



## 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.

<b>Age: 64</b>	<p><b>CHRIS WADE</b>, successor conservator, is Petitioner.</p> <p><b>Petitioner states:</b></p> <ol style="list-style-type: none"> <li>The Conservatee has never been married and has no children. He has two living brothers, Gary Wade and Petitioner. The Conservatee also has a deceased brother.</li> <li>The Conservatee lives with Petitioner and Petitioner's girlfriend, Sheila Kajitani, who is also friends with the Conservatee and has lived with the Petitioner and Conservatee for the past 26 years and has assisted in his care. However, Sheila Kajitani is not a caregiver as described under the Probate Code.</li> <li>The purpose of this Petition is to transfer assets remaining in the name of the Conservatee to a revocable living trust in order to avoid probate costs and delay on the Conservatee's death by transferring the conservatorship estate to the trustee of The Ron C. Wade Revocable Trust (to be established) (the "Trust")</li> <li>The primary purpose of the Trust is to provide for the Conservatee's health, support, comfort and welfare and to save the costs involved in the administration of a probate estate.</li> <li>The Trust names Petitioner, Christopher Wade, as trustee of the Trust. The successor trustees are Sheila Kajitani and Gary Wade, in that order.</li> <li>Conservatee's Will, dated 09/20/06, leaves his entire estate to Petitioner, Chris Wade. The Will does not mention any further distribution in the event of Chris Wade's death.</li> <li>Conservatee has indicated that in the event of the death of Chris Wade, or his incapacity, he would want Sheila Kajitani as the successor trustee, successor executor under the will and successor beneficiary under the Trust.</li> </ol> <p style="text-align: center;">Continued on Page 2</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p style="text-align: center;"><b><u>CONTINUED TP 01/21/14</u></b> <b>Per request of Counsel</b></p> <p><b><u>CONTINUED FROM 11/07/13</u></b> <b>As of 12/02/13, nothing further has been filed in this matter and the following notes remain:</b></p> <ol style="list-style-type: none"> <li>The Petition does not address the provisions required to be in the trust instrument as specified in California Rules of Court 7.903(c). It is noted that CRC 7.903(c)(1) specifically states that a trust funded by court order must not contain a "No-Contest" clause, but the proposed Trust instrument attached as Exhibit B to the Petition does contain a "No-Contest" clause. The Petition should address each requirement of CRC 7.903(c) and indicate where that provision is met in the proposed trust instrument.</li> <li>The proposed beneficiaries under the Trust are not all of the intestate heirs of the conservatee. It is unclear whether all of the intestate heirs of the conservatee have been provided with notice. The Petition indicates that the Conservatee has two living brothers and a predeceased brother. There is no mention whether any of his brothers have issue. Need clarification.</li> <li>Need Notice to Gary Wade, Conservatee's brother and also Notice to any issue of deceased brother, Raymond Wade.</li> </ol> <p style="text-align: right;">Continued on Page 2</p>
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<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 12/02/13</p> <p><b>Updates:</b> 12/03/13</p> <p><b>Recommendation:</b></p> <p><b>File 1 – Wade</b></p>		

- 8. The proposed Declaration of Trust of the Ron C. Wade Revocable Trust (to be dated) provides that the sole beneficiary of the Trust would be Petitioner, Christopher Glen Wade, and the remainder beneficiaries would be Sheila Kajitani and Gary Eugene Wade, in that order.
- 9. This estate planning, to be completed on behalf of the Conservatee, is essential in order to carry out his testamentary desire and to minimize expenses in connection with the administration of his estate upon his death, and to minimize taxes based on the previous tax planning done in connection with the creation of the Trust.
- 10. Petitioner has no reason to believe that the Conservatee is opposed to the proposed action and believes that, if the Conservatee had the capacity to do so, he would take the proposed action.

**Petitioner requests this Court make an Order as follows:**

- 1. Authorizing Chris Wade, as Conservator of the Estate of Ron C. Wade, to:
  - a. Execute and date the Ron C. Wade Revocable Trust;
  - b. To transfer the assets listed on Exhibit D to this Petition, together with any other assets of the Conservatee, Ron C. Wade, that may come into the Conservator's knowledge and possession, to Christopher Glen Wade, Trustee of The Ron C. Wade Revocable Trust (to be dated); and
  - c. To execute the Last Will and Testament of Ron C. Wade on his behalf

**NEEDS/PROBLEMS/COMMENTS (Continued):**

- 4. The Petition indicates that the primary beneficiary (Petitioner/Conservator, Chris Wade) of the proposed trust instrument is the same as in the conservatee's will executed on 09/20/06. It is noted that the conservatee has been subject to conservatorship of his Person and Estate since 1991 and therefore was conserved at the time the 09/20/06 will was executed. It is unclear whether the conservatee had capacity to execute a will in 2006 and the Examiner was unable to locate a Petition for the creation of will for the Conservatee around the 09/20/06 date.
- 5. The 2006 will does not name a beneficiary after Chris Wade. It is unclear why the proposed trust instrument names the Petitioner's girlfriend as the contingent beneficiary and not the conservatee's other brother. The Court may require more information.
- 6. The Petition states that Sheila Kajitani has assisted in caring for the conservatee for the last 26 years, but states that she is not a caregiver as described in the Probate Code. Need more information as to why Ms. Kajitani should not be considered a caregiver under the Probate Code.
- 7. The Order does not comply with CRC 7.903(b) which states: The Order creating or approving the funding of a trust funded by court order must provide that the trust is subject to the continuing jurisdiction of the court and may provide that the trust is to be subject to court supervision under the Probate Code.

