1 Adriana Michelle Aguilar (GUARD/P) Case No. 04CEPR00848

Petitioner/mother: Yolanda Aguilar (pro per)
Guardian/maternal grandfather: Roman Aguilar (pro per)
Guardian/maternal grandmother: Yolanda Aguilar (pro per)

Petition for Termination of Guardianship

			YOLANDA AGUILAR, mother, is petitioner. **ROMAN AGUILAR** and **YOLANDA AGUILAR,** maternal grandparents, were appointed co-guardians on 10/25/04. **Please see petition for details.** **Court Investigator Report filed on 11/10/15**	**NEEDS/PROBLEMS/COMMENTS:** 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: a. Roman Aguilar (Guardian/maternal grandfather) b. Yolanda Aguilar (Guardian/maternal grandmother) c. Adriana Aguilar (minor)
Cont. from				
	Aff.Sub.Wit.			
✓	**Verified**			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg	X		
	Aff.Mail	X		
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	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
✓	**CI Report**			
	9202			
	Order	X		
	Aff. Posting			**Reviewed by:** KT
	Status Rpt			**Reviewed on:** 11/18/15
	UCCJEA			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 1 – Aguilar**

Dept. 303, 9:00 a.m. Monday, November 30, 2015

2A Louise Roebuck, Vermilyea Johnese, Thomas Wallace,and Angela Johnese (GUARD/P) Case No. 05CEPR00443

Petitioner Johnese, Tina (Pro Per – Mother – Petitioner)
Guardian Estrada, Elaine Roebuck (Pro Per – Maternal Grandmother – Guardian)

Petition for Visitation

			See petition for details.
Cont. from 102915			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
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	Notice of Hrg	x	
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	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

<u>Minute Order 10/29/15</u>: Examiner notes provided in open court. A petition for termination has also been field and is set for 11/30/15.

As of 11/18/15, nothing further has been filed.

1. Need Notice of Hearing.
2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on:
   - Louise Roebuck (Minor)
3. The Court may also require notice of this visitation petition to other family members.

Reviewed by: skc
Reviewed on: 11/18/15
Updates: 11/19/15
Recommendation:
File 2A – Roebuck/Wallace/Johnese

Dept. 303, 9:00 a.m. Monday, November 30, 2015

2B Louise Roebuck, Vermilyea Johnese, Thomas Wallace,and Angela Johnese (GUARD/P) Case No. 05CEPR00443

Petitioner Johnese, Tina (Pro Per – Mother – Petitioner)
Guardian Estrada, Elaine Roebuck (Pro Per – Maternal Grandmother – Guardian)

Petition for Termination of Guardianship

			See petition for details.
	Aff.Sub.Wit.		
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	Inventory		
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	Notice of Hrg	x	
	Aff.Mail	x	
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	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	x	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

4. If this petition goes forward, need Notice of Hearing and proof of service of Notice of Hearing at least 15 days prior to the hearing <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence per Probate Code §1460(b)(5) on all relatives:
   - Louise Roebuck (Minor)
   - Father of Louise
   - Thomas Wallace (Father of Thomas)
   - Michael Johnese (Father of Vermilyea and Angela)
   - All paternal grandparents
   - James Roebuck (Maternal Grandfather)

Reviewed by: skc
Reviewed on: 11/18/15
Updates:
Recommendation:
File 2B – Roebuck/Johnese/Wallace

Dept. 303, 9:00 a.m. Monday, November 30, 2015

3 **Adrianna Rivas (GUARD/P)** **Case No. 0636212**

Petitioner **Gonzalez, Natalie (pro per – mother)**

Petition for Termination of Guardianship

Cont. from		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	x
	Aff.Mail	x
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	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
✓	**CI Report**	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

NATALIE GONZALEZ, mother, is Petitioner.

SANDRA ROMERO CRANE, maternal grandmother, was appointed guardian on 11/16/1999.

Father: **JESUS ROSALES**

Paternal grandfather: NOT LISTED
Paternal grandmother: DECEASED

Maternal grandfather: NOT LISTED

Petitioner requests that the guardianship be terminated.

Court Investigator Charlotte Bien filed a report on 11/06/15.

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* or Declaration of Due Diligence or Consent & Waiver of Notice for:
   a. Jesus Rosales (father)
   b. Paternal grandfather)
   c. Sandra Romero Crane (guardian/maternal grandmother)
   d. Maternal grandfather

Reviewed by: JF

Reviewed on: 11/18/15

Updates:

Recommendation:

File 3 – Rivas

Dept. 303, 9:00 a.m. Monday, November 30, 2015

4 **Sarah Louise Muhley (Estate)** **Case No. 06CEPR00354**

Attorney **Fanucchi, Edward L. (for Executor)**

First Amended Waiver of Accounting and Petition for Final Distribution under Will and for Allowance of Statutory Fees and Commissions

DOD: 3/7/06	**HAL B. HAVLISCH**, Executor with Full IAEA without bond, is Petitioner. **Note:** Petitioner filed this Amended Petition in pro per on 8/7/15 and the matter was set for hearing on 9/21/15. On 9/15/15, a Substitution of Attorney was filed reflecting that Petitioner is now represented by Edward L. Fanucchi. Mr. Fanucchi filed a status report on 9/15/15 stating that after reviewing the Amended Petition filed 8/7/15, it appears there are several issues that need to be corrected and/or addressed. Mr. Fanucchi requested continuance to 11/30/15 As of 11/18/15, nothing further has been filed.	**NEEDS/PROBLEMS/COMMENTS:** 1. **Need further amended petition based on Mr. Fanucchi's status report filed 9/15/15.**
Cont from 092115		
Aff.Sub.Wit.		
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Notice of Hrg		
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Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		**Reviewed by:** skc
Status Rpt		**Reviewed on:** 11/18/15
UCCJEA		**Updates:**
Citation		**Recommendation:**
FTB Notice		**File 4 - Muhley**

Dept. 303, 9:00 a.m. Monday, November 30, 2015

5 Maria C. Estrada (Estate) Case No. 07CEPR00147

Atty Fanucchi, Edward L. (for Elizabeth Felix – daughter/Administrator)

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

DOD: 09/05/06	**ELIZABETH FELIX,** daughter, was appointed Administrator with full IAEA and without bond on 03/20/07. Letters of Administration were issued on 03/21/07. Final Inventory & Appraisal filed 04/13/07- $160,000.00 **Notice of Status Hearing** filed 07/17/13 set this matter for status on 09/06/13. **Status Report filed 08/19/15** states: The estate has not received the funds from the sale of real property by the Fresno County Tax Collector. The funds have not been released by the Fresno County Supervisors. This matter is set to be approved before the Board of Supervisors on 09/01/15. The reason for the delay is stated to be contributed to the building water issue that required the closing of the building. If approved on 09/01/15, in accordance with state law, the County Tax Collector's Office would need to wait an additional 90 days before payment could be made.	**NEEDS/PROBLEMS/COMMENTS:** **<u>CONTINUED FROM 08/24/15</u>** **Minute Order from 08/24/15 states: Counsel is awaiting approval by the Board of Supervisors with regard to the sale of real property; will need an additional 90 days after the approval.** **As of 11/18/15, nothing further has been filed.** 1. Need Account/Report on Waiver of Account and Petition for Final Distribution and/or current verified status report.
		Reviewed by: JF
		Reviewed on: 11/18/15
		Updates:
		Recommendation:
		File 5 – Estrada

Cont. from 090613 101113, 101714, 111714, 011215, 082415

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	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

6 Ronald Gary Mugridge (CONS/PE) Case No. 08CEPR00118

Attorney **Kruthers, Heather H. (for Public Guardian – Conservator/Petitioner)**

Second and Final Account and Report of Conservator; Petition for Allowance of Compensation to Conservator and Her Attorney; and Distribution

DOD: 02/02/15		
Cont. from		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
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	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	2620(c)	n/a
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

PUBLIC GUARDIAN, Conservator, is Petitioner.

Account period: **07/18/09 – 02/02/15**

Accounting: **$271,022.12**
Beginning POH: **$41,587.86**
Ending POH: **$87,470.73**

Subsequent account period: **02/03/15 – 09/30/15**

Accounting: **$92,028.70**
Beginning POH: **$87,470.73**
Ending POH: **$29,186.77**

Conservator: **$4,884.96** (27 staff hours @ $76/hr. and 29.51 Deputy hours @ $96/hr.)

Attorney: **$2,500.00** (less than allowed per Local Rule)

Bond Fee: **$437.82** (ok)

Costs: **$435.00** (filing fees)

Petitioner states that the conservatee died intestate. Petitioner requests authority to distribute the remaining assets to conservatee's two daughters in equal share. Each daughter will receive $10,464.50. In the event the whereabouts of the heirs are not known, Petitioner requests authorization to deposit any remaining balance of funds with the Fresno County Treasury pursuant to Probate Code § 11850(a).

Petitioner prays for an Order:

1. Approving, allowing and settling the second and final account;
2. Authorizing the conservator and attorney's fees and commissions;
3. Authorizing payment of the bond fee and costs;
4. Authorizing distribution of the balance of property on hand as set forth above and in the event the whereabouts of the heirs are not known, the Court authorize petitioner to deposit any remaining balance of funds with the Fresno County Treasury pursuant to Probate Code § 11850(a).

NEEDS/PROBLEMS/COMMENTS:

1. Petitioner requests to distribute the remaining assets to decedent's daughters. Therefore, need Affidavit pursuant to Probate Code § 13100 from Tammy Callahan and Emelia Mugridge-Lim.

