



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.

1 **Alan Cortez (GUARD/P)**
 Petitioner Sanchez, Salvador (Pro Per – Father – Petitioner)
 Petitioner Cortez, Lucia (Pro Per – Mother – Petitioner)
 Guardian Ramirez, Sandra (Pro Per – Maternal Aunt – Guardian)
 Guardian Vildosola, Jose (Pro Per – Maternal Uncle – Co-Guardian)

Case No. 08CEPR01002

Amended Petition for Termination of Guardianship

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> Petitioners reside in Los Angeles, CA. <u>Minute Order 10/20/15:</u> The Court gives permission for text notice as to Jose Vildosola that includes the date, time, place, and an offer to provide a copy of the petition; proof of said message is to be brought to court on 12/8/15. Maybelline Calderon, Jasmine Calderon, and Catalina Pulido, siblings, each need to be mailed notice. As of 12/2/15, nothing further has been filed. 1. Need proof of service of Notice of Hearing at least 15 days prior to the hearing per Probate Code §1460(b)(5) on: - Co-Guardian Jose Vildosola - Siblings age 12 or older	
Cont. from 102015				
	Aff.Sub.Wit.			
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✓	Order			
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	Citation			
	FTB Notice			
		Reviewed by: skc		
		Reviewed on: 12/2/15		
		Updates:		
		Recommendation:		
		File 1 – Cortez		

2 Cain Blanco, Trinity Blanco and Vanity Blanco (GUARD/P)

Case No. 11CEPR00659

Petitioner: Oriana S. Blanco (pro per)
 Guardian: Rosemary Blanco (pro per)

Petition for Termination of Guardianship

		<p>ORIANA S. BLANCO, mother, is petitioner.</p> <p>Please see petition for details.</p> <p>Court Investigator filed 8/11/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The proofs of service for the guardian, the grandparents and the minors does not include the name and address of the person serving the notices. The proof of service does include a signature but the signature is illegible.</p>
<p>Conf. from 081815, 091515, 102015</p>			
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			<p>Reviewed by: KT</p> <p>Reviewed on: 12/215</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2 – Blanco</p>

DOD: 11/18/2010	BEVERLY T. ADAMS , spouse, was appointed Executor with full IAEA authority without bond on 06/25/2012.	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Minute Order of 06/02/2015: continued per request of counsel.</p> <p>1. Need Inventory and Appraisal and First Account or Petition for Final Distribution.</p>
	Letters issued on 06/28/2012.	
	Inventory and Appraisal was due 10/26/2012.	
Cont. from 072613, 110813, 112414, 120914, 060215	Status Report and Request for Continuance filed 11/25/2015	
<input type="checkbox"/> Aff.Sub.Wit.	states Beverly T. Adams needed to be appointed as Personal Representative of her late husband's estate in order to file a wrongful death lawsuit on his behalf stemming from an airplane crash in Florida on 11/17/2010. The lawsuit was filed in Florida Southern District Court on 05/14/2013, Case No. 2:13-cv-14206. Mediation was not successful in this matter. The original trial date was August 15, 2014. The trial was continued to 11/17/2014, then again to 01/12/2015, and was finally scheduled for a two week trial beginning 05/19/2015. However the judge dismissed the case on the first day of trial.	
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<input type="checkbox"/> FTB Notice	Following the dismissal, Plaintiff's counsel in the litigation matter filed a Motion for Reconsideration or to Alter and Amend Judgment. To date, no reply has been received from the Judge, and the last activity date in the matter was 07/30/2015. Plaintiff's counsel was not able to estimate a time frame for reply by the Judge in order to provide this Court with a time frame for filing the I&A or petition to close this estate.	
	An Inventory and Appraisal is not needed at this time as there is currently no real or personal property to be appraised. The sole probate asset at issue is the potential recovery in the litigation matter. In the event that the appeal and subsequent trial is resolved in favor of the decedent, the Personal Representative will file and Inventory and Appraisal at that time, as the decedent has no other property subject to probate. It is respectfully request that this probate matter be continued six months pending the anticipated filing of an appeal and eventually resolution of the wrongful death litigation.	
		Reviewed by: LV
		Reviewed on: 12/02/2015
		Updates:
		Recommendation:
		File 3 – Adams

Attorney
Attorney

Teixeira, J. Stanley (for Rick Brannon, Sr. – Conservatee)
Kruthers, Heather (for Public Guardian – Conservator)

Petition for Termination of Conservatorship

		RICK BRANNON, SR. , Conservatee, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The petition is not verified by Rick Brannon, Sr. (Conservatee and Petitioner).</p> <p>Note: The Public Guardian's First Account covering through 10/15/14 was settled on 12/18/14. The Court previously set a status hearing for the filing of the next account for 12/15/16; however, if conservatorship is terminated, the Court will set a status hearing for the filing of the final account as appropriate.</p> <p>Reviewed by: skc Reviewed on: 12/2/15 Updates: Recommendation: File 4 – Brannon</p>
		FRESNO COUNTY PUBLIC GUARDIAN was appointed Conservator of the Person and Estate on 5/29/13.	
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Attorney: Heather H. Kruthers (for Administrator/Public Administrator)

Probate Status Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 3/28/13	<p>PUBLIC ADMINISTRATOR was appointed as the Administrator of the estate on 8/19/13.</p> <p>Background: Decedent's father, Hugo Noroyan and Decedent's mother, Patricia English each filed competing Petitions for Probate. On 8/19/13 the Court on its own motion appointed the Public Administrator as personal representative of the estate.</p> <p>On 1/23/14 Ian Michinson's filed a Petition for Probate of Decedent's purported Will.</p> <p>Patricia English filed a Contest to the Purported Will.</p> <p>A trial was began on 4/7/15 before Judge Arlan L. Harrell.</p> <p>Judge Arlan L. Harrell Statement of Decision, Judgment and Order was entered on 8/4/15. Judge Arlan L. Harrell ruled that the document proffered by Mitchinson not be admitted to probate. Letters of Administration having been previously issued to the Fresno County Public Administrator, unless a valid will is offered and admitted to probate, this matter shall follow the normal course of administration for an intestate estate.</p> <p>Notice of Status Hearing was mailed to the County Counsel Heather Kruthers on 8/13/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 10/5/15.</p> <p>1. Need First Account, Petition for Final Distribution.</p> <p>Status Report filed on 12/4/15 states an order determining the decedent died intestate was entered in August 2015. Although that answered the question of whether a valid will existed or not, the issue of the proper heirs remains to be determined.</p> <p>Summer Johnson, attorney for the decedent's mother, Patricia English, intends to file a Petition to Determine Heirship. Until an order is made, the Public Administrator is unable to file her final account and petition for distribution. Ms. Johnson expects to file her petition within the next week. A hearing date will not be until mid to late January. Therefore, the Public Administrator requests this status hearing be continued for no less than 60 days. There is no harm to the estate.</p> <p>Reviewed by: KT</p> <p>Reviewed on: 12/2/15</p> <p>Updates: 12/4/15</p> <p>Recommendation:</p> <p>File 5 – Noroyan</p>
Conf. from 100515		
Aff.Sub.Wit.		
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Aff. Posting Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Attorney Bagdasarian, Gary G. (for Linda Plitt – daughter)
 Attorney Barkinskaya, Jennie (for Conservatee)
 Objector Loeffler, Mick (pro per – son)
 Attorney Downing, Marcella and McLaughlin, William T. (for Diane Huerta – daughter/Petitioner)
 Attorney Johnson, Summer A (for Bruce Bickel – temporary conservator of the estate/trustee)

Probate Status Hearing RE: Temporary Orders/Letters

	<p>The Current Letters of Temporary Conservatorship expire on 12/08/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont. from 061615, 091515</p>	<p>On 07/26/13, DIANE HUERTA, daughter, filed a Petition to appoint Diane Huerta and Linda Plitt as temporary and permanent co-conservators of the Person and Estate.</p>	<p><u>CONTINUED FROM 09/15/15</u></p>
<p>Aff.Sub.Wit.</p>	<p>Temporary Conservatorship was granted on 07/29/13 and Temporary Letters were issued on 07/30/13. At a hearing on 08/19/13, the temporary Conservatorship was denied and Temporary Letters were not extended. On 09/25/13, Judge Black appointed Bruce Bickel as Temporary Conservator of the Estates of Fred and Kathleen Loeffler.</p>	<p>1. Need current verified status report.</p>
<p>Verified</p>	<p>Since 09/25/13, the parties have engaged in numerous settlement talks, mediation, and several hearings have been heard before this Court. The Temporary Letters of Conservatorship have been extended numerous times.</p>	<p>Reviewed by: JF</p>
<p>Inventory</p>	<p>Status Report of Petitioner Dianne Huerta filed 09/11/15.</p>	<p>Reviewed on: 12/03/15</p>
<p>PTC</p>	<p>Order Approving Second and Final Account of Temporary Conservator of the Estate was filed 11/13/15. The Order authorized and directed Bruce Bickel, temporary conservator, to transfer the assets of the conservatorship estate to Comerica Bank & Trust, N.A., successor trustee of the Loeffler Family Trust.</p>	<p>Updates:</p>
<p>Not.Cred.</p>		<p>Recommendation:</p>
<p>Notice of Hrg</p>		<p>File 6 - Loeffler</p>
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<p>Duties/Supp</p>		
<p>Objections</p>		
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<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>		
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>		