**Note: For reference the following is the text of California Rules of Court Rule 7.903. Trusts funded by court order**

**(a) Definitions**

- (1) "Trust funded by court order" under this rule means and refers to a trust that will receive funds under Probate Code section 2580 et seq. (substituted judgment); section 3100 et seq. (proceedings for particular transactions involving disabled spouses or registered domestic partners); or section 3600 et seq. (settlement of claims or actions or disposition of judgments involving minors or persons with disabilities).
- (2) "Continuing jurisdiction of the court" under (b) means and refers to the court's continuing subject matter jurisdiction over trust proceedings under division 9 of the Probate Code (Prob. Code, § 15000 et seq.).
- (3) "Court supervision under the Probate Code" under (b) means and refers to the court's authority to require prior court approval or subsequent confirmation of the actions of the trustee as for the actions of a guardian or conservator of the estate under division 4 of the Probate Code (Prob. Code, § 1400 et seq.).

**(b) Continuing jurisdiction and court supervision**

The order creating or approving the funding of a trust funded by court order must provide that the trust is subject to the continuing jurisdiction of the court and may provide that the trust is to be subject to court supervision under the Probate Code.

Continued on Page 3

Dept. 303, 9:00 a.m. Thursday, December 5, 2013

**(c) Required provisions in trust instruments**

Except as provided in (d), unless the court otherwise orders for good cause shown, trust instruments for trusts funded by court order must:

- (1) Not contain "no-contest" provisions;
- (2) Prohibit modification or revocation without court approval;
- (3) Clearly identify the trustee and any other person with authority to direct the trustee to make disbursements;
- (4) Prohibit investments by the trustee other than those permitted under Probate Code section 2574;
- (5) Require persons identified in (3) to post bond in the amount required under Probate Code section 2320 et seq.;
- (6) Require the trustee to file accounts and reports for court approval in the manner and frequency required by Probate Code sections 1060 et seq. and 2620 et seq.;
- (7) Require court approval of changes in trustees and a court order appointing any successor trustee; and
- (8) Require compensation of the trustee, the members of any advisory committee, or the attorney for the trustee, to be in just and reasonable amounts that must be fixed and allowed by the court. The instrument may provide for periodic payments of compensation on account, subject to the requirements of Probate Code section 2643 and rule 7.755.

*(Subd (c) amended effective January 1, 2007; previously amended effective July 1, 2005.)*

**(d) Trust instruments for smaller trusts**

Unless the court otherwise orders for good cause shown, the requirements of (c)(5)-(8) of this rule do not apply to trust instruments for trusts that will have total assets of \$20,000 or less after receipt of the property ordered by the court.

*Rule 7.903 amended effective January 1, 2007; adopted effective January 1, 2005; previously amended effective July 1, 2005*

**3 Martin S. Mazman (Estate)**

**Case No. 10CEPR00433**

**Atty Johnson, Summer A. (for Bruce Bickel – Special Administrator/Petitioner)**

**(1) Special Administrator's Petition for Approval of Second and (2) Final Account and Report; for (3) Approval of Payment of Statutory and Extraordinary Fees to Special Administrator; for Approval of Payment of Statutory and Extraordinary Attorney's Fees and Reimbursement of Costs Advanced; and for (4) Final Distribution**

<b>DOD: 05/03/10</b>		<p><b>BRUCE BICKEL</b>, Special Administrator, is Petitioner.</p> <p>Account period: <b>10/01/12 – 09/30/13</b></p> <p>Accounting - <b>\$3,203,150.78</b>                  Beginning POH - <b>\$3,075,525.29</b>                  Ending POH - <b>\$307,223.87</b>                  (\$179,624.87 is cash)</p> <p>Administrator - \$48,640.82 (statutory) (\$42,601.10 previously paid pursuant to the Court's order on the First Account, <b>balance to be paid = \$6,039.72</b>)</p> <p>Administrator x/o - <b>\$1,951.25</b> (itemized per date for work performed in connection with valuing premier apartments, transfer of overriding royalty interests, and mediation of beneficiary disputes)</p> <p>Attorney - \$48,640.82 (statutory) (\$42,601.10 previously paid pursuant to the Court's order on the First Account, <b>balance to be paid = \$6,039.72</b>)</p> <p>Attorney x/o - <b>\$9,086.25</b> (per itemization, work includes: analysis of potential estate liability from property, valuation of premier apartments, dispute/mediation re Wells Fargo Accounts, transfer of Overriding Royalty interest located in Louisiana, dispute re decedent's personal jewelry) n</p> <p>Costs - <b>\$798.48</b> (certified copies, copies of Louisiana Deed, Filing Fees)</p> <p>Closing - <b>\$13,000.00</b></p> <p>Petitioner states that pursuant to the settlement agreement entered into between the parties on 05/04/11 the estate is to be distributed ½ to Dorothy Mazman plus \$150,000.00 and ¼ to Marvelle Starre Evans and ¼ to Melonie Hayden.</p> <p style="text-align: center;"><b>Continued on Page 2</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> The Ex Parte Petition regarding the disposition of the royalty interest in Louisiana property has not been filed as of 12/03/13.</p> <p>1. Need Order.</p>
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		<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 12/03/13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 3 – Mazman</b></p>	

Petitioner states that consistent with the parties' mediated agreement and the Court's Order on First Account and Report, preliminary distributions were made as follows:

Dorothy Mazman	-	\$1,250,000.00
Melonie Mazman Hayden	-	\$668,729.09
Marvelle Starre Evans	-	\$668,729.08

Petitioner states that there is still a dispute between the parties regarding the ultimate distributees of the decedent's personal jewelry. The Settlement Agreement does not specifically identify the ultimate distributees of the items. It is Marvelle Evans position that all of the jewelry from the rental home occupied by the decedent prior to his death was to be transferred to the Fowler Avenue Property for storage after his death and the Settlement Agreement requires that all personal property items (exclusive of the vehicles) in the Fowler Property are to be distributed to herself and Melonie Hayden. It is Dorothy Mazman's position that the jewelry be added to the residue of the estate and distributed 1/2 to her and the other half split between Ms. Evans and Ms. Hayden. The parties have sent various proposals to each other, but have not been able to reach a resolution. Petitioner states that based on the Settlement Agreement, the parties are required to return to Judge Broadman (retired) who mediated the Settlement Agreement, for an interpretation of the Settlement Agreement regarding disposition of the jewelry. Petitioner anticipates that the parties will be in a position to come to an agreement regarding the disposition of the jewelry prior to the hearing on this petition, however, if an agreement is not reached, Petitioner proposes to continue to securely maintain the jewelry as part of the reserve of the estate until the beneficiaries come to an agreement or a determination is made Judge Broadman.

