



ATTENTION

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

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

Thank you for your patience.

Probate Status Hearing Re: Confirmation of Receipt of Transfer

Steven Age: 58 yrs		NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR <i>Proof of Returned Receipt for Transfer filed 10/15/2014</i>	
Eddie Age: 61 yrs			
Michael Age: 60 yrs			
Terence Age: 62 yrs			
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
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<input type="checkbox"/> Notice of Hrg			
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<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			Reviewed by: LEG
<input type="checkbox"/> Status Rpt			Reviewed on: 11/19/14
<input type="checkbox"/> UCCJEA	Updates:		
<input type="checkbox"/> Citation	Recommendation:		
<input type="checkbox"/> FTB Notice	File 1 – Harker		

DOD: 9-25-11 	JULIO A. HINOJOSA , Executor with Full IAEA without bond, is Petitioner. I&A: \$1,892.89 (cash)	NEEDS/PROBLEMS/COMMENTS:
Cont. from 101614 Aff.Sub.Wit. Verified Inventory PTC Not.Cred. <input checked="" type="checkbox"/> Notice of Hrg <input checked="" type="checkbox"/> Aff.Mail <small>W</small> Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters Duties/Supp Objections Video Receipt CI Report 9202 Order	<p>Petitioner states he was appointed in order to defend the estate against a creditor's claim filed by Jose Diaz and to determine if there were any assets subject to the probate administration. The dispute was settled on 3-3-14 and all cash listed on the I&A was used to pay the settlement of the dispute. After payment of the settlement, there was no cash left in the estate. It was then determined that there are no remaining assets subject to probate administration.</p> <p>Petitioner states the following creditor's claims were filed, but the creditor's failed to file suit within the time period allowed by CCP 366.2 and the statute of limitations has expired:</p> <ul style="list-style-type: none"> • DCM Services for \$389.59 filed 5-14-12 • DCM Services for \$1,458.51 filed 5-17-12 • DCM Services for \$2,019.50 filed 5-29-12 <p>Petitioner has agreed to be personally responsible for all costs incurred by Dowling Aaron Incorporated in the administration of the estate.</p>	<ol style="list-style-type: none"> 1. Petitioner filed rejections of three creditor's claims on 11-10-14 indicating that notice of rejection was mailed 10-29-14. Creditors have 90 days to act on a rejected claim. See Probate Code §9250(c)(8). Therefore, it appears additional continuance is necessary. 2. The Court may require clarification regarding the use of the entirety of the estate's funds to settle one creditor's claim rather than apportionment pursuant to Probate Code §11450 (priority within debt class). 3. Petitioner states he has agreed to be personally responsible for all costs of administration incurred by Dowling Aaron Incorporated in administration of the estate. Note that pursuant to Probate Code §10813, an agreement for higher compensation than the statutory calculation is void. Petitioner does not itemize the costs incurred. The Court may require clarification or itemization of costs to be paid outside of probate by Petitioner. 4. Petitioner was formerly represented by Attorney Gary Bagdasarian; therefore, pursuant to Probate Code §10814, he may be entitled to a portion of the statutory attorney's compensation. The Court may require clarification or agreement re apportionment of statutory compensation. 5. Petitioner must request discharge via the appropriate procedure. See Mandatory Judicial Council Form DE-295 Ex Parte Petition for Final Discharge and Order.
Aff. Posting Status Rpt UCCJEA Citation	<p>Petitioner prays for an order terminating further proceedings and discharging Petitioner as the court appointed personal representative.</p>	Reviewed by: skc Reviewed on: 11-19-14 Updates: Recommendation:
FTB Notice		File 3 - Hinojosa

Amended First and Final Account and Report of the Status of Administration and Petition for Settlement Thereof; For Allowance of Statutory Attorneys' Compensation and for Final Distribution (Probate Code 1060, et seq., 9611, 11640, 10800, 10810, 10900 and 12201)

DOD: 3-2-13		<p>DIANE ESPARZA, Executor with Limited IAEA without bond, is Petitioner.</p> <p>Account period: 3-2-13 through 6-30-14 Accounting: \$175,094.62 Beginning POH: \$164,061.64 Ending POH: \$175,105.87 (\$54,505.87 cash plus real property, personal property, and rent due from Executor Diane Esparza of \$10,400.00)</p> <p>Executor (Statutory): \$6,252.84 Attorney(Statutory): \$6,252.84</p> <p>Petitioner states she advanced estate expenses totaling \$13,868.21 during this account period. Petitioner also resided in the home; therefore, she owes rent of \$650/month from 3-2-13 through 6-30-14 totaling \$10,400.00. Therefore, the balance due Petitioner for unreimbursed expenses is \$3,468.21.</p> <p>Petitioner requests distribution pursuant to Decedent's will: Diane Esparza and Ray A. Esparza, as trustees of the Ray P. and Virgie Esparza Trust dated 11-1-96: \$159,059.08</p> <p>Objection by Ray A. Esparza filed 9-23-14 states Objector has concerns and believes not all of the assets are accounted for and that many of the expenses are inappropriate.</p> <p>See Page 2.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Petitioner does not state whether notice of administration was given to the California Franchise Tax Board pursuant to Probate Code §9202(c). Need clarification as to how the Costco membership purchased 7-19-13 for \$55.00 is an estate expense. There do not appear to be any estate purchases from Costco. The Court may deduct this amount from Petitioner's request for reimbursement. Petitioner includes the \$10,400.00 that she owes the estate for rent as a "receipt" in calculating statutory compensation for herself and her attorney. However, this amount was not received by the estate during this account period. The Court may require authority to include this amount as a "receipt." If not approved, Examiner calculates statutory compensation at \$5,940.84. (Note: This affects the distribution amount as well.) Need order. 	
Cont. from 093014				
<input type="checkbox"/>	Aff.Sub.Wit.			
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<input type="checkbox"/>	Order			X
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<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input checked="" type="checkbox"/>	FTB Notice			
		<p>Reviewed by: skc</p> <p>Reviewed on: 11-19-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 - Esparza</p>		

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Objector states the following assets were not included on Schedule Entitled Property On Hand March 2, 2013:

1. Money in the Murphy Bank Account.
2. Decedent's Ford Explorer.
3. Jewelry.

Objector states the following assets should not have been included on the Schedule Entitled Property On Hand March 2, 2013:

1. Chase Account xx371. This account named Petitioner and Objector as beneficiaries and should have been distributed directly to them. If distributed pursuant to the will and the trust, there are additional beneficiaries who are not designated as beneficiaries of this account.

Objector objects to the rent of \$650.00 and states the rent should be at least \$1,000.00/month. Objector states the total receipts are less than what they should be. They should be \$5,560.00 higher for the 16 months and \$1,000 for each month beyond the 16 month that Petitioner remains in the residence.

