

1 Manuel C Rodriguez (Estate) Case No. 05CEPR01418

Attorney Mortimer, Steven R (for Rogue Rodriguez – Administrator)

Probate Status Hearing Re: Filing First Account/Petition for Final Distribution

	ROQUE RODRIGUEZ., son, appointed administrator with full IAEA authority with bond set at \$22,500.00 on 03/07/2006.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR</u> <u>First Account and Final Distribution filed 11/17/2015.</u> <u>Hearing set for 01/20/2016.</u></p> <p>1. Need First Account/and or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
	Letters issued on 03/16/2006.	
Cont. from 110515		
Aff.Sub.Wit.		
Verified	Inventory and Appraisal filed 03/16/2006 shows an estate valued at \$22,500.00 consisting of real property.	
Inventory		
PTC		
Not.Cred.	Order Confirming Sale of Real Property filed 08/06/2015.	
Notice of Hrg		
Aff.Mail	Minute Order of 08/06/2015 set this Status Hearing for the filing of the First Account/Petition for Final Distribution.	
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 on: 11/03/2015
		Updates:
		Recommendation:
		File 1 – Rodriguez

**Second Amended First and Final Account and Report of Administrator,
and Petition to set Aside Exempt Personal Property to Surviving Spouse,
for Payment of Statutory and Extraordinary Fees and for Final Distribution**

DOD: 9/18/2007	LAURA DOZIER , surviving spouse/Administrator, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Petition states the real property on South Cornelia was a single family residence, having been acquired by the decedent prior to his marriage (in April of 2006) to petitioner. Following the decedent's death, Petitioner continued to reside in the home with her sons, and over the next fifteen months paid the mortgage, taxes and insurance on the property. Petitioner was unable to continue to make the payments and as a result the home was foreclosed upon. Petitioner is requesting reimbursement of \$25,050.00 for paying the mortgage from her personal funds. The petitioner and her sons received a benefit from living in the estate property. It appears that the payments towards the mortgage could be considered rents for living in the estate's real property and therefore may not be reimbursable.</p>
	Account period: 2/4/2008 – 6/30/2015	
Cont. from	Accounting - \$652,005.95	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH - \$650,750.00	
<input checked="" type="checkbox"/> Verified	Ending POH - \$101,040.89 (\$96,040.89 is cash)	
<input checked="" type="checkbox"/> Inventory	Administrator (statutory) - \$10,650.07	
<input checked="" type="checkbox"/> PTC	Administrator X/O - \$1,000.00 (for sale of real property)	
<input checked="" type="checkbox"/> Not.Cred.	Administrator Reimbursement of Expenses - \$53,238.09 (\$17,480.00 has already been paid leaving a balance of \$35,758.09)	
<input checked="" type="checkbox"/> Notice of Hrg	Attorney (statutory) - \$10,650.07	
<input checked="" type="checkbox"/> Aff.Mail W/	Attorney X/O - \$1,000.00 (for sale of real property)	
<input type="checkbox"/> Aff.Pub.	Costs - \$460.50 (filing fee, certified copies)	
<input type="checkbox"/> Sp.Ntc.	Fresno County Federal Credit Union (creditor's Claim) - \$36,522.16	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters 2/4/08		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		

Please see additional page

Reviewed by: KT

Reviewed on: 12/1/15

Updates:

Recommendation:

File 3 – Dozier

Petitioner states certain assets that were decedent's separate property constitute exempt personal property eligible to be set aside to the surviving spouse pursuant to Probate Code §6510. Petitioner requests the court set aside the following personal property

- 2005 KTM Motorcycle (appraised value \$2,500.00)
- 2005 Honda ATV (appraised value \$2,500.00)

Petitioner alleges prior to his death, the decedent had given the motorcycle to Petitioner's son, Chris Johnson. Although the motorcycle had been given to Chris, title remained in the name of the decedent. Petitioner requests the court set aside the motorcycle to Petitioner (and Petitioner will confirm transfer to her son, Chris). In the alternative, Petitioner requests that the court confirm the gift of the motorcycle made prior to the decedent's death.

Petitioner states as surviving spouse she is entitled to have personal property set aside to her, in the Court's discretion, and requests the court exercise its discretion accordingly. Petitioner likewise requests that the Honda ATV be set aside to her as well. Petitioner believes that the value of the motorcycle and the ATV is presently less than the appraised value.

Petitioner states she has paid from her personal funds various expenses, including funeral expenses, license fees, taxes, administration expenses and payments on the loan for the residence. The total paid by petitioner is the sum of \$53,238.09. Petitioner reimbursed herself the sum of \$17,480.00, leaving a balance owing to petitioner of \$35,758.09. Petitioner states she should be able to reimburse herself the sums advanced in the administration of the estate.

Proposed distribution is to:

Laura Dozier -	\$11.08
Sandra Dozier -	\$11.08

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

Attorney Fanucchi, Edward L. (for Wanda Foster – Administrator)

Probate Status Hearing Re: Filing First Account and or Final Distribution

DOD: 12/12/2006	WANDA FOSTER , was appointed Successor Administrator with limited authority and bond set at \$245,700.00 on 10/22/2014.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need First Account or Petition for Final Distribution.</p>
	Ex Parte Order Reducing Bond of \$245,700.00 to \$101,635.00 was filed 12/18/2014.	
Cont. from	Receipt of bond filed 02/04/2015.	
Aff.Sub.Wit.	Letters issued on 03/10/2015.	
Verified	Final Inventory and Appraisal filed 12/12/2014 shows an estate valued at \$102,700.00.	
Inventory	Minute Order of 10/22/2014 set this Status Hearing for the filing of the Petition for First Account and/or Final Distribution.	
PTC	Status Report filed 11/25/2015 states on 11/24/2015, Attorney Fanucchi met with the Successor Administrator to discuss the distribution of the estate and the necessity of dealing with the Estate of Queen Jefferson, the decedent's surviving spouse, now deceased. It was determined that it will be necessary to begin proceeding for the estate of Queen Jefferson in order to petition for distribution of estate assets from the estate of Charles Lee Jefferson to the estate of Queen Jefferson. Therefore, it is respectfully requested that this matter be continued for a period of 60 days to allow the Successor Administrator and her attorneys the necessary time to complete the final account and to work on the estate plan for the decedent's surviving spouse.	
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: LV
		Reviewed on: 11/24/2015
		Updates: 11/30/2015
		Recommendation:
		File 4 – Jefferson