Petitioner states that the decedent was receiving royalty interests from an oil and gas corporation and was the owner of an overriding royalty interest in Louisiana. Petitioner's counsel made contact with a law firm in Baton Rouge, LA to determine in what manner the royalty interest could be transferred to the beneficiaries consistent with the Settlement Agreement. Initially, because no Will was admitted to Probate, it was concluded that an ancillary probate would be necessary to transfer the interest to the beneficiaries. However, due to the lower cost relative to the minimal value of the royalty interest and the time efficiency of a small succession affidavit procedure in Louisiana, additional research and analysis was requested regarding the effect of the Settlement Agreement. It was determined that an Order from Fresno County Court approving the Settlement Agreement could appropriate serve as a substitute for the decedent's Will, so long as the Settlement Agreement were approved by the Court. The oil and gas company has also stated that such an Order would be accepted by them. Petitioner's counsel has drafted an "Ex Parte Petition for Order Authorizing Special Administrator to Engage Counsel in Louisiana for the Transfer of Real Property Interests in Louisiana; To Authorize Payment to Louisiana Counsel Not to Exceed \$2,500.00; and For Order Approving the 05/04/11 Settlement Agreement" ("Ex Parte Petition"). Petitioner anticipates that the Ex Parte Petition will be filed concurrently with this Petition or shortly thereafter. Upon approval by this Court of the Ex Parte Petition, the Louisiana attorneys will take over handling the transfer of the royalty interests to the beneficiaries. Petitioner requests authority to maintain enough of a reserve to handle any issues which may arise during the pendency of the small succession affidavit procedure.

**Distribution, pursuant to settlement agreement between the parties dated 05/04/11, is to:**

Dorothy Mazman	-	\$71,354.73 cash, and a 1.98% limited partnership interest in Premier Apartments, LP
Marvelle Evans	-	\$35,677.36 cash, and a .99% limited partnership interest in Premier Apartments, LP
Melonie Hayden	-	\$35,677.36 cash, and a .99% limited partnership interest in Premier Apartments, LP

Atty Bettencourt, Manuel L., of Henry, Logoluso & Blum (for Petitioner Betty Farmer, mother)  
 Atty Porter, Tres, sole practitioner (for Objector Jeff Hendricks, spouse)  
 Atty Boyett, Deborah (Court-appointed for Conservatee)

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

Age: 45 years		<p><b>BETTY FARMER</b>, mother, is Petitioner and requests appointment as Conservator of the Person with medical consent and dementia powers to administer dementia medications; and as Conservator of the Estate with bond set at <b>\$37,500.00</b>.</p> <p><b>Estimated Value of the Estate:</b>                  Personal property - <b>\$20,000.00</b>                  Annual income - <b>\$17,500.00</b>  <b>Total - \$37,500.00</b>  <i>(1/2 interest in real property excluded; estimated real property value of \$112,500.00)</i></p> <p><b>Capacity Declaration of Don Yoshimura, M.D., filed 9/18/2013.</b></p> <p><b>Capacity Declaration of Michele Russell, Ph.D., filed 9/18/2013</b></p> <p><b>Voting Rights Affected.</b></p> <p><b>Petitioner states</b> the proposed Conservatee has been diagnosed with Early Onset Alzheimer's Dementia and Major Depressive Disorder, and she suffers from extreme memory and cognitive impairment, for which she requires medications. Petitioner states as the proposed Conservatee's medical conditions are genetic and expected to worsen, her treating physicians have recommended that her family members assume primary responsibility for her financial and health care risks, and that due to safety issues, the proposed Conservatee should have someone with her at all times;                  ~Please see additional page~</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Page 4B is the Status Hearing.</b></p> <p><b>Court Investigator Advised Rights on 9/18/2013.</b></p> <p><b>Voting Rights Affected – Need Minute Order.</b></p> <p><b>Continued from 10/17/2013.</b>                  The following issue from the last hearing remains:</p> <ol style="list-style-type: none"> <li>Bond is required in the sum of <b>\$41,250.00</b> pursuant to Probate Code § 2320 and CA Rule of Court 7.207. Further, based upon Petitioners request that independent powers under Probate Code § 2590 be granted, with specific power per Probate Code § 2591(c)(2) to sell at public or private sale the <u>personal residence</u> of the conservatee <u>without confirmation of court of the sale</u>, Court may require bond of <b>\$165,000.00</b> per Probate Code § 2320 and CA Rule of Court 7.207, which includes the value of the ½ interest in real property estimated to be valued at <b>\$112,500.00</b>.</li> </ol>
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		<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 11/27/13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 4A – Hendricks</b></p>	

## First Additional Page 4A, Teresa Hendricks (CONS/PE) Case No.13CEPR00740

### Petitioner states, continued:

- On multiple occasions the proposed Conservatee has sought the assistance of Petitioner for purposes of having Petitioner set up and transport her to medical appointments; Petitioner currently serves as the proposed Conservatee's primary caregiver, and accompanies her on all of her medical appointment to ensure she obtains the necessary and proper medical examinations, treatment and medications;
- Based upon Petitioner's own knowledge and experience in assisting the proposed Conservatee, she requires around the clock assistance with her daily activities in order to protect her health and safety, including bathing (controlling water temperatures), cooking (operating stoves, ovens), and operating other electrical appliances (iron, curling iron);
- The proposed Conservatee is co-owner of real property, and due to her mental and medical conditions she is not capable of performing or understanding the necessary duties as an owner of real property;
- It is in the proposed Conservatee's best interest to allow Petitioner to perform all necessary functions as co-owner of the proposed Conservatee's real property, including but not limited to entering into contracts, commencement of any necessary legal actions, and maintenance and upkeep of said real property;
- Based upon the proposed Conservatee's current mental and medical conditions, the proposed Conservatee is substantially unable to manage her financial resources and resist fraud or undue influence; on multiple occasions the proposed Conservatee has sought the assistance of Petitioner for the purposes of having Petitioner manage her financial accounts and requesting that Petitioner arrange for the payment of proposed Conservatee's bills.