Objector objects to the following specific expenses:

1. \$49 bimonthly payment for Howard's Pest Control. Petitioner was residing in the residence and received the benefit of this service. It did not benefit the estate.
2. \$160 monthly White Oak Lawn Service appears to be very expensive and was for the benefit of Petitioner and not the estate.
3. Multiple charges to JJ's Handy Man Service. These expenses were also incurred by Petitioner to live in the residence and were not for the benefit of the estate. They are also excessive.
4. \$1,367.67 for ADT Alarm Installation. The residence already had an alarm. A new alarm system did not benefit the estate.
5. \$55 Costco membership – Why did the estate pay for a Costco membership?
6. Vern's Plumbing – multiple charges.
7. \$864.00 for Wells Fargo Credit Card – Objector believes this includes charges made by Petitioner after the decedent's death including a car rental by Petitioner prior to her taking the Decedent's Ford Explorer.
8. Fresno Ag – various charges for light fixtures, faucets and yard equipment. If equipment was purchased, it should be part of the estate. Why is the estate purchasing new fixtures and equipment?
9. Dumpster charges – Petitioner rented a dumpster to throw away Decedent's papers and belongings before Objector could look at them. This was not necessary.

Objector states there are many expenses that Objector questions and he would like to see receipts and invoices to assure that they are proper estate expenses.

Objector hired an attorney to file the objection to the initial petition to probate the estate and now to this petition. Petitioner's attorney fees are paid by the estate. Objector requests that his attorney's fees also be paid by the estate, or that he be reimbursed by the estate for attorney's fees and costs incurred.

Amended Petition for Termination of Guardianship

	<p>LAKEYSHA (SINGLETON) DAWSON, Mother, is Petitioner.</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p>
	<p>KIMBERLY ANN BUSH, Maternal Grandmother, was appointed Guardian on 10-7-13. - Mailed service 9-5-14, personally served 10-1-14</p>	<p><u>Note:</u> On 6-4-14, the Court reappointed Attorney Jennifer Walters as counsel for Devin Singleton.</p>
<p>Cont. from 101414</p>	<p>Father: DETRICK SINGLETON - Mailed service 9-5-14</p>	<p><u>Note:</u> Probate Mediation Agreement dated 7-23-14 was filed on 7-23-14 by the mother addresses a visitation schedule for the mother with Devon.</p>
<p><input type="checkbox"/> Aff.Sub.Wit.</p>	<p>Maternal Grandfather: Eugene Dawson - Declaration of Due Diligence filed 9-30-14</p>	<p>1. If diligence is not found for the maternal grandfather, paternal grandfather, and paternal grandmother, the Court may require notice or further diligence.</p>
<p><input checked="" type="checkbox"/> Verified</p>	<p>Paternal Grandfather: Johnny Brown - Declaration of Due Diligence filed 9-30-14</p>	<p><u>Update:</u> Attorney Jennifer Walters filed a declaration on 11-6-14 regarding her conversation with Devin. The declaration states that given Devin's wish to remain in his grandmother's care, Ms. Walters feels it is in Devin's best interest for the guardianship to remain.</p>
<p><input type="checkbox"/> Inventory</p>	<p>Paternal Grandmother: Patricia Brown - Declaration of Due Diligence filed 9-30-14</p>	<p>Reviewed by: skc</p>
<p><input type="checkbox"/> PTC</p>	<p>Petitioner states the open investigation of abuse in Honolulu was closed and dismissed due to lack of foundation or evidence. Petitioner has now received a divorce from Detrick Singleton and he remains in Hawaii. Petitioner now has a 2-bedroom apartment in Las Vegas, NV. There were never any allegations against the mother and Devin had always been with Lakeysha until he visited his maternal grandmother and she refused to return him to his parents. The father gave up his right to visit with Devin and legal custody was awarded to Lakeysha. See attached Decree of Divorce. Lakeysha is the primary custodian of Devin. Lakeysha has no intention to ever return to the marriage. Lakeysha has been the main parent in Devin's life, and in fact, Detrick and Lakeysha have been separated since 2005, when Devin was two. They remained separated until 2013, when they decided to try to reconcile, but the marriage finally ended on 7-21-14. Devin voiced concern that his mother might return to Hawaii, but that is no longer feasible.</p>	<p>Reviewed on: 11-19-14</p>
<p><input type="checkbox"/> Not.Cred.</p>		<p>Updates:</p>
<p><input checked="" type="checkbox"/> Notice of Hrg</p>		<p>Recommendation:</p>
<p><input checked="" type="checkbox"/> Aff.Mail W</p>		<p>File 5 - Singleton</p>
<p><input type="checkbox"/> Aff.Pub.</p>		
<p><input type="checkbox"/> Sp.Ntc.</p>		
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<p><input checked="" type="checkbox"/> Order</p>		
<p><input type="checkbox"/> Aff. Posting</p>		
<p><input type="checkbox"/> Status Rpt</p>		
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<p><input type="checkbox"/> Citation</p>		
<p><input type="checkbox"/> FTB Notice</p>		

Page 2

As was found in the Guardianship of M.S.W. (1982) 136 Cal.App.3d 708, where the grandparents made it very, very difficult for the parents to visit and communicate with the child, the Court found that the parents' circumstances had changed and they could now properly care for the child, Lakeysha's circumstances have changed and she can now care for Devin. She has a good paying job and a 2-bedroom apartment around the corner from Swainston Middle School. She has been in this apartment for 7 months and is well settled. See attached rental agreement and pay stubs. She can provide for her and Devin. Petitioner believes termination of the guardianship is in the best interests of Devin.

Court Investigator Jennifer Daniel filed a report on 7-30-14 in connection with Ms. Dawson's original petition for termination of guardianship.

Order to Show Cause for Failure to Appear and Failure to File the First Account or Petition for Final Distribution

DOD: 7-13-13	<p>PAMELA J. STRONG, Spouse, was appointed Executor with Limited IAEA without bond on 9-16-13 and Letters issued 9-17-13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account or petition for final distribution pursuant to Probate Code §12200 or verified written status report pursuant to Local Rule 7.5.</p>
	<p>At the hearing on 9-16-13, the Court set status hearing for the filing of the first account or petition for final distribution for 11-14-14.</p>	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	<p>At the hearing on 11-14-14, there were no appearances. The Court set this Order to Show Cause for failure to appear and failure to file the first account or petition for final distribution, and ordered both the Executor and the attorney to appear.</p>	
Aff.Mail		
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Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 11-19-14
		Updates:
		Recommendation:
		File 6 – Strong

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

DOD: 8-19-13		PUBLIC ADMINISTRATOR , Administrator with Full IAEA, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Consistent with the Court's recent practice, if the Court determines an informal accounting of the closing reserve is warranted, Court will set a Status Hearing as follows:</p> <p style="text-align: center;">Tuesday, June 2, 2015 at 9:00 a.m. in Dept. 303 for an Informal Accounting of the \$10,000.00 Closing Reserve.</p> <p>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.</p>
		Account period: 8-27-13 through 9-24-14	
		Accounting: \$ 1,005,326.83	
		Beginning POH: \$ 911,125.61	
		Ending POH: \$ 486,173.33 (cash)	
<input type="checkbox"/>	Aff.Sub.Wit.	Administrator (Statutory): \$23,052.01	
<input checked="" type="checkbox"/>	Verified	Administrator (Extraordinary): \$2,248.00 (\$1,000.00 for sale of personal property, \$1,000.00 for the sale of real property pursuant to Local Rule 7.18, and \$248.00 for preparation of fiduciary tax returns)	
<input checked="" type="checkbox"/>	Inventory	Attorney (Statutory): \$23,052.01	
<input checked="" type="checkbox"/>	PTC	Bond fee: \$2,513.32	
<input checked="" type="checkbox"/>	Not.Cred.	Costs: \$1,048.50 (filing, certified letters)	
<input checked="" type="checkbox"/>	Notice of Hrg	Closing: \$10,000.00 (for preparation and filing of final fiduciary taxes)	
<input checked="" type="checkbox"/>	Aff.Mail	Distribution pursuant to Order Determining Heirship filed 7-7-14:	
<input type="checkbox"/>	Aff.Pub.	Kelly Munro: \$424,259.49	
<input type="checkbox"/>	Sp.Ntc.		
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<input type="checkbox"/>	CI Report		
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<input checked="" type="checkbox"/>	Order		
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<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
		Reviewed by: skc	
		Reviewed on: 11-19-14	
		Updates:	
		Recommendation:	
		File 7 - McPike	