2. The Petition states at paragraph 12 that the decedent did not receive benefits from the Veteran's Administration; however, according to the accounting, he did receive pensions from the VA. Therefore, need proof of service of Notice of Hearing with a copy of the Petition to the Veterans Administration pursuant to Probate Code § 1461.5

Reviewed by:	JF
Reviewed on:	11/18/15
Updates:	
Recommendation:	
File 6 - Mugridge	

7A In the Matter of the Verni Family Trust Case No. 10CEPR00639

Attorney **Joseph Marchini; J. Jackson Waste; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)**

Attorney **Kenneth Baldwin; Timothy Thompson; Nikole Cunningham; of McCormick Barstow (for Co-Trustees Antonietta "Rosa" Verni, daughter, and Nicola "Nick" Verni, son)**

Attorney **John Phillips; of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)**

Attorney **Jeffrey Bohn, sole practitioner (for Erlinda M. Verni, surviving spouse)**

Status Hearing

Leonarda DOD: 7/31/2000

Saverio DOD: 5/25/2009

Cont. from 032114, 053014,080414, 091514, 031615, 062215, 081715

	Aff.Sub.Wit.	
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	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

CARMELA DeSANTIS, daughter and Trust Beneficiary, filed the following pleadings in this matter:

- *Petition to Remove Trustees; Appoint Receiver; Surcharge Trustees; Deny Trustees Compensation; Impose Constructive Trust on Assets; and Cause Proceedings to Trace and Recover Assets* on 7/26/2012.
- *Amended Objections to First Account Current of Trustee*, and *Objections to Second Account Current of Trustee* on 7/26/2012.
- *Petition to Construe Trust Provision* on 7/26/2012.
- *Petition to Establish Claim of Ownership, in Favor of Trust, to Property and for Order Directing its Transfer to the Trustees to Hold in Trust* on 8/14/2012;
- *Petition for Review of Accounts and Acts of Trustees* on 9/25/2013.

NICOLA "NICK" VERNI, son and Successor Trustee of the **SURVIVOR'S TRUST,** and **ANTONIETTA "ROSA" VERNI,** daughter and Trustee of the **MERGED FAMILY SUB-TRUST,** filed the following pleadings in this matter *(pending)*:

- *Response to Petition to Remove Trustees, etc. on 9/27/2012*.
- *Response to Petition to Construe Trust Provision* on 9/27/2012.
- *Response to Petition to Establish Claim of Ownership* on 9/27/2012.
- *Response to Petition for Review of Accounts and Acts of Trustees* on 12/5/2013.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS:

Page 7B is the *Petition to Remove Trustees, etc.*
Page 7C is the *Petition to Construe Trust Provision*.
Page 7D is the *Petition to Establish Claim of Ownership in Favor of Trust to Property, etc.*
Page 7E is the *Petition for Review of Accounts and Acts of Trustees*.

Continued from 8/17/2015.
Counsel requests 90 days due to the pending appeal. Matter is continued to 11/30/2015.

Reviewed by: LEG
Reviewed on: 11/18/15
Updates:
Recommendation:
File 7A – Verni

***Petitioner Carmela DeSantis' Status Report* filed by *Attorney Joseph Marchini on 11/17/2015* states:**

- Petitioner has several pending petitions and several objections to trustee accountings pending before the court in this matter *[list of petitions and objections omitted]*;
- The Trustees have provided, but not filed with the Court, accountings for 2011 and 2012; Petitioner filed Objections on 9/25/2013, and served the objections on 10/8/2013;
- The trustees have provided, but not filed with the Court, accountings for 2012 (fourth account current), 2013 (fifth account current), and 2014 (sixth account current); Petitioner is reviewing these for possible objection.
- Petitioner has deposed numerous produce buyers who engaged in transactions posted to the first and second accountings; the depositions of the accountants who prepared the accounts are still to be taken;
- **Petition to Construe:** This petition was severed from other matters for separate trial in the belief that the resolution of this matter might streamline litigation of the others;
- On 8/4/2014, the Court issued its *Statement of Decision*; The *Notice of Entry of Judgment* was served 11/26/2014; *Notice of Appeal* was filed *[by Carmela DeSantis]* 1/23/2015;
- The Court of Appeal has concluded this is not an appropriate case for mediation at the appellate level.
- The appeal has been fully briefed on both sides; Appellant (i.e., Petitioner Carmela DeSantis) has requested oral argument; oral argument has yet to be scheduled, and the appeal remains pending.

***Trustees' [Nicola Verni and Rosa Verni] Status Report* filed by *Attorney Nikole E. Cunningham on* 8/7/2015 for the previous status hearing states:**

- On 9/22/2014, after trial in this matter held before the Honorable Robert H. Oliver, judgment was entered in favor of the Trustees as to the Petition to Construe Trust Provisions;
- A Notice of Appeal was filed by Petitioner, Carmela DeSantis, on 1/23/2015;
- Pending resolution of the appeal, much of this case will be on hold as the appealed issues impact many of the remaining issues involved in this action.

7B In the Matter of the Verni Family Trust (Trust) Case No. 10CEPR00639

Attorney **Joseph Marchini; J. Jackson Waste; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)**

Attorney **Kenneth Baldwin; Timothy Thompson; Nikole Cunningham; of McCormick Barstow (for Co-Trustees Antonietta "Rosa" Verni, daughter, and Nicola "Nick" Verni, son)**

Attorney **John Phillips; of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)**

Attorney **Jeffrey Bohn, sole practitioner (for Erlinda M. Verni, surviving spouse)**

Petition to: (1) Remove Trustees; (2) Appoint Receiver; (3) Surcharge Trustees; (4) Deny Trustees Compensation; (5) Impose Constructive Trust on Assets; and (6) Cause Proceedings to Trace and Recover Assets [Prob. C. 15642, 16420 & 17200]

Leonarda DOD: 7/31/2000

Saverio DOD: 5/25/2009

Cont. from 091112, 100212, 120512, 010313, 022113, 032213, 052413, 062113, 062813, 083013, 092713, 103013, 120613, 012714, 032114, 053014, 080414, 091514, 031615, 062215, 081715

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	Objection	
	Video Receipt	
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✓	Order	
	Aff. Post	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

CARMELA DeSANTIS, daughter and Trust Beneficiary, is Petitioner.
Petitioner states:

- The **VERNI FAMILY TRUST of 1999** was created by **SAVERIO VERNI** and **LEONARDA VERNI** on 6/10/1999, and was amended once by Settlors on the following day, 6/11/1999; Leonarda died on 7/31/2000, thereby causing the Trust to be divided into three sub-trusts: the **VERNI MARITAL TRUST**, the **VERNI FAMILY TRUST**, (which was amended once during both Trustors' lifetimes), and the **VERNI SURVIVOR'S TRUST** (*copies of Trusts attached as Exhibit A);* following Leonarda's death, Saverio amended the **SURVIVOR'S TRUST** seven times, with the *Eighth Amendment* (the final) amending the **SURVIVOR'S TRUST** in its entirety;
- Saverio served as sole trustee of the three sub-trusts until his death on 5/25/2009, and upon his death the Marital Sub-Trust terminated and its principal was added to the Family sub-trust, which became the **MERGED FAMILY SUB-TRUST**;
- Pursuant to the Trust terms, **ANTONIETTA ROSA VERNI**, daughter, is first appointed and currently serves as Successor Trustee of the Merged Family Sub-Trust; pursuant to the *Eighth Amendment* to Trust, **NICOLA VERNI**, son, is first appointed and currently serves as Successor Trustee of the **SURVIVOR'S TRUST**;
- The beneficiaries of each of the Sub-Trusts are the Settlor's five children: **ANTONIETTA ROSA VERNI (Rosa), NICOLA VERNI (Nick), LEONARD VERNI (Dino), MARIA STANZIALE, and CARMELA DeSANTIS** (Petitioner); and specific distributions from the Survivor's Sub-Trust are to **ERLINDA MARCIANO VERNI ($200,000.00)** and **ST. ANTHONY OF PADUA CATHOLIC CHURCH ($200,000.00**);
- Following the death of Saverio and Leonarda, the Merged Family Sub-Trust names Rosa as First Successor Appointee, and Maria as Second Successor Appointee; Eighth Amendment provides that upon Saverio's ceasing to act as trustee, Nick will serve as trustee of the Survivor's Sub-Trust;
- **Petitioner seeks a Court order pursuant to Probate Code § 15642 removing Rosa as trustee of the Merged Family Sub-Trust, and removing Nick as trustee of the Survivor's Sub-Trust; Petitioner also seeks a determination by the Court that Dino is not qualified to serve as next successor trustee of the Survivor's Sub-Trust.**

NEEDS/PROBLEMS/ COMMENTS:

Continued from 8/17/2015.

Note: Additional notes pages originally prepared with respect to this petition have been omitted.

Reviewed by: LEG
Reviewed on: 11/18/15
Updates:
Recommendation
File 7B - Verni

Dept. 303, 9:00 a.m. Monday, November 30, 2015

7C In the Matter of the Verni Family Trust (Trust) Case No. 10CEPR00639

Attorney **Joseph Marchini; J. Jackson Waste; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)**

Attorney **Kenneth Baldwin; Timothy Thompson; Nikole Cunningham; of McCormick Barstow (for Co-Trustees Antonietta "Rosa" Verni, daughter, and Nicola "Nick" Verni, son)**

Attorney **John Phillips; of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)**

Attorney **Jeffrey Bohn, sole practitioner (for Erlinda M. Verni, surviving spouse)**

Petition to Construe Trust Provision [Prob. C. 17200]

Leonarda DOD: 7/31/2000

Saverio DOD: 5/25/2009

Cont. from 100212, 120512, 010313, 022113, 032213, 052413, 062113, 062813, 083013, 092713, 103013, 120613, 012714, 032114, 053014, 080414, 091514, 031615, 062215, 081715

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✓	Order	
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	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notc	

CARMELA DeSANTIS, daughter and Trust Beneficiary, is Petitioner.