5 Emma L. Dibble and Aiden J. Dibble (GUARD/P) Case No. 08CEPR00980

Petitioner Dibble, Jessica (Pro Per – Mother)

Petition for Visitation

Emma Age: 10		JESSICA DIBBLE , mother, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
Aiden Age: 9		STACIE CAMPBELL , was appointed guardianship on 01/14/2009.	
Cont. from		Father: JARVIS LAMBORN, Jr.	
<input type="checkbox"/> Aff.Sub.Wit.		Paternal Grandfather: Jarvis Lamborn Sr.	
<input checked="" type="checkbox"/> Verified		Paternal Grandmother: Rita Lamborn	
<input type="checkbox"/> Inventory		Maternal Grandfather: Tim Dibble	
<input type="checkbox"/> PTC		Maternal Grandmother: Anna George	
<input type="checkbox"/> Not.Cred.		Petitioner states: she gave her sister guardianship approximately four years ago. About a year and a half ago she stopped giving the mother visits with her children. Petitioner states she is now in a Christian Recovery home in Visalia and is asking for visitation from 1 to 4 Sundays a month from 1pm to 5pm at the Recovery facility, supervised by the head staff Brother Art Luna. Petitioner states she will also have a pass on Christmas and would like to have some time with the children. Her pass is from Dec. 24 to Dec. 26. Petitioner states the easiest form of communication in recovery is mail and asks that the children be allowed to send and receive letters from the petitioner.	
<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.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters			
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input type="checkbox"/> Order	n/a		
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: LV
			Reviewed on: 11/24/2015
			Updates: 12/02/2015
			Recommendation:
			File 5 – Dibble

DOD: 8/15/13		<p>ALBERT FRANCO, Son and Co-Conservator, is Petitioner.</p> <p>Petitioner states that after their mother's death, Co-Conservator Patricia Leonard wanted him to take care of everything. He took over paying all bills for their mother's house in Fresno and has been dealing with this conservatorship. Ms. Leonard will not appear regarding this matter and when this conservatorship is dissolved, Petitioner will be the one to petition the court for the probate estate.</p> <p>Account period: 6/1/12 – 8/31/13 Accounting: \$121,910.31 / \$122,070.50 (Accounting does not balance) Beginning POH: \$92,518.86 Ending POH: \$90,639.43 (\$639.43 cash plus non-cash assets including real and personal property)</p> <p>Petitioner states the estate could not afford the cost of an accountant as noted to this court and the prior court. Petitioner has provided the bank statements.</p> <p>Petitioner waives compensation.</p> <p>Petitioner states the conservators had on file a bond totaling \$181,280.00. After the prior accounting, the court stated the bond was no longer necessary and it was canceled.</p> <p>Petitioner prays for an order that:</p> <ol style="list-style-type: none"> 1. Notice of hearing on this account, report and petition be given as required by law; 2. The Court make an order approving, allowing and settling the attached account and report of the Co-Conservators as filed; 3. Further, due to the fact that the Conservatee died on 8/15/13, that the Court order this Conservatorship closed and dismissed. 	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>OFF CALENDAR Amended Third Account filed 12/2/15 is set for hearing on 1/27/16.</p> <p>Minute Order 10/15/15: Petitioner is informed that an amended petition needs to be filed. If filed two days prior to the hearing, no appearance is needed.</p> <p>As of 11/24/15, nothing further has been filed.</p> <p><u>SEE ADDITIONAL PAGES</u></p>
Cont. from 091715, 101515			
<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		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: skc</p> <p>Reviewed on: 11/24/15</p> <p>Updates: 12/2/15</p> <p>Recommendation: File 6 – Kozera</p>	

Page 2 – NEEDS/PROBLEMS/COMMENTS:

1. Need amended accounting due to, but not necessarily limited to, the following issues:
 - Account does not balance. Charges and Credits should match.
 - Beginning Property On Hand does not correspond to the Ending Property On Hand figure from the Second Accounting.
 - Need mandatory schedules, including summary, receipts, disbursements, etc.
 - The Conservatee passed away 8/15/13. Therefore, this should be a third and final account, containing two account periods: one for the period until her death, and one for the subsequent period after her death. See Probate Code §2620(b).
 - Petitioner requests termination of the conservatorship, but does not request distribution of the assets or indicate whether an estate has been opened.
2. The Court may require the participation and verification of this account by Co-Conservator Patricia Leonard, as she has not formally been removed Co-Conservator.
3. Petitioner states the bond was canceled after the prior accounting because the court said bond was no longer necessary; however, the Order on Second Account filed 2/21/13 states the current bond of \$181,280.00 is sufficient. It does not cancel bond. Need clarification regarding the status of the bond.
4. Need Notice of Hearing.
5. Need proof of service of Notice of Hearing on all relatives at least 15 days prior to the hearing pursuant to Probate Code §§ 2621, 1460(b)(6).
6. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1252 on Attorney Leigh W. Burnside due to the Request for Special Notice filed 8/25/11.
7. Petitioner's Declaration re bank statements states that the conservatorship technically stopped when the Conservatee died and the probate estate started, and he will account for and deal with the probate estate assets when he files the probate case. He and his sister are the only heirs.