Petition to Termination of Conservatorship

DOD: 03/29/14		<p>JOSEPH PATRICK DE LOS REYES, son/Conservator of the Person and Estate, is Petitioner. Bond of \$30,000.00 was filed 04/07/14.</p> <p>Petitioner states:</p> <ol style="list-style-type: none"> Petitioner has been acting as Conservator of the Person and Estate since 04/07/14. Conservatorship was necessary because the conservatee was unconscious and unable to provide for any of his personal or financial needs as he suffered a stroke on 03/31/13. The conservatee died on 05/29/14. Petitioner requests that an accounting be waived pursuant to Probate Code § 2628 because the estate at the beginning and end of the accounting period for which an accounting would be required consisted of property, exclusive of the residence of the conservatee, of a total net value of less than \$15,000.00. The income of the estate for each month of the accounting period, exclusive of public benefits payments, was less than \$2,000.00. All income of the estate during the accounting period, if not retained, was spent for the benefit of the ward or conservatee. All children of the conservatee have waived an accounting. <p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> Terminating the conservatorship; Discharging Petitioner as Conservator of the Person and Estate and exonerating Petitioner's bond; and Stating that the Conservator need not file an accounting. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> An Inventory & Appraisal has not been filed. Assets of the Conservatorship Estate are unknown without an Inventory & Appraisal and the Petition does not state what the property on hand in the conservatorship estate is but does indicate that the conservator did manage property and/or income of the conservatee. It is noted that the Petition for Appointment of Conservator stated that the Conservatee's assets consisted of: Personal Property - \$45,000.00 Annual income - 32,568.44 Real property - 150,000.00 Need Inventory & Appraisal and/or Accounting pursuant to Probate Code § 2630 and 2633. The Petition does not request nor address distribution or other disposition of the assets of the conservatorship estate.
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
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<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Reviewed by: JF			
Reviewed on: 11/19/14			
Updates:			
Recommendation:			
File 8 – De Los Reyes			

Petition for: Removal of Trustee, Accounting, Surcharge to Trustee for Damage to Estate, Damages for Breach of Fiduciary Duty, Appointment of Successor Trustee

Helene Chung DOD 10-6-12	ROBERT CHUNG , Beneficiary and named successor trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Petitioner states he is one of three living children of Decedent Helene Chung. Helene Chung created the Chung Irrevocable Trust Agreement on 12-28-06, which named Susan Hanley as Trustee. Ms. Hanley accepted her appointment and has continued as trustee since then.	Minute Order 9-2-14: Ms. Hanley has been noticed. The Court removes Ms. Hanley as Trustee and Appoints Mr. Chung. At this time the Court is not ruling on the surcharge nor the damages for breach of Fiduciary. Ms. Haley needs to prepare and file the accounting while she was Trustee. The Court orders Ms. Haney to surrender all property and records. Counsel will submit order. Continued to: 10/21/14 at 09:00a.m. in Dept 303
Cont. from 090214, 102114	The primary asset is a residence on E. Garland Ave., in Fresno.	Petition is granted before Court Trial. Order to be signed ex parte.
<input type="checkbox"/> Aff.Sub.Wit.	Petitioner states the trust agreement provides that a majority of eligible beneficiaries may transfer the trust situs to a more convenient jurisdiction. Petitioner and Vicki Chung make up the majority of the eligible beneficiaries and have signed a written election to establish the trust venue in Fresno County, making Fresno County the proper venue to hear this action.	Minute Order 10-21-14: The Court vacates its previous order removing Ms. Hanley as the trustee. Continued to 12-2-14.
<input checked="" type="checkbox"/> Verified	Petitioner states the trustee has wasted and mismanaged the trust estate by failing to rent the Garland property and collect income from this valuable asset. Her failure to derive income from the property includes not only the period after Helene Chung's death, but also the entire period from creation of the trust in 2006 to the date of Helene Chung's death. Petitioner states the trustee has wrongfully neglected the estate and has long neglected to perform any act as personal representative. She has never filed an accounting, despite having been requested to do so in writing on 4-11-14. The trust estate has never been distributed or closed. The trustee continues to allow the Garland property to sit idle, without earning income, in breach of her fiduciary duties to the trust beneficiaries, including her two siblings, Petitioner and Vicki Chung.	Examiner's Note: The Order Removing Trustee pursuant to Minute Order 9-2-14 was never signed by the Court.
<input type="checkbox"/> Inventory	SEE ADDITIONAL PAGES	Note: On 10-1-14, Respondent Susan Hanley filed a Notice of Motion and Motion for Order Setting Aside and Vacating Order Removing Trustee (See Page B).
<input type="checkbox"/> PTC		Update: Ms. Hanley filed an Answer to this petition on 11-6-14. See additional pages.
<input type="checkbox"/> Not.Cred.		The following issues remain noted with regard to this petition:
<input checked="" type="checkbox"/> Notice of Hrg		SEE ADDITIONAL PAGES
<input checked="" type="checkbox"/> Aff.Mail		Reviewed by: skc
<input type="checkbox"/> Aff.Pub.		Reviewed on: 11-19-14
<input type="checkbox"/> Sp.Ntc.		Updates:
<input type="checkbox"/> Pers.Serv.		Recommendation:
<input type="checkbox"/> Conf. Screen		File 9A - Chung
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
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<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
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Petitioner states pursuant to §16062, Petitioner is entitled to receive an account of the transactions of the trust at least annually, and pursuant to §17200(b)(7), more than 60 days have elapsed since Petitioner presented a written request for an account. Therefore, Petitioner requests an order of this Court instructing the trustee to deliver an account of the transactions of the trust to Petitioner.

Petitioner also requests surcharge for damage to estate and requests damages for breach of fiduciary duty. See petition for details.

Petitioner prays for relief as follows:

1. That SUSAN HANLEY be removed as trustee;
2. For an order that SUSAN HANLEY make an accounting and surrender all property and records in her possession belonging to the estate;
3. For an order requiring SUSAN HANLEY to forthwith provide an accounting in compliance with Probate Code §§ 1060 through 1064;
4. For an order and judgment charging SUSAN HANLEY with losses to the estate
5. For interest on such losses at the maximum legal rate;
6. For costs of suit;
7. For reasonable attorney's fees;
8. For compensatory damages to compensate Petitioner and the trust estate for losses sustained as a result of SUSAN HANLEY's breach of her fiduciary duties;
9. For an order appointing Robert Chung as trustee without bond
10. For such other orders as the Court may deem proper.