Attorney Bagdasarian, Gary G. (for Linda Plitt – daughter)
 Attorney Barkinskaya, Jennie (for Conservatee)
 Attorney Jenkins, Shani D (for Mick Loeffler – son)
 Attorney Downing, Marcella and McLaughlin, William T. (for Diane Huerta – daughter/Petitioner)
 Attorney Johnson, Summer A (for Bruce Bickel – temporary conservator of the estate/trustee)

Probate Status Hearing

	On 08/19/13, DIANE HUERTA , daughter of Trustor's Fred and Kathleen Loeffler, filed a Petition to Determine the Validity of the Trust Modifying the Trust, Removing Trustees, Appointing Trustees, Instructing the Trustee, Compelling Redress of Breach of Trust, and Preliminary Injunction and Prohibition of Further Distributions to Mick Loeffler.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 06/16/15</u></p> <p>1. Need current verified status report.</p>
Cont. from 061615, 091515	Since 08/19/13, the parties have engaged in numerous settlement talks, mediation, and several hearings have been heard before this court.	
Aff.Sub.Wit.	On 04/28/15, Diane Huerta, filed a Notice of Motion and Motion to Disqualify Conservatees' Attorneys of Record . The matter was heard on 06/10/15 and the Court has taken the matter under submission.	
Verified	Order After Hearing on Petition to Disqualify Conservatee's Counsel of Record denying the motion was filed 09/04/15.	
Inventory	Status Report of Petitioner Dianne Huerta filed 09/11/15.	
PTC	Order Approving Second and Final Account of Temporary Conservator of the Estate was filed 11/13/15. The Order authorized and directed Bruce Bickel, temporary conservator, to transfer the assets of the conservatorship estate to Comerica Bank & Trust, N.A., successor trustee of the Loeffler Family Trust.	
Not.Cred.		
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FTB Notice		
		<p>Reviewed by: JF</p> <p>Reviewed on: 12/03/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8 - Loeffler</p>

Amended First Account and Report of Conservator; Allowing Fees to Conservator of the Estate and Attorney for Conservator, Allowing Conservator to Invade Conservatee's 401(k) Plan to Assist in Providing for Conservatee's Care and Finding that Conservatee Lacks the Ability to Vote

	<p>BETTY FARMER, Mother and Conservator of the Person and Estate with bond of \$61,250.00, is Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont. from 102015</p>	<p>Account period: 3/26/14 – 3/31/15</p>	<p>Minute Order 10/20/15: Ms. Farmer represents that she is receiving no other income to care for the Conservatee other than from the Conservatorship. The matter is continued to allow time for inquiries as to a placement that will accept Medi-Cal. A verified status report is to be filed at least one week prior to 12/8/15.</p>
<p>Aff.Sub.Wit.</p>	<p>Accounting: \$165,739.31</p>	<p>Note: A status report was filed 12/2/15. See Page 3.</p>
<p>✓ Verified</p>	<p>Beginning POH: \$138,586.82</p>	<p>SEE ADDITIONAL PAGES</p>
<p>✓ Inventory</p>	<p>Ending POH: \$130,404.23</p>	
<p>PTC</p>	<p>(\$113,067.23 cash plus non-cash assets including a 100% interest in misc. personal property and a 50% community property interest in two vehicles)</p>	<p>Reviewed by: skc</p>
<p>Not.Cred.</p>	<p>Conservator states \$13,264.75 has been reimbursed to Petitioner during account period representing less than a one-third share of household expenses, and is far less per month than a full time care facility or an apartment, assuming she could care for herself.</p>	<p>Reviewed on: 12/2/15</p>
<p>✓ Notice of Hrg</p>	<p>Conservator requests compensation of \$30,000.00 for 10-14 hours per day caring for the Conservatee at a minimum of \$100/day (\$7.14/hr) for the care and assistance provided during all waking hours.</p>	<p>Updates:</p>
<p>✓ Aff.Mail W</p>		<p>Recommendation:</p>
<p>Aff.Pub.</p>		<p>File 9 - Hendricks</p>
<p>Sp.Ntc.</p>		
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p>✓ Letters 3/26/14</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>✓ CI Report</p>		
<p>✓ 2620(c)</p>		
<p>✓ Order</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>		
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>		
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SEE ADDITIONAL PAGES

Page 2

Petitioner states she personally deposited \$3,000.00 of her own funds in order to open the Bank of the West account because she believed she was supposed to open a separate account and did not wish to take funds from the Comerica account to do so. The Comerica account was not a checking account, but a debit account. *[Examiner's Note: This amount has been reimbursed to Petitioner per Schedule C.]*

Petitioner states the Inventory and Appraisal filed with the Court identified the Conservatee's 401k plan from CVS Pharmacy earned by the Conservatee in part during her marriage to her current husband, Jeffrey Hendricks. The value at that time was estimated by telephonic access to be \$102,349.28. Subsequent to filing the I&A, Petitioner received a Participant Statement which shows a balance as of 12/31/14 of \$104,973.25. Personal oral requests and written requests from counsel to CVS Future Fund requesting a written account balance as of 3/31/15 went unanswered. This Amended First Account will use the financial data set forth in the statement dated 12/31/14 for continuity.

Petitioner states the two vehicles noted in the I&A as owned 50% by the Conservatee are in the possession of Conservatee's husband as the Conservatee does not drive.

Petitioner states the Court has inquired as to several gifts provided by the Conservatee over the past year. *(Prior Examiner Notes requested clarification re approx. \$350.00 used for gifts during the account period with reference to Duties of Conservator.)* Petitioner states the gifts were to close family on special days, including a mother's day bouquet. If the court desires the money be returned, she will reimburse the conservatorship.

Petitioner states that additional costs of part-time in-home care has resulted in a monthly negative cash flow scenario, as Teresa's social security disability payments will not completely cover her required care. This negative cash flow has eroded Conservatee's excess liquid cash to the point that only a few more month of excess cash remain to cover her expenses. In light of this fact, Petitioner requests the Court issue an order directing the trustee or custodian of Teresa's CVS Caremark Future Funds 401k Plan to allow Conservator access to the 401k proceeds to care for Conservatee. She believes the 401k Plan funds are community property assets but can and should be used for the care, maintenance and support of Conservatee. Attorney Logoluso's declaration states he does not believe accessing these funds subject's Conservatee to IRS penalties for early withdrawal in light of Conservatee's obvious need for appropriate care. Authority cited.

Petitioner requests that:

1. The Court find that Notice of Hearing of this account, report and petition was given as required by law;
2. The Court make an order approving, allowing and settling the attached account and report of Conservator as filed;
3. The Court authorize Petitioner to pay herself \$30,000.00 as compensation for services rendered as Conservator of the estate and person during the accounting period;
4. The Court authorize Petitioner to reimburse herself \$9,689.63 for costs and fees associated with the creation of the conservatorship;
5. The Court authorize Petitioner to pay her attorneys \$5,063.37 for legal services rendered during the accounting period;
6. The Court issue an order allowing for the use of Conservatee's 401k plan proceeds be authorized by the Court to be utilized for the payment of institutionalized care for Conservatee;
7. The Court order that Conservatee is not able to complete an affidavit of voter registration in accordance with Elections Code §2150, and is not entitled to vote; and
8. The Court make such other relief as it considers proper.