The above statement is not a correct representation of how to deal with the transition from conservatorship estate to probate estate. See above #1, and also Probate Code §§ 2620(b) and 2630 with regard to accounting for the period subsequent to the conservatee's death. Petitioner may wish to seek legal advice from an attorney regarding how to proceed.

7 Randi Taylour Robinson-Cervantes (GUARD/PE) Case No. 10CEPR00724

Attorney Kruthers, Heather H. (for Public Guardian – Guardian of the Estate)

Second Account Current and Report of Successor Guardian and Petition for Allowance

	PUBLIC GUARDIAN , Guardian of the Estate, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Elena K. Pena, Sister, is Guardian of the Person of Randi Taylour Robinson-Cervantes.</p> <p style="text-align: center;"><u>SEE PAGE 2</u></p>	
	Account period: 6/12/13 – 6/30/15		
	Accounting: \$258,934.98		
	Beginning POH: \$246,598.13		
	Ending POH: \$237,588.95		
	(\$31,906.47 cash plus an investment account)		
	Public Guardian: \$1,362.00		
	(for 3.50 Deputy hours @ \$96/hr and 13.50 staff hours @ \$76/hr, itemized at Exhibit B. Services include contact with annuity re distribution, contact with Ms. Pena re trip to Texas, consult with attorney re purchasing a vehicle) (See #2.)		
	Attorney: \$1,250.00		
	(less than local rule)		
	Bond fee: \$1,187.96		
	Petitioner prays for an order:		
	1. Approving, allowing and settling the account as filed;		
	2. Authorizing the Public Guardian's and Attorney's fees and commissions;		
	3. Payment of the bond fee; and		
	4. Other relief be granted that the Court considers proper.		
			<p>Reviewed by: skc</p> <p>Reviewed on: 11/24/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 – Cervantes</p>
<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 checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

1. On 10/1/12, the Court authorized \$300/month for Ms. Pena for care of the minor. Disbursements Schedule indicates an increase to \$350/month in May 2014; however, Examiner is unable to locate an order authorizing this increase. The timing coincides with the authorization to purchase a vehicle, but the petition and order do not address increase. Need clarification.
2. On 4/23/15, the Court authorized investment of the minor's assets instead of holding the minor's funds in the Public Guardian's pooled trust account. This petition indicates gains of \$28.32 and losses of \$5,152.42 in the investment account, plus money management fees totaling \$1,437.91 for this account period. The Court may require clarification with reference to the best interest of the minor.
3. Also on 4/23/14, the Court authorized the Public Guardian to spend up to \$20,000.00 to purchase a vehicle to be used for the minor's benefit; however, it does not appear that any vehicle was purchased during this account period. The Court may require an update on the minor's situation.
4. Exhibit B indicates an estimated 13 Staff hours @ \$76/hr for preparation of the statement of services. Is this a typo? If so, need recalculation of fees. If not, the Court may require itemization. (Note: For example, for the first account, this task was estimated at 1.5 hours.)

Note: If granted, the Court will set a status hearing for the filing of the next account as follows:

- **Thursday, Sept. 1, 2016, if a one-year account is required; or**
- **Thursday, Aug. 31, 2017 if a two-year account is required.**

First and Final Report of Administrator on Waiver of Account and Petition for Final Distribution

DOD: 03/22/10	JOE GARCIA, II , Administrator, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 10/22/15 Minute Order from 10/22/15 states: The Petitioner might be allowed to make monthly payments on fees; the Court will inquire more on the issue.</p> <p>1. Petitioner opened this matter with a fee waiver; filing fees are a cost of administration. Petitioner and others are receiving property from the estate, therefore filing fees are due as follows:</p> <ul style="list-style-type: none"> • Petition for Probate, filed 02/07/12 - \$395.00 • Petition to Approve Settlement Agreement, filed 09/09/14 - \$435.00 • Petition for Final Distribution, filed 09/11/15 - \$435.00 <p>Total filing fees due: \$1,265.00</p>	
	Accounting is waived.		
Cont. from 102215	I & A - \$120,000.00		
<input type="checkbox"/> Aff.Sub.Wit.	POH - \$120,000.00 (no cash)		
<input checked="" type="checkbox"/> Verified			
<input checked="" type="checkbox"/> Inventory	Administrator - waived		
<input checked="" type="checkbox"/> PTC			
<input checked="" type="checkbox"/> Not.Cred.	Attorney - waived		
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	Distribution, pursuant to intestate succession, and the disclaimer/assignment of Joe Garcia, Sr., is to:		
<input type="checkbox"/> Aff.Pub.	Joe Garcia, II- 1/3 interest in real property as tenant in common		
<input type="checkbox"/> Sp.Ntc.	Crystal Garcia - 1/3 interest in real property as tenant in common		
<input type="checkbox"/> Pers.Serv.	Fernando Garcia - 1/3 interest in real property as tenant in common		
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters 03/22/12			
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input checked="" type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input checked="" type="checkbox"/> FTB Notice			
			Reviewed by: JF
			Reviewed on: 11/23/15
		Updates:	
		Recommendation:	
		File 8 - Garcia	

Petitioner Genia Kay Cherry (Pro Per)

Petition for Visitation

		GENIA KAY CHERRY, mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: CONTINUED TO 2/4/2016 Per Petitioner's request
		JOSEPHINE M. LONGORIA-CONTENTE, paternal grandmother, was appointed Guardian on 6/5/2013.	
Cont. from			<ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Pursuant to Probate Code §§ 1460 and 1511, need proof of 15 days' service prior to the hearing of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Visitation</i> or <i>Consent and Waiver of Notice</i>, or <i>Declaration of Due Diligence</i>, for: <ul style="list-style-type: none"> • Josephine Longoria-Contente, Guardian.
<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.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order	X	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 11/25/15
			Updates: 12/1/15
			Recommendation:
			File 9 – Bell