Petitioner states:

- The **VERNI FAMILY TRUST of 1999** was created by **SAVERIO VERNI** and **LEONARDA VERNI** on 6/10/1999, and was amended once by Settlors on the following day, 6/11/1999; Leonarda died on 7/31/2000, thereby causing the Trust to be divided into three sub-trusts: the **VERNI MARITAL TRUST**, the **VERNI FAMILY TRUST**, (which was amended once during both Trustors' lifetimes), and the **VERNI SURVIVOR'S TRUST** (*copies of Trusts attached as Exhibit A);*
- The instant petition relates to a provision contained in the **SURVIVOR'S SUB-TRUST;** over Petitioner's objections, Trustees Nick and Rosa have provided a commingled accounting for the Merged Family and Survivor's Sub-Trusts, which fails to segregate each Sub-Trust's assets, liabilities, receipts and disbursements;
- The failure to appropriately segregate assets, liabilities, receipts and disbursements among the Sub-Trusts prevents the Court, trustee and beneficiaries from determining the size and holdings of the **SURVIVOR'S SUB-TRUST**; because the **SURVIVOR'S SUB-TRUST** will be used to fund the above-referenced equalization provision, any appropriate increase in size to that particular Sub-Trust will allow greater realization of the Trustor's intent and will provide a means for effectuating the equalization of prior distributions; conversely, any inappropriate decrease in the size of the **SURVIVOR'S SUB-TRUST** will undermine the Trustor's intent and deny the Trustee the ability to effectuate an equalization;
- **The Trustee of the SURVIVOR'S SUB-TRUST believes that distributions made during Saverio's lifetime should <u>not</u> be considered for purposes of the equalization process; Petitioner believes this to be contrary to the language of the provision and intent of the Trustor.**

Petitioner requests a judicial declaration from the Court concerning the proper construction of Subsection1, of Section B, or Article IV of the SURVIVOR'S SUB-TRUST *[refer to copy of Trust or Paragraph 11 of Petition for exact language requiring apportionment of the residue of the trust estate into equal shares for Trustor's living children.]*

NEEDS/PROBLEMS/ COMMENTS:

<u>Continued from 8/17/2015.</u>

<u>Note</u>: Additional notes pages originally prepared with respect to this petition have been omitted.

Reviewed by: LEG

Reviewed on: 11/18/15

Updates:

Recommendation:

File 7C – Verni

Dept. 303, 9:00 a.m. Monday, November 30, 2015

7D In the Matter of the Verni Family Trust (Trust) Case No. 10CEPR00639

Attorney **Joseph Marchini; J. Jackson Waste; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)**

Attorney **Kenneth Baldwin; Timothy Thompson; Nikole Cunningham; of McCormick Barstow (for Co-Trustees Antonietta "Rosa" Verni, daughter, and Nicola "Nick" Verni, son)**

Attorney **John Phillips; of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)**

Attorney **Jeffrey Bohn, sole practitioner (for Erlinda M. Verni, surviving spouse)**

Petition to Establish Claim of Ownership, in Favor of Trust, to Property and for Order Directing its Transfer to the Trustees to Hold in Trust (Prob. C. 850, 17200.1)

Leonarda DOD: 7/31/2000

Saverio DOD: 5/25/2009

Cont. from 100212, 120512, 010313, 022113, 032213, 062113, 062813, 083013, 092713, 103013, 120613, 012714, 032114, 053014, 080414, 031615, 062215, 081715

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	Objection	
	Video Receipt	
	CI Report	
	9202	
✓	Order	
	Aff. Post	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

CARMELA DeSANTIS, daughter and Trust Beneficiary, is Petitioner.

Summary of Petitioner's requests for specific relief:

1. Determining that the following is property of the Trust estate:
   (a) **Almond crops**: (i) The almond meat inventory on hand at the date of Saverio's death; (ii) all almond crops grown on Trust land since Saverio's death; and (iii) proceeds from the sale of the almond inventory and crops;
   (b) **Olive crops**: (i) The olive oil, olive crop and olive inventory on hand at the date of Saverio's death; (ii) all olive crops grown on Trust land since Saverio's death; and (iii) proceeds from the sale of the olive oil, inventory and crops;
   (c) **Other crops (Stone Fruit, Grapes, Etc.):** (i) The inventory of other crop grown on Trust land, on hand at the time of Saverio's death but not reported in the Trustee's First Account; (ii) all such crops grown on Trust land since Saverio's death and during 2009; and (iii) proceeds from the sale of the inventory and crops;
   (d) **Other Inventory on Hand:** (i) The inventory of firewood and olive oil on hand at the time of Saverio's death but not reported in the Trustee's First Account; (ii) all such items produced from products grown on Trust land since Saverio's death and during 2009; [and (iii) proceeds from the sale of the other inventory;]
   (e) **Proceeds from Sale of Trust Real Property:** The money received by Nick and Dino from DeYoung Properties in connection with the option to purchase land and used by DeYoung Properties to actually purchase Trust land which sum is believed to be not less than **$1,000,000.00**;
2. Directing each of the beneficiaries in possession or holding the property to transfer such property to the Trustees to hold for the benefit of the Trust and the appropriate Sub-Trust(s);
3. Directing each of the beneficiaries in possession or holding any proceeds from the sale or exchange of any of the property to transfer such proceeds to the Trustees to hold for the benefit of the Trust and the appropriate Sub-Trust(s);
4. For judgment in favor of the Trustees of the Trust against any beneficiary who received the Trust property and proceeds, in an amount to be determined and as required to compensate for all of the detriment and damages cause to the Trust; and
5. For treble damages pursuant to Probate Code § 859.

NEEDS/PROBLEMS/ COMMENTS:

Continued from 8/17/2015.

Note: Additional notes pages originally prepared with respect to this petition have been omitted.

Reviewed by: LEG

Reviewed on: 11/18/15

Updates:

Recommendation:

File 7D - Verni

Dept. 303, 9:00 a.m. Monday, November 30, 2015

7E In the Matter of the Verni Family Trust (Trust) Case No. 10CEPR00639

Attorney **Joseph Marchini; J. Jackson Waste; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)**

Attorney **Kenneth Baldwin; Timothy Thompson; Nikole Cunningham; of McCormick Barstow (for Co-Trustees Antonietta "Rosa" Verni, daughter, and Nicola "Nick" Verni, son)**

Attorney **John Phillips; of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)**

Attorney **Jeffrey Bohn, sole practitioner (for Erlinda M. Verni, surviving spouse)**

Petition for Review of Accounts and Acts of Trustees [Prob. C. 16063(a)(5); 17200(b)(5)]

Leonarda DOD: 7/31/2000

Saverio DOD: 5/25/2009

Cont. from 120613, 012714, 032114, 053014, 080414, 091514, 031615, 062215, 081715

	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	

CARMELA DeSANTIS, daughter and Trust Beneficiary, is Petitioner.

Summary of Petitioner's requests in the Prayer for Relief:

- That each of the Second, Third, and Fourth Accounts Current submitted to Petitioner by the Co-Trustees be disallowed;
- That the Co-Trustees, and each of them, be ordered to compensate the estate for any loss caused by their acts and omissions;
- That the Trustees be directed to prepare and file a true and full account of their acts and proceedings within such time as may be allowed by this Court; and
- That Petitioner be reimbursed attorney's fees and costs.

Petitioner states the following in support of the requests for relief:

Accounts Provided by the Trustees

- On or about 8/26/2010, the Co-Trustees, Rosa and Nick Verni, filed a *First Account Current and Report of Trustees and Petition for its Settlement*;
- On 10/5/2010, Petitioner filed written objections to the *First Account Current* based on, among other things, the limited scope of the Account, the Trustees' failure to render separate accountings for each Sub-Trust, the failure to provide information pertaining to transactions involving the Trustees, as well as with respect to various farming operations being managed by the Trustees on behalf of the Trust;
- At Petitioner's request, the Trustees provided Petitioner with a *Second Account Current*, covering the period of 1/1/2010 through 12/31/2010.

~Please see additional page~

NEEDS/PROBLEMS/ COMMENTS:

Continued from 8/17/2015.

Note: Petitioner's prayer requests the Court **disallow** the accounts. Petitioner requests in the body of the *Petition* that the Court **review** the Second, Third and Fourth Accounts, but because the subject accounts are attachments by Petitioner and have not been duly filed with the Court by the Co-Trustees as the fiduciaries, the accounts have not been reviewed by the Court.

Note: Second Additional Page contains summary of the *Objections to Third Account Current of the Family Trust*, and *Objections to Third Account Current of Survivor's Family Trust*, both filed by Carmela DeSantis on 11/5/2015.

Reviewed by: LEG

Reviewed on: 11/18/15

Updates:

Recommendation:

File 7E – Verni

Dept. 303, 9:00 a.m. Monday, November 30, 2015

Petitioner states, continued:

- On 7/26/2012, Petition filed written *Objections to Second Account Current*, and attached a copy of the *Second Account Current* (*copy of the Objections to Second Account Current filed by Petitioner on 7/26/2012 attached as Exhibit B)*;
- The *Second Account Current* continued to be deficient in the same respects as noted with respect to the *First Account Current*, among others;
- In spite of Petitioner's repeated objections, the Trustees continue to fail to properly account to Petitioner and other beneficiaries, as required by the terms of the Trust and Probate Code § 16062 et seq., in the Third Account Current, covering the period of 1/1/2011 through 12/31/2011, mailed to Petitioner at her request on or about 11/19/2012, and the *Fourth Account Current* covering the period of 1/1/2012 through 12/31/2012, mailed to Petitioner at her request on or about 4/19/2013;
- The manner in which such Accounts are deficient is further described in Petitioner's *Objections to Third Account Current*, attached as *Exhibit C*, and Petitioner's *Objections to Fourth Account Current* attached as *Exhibit D*;
- Article 11, Section 4 of the Trust requires the Trustees to render an accounting upon written request of any beneficiary;
- To date, the Trustees have failed to provide adequate accounts in response to Petitioner's requests pursuant to this provision, thereby necessitating this request that the Court review the Second, Third and Fourth Accounts Current and the acts of the Trustees.