SEE ADDITIONAL PAGES

Status Report and Declaration of Mark A. Blum filed 12/2/15 states he met with the conservator and her son, the conservatee's brother, on 11/30/15. The Conservatee now requires continuous supervision and is estimated to be functioning at the level of a three year old. For example, she no longer knows she will be burned if she touches hot cookpots in the kitchen, and is completely incontinent and requires assistance with all functions including dressing. The need for constant supervision now exceeds the physical stamina of the conservator and her older husband, and they are exhausted. It is now necessary to place Teresa in an appropriate care facility. Attached is a letter from Suzanne Hirata, the conservatee's aunt. Ms. Hirata has also been a caregiver to other members of the family who have suffered from Early Onset Alzheimer's Disease. She believes that placing Teresa in a skilled nursing facility is not in Teresa's best interest. Ms. Hirata intends to attend the hearing and is willing to provide testimony regarding her recommendation for Teresa's care.

The Conservator has visited a number of facilities that could provide the care that Teresa needs and believes that Paintbrush Assisted Living and Memory Care in Fresno with a monthly cost of \$4,495 would best serve Teresa and is the most economical. See declaration re other facilities reviewed. For the reasons set forth in Ms. Hirata's letter, the Conservator believes that Paintbrush would be the best facility.

The Conservator again requests that the Court issue an order directing that CVS/Caremark's Future Fund Management to provide access to sufficient funds from Teresa's 401k plan holdings in order to provide for the cost of her care that she now needs.

At the previous hearing there was some discussion of whether the conservator should begin proceedings for a legal separation of Teresa from her husband. When Teresa was still able to express an opinion on this point, she took great pride in her marriage. When conservatorship was established, there was considerable dispute over whether her husband Jeff or the present conservator should become conservator. However, in the past year, Jeff and Teresa's children have had little or no contact with Teresa, and notice of the last hearing was returned undeliverable. Despite the lack of communication, Jeff still carries Teresa on his medical insurance, and the Conservator does not believe it would be beneficial to have that insurance coverage change or disappear, and neither the conservator nor the conservatee's finances could pay for a legal separation of dissolution at this time.

NEEDS/PROBLEMS/COMMENTS: The following issues remain noted for reference:

- 1. The Court may require proof of titling the Comerica account in the name of the conservatorship estate as noted in the petition.**
- 2. Petitioner reimbursed herself for expenses associated with the conservatorship in the amount of \$13,264.75 without Court authorization in violation of Probate Code §2640 (noticed petition required) and Cal. Rules of Court 7.751, 7.752, 7.755.**
- 3. Attorney requests a total of \$15,643.38 in fees and costs, and has already received and accepted payment of \$9,689.63 in violation of Probate Code §2640 (noticed petition required) and Cal. Rules of Court 7.751, 7.752, 7.755, etc.**

Petitioner clarifies that the payment was made by Petitioner personally and not from the conservatorship estate, and Petitioner is now requesting authorization to reimburse herself for that amount; however, this does not negate the fact that the attorney received payment for services in connection with the establishment of the conservatorship without prior Court authorization.

SEE ADDITIONAL PAGES

Page 4 - NEEDS/PROBLEMS/COMMENTS (Cont'd):

- 4. Further, the Court may require clarification with regard to the total amount of attorney's fees requested with reference to Probate Code §2640 as to how this amount is just and reasonable given the value and status of the conservatorship estate. See amount authorized by Local Rule 7.16 for comparison.**
- 5. Similarly, the Court may require clarification as to how compensation to Petitioner of \$30,000.00 is just and reasonable given the value and status of the conservatorship estate.**
- 6. Total Disbursements exceed receipts by over \$11,000.00. Petitioner requests to invade the Conservatee's 401k plan to continue to provide the level of care required by the Conservatee; however, given the Conservatee's income level, given the amount available within the 401k account, and given the amount of compensation that is requested by both the Conservator herein, the attorney herein, and future needs, the Court may require further clarification regarding the level of spending for misc. items, clothes, etc., and may require a budget going forward.**
- 7. The Court may require further additional information regarding Petitioner's request to invade the Conservatee's 401k account for the cost of the Conservatee's care. Attorney Logoluso notes that he does not believe there will be tax penalties; however, the petition also states this account may be community property of the Conservatee's marriage, although it was inventoried as hers alone. Specifically, the Court may require clarification as to whether input may be necessary from the Conservatee's spouse of over 25 years, Jeffrey Hendricks.**
- 8. Petitioner explains that the two vehicles owned conservatorship estate assets remain in possession of the Conservatee's husband. The Court may require clarification regarding how the vehicles are titled, and given that they are not in Conservator's possession, may require clarification regarding potential liability to the conservatorship estate.**
- 9. Attorney requests reimbursement for costs that are considered by the Court to be costs of doing business and not reimbursable pursuant to Local Rule 7.17, including photocopies, postage, travel costs. The Court may strike \$45.38 from the order for the following items:
 - \$22.20 photocopies**
 - \$11.88 postage**
 - \$11.30 mileage****
- 10. Bond: If access to the 401k is granted, bond will need to be increased. Examiner calculates that bond should be increased to at least \$168,139.82 or an increase of \$106,889.82, calculated based on the value of all assets at the close of the account period plus income including Social Security and dividends as noted in Receipts.**

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

- Tuesday, June 21, 2016 if a one-year account is required or**
- Tuesday, June 20, 2017 if a two-year account is required.**

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 01/13/2013	<p>GLORIA B. LEDOUX, sister, was appointed Administrator with limited IAEA authority without bond on 11/06/2013.</p> <p>Letters issued on 11/06/2013.</p> <p>Inventory and Appraisal filed 11/08/2013 shows an estate valued at \$180,000.00.</p> <p>Minute Order of 11/06/2013 set this matter for hearing for the filing of the First Account and/or Petition for Final Distribution.</p> <p>Status Report filed 12/04/2015 states the real property located at 1515 Rose Ave in Selma, California, has been sold. The Report of Sale and Request for Order Confirming Sale was filed herein with the hearing set for January 19, 2016.</p> <p>It is requested that this status hearing be continued ninety (90) days to allow for the closing of the sale and filing of the Petition for Final Distribution.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Report of Sale and Petition for Order Confirming Sale filed 11/13/2015. Hearing is set for 01/19/2016.</p> <p>Minute Order of 06/09/2015: The Court orders that the real property is to be listed within 30 days. Counsel is to file a verified Status Report with proof of the listing attached. If the report is filed at least two court days prior, then no appearance is necessary on 07/14/2015. Likewise, if the accounting is filed at least two court days prior to 12/08/2015, then no appearance is necessary on that date.</p> <ol style="list-style-type: none"> 1. Need First Account or Petition for Final Distribution.
Cont. from 010915, 041415, 060915		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
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Duties/Supp		
Objections		
Video Receipt		
CI Report		
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Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
Reviewed by: LV		
Reviewed on: 12/02/2015		
Updates:		
Recommendation:		
File 10 - Morales		

11
 Attorney
 Attorney
 Attorney

Rosie Reyna (CONS/PE)
 LeVan, Nancy J. (for Julie Castillo and Connie Martinez – Petitioners)
 Kruthers, Heather H. (for Public Guardian – Conservator)
 Janisse, Ryan M. (Court appointed attorney for Conservatee)

Case No. 13CEPR00908

Petition for Reimbursement to Julie Castillo and Connie Martinez for Attorney Fees Already Paid and Payment of Attorneys Fees for Nancy J. LeVan, Attorney for Julie Castillo and Connie Martinez from the Conservatorship Estate

		JULIE CASTILLO and CONNIE MARTINEZ , Daughters, are Petitioners.	NEEDS/PROBLEMS/COMMENTS: Continued from 10/22/15. The following issues remain noted: <p style="text-align: center;"><u>SEE PAGE 3</u></p>
		FRESNO COUNTY PUBLIC GUARDIAN was appointed Conservator of the Person and Estate on 4/2/15.	
Cont. from 102215			
	Aff.Sub.Wit.		
✓	Verified	Petitioners state they are requesting reimbursement for attorneys fees that they have paid attorneys who have represented them in their attempts to protect their mother and her estate and to file for appointment as conservators. Their petition was objected to by Joseph Reyna and Stan Teixeira as court appointed attorney for Rosie Reyna.	
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen	Petitioners were originally represented by Attorneys Jennifer Walters and Lisa Horton of Walters and Moshrefi. Their petition for temporary conservatorship was denied, and the parties agreed to mediation, but Joseph Reyna did not follow through with the agreement reached in mediation. In July 2014, Petitioner asked if Attorney Nancy LeVan would take the case over because they were paying Walters and Moshrefi a large amount in fees and didn't feel anything was being accomplished. Ms. LeVan substituted in on 7/23/14.	
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order	Attached are statements from Walters and Moshrefi which total \$13,839.66. This bill has been paid in full by Petitioners.	
	Aff. Posting Status Rpt		
	UCCJEA		
	Citation	Petitioners state that after Attorney LeVan substituted in, settlement was continued because Mr. Teixeira still objected to establishment of a conservatorship. Finally agreement was reached and recited in Court on 9/16/14. The Public Guardian was appointed as Conservator of the Estate only and Letters issued 9/17/14.	
	FTB Notice		
<u>SEE PAGE 2</u>			Reviewed by: skc Reviewed on: 12/2/15 Updates: Recommendation: File 11 – Reyna

Page 2

Petitioners state Attorney LeVan prepared the settlement agreement after many emails to Attorney Teixeira confirming and editing the terms. Julie and Connie signed the agreement 11/6/14 and the agreement was forwarded to Mr. Teixeira for his and Rosie's signatures; however, those signatures were never received. Mr. Teixeira filed a motion to be relieved as counsel and was relieved as counsel on 2/25/15.