NEEDS/PROBLEMS/COMMENTS (Cont'd):

1. Petitioner states that Petitioner, the trustee, and Vicki Chung are the beneficiaries and provides addresses, but the petition does not state that they are all of the persons entitled to notice pursuant to §§ 17201 and 17203.)
Need verified declaration.

Note: The address provide for the trustee is a PO Box in Pleasanton. The Court may require clarification.

2. The Court may require clarification re Fresno as proper venue. The address provided for the Trustee is a PO Box in Pleasanton, which is Alameda County. However, it is unclear where the trustee resides, or if she was properly served with the Election to Establish Trust Venue in Fresno County or this petition.

Ms. Hanley's Answer filed 11-6-14 addresses each count and admits or denies various allegations. Ms. Hanley prays for judgment as follows:

1. That Petitioner take nothing by way of this petition;
2. For costs of suit incurred herein;
3. For reasonable attorneys' fees as permitted by contract or statute; and
4. For such other relief as the Court deems just, equitable, and proper.

Examiner's Note: The verification appears to be a faxed signature, not an original, and states that Ms. Hanley executed the verification at Pleasanton, CA. Please see issues noted above re venue.

Notice of Motion and Motion for Order Setting Aside and Vacating Order Removing Trustee

	<p>ROBERT CHUNG, Beneficiary and named successor trustee, filed a Petition for: Removal of Trustee, Accounting, Surcharge to Trustee for Damage to Estate, Damages for Breach of Fiduciary Duty, Appointment of Successor Trustee, which was heard on 9-2-14.</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p>
<p>Cont. from 102114</p>	<p>Minute Order 9-2-14 states: Ms. Hanley has been noticed. The Court removes Ms. Hanley as Trustee and Appoints Mr. Chung. At this time the Court is not ruling on the surcharge nor the damages for breach of Fiduciary. Ms. Haley needs to prepare and file the accounting while she was Trustee. The Court orders Ms. Haney to surrender all property and records. Counsel will submit order. Continued to: 10/21/14 at 09:00a.m. in Dept 303. Petition is granted before Court Trial. Order to be signed ex parte.</p>	<p>1. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on all interested parties: - Robert Chung - Vicki Chung</p>
<p>Aff.Sub.Wit.</p>	<p>SUSAN HANLEY, Respondent and Trustee, filed this Notice of Motion and Motion for Order Setting Aside and Vacating Order Removing Trustee on 10-1-14.</p>	<p>Note: A defective Notice of Hearing was filed that indicates personal service on attorney Daniel Tekunoff only; however, there is no proof of service as the wrong attachment was used; therefore, this document is defective.</p>
<p>✓ Verified</p>	<p>Ms. Hanley states this motion will be brought under CCP §473(b), and will seek relief on the grounds that the petition was granted as a result of mistake, inadvertence, surprise, or neglect of the moving party's attorney, to which the attorney has attested in an affidavit or declaration under penalty of perjury. See Declaration of Randolph Krbechek in Support of Motion for Order Setting Aside and Vacating Order of Dismissal.</p>	<p>As stated at the bottom of Page 2 of the DE-120, if personal service is used, DE-120PA should have been attached, which contains the information required for proof of service. Petitioner used the DE-120PA, which is an attachment only and contains no information or signature by the server.</p>
<p>Inventory</p>	<p>Mr. Krbechek's Declaration states he was first contacted by Ms. Hanley on Friday 8-22-14 and received the petition on Saturday 8-23-14. This was the week before Labor Day. His paralegal was out of the office the Thursday and Friday before Labor Day. The attorney did not think to check for the next hearing date on the Banner website. Had his paralegal been there, she surely would have attended to that, as she does with all their litigation matters. Due to the attorney's mistake and inadvertence, he failed to calendar the date set for the hearing (9-2-14). He did not properly communicate with his client that the hearing was set for 9-2-14, and did not clearly articulate who would attend the hearing on her behalf. As a result, neither the attorney nor the client appeared at the hearing to contest the petition. His client emailed on Wednesday, 9-3-14 about the hearing, which had already occurred. Mr. Krbechek apologizes to the Court for his oversight. Any blame should fall on him and not his client. As this motion is brought within the six month period set forth in CCP §473(b), it is requested that the order granting the petition be set aside. See Points and Authorities.</p>	<p>Further, interested parties require direct notice. Cal. Rules of Court 7.51. Petitioner only served notice on the attorney for the petitioner.</p>
<p>PTC</p>	<p>Mr. Krbechek's Declaration states he was first contacted by Ms. Hanley on Friday 8-22-14 and received the petition on Saturday 8-23-14. This was the week before Labor Day. His paralegal was out of the office the Thursday and Friday before Labor Day. The attorney did not think to check for the next hearing date on the Banner website. Had his paralegal been there, she surely would have attended to that, as she does with all their litigation matters. Due to the attorney's mistake and inadvertence, he failed to calendar the date set for the hearing (9-2-14). He did not properly communicate with his client that the hearing was set for 9-2-14, and did not clearly articulate who would attend the hearing on her behalf. As a result, neither the attorney nor the client appeared at the hearing to contest the petition. His client emailed on Wednesday, 9-3-14 about the hearing, which had already occurred. Mr. Krbechek apologizes to the Court for his oversight. Any blame should fall on him and not his client. As this motion is brought within the six month period set forth in CCP §473(b), it is requested that the order granting the petition be set aside. See Points and Authorities.</p>	<p>2. Need order.</p>
<p>Not.Cred.</p>	<p></p>	<p>Reviewed by: skc</p>
<p>✓ Notice of Hrg</p>	<p></p>	<p>Reviewed on: 11-19-14</p>
<p>Aff.Mail X</p>	<p></p>	<p>Updates:</p>
<p>Aff.Pub.</p>	<p></p>	<p>Recommendation:</p>
<p>Sp.Ntc.</p>	<p></p>	<p>File 9B - Chung</p>
<p>Pers.Serv. X</p>	<p></p>	
<p>Conf. Screen</p>	<p></p>	
<p>Letters</p>	<p></p>	
<p>Duties/Supp</p>	<p></p>	
<p>Objections</p>	<p></p>	
<p>Video Receipt</p>	<p></p>	
<p>CI Report</p>	<p></p>	
<p>9202</p>	<p></p>	
<p>Order X</p>	<p></p>	
<p>Aff. Posting</p>	<p></p>	
<p>Status Rpt</p>	<p></p>	
<p>UCCJEA</p>	<p></p>	
<p>Citation</p>	<p></p>	
<p>FTB Notice</p>	<p></p>	

Pro Per Baldazo, Imelda G. (Pro Per Petitioner, daughter)
 Atty LeVan, Nancy J., sole practitioner (Court-appointed for Conservatee)

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

Age: 73 years	NO TEMPORARY REQUESTED		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Advised Rights on 9/16/2014.</p> <p>Voting Rights Affected – Need Minute Order.</p> <p>Continued from 10/14/2014. <i>Minute Order states the Court notes that the Petitioner is not present because of a TB isolation issue with Maria Baldazo. The Court further notes that a capacity declaration is required and service to Juan Baldazo needs to be accomplished. The Court directs that a copy of the minute order and examiner notes be sent to the Petitioner. [Clerk's Certificate of Mailing filed 10/24/2014 shows copy of minute order and examiner notes were sent on 10/24/2014.]</i></p> <p>The following issues from the last hearing remain:</p> <p>1. Need Citation for Conservatorship pursuant to Probate Code § 1823, and proof of personal service of the Citation on the proposed Conservatee with a copy of the Petition for Appointment of Probate Conservator pursuant to Probate Code § 1824.</p> <p><i>~Please see additional page~</i></p>
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IMELDA G. BALDAZO, daughter, is Petitioner and requests appointment as Conservator of the Person with medical consent and dementia powers to administer dementia medications, and for placement in a secured-perimeter facility.

