1 **Mabel P Lundstrom Living Trust 9-18-02** **Case No. 05CEPR01115**

Atty **Kruthers, Heather H (for Petitioner/Trustee Public Guardian)**

Second and Final Account and Report of Trustee; Petition for Allowance of Compensation to Trustee and Attorney; Termination of Trust; and Distribution

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

PUBLIC GUARDIAN, Successor Trustee, is petitioner.

This petition relates to the **GRANDCHILDREN'S TRUST CREATED UNDER THE MABEL P. LUNSTROM LIVING TRUST**, for the benefit of Signe Lundstrom.

Account period: 8/1/12 – 9/18/14

Accounting - **$27,062.34**
Beginning POH - **$27,048.74**
Ending POH - **$ 2,769.71**

Trustee - **$1,064.32** (7.92 Deputy hours @ $96/hr and 4.00 Staff hours @ $76/hr)

Attorney - **$1,000.00**

Bond - **$50.00** (o.k.)

Costs - **$435.00** (filing fee)

Petitioner states that during the administration of the grandchildren's trust, the court-approved distributions made on Signe's behalf. As a result, the funds have been mostly exhausted and petitioner asserts that the remaining assets ($220.39 after payment of commissions, fees and costs) could be distributed to Signe and this trust terminated.

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: KT
Reviewed on: 12/2/14
Updates:
Recommendation:
File 1 - Lundstrom

Dept. 303, 9:00 a.m. Wednesday, December 10, 2014

2 Linda J. Geist (Estate) Case No. 10CEPR00242

Atty **Shekoyan, James E. (for Douglas J. Geist – Administrator)**

Status Hearing Re: Petition for Final Distribution

DOD: 01/21/2010		
Cont. from 062014, 091014		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
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	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
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	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

DOUGLAS J. GEIST, was appointed Administrator with full IAEA authority with bond set at $400,000.00 on 05/04/2010.

Letters issued on 05/20/2010.

Inventory and Appraisal filed on 08/06/2010 shows an estate valued at **$333,944.84**.

Order Settling First Account and Report of Personal Representative filed 07/03/2013.

Minute Order of 07/03/2013 set this matter for Status Hearing. Bond reduced to $55,000.00.

Former Status Report filed on 09/04/2014 by Attorney James E. Shekoyan states this estate is the beneficiary of the Estate of Marilyn Alice Geist (San Francisco County Superior Court Case No. PES-07-290788). The Estate of Marilyn Alice Geist was distributed in June 2012 reserving closing costs. Since that time, Petitioner and Petitioner's attorney have repeatedly attempted to contact Petitioner's attorney in the San Francisco case, Kathy Murphy, requesting that the estate be closed and Petitioner's bond in that estate be discharged.

In May 2014, Petitioner's attorney spoke with Ms. Murphy. Ms. Murphy indicated that there was a tax problem with the estate and that she would resolve the issue shortly. As of this date, neither Petitioner nor his attorney have heard from Ms. Murphy. On 08/28/2014, Petitioner's attorney sent Ms. Murphy a letter requesting the distribution from the Marilyn Geist Estate. A copy of the letter is attached. Ms. Murphy has not yet responded to the letter.

In light of the foregoing, Petitioner requests a continuance of this status hearing for at least two months to allow Ms. Murphy to resolve the tax issue, distribute the balance of the funds, and discharge Petitioner's bond in that estate.

NEEDS/PROBLEMS/COMMENTS:

Minute Order of 09/10/2014: Mr. Shekoyan informs the Court he is having issues contacting counsel.

1. Need Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties

Reviewed by: LV

Reviewed on: 12/03/2014

Updates:

Recommendation:

File 2 - Geist

3 Hailie L. Whitmire Special Needs Trust Case No. 10CEPR01092

Atty **Lederman, Gregory J., sole practitioner of Woodland Hills (for Petitioner Comerica Bank & Trust, Trustee)**

Third Account and Report of Trustee and Petition for: Ratification of Trustee Fees, Allowance of Periodic Payment of Trustee Fees and Attorney's Fees and Reimbursement of Costs Advanced

Age: 11 years		
Cont. from		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	W/
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	**2620**	
	Order	X
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

COMERICA BANK & TRUST, N.A., Trustee, is Petitioner.

Account period: 7/10/2013 through 8/31/2014

Accounting - **$1,139,214.03**
Beginning POH - **$ 997,861.07**
Ending POH - **$1,036,406.95**
(stocks/funds/securities, 2013 vehicle and $48,617.53 cash)

Trustee - **$8,098.24** *(paid)*
(per authorized fee schedule @ 0.65% on the first $1,000,000 of assets, 0.57 on next $1,000,000 of assets; $3,000 annual min.;)

Caregiver Fees - **$37,207.15** *(paid)*
(per Order on Petition Requesting Hiring of a Caregiver filed 11/9/2011, copy attached as Exhibit D, authorizing $2,000.00 per month paid bi-weekly to SHELLY WHITMIRE from 7/22/2013 to 8/28/2014;)

Attorney - **$5,035.00**
(per Exhibit G and Declaration of Gregory J. Lederman in Support of Request for Attorney's Fees attached as Exhibit H; for 22.45 hours @ rates from $150.00/hour to $295.00/hour;)

Attorney Costs - **$372.00**
(per Exhibit G for Courtcall and filing fee)

Investment Manager - **$11,289.07** *(paid)*
(paid to Morgan Stanley; per Declaration [of Claudia Shoemann] Regarding Payment of Investment Management Fees attached as Exhibit E; Petitioner contracts with outside investment managers for services; rates have been reduced from normal rates; during account period realized gain of $49,317.84; [losses were $14,621.62];)

Vehicle Expenses - **[$49,050.28]** *(paid)*
(rental of vehicle to transport HAILIE WHITMIRE totaling $1,955.00; purchase of vehicle per Order on Petition Requesting Purchase of Automobile filed 9/10/2013 totaling $44,970.75 ; car insurance premiums ($1,753.53) and registration ($371.00);

Medical Supplies - **$4,900.00** *(paid)*
(monthly payments to SHELLY WHITMIRE @ $350.00 per month;)

Tutoring Fees - **$10,717.50** *(paid)*
(paid to DANIELLE MULLET @ varying rates from $360.00 to $375.00 every ~two weeks from 7/10/2013 to 8/26/2014;)

~Please see additional page~

NEEDS/PROBLEMS/ COMMENTS:

~Please see additional page~

Reviewed by: LEG
Reviewed on: 12/3/14
Updates:
Recommendation:
File 3 – Whitmire

Dept. 303, 9:00 a.m. Wednesday, December 10, 2014

Petitioner states:

- On 4/28/2011, this Court approved the *Petition for Authority to Create a Special Needs Trust* for, which contains the terms of the special needs trust (SNT) created for the benefit of **HAILIE WHITMIRE**, who received monies from a global settlement reached in the class action litigation known as the Paxil birth defect cases (*copy of Trust attached as Exhibit A*);
- Petitioner as Trustee has managed and administered the entire Trust estate for the sole beneficiary, Hailie, and has served as acting Trustee at all times since initial appointment;
- On 11/9/2011, this Court issued an *Order on Petition Requesting Hiring of a Caregiver (copy attached as Exhibit D)* authorizing payments to **SHELLY WHITMIRE**, mother, of **$2,000.00** per month, which she received twice a month, and the remainder of each payment was made for social security taxes, Medicare taxes, workers' compensation coverage, and administrative fees for the payroll company used by Petitioner;
- During the Third Account period, various disbursements were made for a rental vehicle used to transport Hailie to and from appointments as her father used the family's only functional vehicle to get to and from work; Petitioner requested authority from this Court to purchase a vehicle that would meet Hailie's needs to do away with the constant need to rent another vehicle; the *Order on Petition Requesting Purchase of Automobile* filed 9/10/2013 *(copy attached as exhibit F)* approved the request and a vehicle was purchased on 8/29/2013 for the total sum of **$44,970.75**; as the Petitioner was authorized to purchase a vehicle for the benefit of the SNT beneficiary, the Trust made payments for car insurance and DMV registration;
- Pursuant to the *Order on Second Account and Report of Trustee* [filed 9/20/2013] the Trustee was authorized to take periodic fees on a monthly basis pursuant to the fee schedule *[please refer to Paragraph 11, lines 19 to 22 of Petition]*.

<u>Petitioner prays for an order</u>:

1. Approving, allowing, and settling the Third Account;
2. Ratifying Trustee's fees paid to **COMERICA BANK & TRUST** totaling **$8,098.24** during the Third Account period;
3. Authorizing and directing Petitioner to pay Comerica Bank & Trust N.A., out of the Trust estate periodic Trustee's fees on a monthly basis pursuant to Probate Code § 15682, based on the same fee schedule adhered to during the instant Third Account period;
4. Authorizing and directing Petitioner to pay attorney's fees of **$5,035.00**, which per the *Declaration of Gregory J. Lederman in Support of Request for Attorney's Fees* attached as *Exhibit H* includes **2.50** hours of anticipated time @ **$295.00** per hour (totaling **$737.50**) for telephonic appearance at the 12/10/2014 hearing; or in the alternative, if the matter is recommended for approval and no appearance at hearing is required, the fee should be reduced by **$737.50** and the total attorney fee request would be **$4,297.50**; and
5. Authorizing and directing Petitioner to reimburse the Attorney's costs advance on behalf of the Trustee and Trust estate of **$372.00**.

<u>NEEDS/PROBLEMS/COMMENTS, continued</u>:

1. *Order on Second Account and Report of Trustee* filed 9/20/2013 finds that Petitioner's Third Account, and all subsequent accountings thereafter, shall contain a declaration setting forth all services performed by **COMERICA BANK & TRUST** and the time spent performing each service. Need declaration from Petitioner as Trustee containing the itemization of services and time spent performing services, as ordered by this Court on 9/20/2013.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS, continued:

2. *Order on Second Account and Report of Trustee* filed 9/20/2013 finds that Petitioner's Third Account, and all subsequent accountings thereafter, shall contain the fee schedule of **MORGAN STANLEY** or any other outside investment management company hired by Petitioner. Paragraph 10(a)(ii) of the *Petition* states Petitioner used an outside investment manager to invest some of the SNT funds and paid a total of **$11,289.07** as compensation for the investment management services. *Declaration [of Claudia Shoemann] Regarding Payment of Investment Management Fees attached as Exhibit E* does not but should provide the fee schedule in support of the investment management fees paid to the outside investment manager used by Petitioner during the Third Account period, as ordered by this Court on 9/20/2013. *Declaration [of Claudia Shoemann]* states Petitioner acts solely as a Trustee and is not a money management or investment company, that Petitioner contracts with outside investment managers for services to property invest some of the Trust's funds, and that to accommodate this agreement, both companies have reduced the rates they normally charge for the services they respectively provide. The *Declaration [of Claudia Shoemann]* does not appear to satisfy the requirements of this Court's order requesting a fee schedule as no rates or the services performed are included.

3. *Schedule C, Disbursements* does not show the payment for purchase of the vehicle. *Proof of Security Interest* filed 9/26/2013 includes a Certificate of Title dated 9/21/2013, which date falls within the instant account period of 7/10/2013 through 8/31/2014, such that the purchase should be reflected on the disbursement schedule.

4. *Schedule C, Disbursements* shows **$10,717.50** was paid to **DANIELLE MULLET** for tutoring fees. Given the significant sum paid for this service, which by comparison exceeds Trustee fees and the requested Attorney fees during this account period, the Court may require specific information from Petitioner regarding the benefit the SNT Beneficiary is receiving from the tutoring by Danielle Mullet for the Court's consideration before ratifying this large expenditure made during the Third Account period.

5. *Schedule C, Disbursements* shows payment of **$400.00** on 12/6/2013 to **SHELLY WHITMIRE** for Christmas expenses, without explaining how this disbursement relates to the special needs of the SNT Beneficiary.

6. Need proposed order pursuant to Local Rule 7.1 which provides a proposed order shall be submitted with all pleadings that request relief.

Note: Court will set a status hearing as follows:

- **Monday, November 2, 2015 at 9:00 a.m. in Dept. 303** for the filing of the fourth account.

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

4 Beverly J. Kitley (Estate) **Case No. 11CEPR00235**

Atty Teixeira, J. Stanley (for Public Administrator – Administrator/Petitioner)

(1) First and Final Account and Report of Administrator and Petition for its Settlement, (2) for Allowance of Statutory Commissions and (3) for Final Distribution

DOD: 05/15/09			
Cont. from			
	Aff.Sub.Wit.		
✓	**Verified**		
✓	**Inventory**		
✓	**PTC**		
✓	**Not.Cred.**		
✓	**Notice of Hrg**		
✓	**Aff.Mail**	w/o	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters	05/16/11	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	**9202**		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	**FTB Notice**		

PUBLIC ADMINISTRATOR, Administrator with will annexed, is Petitioner.

Account period: **05/15/09 – 09/30/14**

Accounting - **$47,349.48**
Beginning POH - **$47,349.48**
Ending POH - **$25,289.53** (all cash)

Administrator (statutory) - **$1,893.97**

Attorney (statutory) - **$1,893.97**

Costs - **$1,200.00**
(filing fees, certified copies, publication)

Closing - **$248.00**

Distribution, pursuant to decedent's will, is to:

Kristin Cappelli - $10,026.80

Michael Kitley - $10,026.79
($2,058.30 to be paid to CA Victim's Compensation Board and $7,968.49 to Michael Kitley)

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: JF
Reviewed on: 12/03/14
Updates:
Recommendation: SUBMITTED
File 4 – Kitley

Dept. 303, 9:00 a.m. Wednesday, December 10, 2014

5 Wilfred Carl Mell (Estate) Case No. 12CEPR00225

Atty **Krbechek, Randolf**

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

DOD: 05/29/2009		
Cont. from		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
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	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

DALE GEORGE MELL, son, was appointed Executor with full IAEA authority with bond set at $85,000.00 on 10/19/2013.

Minute Order of 09/16/2014: The Court issues Order to Show Cause with Sanctions of $800 to Dale G. Mell for failure to perform duties. Counsel will notify Bond Company of Issues.

Notice of Order to Show Cause was mailed to Dale G. Mell on 09/19/2014.

Minute Order dated 11/3/14 states Mr. Krbechek requests a continuance with removal of the sanctions if the documents are filed. The court grants the request and continues the matter to 11/14/14.