On 5/5/15, the Public Guardian was appointed permanent conservator of the person and estate, and was also appointed successor trustee of the Rosie Reyna Revocable Trust. Rosie was moved into Julie Castillo's home and resides there to this date. Joseph Reyna has vandalized Rosie's home and refuses to move out. An unlawful detainer action has been brought by the PG to remove Joseph from Rosie's home so that Rosie can once again occupy her own home.

Petitioners state their actions have brought benefits to the Conservatee and the conservatorship. In order to accomplish protection of the Conservatee, Petitioners had to hire attorneys to represent them for the initial conservatorship, the mediation, the settlement conferences and discussions, and for finally having the PG appointed as conservator of the person and estate.

Petitioners have paid **\$13,839.66** to Walters and Moshrefi and **\$6,429.08** to Attorney Nancy J. LeVan, with a remaining balance of **\$1,504.08**, not including filing fees, mediation fees, and costs. The total hours expended by attorneys on Petitioners' behalf to protect their mother and her assets is 65.4 hours. The Conservatee could not fight for herself or her estate when Joseph Reyna was not acting in her best interest. If they had not acted, her main source of income and property would have been destroyed.

Attached are billing statements from attorneys Walters and Moshrefi and Nancy LeVan.

Petitioners pray for an order:

- 1. Authorizing the Conservator of the Estate to reimburse Petitioners \$13,839.66 for fees paid for services provided by Walters and Moshrefi;**
- 2. Authorizing the Conservator of the Estate to reimburse Petitioners for \$6,429.08 for attorney fees paid to Nancy LeVan; and**
- 3. Authorizing the Conservator of the Estate to pay Nancy LeVan \$1,540.50 attorney fees incurred that have not yet been paid.**

(Total amount requested: \$21,809.24)

SEE PAGE 3

NEEDS/PROBLEMS/COMMENTS:

1. Examiner notes that the agreement referred to in this petition, as filed attached to a Status Report on 1/14/15, indicates that Petitioners will not seek reimbursement for their attorney's fees and costs from the conservatorship estate. The Court may require clarification.
2. The attached billing statements from Walters and Moshrefi include charges that are considered by the Court to be costs of doing business and not reimbursable, such as travel to and from court, mileage, parking fees, and review of Examiner's Notes totaling \$313.36. The Court may disallow this amount.
3. Petitioners request a total amount of \$21,809.24 in attorney fees and costs for the establishment of the conservatorship. The Court may require clarification with reference to Probate Code §2640 as to the reasonableness of this amount, given the size of the conservatorship estate. Final Appraisal filed 3/26/15 indicates \$51,233.83 cash plus a vehicle and misc. personal property. The file indicates that the Conservatee does own a home; however, it is held in a trust (separate from the conservatorship estate), and the petition indicates that there may be other litigation (unlawful detainer action) involving that asset.

Probate Status Hearing RE: First Account

DOD: 5/8/14	<p>KENNETH HEARST, Spouse, was appointed Executor with Full IAEA without bond on 10/14/14. Letters issued 10/16/14.</p> <p>At the hearing on 10/14/14, the Court set this status hearing for the filing of the first account or petition for final distribution.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account or petition for final distribution per Probate Code §12200 or written status report per Local Rule 7.5.</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		
	<p>Reviewed by: skc</p>	
	<p>Reviewed on: 12/2/15</p>	
	<p>Updates:</p>	
	<p>Recommendation:</p>	
	<p>File 13 – Hearst</p>	

Probate Status Hearing Re: the Filing of the Petition for Final Distribution

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR. Order for Final Distribution signed on 3/24/15.</p>
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	
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<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: KT
		Reviewed on: 12/2/15
		Updates:
		Recommendation:
		File 14 – Rose

Probate Status Hearing Re: the Filing of the Petition for Final Distribution

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR. Order for Final Distribution signed on 3/19/15.</p>
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: KT
		Reviewed on: 12/2/15
		Updates:
		Recommendation:
		File 15 – Barnett

17 Elias Verduzco and Jayden Verduzco (GUARD/P) Case No. 15CEPR00409

Petitioner Chavez, Blanca (Pro Per – Paternal Grandmother – Petitioner)

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

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: Note: This Petition pertains to Jayden only. Petitioner was appointed guardian of Elias on 6/22/15. Minute Order 10/20/15: Proper service has not been affected as to Luis Galvan; the Court is prepared to grant the petition upon said service being completed. 1. Luis Galvan, Maternal Grandfather, was served by mail on 11/28/15, which is only 10 days prior to the hearing. Probate Code §1511 requires 15 days' notice.	
Cont. from 092215, 102015				
	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: 12/2/15				
Updates:				
Recommendation:				
File 17 – Verduzco				

Attorney

Teixeira, J. Stanley (for Ruiz, Rosa P. -Spouse)

Attorney

Guerrero, Danielle R. (for Elizabeth A. Vasquez -Daughter)

Attorney

Horton, Lisa (Court Appointed for Proposed Conservatee)

Probate Status Hearing

	<p>ELIZABETH A. VASQUEZ, daughter, petitioned for appointment as Conservator of the person, with medical consent and dementia powers to administer dementia medications on 04/30/2015.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont. from 102715, 110315</p>		
<p>Aff.Sub.Wit.</p>		
<p>Verified</p>		<p>18B and 18C are the competing Petitions for Appointment of Conservator.</p>
<p>Inventory</p>	<p>ROSA P. RUIZ, spouse, filed an Objection to Petition for Appointment of Conservator Probate Code Section 1812 on 06/09/2015.</p>	
<p>PTC</p>	<p>ROSA P. RUIZ, also filed a competing petition requesting appointment as Conservator of the person, with medical consent and dementia powers to administer dementia medications. She also requested that the PUBLIC GUARDIAN, be appointed as Conservator of the estate.</p>	
<p>Not.Cred.</p>		<p>Minute Order of 11/03/2015: The Court grants temporary orders to Rosa Ruiz as to the person only. The Court grants temporary orders to the Public Guardian as to the Estate only. Letters for the Public Guardian shall issue from the minute order; Mr. Teixeira will prepare orders/letters as to the person. The Court orders that any and all written/oral information regarding the assets be turned over to the Public Guardian within one week. Elizabeth Vasquez is to immediately turn over any and all bank accounts/assets of Jaime Ruiz to the Public Guardian. Elizabeth Vasquez is to cease and desist disbursement of any assets of Jaime Ruiz to the Public Guardian. Elizabeth Vasquez is to cease and desist disbursement of any assets of Jaime Ruiz immediately. Any attempt to sell any assets by Elizabeth Vasquez is to stop immediately, and she is to report to the Public Guardian all acts she has done with regard to the assets within one week.</p>
<p>Notice of Hrg</p>		
<p>Aff.Mail</p>	<p>Each matter was set to be heard together on 09/03/2015. Court set a trial for a two day estimate on 10/20/2015 with Settlement statements due by 09/15/2015 and a Settlement Conference for 09/22/2015.</p>	
<p>Aff.Pub.</p>		
<p>Sp.Ntc.</p>		
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p>Letters</p>		
<p>Duties/Supp</p>		
<p>Objections</p>	<p>Minute Order of 09/22/2015 set this Status Hearing. The minute order states that the 10/20/2015 trial date is vacated.</p>	
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>	<p>Declaration of Court Appointed Counsel, Lisa Horton, filed 10/26/2015 states on 09/22/2015, the parties and counsel met in a settlement conference. It was agreed upon by the parties that the trial scheduled for 10/20/2015 would go off calendar and Elizabeth Vasquez was to provide an accounting as Trustee of the Ruiz Family Grantor Trust and all monies used as Agent under a Durable Power of Attorney. A status hearing for the accounting was set for 10/27/2015.</p>	
<p>Status Rpt</p>		<p>Reviewed by: LV</p>
<p>UCCJEA</p>		<p>Reviewed on: 12/03/2015</p>
<p>Citation</p>		<p>Updates:</p>
<p>FTB Notice</p>		<p>Recommendation:</p>
		<p>File 18A – Ruiz</p>
	<p><u>Please see additional page</u></p>	

Status of Accounting On 10/20/2015, Ms. Horton called and left a message for Elizabeth Vasquez's attorney to call with a status of filing the accounting. A call back has not been received. As of the signing of the declaration, Ms. Horton has not received any accounting by Elizabeth Vasquez. On 10/22/2015, copies of the following bank statements were received from Attorney Robert Cassio:

- Elizabeth Vasquez personal bank account statements with EECU;
- Elizabeth Vasquez's REP FBO client Jaime Ruiz Bank of the West Statements (account for PDA);
- The Ruiz Family Grantor Trust with Elizabeth Vasquez as Trustee Bank of the West statements for the trust savings and checking accounts.