***Response to Petition for Review of Accounts and Acts of Trustees* filed on 12/5/2013 by Trustees Nick Verni and Rosa Verni states:**

- Trustees admit that they filed the First Account Current and Report of Trustees and Petition for Settlement on 8/26/2010; Trustees further admit that Petitioner filed written objections to the First Account Current on 10/5/2010; however, Trustees deny that any deficiencies exist, legal or otherwise, in the First Account Current;
- Trustees admit that they submitted the Second Account Current to Petitioner; Trustees further admit that Petitioner filed written objections to the Second account current on 7/26/2012; however, Trustees deny that any deficiencies exist, legal or otherwise, in the Second Account Current;
- Trustees admit that they submitted the Third Account Current to Petitioner on or about 11/19/2012; Trustees further admit that they submitted the Fourth Account Current to Petitioner on or about 4/19/2013; however, Trustees deny that any deficiencies exist, legal or otherwise, in the Third Account Current and Fourth Account Current;
- The Trustees have filed a full account of their acts and proceedings during the period embraced thereby, and their Report and Account should be allowed and approved;
- Trustees expressly deny that any of the Second, Third and Fourth Accounts Current are deficient or otherwise fail to comply with the Trust or the requirements set forth in the Probate Code.

Trustees pray for an Order of this Court finding that:

1. The objections of Petitioner be dismissed;
2. All acts and transactions of the Trustees as reflected in the Account and Report be ratified and confirmed;
3. The Trustees be authorized and directed to continue the administration of the Sub-Trusts until such time as the remaining tasks discussed herein are accomplished, the remaining legal actions discussed herein are resolved, and a plan of final distribution can be presented to the beneficiaries of the trust for their consent;
4. Petitioner take nothing by way of her Petition; and
5. Attorney's fees and costs of suit are awarded to Respondents.

~Please see additional page~

***Objections to Third Account Current of the Family Trust* filed by CARMELA DESANTIS filed on 11/5/2015 states:**

- The Third Account has not yet been filed with the Court in connection with this matter; accordingly, a true and correct copy of the Third Account Current of the Family Trust is attached at Exhibit A;
- The objections concern the Third Account related to the Family Sub-trust, one of the 3 sub-trusts of the Verni Family Trust: the Marital Sub-trust, Family Sub-trust, and Survivor's Sub-trust;
- As of the date of the date of the death of the surviving Trustor (Saverio Verni), the Marital Sub-trust and Family Sub-trust were merged into a single Family Sub-trust (the "Family Sub-trust");
- Respondent Antonietta Rosa Verni was at relevant times the Trustee of the Family Sub-trust; letter dated 10/21/2015 informed counsel that Rosa Verni has since resigned as Trustee of that Trust;
- Nick Verni is Trustee of the Survivor's Sub-trust;
- Objections to Third Account: The Third Account is incomplete in that it covers only the period of 1/1/2011 through 12/31/2011; the
- *[Detailed objections contained in Paragraphs 3 through 15, with Paragraph 16 stating that until Petitioner receives all information, she reserves the right to make further objections to the Third Account.]*

- ***Objections to Third Account Current of the Survivor's Trust* filed by CARMELA DESANTIS filed on 11/5/2015 states** in substantial form the same general allegations as the *Objections to the Third Account of the Family Trust*; *[Detailed objections contained in Paragraphs 3 through 15, with Paragraph 16 stating that until Petitioner receives all information, she reserves the right to make further objections to the Third Account.]*

Proof of Service filed 11/12/2015 shows copies of the Objections were served to all interested parties on 11/9/2015.

8 **Palmina Fratis (CONS/PE)** **Case No. 11CEPR01092**

Attorney **Hiyama, Dean (Diane Mosolf – conservator/Petitioner)**

Second Account and Report of Conservator; Petition for Allowance of Fees to Conservator and Allowance of Attorney Fees

Cont. from 101915		
	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	

DIANE MOSOLF, Conservator, is Petitioner.

Account period: **03/01/13 – 04/30/15**

Accounting: **$1,684,448.47**
Beginning POH: **$1,181,504.44**
Ending POH: **$1,348,051.73**

Conservator: **$1,768.40** (88.42 hours @ $20/hr.)

Attorney: **$14,185.83** (112.5 paralegal hours @ $110/hr. and 8.08 attorney hours @ $250/hr.)

Current bond: **$260,745.70** (Petitioner states that bond is sufficient for the assets on hand because the Court ordered blocking of certain accounts in lieu of posting a bond)

Petitioner prays for an Order:

1. Approving, allowing and settling the second account; and
2. Authorizing the conservator and attorney fees and commissions.

Court Investigator Jennifer Daniel filed a report on 06/22/15.

NEEDS/PROBLEMS/COMMENTS:

<u>OFF CALENDAR</u>
Amended Account filed 11/10/15 and set for hearing on 01/06/16

Reviewed by: JF
Reviewed on: 11/18/15
Updates:
Recommendation:
File 8 – Fratis

Dept. 303, 9:00 a.m. Monday, November 30, 2015

9 Alexxia E. Valdez & Sofia J. Valdez (GUARD/P)Case No. 12CEPR00284

Petitioner **Valdez, Yolanda (pro per – maternal grandmother)**

Petition for Appointment of Temporary Guardian of the Person

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

GENERAL HEARING: 01/21/16

YOLANDA VALDEZ, maternal grandmother, is Petitioner.

Father (Alexxia): **NOE LEON** – *currently incarcerated at Fresno County Jail*
Father (Sofia): **BENNY**

Mother: **YURITZI VALDEZ**

Maternal grandfather: RAMIRO NAVARRO

Alexxia:
Paternal grandfather: UNKNOWN
Paternal grandmother: ROSA VARGAS

Sofia:
Paternal grandparents: UNKNOWN

Petitioner states [see file for details].

NEEDS/PROBLEMS/COMMENTS:

1. Need *Notice of Hearing*.
2. 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 of the Person* or Consent & Waiver of Notice or Declaration of Due Diligence for:
   a. Yuritzi Valdez (mother)
   b. Noe Leon (Alexxia's father)
   c. Benny (Sofia's father)

Reviewed by: JF
Reviewed on: 11/19/15
Updates:
Recommendation:
File 9 - Valdez

10 Ishii Family Trust 3/3/1992 Case No. 12CEPR00447

Atty Fanucchi, Edward L. (for Gerald Ishii – Beneficiary – Petitioner)
Atty Burnside, Leigh W. (for Leslie Ishii – Co-Trustee – Respondent)

Order to Show Cause

	Aff.Sub.Wit.	
	Verified	
	Inventory	
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	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
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	Pers.Serv.	
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	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

GERALD ISHII, Beneficiary and Co-Trustee, filed **Petition of Beneficiary to Remove Successor Co-Trustees, Appoint Temporary Successor Trustee, and for Payment of Attorneys' Fees and Costs** on 5/17/12. The petition was set for hearing on 7/2/12.

LESLIE ISHII, Beneficiary and Co-Trustee, filed **Objection** on 6/21/12.

The hearing on 7/2/12 was continued numerous times, and after numerous status and settlement hearings, at the settlement conference hearing on 1/5/15, the parties represented that they are working on agreement, and the Court set this status hearing re the agreement for 4/13/15.

The status hearing re the agreement was then continued to 4/13/15, 7/13/15, and finally 10/19/15.

Minute Order 10/19/15: The Court notes that this is the 24th hearing in this matter and issues an Order to Show Cause to Gerald Ishii as to why he should not be removed as Co-Trustee for failure to resolve the matter or move the matter forward, and to Edward L. Fanucchi as to why he should not be sanctioned for his failure to appear today. Mr. Fanucchi and Gerald Ishii are both ordered to be personally present in court or appear via courtcall on 11/30/15.

Status Declaration filed 11/19/15 by Attorney Burnside provides background information and states the parties' accountants, James Horn and John Jeffries, met with Gerald Ishii's attorney Jay M. Kelly, and Ms. Burnside at Mr. Jeffries' office for approx. two hours. They crafted a resolution that they believed would be acceptable to both Les Ishii and Gerald Ishii. Since then, Ms. Burnside's client, Les Ishii, has proposed somewhat different terms that Ms. Burnside believes will be acceptable to Gerald Ishii. Ms. Burnside is waiting to hear whether Gerald Ishii is agreeable to the terms, which include the proposed lot line adjustment requested by Gerald Ishii, but also the construction of a barrier alongside Les Ishii's filters in order to protect them from any damages that could be caused by Gerald Ishii's farm equipment.

NEEDS/PROBLEMS/ COMMENTS:

Reviewed by: skc
Reviewed on: 11/18/15
Updates: 11/20/15
Recommendation:
File 10 – Ishii

Dept. 303, 9:00 a.m. Monday, November 30, 2015

11 Noah N. Duran & Annabella R. Duran (GUARD/P)

Case No. 12CEPR00926

Petitioner/Guardian: Gina Vasquez (pro per)

Petition for Termination of Guardianship

			GINA VASQUEZ, Guardian, is petitioner.
			GINA VASQUEZ, maternal grandmother, was appointed guardian on 1/10/13.
Cont. from			**Please see petition for details.**
	Aff.Sub.Wit.		
✓	**Verified**		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
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	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report	X	
	9202		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

1. Need Notice of Hearing.
2. Need proof of service of the Notice of Hearing on:
   a. John Duran (father)
   b. Jasmine Cabral (mother)
   c. John Duran (paternal grandfather)
   d. Cindy Carrillo (paternal grandmother)

Reviewed by: KT

Reviewed on: 11/19/15

Updates:

Recommendation:

File 11 – Duran

Dept. 303, 9:00 a.m. Monday, November 30, 2015

12 In Re: Brooke Bertoldi (SNT) Case No. 13CEPR00625

Attorney: Mercy L. Hall (for former Trustee Fremont Bank)

Probate Status Hearing re: Proof of Notice to DMV

Cont. from 080315, 083115		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
	PTC	
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	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
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	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

FREMONT BANK, former Trustee, petitioned the court for approval of their first and final account.

