			**JACQUELINE WELCH**, mother, is Petitioner.
			SHELBY MORGAN, maternal aunt, was appointed guardian on 11/20/2012.
Cont. from: 100914			Father: **ZEPHLIN HENSON.** Declaration of Due Diligence filed 11/06/2014
	Aff.Sub.Wit.		
✓	**Verified**		Paternal Grandfather: Unknown Paternal Grandmother: Trina Henson
	Inventory		
	PTC		Maternal Grandfather: Eddie Welch Maternal Grandmother: Shirley Helm, Consents and Waives Notice
	Not.Cred.		
	Notice of Hrg	x	**Petitioner states:** it is in the best interest of the minor to terminate the guardianship because petitioner is able to care for him to the best of her ability. Petitioner has a stable home, a part-time job and plans on enrolling in school as soon as possible. Petitioner states that the guardian has stated numerous times that she doesn't want the child and that he is a burden.
	Aff.Mail	x	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		**Court Investigator Jennifer Daniel's report filed 10/01/2014**.
	Video Receipt		
✓	**CI Report**		
	9202		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

Minute Order of 10/09/2014 (Judge Cardoza): Examiner notes are provided to the petitioner.

The following issues remain:

1. Need Notice of Hearing.

2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination of Guardianship or consent and waiver of notice or declaration of due diligence for:
   - Zephlin Henson (Father) – Unless the Court dispenses with Notice.

Note: Declaration of Due Diligence filed 11/06/2014 states no one could get ahold of him. He may have went out of state.
   - Shelby Morgan (Guardian)
   - Paternal Grandfather (Unknown)
   - Trina Henson (Paternal Grandmother)
   - Eddie Welch (Maternal Grandfather)

Reviewed by: LV

Reviewed on: 11/14/2014

Updates:

Recommendation:

File 19 - Henson

Dept. 303, 9:00 a.m. Thursday, November 20, 2014

25 Vashti Winchester, Trenton Adams & Tamaiya Adams (GUARD/P)

Case No. 13CEPR00617

Atty Bush, Hilda (pro per – paternal aunt/Petitioner)

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

Trenton, 1		
Tamaiya, 2 mos.		
Cont. from		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
✓	**Pers.Serv.**	w/
✓	**Conf. Screen**	
✓	**Letters**	
✓	**Duties/Supp**	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
✓	**UCCJEA**	
	Citation	
	FTB Notice	

GENERAL HEARING 01/19/15

HILDA BUSH, paternal aunt, is Petitioner.

Father: **JOHN MICHAEL ADAMS** – *Personally served on 11/13/14*

Mother: **NOVELL BROWN**

Paternal grandparents: UNKNOWN

Maternal grandfather: *Deceased*
Maternal grandmother: CLOTILDE BROWN - *Deceased*

Siblings: QUENTESSAH EQUARTE (20); LASHAYRA WILLIAMS (19), WESTLEY WILLIAMS (17), SAHUANNA WILLIAMS (14)

Petitioner states that CPS has been involved and her brother asked her if she would care for the children. Petitioner states that she does not want the children in the system.

NEEDS/PROBLEMS/COMMENTS:

This petition pertains to Trenton & Tamaiya Adams only. Luella Douglas, maternal cousin, was appointed successor guardian of Vashti Winchester on 10/27/14. Clotilde Brown, maternal grandmother, was previously appointed as guardian of both Vashti and Trenton on 09/25/13; however, Ms. Brown passed away on 07/07/14.

1. Need proof of personal service at least 5 court days before the hearing of *Notice of Hearing* with a copy of the *Petition for Appointment of Temporary Guardian* or Consent & Waiver of Notice or Declaration of Due Diligence for Novell Brown (mother).

2. The Confidential Guardian Screening Form is not marked at item 7 – Have you, or has any other person living in your home, been charged with, arrested for, or convicted of any form of child abuse, neglect, or molestation?