**Petitioner requests** independent powers under Probate Code § 2590 be granted, with specific powers per Probate Code § 2591 as follows, including the reasons for the requests:

- **2591(c)(1) - Power to sell real or personal property without confirmation of the Court, other than personal residence of proposed Conservatee; and 2591(c)(2) - Power to sell at public or private sale the personal residence of the conservatee without confirmation of court of the sale [emphasis added]:** Proposed Conservatee is co-owner of real property, and due to her mental and medical conditions, Petitioner believes the proposed Conservatee may soon require full time assistance for her care and medical treatment, and due to the high costs associated with such care, as well as the requirement to exhaust all resources prior to obtaining governmental assistance, Petitioner believes it may become necessary to sell the property of the proposed Conservatee in order to obtain the necessary care for the proposed Conservatee;
- **2591(d) - Power to create by grant or otherwise easements and servitudes:** same reasons as stated above; sale of the real property may require granting of easement or other servitude;
- **2591(e) - Power to borrow money:** same reasons as stated above; due to high costs associated with care of proposed Conservatee, it may become necessary to obtain liquid funds to pay for such care by utilizing proposed Conservatee's real property as security to obtain loans;
- **2591(f) - Power to give security for the repayment of loan:** same reasons as stated above; due to high costs associated with care of proposed Conservatee, it may become necessary to obtain liquid funds to pay for such care by utilizing proposed Conservatee's real property as security to obtain loans;
- **2591(g) – Power to purchase real or personal property:** same reasons as stated above; proposed Conservatee's limitations and ailments make it evident that sale of her real property will likely be necessary to optimize the proposed Conservatee's care and maintenance; [sic]

~Please see additional page~

## Second Additional Page 4A, Teresa Hendricks (CONS/PE) Case No.13CEPR00740

### Petitioner requests independent powers under Probate Code § 2590, continued:

- **2591(l) – Power to sell property of the estate on credit if any unpaid portion of the selling price is adequately secured:** Petitioner believes the proposed Conservatee may soon require full time assistance for her care and medical treatment, and due to the high costs associated with such care, as well as the requirement to exhaust all resources prior to obtaining governmental assistance, Petitioner believes it may become necessary to sell the property of the proposed Conservatee in order to obtain the necessary care for the proposed Conservatee;
- **2591(m) – Power to commence and maintain an action for partition:** same reasons as stated above; as the proposed Conservatee is only a co-owner of the real property, it may become necessary to seek a partition of the real property in order to sell the proposed Conservatee's interest;
- **2591(p) – Power to pay, collect, compromise, or otherwise adjust claims, debts or demands upon the conservatorship described in 2501(a), 2502, or 2504, or to arbitrate any dispute described in 2406:** Petitioner is unaware of the number or value of any claims, debts, or demands which may be presented upon the proposed Conservatee seeking payment; due to the proposed Conservatee's mental and medical conditions, Petitioner believes the proposed Conservatee is not in a condition to pay, collect, compromise, or otherwise adjust any such claims, debts or demands without assistance.

### Objection to Petition for Conservatorship of Teresa Hendricks filed by JEFF HENDRICKS, husband, on 9/17/2013 states:

- He is the husband and [named agent] on Power of Attorney for the proposed Conservatee;
- He and proposed Conservatee were married on 6/11/1988;
- Petitioner, mother of proposed Conservatee, along with the proposed Conservatee's sister, **CHRISTINA RODRIGUEZ**, have been assisting him with the daily care necessary for proposed Conservatee;
- On 6/25/2013, the proposed Conservatee executed an advance Health Care Directive and a Durable General Power of Attorney for Asset Management with the assistance of legal counsel (*copies attached to Declaration of Jeff Hendricks in Support of Objection, attached as Exhibits A and B*);
- In said documents, proposed Conservatee directed that her husband, Jeff Hendricks, act as her agent in all relevant matters in the event she is incapable of giving informed consent;
- In both documents, Jeff Hendricks is listed as the proposed Conservatee's first choice as conservator, followed by their son, **WYATT LANE HENDRICKS**, in the event Jeff is unable to serve;
- Pursuant to Probate Code §§ 1810 and 1812, the Objector should be given preference in order of appointment as conservator in the event that a conservatorship of the person or estate is deemed necessary or proper by the Court;
- Jeff Hendricks has been married to the proposed Conservatee for more than 25 years and is the proposed Conservatee's nominated power of attorney for both financial and medical decisions; further, pursuant to Probate Code § 4126, the proposed Conservatee's nomination in the durable power of attorney should be considered by the Court;
- Further, as detailed in the *Declaration of Jeff Hendricks*, he is more physically capable of taking care of the proposed Conservatee and is much more familiar with the financial needs and dealings of the proposed Conservatee;