Minute Order dated 11/14/14 states the Court Issues an Order to Show Cause to Randolf Krbechek and Dale Mell as to why Mr. Mell should not be removed as Executor for failure to appear to file the First Account or Petition for Final Distribution; Mr. Krbechek and Mr. Mell are ordered to be personally present in court on 12/10/14. Furthermore, the Court orders that the $800.00 sanctions be paid by Mr. Mell no later than 11/24/14.

Declaration of Randolf Krbechek filed on 11/18/14 states he and Mr. Mell were present in court on 11/3/14. He states he informed the court that he had received the necessary documents and would be able to file the petition for final distribution by Friday, 11/14/14.

Mr. Krbechek states he did not understand that the matter was set for a continued hearing on 11/14/14. The accounting was filed prior to noon on 11/14/14 and is set for hearing on 12/18/14. No sanctions should be imposed on Mr. Mell because he relied on Mr. Krbechek's advice. Mr. Krbechek states he was in court on 11/17/14 for a hearing on a different case. The court did not mention anything about the OSC in this estate.

Mr. Krbechek respectfully submits that he completed all requirements necessary to discharge the prior order regarding the filing of the account and petition for final distribution. Based thereon, Mr. Krbechek respectfully requests that the court vacate the probate minute order dated 11/14/14 or in the alternative continue this hearing to 12/18/14 to be heard with the petition for final distribution.

NEEDS/PROBLEMS /COMMENTS:

1. Need payment in the amount of $800.00 for sanctions imposed on Dale G. Mell, Executor – if not vacated by the court.

Reviewed by: KT

Reviewed on: 12/3/14

Updates:

Recommendation:

File 5 – Mell

Dept. 303, 9:00 a.m. Wednesday, December 10, 2014

6 Rachael Lynn Bingham-Mathia (GUARD/P) Case No. 12CEPR00908

Atty Cathy Amero and Gary Amero (Pro Per Guardians/paternal grandparents)

Atty Stegall, Nancy J (for Petitioner/mother Teresa Mathia)

Petition for Termination of Guardianship

Age: 6 years		
Cont. from 111214		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
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	Duties/Supp	
	Objections	
	Video Receipt	
✓	**CI Report**	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

TERESA MATHIA, mother, is petitioner.

CATHY AMERO and **GARY AMERO**, paternal grandmother and step grandfather, were appointed guardians after a court trial on 3/19/14.

AMANDAJOY MATHIA, biological paternal great-aunt, is the former temporary guardian.

Father: **THOMAS BINGHAM-MATHIA**

Paternal grandfather: Douglas Bingham, Deceased
Paternal grandmother: Cathy Amero

Maternal grandfather: Chad Jones
Maternal grandmother: Rebecca Jones

Petitioner states she is a fit mother and able to competently care for Rachael. Petitioner states she consented to the guardianship when Rachael was to be cared for by her paternal great-aunt AmandaJoy Mathia. At the time of the appointment of AmandaJoy as temporary guardian, Petitioner states she had sole legal and physical custody. Her father had court-ordered supervised visitation.

Racheal lived with AmandaJoy since October 2011. She was Rachael's court ordered temporary guardian from October 2012 through April 16, 2014.

Please see additional page

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: KT

Reviewed on: 12/2/14

Updates: 12/5/14

Recommendation:

File 6 – Bingham-Mathia

Petitioner states she voluntarily participated in extensive counseling with Jeanne Galbraith, M.S. LMFT. Before counseling she feels her past prevented her from being the mother Rachael needed. She now sees that her past does not define her and she can, and will be, a great mother.

In addition, Petitioner states she voluntarily started a 12 week parenting program through Fresno Family Counseling Center.

Petitioner states she has concerns regarding the current guardianship and Rachael's well-being in Arizona. Rachael has told her that she has been left unsupervised with her biological father, Thomas. Thomas should not be left unsupervised with Rachael, pursuant to the Court order. Thomas has supervised visits because of his molestation tendencies, including being molested by his older brother. Petitioner feels that Rachael will become a victim of molestation if left alone with Thomas.

Petitioner states that when Rachael came for a visit she noticed a bruise on her arm. When asked about it Rachael stated that Gary Amero grabbed her in anger. Petitioner states she immediately called the police and notified CPS. In addition to the possible physical abuse, Rachael endures frequent arguing and yelling at the Amero home.

Petitioner alleges Rachael suffers from asthma and is not being treated in Arizona.

Petitioner alleges the Amero's restrict Rachael's access to private phone calls with her.

Rachael is unhappy in Arizona. When she visits in California she begs to stay.

Court Investigator Julie Negrete's Report filed on 11/25/14.

Declaration of Teresa Mathia filed on 12/5/14 states in summary: Rachael is struggling in Arizona and desperately wishes to be returned to Fresno. If the Court delays a ruling regarding her Petition for Termination of the guardianship or schedules this matter for trial, Ms. Mathia respectfully requests the Court order Rachael be immediately returned to guardianship with AmandaJoy in Fresno. Rachael is very closely bonded with AmandaJoy and AmandaJoy has already been investigated by the Probate Investigator and was cleared as the prior temporary guardian. AmandaJoy will facilitate Ms. Mathia's reunification with Rachael. Ms. Mathia states she was Rachael's primary custodial parent before AmandaJoy. Ms. Mathia is prepared to be Rachael's primary parent again, and this is why she is asking this Court to terminate the guardianship.

7A Yvette C. Greenberg (CONS/P) **Case No. 13CEPR00137**

Atty Bagdasarian, Gary G. (for Petitioners Stanley Greenberg and Cheryl Taylor)
Atty Helon, Marvin (court appointed for the Conservatee) (previously Joanne Sanoian)
Atty Amador, Catherine A. (for Objectors Nadine Walker and Michele Torres)

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

Cont. from 032813, 052313, 080113, 091813, 103013, 103014

	Aff.Sub.Wit.	
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✓	Notice of Hrg	
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✓	Duties/Supp	
✓	Objections	
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✓	CI Report	
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✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
✓	Citation	
	FTB Notice	

Temp Conservatorship extended to 10-30-14

STANLEY GREENBERG and CHERYL TAYLOR, Son and Daughter, are Petitioners and request appointment as Co-Conservators of the Person with medical consent powers and dementia medication and placement powers.

Voting rights affected

Capacity Declaration was filed 2-26-13.

A second Capacity Declaration was filed 6-24-13.

Petitioners state their mother suffers from advanced Alzheimer's Disease and dementia. She resides at a care facility in Fresno. Petitioners are agents under a Power of Attorney dated 12-5-06 and an Advance Health Care Directive dated 12-5-06. Two of the conservatee's other three children, Michele Torres of Gilroy and Nadine Walker of Fresno, claim the care the Conservatee is receiving at her current placement, Serenity Living Care, Inc., is not satisfactory and have threatened to remove her to a residence or some other facility. Petitioners have been made aware from speaking with their mother and staff that while the proposed Conservatee shows an interest in knowing about her personal residence, if she is moved, she may become very confused and agitated. The Conservatee is the settlor of a living trust in which her assets are located. Petitioner Stanley Greenberg is the trustee. Petitioners do not believe any movement is in the proposed conservatee's best interest and request upon appointment to obtain authorization to keep her in a living arrangement suited for her condition.