Reviewed by: JF

Reviewed on: 11/17/14

Updates:

Recommendation:

File

26 Dominique A. Equarte (GUARD/P) Case No. 13CEPR00764

Atty **Douglas, Luella Jones (pro per – non-relative/Petitioner)**

Petition for Termination of Guardianship

Age: 14		
Cont. from		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	x
	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	

LUELLA JONES DOUGLAS, non-relative, was appointed Guardian on 10/29/13.

Father: **DOMINIC EQUARTE**

Mother: **CHRISTINE COOK**

Paternal grandparents: UNKNOWN

Maternal grandparents: UNKNOWN

Sibling: QUENESSAH EQUARTE (20)

Petitioner states that the minor no longer lives with Petitioner. The minor went to visit her mother in February 2014 and did not return. Petitioner states that she has lost contact with the minor and is unsure of her current whereabouts.

Court Investigator Charlotte Bien filed a report on 11/06/14.

NEEDS/PROBLEMS/COMMENTS:

1. Need *Notice of Hearing.*
2. Need proof of service by mail at least 15 days before the hearing of *Notice of Hearing* with a copy of the *Petition for Termination of Guardianship* or Consent & Waiver of Notice or Declaration of Due Diligence for:
   a. Dominic Equarte (father)
   b. Christine Cook (mother)
   c. Paternal grandparents
   d. Maternal grandparents
   e. Dominique Equarte (minor)
   f. Quenessah Equarte (sister)

Reviewed by: JF	
Reviewed on: 11/17/14	
Updates:	
Recommendation:	
File	

Dept. 303, 9:00 a.m. Thursday, November 20, 2014

27 Ariel Rose Bermudez (GUARD/P) Case No. 14CEPR00013

Atty Thiessen, Margarita (Pro Per – Paternal Grandmother – Petitioner)
Atty Thiessen, Curtis (Pro Per – Paternal Step-Grandfather – Petitioner)
Atty DeVaney, Mary (Pro Per – Mother – Objector)

Status Hearing Re: Petition for Appointment of Guardian of the Person

	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	

TEMP EXPIRES 11-20-14 (Per Minute Order 5-21-14; however, further extended Letters never issued)

MARGARITA and CURTIS THIESSEN, Paternal Grandmother and Step-Grandfather, filed a petition for guardianship of Ariel Rose Bermudez on 1-7-14, along with a petition for temporary guardianship.

Temporary Guardianship was granted ex parte on 1-8-14.

MARY DEVANEY (Mother) filed an Objection on 1-15-14.

At the hearing on the Temporary Guardianship on 1-21-14, Temporary Guardianship was extended to the hearing on the general guardianship, set for 3-10-14.

Court Investigator Dina Calvillo filed a report on 3-5-14.

On 3-10-14, the matter was continued to 3-24-14, and on 3-24-14, the parties were directed to participate in mediation and the matter was set for Court Trial on 4-3-14.

A Probate Mediation Agreement was filed on 3-24-14. The agreement is signed by Petitioners and Mother, and provides for Petitioners to remain temporary guardians for the next six months or per the Court's disposition to allow the mother to establish a residence, and also provides that the mother shall seek instruction in parenting from a specified counseling agency.

On 4-3-14 (Judge Oliver), the Court adopted the Mediation Agreement as the order of the Court until 5-21-14 and extended the temporary guardianship to 5-21-14.

Amended Minute Order 5-21-14 (Judge Smith): The Court adopts the mediation agreement as the permanent order of the Court as stipulated by the parties. Later and off the record, the Court orders the temporary Letters extended to 11-20-14. Set on 11-20-14 for Status.

NEEDS/PROBLEMS/ COMMENTS:

Relatives:

Father: Juan Bermudez *Personally served 3-10-14 re hearing on 3-24-14*

Paternal Grandfather: Robert Gonzalez *(has not been served)*

Maternal Grandfather: Deceased

Maternal Grandmother: Margaret DeVaney *(has not been served)*

Sibling: Rosie Casso *(has not been served)*

1. **Need status of minor.**
2. **The Court may require proper notice pursuant to Probate Code §1511 to all relatives of this hearing or any future hearings going forward regarding guardianship.**

Reviewed by: skc

Reviewed on: 11-17-14

Updates:

Recommendation:

File

28A Je'Tai Hardeman (GUARD/P) **Case No. 14CEPR00052**

Atty Shabazz, Keisha (Pro Per – Guardian)

Atty Martin, Marilyn (Pro Per – Petitioner –Maternal Grandmother)

Petition for Termination of Guardianship

Age: 7		
Cont. from: 100714		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	x
	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	

MARILYN MARTIN, maternal grandmother, is Petitioner.