~Please see additional page~

### Third Additional Page 4A, Teresa Hendricks (CONS/PE) Case No.13CEPR00740

#### Objection to Petition by Jeff Hendricks filed 9/17/2013, continued:

- Objector concurs that the proposed Conservatee is unable to provide for her own needs; however, with an Advance Health Care Directive and a Durable Power of Attorney currently in place, Jeff Hendricks is capable of assisting the proposed Conservatee, just as he has been doing for the past 25 years;
- Objector readily concedes that Petitioner and proposed Conservatee's sister have assisted Objector and the proposed Conservatee by having the proposed Conservatee spend the workday with them while Objector has gone to work; it is also conceded that the proposed Conservatee's mental awareness and ability has declined at an increased rate over the past couple of months; if these family members are no longer willing to assist with the daily care of the proposed Conservatee, then Objector will make alternate arrangements, but it does **not** [emphasis in original] mean that conservatorship is necessary or justified in this case;
- The instant *Petition* requests authority to sell the jointly owned real property of Objector and proposed Conservatee, so sell jointly owned personal property; to create grants or servitudes, to borrow money; to grant security for loans; to purchase property; to sell property on credit; to commence and maintain an action for partition; and to pay, collect, compromise, or otherwise adjust claims, debts, or demands; these are all powers that the Objector, by virtue of his status as the proposed Conservatee's spouse and by the existence of the Advance Health Care Directive and a Durable General Power of Attorney, currently possesses and is in a superior position to that of the proposed Conservator to perform;
- The instant request for conservatorship of the person and estate is unnecessary; however, if the Court were to believe such conservatorship were to be in the best interest of the proposed Conservatee, then Objector Jeff Hendricks as the party's spouse and by virtue of the writings executed by the proposed Conservatee should have priority and be appointed instead of Petitioner;
- **Objector requests** that this Court deny the instant *Petition*; alternatively, Objector would request that he be allowed to file his own petition for appointment if it is determined by this Court that the best interest of the proposed Conservatee requires that someone be appointed.

#### **Declaration of Jeff Hendricks in Support of Objection to Petition for Conservatorship of Teresa Hendricks states:**

- The Petitioner is his mother-in-law and mother of proposed Conservatee, and over the course of the last several months, Petitioner and the proposed Conservatee's sister, **CHRISTINA RODRIGUEZ**, have been assisting him with the daily care necessary for his wife ("Terrie"); he agrees that his wife is not currently capable of providing for her own needs;
- Last year, he and Terrie were living and working in Kentucky; after Terrie lost her job, they moved back to California in March of 2012 and Terrie was put on disability;
- He started working again in the summer of 2012, and began taking Terrie to either Petitioner's home or Christina's home for them to watch Terrie while he was at work;
- On 8/9/2013, he dropped Terrie off at Christina's home in the morning; that evening, he had a voice mail from Terrie's brother, **MICHAEL LABRIE**, who informed him that Terrie felt threatened by him and that Terrie was going to stay with him and that they would be filing a restraining order and for divorce;
- Since 8/9/2013, he has not seen or been allowed by Terrie's family to speak directly to Terrie; he has called the Sheriff's Office and personally went to the Sheriff's department, and was informed that Sheriff's deputies had spoken to Terrie on the phone and she was fine;

~Please see additional page~

Dept. 303, 9:00 a.m. Thursday, December 5, 2013

## Fourth Additional Page 4A, Teresa Hendricks (CONS/PE) Case No.13CEPR00740

### **Declaration of Jeff Hendricks in Support of Objection to Petition for Conservatorship of Teresa Hendricks, continued:**

- He was informed that their son, **WYATT HENDRICKS**, went to see Terrie at Petitioner's home ~1 week ago; upon arriving, Wyatt was told he could not enter the home of Petitioner, his grandmother, and was allowed to speak to Terrie only in the backyard, with Petitioner intently overseeing the conversation from the back door; Wyatt was told by Petitioner's husband not to mention "going home" to Terrie because it would upset her; Terrie told Wyatt she missed him [Jeff] and wanted to come home;
- Terrie receives **~\$1,485.00** per month in disability; it is his belief that Petitioner has instigated the instant conservatorship action solely to obtain control of such funds and to possibly force a sale of our family home;
- While Petitioner, along with Terrie's brother and sister, have been a help to him in caring for Terrie over the last year, his relationship with Terrie's family has been tense for the majority of their marriage;
- If Terrie's family is no longer willing to assist with her daily care, then he will make alternate arrangements, but it does **not** [emphasis in original] mean that conservatorship is necessary or justified in this case;
- He has loved and cared for Terrie for more than 25 years and will continue to do so to the best of his ability with or without the help of Terrie's mother, brother or sister; it is shocking and disturbing that he is now being accused by her family of threatening or harming her;
- He believes the instant request for conservatorship of the person and estate of Terrie is unnecessary and motivated entirely by greed and animosity towards him on the part of Petitioner;
- However, if the Court were to believe such a conservatorship were to be in the best interest of the proposed Conservatee, then it is his understanding that he as Terrie's husband and by virtue of being nominated in her power of attorney documents should have priority and be appointed ahead of Petitioner; if the Court feels otherwise, then he would ask that either the **PUBLIC GUARDIAN** or their son, **WYATT HENDRICKS**, be appointed ahead of Petitioner;
- In addition to questioning her motives, he has sincere doubts as to whether Petitioner is physically or emotionally capable of taking care of Terrie full time; he believes that her current husband, Terrie's step-father, is disabled and he does not believe Petitioner herself to be in decent physical shape, nor does he believe Petitioner has the patience required to adequately cope with the reality of Terrie's condition;
- For the majority of this past year, he relied primarily upon Terrie's sister, **CHRISTINA RODRIGUEZ**, to watch Terrie while he was working, with Petitioner as an alternate choice; Terrie expressed that she preferred being with Christine as opposed to Petitioner.

### **Court Investigator Jo Ann Morris' Report was filed on 9/20/2013.**

**Note:** If petition for conservatorship is granted, Court will set status hearings as follows:

- **Friday, January 10, 2014, at 9:00 a.m. in Dept. 303** for filing proof of bond;
- **Friday, April 18, 2014 at 9:00 a.m. in Dept. 303** for filing of inventory and appraisal; and
- **Friday, February 13, 2015 at 9:00 a.m. in Dept. 303** for filing of first account and/or petition for final distribution.

*~Please see additional page~*

**Dept. 303, 9:00 a.m. Thursday, December 5, 2013**

**Fifth Additional Page 4A, Teresa Hendricks (CONS/PE) Case No.13CEPR00740**

**Evidentiary Objections to Declaration of Jeff Hendricks was filed by Attorneys for Petitioner Betty Farmer on 9/25/2013.**

**Motion to Strike** contained within and following the *Evidentiary Objections* states: Petitioner Betty Farmer requests the Court strike all portions of the *Declaration of Jeff Hendricks* for which evidentiary objections have been made, and which are granted by the Court.