Probate Status Hearing RE: Visitation

	EVONISHA SMITH , mother, petitioned the court to terminate the guardianship (please see page 10A).	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 8/20/15. Minute order states the court orders visitation increased to every other weekend, beginning 8/25/15, from Friday at 2 p.m. thru Sunday at 2 p.m. Parties are to meet in Bakersfield at the bus depot to exchange the minor. The Court orders the Court Investigator to re-interview each party in November as to the status of the visits and to make an updated recommendation to the Court with regards to the issue of termination.</p>
	ADRIANA BREWER , non-relative, was appointed guardian on 9/11/14. – present in court on 4/23/15.	
Cont. from 082015		
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		
	<p>Minute order dated 4/23/15 states the Court states its intent to give Ms. Smith the opportunity to establish more regular and frequent visitation. The Court orders visitation for Ms. Smith on the first weekend of the month, from Friday at 1 p.m. thru Sunday at 1 p.m. Ms. Smith is to pick the minor up at Adriana Brewer's home, and Ms. Brewer is to pick the minor up from Ms. Smith's home. Parties may mutually agree to an alternative weekend and are admonished to obey these orders.</p> <p>Declaration of Evoniesah Smith filed on 7/31/15 states she has done all her visits with her daughter like the judge order her to. She has attached proof of the visits and pictures of Kylie with her brother, sisters and mother.</p>	
		Reviewed by: KT
		Reviewed on: 11/30/15
		Updates:
		Recommendation:
		File 10B – Smith

11 Keith Allan Rudd Special Needs Trust (SNT) Case No. 14CEPR00509

Attorney Matlak, Steven M. (for Stanley David Rudd & Suzanne M. Rudd – Co-Trustees)

Probate Status Hearing Re: Filing of the First Account

Age: 42 years	STANLEY D. RUDD and SUZANNE M. RUDD , parents were appointed Co-Trustees with bond set at \$123,310.00.	NEEDS/PROBLEMS/COMMENTS:
	Receipt of Bond filed on 10/16/2014 in the amount of \$123,310.00.	<u>OFF CALENDAR.</u>
Cont. from	Minute Order of 09/25/2014 set this Status Hearing for the filing of the First Account.	<u>Petition for Settlement of First Account filed 12/01/2015. Hearing is set for 01/26/2016.</u>
<input type="checkbox"/> Aff.Sub.Wit.		<ol style="list-style-type: none"> 1. Need First Account 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.
<input type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202 Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LV
		Reviewed on: 11/30/2015
		Updates: 12/01/2015
		Recommendation:
		File 11 – Rudd

12 Barber L. Mardis (CONS/PE) Case No. 14CEPR00530

Attorney Bagdasarian, Gary G. (for Sharon Shrives – Conservator)

Probate Status Hearing Re: Filing of the First Account

Age: 82	<p>SHARON SHRIVES, was appointed Conservator of the Person and of the Estate on 09/25/2014 with bond set at \$40,000.00.</p> <p>Letters issued on 09/25/2014.</p> <p>Final Inventory and Appraisal filed 03/05/2015 showing and estate valued at \$10,072.48.</p> <p>Minute Order of 09/25/2014 set this Status Hearing for the filing of the First Account.</p>	NEEDS/PROBLEMS/COMMENTS:
		<p>1. Need Inventory and Appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 11/24/2015
		Updates:
		Recommendation:
		File 12 – Mardis

13 Fred Rowley (Estate) Case No. 14CEPR00742

Attorney Shepard, Jeff S. (for Raynette Grant – Executor)

Probate Status Hearing RE: Filing of the First Account

DOD: 4/14/2014	<p>RAYNETTE GRANT, Sister, was appointed Executor with Full IAEA with bond of \$60,000.00 on 9-25-14.</p> <p>Letters issued 10-16-14.</p> <p>Final Inventory & Appraisal filed 02/05/2015 shows an estate valued at \$113,395.69.</p> <p>Receipt of Bond Increase to \$113,500.00 filed 04/13/2015.</p> <p>Minute Order of 09/25/2015 set this Status Hearing for the filing of the First Account.</p> <p>Status Report filed by Attorney Jeff Shepard filed 11/24/2015 states the personal property was sold at auction; the proceeds were deposited into the estate account and used for payment of outstanding creditor's claims; a first account and report are being prepared and will be filed as soon as completed. All creditors claims have been paid however, all satisfactions of claims have not been returned. The estate is not in a condition to be closed. The decedent owned a 40% interest in a condominium. The real property has been listed for sale and no offers have been received. The property has been listed for sale since 08/04/2015, with Guarantee Real Estate starting at a price of \$185,000.00 for one hundred percent of the condominium, works out to \$74,000.00. The price has been dropped twice and is now at \$179,000.00; it will be dropped again upon the advice of the real estate professional who is helping with the sale. The decedent's 40% interest in the condominium was appraised at \$68,000.00. The decedent's will requires for distribution of proceeds of sales, the estate cannot be closed and distributed until the real property in which he had a 40% interest has been sold.</p>	NEEDS/PROBLEMS/COMMENTS:
		1. Need First Account or Petition for Final Distribution.
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 11/24/2015
		Updates: 11/30/2015
		Recommendation:
		File 13 – Rowley

First Account and Report of Conservator of the Person and Estate and Petition for Allowance of Fees to Conservator and Attorneys for Conservator and Reimbursement of Costs and Expenses