SEE ADDITIONAL PAGES

NEEDS/PROBLEMS/COMMENTS:

Note: On 10-28-14, Nadine Walker and Michele Torres, daughters of the proposed Conservatee, filed Objections to this petition and a competing petition for conservatorship of the person and estate. See Page B.

Court Investigator advised rights on 3-19-13

Voting rights are affected - Need minute order.

Note: Petitioners, relatives, and attorneys Bagdasarian (for Petitioners) and Sanoian (for the proposed Conservatee) have met in mediation and reached agreement, in part, that conservatorship is in the proposed conservatee's best interest, but agreed to mediate further. Agreements dated 3-5-13 and 5-6-13 are in the file for reference.

Reviewed by: skc
Reviewed on: 12-3-14
Updates:
Recommendation:
File 7A - Greenberg

Court Investigator Jennifer Young filed a report on 3-19-13.

Status Report filed 10-28-13 by Attorney Joanne Sanoian states that at mediation held on 10-16-13, the Temporary Conservators reached agreement for issue of an amended temporary order, subject to the Court's approval (attached).

The attached Stipulation for Amended Order states that the parties approve the Agreement and stipulate that the Agreement be incorporated into an amended Temporary conservatorship order.

The Probate Mediation Agreement includes the following terms:

- Stanley Greenberg will remain Temp Conservator for 12 months.
- Cheryl Taylor shall withdraw her petition to be Co-Conservator.
- At the end of the 12-month period, Stanley Greenberg will transition into the role of conservator.
- Yvette Greenberg shall dismiss her challenge to conservatorship at that time if appropriate.
- Yvette Greenberg shall transition her living placement to Nadine Walker's residence on 12-3-13, which will include in-home caregiving, with costs to be paid by Yvette Greenberg's trust.
- Parties will keep a journal about various items.
- Yvette may travel with any family member to their home outside Fresno County with 14 days written notice to Stanley and Nadine.
- All parties shall have access to Yvette's medical records.
- Stanley to retain advance health care directive.
- If circumstances warrant future care, Yvette shall be moved to Orchard Park or other facility by mutual agreement.

Note: Based on the terms of the settlement agreement, the Court may continue this petition / matter for one year to address permanent conservatorship at that time. If issues come up, a petition may be filed for sooner hearing date.

SEE ADDITIONAL PAGES

On 10-28-14, Nadine Walker and Michele Torres, daughters of the proposed Conservatee, filed Objections to this petition and a competing petition for conservatorship of the person and estate that is set for hearing on 12-10-14.

Objectors state the petitioners have used Stanley Greenberg's existing power of attorney to:
- remove the proposed Conservatee from her residence and place her in a substandard care facility without informing her other children of her location or the reason for the move;
- Failed to provide important medical information to the proposed conservatee's children and have deliberately misled them into believing she would be returned home following a hospitalization for gallstone treatment;
- Isolated the proposed Conservatee from her other children and/or interfered with their ability to interact with her while in the care facility;
- Unreasonably interfered with the ability of Objector Nadine Walker to provide appropriate care for the proposed Conservatee during a mediated decision to move her to Ms. Walker's home;
- Interfered with retention of reliable in-home caregivers working with the proposed Conservatee in Ms. Walker's home;
- Attempted to impose unreasonable and medically unsupportable limits on the ability of the proposed conservatee's other children's efforts to have her participate in family events, such as the wedding of a grandson; and
- Proposed removal from Ms. Walker's home and transfer to the Alzheimer's unit of a large care facility, where she would receive less individual treatment and be isolated from family members much more than she is currently and potentially be negatively affected by the change of residence to an unfamiliar location.

Objectors state they and other interested persons, including David Greengberg, did NOT agree that Stanley Greenberg should transition to a permanent conservator. It is in the best interest of the Conservatee that NADINE WALKER be appointed as conservator of the person.

Objectors request that:
1. **The petition of Stanley Greenberg and Cheryl Taylor be denied;**
2. **Nadine Walker be appointed as conservator of the person of Yvette Greenberg; and**
3. **Such other and further relief as the Court deems necessary and proper.**

Response to Objections filed 10-29-14 by Attorney Bagdasarian (not verified by Petitioner) states the objections are too late to permit entry of an order setting aside the Court's 11-14-13 order appointing Stanley as temporary conservator of Mrs. Greenberg pursuant to the agreement of the parties. Pursuant to the agreement, Stanley would be appointed as permanent conservator one year after entry of the order. The objections and petition are not proper procedure for seeking removal of Stanley as conservator. Stanley has priority for appointment by virtue of his antecedent nomination by Mrs. Greenberg. Probate Code §§2258 and 2651 provide a mechanism to challenge his actions as temporary or permanent conservator. He has not been given 15 days' notice of the hearing on their attempt to remove him. Mr. Greenberg requests appointment as conservator of the person.

Court Investigator Jennifer Young filed a supplemental report on 10-28-14.

7B Yvette C. Greenberg (CONS/PE) Case No. 13CEPR00137

Atty Amador, Catherine A. (for Petitioners Nadine Walker and Michele Torres)
Atty Bagdasarian, Gary G. (for Objectors Stanley Greenberg and Cheryl Taylor)
Atty Helon, Marvin (court appointed for the Conservatee) (previously Joanne Sanoian)

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

	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	X
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
✔	Citation	
	FTB Notice	

TEMP NOT REQUESTED

(Original petitioner Stanley Greenberg's Temporary Conservatorship of the Person only expires 12-10-14)

NADINE WALKER and MICHELE TORRES, daughters, are Petitioners and request appointment of **NADINE WALKER** only as Conservator of the Person with medical consent powers under Probate Code §2355 and dementia medication powers pursuant to Probate Code §2356.5 and as Conservator of the Estate with bond of $62,616.00.

Voting rights affected

A Capacity Declaration has not been filed in connection with this petition.

Estimated Value of Estate:

Personal property:	$ 5,000.00
Annual income:	$ 51,924.00
Total:	$ 56,924.00
Cost of Recovery:	$ 5,692.00
Total Bond:	$ 62,616.00

Petitioners state the proposed Conservatee suffers from Alzheimer's Disease. She is unable to participate fully in a conversation or understand complex concepts. She is unable to manage her personal hygiene, cook, or dress herself without assistance. She has some tendency to wander. The Court has previously found that she is unable to provide for her personal needs and appointed a temporary conservator of her person. Petitioners state the proposed Conservatee inherited substantial resources when her husband passed away in 2005. She is unable to resist undue influence, when exercised by her son Stanley. There have been questionable transactions by Stanley in recent years, including a gift by the Proposed Conservatee of a valuable parcel of real property and the sale of another more valuable parcel to him. Stanley has refused to divulge the nature or extent of the Proposed Conservatee's financial resources to her other children and dispenses only a relative small monthly sum to Nadine for her day to day needs.