**Note:** The *Evidentiary Objections* are structured in civil code format and include citations to Evidence Code sections regarding hearsay, lack of personal knowledge and speculation, lack of foundation, and relevance, among other evidentiary objections; based upon this format and that this document is not in typical narrative format of pleadings in Probate matters, the *Evidentiary Objections* and corresponding Paragraphs of the *Declaration of Jeff Hendricks* to which the *Objections* refer have not been outlined here.

**Declaration of Dr. Don Yoshimura, M.D. was filed confidentially on 9/25/2013.**

Atty Bettencourt, Manuel L., of Henry, Logoluso & Blum (for Petitioner Betty Farmer, mother)  
 Atty Porter, Tres, sole practitioner (for Objector Jeff Hendricks, spouse)  
 Atty Boyett, Deborah (Court-appointed for Conservatee)

**Status Hearing**

<b>Age: 45 years</b>	<p><b>BETTY FARMER</b>, mother, filed on 8/20/2013 a <i>Petition for Appointment of Conservator of the Person and Estate</i> with medical consent and dementia powers to administer dementia medications.</p> <p><b>JEFF HENDRICKS</b>, husband, filed on 9/17/2013 an <i>Objection to Petition for Conservatorship</i>.</p> <p><b>Minute Order dated 10/17/2013</b> from the hearing on the Petition for Appointment states:</p> <ul style="list-style-type: none"> <li>Mr. Bettencourt informs the Court that a co-conservatorship petition will be forthcoming from Mr. Porter's client, Jeff Hendricks;</li> <li>Counsel requests a continuance; matter continued to 12/5/2013;</li> <li>The Court will entertain an order shortening time with respect to the property.</li> </ul>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need verified status report and proof of service of notice of the status hearing pursuant to Local Rule 7.5(B).</p>
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202 Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b> X		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> LEG
		<b>Reviewed on:</b> 11/27/13
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 4B – Hendricks</b>

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

<b>Age:</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u><b>CONTINUED TO 12/19/13</b></u> <b>Per request of counsel</b>
<b>DOD:</b>		
<b>Cont. from</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Notice of Hrg</b>		
<input type="checkbox"/> <b>Aff.Mail</b>		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 12/02/13
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 5 - Crouch</b>

**9 Paul Harvey Wallace (Estate)**

**Case No. 08CEPR00294**

**Atty Kruthers, Heather H. (for Public Administrator – Successor Administrator)**  
**Atty Leonard, Laura (pro per – daughter)**

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

<b>DOD: 06/22/07</b>	<p><b>LARRY A. DONALDSON</b>, friend, was appointed as Executor without bond on 05/27/08 and Letters were issued on 06/18/08.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
	<p><b>Notice of Status Hearing</b> filed 11/28/12 set this matter for status. Clerk's Certificate of Mailing states that the Notice of Status Hearing was mailed to Larry A. Donaldson on 10/19/12.</p>	<p><b>CONTINUED FROM 10/25/13</b>  <b>Minute order from 10/25/13 states: Mr. Jimenez advises the Court that all assets have been liquidated and rolled over into a trust. Mr. Jimenez further advises that the trust contains \$4,000.00. Matter continued to 12/05/13. The Court will entertain an order shortening time or ex parte petition if it becomes difficult for the Public Administrator to obtain the release of any information.</b></p>
<p>Cont. from 012513, 032913, 042613, 072613, 100413, 102513</p>		
Aff.Sub.Wit.	<p><b>Declaration of Beneficiary Laura Leonard re Probate Status Hearing – Failure to File First Account or Petition for Final Distribution filed 01/13/11</b> states: she and her brother (both beneficiaries of the estate) have made many written and verbal requests to Mr. Donaldson requesting an accounting and for their father's estate be brought to a close. Ms. Leonard states that Mr. Donaldson has ignored their requests and repeatedly failed to communicate with them regarding the estate. Ms. Leonard and her brother had an attorney, Frederick Borges, contact Mr. Donaldson on their behalf to request that he move forward with the estate. Mr. Donaldson responded that he would move forward, but has failed to do so. Ms. Leonard states that she and her brother have also made a complaint to the state bar of California regarding Mr. Donaldson's failure to act. Ms. Leonard states that after all of these efforts, Mr. Donaldson recently provided them with a sloppy, incomplete "accounting", however several years' worth of information is absent and many of the transactions are questionable. Declarant further states that she and her brother were supposed to receive a distribution in early January, but have not received anything.</p> <p><b>Inventory &amp; Appraisal, partial no. 1 filed 07/24/13</b> - \$1,619,273.76</p> <p><b>Clerk's Certificate of Mailing filed 10/08/13</b> states that a copy of the Minute Order from 10/04/13 was mailed to Larry Donaldson on 10/08/13.</p> <p style="text-align: center;">Continued on Page 2</p>	<p><b>Note:</b> Minute order from 07/26/13 states: Mr. Donaldson advises the Court that he filed a status statement yesterday. He further advises that the accounting is being done however he may have a conflict which may require another attorney to complete the work in this matter. The Court on its own motion accepts Mr. Donaldson's withdrawal as Executor in this matter and appoints the Public Administrator. Mr. Donaldson is directed to contact Ms. Kruthers.</p> <p><b>Note:</b> Letters of Administration were issued to the Public Administrator on 08/01/13.</p> <p><b>As of 10/01/13, the following remains outstanding:</b></p> <ol style="list-style-type: none"> <li>1. Need <b>Final Inventory &amp; Appraisal.</b></li> <li>2. Need <b>Accounting and/or Petition for Final Distribution.</b></li> </ol>
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	<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 11/27/13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 9 - Wallace</b></p>	
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

**Report Regarding Status of Estate filed 11/27/13** states: At a hearing on 07/26/13, the Court accepted Larry Donaldson's resignation as Administrator and appointed the Public Administrator. According to the 07/26/13 minute order, Mr. Donaldson advised that the accounting was being done, however a conflict that may require another attorney to complete the work has come up. No accounting has been filed. Mr. Donaldson was not returning calls to the Public Administrator, who called him weekly on Wednesdays. He finally answered a call made from a personal cell phone. At a hearing on 10/04/13, Judge Hamilton ordered Mr. Donaldson to be present at the continued hearing on 10/25/13. Mr. Donaldson did not appear on 10/25/13. The Public Administrator advised the Court that all estate assets had been liquidated and rolled into a trust, of which Mr. Donaldson is the trustee. Despite requests by the Public Administrator, a copy of the trust has not been provided. The Public Administrator is concerned about the assets considering they have not yet been accounted for in the estate.