KEISHA SHABAZZ, maternal cousin, was appointed guardian of the minor on 03/24/14.

Father: **UNKNOWN**

Mother: **LA SHONDRA HARDEMAN** – *Consent & Waiver of Notice*

Paternal grandparents: UNKNOWN

Maternal grandfather: RICKY HARDEMAN – *deceased*

Petitioner alleges: *Petitioner does not provide a reason why termination of the guardianship is in the best interest of the minors.*

Court Investigator Jennifer Daniel's report filed 09/29/2014.

NEEDS/PROBLEMS/COMMENTS:

Page 28B is the Petition for Appointment of Guardian of the Person filed by petitioner, Marilyn Martin.

Minute Order 10/07/2014 (Judge Cardoza): Examiner notes are provided to the parties. Any documents Ms. Martin wants the Court to consider are to be filed no later than 10/24/2014.

The following issues remain:

1. Petition is incomplete. Petitioner does not provide a reason why termination of the guardianship is in the best interest of the minors.

2. Need Notice of Hearing.

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 Termination of Guardianship or consent and waiver of notice or declaration of due diligence for:
   - Father (Unknown)
   - Keisha Shabazz (Guardian)
   - Paternal Grandparents (Unknown)

Reviewed by: LV

Reviewed on: 11/14/2014

Updates:

Recommendation:

File 28A - Hardeman

Dept. 303, 9:00 a.m. Thursday, November 20, 2014

28B **Je'Tai Hardeman (GUARD/P)** **Case No. 14CEPR00052**

Atty **Shabazz, Keisha (pro per – maternal cousin/guardian)**

Atty **Martin, Marilyn (pro per – maternal grandmother/Petitioner)**

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

Age: 7		
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	
	FTB Notice	

TEMPORARY DENIED ON 08/13/2014

MARILYN MARTIN, maternal grandmother, is Petitioner.

KEISHA SHABAZZ, maternal cousin, was appointed guardian of the minor on 03/24/14.

Father: **UNKNOWN**

Mother: **LA SHONDRA HARDEMAN** – *Consent & Waiver of Notice filed 08/04/14*

Paternal grandparents: UNKNOWN

Maternal grandfather: RICKY HARDEMAN – *deceased*

Petitioner alleges that Je'Tai is being abused by an aunt and 12 year old cousin who lives with him. Petitioner alleges that she has told the guardian about the abuse, but she does not believe her and does nothing to stop it. Petitioner alleges that the guardian is away from home frequently working and does not see the abuse. Petitioner further alleges that the 12 year old cousin has exposed Je'Tai to inappropriate photographs and shown him where to look at these inappropriate pictures on a phone.

Court Investigator Jennifer Daniel's report filed 09/29/2014.

NEEDS/PROBLEMS/COMMENTS:

Minute Order 10/07/2014 (Judge Cardoza): Examiner notes are provided to the parties. Any documents Ms. Martin wants the Court to consider are to be filed no later than 10/24/2014.

The following issues remain:

4. Need Notice of Hearing.
5. 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:
   - Keisha Shabazz (Guardian)
   - Father (Unknown)
6. 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)

Reviewed by: LV

Reviewed on: 10/03/2014

Updates:

Recommendation:

File 28B - Hardeman

Dept. 303, 9:00 a.m. Thursday, November 20, 2014

29 **Angel Hernandez, Helen Hernandez, and Andre Hernandez (GUARD/P)** **Case No. 14CEPR00670**

Atty **Jackson, Margaret Ann (Pro Per – Petitioner – Maternal Grandmother)**

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

Cont. from: 100214		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	w/
✓	**Aff.Mail**	
	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	
	FTB Notice	

TEMPORARY EXPIRES 10/02/2014

MARGARET ANN JACKSON, Maternal Grandmother, is Petitioner.