		<p>TIMOTHY WARREN FLETCHER, Son and Conservator of the Person and Estate, is Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
		<p>Current bond is \$250,000.00; portion held in blocked account(s). Bond is sufficient.</p>	
	Aff.Sub.Wit.	<p>Account period: 12/15/14 – 9/30/15</p>	
✓	Verified		
✓	Inventory	Accounting: \$312,758.94	
	PTC	Beginning POH: \$295,383.37	
	Not.Cred.	Ending POH: \$273,410.38	<p>(\$142,160.38 cash plus investment account)</p>
✓	Notice of Hrg	<p>Conservator: \$4,875.00 for 97.50 hours @ \$50/hr, for services including shopping and purchasing necessities, meeting with the attorney, paperwork, paying bills, travel to attorney's office to deliver statements, taking Conservatee to appointments, etc.</p>	
✓	Aff.Mail	<p>Petitioner states the Oregon Court had previously approved a rate of \$50/hr, which is less than the Public Guardian's office charges; therefore, Petitioner believes this is a reasonable rate. See Declaration for details.</p>	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters	<p>Attorney: \$8,661.00 (for 20.1 attorney hours @ \$325/hr and 19.35 paralegal hours @ \$110/hr for services including advice and counsel re conservatorship in California, pleadings, bond applications, appearance at hearings. See Declaration for details.</p>	
	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report	<p>Costs: \$2,259.25 (filing, certified copies, bond premium)</p>	
✓	2620(c)		
✓	Order	<p>Petitioner prays for an order:</p>	
	Aff. Posting	<ol style="list-style-type: none"> 1. Approving, allowing, and settling the attached account and report of conservator as filed; 2. Authorizing the conservator and attorney fees, commissions, and costs; and 3. Other relief as the Court considers proper. 	
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			<p>Reviewed by: skc</p>
			<p>Reviewed on: 11/24/15</p>
			<p>Updates:</p>
			<p>Recommendation:</p>
			<p>File 14 – Pace</p>

Report of Sale and Petition for Order Confirming Sale of Real Property (Prob. Code §10308)

DOD: 6/12/94	JESUS M. MEJIA , Administrator with Limited IAEA without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If granted, the Court will set a status hearing for the filing of the receipt for blocked account for Thursday, January 20, 2016.</p>
	Sale price: \$60,000.00	
	Overbid: \$63,500.00	
	Reappraisal: \$60,000.00	
<input type="checkbox"/> Aff.Sub.Wit.	Property: 4067 N. Duke Ave. Fresno, CA 93727	
<input checked="" type="checkbox"/> Verified	Publication: Business Journal	
<input checked="" type="checkbox"/> Inventory	Buyer: Cruzin' Properties, LLC	
<input checked="" type="checkbox"/> PTC	Broker: 6% or \$3,600.00 to RE/Max Advantage Plus	
<input type="checkbox"/> Not.Cred.	Petitioner states the property is in extremely poor condition; consequently, a buyer was obtained willing to purchase on an "as is" basis at the appraised value. See Bid for Purchase of Real Property at Private Sale and Acceptance (Sales Agreement) filed 11/2/15.	
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner requests to deposit proceeds into a blocked account at California Bank and Trust.	
<input checked="" type="checkbox"/> Aff.Mail		
<input checked="" type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input checked="" type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 11/25/15
		Updates:
		Recommendation:
		File 15 – Mejia

Attorney Michael D. Dowling (for Petitioner Rev. Msgr. Michael R. Braun)

Petition for Settlement of First and Final Account and for Final Distribution, for Allowance of Compensation for Ordinary Services of Executor, and for Allowance of Ordinary and Extraordinary Attorney's Fees and Reimbursement of Advanced Costs

DOD: 9/5/2014		REV. MSGR. MICHAEL R. BRAUN , friend and Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 9/5/2014 – 8/31/2015	
Cont. from		Accounting - \$624,107.56	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$600,201.41	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$502,364.98 <i>(\$502,361.67 is cash; \$3.31 stock)</i>	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Executor - \$15,546.10 <i>(statutory)</i>	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Attorney - \$15,546.10 <i>(statutory)</i>	
<input checked="" type="checkbox"/>	Aff.Mail	Attorney XO - \$1,069.00 <i>(per itemization at Exhibit B, for .50 attorney hours @ \$430.00/hour and 6.10 paralegal hours @ \$140.00/hour, for services rendered to ascertain beneficiaries of assets outside of probate and facilitate their transfer;)</i>	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters 120814	Costs - \$530.00 <i>(filing fees, certified copies)</i>	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt	Closing - \$4,500.00 <i>(closing expenses and for any liabilities determined to be due;)</i>	
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202	Distribution is pursuant to Decedent's Will.	
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 11/25/15
			Updates:
			Recommendation:
			File 16 – Logan

Report of Executor and Petition for Its Settlement on Waiver of Account and for Final Distribution

DOD: 1/9/15		<p>MIKE PESTORICH, Nephew and Administrator with Will Annexed with Full IAEA without bond, is Petitioner.</p> <p>Accounting is waived</p> <p>I&A: \$980,493.68 POH: \$377,785.16 plus an IRA account and an investment account</p> <p>Administrator waives compensation</p> <p>Attorney: \$17,000.00 (less than statutory)</p> <p>Costs: \$2,687.56 (filing, publication, certified letters, appraisal)</p> <p>Closing: \$4,000.00</p> <p>Distribution pursuant to the decedent's will and disclaimer filed 10/15/15:</p> <p>Mike Pestorich: \$88,524.40 plus a 25% interest in personal property and investment accounts</p> <p>John Pestorich: 25% \$88,524.40 plus a 25% interest in personal property and investment accounts</p> <p>Robert Milovich: 25% \$88,524.40 plus a 25% interest in personal property and investment accounts</p> <p>Marianne Eisner: 25% \$88,524.40 plus a 25% interest in personal property and investment accounts</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input checked="" type="checkbox"/>	PTC			
<input checked="" type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input checked="" type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input checked="" type="checkbox"/>	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 11/25/15	
			Updates: 12/2/15	
			Recommendation: SUBMITTED	
			File 17 – Kurtovich	