HERB THOMAS is the current successor trustee.

The first and final account showed that Fremont Bank as Trustee for the Trust purchased a handicap equipped van for the beneficiary and distributed the van directly to the beneficiary.

Minute Order dated 6/29/15 states the court orders that the DMV is to be noticed that the Trust shall be the lienholder for the vehicle. Counsel is to submit a declaration verified by Herb Thomas.

Status Report filed on 8/26/15 states Vicki Bertoldi, the beneficiary's mother was contacted and verified that she did have the title to the vehicle. Per declarant's request Ms. Bertoldi released title to Charities Pooled Trust (CPT). Unfortunately, Ms. Bertoldi signed on an incorrect line and the DMV would not accept that signature. Ms. Bertoldi is obtaining a replacement copy of the title and will forward it to CPT. Once received CPT will be able to complete the process of adding CPT as a lienholder on the vehicle's title and to provide proof that the Trust is a lienholder.

NEEDS/PROBLEMS/COMMENTS:

Continued from 8/31/15. Minute order states Mr. Mraule requests a 90-day continuance. Matter continued to 11/30/15. If there is sufficient proof filed two court days before the next hearing, no appearance will be necessary.

1. **Need proof that the Trust is a lienholder on the vehicle 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: 11/18/15

Updates:

Recommendation:

File 12 – Bertoldi

13 Jordan Angel Alvarez Soto (GUARD/P) Case No. 13CEPR01029

Petitioner **Delgadillo, Yoana Alvarez (Pro Per – Mother – Petitioner)**
Guardian **Soto, Leonarda (Pro Per – Paternal Grandmother – Guardian)**

Probate Status Hearing RE: Visitation

			YOANA ALVAREZ DELGADILLO, Mother, filed a Petition for Termination of Guardianship on 8/24/15. At the hearing on 10/26/15, visitation was ordered and the matter was continued to 11/2/15. See Minute Order of 10/26/15 for details. On 11/2/15, the petition was denied, and the Court ordered that supervised visitation continue. The Court ordered Ms. Soto (Guardian) not to bring her other grandchildren to the visit. The Court set this status hearing regarding the visitation.
	Aff.Sub.Wit.		
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	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
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	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: skc
Reviewed on: 11/18/15
Updates:
Recommendation:
File 13 - Soto

Dept. 303, 9:00 a.m. Monday, November 30, 2015

14 **Naomi Maka Tshimika (GUARD/P)** **Case No. 14CEPR00104**

Petitioner **Edmunds, Annie Tshimika (Pro Per – Paternal Aunt – Petitioner)**

Petition for Appointment of Guardian of the Person

			See petition for details.	NEEDS/PROBLEMS/COMMENTS: 1. Need personal service on, or consent and waiver of notice from the minor Naomi Tshimika per Probate Code §1511. 2. If diligence is not found, need personal service on the mother per Probate Code §1511. 3. Need service or declaration of due diligence on the maternal grandfather per Probate Code §1511.
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
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	Aff.Pub.			
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	Pers.Serv.			
	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			Reviewed by: skc
	Status Rpt			Reviewed on: 11/18/15
✓	UCCJEA			Updates: 11/20/15
	Citation			Recommendation:
	FTB Notice			File 14 - Tshimika

Dept. 303, 9:00 a.m. Monday, November 30, 2015

15 **Katherine E. Kirby (Estate)** **Case No. 14CEPR00241**

Attorney **Kruthers, Heather H. (for Public Administrator)**

First and Final Account and Report of Administrator and Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and for Distribution

DOD: 10/1/13		
	Aff.Sub.Wit.	
✓	**Verified**	
✓	**Inventory**	
✓	**PTC**	
✓	**Not.Cred.**	
✓	**Notice of Hrg**	
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	Pers.Serv.	
	Conf. Screen	
✓	**Letters**	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	**9202**	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✓	**FTB Notice**	

PUBLIC ADMINISTRATOR is Petitioner.

Account period: 8/21/14 – 8/27/15
Accounting: $356,813.16
Beginning POH: $352,395.75
Ending POH: $302,360.67

Public Administrator (Statutory): $10,134.67

Public Administrator (Extraordinary): $1,248.00 ($1,000.00 for the sale of real property per local rule, $248.00 for preparation of final tax return)

Attorneys (Statutory): $10,134.67 (to be split between County Counsel and Attorney Susan Pascuzzi, attorney for Brent Hudnall)

Bond fee: $892.04

Costs: $76.50 (certified letters) plus $435.00 (filing)

Closing: $1,000.00

Distribution pursuant to the decedent's will:

Ricky Dale Hudnall: $69,609.95
Brent Edward Hudnall: $69,609.95
Alvin Glen Ray: $69,609.95
Kelly Laing: $69,609.94

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: skc

Reviewed on: 11/19/15

Updates:

Recommendation:

File 15 - Kirby

Dept. 303, 9:00 a.m. Monday, November 30, 2015

16 Ryan James Hall & Randii Jaiden Hall (GUARD/P) Case No. 14CEPR00819

Petitioner Hall, Aaron J. (Pro Per – Father – Petitioner)
Guardian Carr, Theresa D. (Pro Per – Paternal Grandmother – Guardian)
Petition for Termination of Guardianship

			See petition for details.
Cont. from, 101915			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/ COMMENTS:

Continued from 10/19/15. The following issue remains noted:

1. **Need proof of service of Notice of Hearing at least 15 days prior to the hearing per Probate Code §1460(b)(5) on:**
   - Randy Hall (Paternal Grandfather)

Reviewed by: skc
Reviewed on: 11/18/15
Updates:
Recommendation:
File 16 – Hall

17 **Cloverly Saavedra (GUARD/P)** **Case No. 15CEPR00394**

Petitioner **Rosa Martinez Martinez (Pro Per – Great-Aunt – Petitioner)**

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

			See petition for details.
Cont. from 061515, 072015, 083115, 101915			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w	
	Aff.Pub.		
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✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

<u>Minute Order 7/20/15</u>: Maria Vargas and Ruby Martinez are to file written objections by 8/3/15 or the Court will not consider them.

As of 11/18/15, no objections have been filed.

Petitioner has now cured all notice issues.

Reviewed by: skc

Reviewed on: 11/18/15

Updates:

Recommendation:

File 17 - Saavedra

Dept. 303, 9:00 a.m. Monday, November 30, 2015

18 Skarlett Lopez, Natalia Lopez (GUARD/P) Case No. 15CEPR00526

Petitioner: Ana Torres (paternal grandmother - pro per)
Petitioner: Emily Alvarez (maternal great-grandmother - pro per)

Petition to Appoint Guardian of the Person

			THERE IS NO TEMPORARY. No temporary was requested.
			EMILY ALVAREZ, maternal great grandmother, and **ANA TORRES,** paternal grandmother, are petitioners.
Cont. from 072015, 083115, 101915			
	Aff.Sub.Wit.		Please see petition for details.
✓	**Verified**		**Court Investigator Report filed on 7/13/15**
	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		

NEEDS/PROBLEMS/COMMENTS:

Continued from 10/19/15. Examiner notes were handed in open court on 7/20/15, 8/31/15 and 10/19/15. **As of 11/18 the following issues remain:**

1. Need Notice of Hearing.

2. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on:
   a. Ramon Torres (father)
   b. Victoria Morales (mother)

3. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on:
   a. Sabino Lopez (paternal grandfather)
   b. Unknown maternal grandfather
   c. Natalie Alvarez (maternal grandmother)

Reviewed by: KT
Reviewed on: 11/18/15
Updates:
Recommendation:
File 18 – Lopez

19A **Emilee Ramirez-Maldonado (GUARD/P)** **Case No. 15CEPR00697**

Mother **Maldonado, Nitza Lynn (Pro Per – Mother – Petitioner)**

Petition for Visitation

			See petition for details.	NEEDS/PROBLEMS/COMMENTS:
				<u>Minute Order 11/5/15</u>: Examiner notes provided in open court; matter continued to meet up with the termination petition. (See Page B.)
Cont. from, 110515				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg	x		
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting			Reviewed by: skc
	Status Rpt			Reviewed on: 11/18/15
	UCCJEA			Updates: 11/19/15
	Citation			Recommendation:
	FTB Notice			File 19A – Maldonado

Dept. 303, 9:00 a.m. Monday, November 30, 2015

19B **Emilee Ramirez-Maldonado (GUARD/P)** **Case No. 15CEPR00697**

Mother **Maldonado, Nitza Lynn (Pro Per – Mother – Petitioner)**

Petition for Termination of Guardianship

			See petition for details.
	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	x	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

1. **If this petition goes forward, need Notice of Hearing and proof of service at least 15 days prior to the hearing on:**
   - Twila Mae and Alex Maldonado (Maternal Grandparents and Guardians)
   - Alberto Ramirez-Rosas (Father)
   - Mercedes Trujillo (Paternal Grandmother)

<u>Note</u>: The Notice of Hearing filed 11/19/15 indicates service on the Guardians only with regard to the Petition for Visitation only.

Reviewed by: skc

Reviewed on: 11/18/15

Updates: 11/19/15

Recommendation:

File 19B - Maldonado

19B

Dept. 303, 9:00 a.m. Monday, November 30, 2015

20 Shaiane Williams-Alvarado and Joseph Williams, Jr. (GUARD/P)
Case No. 15CEPR00801

Petitioner **Jonathan Grimes (Pro Per)**
Petitioner **Paquita Yolanda Grimes (Pro Per)**

Petition for Appointment of Guardian of the Person

			TEMPORARY GRANTED ON COURT'S OWN MOTION EXPIRES 11/30/2015
			JONATHAN D. GRIMES and **PAQUITA YOLANDA GRIMES**, paternal grandmother and step-grandfather, are Petitioners.
Cont. from 101915			***~Please see Petition for details~***
	Aff.Sub.Wit.		**Court Investigator's *Report* was filed 10/13/2015.**
✓	**Verified**		
	Inventory		
	PTC		
	Not.Cred.		
✓	**Notice of Hrg**		
✓	**Aff.Mail**	W/O	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
✓	**Conf. Screen**		
✓	**Letters**		
✓	**Duties/Supp**		
	Objections		
	Video Receipt		
✓	**CI Report**		
✓	**Clearances**		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
✓	**UCCJEA**		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

Continued from 10/19/2015.