SEE ADDITIONAL PAGES

NEEDS/PROBLEMS/COMMENTS:

1. **Need Court Investigation Report and Advisement of Rights.**
2. **Petitioners state at #4b that the Proposed Conservatee is entitled to receive Veterans Benefits. Therefore, need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing on the Office of Veterans Administration pursuant to Probate Code §§ 1822(d), 1461.5.**

Note: Stanley Greenberg and Cheryl Taylor were originally appointed as Temporary Co-Conservators of the Person only on 2-20-13. Pursuant to stipulation, Stanley Greenberg only is the current Temporary Conservator, which temp conservatorship expired 10-30-14 and was extended to 12-10-14. Note: Extended Letters have not been submitted for issuance to Mr. Greenberg since 10-30-14.

Note: These petitioners have not filed a separate Capacity Declaration; however, the Capacity Declarations filed 2-26-13 and 6-24-13 by Stanley Greenberg in connection with his petition do support medical consent and dementia powers.

Reviewed by: skc

Reviewed on: 12-4-14

Updates:

Recommendation:

File 7B – Greenberg

Stanley Greenberg and Cheryl Taylor filed an Objection on 11-13-14. Objectors state Stanley Greenberg is the appointed Temporary Conservator of the Person of Yvette C. Greenberg pursuant to the Court's order of 11-14-13, and he was nominated as conservator in the Conservatee's Power of Attorney. Appointment of Nadine Walker is not in the best interest of the proposed Conservatee because Stanley Greenberg has followed the terms of the Mediation Agreement and was agreed upon therein to become the Probate Conservator of the Person.

The Conservatee is the income beneficiary of the Yvette Greenberg Trust in which Stanley Greenberg is the sole trustee. Consequently, there are no assets titled in her name individually and her expenses are paid from the trust. It would not be in the best interest of the Conservatee to allow Nadine Walker as Conservator of the Estate to have the power to revoke the trust. It is in her best interest that Stanley Greenberg be appointed as Conservator of the Person. Objectors request that this petition be denied and Stanley Greenberg be appointed as Conservator of the Person.

Examiner's Note: Although the Petition does not contain this information, the proposed order contains an attachment that describes that it is not intended that the Conservatee's trust be dissolved or that Conservator take control of trust assets. The current trustee shall continue to manage trust assets, subject to the following: Conservator shall take control of the Conservatee's monthly Social Security benefits, shall receive the monthly loan payments owed by Stanley Greenberg to Conservatee, and shall receive a monthly stipend from the trusts of $5,000.00 to pay for day to day needs, including food, clothing, medication, ordinary medical expenses, outings, and personal needs. Said stipend to be deposited to the conservatorship monthly by the trustee. Where these resources are not adequate to pay for Conservatee's needs, the Conservatee shall request additional funds in writing from the trustee. Conservator shall apply to the Veterans Administration to determine what benefits, if any, they Conservatee may be qualified to receive. The trustee of the trust shall cooperate with requests for information and the application process.

Court Investigator Jennifer Young to file report.

8 David Lee Baker (Estate) Case No. 13CEPR00999

Atty Nahigian, Eliot S. (for Ernest L. Baker – Executor/Petitioner)

Amended Report and Petition for Final Distribution on Waiver of Account, for Allowance of Compensation to Petitioner and Attorneys for Petitioner for Ordinary Services, and for Allowance of Compensation to Attorneys for Extraordinary Services

DOD: 11/03/13

Cont. from

	Aff.Sub.Wit.	
✓	**Verified**	
✓	**Inventory**	
✓	**PTC**	
✓	**Not.Cred.**	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	w/
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	01/10/14
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	**9202**	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✓	**FTB Notice**	

ERNEST L. BAKER, Executor, is Petitioner.

Accounting is waived.

I & A - **$1,201,272.72**
POH - **$1,053,584.03**
($138,085.11 is cash)

Executor (statutory) - **$24,053.00**

Attorney (statutory) - **$24,053.00**

Attorney x/o - **$22,383.00** (itemized by date and broken down as follows: $6,642.00 for Admission/Validity of Will; $2,888 for Unlawful Detainer Action; $7,567.00 for sales of real property; $3,510.00 for Agreement for In-Kind Distribution; $426.00 for sales of vehicles; $1,350.00 for sale of PG&E stock)

Costs - **$1,966.17** (filing fees, publication, service of process, probate referee, certified copies)

Closing - **$8,000.00** (for preparation and filing of final fiduciary taxes, expenses for transferring assets, etc.)

Distribution, pursuant to decedent's will, assignments of interest of Ernest Baker and Merle Turner, and agreement for in-kind distribution, is to:

Essie L. Baker - $17,625.77 cash, plus cancellation of $18,000 receivable, and 3 parcels of real property valued at $263,000.00

NEEDS/PROBLEMS/COMMENTS:

See Page 9 for a related matter.

Note: Consistent with the Court's recent practice, if the Court determines an informal accounting of the closing reserve is warranted, Court will set a Status Hearing as follows:

- **Tuesday, June 2, 2015 at 9:00 a.m. in Dept. 303** for an Informal Accounting of the $10,000.00 Closing Reserve.

Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required. **Filing of the informal accounting of closing reserve will not generate a new hearing date.**

Reviewed by: JF
Reviewed on: 12/04/14
Updates:
Recommendation:
File 8 – Baker

David Baker - $18,311.53 cash, plus cancellation of $25,000.00 receivable, 100% interest in real property on Lincoln Ave. Coalinga, 50% interest in real property on Jayne Ave. in Coalinga, 100% interest in a promissory note secured by real property on Sunset Ave. in Coalinga, 2001 Ford Pick-up, 1968 Rifle, 1963 Buick Skylark coupe, 1972 Saab CP, and all principal collected on the Note by Iglesia El Buen Pastor De Coalinga from 09/10/14 to date of distribution

Mack Baker - $21,692.63 cash, plus cancellation of $25,000.00 receivable, 100% interest in promissory notes secured by real property located at 105 and 125 Baker Street, Coalinga, 100% interest in promissory note secured by real property located at 272 Baker Street, Coalinga, 50% interest in real property on Jayne Ave. in Coalinga, all principal collected on the Note by Christina Ayala and Note by Hector and Silvia Rios from 09/10/14 to date of distribution

9 Essie Lavella Baker (CONS/PE) **Case No. 13CEPR01065**

Atty Gin, Robert W. (for Petitoner/conservator David N. Washington)

Atty Boyett, Deborah K. (court appointed attorney for the Conservatee)

Petition to Authorize Proposed Action

Age: 81 years			**DAVID N. WASHINGTON,** Conservator, is petitioner.
			Petitioner states the conservatee's husband, David Lee Baker ("Decedent"), died on 11/3/13. His estate is currently being administered in this Court. Pursuant to Decedent's Will, which was admitted to probate by order of this Court on 1/9/14, the conservatee is to receive certain items of property plus 1/5 of the residue of the decedent's estate.
Cont. from			
	Aff.Sub.Wit.		Earnest L. Baker, as the executor of the Decedent's estate, has proposed that the assets of the Decedent's estate be distributed in accordance with an Agreement for In-Kind Distribution ("Distribution Agreement"). The Distribution agreement provides that conservatee will receive cash and two parcels of real property as her 1/5 interest in the residual estate.
✓	**Verified**		
	Inventory		
	PTC		
	Not.Cred.		
✓	**Notice of Hrg**		
✓	**Aff.Mail**	W/	
	Aff.Pub.		Petitioner believes that Distribution Agreement is in the best interest of the conservatee.
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		The conservatee currently receives approximately $2,500.00 per month in income.
	Letters		
	Duties/Supp		
	Objections		Petitioner believes that receipt of the property will result in an additional income stream of approximately $1.400.00 per month. Petitioner estimates the expenses for the real property conservatee would receive would total approximately $395.00 per month.
	Video Receipt		
	CI Report		
	9202		
✓	**Order**		
	Aff. Posting		Petitioner believes that the proposed action will have no adverse effects on the conservatee's estate.
	Status Rpt		
	UCCJEA		
	Citation		**Wherefore Petitioner prays** for an order authorizing Petitioner, as Conservator, to take the proposed action described above.
	FTB Notice		