18A Guillermina Conde (CONS/E) Case No. 15CEPR00307

Petitioner Jackson, Martha (Pro Per – Conservator)

Probate Status Hearing Re: Filing of the Inventory and Appraisal

Age: 69	<p>MARTHA JACKSON, Daughter, was appointed Conservator of the Estate only, without bond and all funds to be placed in a blocked account, on 06/30/2015.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>18B is the Order to Show Cause set per minute order of 10/22/2015.</p> <p>Minute Order of 10/22/2015: Martha Jackson is ORDERED TO PERSONALLY APPEAR or APPEAR by CourtCall on 12/03/2015 at 9:00am to show cause as to why she should not be removed as Conservator for not filing an Inventory and Appraisal.</p> <p>1. Need Inventory and Appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
	Letters issued on 07/02/2015.	
Cont. from 102215	<p>Notice of Status of Hearing for the filing of the Inventory and Appraisal was filed on 07/31/2015 and set this status hearing.</p>	
Aff.Sub.Wit.		
Verified	<p>Notice of Status of Hearing was mailed to Martha Jackson on 07/31/2015.</p>	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 11/24/2015
		Updates:
		Recommendation:
		File 18A – Conde

DOD: 7/25/14		<p>ANITA MARIE FERGUSON, named executor without bond with bond of \$39,000.00 (bond filed 11/25/15), is Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 10/22/15: Notice has to be given to Anne Cortez. 12/3/15 will be the last continuance.</p> <p>Update: Bond of \$39,000.00 was filed 11/25/15.</p> <p>The following issue now exists:</p> <p>1. Notice to Ann Cortez was mailed on 11/23/15, which is only 10 days prior to the hearing. 15 days' notice is required by Probate Code §8110.</p> <p>Note: This case was opened with a fee waiver. Please note that upon distribution, all Court filing fees will be due.</p> <p>Note: If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> Thursday, May 5, 2016 for filing the Inventory and Appraisal Thursday, Feb. 2, 2017 for filing the first account or petition for final distribution <p>If the proper items are on file per Local Rule 7.5, the status hearings may come off calendar.</p>
<p>Cont from 050715, 061815, 081315, 092415, 102215</p>			
<input checked="" type="checkbox"/>	Aff.Sub.Wit.	Full IAEA – ok	
<input checked="" type="checkbox"/>	Verified	Will dated 3/14/04	
	Inventory	Residence: Fresno Publication: Fresno Bee	
	PTC	Estimated value of estate:	
	Not.Cred.	Personal property: \$8,000.00	
	Notice of Hrg	Real property: \$31,000.00 (\$55,000.00 encumbered for \$24,000.00)	
	Aff.Mail	Probate Referee: Steven Diebert	
<input checked="" type="checkbox"/>	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: skc	
		Reviewed on: 11/24/15	
		Updates: 11/30/15	
		Recommendation:	
		File 19 - Flemming	

Petition for Letters of Administration. Authorization to Administer under the Independent Administration of Estates Act

DOD: 3/1/13	ANDY MUIR , son, is petitioner and requests appointment as Administrator without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Please see related case on page 29. It appears that if the petition on page 29 is granted petitioner will request this matter be dismissed.</p> <p>Continued from 11/10/15. As of 11/30/15 the following issues remain:</p> <ol style="list-style-type: none"> 1. Need Waiver of Bond from beneficiary, Lori Muir-Gutierrez, <u>or</u> Limited IAEA <u>or</u> bond set at \$320,000.00 2. Proposed personal representative is a resident of Washington. Probate Code 8571 states notwithstanding a waiver of bond, the court in its discretion may require a nonresident personal representative to give a bond in an amount determined by the court. <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Wednesday, January 20, 2016 at 9:00 a.m. in Department 303, for the filing of the bond, if required. • Wednesday, May 25, 2016 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. • Wednesday, March 1, 2017 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the</p>
	Full IAEA – o.k.	
	Decedent died intestate.	
Cont. from 070115, 081115, 111015	Residence: Fresno Publication: Fresno Business Journal	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Estimated value of the estate: Real property- \$320,000.00	
<input type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input checked="" type="checkbox"/> Aff.Pub.	Probate Referee: Steven Diebert	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	Report of Status of Administration filed on 10/30/15 states it has been discovered that the decedent had a living trust and a pour over will. Petitioner requests that this matter be continued to be heard with the Heggstad petition filed on 10/19/15. If the Heggstad petition is granted petitioner will request this matter be dismissed.	
<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		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 11/30/15
		Updates:
		Recommendation:
		File 20 - Muir

Probate Status Hearing RE: Filing Proof of Bond

	<p>GLORIA ANN BARRAGAN, Mother, filed a Petition for Creation and Funding of Pooled Special Needs Trust on 6/2/15.</p> <p>On 9/3/15, INLAND COUNTIES REGIONAL CENTER, INC., was appointed Trustee of the Adrian Luis Barragan Special Needs Trust on 9/3/15.</p> <p>A Supplemental Declaration filed 8/25/15 stated the trust consists of assets totaling \$137,996.87 as of 8/1/15 and calculates bond including assets, interest, and cost of recovery at \$180,400.00.</p> <p>At the hearing on 9/3/15, the Court set status hearing for the filing of the bond for 10/15/15.</p> <p>On 10/15/15, there were no appearances and the Court set an OSC as to the attorney re sanctions and as to the trustee re failure to post bond. See Page B.</p> <p>The minute order was mailed to the attorney and the trustee on 10/15/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Update: Bond was filed 11/23/15. This matter was not taken off calendar due to the OSC at Page B.</u></p> <p><u>Minute Order 10/15/15: Order to Show Cause issued for James Hurlbutt to show cause why you should not be sanctioned for Failure to Appear. Also Order to Show Cause to Inland Counties Regional Center to show cause why you should not be removed as trustee for failure to post bond. (See Page B re OSC)</u></p>
Cont. from 101515		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 11/24/15
		Updates:
		Recommendation:
		File 21A – Barragan