The bank statements provided to Mr. Cassio by Elizabeth Vasquez pursuant to a document demand in the Elder Abuse Action (see FCSC Case No. 15CEFL03258). Ms. Horton has reviewed the bank statements and found several transactions that are of major concern to her particularly with the trust account. It would take several pages to list out every single troublesome transaction, so a few are highlighted for the Court.

In the Bank of the West Grantor Trust checking account there are several transactions that could be a breach of Elizabeth Vasquez's duty as trustee.

- In the June 12, 2015 statement attached hereto as Exhibit A, there are two charges totaling \$564.95 for a hotel room at Best Western for Elizabeth Vasquez. There is also a \$2,000 retainer payment made to attorney firm Rusca and Rusca for Elizabeth, Lisa and Lorraine's attorney in the elder abuse action. These charges are not for the benefit of Ms. Horton's client, and her client's funds cannot be used for Elizabeth, Lisa and Lorraine's personal benefits especially their own attorney.
- In the March 13, 2015 statement attached as Exhibit B, there are charges totaling \$604 to a Dog and Cat Vet place. Ms. Horton's client does not own animals, so clearly these charges are not for his benefit. There is also a \$265.45 charge to Macy's which seems excessive for a 78 year-old man especially since \$412.80 was charged at Kohl's in the same month from Ms. Horton's clients Bank of the West REP FBO account.

In the Bank of the West REP FBO account where Ms. Horton's client's social security was previously coming in and his two pension payments totaling \$497.49 are still currently being deposited, here is a list of transactions Ms. Horton believes were not for the benefit of her client, but for Elizabeth Vasquez:

- Almost every month there is a large payment to an American Express credit card. In the March 13, 2015 statement attached hereto as Exhibit C, a \$400.00 payment was made to America Express. There are also payments made in 2014 to an EECU Visa credit card as well. Ms. Horton's client has never owned a credit card and to the families knowledge does not currently have one. According to Elizabeth Vasquez's personal bank statements, she does have an America Express credit card. Also shown on Exhibit C are transactions for \$412.80 at Kohl's, \$20.52 at Sizzler, \$32.52 at Hometown Buffett, and two withdrawals of cash totaling \$700.00.
- In the January 14, 2015 statement attached hereto as Exhibit D, there is a \$433.45 charge for concert tickets to Juan Gabriel, a \$34.99 amazon.com purchase and a \$326.05 charge to Johnny's Custom Auto Body Shop in Gilroy, Ca. where Elizabeth Vasquez lives.
- In the December 13, 2013 statement attached hereto as Exhibit E, there are several charges to restaurants and Walmart in Gilroy.

The above charges and attached exhibits are just a sample of the concerning transactions made by Elizabeth Vasquez as the agent for Jaime Ruiz under a DPA that she still uses despite the restraining order, and as the Trustee of the Irrevocable Grantor Trust holding Ms. Horton's client's assets.

Please see additional page

Status of Elder Abuse Action

There are three separate elder abuse actions, one against Elizabeth Vasquez, her stepdaughter, Lisa Vasquez, and Lorraine Nava (daughter of Jaime Ruiz). The Honorable Judge Tyler D. Tharpe ruled that each elder abuse action would be heard separately. On October 14th, 15th, and 16th, the trial for just Lorraine Nava was heard. The matters were not concluded so the trial was continued to January 5th, 6th, and 7th, 2016. The elder abuse temporary restraining orders remain in full force and effect until then.

There is currently a pending petition filed by Rosa Ruiz for the appointment of the Fresno County Public Guardian as the conservator of the estate of Jaime Ruiz. Until the elder abuse action has resolved, based on the information that has been provided, Ms. Horton requests that the Court temporarily suspend the Durable Power of Attorney currently being used by Elizabeth Vasquez and appoint the Public Guardian as the conservator of Jaime N. Ruiz's estate.

Ms. Horton further requests that this Court temporarily place the Public Guardian as Successor Trustee of the Ruiz Family Grantor Trust or alternatively, order that there be no further withdrawals until a petition can be filed to remove Elizabeth Vasquez as trustee. Ms. Horton believes her client's assets are in jeopardy and need immediate protection. This matter has been discussed with Deputy Counsel, Heather Kruthers and she consents to the PG being appointed.

Declaration of Danielle Guerrero filed 10/26/2015 states on December 16, 2014, Elizabeth A. Vasquez ("Trustee") established the Ruiz Family Grantor Trust (the "Trust") for the benefit of Jaime N. Ruiz ("Beneficiary") as pre-planning for Medi-Cal in an effort to get the Beneficiary qualified for benefits as he has been diagnosed with dementia and is unable to care for himself. Petitioner's report covers the period of December 16, 2014, through September 30, 2015. A Summary of Account and schedules are attached as Exhibit A. On January 16, 2015, the Trustee opened a Bank of the West Trust checking account with an opening deposit of \$100, representing the initial funding of the Trust. On January 22, 2015, the Trustee deposited an additional \$4,500.00 into the Trust checking account, opened a Trust savings account with Bank of the West, and transferred \$200.00 into the savings account as an opening deposit. The money used to fund the Trust came from the Social Security Representative Payee account managed by Elizabeth A. Vasquez for Jaime N. Ruiz. These transactions are detailed in Schedule A, Receipts-Other of the Account attached as Exhibit A and made part of this Report.

On January 28, 2015, as part of Medi-Cal preplanning, the Trustee deposited two checks, both in the amount of \$15,000.00 for a total of \$30,000.00, into the Trust Checking account. These checks were also made out of the Representative Payee Account and went directly into the Trust account. These transactions are detailed in Schedule A, Receipts-Other of the Account attached as Exhibit A and made part of this report.

Loan on Life Insurance Policy with Northwestern Mutual. As part of Medi-Cal preplanning, effective January 20, 2015, the Trustee took out a loan on the life insurance policy for Beneficiary in the amount of \$38,945.01. This money was first deposited into the Representative Payee Checking account, after which \$38,000.00 was deposited into the Trust checking account on February 13, 2015. This deposit is detailed in Schedule A, Receipt-Other of the Account attached as Exhibit A and made part of this report.

Please see additional page

Sale of Truck belonging to Jaime N. Ruiz. As part of Medi-Cal preplanning, and in an effort to minimize expense on the Trust, the Trustee sold the Beneficiary's truck to John Leos for \$1,000.00. This money was then deposited into the Representative Payee bank account, not in the Trust account. This transaction is detailed in Schedule F, Change in form of Assets of the Account attached as Exhibit A and is counted as a loss to the Trust on Schedule D, Losses on Sales of the Account.

At all times during the period of administration, petitioner has kept all surplus cash interest bearing accounts. The assets on hand consist of a one-third (1/3) interest in real property located at 324 N. College Ave, Fresno, California, and cash in the amount of \$34,105.69.

Declaration of Philip M. Flanigan filed 11/02/2015 states since approximately 2013, Elizabeth Vasquez has been the primary person responsible for seeing to Mr. Ruiz's well-being. Ms. Vasquez arranged for caregivers to provide care to Mr. Ruiz at his home and was making sure that the caregivers were paid in a timely manner. However, after several months, the caregivers quit due to what they claim was ongoing harassment and verbal abuse by Petitioner, Rosie Ruiz, the proposed conservatee's wife.