According to the Inventory & Appraisal filed by Mr. Donaldson on 06/24/13, the estate's value was \$1,619,273.76. The Public Administrator has not been able to access the Bank of America or Security First Bank accounts. He filed and was granted an ex parte order directing financial institutions to provide access to and information regarding all accounts held by the estate or trust of the decedent. The Public Administrator has made several attempts to locate a company whereby "Person Education Publication Royalties" are paid. According to attachment 2 to the Inventory & Appraisal, future royalties will be paid to the estate. There are two timeshares listed, and the Public Administrator has asked Chicago Title to determine the status of these properties. The real property, valued at \$750,000.00 was reportedly sold for \$600,000 and the proceeds placed into a Bank of America bank account. The Public Administrator believes that Mr. Donaldson should once again be ordered to appear before this Court to account for all assets listed on the Inventory & Appraisal that he filed. He should also be ordered to provide a copy of the Trust and an accounting of those assets to the Public Administrator.

Status Hearing Re: Filing of Second Accounting

Age:			<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><b><u>OFF CALENDAR</u></b></p> <p>Second and Final Account was settled 5-9-12.</p>
DOD:			
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: 12-3-13	
		Updates:	
		Recommendation:	
		File 10 – Poole	

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

<b>Age: 23</b>		<u>No Temporary Requested</u>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		LADONNA TILFORD, mother is petitioner and requests appointment as Conservator of the person.		Minute Order of 11/07/2013: Examiner notes are provided to the petitioner. The petitioner is directed to speak with the court examiner forthwith.	
		Capacity Declaration filed 09/27/2013 – See Note #9		Court Investigator Advised Rights on 10/09/2013.	
<b>Cont. from 110713</b>		Petitioner states: ?		Voting Rights Affected Need Minute Order.	
	Aff.Sub.Wit.		Court Investigator Charlotte Bien's report filed 10/21/2013	The following issues remain:	
✓	Verified			The deficiencies with the petition include, but are not limited to, the following:	
	Inventory			1. #1g of the petition is not marked regarding medical consent power. It is unclear if the petitioner intended to request medical consent powers.	
	PTC			2. Petition does not allege any facts in support of the need for conservatorship.	
	Not.Cred.			3. Need Citation.	
	Notice of Hrg	X		4. Need proof of personal service of the citation and a copy of the Petition on the proposed conservatee.	
	Aff.Mail	X		5. Need Notice of Hearing.	
	Aff.Pub.			6. #11 of the petition does not list the relatives of the proposed conservatee therefore it is unclear who is entitled to notice.	
	Sp.Ntc.			7. Need video receipt for conservator pursuant to Local Rule 7.15.8(A).	
	Pers.Serv.	X		8. Need Confidential Conservator Screening form – GC- 312.	
	Conf. Screen	X		9. Capacity Declaration filed 09/27/2013 is signed by petitioner at page 1 and signed by an unknown person at page 3. Need new capacity declaration completed by physician.	
	Letters	X		10. Need Order.	
✓	Duties/Supp			11. Need Letters.	
	Objections			<b>Reviewed by:</b> LV	
	Video Receipt	X		<b>Reviewed on:</b> 11/05/2013	
✓	CI Report		<b>Updates:</b>		
	9202		<b>Recommendation:</b>		
	Order	X	<b>File 12 – Holmes</b>		
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation	X			
	FTB Notice				

**13 Andrew Montelongo and Isaiah Montelongo (GUARD/P) Case No. 13CEPR00868**  
**Atty Garza, Dolores De Alba (Pro Per – Maternal Grandmother – Petitioner)**  
**Petition for Appointment of Guardian of the Person (Prob. C. 1510)**

Andrew, age 14	<p><b>TEMP EXPIRES 12-5-13</b></p> <p><b>DOLORES DE ALBA GARZA</b>, Maternal Grandmother, is Petitioner.</p> <p>Father: <b>PEDRO MONTELONGO</b></p> <p>Mother: <b>DOLORES YBARRA</b></p> <p>Paternal grandfather: Pedro Montelongo (Deceased)</p> <p>Paternal grandmother: Ernestine Conde</p> <p>Maternal grandfather: Ramiro Garza (Deceased)</p> <p>Siblings: Paul Guzman, Veronica Guzman, Madison, AJ, Isabel (last names and ages unknown)</p> <p><b>Petitioner states</b> the mother moved out of the school district where the children were attending since kindergarten and now the children are having problems with their attendance. They are being bullied by other students and therefore they are ditching school. The children need their education. Guardianship is necessary to have the children live with the grandmother who resides in the school district where they have been since kindergarten.</p> <p><b>Court Investigator Samantha Henson filed a report on 11-26-13.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li><b>1. Need Notice of Hearing.</b></li> <li><b>2. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the petition pursuant to Probate Code §1511 or consent and waiver of notice on:</b> <ul style="list-style-type: none"> <li>- Pedro Montelongo (Father)</li> <li>- Dolores Ybarra (Mother)</li> <li>- Andrew Montelongo (Minor)</li> <li>- Isaiah Montelongo (Minor)</li> </ul> </li> <li><b>3. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the petition pursuant to Probate Code §1511 or consent and waiver of notice or declaration of due diligence on:</b> <ul style="list-style-type: none"> <li>- Ernestine Conde (paternal Grandmother)</li> <li>- Paul Guzman (Sibling)</li> <li>- Veronica Guzman (Sibling)</li> <li>- Madison, AJ, and Isabel (Siblings, if age 12 or older)</li> <li>- Copies to parent or guardian of siblings pursuant to Cal. Rules of Court 7.51.</li> </ul> </li> </ol>	
Isaiah, age 13			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			X
Aff.Mail			X
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			X
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
✓ Clearances			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 12-3-13	
		Updates:	
		Recommendation:	
		File 13 – Montelongo	