NEEDS/PROBLEMS/ COMMENTS:
Reviewed by: KT
Reviewed on: 12/3/14
Updates:
Recommendation:
File 9 – Baker

10 Betty Horton Mason Living Trust Case No. 14CEPR00949

Atty Durost, Linda K., sole practitioner (for Petitioner Janice Sharp, Successor Trustee)

Petition for Order Confirming Trust Assets [850(a)(3)]

DOD: 1/31/2013		
Cont. from 111814		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	X
	Aff.Mail	X
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

CATHERINE JULIA MASON, daughter, is Petitioner.

Petitioner states:

- Petitioner is the acting Successor Trustee of the **BETTY HORTON MASON LIVING TRUST as amended and restated on 8/6/2012** *(copy of Trust attached as Exhibit 1);*
- Prior to the death of Betty Horton Mason on 1/31/2013 (*copy of death certificate attached as Exhibit 2*), she owned 3 parcels of real property (3rd Street and 5th Street residences and a vacant lot in Clovis); the vacant lot contiguous to the house on 5th Street in Clovis, APN 492-203-16, is the property subject to this petition *(copy of deed showing vacant lot in Ms. Mason's name attached as Exhibit 3)*;
- In early August 2012, Attorney Durost met with Ms. Mason in a skilled nursing facility for quite some time and believed her to be competent; however, she was very ill;
- Attorney Durost and Ms. Mason discussed the planning she needed and went over her real and tangible personal properties list;
- Attorney Durost prepared an amended and restated living trust for her, durable powers, a bill of sale for her tangible personal property, and deeds transferring the two residential (3rd Street and 5th Street residences) into the Trust;
- At that time, she apparently did not remember she also owned a vacant lot next to her 5th Street house (APN 492-203-16) and did not inform Attorney Durost of that property;

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS:

Continued from 11/18/2014.
Minute Order states Ms. Durost will obtain signed waivers along with a verified declaration and file them forthwith.

1. *Waivers (Partial) of Notice of Petition for Order Confirming Trust Assets* filed 12/1/2014 indicates the signatures of the following persons are pending, which need to be filed with the Court:

- Thomas E. Mason, son;
- Matthew Mason, grandson;
- Amber D. Riggs, granddaughter.

Reviewed by: LEG
Reviewed on: 12/2/14
Updates:
Recommendation:
File 10 - Mason

Petitioner states, continued:

- Unfortunately, Attorney Durost did not do a title search for all properties that may have been in her name, believing her to be astute enough during the initial interview to fully inform her of her estate assets;
- Attorney Durost prepared deeds to transfer the 3rd Street and 5th Street residences in the Trust, as well as whatever tangible personal property that was appropriately transferable (the 3rd Street residence is not relevant here);
- The deed transferring the 5th Street residence into the Trust was recorded on 8/13/2012 *(copy of Deed attached as Exhibit 4)*;
- A deed then transferring the 5th Street residence into the name of Petitioner, Successor Trustee of the Trust, is further supporting documentation that the intent of Ms. Mason was that all of her properties be transferred to her trust so that her daughter could administer and distribute the properties as Ms. Mason wished;
- The non-transfer of the vacant lot was an inadvertent error *[emphasis in original]* on behalf of both Ms. Mason and Attorney Durost;
- The real property (both the 5th Street house and the contiguous vacant lot) is now under a contract of sale and the closing date is scheduled for 11/13/2014;
- Attorney Durost is asking on behalf of Petitioner that this matter be heard on an expedited basis.

Petitioner requests that the Court order under the authority contained in Probate Code § 850(a)(3) the following:

1. The **BETTY HORTON MASON LIVING TRUST as amended and restated on 8/6/2012** is valid; and

2. The real property consisting of a vacant lot contiguous to the house on 5th Street in Clovis, APN 492-203-16, is an asset subject to the management and control of Petitioner as sole Trustee of the Trust.

11 Lionel Joseph Azevedo (Estate) Case No. 14CEPR00983

Atty **Webb, Melissa E. (for Petitioner Karen Azevedo)**

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

DOD: 7/28/14			
Cont. from			
	Aff.Sub.Wit.		
✓	**Verified**		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
✓	**Aff.Mail**	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	**Letters**		
✓	**Duties/Supp**		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

KAREN AZEVEDO, spouse, is petitioner and requests appointment as Administrator without bond.

All heirs waive bond.

Full IAEA – o.k.

Decedent died intestate.

Residence: Laton
Publication: Fresno Business Journal

Estimated value of the estate:

Personal property	-	$ 9,000.00
Income	-	$ 10,000.00
Real property	-	$350,000.00
Total	**-**	**$369,000.00**

Probate Referee: Rick Smith

NEEDS/PROBLEMS/COMMENTS:

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

- **Wednesday, April 22, 2015** at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal.
- **Wednesday, January 20, 2016** at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.

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

Reviewed by: KT
Reviewed on: 12/3/14
Updates:
Recommendation: SUBMITTED
File 11 – Azevedo

12 Leonarda Maestas (Estate) Case No. 10CEPR00621

Atty **Leichty, Bruce (for Executor Victoria Pubarejo)**

Probate Status Hearing Re: Failure to File the Inventory and Appraisal and for Failure to File the First Account or Petition for Final Distribution

DOD: 8/24/2008	**VICTORIA PUMAREJO** was appointed as Executor with full IAEA authority and without bond on 9/7/10. Letters issued on 9/7/10. Inventory and appraisal filed 11/5/14 showing the estate valued at $175,000.00 First account or petition for final distribution was due December 2011. **Creditor's Claim** of the Auditor Controller/Treasurer-Tax Collector was filed on 12/17/10 in the amount of $17,863.50.	**NEEDS/PROBLEMS/COMMENTS:** Continued from 11/18/14. Minute order states Mr. Leichty is to obtain a reappraisal for sale. If not filed by 12/9/14 then Victoria Pumarejo must also be present on 12/10/14. 1. **Need first account, petition for final distribution or current written status report** pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from 031414, 111814		
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		**Reviewed by: KT**
Status Rpt		**Reviewed on: 12/2/14**
UCCJEA		**Updates:**
Citation		**Recommendation:**
FTB Notice		**File 12 – Maestas**