In or about 08/2013, Mr. Ruiz executed estate planning documents including a Revocable Living Trust, General Durable Power of Attorney and Advanced Healthcare Directives. The documents were drafted by an attorney named Gregory A. Broiles of San Jose, California.

Mr. Broiles has stated that he spent a considerable amount of time alone with Mr. Ruiz prior to drafting said documents in order to assure that Mr. Ruiz was competent and free of any undue influence. Having satisfied his concerns in this regard, Mr. Broiles prepared the appropriate documents which Mr. Ruiz executed on August 29, 2013. In said documents, Mr. Ruiz named his daughter Elizabeth A. Vasquez as his attorney-in-fact and as agent under his Advanced Directive and Trustee under the Revocable Living Trust (true and correct copies of the documents are attached hereto as Exhibit A).

Insofar as she was named as agent under the Advanced Directive for the proposed conservatee, Ms. Vasquez understood that it was her responsibility to assure that all of Mr. Ruiz's care needs were appropriately addressed. Because Mr. Ruiz was in need of more care than what his wife was capable of providing, MR. Vasquez arranged for two additional caregivers to provide assistance to Mr. Ruiz.

Additionally, because Mr. Ruiz was in need of additional care and because the cost of providing such additional care exceeded his available income, Ms. Vasquez began exploring the possibility of obtaining additional assistance through the Medi-Cal program. Ms. Vasquez retained the services of Jeff Ferguson of Quality Life Solutions to assist in qualifying Mr. Ruiz for Medi-Cal. As part of the qualification process, an Intentionally Defective Irrevocable Trust was created to hold assets belonging to Mr. Ruiz that needed to be transferred in order to establish Medi-Cal eligibility (a true and correct copy of that trust is attached hereto as Exhibit B).

Under the terms of the Irrevocable Trust, Mr. Ruiz relinquished all access to, and control of, the assets that were transferred to said trust. This was necessary in order to establish Medi-Cal eligibility. Under the terms of the trust, the beneficiary is Elizabeth A. Vasquez. This beneficiary designation matched the beneficiary designation as set forth in the Revocable Living Trust previously executed by Mr. Ruiz in August 2013.

Please see additional page

Dept. 303, 9:00 a.m. Tuesday, December 8, 2015

As such, it did not change any of the dispositive provisions of Mr. Ruiz' prior estate plan. Mr. Ruiz apparently did not name his other daughter, Lorraine in his estate planning documents because she was named as the beneficiary under the estate plan prepared for Petition, herein, Rosie Ruiz. Additionally, the estate plan of Mr. Ruiz only dealt with his portion of the estate which consisted of his sole and separate property.

Ms. Vasquez indicates that during the time the Medi-Cal planning was undertaken Petitioner, herein, Mrs. Ruiz was aware of the planning and was in agreement with the same. She abruptly changed her mind, however, when Ms. Vasquez caused the sale of the pickup truck belonging to Mr. Ruiz. Ms. Vasquez indicates that the pickup was sold because it was in need of substantial repairs which Mr. Ruiz could not afford. Additionally, Mr. Ruiz was no longer able to drive the pickup and yet was paying for insurance on the vehicle. Accordingly, Ms. Vasquez states that she discussed the matter with her mother, and the decision was made to sell the truck. The proceeds from the sale were deposited into the bank account established for Mr. Ruiz that received his social security benefits, which incidentally, named Elizabeth Vasquez as the designated payee. In fact, Ms. Vasquez had been the designated payee for social security payments to Mr. Ruiz for several years and had managed the finances for Mr. Ruiz during that entire period of time. While there were no objections to the manner in which she managed said funds, once the proceeds from the pickup truck were deposited into the account, Mrs. Ruiz immediately changed her attitude and began to falsely accuse Ms. Vasquez of stealing the truck and selling it without her permission.

Mrs. Ruiz also began to prevent Ms. Vasquez from taking Mr. Ruiz to his doctor appointments. Because she was the agent designated under Mr. Ruiz' Advanced Health Care Directive, Ms. Vasquez felt a responsibility to act in her father's best interest. When she could not obtain the cooperation from her mother to allow for Mr. Ruiz to be taken into his doctor appointments, Ms. Vasquez decided to file the instant petition for conservatorship of the person. In response, Mrs. Ruiz filed the counter petition for conservatorship of the person and the estate. Additionally, Ms. Vasquez also applied for a temporary restraining order against Ms. Vasquez and her sister and in it falsely alleged physical abuse. The temporary restraining order is the subject of a separate proceeding, which is set for hearing in January 2016.

In the present conservatorship proceedings, Ms. Vasquez has been falsely accused of stealing her father's money. Because of these false accusations, there has been a certain amount of prejudice directed towards her which the undersigned believes is patently unfair. Once, again, it is very important that the court understand and that Ms. Vasquez was managing her father's money for several years prior to initiation of the conservatorship proceedings. There were no incidents during this time period and no objections from her mother, Rosie Ruiz. During that time period, Mr. Ruiz was being well cared for in his home. Ms. Vasquez was simply attempting to ensure that this could continue and that if necessary, Mr. Ruiz could be transferred to a skilled nursing facility, if appropriate. Ms. Vasquez was simply attempting to continue taking care of her father as he had requested her to do and as evidenced by his estate planning documents executed in August of 2013.

Please see additional page

At no time has any one, including the court appointed counsel for Mr. Ruiz, attempted to contact Mr. Broiles to get his input regarding preparation of the estate planning documents he did for Mr. Ruiz. Moreover, at no time has anyone attempted to set aside or challenge the legal documents prepared by Mr. Broiles. This is extremely important because if the legal documents prepared for Mr. Ruiz by Mr. Broiles in August of 2013 are valid, then it is respectfully submitted that his wishes should be carried out and his daughter Elizabeth Vasquez should be appointed as conservator of his person. Additionally, if said documents are valid, no conservator of the estate is necessary or required as once again, Ms. Vasquez would have the ability to manage her father's assets under the terms of the General Durable Power of Attorney. Further, if the documents are valid, then Ms. Vasquez was acting within her power in establishing the Ruiz Family Grantor Trust and in transferring assets from Mr. Ruiz to said trust. Additionally, under the terms of said trust, Ms. Vasquez is the ultimate beneficiary, and the funds is irrelevant insofar as Mr. Ruiz.

Because Mr. Ruiz has executed valid estate planning documents which have not been challenged and/or set aside, it is respectfully submitted that his wishes should be carried out as set forth in said documents. In the event counsel for Mrs. Ruiz and/or court appointed counsel for Mr. Ruiz dispute the validity of the estate planning documents then they certainly can file an appropriate petition to challenge and to seek to have the same set aside. However, to falsely assert that Ms. Vasquez is somehow engaging in inappropriate conduct is simply no warranted by the facts and is continuing to prevent her from carrying out her father's wishes. As such, it is respectfully requested that the court deny the oral Ex Parte request to appoint the public guardian as conservator of the person and the estate of Mr. Ruiz.

It is also brought to the Court's attention that per the agreement of the parties reached at the settlement conference, Ms. Vasquez is cooperating with Ms. Ruiz in addressing the care needs of the proposed conservatee. Ms. Vasquez has been instructed not to interfere Mrs. Ruiz' efforts to care for her husband and in exchange, Mrs. Ruiz, through her counsel, has agreed to provide periodic updates to Ms. Vasquez regarding doctor appointments and doctor visits pertaining to Mr. Ruiz. Insofar, as Mr. Ruiz' income, Mrs. Ruiz has become the designated payee for Mr. Ruiz's social security benefits and has been receiving those for several months. As such, Mrs. Ruiz is the person now responsible for paying all bills and expenses associated with Mr. Ruiz.

Declaration of Philip M. Flanigan in Compliance with Court Order filed 11/10/2015 states Elizabeth A. Vasquez complied with the Court's 11/10/2015 order and turned over all bank records, checkbooks, credit cards pertaining to Jaime Ruiz and the Ruiz Family Grantor Trust, in her possession, custody and control. Ms. Vasquez has advised the undersigned that to the best of her knowledge she does not possess or have access to any other records pertaining to Jaime Ruiz and thus, has fully complied with the Court's order. Ms. Vasquez has also previously filed with the Court, an Accounting for the period of 12/16/2014 through 09/30/2015. Ms. Vasquez has also provided this Accounting to the Public Guardian. Additionally, Ms. Vasquez has provided the Public Guardian with the backup documentation for the Accounting showing the details for each transaction reflected therein. Ms. Vasquez is not attempting to sell any assets belonging to Mr. Ruiz and/or the trust. No such efforts have been undertaken in at least the last sixty days. Moreover, since creation of the Ruiz Family Grantor Trust, Ms. Vasquez has not taken any steps to sell any assets belonging to Mr. Ruiz.