1. Proof of service by mail of the *Notice of Hearing* filed on 11/18/2015 indicates the notice was served without a copy of the *Petition for Appointment of Guardian* as required.

2. Need proof of service by mail of the *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian*, or *Consent to Appointment of Guardian and Waiver of Notice*, or a *Declaration of Due Diligence*, for:
   - maternal grandparents.

3. *UCCJEA* form filed on 8/18/2015 does not provide residence information for the last 5 years as required.

Reviewed by: LEG
Reviewed on: 11/18/15
Updates:
Recommendation:
File 20 – Williams-Alvarado

Dept. 303, 9:00 a.m. Monday, November 30, 2015

21 Cydney Thomas, Arian Huffman, Hayden Reynolds, Gage Reynolds, and Jackson Reynolds (GUARD/P) **Case No. 15CEPR00827**

Petitioner Thomas, Sandra E. (Pro Per – Maternal Grandmother – Petitioner)

Petition for Appointment of Guardian of the Person

			See petition for details.
Cont. from, 102615			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail	x	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	w	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/ COMMENTS:

<u>Minute Order 10/26/15</u>: Examiner notes provided in open court.

The following issues remain (#1 is new):

1. **The Court Investigator's report indicates that the minor Cydney resides with a maternal aunt in Texas; therefore, guardianship FOR Cydney is not recommended. However, a Notice of Hearing filed 11/13/15 indicates that Cydney was personally served along the maternal grandfather and the minor Arian at Petitioner's address in Squaw Valley, CA. Therefore, need clarification: Is Cydney currently/permanently residing with Petitioner in California?**

<u>SEE PAGE 2</u>

Reviewed by: skc

Reviewed on: 11/18/15

Updates:

Recommendation:

File 21 – Thomas/Huffman/Reynolds

NEEDS/PROBLEMS/COMMENTS:

2. **The proofs of service are all incomplete at #6 re the servers' information. Need name and address of all persons who served notice. This includes service on:**
   - John Wayne Reynolds (Father of Hayden, Gage, Jackson)
   - Morris Thomas (Maternal Grandfather)
   - Cydney Thomas (Minor)
   - Arian Huffman (Minor)
   - Lorette Patten (*Possibly Paternal Grandmother of Arian? Listed as Loretta Fleming in petition. Need clarification*)

3. **Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 or consent and waiver of notice or declaration of due diligence on:**
   - Matthew Richmond (Cydney's Father, if guardianship for Cydney is going forward)
   - Christopher Huffman (Arian's father)

4. **Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 or consent and waiver of notice or declaration of due diligence on:**
   - Wayne Richmond (Cydney's paternal grandfather, if guardianship for Cydney is going forward)
   - Linda Richmond (Cydney's paternal grandmother, if guardianship for Cydney is going forward)
   - Paternal grandfather of Hayden, Gage and Jackson

5. **If diligence is not found, need service per Probate Code §1511 on:**
   - Elmer Huffman (Arian's paternal grandfather)
   - John Reynolds (paternal grandfather of Hayden, Gage, Jackson)
   - Cludene Ohanian (paternal grandmother of Hayden, Gage, Jackson)

22 Stacy Sanchez, Nadine Sanchez, & Fabian Quiroz, JR (GUARD/P)

Case No. 15CEPR00831

Petitioner **Cristilde N. Gutierrez (Pro Per)**

Petition for Appointment of Guardian of the Person

			NO TEMPORARY REQUESTED
			CRISTILDE N. GUTIERREZ, maternal aunt, is Petitioner.
Cont. from 102615			
	Aff.Sub.Wit.		**~Please see Petition for details~**
✓	**Verified**		
	Inventory		**Court Investigator's *Report* was filed on 10/13/2015.**
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	**Conf. Screen**		
✓	**Letters**		
✓	**Duties/Supp**		
	Objections		
	Video Receipt		
✓	**CI Report**		
✓	**Clearances**		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
✓	**UCCJEA**		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

CONTINUED TO 2/1/2016
Per Petitioner's Request

Continued from 10/26/2015. *Minute Order* states examiner notes provided in open court.

The following issues from the last hearing remain:

1. Need *Notice of Hearing* and proof of personal service of the *Notice* with a copy of the *Petition for Appointment of Guardian*, or *Consent to Appointment of Guardian and Waiver of Notice*, or a *Declaration of Due Diligence*, for:
   - Fabian Quiroz, father;
   - Father of Stacy;
   - Father of Nadine.

2. Need proof of service by mail of the *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian*, or *Consent to Appointment of Guardian and Waiver of Notice*, or a *Declaration of Due Diligence*, for:
   - paternal grandparents of Stacy;
   - paternal grandparents of Nadine;
   - paternal grandfather of Fabian;
   - Mary Santiago, maternal grandmother;
   - Gustavo Sanchez, maternal grandfather, *if Court does not find due diligence per Declaration filed 8/25/2015 stating he was deported in June 2015 and his whereabouts are unknown.*

Reviewed by: LEG

Reviewed on: 11/19/15

Updates: 11/25/15

Recommendation:

File 22 – Sanchez/Quiroz

23 Kimberly McNeil (GUARD/P) Case No. 15CEPR00872

Petitioner: Douglas Lund (pro per)

Petition for Appointment of Guardian of the Person

			There is no temporary.	**NEEDS/PROBLEMS/COMMENTS:**
			DOUGLAS LUND, stepfather, is petitioner.	**Continued from 11/9/15. Minute order states** court admonishes Mr. Lund not to bring the minor to court unless ordered to do so by the Court.
Cont. from			**Please see petition for details.**	
	Aff.Sub.Wit.		**Court Investigator Charlotte Bien's Report filed on 10/23/15**	1. Need proof of personal service of the Notice of Hearing along with a copy of the temporary petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Michael Short (father) – unless the court dispenses with notice. b. Nina McNeil (mother) – she was served for the 11/9/15 hearing however the Notice of Hearing shows the hearing as a Petition for appointment of *Temporary* Guardian. c. Kimberly McNeil (minor)
✓	**Verified**			
	Inventory			
	PTC			
	Not.Cred.			
✓	**Notice of Hrg**			
✓	**Aff.Mail**	W/		2. Need proof of service of the Notice of Hearing along with a copy of the temporary petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Paternal grandparents – unless the court dispenses with notice
	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:** 11/19/15
✓	**UCCJEA**			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 20B – McNeil**

Dept. 303, 9:00 a.m. Monday, November 30, 2015

24 Juan Rios Negrete (Spousal) Case No. 15CEPR00876

Petitioner **Rosa Hernandez (Pro Per)**

Spousal or Domestic Partner Property Petition

DOD: 6/3/2015		
Cont. from 101915		
	Aff.Sub.Wit.	
	Verified	?
	Inventory	
	PTC	
	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	W/
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	X
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

ROSA HERNANDEZ, surviving spouse, is Petitioner.

No other proceedings.

Decedent died intestate.

Petitioner states she married Decedent on 4/7/1977 in Mexicalli, Mexico, and upon coming to the United States, she and Decedent married again, on 7/24/1978, in Los Angeles, California *(marriage certificates attached as Exhibits 1 and 2.) [Please see additional page for summary of Petitioner's Declaration.]*

Petitioner requests:

1. Court determination that real property located on McKenzie Ave. in Fresno; and real property on Las Cruses Court in Salinas; and real property on Home Ave. in Fresno; and vehicles, tools, jewelry, bank accounts, and Social Security pension, all listed in Attachment 7(a), passes to her; and

2. Court confirmation that ***[no property is listed in an Attachment 7(b)]*** belongs to her.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS:

Continued from 10/19/2015. *Minute Order* states examiner notes provided in open court. [Attorney] Knudson has been retained by an interested person.

***Petition* contains the remaining defects which include, but are not limited to, the following:**

1. *Petition* was filed with a fee waiver. Court filing fee of **$435.00** is due prior to the distribution of property to Petitioner.

2. *Notice of Hearing* filed 10/16/2015 provides an incorrect hearing date of **10/9/2015** in Item 3, which should have reflected a hearing date of **10/19/2015**. Further, *Proof of Service* of the *Notice of Hearing* indicates **GEORGE NEGRETE** and **RAUL NEGRETE** were served notice together rather than individually as required by CA Rule of Court 7.51(a)(3), which provides that notice sent to persons residing at the same address must be sent separately and individually to each person.