Order to Show Cause

	<p>GLORIA ANN BARRAGAN, Mother, filed a Petition for Creation and Funding of Pooled Special Needs Trust on 6/2/15.</p> <p>On 9/3/15, INLAND COUNTIES REGIONAL CENTER, INC., was appointed Trustee of the Adrian Luis Barragan Special Needs Trust on 9/3/15.</p> <p>A Supplemental Declaration filed 8/25/15 stated the trust consists of assets totaling \$137,996.87 as of 8/1/15 and calculates bond including assets, interest, and cost of recovery at \$180,400.00.</p> <p>At the hearing on 9/3/15, the Court set status hearing for the filing of the bond for 10/15/15.</p> <p>On 10/15/15, there were no appearances and the Court set an OSC as to the attorney re sanctions and as to the trustee re failure to post bond. See Page B.</p> <p>The minute order was mailed to the attorney and the trustee on 10/15/15.</p> <p>Update: Bond was filed 11/23/15.</p> <p>Declaration of James P. Hurlbutt re OSC filed 11/23/15 states he failed to correctly note the deadline to file the bond in his file and also failed to advise the trustee of the Master Trust of the deadline. He also failed to calendar the review hearing on 10/15/15. Mr. Hurlbutt submits his sincere apology to the Court for his failure to adhere to the deadline and to appear. Mr. Hurlbut has now filed true and correct copies of the signed trust documents, the trustee's bond of \$180,400, and the inventory in the conservatorship matter 15CEPR00561.</p> <p>Mr. Hurlbutt states the assets of the conservatorship estate are still under the control of the conservator and arrangements are being made to distribute the assets to the trustee of the master trust in accordance with the court's order.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Update: Bond was filed 11/23/15.</u></p> <p>Reviewed by: skc</p> <p>Reviewed on: 11/24/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 21B – Barragan</p>
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		

Petition for Appointment of Guardian of the Person

Age: 1		<p align="center">NO TEMPORARY IN PLACE; TEMPORARY DENIED ON 08/27/15 DUE TO NO APPEARANCES</p> <p>TESSIEJARRA MACK, paternal grandmother, is Petitioner.</p> <p>Father: D'ANDRAE MARTIN, SR. – Consent & Waiver of Notice filed 11/18/15</p> <p>Mother: TRACEY MCBETH – Consent & Waiver of Notice filed 11/18/15</p> <p>Paternal grandfather: SMILEY MARTIN – Consent & Waiver of Notice filed 11/18/15</p> <p>Maternal grandparents: UNKNOWN</p> <p>Petitioner states [see file for details].</p> <p>Court Investigator Julie Negrete filed a report on 10/08/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 10/15/15</u></p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ol style="list-style-type: none"> a. Maternal grandparents – service by mail ok 	
Cont. from 101515				
<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 checked="" type="checkbox"/>	CI Report			
<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: 11/23/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 22 – Martin</p>		

Status Re: Filing Heggstad Petition

DOD: 5/27/15	<p>HARVEY A. ARMAS, Named Executor, filed a Petition for Probate of Will on 9/8/15.</p> <p>At the hearing on 10/15/15, the petition for probate was not granted and the Court ordered that a Heggstad be filed (with regard to the decedent's trust).</p> <p>The Court set this status hearing for the filing of such petition.</p> <p>On 11/6/15, Petitioner filed a Petition for an Order to Confirm Validity of Trust; Confirm Trustee; and Confirm Assets to Revocable Trust, which is set for hearing on 1/6/15 in this estate matter.</p> <p>However, the trust petition was filed into this estate matter, instead of being filed as a separate trust matter pursuant to Probate Code and Local Rules.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 11/12/15: If the petition is filed properly at least two court days prior, then no appearance is necessary on 12/3/15.</p> <p>As of 11/24/15, it does not appear that a new case has been filed as noted below.</p> <p>1. The petition filed 11/6/15 is in connection with the decedent's trust and as such must be filed separately from the estate. Therefore, this status hearing is not off calendar, because the petition was inappropriately filed in the estate case.</p> <p>Need petition filed as new trust case. See applicable law re trusts (Probate Code §17000 et seq.) and Local Rule 7.1.2, which requires that trusts be filed separately from estates.</p>
Cont. from 111215		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 11/24/15
		Updates:
		Recommendation:
		File 23 - Dostinich

Amended Petition for Appointment of Probate Conservator

		There is no temporary.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator advised rights on 11/2/15.</p> <p>Voting Rights affected need minute order.</p> <ol style="list-style-type: none"> The signature of William Garnica, M.D. on the Capacity declaration was not dated. Order is incomplete (completely blank). Need new completed order. 	
		MARIA DEL CARMEN HENGEL, spouse, is petitioner		
		Please see petition for details.		
Cont. from 102215		Court Investigator Report filed on 11/24/15		
	Aff.Sub.Wit.	<p>Declaration of Janet Wright, Court Appointed Attorney for Conservatee, filed on 12/1/15.</p>		
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
✓	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
✓	Citation			
	FTB Notice			
			Reviewed by: KT	
			Reviewed on: 11/30/15	
			Updates: 12/2/15	
			Recommendation:	
			File 24A – Hengel	