Please see additional page

Continued from previous page: At the direction of her financial advisor, Ms. Vasquez did borrow on a life insurance policy belonging to Mr. Ruiz held at Northwestern Mutual, Policy No. 7203522. The loan amount of \$38,945.01 was to be transferred to the Ruiz Family Grantor Trust as was ownership of the policy. The loan was to have then been paid back with ownership of the policy now held in the name of the trust. This was done for purposes of removing the cash value of the policy from Mr. Ruiz' so as to enable him to qualify for Medi-Cal benefits to obtain assistance with his care needs. The monies were deposited into a bank account in the name of Mr. Ruiz and the funds, less \$945.01, were thereafter transferred to an account in the name of the Ruiz Family Grantor Trust.

Once again, all bank account information has been turned over by Ms. Vasquez to the Public Guardian and Ms. Vasquez remains willing to answer any and all questions the Public Guardian may have regarding the assets of Mr. Ruiz and/or the transactions engaged in by Ms. Vasquez.

Declaration of J. Stanley Teixeira filed 12/03/2015 states on 11/16/2015 he hand delivered financial documents and information to deputy Public Guardian Stacy Mauro regarding the assets of Jaime N. Ruiz and any and all trusts established utilizing his assets.

18B Jaime N. Ruiz (CONS/P) Case No. 15CEPR00451

Attorney Guerrero, Danielle R. (for Elizabeth A. Vasquez – Petitioner – Daughter)

Attorney Horton, Lisa (Court Appointed for Proposed Conservatee)

Attorney Teixeira, J. Stanley (for Ruiz, Rosa P. – Objector/Competing Petitioner - Spouse)

Petition for Appointment of Probate Conservator of the Person

		<u>NO TEMPORARY REQUESTED</u>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>18C is the competing petition for Appointment of Probate Conservator of the Person and Estate filed by Rosa P. Ruiz, spouse/objector.</p> <p>Note: This petition is for appointment of probate conservatorship of the person only.</p> <p>Minute Order of 11/03/2015: The Court grants temporary orders to Rosa Ruiz as to the person only. The Court grants temporary orders to the Public Guardian as to the Estate only. Letters for the Public Guardian shall issue from the minute order; Mr. Teixeira will prepare orders/letters as to the person. The Court orders that any and all written/oral information regarding the assets be turned over to the Public Guardian within one week. Elizabeth Vasquez is to immediately turn over any and all bank accounts/assets of Jaime Ruiz to the Public Guardian. Elizabeth Vasquez is to cease and desist disbursement of any assets of Jaime Ruiz to the Public Guardian. Elizabeth Vasquez is to cease and desist disbursement of any assets of Jaime Ruiz immediately. Any attempt to sell any assets by Elizabeth Vasquez is to stop immediately, and she is to report to the Public Guardian all acts she has done with regard to the assets within one week.</p> <p>Court Investigator Advised Rights on 05/28/2015.</p>
		<p>ELIZABETH A. VASQUEZ, daughter, is petitioner.</p> <p style="text-align: center;"><u>Please see Petition for details</u></p>	
Cont. from 061115, 071615, 110315			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w/	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.		
	Conf. Screen		
	Letters	x	
✓	Duties/Supp		
	Objections		
✓	Video Receipt		
✓	CI Report		
	9202		
	Order	x	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
✓	Citation		
	FTB Notice		
		Reviewed by: LV	
		Reviewed on: 12/03/2015	
		Updates:	
		Recommendation:	
		File 18B - Ruiz	

18C Jaime N. Ruiz (CONS/PE)

Case No. 15CEPR00451

Attorney Guerrero, Danielle R. (for Elizabeth A. Vasquez – Competing Petitioner – Daughter)

Attorney Horton, Lisa (Court Appointed for Proposed Conservatee)

Attorney Teixeira, J. Stanley (for Ruiz, Rosa P. – Petitioner - Spouse)

Petition for Appointment of Probate Conservator of the Person and Estate

		<u>TEMPORARY GRANTED AS TO THE PERSON ONLY, EXPIRES 12/08/2015</u>	NEEDS/PROBLEMS/COMMENTS: Minute Order of 11/03/2015: The Court grants temporary orders to Rosa Ruiz as to the person only. The Court grants temporary orders to the Public Guardian as to the Estate only. Letters for the Public Guardian shall issue from the minute order; Mr. Teixeira will prepare orders/letters as to the person. The Court orders that any and all written/oral information regarding the assets be turned over to the Public Guardian within one week. Elizabeth Vasquez is to immediately turn over any and all bank accounts/assets of Jaime Ruiz to the Public Guardian. Elizabeth Vasquez is to cease and desist disbursement of any assets of Jaime Ruiz to the Public Guardian. Elizabeth Vasquez is to cease and desist disbursement of any assets of Jaime Ruiz immediately. Any attempt to sell any assets by Elizabeth Vasquez is to stop immediately, and she is to report to the Public Guardian all acts she has done with regard to the assets within one week. Court Investigator Advised Rights on 07/14/2015. 1. Need Video viewing receipt for each conservator pursuant to Local Rule 7.15.8(A). <u>Please see additional page for Status Hearings</u>
		<u>PUBLIC GUARDIAN APPOINTED TEMPORARY CONSERVATOR OF THE ESTATE, EXPIRES 12/08/2015</u>	
Cont. from 110315		<p>ROSA P. RUIZ, spouse, is petitioner.</p> <p style="text-align: center;"><u>Please see Petition for details</u></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 checked="" type="checkbox"/>	Pers.Serv.		
<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 checked="" type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: LV	
		Reviewed on: 12/03/2015	
		Updates:	
		Recommendation:	
		File 18C – Ruiz	

Needs/Problems/Comments continued:

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

- **Thursday, 05/10/2016 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal **and**
- **Thursday, 02/07/2017 at 9:00a.m. in Dept. 303** for the filing of the first account.

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

Petitioner
Petitioner

Lomeli-Marashlian, Erica (Pro Per – Maternal Aunt – Petitioner)
Salazar, Christopher Manuel (Pro Per – Brother – Petitioner)

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

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: Minute Order 10/27/15: The Court dispenses with notice to the paternal grandfather unless his whereabouts become known. The Court finds that further diligence is required as to noticing the father, Mario Jesse Herrera II, and Christina Halford, paternal grandmother.
Cont. from 081115, 092215, 102715			
<input type="checkbox"/>	Aff.Sub.Wit.		<p>1. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 on: - Mario Herrera, II (Father)</p> <p>2. 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: - Paternal Grandmother Christina Halford</p>
<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 checked="" type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	Clearances		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: skc
			Reviewed on: 12/2/15
			Updates:
			Recommendation:
			File 19 – Herrera

20 Bri'leeah Cooks (GUARD/P) Case No. 15CEPR00666

Petitioner Morson, Areka (pro per – paternal grandmother)

Petition for Appointment of Guardianship of the Person

		<u>TEMPORARY EXPIRES 12/08/2015</u>	NEEDS/PROBLEMS/COMMENTS:
		AREKA MORSON, paternal grandmother, is Petitioner.	
		<u>Please see petition for details</u>	Minute Order of 10/27/2015: The Court finds the notice to Brian Cooks, father, sufficient. Petitioner has the Court's permission to text Desire Hernandez, mother, notice of the next hearing that includes the date, time, place and reason for the hearing in the text; she is to bring her pone to the next hearing for the Court to review the message.
Cont. from 090815, 102715			
	Aff.Sub.Wit.		<p>1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:</p> <ul style="list-style-type: none"> • Desire Hernandez (Mother) – Unless the Court dispenses with notice. <p>Note: Declaration of Due Diligence filed 09/02/2015 states petitioner received a text message from the mother stating petitioner would see her in court.</p> <p>2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:</p> <ul style="list-style-type: none"> • Deric Cooks (Paternal Grandfather) • Maternal Grandfather (Not Listed) • Mary Hernandez (Maternal Grandmother)
<input checked="" type="checkbox"/>	Verified		
	Inventory		
	PTC		
	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
	Aff.Mail	x	
	Aff.Pub.		
	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.	w/	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
	Objections		
	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: LV
			Reviewed on: 12/02/2015
			Updates:
			Recommendation:
			File 20 – Cooks

21A Benny Markarian (Estate)