Father: **ANGEL EDWARD HERNANDEZ**
- Declaration of Due Diligence filed 8-6-14, Court dispenses with notice per minute order of 08/11/2014

Mother: **LARMESHA GOMEZ**
- Declaration of Due Diligence filed 8-6-14
- Declaration of Due Diligence filed 10-29-14

Paternal Grandparents: Unknown
- Declaration of Due Diligence filed 8-6-14

Maternal Grandfather: Larry McCorvey, served by mail 08/06/2014

Petitioner states the father has custody of the children and on 03/04/2013 he placed them in Petitioner's care with a notarized statement. Petitioner states the mother has been calling her numerous times asking for the children back upon her release. She was smuggling drugs across the border and is incarcerated in a federal prison. Petitioner does not know where she is, but suspects she is about to be released based on her calls. Every call is to tell her she wants her kids. However, she has no home and the children would be at risk in her care. When the father placed the children with Petitioner, he kissed them and left. He is out on the streets using. Per Declaration of Due Diligence, he approached Petitioner in the supermarket in 2013 and told her he was happy she was caring for the children.

Court Investigator Dina Calvillo filed a report on 09/18/2014.

NEEDS/PROBLEMS/COMMENTS:

Minute Order of 08/11/2014: The Court dispenses with notice as to Angel.

Minute Order of 10/02/2014: Mother needs to be served. Examiner Notes given.

As of 11/14/2014, the following issues remain noted:

1. Petitioner filed further Declaration of Due Diligence on 10-29-14 regarding the mother that indicates various attempts to serve her at the address of the facility in Dublin (left messages with facility office). If diligence is not found, need proof of personal service of Notice of Hearing with a copy of the Petition 15 days prior to the hearing on:
   - Larmesha Gomez (Mother)
2. 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) – Unless the Court dispenses with notice.

Note: Declaration of Due Diligence filed 08/06/2014 states petitioner does not know the paternal grandparents name. Unable to locate an unknown person.

Reviewed by: skc

Reviewed on: 11-14-14

Updates:

Recommendation:

File 29 - Hernandez

Dept. 303, 9:00 a.m. Thursday, November 20, 2014

30 Hamilton B. Thompson (Det Succ) **Case No. 14CEPR00935**

Atty LeFebvre, Betsy A. (Pro Per Petitioner)

Atty Tankersley, Sara J. (Pro Per Petitioner)

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

DOD: 1-8-12			
	Aff.Sub.Wit.		
✔	Verified		
✔	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	x	
	Aff.Mail	x	
	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		

BETSY A. LEFEBVRE, Daughter, and SARA J. TAKERSLEY, Granddaughter, are Petitioners.

40 days since DOD

No other proceedings (?)

I&A: $140,000.00
(Residential real property located at 6405 E. Butler in Fresno)

Will dated 8-6-09 devises the real property to Petitioners, one-half interest each.

Petitioners request Court determination that the real property passes to them pursuant to Decedent's will.

NEEDS/PROBLEMS/COMMENTS:

1. **Petitioners checked both boxes at #6, and #7 is incomplete. Need clarification: Are there any proceedings for administration of this decedent's estate in California or elsewhere?**

2. **Need date of death of the decedent's deceased spouse pursuant to Local Rule 7.1.1.D. (Note: The decedent's will indicates 6-21-08; however, this information was not verified in the petition.)**

3. **Petitioners did not provide an Attachment 11, which should contain the legal description of the property and state the decedent's interest in the property. (Note: The I&A contains a legal description, but does not state the decedent's interest and is not technically the "Attachment 11" to this petition.)**

4. **Need Notice of Hearing.**

5. **Need proof of service of Notice of Hearing at least 15 days prior to the hearing on Decedent's son, Howard Bruce Thompson, who is also named in the will as an alternate executor and beneficiary of other assets not subject to this petition. (However, he is entitled to notice pursuant to Probate Code §§ 13153, 13152(a)(7), 1220.)**

6. **Need Order (DE-315) pursuant to Local Rule 7.1.1.F.**

Reviewed by: skc

Reviewed on: 11-17-14

Updates:

Recommendation:

File

31 Tiffany April Kelly Adams and Trinity Nicole Thornton (GUARD/P) **Case No. 14CEPR00985**

Atty Adams, Patricia (Pro Per – Maternal Grandmother – Petitioner)
Atty Adams, Daniel (Pro Per – Maternal Grandfather – Petitioner)

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

	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✓	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
✓	Pers.Serv.	W
✓	Conf. Screen	
✓	Letters	
✓	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
✓	UCCJEA	
	Citation	
	FTB Notice	

TEMP GUARDIANSHIP (TIFFANY ONLY) GRANTED TO SEAN POTTORFF 11-10-14 EXPIRES 1-7-15
- Sean Pottorff was personally served on 11-12-14

GENERAL HEARING 1-7-15

PATRICIA and DANIEL ADAMS, Maternal Grandparents, are Petitioners and request appointment as Guardians of both minors Tiffany and Trinity.

Father (Tiffany): **UNKNOWN**

Father (Trinity): **MARTIN W. THORNTON**

Mother: **DENIA C. ADAMS**
- Personally served 11-12-14

Paternal Grandparents (Tiffany): Unknown
Paternal Grandparents (Trinity): Unknown

Petitioners state the mother has been incarcerated and is now going through court and custody issues. Petitioners are the grandparents and want to take care of them until the mother gets back on her feet. Trinity's father is not working and struggling also. Tiffany's biological father is unknown.

NEEDS/PROBLEMS/COMMENTS:

Note: Sean Pottorff filed his petitions for temporary and general guardianship on 10-27-14. Petitioners filed their competing petition for general guardianship 11-7-14, and the matter was set for 1-7-15 to be heard with Mr. Pottorff's general petition. Mr. Pottorff was granted temporary guardianship at hearing on 11-10-14, and Petitioners were granted visitation. Petitioners filed this temporary petition on 11-12-14 (*after* temporary guardianship was granted to Mr. Pottorff at the hearing).

Minute Order 11-10-14 (Sean Pottorff's Temp Petition): Sean Pottorff is not the biological father. Unsupervised visitation allowed with maternal grandparents, no overnights. Mr. Pottorff is to make child available as much as possible. Temporary guardianship granted.

1. **Need proof of service of Notice of Hearing with a copy of the temp petition at least five Court days prior to the hearing per Probate Code §2250(e) or consent and waiver of notice or on:**
   - Unknown father of Tiffany
   - Martin W. Thornton (Trinity's Father)

Reviewed by: skc
Reviewed on: 11-17-14
Updates:
Recommendation:
File

Dept. 303, 9:00 a.m. Thursday, November 20, 2014

32 Kash Jackson & Kalyssa Jackson (GUARD/P) Case No. 14CEPR01022
Atty Eldridge, Jennifer

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

Kash age: 8			**GENERAL HEARING 1/13/15**
Kalyssa age: 7			**JENNIFER ELDRIDGE,** maternal aunt, is petitioner.
Cont. from			Father: **RICHARD JACKSON** – Declaration of Due Diligence filed on 11/6/14.
	Aff.Sub.Wit.		
✓	**Verified**		Mother: **STACY ELDRIDGE**
	Inventory		
	PTC		
	Not.Cred.		Paternal grandparents: Deceased Maternal grandfather: Stephen Eldridge Maternal grandmother: Deceased
	Notice of Hrg	X	
	Aff.Mail		**Petitioner states** mom was admitted to CMC ICU. She is unable to care for the children at this time. Father is in prison somewhere.
	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		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

1. Need Notice of Hearing.

2. Need proof of personal service of the Notice of Hearing along with a copy of the Temporary Petition or Consent and Waiver of Notice for:
   a. Stacy Eldridge (mother)
   b. Richard Jackson (father) – Unless the court dispenses with notice. (Petitioner's declaration of due diligence states Richard Jackson is in an unknown prison)

Reviewed by: KT
Reviewed on: 11/17/14
Updates:
Recommendation:
File

Dept. 303, 9:00 a.m. Thursday, November 20, 2014