3. Item 5(a)(1) of the *Petition* is incomplete re: natural or adopted surviving child.

~Please see additional page~

Reviewed by: LEG
Reviewed on: 11/19/15
Updates:
Recommendation:
File 24 – Negrete

Dept. 303, 9:00 a.m. Monday, November 30, 2015

Petitioner's *Declaration* attached to the *Petition* states:

- She and Decedent had 5 children and never divorced and there never was a custody or child support order;
- Decedent purchased the properties listed in this *Petition* in his name; he was a controlling man; they separated but remained friends; he lived in Fresno and she lives in Las Vegas, Nevada;
- When Decedent found out he was dying of pancreatic cancer in May of 2015, she would visit with him, while he lived with his girlfriend, **KIM HARRIS**;
- Decedent spoke of a will but was too sick to write one; he was in a lot of pain and could not walk nor knew where he was due to pain and medication; he was in and out of the hospital; she and their son, **ALVARO NEGRETE**, took care of Decedent; he was sent home from the hospital on 6/2/2015 and died on 6/3/2015;
- They have a daughter, **MARIA NEGRETE**, who produced a Trust stating that Decedent had left her in charge of everything;
- The handwriting on the Trust is not Decedent's signature; he was to have signed this document on 6/1/2015; he was in no condition to sign nor speak;
- When Decedent died, Maria told the doctors that Decedent was divorced; since Decedent's death, Maria has taken over **$18,000.00** out of Decedent's bank account, and the bank put a freeze on the account after Petitioner produced documents proving to be the surviving spouse;
- There is real property and personal property to be administered; it has taken her this long to petition the Court due to her having to take care of their son who is recovering from second and third degree burns from a work-related injury;
- Maria has taken vehicles and put them in her name and took them to Arizona;
- Decedent's girlfriend, **KIM HARRIS**, also took vehicles; all the vehicles belong to Decedent;
- Maria is trying to clear out Decedent's account and put her brothers out of the property belonging to Decedent;
- She prays for a court date to resolve this matter of the fraudulent Trust and prove that she is indeed the surviving spouse of the Decedent.

NEEDS/PROBLEMS/COMMENTS, continued:

4. Item 5(a)(2) of the *Petition* is incomplete re: issue of a predeceased child.

5. Item 5(b) of the *Petition* is incomplete re: survived by a stepchild or foster child.

6. Attachment 7(a) to the *Petition* does not contain the legal descriptions of each of the subject real properties, including the APN (Assessor's Parcel Number) which Petitioner requests to be determined as having passed to her as surviving spouse.

7. Need **Attachment 7(b)** to the *Petition* containing the legal descriptions of each of the subject real properties, including the APN (Assessor's Parcel Number), and all the personal property, which Petitioner requests to be determined as having belong to her as surviving spouse.

8. Item 8 of the *Petition* is incomplete re: written agreement.

9. Item 10 of the *Petition* states there exists no genuine will or trust, and that *[Decedent]* was too ill to sign the trust. However, *Exhibit 4* to the *Petition* contains a copy of an apparently executed and notarized document entitled the **JUAN RIOS NEGRETE REVOCABLE LIVING TRUST**. Petitioner cannot seek to have the Trust determined as fraudulent via the instant spousal property petition.

~Please see additional page~

10. Item 12 of the *Petition* states a petition for probate or for administration of Decedent's estate is being filed with this *Petition*. Court records do not show such proceeding has been filed or is pending.

11. *Petition* includes Attachment 1, 2, and 3, containing copies of Deeds, two of which do not include the identified exhibits which describe the real properties, and one of which appears to transfer the identified real property to **ALVARO NEGRETE**, **JUAN NEGRETE**, and **KIM HARRIS**, as joint tenants. Said Attachments are ineffective for any purpose related to the instant spousal property petition.

12. *Petition* is signed but is not dated nor verified by the Petitioner pursuant to Probate Code § 1021 and CA Rule of Court 7.103. *[Note: Declaration attached to the Petition is notarized and verified.]*

13. Need proposed spousal property order.

25 Barbara Ann Bell (Estate) Case No. 15CEPR00901

Attorney: Alan D. Khalfin (for Petitioner Constance Bell-Brooks)

Amended for Probate of Will of Letters Testamentary with IAEA

DOD: 7/7/15		
Cont. from		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	
✓	**Aff.Mail**	W/
	Aff.Pub.	X
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	**Letters**	
✓	**Duties/Supp**	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

CONSTANCE BELL-BROOKS, named co-executor without bond, is petitioner.

Petitioner states she has confirmed that the other named co-executor, Randy Bell does not intend to pursue a probate petition.

Full IAEA – ?

Will dated: 4/9/11

Residence: Clovis
Publication: **NEED**

Estimated value of the Estate:

Personal property	$ 13,500.00
Real property	$350,000.00
Total	**$363,500.00**

Objections of Randy Bell to Petition for Probate by Constance Bell-Brooks filed on 10/6/15. Objector states his objection is based primarily on petitioner's failure to comply with the Will wherein both he and petitioner are to act as co-executors of the estate. At this time, petitioner is proceeding as sole executor. As such, under separate cover, Mr. Bell

NEEDS/PROBLEMS/COMMENTS:

1. Need Affidavit of Publication. California Rules of Court 7.53 states an amended pleading requires the same notice (including publication) as the pleading it amends. – **Note:** Publication filed on 10/7/15 was for the initial petition set on 10/26/15. When the amended petition was filed the initial petition was taken off calendar.
2. Proposed personal representative is a resident of Oregon. 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.

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

- **Wednesday, January 13, 2016** at 9:00 a.m. in Department 303, for the filing of the bond, if required.
- **Wednesday, April 27, 2016** at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal.
- **Wednesday, January 25, 2017** at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

Reviewed by: KT

Reviewed on: 11/19/15

Updates: 11/24/15 (skc)

Recommendation:

File 25 - Bell

26 Gabriel Garcia (GUARD/P) Case No. 15CEPR00909

Petitioner Heredia, Connie Villa (Pro Per – paternal grandmother)

Petition for Appointment of Guardian of the Person

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 EXPIRES 11/30/2015

CONNIE HEREDIA, paternal grandmother, is petitioner.

Please see petition for details

NEEDS/PROBLEMS/COMMENTS:

1. Need Notice of Hearing.

2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:
   - Gabriel Garcia, Jr. (Minor)

3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:
   - Paternal Grandfather (Not Listed)
   - Maternal Grandfather (Not Listed)
   - Denise Holland (Maternal Grandmother)
   - Alexis Handcock (Sibling)

Reviewed by: LV

Reviewed on: 11/19/2015

Updates:

Recommendation:

File 26 - Garcia

Dept. 303, 9:00 a.m. Monday, November 30, 2015

27 The Poundstone Family Grantor Trust Case No. 15CEPR00996

Attorney **Philip M. Flanigan; Danielle Guerrero (for Petitioner David Poundstone)**

Petition For Order Confirming Trustee and Trust Assets

Miriam Pounstone DOD: 7/20/2015		
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	

DAVID POUNDSTONE, son and Trustee, is Petitioner.

Petitioner states:

- Petitioner is the presently acting Trustee; the Trust terms of the **POUNDSTONE FAMILY GRANTOR TRUST** expressly provide that Petitioner is the initial sole Trustee; the Trust was created by Decedent Miriam Poundstone on 7/1/2015 *(copy of Trust attached as Exhibit A);*
- Petitioner requests this Court confirm that assets set forth in *Exhibit B* are deemed to be assets subject to the Trust and under control of Petitioner as [*Trustee*];
- Petitioner believes the assets described in Exhibit B are subject to his control as acting Trustee, as part of the Trust declaration or as validly transferred under Decedent's Pour Over Will *(copy attached as Exhibit C)*;
- Section 1.04 of the Trust expressly states the Trustor's intent to initially transfer to the Trust the assets listed on *Schedule A [which lists ten dollars cash as the trust property]*, and later to transfer additional assets over time, including after death;
- Petitioner in his capacity as Trustee asserts that all of the Trustor's personal property listed in *Exhibit B* is the property of the Trust; *[no real property listed in Exhibit B];*
- Probate Code § 15200(c) states that a trust may be created by a transfer of property by the owner, by will or by other instrument taking effect upon the death of the owner, to another person as trustee;
- Trustor Miriam Poundstone acted in this matter by establishing the Trust and indicating her intent to assign and transfer all right, title, and interest in her personal property to Petitioner as Trustee;
- Here, the Trust does not include a general assignment due to the nature of an intentionally defective irrevocable trust;
- However, the Trustor executed a valid Pour Over Will leaving all of her property to the Trust;

~Please see additional page~

NEEDS/PROBLEMS/ COMMENTS:
Reviewed by: LEG
Reviewed on: 11/20/15
Updates:
Recommendation:
File 27 - Poundstone

Petitioner states, continued:

- In this case, Trustor Miriam Poundstone unequivocally declared in the Trust that it was her intention that her Trustee shall hold, administer, and dispose of all trust property accepted by her Trustee for the benefit of her beneficiaries in accordance with the terms of the Trust agreement;
- The Trust defines the trust estate as including the trust property described on Schedule A as well as all property transferred to the Trust after the date of the Trust agreement that is acceptable to the Trustee;
- The Trustee [*Petitioner*] and the beneficiaries accept distribution of the [*property on Exhibit B]* to the Trust as indicated in the Acceptance of Property by Trustee and Consent to Acceptance of Property by Trustee forms [*signed by the beneficiaries*] and attached as *Exhibit D*;
- Since the intention of the Trustor to transfer all of her property to the Trust is clear on the face of the Trust and the Pour Over Will, Petitioner asserts that the standards set forth in *Heggstad*, *Kucker v. Kucker (2011) [192 Cal.App.4th 90]*, and Probate Code § 15200(c) are satisfied;
- Accordingly, based on the legal authority and supporting facts, it would appear that the legal owner of the Trustor's assets listed in Exhibit B is the Trust;
- Petitioner has reviewed the facts on which the claim of ownership of the personal property of the Trustors is made and believes such facts to be true and correct;
- Petitioner requests that this Court determine that all of Trustor's right, title, and interest in the property listed in Exhibit B be deemed assets of the Trust;
- Under the terms of the Pour Over Will, the residue of Decedent's estate is to be distributed to the Trust; as such, Petitioner submits that Decedent's intent to transfer her assets to the Trust was clearly established, and further, probate of the estate would result in the exact same distribution;
- Under the terms of the Trust, the beneficiaries of Decedent's estate are her five children;
- Under Decedent's Pour Over Will, all assets belonging to Decedent were bequeathed to the Trust;
- As such, in the event Decedent's property was probated, the ultimate beneficiary of the estate would be the Trust and subsequently the Trust beneficiaries, who are the Decedent's children;
- All Trust beneficiaries and heirs at law consent to the distribution of the assets listed on Exhibit B to the Trust;
- Granting of this Petition will save judicial resources and will not prejudice any person or entity otherwise entitled to share in a portion of Decedent's estate.