Need Capacity Declaration

Voting Rights Affected

Petitioner states the proposed Conservatee suffers from dementia and Alzheimer's. Petitioner includes a list of tasks the proposed Conservatee is unable to do on her own, including make decisions about her residence, make medical decisions or take medications, unable to be left alone, to prepare meals and eat without assistance, unable to bathe and groom, unable to appreciate danger, including financial or personal abuse, and is unable to recognize familiar people. Petitioner states at the end of the list in the space for anything else Petitioner would like to make the Court aware of that the proposed Conservatee always ends up giving into her spouse, who always has controlled and abused her physically, mentally and financially.

Court Investigator Dina Calvillo's Report was filed on 9/30/2014.

Reviewed by: LEG
Reviewed on: 11/19/14
Updates:
Recommendation:
 File 11 - Baldazo

NEEDS/PROBLEMS/COMMENTS, continued:

2. *Petition* requests medical consent and dementia powers. Need *Medical Capacity Declaration* (Judicial Council form GC-335) in support of Petitioner's request pursuant to Probate Code § 1890(c).

3. *Proof of Service by Mail* of the *Notice of Hearing* filed on 9/15/2014 shows notice to **JUAN V. BALDAZO**, spouse, was made care of another person. Pursuant to CA Rule of Court 7.51(a)(1) and (2), notice sent by mail must be mailed individually and directly to the person entitled to notice and mailing to a person in care of another person is insufficient unless the person entitled to notice is an adult and has directed the party giving notice in writing to send the notice in care of the second person. Court may require direct notice to be served to Juan V. Baldazo.

	JAMES DONALD HURLEY , Beneficiary, is Petitioner.		NEEDS/PROBLEMS/COMMENTS: Note: The J.L. Hurley Trust was previously before the Court as Case #0628416. The Court may wish to consolidate this new case #14CEPR00931 matter with the existing case, #0628416 as LEAD. 1. Need order. Local Rule 7.1.1.F.
	Petitioner states the J.L. Hurley Testamentary trust, sometimes also referred to as the J.L. Hurley Family Trust, was established by this Court's order on 4-1-76 in the matter of the Estate of J.L. Hurley, Case No. 51991.		
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	Order	x	
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	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice	Petitioner requests that: 1. The Court remove William D. Kunz as trustee of the trust; 2. The Court appoint George Hurley to serve as trustee of the trust, without bond; and 3. The Court make all further and proper orders, including any order the Court may deem necessary for preservation of the trust.	
			Reviewed by: skc Reviewed on: 11-20-14 Updates: Recommendation: File 12 – Hurley

Petition for Order Removing Trustee and Appointing Successor Trustee without Bond [Probate Code §§ 15642(a)(4); 17200(a); 17200(b)(10)]

	JAMES DONALD HURLEY , Beneficiary, is Petitioner.		NEEDS/PROBLEMS/COMMENTS: Note: The Julia Hurley Trust was previously before the Court as Case #0628415. The Court may wish to consolidate this new case #14CEPR00932 matter with the existing case, #0628415 as LEAD. 1. Need order. Local Rule 7.1.1.F.
	Petitioner states the Julia Hurley Testamentary trust was established by this Court's order on 11-27-78 in the matter of the Estate of Julia C. Hurley, Case No. 224317-8.		
	Aff.Sub.Wit.		
✓	Verified		
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	Video Receipt		
	CI Report		
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	Order	x	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice	Petitioner requests that: 4. The Court remove William D. Kunz as trustee of the trust; 5. The Court appoint George Hurley to serve as trustee of the trust, without bond; and 6. The Court make all further and proper orders, including any order the Court may deem necessary for preservation of the trust.	
			Reviewed by: skc Reviewed on: 11-20-14 Updates: Recommendation: File 13 – Hurley

14 Gerald E. Sellers Trust

Case No. 14CEPR00933

Atty Franceschini, Richard T. (of San Rafael, CA, for Susan Sellers – Beneficiary – Petitioner)
Petition to Compel Trustee to Comply with Probate Code Sections 16060 and 16061.7 to Account, for relief from Breach of Trust for Suspension of Trustee and for Removal of Trustee [Probate Code §§ 164200, 17200(b)(10)]

Gerald E. Sellers	<p>SUSAN SELLERS, Daughter and Beneficiary, is Petitioner.</p> <p>Petitioner states she is a beneficiary of the Gerald E. Sellers Trust executed by Gerald Sellers. Petitioner does not know the date of execution of the trust since she has never been sent a copy of the trust. Gerald E. Sellers died 5-27-13. Since that date, Steven E. Sellers, a resident of Clovis, CA, has been, and currently is, the trustee.</p> <p>Petitioner states the trustee has never provided Petitioner with notice required under Probate Code §16061.7, a copy of the trust instrument, or an account. On 3-12-14, not understanding the difference between a will and a trust, Petitioner requested a copy of the will via email. Petitioner again requested a copy of the will on 7-27-14. On 8-7-14, Petitioner emailed the trustee again and this time correctly requested a copy of the trust document. That day, the trustee emailed Petitioner back and alleged that she was given a copy by their father, and if she had lost the copy, to let him know.</p> <p>On 8-8-14, Petitioner emailed the trustee and informed him that neither she nor their brother Mike had a copy of the trust and requested a copy, along with a full and detailed accounting of trust assets. See attached.</p> <p>As of the date of this petition, the trustee has failed to provide Petitioner with a copy of the trust, the notice required under Probate Code §16061.7, or an accounting of trust assets.</p> <p>Petitioner states more than 16 months have passed since Gerald E. Sellers' death.</p> <p style="text-align: center;"><u>SEE PAGE 2</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need order. Local Rule 7.1.1.F.</p>				
DOD: 5-27-13						
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<table border="1" style="width: 100%;"> <tr> <td>Reviewed by: skc</td> </tr> <tr> <td>Reviewed on: 11-20-14</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 14 – Sellers</td> </tr> </table>		Reviewed by: skc	Reviewed on: 11-20-14	Updates:	Recommendation:	File 14 – Sellers
Reviewed by: skc						
Reviewed on: 11-20-14						
Updates:						
Recommendation:						
File 14 – Sellers						

Page 2

Petitioner states § 16060.7 requires that on the request of a beneficiary, the trustee shall provide the terms of the trust to the beneficiary. Further, when a revocable trust becomes irrevocable because of the death of the settlor, the trustee is required to serve notification under § 16061.7 not later than 60 days following the settlor's death. A trustee who fails to do so shall be responsible for all damages, attorney's fees, and costs caused by the failure unless the trustee makes a reasonable diligent effort to comply with that section. § 16061.9(a) and (b).