Case No. 15CEPR00668

Attorney Harris, Richard A. (for Pamela Milam – Petitioner – Daughter)

Petition for Probate of Will and for Letters Testamentary with IAEA

DOD: 05/15/2015	PAMELA MILAM , daughter/named executor without bond is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued to 02/02/2016 per Stipulation and Order filed 12/04/2015.</u></p> <p>Page 21B is the Status Hearing for the filing of a Will Contest/Competing Petition.</p> <p>1. Proposed personal representative is a resident of Florida. 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> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Tuesday, 01/05/2016 at 9:00a.m. in Dept. 303 for the filing of the Bond if required and • Tuesday, 05/03/2016 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Tuesday, 02/04/2017 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p> <p>Reviewed by: LV</p> <p>Reviewed on: 12/02/2015</p> <p>Updates: 12/04/2015</p> <p>Recommendation:</p> <p>File 21A – Markarian</p>
Cont. from 081815, 092915	Petitioner is a resident of Miramar Beach, Florida.	
<input type="checkbox"/> Aff.Sub.Wit.	Full IAEA – o.k.	
<input checked="" type="checkbox"/> Verified	Will dated: 02/20/2008	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Residence: Fresno	
<input type="checkbox"/> Not.Cred.	Publication: The Business Journal	
<input checked="" type="checkbox"/> Notice of Hrg	Estimated Value of the Estate:	
<input checked="" type="checkbox"/> Aff.Mail w/	Personal property - \$129,300.00	
<input checked="" type="checkbox"/> Aff.Pub.	Real Property - \$160,000.00	
	Total - \$289,300.00	
<input type="checkbox"/> Sp.Ntc.	Probate Referee: Steven Diebert	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<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		

21B Benny Markarian (Estate) Case No. 15CEPR00668

Attorney Harris, Richard A. (for Pamela Milam – Petitioner – Daughter)

Attorney Nahigian, Eliot (for Ronald Markarian - Son)

Probate Status Hearing RE: Filing of a Will Contest/Competing Petition

	PAMELA MILAM, daughter, filed a Petition for Probate of Will and for Letters Testamentary with IAEA on 08/18/2015.	NEEDS/PROBLEMS/COMMENTS: <u>Continued to 02/02/2016 per Stipulation and Order filed 12/04/2015.</u> As of 12/02/2015 no Will Contest/Competing Petition have been filed.
Cont. from	Minute Order of 09/29/2015 set this Status Hearing for the filing of a Will Contest/Competing Petition.	
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: 12/02/2015
		Updates:
		Recommendation:
		File 21B – Markarian

22 Levell Armstrong, Ja'shawna Ellsberry (GUARD/P) Case No. 15CEPR00688

Petitioner Beard , Johnnese Renee (pro per – sister)

Petition for Appointment of Guardian of the Person

		<u>TEMPORARY EXPIRES 12/08/15</u>	NEEDS/PROBLEMS/COMMENTS:
		JOHNNESE RENEE BEARD , sister, is Petitioner.	<p><u>CONTINUED FROM 10/27/15</u> Minute Order from 10/27/15 states: Examiner notes provided in open court. The Court dispenses with notice as to the unknown father and paternal grandparents of Ja'shawna. The Court grants one last continuance for the remaining defects to be cured.</p>
Cont. from 091515, 102715		Father (Levell): MARQUIS LEVELL ARMSTRONG – currently incarcerated; served by mail on 10/28/15 – service by mail ok per 07/28/15 Minute Order	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Father (Ja'Shawna): UNKNOWN – Court dispensed with notice on 10/27/15	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Mother: DASHA ELLSBERRY - deceased.	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Paternal grandfather (Levell): RONNIE ARMSTRONG – personally served on 07/28/15	
<input checked="" type="checkbox"/>	Aff.Mail	w/ Paternal grandmother (Levell): ROSEMARY WOODS – served by mail on 10/28/15	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.	w/ Paternal grandparents (Ja'Shawna): UNKNOWN - Court dispensed with notice on 10/27/15	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	Maternal grandfather: WALTER ELLSBERRY – served by mail on 10/28/15	
<input checked="" type="checkbox"/>	Duties/Supp	Maternal grandmother: MARY CATO - consents and waives notice.	
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt	Petitioner states [see file for details].	
<input checked="" type="checkbox"/>	CI Report	Court Investigator Jennifer Young filed a report on 09/08/15.	
<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		
			Reviewed by: JF
			Reviewed on: 12/03/15
			Updates:
			Recommendation:
			File 22 – Armstrong/Ellsberry

**24 Romeo Ortega, Trinity Ortega, Olivia Suarez, & Case No. 15CEPR00761
Noah Suarez (GUARD/P)**

Petitioner Mendoza, Yolanda (Pro Per – Petitioner – Maternal Grandmother)

Petition for Appointment of Guardian of the Person

		<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
		YOLANDA MENDOZA , maternal grandmother, is petitioner.	Minute Order of 10/06/2015: Examiner notes provided in open court.
		<u>Please see petition for details</u>	The following is the only issue remaining:
Cont. from 100615			<p>1. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice for:</p> <ul style="list-style-type: none"> Rafael Suarez (Paternal Grandfather of Olivia & Noah) – Unless the Court dispenses with notice
<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 checked="" type="checkbox"/>	Pers.Serv.	w/	
<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		
			Reviewed by: LV
			Reviewed on: 12/02/2015
			Updates:
			Recommendation:
			File 24 – Ortega/Suarez

Petitioner **Espino, Elva (pro per – paternal aunt)**
Petition for Appointment of Guardian of the Person

		<u>NO TEMPORARY REQUESTED</u>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 10/06/15</u></p>
		<p>ELVA ESPINO, paternal aunt, is Petitioner.</p> <p>Father: MELESIO ESPINO – personally served on 10/14/15</p> <p>Mother: JASMINE NORIEGA – Consent & Waiver of Notice filed 08/06/15</p> <p>Paternal grandfather: DECIDERIO ESPINO – deceased</p> <p>Paternal grandmother: ANGELINA LOZANO – personally served on 10/14/15</p> <p>Maternal grandfather: VICTOR NORIEGA – personally served on 10/13/15</p> <p>Maternal grandmother: CATHY NORIEGA – personally served on 10/13/15</p> <p>Petitioner states: [see file for details].</p> <p>Court Investigator Jennifer Young filed a report on 10/01/15.</p>	
Cont. from 100615			
<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 type="checkbox"/>	Aff.Mail	n/a	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.	w/	
<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		
			Reviewed by: JF
			Reviewed on: 12/03/15
			Updates:
			Recommendation:
			File 25 – Espino

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

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> All service defects have been cured. No objections have been filed as of 12/2/15.</p>	
Cont. from 102715				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 12/2/15	
			Updates:	
			Recommendation:	
			File 26 – Modlin	

Petition for Appointment of Guardian of the Person

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: 1. If diligence is not found, need notice to paternal grandfather Adrian Cervantes per Probate Code §1511.	
	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			X
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 12/2/15	
			Updates:	
			Recommendation:	
			File 27 – Gongora	

Petition for Appointment of Guardian of the Person

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: 1. If diligence is not found, need service to father and maternal grandfather per Probate Code §1511.	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 12/2/15	
			Updates:	
			Recommendation:	
			File 28 – Price	

Attorney Hopper, Cindy J. (for Petitioner Tammy Potter – Maternal Grandmother)
 Attorney Brungess, Julia A. (for Darleen and Mark Veter – Objectors)

Petition for Appointment of Guardian of the Person

		See petition, objection for details.	NEEDS/PROBLEMS/COMMENTS: Note: A competing petition has been filed by Darlene and Mark Veter, for guardianship of Ryan only that is set for hearing on 12/17/15. Temp guardianship of Ryan was granted to the Veters on 10/13/15.	
	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: 12/2/15	
			Updates:	
			Recommendation:	
			File 29 – Roesing	

Probate Status Hearing RE: Filing of the Final Account of the Public Guardian

	FRESNO COUNTY PUBLIC GUARDIAN was appointed Temporary Conservator of the Person and Estate on 5/27/15.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need First/Final Account of Temporary Conservator of the Estate or written status report per Local Rule 7.5.</p>	
	At a hearing on 9/24/15, the Public Guardian's petition for appointment as permanent conservator was withdrawn, and the Court set this status hearing for the filing of the first/final account.		
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	Note: KENNETH A. KEARNS was appointed permanent Conservator of the Person and Estate on 10/2/15.		
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: 12/2/15
			Updates:
		Recommendation:	
		File 30 – Walters	