Probate Status Hearing RE: Proof of Bond

Age:			NEEDS/PROBLEMS/COMMENTS:
DOD:			
Cont. from			
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		<p align="center"><u>OFF CALENDAR</u></p> <p>Bond filed 11/12/15</p>	
		Reviewed by: skc	
		Reviewed on: 11/25/15	
		Updates:	
		Recommendation:	
		File 25 – Miller	

Petition for Appointment of Guardian of the Person

		See petition for details.	NEEDS/PROBLEMS/COMMENTS:	
	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			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 11/25/15	
			Updates:	
			Recommendation:	
			File 26 – Flores	

Petition for Appointment of Guardian of the Person

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. 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 on: - Trinidad Garcia (Maternal Grandfather) 2. If diligence is not found, need notice to the father and paternal grandparents per Probate Code §1511 or further diligence. 	
	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			
			Reviewed by: skc	
			Reviewed on: 11/30/15	
			Updates:	
			Recommendation:	
			File 27 – Garcia	

Probate Status Hearing RE: Proof of Bond

Age:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>Bond filed 11/18/15; Letters issued 11/19/15</p>
DOD:		
Cont. from		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<input type="checkbox"/>	Notice of Hrg	
<input type="checkbox"/>	Aff.Mail	
<input type="checkbox"/>	Aff.Pub.	
<input type="checkbox"/>	Sp.Ntc.	
<input type="checkbox"/>	Pers.Serv.	
<input type="checkbox"/>	Conf. Screen	
<input type="checkbox"/>	Letters	
<input type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input type="checkbox"/>	CI Report	
<input type="checkbox"/>	9202	
<input type="checkbox"/>	Order	
<input type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: skc
		Reviewed on: 11/25/15\
		Updates:
		Recommendation:
		File 28 – Rudolph

31 The Harry Robitschek Trust under agreement dated October 31, 1994
Case No. 15CEPR01042

Attorney Pape, Jeffrey B. (for Paula Robitschek-Silva – Trustee – Petitioner)

Petition to Instruct Trustee

DOD: 6/12/15	PAULA ROBITSCHKEK-SILVA , Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:	
	Petitioner states among the assets of the trust is the settlor's residence located on E. Robinson in Fresno. The Fair Market Value as of the settlor's date of death (6/12/15) was \$130,000.00.		
<input type="checkbox"/> Aff.Sub.Wit.	<p>Carole Gaor, one of the residuary beneficiaries, has lived in the home with the settlor for the last 8 years. Ms. Gaor proposes to purchase the home for its appraised value of \$130,000.00 with customary closing costs applying between seller and buyer, reduced by a "credit" or "gift" applied in the amount of \$26,000.00 as satisfaction of part of her devise, which is slightly less than her equitable 25% interest in the residence. If it were to sell for \$130,000.00 without any closing costs, her share would be \$32,500.00; thus, the credit leaves a cushion of any unexpected additional costs of administration, which could be allocated to her. Attached is a copy of the offer, and the expected closing costs.</p> <p>Petitioner believes the offer is in the best interest of the trust and saves the cost of real estate sales fees of up to \$10,000.00. It is also consistent with the settlor's desire to allow the buyer to live in the residence (see trust). Moreover, the trust has additional funds of approx. \$2,500, and all known liabilities have been paid.</p> <p>Petitioner believes she has discretion to effect distribution in the above manner, per Trust Article Fifth V and Probate Code §16246, 16249.</p> <p>Due to a history of disharmony among certain family members, the trustee is reticent to sell and distribute the real property to Carol Gaor without the Court first determining that she has the right and power to do so.</p> <p>All other beneficiaries have signed consents, filed herein.</p> <p>Petitioner prays for an order:</p> <ol style="list-style-type: none"> 1. Instructing the trustee with regard to the proper administration of the trust with respect to the matters; 2. Determining that the trustee has the right and power to sell and distribute the residence sale under the terms outlined in the petition; 3. For costs; and 4. For such other and further relief as it may deem proper. 		
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail			w
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters			
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
		Reviewed by: skc Reviewed on: 11/30/15 Updates: Recommendation: File 31 – Robitschek	

Petition for Letters of Administration; Authorization to Administer under IAEA

DOD: 3/15/15		<p>MENNONITE BRETHREN HOMES, INC., a creditor, is Petitioner and requests appointment of the FRESNO COUNTY PUBLIC ADMINISTRATOR as Administrator with Full IAEA without bond.</p> <p>Full IAEA – ok</p> <p>Decedent died intestate</p> <p>Residence: Reedley Publication: Reedley Exponent</p> <p>Estimated value of estate: \$0</p> <p>Probate Referee: Rick Smith</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 11/19/15. The following issue remains noted for reference:</p> <ol style="list-style-type: none"> Petitioner is a creditor and requests appointment of the Public Administrator as personal representative; however, the decedent was survived by a spouse and other family members who have priority of appointment. The petition does not allege that they have declined or refused to act. Need declinations to serve from all relatives pursuant to Probate Code §8461. Need Letters signed by Public Administrator. <p><u>Note:</u> If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> Thursday, May 5, 2016 for filing the Inventory and Appraisal Thursday, Feb. 2, 2017 for filing the first account or petition for final distribution <p>If the proper items are filed prior to the status dates pursuant to Local Rule 7.5, the status hearings may come off calendar.</p> <p>Reviewed by: skc</p> <p>Reviewed on: 11/24/15</p> <p>Updates: 11/30/15</p> <p>Recommendation:</p> <p>File 33 – Thorpe</p>	
Cont. from 111915				
<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 checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w
<input checked="" type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			