Pursuant to § 16062, the trustee shall account at least annually to each beneficiary to whom income or principal is required or authorized in the trustee's discretion to be currently distributed. Further, § 16000 puts a duty on a trustee to administer the trust according to the trust instrument. Petitioner believes the trust instrument requires annual accountings.

Petitioner is informed and believes and thereon alleges that the trustee has used trust funds for his benefit in violation of the trustee's duty not to use trust property from the trustee's own profit or for any other purpose unconnected with the trust. Petitioner alleges the trustee is in breach of his duties because he has:

- Failed for over 16 months to provide Petitioner with a copy of the trust instrument;
- Failed for over 16 months to provide Petitioner and the other beneficiaries with notice under § 16061.7;
- Failed to provide beneficiaries with an annual account as required by § 16062;
- Used trust fund for his own profit and for purposes unconnected with the trust.

Petitioner is informed and believes and thereon alleges that there has been a loss in value of the trust estate as a proximate result of Trustee's numerous breaches of trust.

Petitioner requests that:

1. **Trustee be compelled to Provide Petitioner and the other beneficiaries with a copy of the trust instrument;**
2. **Trustee be compelled to prepare and file with this Court an account of the Sellers Trust from May 29, 2013 to present;**
3. **Trustee be compelled to redress his breaches of trust by payment of money damages according to proof at trial;**
4. **Trustee be removed as trustee of the Sellers Trust;**
5. **Trustee be suspended as trustee of the Sellers Trust and the Court appoint a temporary trustee to take possession of the Trust property and administer the Trust;**
6. **The Court order such attorney fees and costs as may be allowable by law;**
7. **The Court order such other and further relief as it may deem proper.**

DOD: 02/25/10	HARRELL J. LAWSON , surviving spouse, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. The Petition does not make a statement re Petitioners length or marriage to decedent, when the property seeking to be passed with this Petition was acquired, whether the property was acquired during the marriage, were decedent and petitioner still married at the time of her death, what the nature of the property is [separate property/community property, etc.], or the percentage of property seeking to be passed [did the decedent own 100% of the property, 50%, etc.]. Need more information. 2. Need Order.
	No other proceedings.	
Cont. from	Will dated 04/09/98 devises entire estate to spouse, Harrell J. Lawson.	
Aff.Sub.Wit.		
Verified		
Inventory	Petitioner requests court confirmation that real property located at 6332 N. Sharon, Fresno, CA passes to him.	
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
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Duties/Supp		
Objections		
Video Receipt		
CI Report		
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Status Rpt		
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FTB Notice		
		Reviewed by: JF
		Reviewed on: 11/20/14
		Updates:
		Recommendation:
		File 15 – Lawson

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

DOD: 09/26/14		<p>NANCY GENTILE, daughter/named alternate Executor without bond, is Petitioner.</p> <p>Full IAEA – OK</p> <p>Will dated 06/23/06</p> <p>Residence: Fresno Publication: The Business Journal</p> <p>Estimated Value of the Estate: Personal property - \$ 5,000.00 Real property - 140,000.00 Total - \$145,000.00</p> <p>Probate Referee: STEVEN DIEBERT</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Order.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Tuesday, 05/05/15 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Tuesday, 02/02/16 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>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.</p>
Cont. from			
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		Reviewed by: JF	
		Reviewed on: 11/20/14	
		Updates:	
		Recommendation:	
		File 16 – Pfister	

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

DOD: 09/05/13		<p>CHRISTINA PERICAS and MARTIN NONINI, daughter and son, are Petitioners and request appointment as Co-Administrators with Will Annexed without bond.</p> <p>Full IAEA – OK</p> <p>All heirs waive bond</p> <p>Will dated 09/23/82</p> <p>Residence: Fresno</p> <p>Publication: The Business Journal</p> <p>Estimated Value of the Estate: Real property - \$295,000.00</p> <p>Probate Referee: STEVEN DIEBERT</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. It does not appear that the original will has been deposited with the Court. Need Original Will pursuant to Probate Code § 8200. 2. Need <i>Notice of Petition to Administer Estate</i> and Proof of Service by Mail of <i>Notice of Petition to Administer Estate</i> to all interested parties. <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Tuesday, 05/05/15 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Tuesday, 02/02/16 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>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.</p>
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<input type="checkbox"/>	Citation		
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Reviewed by: JF			
Reviewed on: 11/20/14			
Updates:			
Recommendation:			
File 17 – Nonini			

Status Hearing Re: Filing Proof of Reduced Bond

Age:		NEEDS/PROBLEMS/COMMENTS: <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>Confirmation of Bond Reduction was filed 11-10-14</p>
DOD:		
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Notice of Hrg		
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Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 11-20-14
		Updates:
		Recommendation:
		File 18 – Davis-Maynard

	On 06/03/13 JAMIE STARR HAMILTON THOMAS , beneficiary, filed a Verified Petition for (1) Removal of Trustee; (2) Accounting; (3) Surcharge; and (4) Approval of Attorney Fees. The matter was continued numerous times and a settlement conference was set for 05/12/14.	NEEDS/PROBLEMS/COMMENTS: 1. Need status update regarding settlement agreement. As of 11/20/14, nothing further has been filed in this matter.
Cont. from		
Aff.Sub.Wit.		
Verified	On 04/14/14, JAMIE STARR HAMILTON THOMAS , filed an Ex Parte Petition to Remove Gary Hamilton as Trustee and Appoint Interim Trustee Pending Final Hearing. The matter was set for hearing. Minute Order from 04/29/14 vacated the Settlement Conference set for 05/12/14 and Evidentiary hearing that was set for 06/16/14. The matter was continued and status hearings were held. On 08/21/14 the Ex Parte Petition was dismissed.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	On 10/28/14, a Settlement Conference was held. Minute Order from hearing on 10/28/14 set this matter for a status hearing and states: Also present in court is Allen Thomas. Parties engage in settlement discussions with the Court. Matter resolved. Parties agree that Gary Hamilton will resign as trustee and Bruce Bickel will be appointed as successor trustee. Parties further agree that Bruce Bickel will review the accounting prepared by the prior trustee. Bruce Bickel will be authorized to make any recommendations regarding prior actions of the trustee. Jamie Thomas will be bound by the acts of the successor trustee as set forth by the Court and Mr. Milnes will withdraw his petition. Further terms and conditions of the agreement are as set forth by the Court. Upon inquiry by the Court, each party individually agrees to the terms and conditions of the settlement. Mr. Milnes is directed to prepare the agreement by no later than 11/12/14. Mr. Pimentel will have two weeks thereafter to review and execute said agreement.	
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 11/20/14
		Updates:
		Recommendation:
		File 19 – Hamilton