Petitioner prays for an Order that:

1. The **POUNDSTONE FAMILY GRANTOR TRUST** is in existence; and

2. The assets set forth on Exhibit B attached to the Petition are assets subject to the management and control on Petitioner as Trustee of the Trust.

28 Helen Lee Young (CONS/P) Case No. 15CEPR01030

Petitioner Young, Catherine Anne (Pro Per – Mother – Petitioner)
Petitioner Young, Harlan William (Pro Per – Father – Petitioner)

Petition for Appointment of Probate Conservator of the Person

			See petition for details.	NEEDS/PROBLEMS/COMMENTS:
				Court Investigator advised rights on 11/3/15.
				Voting rights affected – need minute order.
	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			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			Reviewed by: skc
	Status Rpt			Reviewed on: 11/19/15
	UCCJEA			Updates: 11/20/15
✓	Citation			Recommendation:
	FTB Notice			File 28 - Young

Dept. 303, 9:00 a.m. Monday, November 30, 2015

29 Jaylyn Reddix & Walterry Reddix, II (GUARD/P) Case No. 15CEPR01076

Petitioner Figueroa, Maria Carmen (Pro Per – Maternal Grandmother – Petitioner)
Petitioner Figueroa, Melissa (Pro Per – Maternal Aunt – Petitioner)
Objector Reddix, Walterry (Pro Per – Father – Objector)

Petition for Appointment of Temporary Guardian of the Person

			See petition for details.
Cont. from, 110915			
	Aff.Sub.Wit.		
✔	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	x	
	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		

NEEDS/PROBLEMS/COMMENTS:

Minute Order 11/9/15: Mr. Reddix is to affect proper service of his objection. The temporary petition is granted to preserve the status quo.

As of 11/18/15, nothing further has been filed. The following issues remain:

1. **Petitioner: Need Notice of Hearing and proof of personal service of Notice of Hearing with a copy of the temp petition at least five court days prior to the hearing on:**
   - **Walterry Reddix (Father)**
   - **Jaylyn Reddix (Minor)**
   - **Walterry Reddix, II (Minor)**

2. **Petitioner: Child Information Attachment is blank as to all other relatives (paternal grandparents, maternal grandfather). Need completed Child Information Attachment for review of the general petition for the hearing on 1/11/16.**

3. **Objector: Need proof of service of Objection on Petitioner and all interested parties per Minute Order 11/9/15.**

Reviewed by: skc
Reviewed on: 11/18/15
Updates:
Recommendation:
File 29 – Reddix

30 **Angel Aaron Harvey (GUARD/P)** **Case No. 15CEPR01110**

Petitioner **Bonboster, Jazmine Yvette Marie (Pro Per – Sister – Petitioner)**

Petition for Appointment of Temporary Guardian of the Person

			See petition for details.
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	x	
	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		

NEEDS/PROBLEMS/COMMENTS:

1. **Need proof of personal 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) <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on:**
   - Marcelina Villarreal (Ramos) (Mother)

Reviewed by: skc

Reviewed on: 11/19/15

Updates: 11/25/15

Recommendation:

File 30 - Harvey

Dept. 303, 9:00 a.m. Monday, November 30, 2015

31 Xyza Cerrato, Juan Venegas, JR (GUARD/P) Case No. 15CEPR01115

Petitioner: Genevieve Irene Rodriguez (pro per)
Petitioner: Jorge Perez Rodriguez, JR (pro per)

Petition for Appointment of Guardian of the Person

			GENERAL HEARING 1/20/16	NEEDS/PROBLEMS/COMMENTS:
			JORGE RODRIGUEZ, JR. and **GENEVIEVE RODRIGUEZ**, maternal uncle and aunt, are petitioners. **Please see petition for details.**	**OFF CALENDAR** ***Request for Dismissal* entered 11/24/2015.** 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 or declaration of due diligence on: a. Gabriel Cerrato (father) b. Selena Gomez (mother) c. Juan Venegas, Jr. (minor) d. Juan Venegas, Sr. (if his is the father of Juan Jr.) 3. Petition lists Gabriel Cerrato as the father of Juan Venegas, Jr. however the guardianship questionnaire lists Juan Venegas Sr. as the father of Juan, Jr. Need clarification. 4. If Juan Venegas Sr. is the father of Juan Venegas Jr. then petitioners will need to file an amended guardianship child attachment for Juan Jr identifying the names and current addresses for his relatives.
				Reviewed by: KT (LEG for 11/24/15)
				Reviewed on: 11/19/15
				Updates: 11/24/15
				Recommendation:
				File 31 – Cerrato Venegas
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			

Dept. 303, 9:00 a.m. Monday, November 30, 2015

32 Cristina Parra, Joshua Anthony Ponce (GUARD/P)

Case No. 15CEPR01127

Petitioner: Sara De Jesus Bugarini (pro per)

Petition for Appointment of Temporary Guardian of the Person

			GENERAL HEARING 1/21/16	**NEEDS/PROBLEMS/COMMENTS:**
			SARA DE JESUS BUGARINI, maternal grandmother, is petitioner. Please see petition for details.	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 or declaration of due diligence on: a. Cristina Parra (minor) b. Joshua Ponce (minor)
Cont. from				
	Aff.Sub.Wit.			
✓	**Verified**			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg	X		
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	X		
✓	**Conf. Screen**			
✓	**Letters**			
✓	**Duties/Supp**			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	**Order**			
	Aff. Posting			**Reviewed by: KT**
	Status Rpt			**Reviewed on: 11/19/15**
✓	**UCCJEA**			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 32 – Parra & Ponce**

Dept. 303, 9:00 a.m. Monday, November 30, 2015

33 Raffi Leon George (Estate) Case No. 04CEPR01552

Attorney Simonian, Jeffrey D (for Leon Y. George and Armen L. George – Administrators)

Order to Show Cause

Cont. from 111615		
	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	

LEON Y. GEORGE (Deceased), father, and **ARMEN L. GEORGE,** brother, were appointed as Co-Administrators with Full IAEA without bond and Letters issued on 1-25-05.

Inventory and Appraisal Partial No. 1 was filed on 01/09/2015 indicating real property valued at $160,000.00 and personal property valued at $1,500.00.

Final Inventory and Appraisal Partial No. 2 was filed 04/20/2015 indicating personal property valued at $139,728.83

Minute Order of 10/29/2015 set this Order to Show Cause.
Minute Order states: Mr. Simonian represents that he has been unable to contact Armen George. The Court vacates its previously stayed sanctions with the reservation of reinstating them. The Court issues an Order to Show Cause as to Armen L. George for failure to file a first or final account. Mr. George is ordered to be personally present in court or via Courtcall on 11/16/2015 if the petition is not filed by 11/12/2015. Should the petition be filed by 11/12/2015, then no appearances are necessary on 11/16/2015.

Clerk's Certificate of Mailing was mailed to Armen L. George on 10/30/2015.

NEEDS/PROBLEMS/COMMENTS:

Minute Order of 11/16/2015: Mr. Simonian represents that he has had no response to his phone calls, emails, or letters to Armen George, but the petition is done and just needs Mr. George's signature. The Court orders that Armen George be personally present in Court or appear via Court Call on 11/30/2015 for the continued Order to Show Cause as to why he should not be removed as Administrator.

Clerk's Certificate of Mailing indicates that Mr. George was mailed a copy of the minute order on 11/16/2015.

1. Need First and/or Final Account.

Reviewed by: LV

Reviewed on: 11/12/2015

Updates:

Recommendation:

File 33 – George

34 Kurt Dewayne Hudson (Estate) Case No. 15CEPR01024

Attorney Walters, Jennifer L. (for Robert Hudson & Mary Ann Hudson – Petitioners – Parents)

Petition for Letters of Administration; Authorization to Administer Under IAEA

DOD: 09/07/2015			**ROBERT HUDSON,** father, and **MARY ANN HUDSON,** mother, are petitioners and request appointment as Administrator without bond.
Cont. from 111615			Full IAEA – o.k.
	Aff.Sub.Wit.		
✓	**Verified**		Decedent died intestate
	Inventory		Residence: Fresno
	PTC		Publication: The Business Journal
	Not.Cred.		
	Notice of Hrg	x	**Estimated value of the Estate:** Real Property - $225,000.00
	Aff.Mail	x	
✓	**Aff.Pub.**		Probate Referee: Steven Diebert
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	**Letters**		
✓	**Duties/Supp**		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

1. Petition indicates that all heirs waive bond however no waivers of bond have been filed. Need bond in the amount of $225,000.00.

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

- **Monday, 01/04/2016 at 9:00a.m. in Dept. 303** for the filing of the bond (if required) **and**

Monday, 05/02/2016 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal **and**

- **Monday, 03/06/2017 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.

Reviewed by: LV

Reviewed on: 11/18/2015

Updates:

Recommendation:

File 34 – Hudson

35 Andre Cleveland, Sierra Cleveland, (GUARD/P) Case No. 15CEPR01125 and Jherriah Derisso

Petitioner McCaleb, Johninieta (Pro Per – Maternal Aunt)

Petition for Appointment of Temporary Guardian of the Person

			GENERAL HEARING 1/20/2016
			JOHNINIETA MCCALEB, maternal aunt, is petitioner.
			Please see petition for details
Cont. from			
	Aff.Sub.Wit.		
✓	**Verified**		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	x	
	Aff.Mail	n/a	
	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 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:
   - Gerard Durisso (Father of Jerriah)
   - Pearl Dennis (Mother)
   - Jerriah Derriso (Minor)

Reviewed by: LV

Reviewed on: 11/19/2015

Updates:

Recommendation:

File 35 – Cleveland