**15 Amberlee Gastelum & Julianna Gastelum (GUARD/P) Case No.13CEPR00882**  
**Atty Rodriguez, Marisa (pro per – maternal grandmother/Petitioner)**

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

Amberlee, 8		<p align="center"><b><u>TEMPORARY EXPIRES 12/05/13</u></b></p> <p><b>MARISA RODRIGUEZ</b>, maternal grandmother, is Petitioner.</p> <p>Father: <b>BLADIMIR GASTELUM</b> – <i>Resides in Mexico; Court dispensed with Notice on 10/16/13</i></p> <p>Mother: <b>WENDY GASTELUM</b> – <i>Currently incarcerated at Fresno County Jail</i></p> <p>Paternal grandfather: UNKNOWN          Paternal grandmother: UNKNOWN</p> <p>Maternal grandfather: EMIGDRO RODRIGUEZ</p> <p><b>Petitioner alleges</b> that the mother abandoned the children, is bipolar and uses meth. Petitioner alleges that the mother cannot provide proper care for the children, she is homeless and in and out of jail frequently.</p> <p><b>Court Investigator Jennifer Young filed a report on 11/26/13.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need <i>Notice of Hearing</i>.</li> <li>2. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> <i>Consent &amp; Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for:             <ol style="list-style-type: none"> <li>a. Wendy Gastelum (mother) – Personal service required</li> <li>b. Paternal grandparents (unknown) – service by mail sufficient</li> <li>c. Emigdro Rodriguez (maternal grandfather) – service by mail sufficient</li> </ol> </li> </ol>	
Julianna, 12				
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.			x
<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><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 12/03/13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 15 – Gastelum</b></p>		

**16 Tommie Thelma Roberts (Def Succ)**

**Case No. 13CEPR00923**

**Atty Roberts, Alan A. (Pro Per – Son – Petitioner)**

**Atty Roberts, Daniel J. (Pro Per – Son – Petitioner)**

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

<b>DOD: 4-27-09</b>	<b>ALAN A. ROBERTS and DANIEL J. ROBERTS</b> , Sons, are Petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>1. Need date of death of the decedent's predeceased spouse pursuant to Local Rule 7.1.1.D.</b>  <b>2. Petitioners do not state the decedent's interest in the real property. Did the decedent own 100%?</b>
	40 days since DOD	
	No other proceedings	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>	I&A: \$130,000.00	
<input checked="" type="checkbox"/> <b>Inventory</b>	Decedent died intestate	
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>	Petitioners request Court determination that the decedent's real property located at 1947 W. Dayton in Fresno passes to them in 50% undivided interests each as tenants in common.	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	w	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 12-3-13
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 16 – Roberts</b>

	<b>NO TEMP REQUESTED</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>ASMAHAN SALAYMEH</b> , Spouse, is Petitioner and requests appointment as Conservator of the Person and as Conservator of the Estate without bond.	Court Investigator advised rights on 11-18-13
	<b>Voting rights affected</b>	<b>Voting rights affected – need minute order</b>
	<b>Estimated Value of Estate: \$0</b>	1. The Court Investigator's report indicates that Petitioner wishes to handle specific matters related to closing the proposed conservatee's business. However, the Petition did not include a request for independent powers under Probate Code §2590. Note that pursuant to Local Rule 7.15.2, it is the policy of the Court to grant only those independent powers necessary in each case to administer the estate. Each power must be justified by, and narrowly tailored to the specific circumstances. Therefore, need clarification regarding the powers sought.
	<b>Petitioner states</b> her husband had a heart attack on 9-9-12. Since his heart attack, he has been in a coma and non-responsive. At this time, he is on a feeding tube and has to be taken care of 24 hours a day. He is currently at Horizon Nursing Home.	2. Petitioner does not provide an estimated value for the conservatorship estate. Pursuant to Probate Code §2320(c)(4) and Cal. Rules of Court 7.207, every conservator of the estate must furnish bond, including a reasonable amount for cost of recovery. Therefore, need estimated value of estate to determine appropriate bond amount.
	<b>Court Investigator Jennifer Daniel filed a report on 11-26-13.</b>	3. Petitioner lists only two daughters at #11; however, according to the Court Investigator's report, the proposed Conservatee has four children. Need complete list of relatives.
		<b>SEE PAGE 2</b>
		Reviewed by: skc
		Reviewed on: 12-3-13
		Updates:
		Recommendation:
		File 17 – Salaymeh
<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.	X	
<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	X	
<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 type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation	X	
<input type="checkbox"/> FTB Notice		

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**NEEDS/PROBLEMS/COMMENTS (Cont'd):**

4. **Need Citation and proof of personal service of Citation with a copy of the Petition at least 15 days prior to the hearing pursuant to Probate Code §1824 on Proposed Conservatee Fawzi Salaymeh.**
5. **Need Notice of Hearing.**
6. **Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing on all relatives pursuant to Probate Code §1822 and Cal. Rules of Court 7.51 (including minors).**
7. **Need video receipt per Local Rule 7.15.8.A.**

**Note:** If Petition is granted, the Court will set the following status hearings:

- **Friday, 1-17-14 at 9:00 a.m. in Dept. 303** for filing of bond;
- **Friday, 4-4-14 at 9:00 a.m. in Dept. 303** for the filing of the inventory and appraisal; and
- **Friday, 4-3-15 at 9:00 a.m. in Dept. 303** for the filing of the first account.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.