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

		TEMP DENIED 10-6-14	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: A competing petition for guardianship of Mary Jane only filed by Maternal Grandmother Debra Johnson. See Page B.</p> <p>1. Petitioner states the paternal grandparents are unknown; however, no declaration of due diligence has been filed. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing <u>or</u> consent and waiver of notice <u>or</u> declarations of due diligence on: - Paternal Grandfather of AujaNeek - Paternal Grandmother of AujaNeek</p>
		SHERRELLE MOORE , Maternal Aunt, is Petitioner.	
		Father (AujaNeek): ANTHONY RENEE ROBERTS	
	Aff.Sub.Wit.	- Personally served 9-30-14	
✓	Verified	Father (Mary Jane): RALPH CONTRERAS	
	Inventory	- Deceased	
	PTC	Mother: SHANEEK S. MOORE	
	Not.Cred.	- Deceased	
✓	Notice of Hrg	Paternal Grandparents (both minors): Unknown	
	Aff.Mail	x	
	Aff.Pub.	Maternal Grandfather: Samuel Moore	
	Sp.Ntc.	- Consents and waives notice	
✓	Pers.Serv.	Maternal Grandmother: Debra Johnson	
✓	Conf. Screen	- Competing Petitioner, - Personally served 11-14-14	
✓	Letters	Minor AujaNeek Moore consents and waives notice.	
✓	Duties/Supp	Petitioner states the mother passed away 9-6-14 and the father has not been in their lives.	
	Objections	Court Investigator Charlotte Bien filed a report on 11-17-14.	
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 11-20-14
			Updates:
			Recommendation:
			File 20A – Moore & Roberts

		NO TEMP REQUESTED	NEEDS/PROBLEMS/COMMENTS:
		DEBRA D. JOHNSON , Maternal Grandmother, is Petitioner.	<p>Note: Petitioner Debra Johnson previously filed a petition for guardianship of both AujaNeek and Mary Jane on 12-3-13; however, the petition was dismissed pursuant to the Court's Minute Order of 2-3-14. This petition filed 9-24-14 is for guardianship of Mary Jane only.</p> <p>1. Maternal Grandfather Samuel Moore consented and waived notice of the competing petition for guardianship of both minors filed by Maternal Aunt Sherrelle Moore. Therefore, it appears notice is required pursuant to Probate Code §1511 regarding this petition by Maternal Grandmother Debra Johnson.</p>
		Father: RALPH CONTRERAS - Deceased	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Mother: SHANEEK S. MOORE - Deceased	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	Paternal Grandfather: Otis Jones - Deceased	
<input type="checkbox"/>	Notice of Hrg	x Paternal Grandmother: Nellie Contreras - Deceased	
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.	Maternal Grandfather: Samuel Moore - Consented to competing petition	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	Sibling AujaNeek Moore was personally served 11-15-14.	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp	Petitioner states both parents are deceased.	
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt	Court Investigator Charlotte Bien filed a report on 11-17-14.	
<input checked="" type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	Clearances		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: skc
			Reviewed on: 11-20-14
			Updates:
			Recommendation:
			File 20B – Moore & Roberts

	<p>TEMP DENIED 7-28-14, then GRANTED 11-4-14 TEMP EXPIRES 12-2-14</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p>
<p>Cont. from 091614, 110414</p>	<p>NORMA OROZCO, Maternal Grandmother, is Petitioner.</p>	<p>Minute Order 7-28-14 (Temp): The petition is denied. The general hearing remains set for 9-16-14. Toni Orozco (Mother) is ordered to be personally present on 9-16-14.</p>
<p><input type="checkbox"/> Aff.Sub.Wit.</p>	<p>Father: HECTOR ESCOBEDO - Consents and waives notice</p>	
<p><input checked="" type="checkbox"/> Verified</p>	<p>Mother: TONI OROZCO - Present at temp hearing 7-28-14</p>	<p>Minute Order 9-16-14: Mother is not to take children out of California. Mother's address and telephone number are provided. Since mother is local, Court Investigation is to now complete her report.</p>
<p><input type="checkbox"/> Inventory</p>		
<p><input type="checkbox"/> PTC</p>		
<p><input type="checkbox"/> Not.Cred.</p>	<p>Paternal Grandfather: Fernando Escobedo - Consents and waives notice</p>	
<p><input type="checkbox"/> Notice of Hrg</p>	<p>Paternal Grandmother: Elvira Escobedo - Consents and waives notice</p>	
<p><input type="checkbox"/> Aff.Mail</p>	<p>Maternal Grandfather: Antonio Orozco - Consents and waives notice</p>	
<p><input type="checkbox"/> Aff.Pub.</p>		<p>Note: DSS Social Worker Irma Ramirez filed a report on 10-28-14.</p>
<p><input type="checkbox"/> Sp.Ntc.</p>		
<p><input type="checkbox"/> Pers.Serv.</p>		
<p><input checked="" type="checkbox"/> Conf. Screen</p>	<p>Petitioner states the mother takes the children to Tijuana, Mexico to visit her husband, who was deported for DUI and domestic violence. Petitioner describes one incident where the mother's husband kicked them out and the mother had to walk back to the town on a dirt road in the middle of the night with the children. In another incident, the mother was arrested in Mexico for an unknown reason. She continues to put her daughters in danger by taking them out of the country, even when she knows DSS and CPS have cases open against her. Petitioner is very concerned for her granddaughters. She believes her daughter is mentally unfit to care for the children at this time. Petitioner also filed a declaration with additional information. Please see file for details.</p>	<p>Minute Order 11-4-14: The Court grants temporary guardianship to Norma Orozco until 12-2-14 and letters are to issue forthwith.</p>
<p><input checked="" type="checkbox"/> Letters</p>		
<p><input checked="" type="checkbox"/> Duties/Supp</p>		<p>Update: Ms. Orozco filed Consent and Waiver of Notice signed by all grandparents on 11-17-14; however, it does not appear that she requested her temporary letters at that time.</p>
<p><input type="checkbox"/> Objections</p>		
<p><input type="checkbox"/> Video Receipt</p>		
<p><input checked="" type="checkbox"/> CI Report</p>		<p>Reviewed by: skc</p>
<p><input checked="" type="checkbox"/> Clearances</p>		<p>Reviewed on: 11-19-14</p>
<p><input checked="" type="checkbox"/> Order</p>		<p>Updates:</p>
<p><input type="checkbox"/> Aff. Posting</p>		<p>Recommendation:</p>
<p><input type="checkbox"/> Status Rpt</p>		<p>File 21 - Escobedo</p>
<p><input checked="" type="checkbox"/> UCCJEA</p>		
<p><input type="checkbox"/> Citation</p>		
<p><input type="checkbox"/> FTB Notice</p>	<p>Court Investigator Charlotte Bien filed a report on 9-5-14.</p> <p>The Court Investigator filed a supplemental report on 10-22-14.</p> <p>DSS Social Worker Irma Ramirez filed a report 10-28-14. See Page 2.</p>	

Pro Per Lazzeroni, Constance (Pro Per Petitioner, maternal grandmother)
 Pro Per Lazzeroni, Mark (Pro Per Petitioner, maternal step-grandfather)