13 Ruth K. Castle (Estate) Case No. 11CEPR01046

Atty **Bianco, John (of Visalia, CA for Betsy McMillan – Executor)**

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

DOD: 10/23/11	**BETSY McMILLAN,** daughter, was appointed as Executor with full IAEA and without bond on 01/04/12. Letters Testamentary were issued on 01/05/12. **Inventory & Appraisal, partial no. 1, filed 03/14/12** - $64,500.00 **Inventory & Appraisal, final,** filed 11/20/12 - $72,367.01 **Notice of Status Hearing** filed 11/18/13 set this matter for status regarding failure to file a First Account or Petition for Final Distribution. **Clerk's Certificate of Mailing** states that a copy of the Notice of Status Hearing was mailed to attorney Joanne Sanoian and Betsy McMillan on 11/18/13. **Unverified Status Report filed 01/30/14** requests a 60 day continuance for the Executor to prepare the First and Final Account.	**NEEDS/PROBLEMS/COMMENTS:** **<u>CONTINUED FROM 11/05/14</u>** **Minute Order from 11/05/14 states: If the petition is filed by 12/09/14, then no appearance is necessary on 12/10. Should it not be filed, the Court is considering sanctions and Mr. Bianco must be present or on Court Call.** **As of 12/02/14, nothing further has been filed.** 1. Need First Account or Petition for Final Distribution First Account or Petition for Final Distribution **and/or** current verified status report.
Cont. from 020714, 061014, 090214, 110514		
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		**Reviewed by:** JF
Status Rpt		**Reviewed on:** 12/02/14
UCCJEA		**Updates:**
Citation		**Recommendation:**
FTB Notice		**File 13 – Castle**

14 Ramon L. Gintz (Estate) Case No. 13CEPR00115

Atty **O'Grady, John E. (for Executor Aspen Bell)**

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

DOD: 11/27/12		
Cont. from 061314		
	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	

ASPEN BELL was appointed Executor with Full IAEA authority and with bond set at $215,950.00 on 4/9/13.

Bond filed on 5/22/13.

Letters issued on 5/22/13.

I & A filed on 9/9/13 showing the estate valued at **$178,992.16.**

Minute Order dated 4/9/13 set this status hearing for the filing of the first account or petition for final distribution.

Status Report filed on 11/19/14 states the estate is not yet in a condition to be closed because the estate's real property has not yet sold.

Petitioner requests an extension of time for 6 months to close the administration of the estate.

NEEDS/PROBLEMS/COMMENTS:

1. **Need first account, petition for final distribution**

Reviewed by: KT

Reviewed on: 12/2/14

Updates:

Recommendation:

File 14 - Gintz

15 Polina Church Arevalo (CONS/PE) **Case No. 13CEPR01117**

Atty Amador, Catherine A (for Maria De Los Angeles Rodriguez- Conservator)

Status Hearing Re: Filing of the Inventory and Appraisal

Age: 70	**MARIA DE LOS ANGELES RODRIGUEZ**, step-granddaughter, was appointed Conservator of the Person and Estate on 07/10/2014, with funds to be deposited in a Blocked Account. Letters issued 07/25/2014. Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked account filed 08/19/2014 indicates $7,451.68 was received. Minute Order of 07/02/2014 set this Status Hearing for the filing of the Inventory and Appraisal.	**NEEDS/PROBLEMS/COMMENTS:** **<u>Off Calendar.</u>** **<u>Inventory and Appraisal filed 12/01/2014.</u>** 1. Need Inventory and Appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
		Reviewed by: LV
		Reviewed on: 12/03/2014
		Updates:
		Recommendation:
		File 15 – Arevalo

Cont. from 111214		
	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	

16 Douglas E. Coolidge (Estate) Case No. 14CEPR00352

Atty **Janisse, Ryan Michael (for Administrator Dianne E. Coolidge)**

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 2/18/14	**DIANNE COOLIDGE** was appointed Administrator with Full IAEA authority and bond set at $597,000.00 on 7/9/14. Minute order dated 8/20/14 reduced the bond to $27,000.00 with Limited IAEA authority. Bond of $27,000 was filed on 10/14/14. Letters issued on 10/14/14. Inventory and Appraisal, partial no. one showing a value of $200,000 was filed on 12/8/14. Minute Order dated 7/9/14 set this status hearing for the filing of the inventory and appraisal.	**NEEDS/PROBLEMS/COMMENTS:** **Note: Since the letters did not issue until 10/14/14 the inventory and appraisal is not due until February 11, 2015.**
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		**Reviewed by: KT**
Status Rpt		**Reviewed on: 12/3/14**
UCCJEA		**Updates:**
Citation		**Recommendation:**
FTB Notice		**File 16 - Coolidge**

17 Jerry Lee Chadwick (Estate) **Case No. 14CEPR00510**

Atty Del Castillo, Thomasito (for Executor Bret Helgren)

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 12/19/13	**BRET HELGREN** was appointed Executor with Full IAEA authority and without bond on 7/11/14. Letters issued on 7/14/14. Minute Order dated 7/11/14 set this status hearing for the filing of the Inventory and Appraisal.	**NEEDS/PROBLEMS/COMMENTS:** 1. Inventory and Appraisal filed on 12/8/14 is incomplete. It does not indication whether or not it is a final, partial or supplemental or reappraisal inventory in the caption. In addition, the total value of the real property is not listed at #2.
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		**Reviewed by: KT**
Status Rpt		**Reviewed on: 12/3/14**
UCCJEA		**Updates:**
Citation		**Recommendation:**
FTB Notice		**File 17 – Chadwick**

Dept. 303, 9:00 a.m. Wednesday, December 10, 2014

18 Rafaela C. Tristan Escobar (Estate) **Case No. 14CEPR00592**

Atty Ramirez, Edward R. Jr. (for Administrator Elisa T. Simpson)

Probate Status Hearing Re: Filing Inventory and Appraisal

DOD: 4/6/2007	**ELISA T. SIMPSON** was appointed Administrator with Full IAEA authority and without bond on 8/27/14. Letters issued on 9/2/14. Minute Order dated 8/27/14 set this status hearing for the filing of the Inventory and Appraisal.	**NEEDS/PROBLEMS/COMMENTS:** 1. **Need inventory and appraisal or current written status report** pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		**Reviewed by: KT**
Status Rpt		**Reviewed on: 12/3/14**
UCCJEA		**Updates:**
Citation		**Recommendation:**
FTB Notice		**File 18 – Escobar**

Dept. 303, 9:00 a.m. Wednesday, December 10, 2014

19 Nathan Martin Ramirez (GUARD/P) Case No. 06CEPR00128

Atty **Ramirez, Denise (pro per Petitioner/Guardian)**

Status Hearing Re: Proof of the Establishment of a Guardianship in Arizona

Age: 9 years	**DENISE RAMIREZ**, maternal aunt, was appointed guardian on 5/18/2006. Father: **UNKNOWN** Mother: **GRACIE PEREZ** Maternal grandmother: Rosie Perez Guardian, Denise Ramirez, petitioned the court to move with the minor to Yuma, Arizona. On 6/11/14 the Court granted the request to move and set this status hearing for the filing of guardianship in Arizona.	**NEEDS/PROBLEMS/COMMENTS:** 1. Need proof that a guardianship has been established in the state of Arizona.
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		**Reviewed by: KT**
Status Rpt		**Reviewed on: 12/14/14**
UCCJEA		**Updates:**
Citation		**Recommendation:**
FTB Notice		**File 19 – Ramirez**

Dept. 303, 9:00 a.m. Wednesday, December 10, 2014

20 Anthony Abraugh, Trevar Bolech, Jaiden Bolech, & Selena Bolech (GUARD/P) Case No. 08CEPR00851

Atty Abraugh, Billy R. (pro per maternal grandfather/guardian of Anthony, Trevar & Jaiden)
Atty Clark, Regina (pro per paternal step-grandmother/guardian of Selena)
Atty Bolech, Sherrie Marie (pro per Petitioner/mother)
Atty Clark, Daniel (pro per Petitioner/father of Selena)

Petition for Termination of Guardianship

Anthony Age 7		
Trevar Age: 6		
Jaiden Age: 5		
Selena Age: 3		
Cont. from 110514		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✓	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
✓	Pers.Serv.	W/
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

DANIEL CLARK, father of Selena, and **SHERRIE BOLECH,** mother, are petitioners.