Petition for Appointment of Guardianship of the Person

Age: 5 years		<u>TEMPORARY EXPIRES 12/02/2014</u>		<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Court Investigator Julie Negrete to provide:</p> <ul style="list-style-type: none"> • CI Report • Clearances <p>Minute Order of 10/07/2014 (Judge Cardoza): Mother consents to the petition. Mother is advised that any objections to the petition are to be submitted in writing by no later than 11/03/2014. Failure to file said objections will be deemed a waiver to the petition. Any responses are to be filed by 11/21/2014.</p> <p>As of 11/20/2014 no objections have been filed.</p> <p>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:</p> <ul style="list-style-type: none"> • Breanna Griggs (Mother) <p>Note: Mother was personally served on 09/28/2014 for the hearing on the temporary guardianship</p>
		<p>CONSTANCE LAZZERONI and MARK LAZZERONI, maternal grandmother and step-grandfather, are Petitioners.</p>		
Cont. from		<p>Father: WARD PARKER; personally served 9/28/2014; consents and waives notice.</p>		
	Aff.Sub.Wit.		<p>Mother: BREANNA GRIGGS;</p>	
✓	Verified		<p>Paternal grandfather: Unknown</p>	
	Inventory		<p>Paternal grandmother: Nancy Parker; sent notice by mail 9/29/2014.</p>	
	PTC		<p>Maternal grandfather: Steven Griggs; sent notice by mail 9/29/2014.</p>	
	Not.Cred.		<p>Petitioners state the child's parents are not capable of properly caring for the child at this time, and the child had been alternating between living with her mother and the Petitioners every several days until 8/18/2014, when the Petitioners found it necessary to keep custody and control of the child. Petitioners state they have played an active role in raising the child since her birth, and recently the child began exhibiting severe signs of stress and begging the Petitioners not to return her to her mother's care. Petitioners state the mother has a long history of substance abuse, arrest and incarceration, and the house she lives in is believed to be a drug house where, according to the minor, the police visit regularly. Petitioners state the mother failed to have the child immunized and enrolled in Kindergarten, and the child had been suffering from bouts of lice the last 8 months, becoming re-infested every time she was returned to her mother's care. Petitioners state the child was born with a heart defect and requires monitoring, and Petitioners are not able to add the child to health insurance until a guardianship is in place. Petitioners state the child's father has not participated regularly in the child's life for more than a year.</p>	
✓	Notice of Hrg			
✓	Aff.Mail	W/		
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report	X		
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: LV				
Reviewed on: 11/20/2014				
Updates:				
Recommendation:				
File 22 - Parker				

		TEMP EXPIRES 12-2-14	NEEDS/PROBLEMS/COMMENTS:
		RAMONA ESTHER RUBIO , Maternal Grandmother, is Petitioner.	1. If notice to the paternal grandparents is not also dispensed, need notice pursuant to Probate Code §1511.
		Father: GILBERT SEBASTIAN PEREZ - Declaration of Due Diligence filed 9-30-14 - Notice dispensed per Minute Order 10-8-14	
	<input type="checkbox"/> Aff.Sub.Wit.		
	<input checked="" type="checkbox"/> Verified		
	<input type="checkbox"/> Inventory		
	<input type="checkbox"/> PTC	Mother: DENISE V. TOBON - Consents and waives notice	
	<input type="checkbox"/> Not.Cred.		
	<input type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/> x Paternal Grandparents: Not listed	
	<input type="checkbox"/> Aff.Mail	Maternal Grandfather: Not listed	
	<input type="checkbox"/> Aff.Pub.	<i>Both minors consent and waive notice.</i>	
	<input type="checkbox"/> Sp.Ntc.		
	<input type="checkbox"/> Pers.Serv.	Petitioner states CPS recommended guardianship because the mother has failed to comply with CPS Action Plan to test for drugs with the probation office.	
	<input checked="" type="checkbox"/> Conf. Screen		
	<input checked="" type="checkbox"/> Letters		
	<input checked="" type="checkbox"/> Duties/Supp		
	<input type="checkbox"/> Objections	Court Investigator Dina Calvillo filed a report on 11-19-14.	
	<input type="checkbox"/> Video Receipt		
	<input checked="" type="checkbox"/> CI Report		
	<input checked="" type="checkbox"/> Clearances		
	<input type="checkbox"/> Order		
	<input type="checkbox"/> Aff. Posting		
	<input type="checkbox"/> Status Rpt		
	<input checked="" type="checkbox"/> UCCJEA		
	<input type="checkbox"/> Citation		
	<input type="checkbox"/> FTB Notice		
			Reviewed by: skc
			Reviewed on: 11-20-14
			Updates:
			Recommendation:
			File 23 – Tobon

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

Age: 12		<p align="center"><u>NO TEMPORARY REQUESTED</u></p> <p>RACHEL RAYENETTE RODRIGUEZ and RAYMUNDO RODRIGUEZ, non-relatives, are Petitioners.</p> <p>Father: LUCAS JUAREZ – Consent & Waiver of Notice filed 09/29/14</p> <p>Mother: TANYA LAZCANO – Consent & Waiver of Notice filed 09/29/14</p> <p>Paternal grandparents: NOT LISTED (LIVE IN MEXICO)</p> <p>Maternal grandfather: DECEASED Maternal grandmother: CINDY B.</p> <p>Petitioners state that they have been raising Cebera since she was 6 months old. Petitioners state that the mother uses drugs and the father has not seen Cebera for at least 6 years. The father has recently made contact with Petitioners and wants to see Cebera.</p> <p>Court Investigator Samantha Henson filed a report on – NEED REPORT.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service by mail of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person at least 15 days before the hearing <u>or</u> Declaration of Due Diligence <u>or</u> Consent & Waiver of Notice for: <ol style="list-style-type: none"> a. Paternal grandparents b. Cindy B (maternal grandmother) 	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			x
<input type="checkbox"/>	Aff.Mail			x
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			n/a
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			x
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
<p>Reviewed by: JF</p> <p>Reviewed on: 11/20/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 24 – Cebera</p>				

Probate Status Hearing Re: Filing Bond

Age: 72	KIRK WORTHAN, friend, was appointed Successor Conservator of the Person and Estate with bond set at \$85,000.00 on 09/23/14.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 111814	Minute Order from 09/23/14 set this matter for status regarding filing of the bond.	<p>CONTINUED FROM 11/18/14 Minute Order from 11/18/14 states: Mr. Worthan represents that he provided additional information to the bonding company today and should have an answer later today. If proof of bond is filed by 11/26/14 then no appearance is necessary on 12/02/14.</p> <p>1. Need bond in the amount of \$85,000.00.</p> <p>Note: a Hearing is currently set on 01/27/15 for filing of the Final Account of former Conservator.</p>
Aff.Sub.Wit.		
Verified	Letters of Conservatorship have not issued to Mr. Worthan.	
Inventory		
PTC	<p>Status Report of Court Appointed Counsel for Conservatee filed 11/17/14 states: Due to misunderstanding as to the time frame and some failure in communication, matters have not been moving forward as expeditiously as expected. Mr. Worthan misunderstood the time frame in which he needed to obtain a bond, however, he now expects to have a bond in place in the next few days.</p>	
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 11/19/14
		Updates:
		Recommendation:
		File 25 – Klein