REGINA CLARK, paternal step-grandmother, was appointed guardian of Selena Bolech on 01/27/2014. – *personally served on 11/5/14.*

BILLY ABRAUGH, maternal grandfather, was appointed guardian of Anthony Abraugh, Trevar Bolech, and Jaiden Bolech, on 01/18/2011. – *personally served on 11/15/14.*

Father (of Anthony, Trevar, Jaiden): **JOHN BOLECH**

Paternal grandfather (of Selena): Daniel W. Clark
Paternal grandfather (of Anthony, Trevar, Jaiden): Unknown
Paternal grandmother (of Selena): Shirley Stairs
Paternal grandmother (of Anthony, Trevar, Jaiden): Isabell Flores
Maternal grandmother: Sherrie Abraugh

Petitioners state all four of their kids want to be back home with their parents. Both parents are able to provide a good home with love and positive energy. Both parents are fit and sober and will remain that way.

Court Investigator Jennifer Young's Report filed on 12/3/14.

NEEDS/PROBLEMS/COMMENTS:

Minute order dated 12/3/14 regarding visitation states as to Selena Bolech only. The Court orders weekly overnight visitation from Friday at 6:00 p.m. to Saturday at 10:00 a.m. beginning 12/5/14. Ms. Clark will provide transportation to and from the visits. If the parents are not home Ms. Clark is to wait 30 minutes and then she may leave. All parties are to have the child ready on time.

Reviewed by: KT
Reviewed on: 12/4/14
Updates:
Recommendation:
File 20 – Bolech & Abraugh

21A Margaret Thomas (CONS/PE) Case No. 13CEPR00093

Atty **Davis, Joyce V. (Pro Per Conservator)**

Petition of Conservator for Instructions

Cont. from 093014, 102214		
	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	

JOYCE V. DAVIS, Sister and Conservator of the Person and Estate with bond of $333,000.00, is Petitioner.

Petitioner requests to sell the conservatee's real property and vehicle because funds are needed for her upkeep.

Note: The petition is not signed/verified by the Conservator.

Note: The vehicle referred to in this petition has not been inventoried as an asset of the conservatorship estate.

NEEDS/PROBLEMS/COMMENTS:

1. **Petitioner filed her First Account on 5-15-14; however, the petition was not in compliance with applicable law, and was denied on 6-24-14. The Court set a status hearing of 10-22-14 as a deadline for the filing of an amended First Account, and Petitioner was encouraged to seek the assistance of an attorney going forward.**

   This "Petition for Instructions" filed 8-18-14 is a simple, one-page document that requests authority to sell various assets of the Conservatee. However, it does not contain the information necessary for the Court to consider this type of request.

   Further, the Court may require the First Account to be settled before authorizing further action by the Conservator.

   See Probate Code §§ 1020, 1060, 2540, 2620, Cal. Rules of Court 7.575, Local Rule 7.1.1.C., and other applicable law and rules. Specifically, §2540 requires that the sale be discussed with the Conservatee.

   Note: It appears Petitioner continues to utilize a legal document preparation service; however, it is clear that this service is *not* meeting her needs. Petitioner is *strongly* encouraged to contact a Probate Attorney to assist her going forward. Further, Petitioner may wish to request a refund if she has paid for these insufficient document services. Please also remember that non-attorney services cannot give legal advice and are not reimbursable by the conservatorship estate.

2. **It also appears that based on the Inventory and Appraisals that have now been filed, Petitioner's bond of $333,000.00, which was based on her original estimate of the estate value and income, is insufficient. Petitioner is reminded of her duty to increase bond pursuant to Cal. Rules of Court 7.204.**

   At this time, Examiner calculates the appropriate bond amount to be $502,194.24, not including the house, and also not including the vehicle that Petitioner refers to, because it has not been inventoried as an estate asset. (Is a Supplemental I&A appropriate?) If the house and vehicle are authorized to be sold, the bond amount will need to be adjusted accordingly.

3. **The Conservatee Margaret Thomas is entitled to notice of this petition. See Probate Code §1460. (Note: Petitioner mailed notice of the amended account at Page B to the Conservatee, but not this petition.)**

Reviewed by: skc

Reviewed on: 12-5-14

Updates:

Recommendation:

File 21A - Thomas

Dept. 303, 9:00 a.m. Wednesday, December 10, 2014

21B Margaret Thomas (CONS/PE) Case No. 13CEPR00093

Atty **Davis, Joyce V. (Pro Per – Sister – Conservator – Petitioner)**

Second Amended Account and Report of Conservator and Petition for its Settlement

	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	w/o
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	Letters	3-22-13
	Duties/Supp	
	Objections	
	Video Receipt	
✓	CI Report	
✓	2620(c)	
	Order	x
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

JOYCE V. DAVIS, Sister and Conservator of the Person and Estate with bond of $333,000.00, is Petitioner.

Account period: 3-14-13 through 3-14-14

Accounting: $866,751.47
Beginning POH: $ 11,334.12
Ending POH: $780,811.53

Conservator: No compensation requested

Petitioner states the conservatee's automobile has not been sold. The car was used to transport the Conservatee and her six dogs to the veterinarian and to the pet store for food. The car has only been driven by the Conservator's husband with the Conservatee for this purpose. He took the car in for all recalls and maintenance. The insurance company was notified that the conservatee's (sic) husband would be the only authorized driver. The vehicle will be sold as soon as Conservator can obtain the pink slip. The DMV will not issue a new pink slip. The Conservatee did not filet he Lien Satisfied/Legal Owner/Title Holder Release with the DMV. The vehicle was paid off several years ago, and the conservator wrote to Toyota, but has had no response. Conservator will follow up on this.

Petitioner states the home located in Chino Hills, CA, was in need of major cleanup and repairs due to Conservatee living there for years with health issues. Conservator has secured the property and has begun cleanup and hopes to sale the house because Conservatee will be unable to return to her home in the future. Funds will be used for her placement at Somerford Place. The condition of the house prevents it being rented, and there is no income being generated from the property. No furniture or furnishings have bene sold or removed from the house. Conservator has begun to contact auctioneers and antique dealers.

Petitioner requests that the First Account be settled, allowed, and approved as filed, and all acts and proceedings of Petitioner be confirmed and approved.

NEEDS/PROBLEMS/COMMENTS:

Note: Pursuant to Minute Order 10-22-14, the Conservator was authorized to proceed with the sale of personal effects and antiques through an antique dealer.

SEE PAGE 2

Reviewed by: skc

Reviewed on: 12-5-14

Updates:

Recommendation:

File 21C – Thomas

NEEDS/PROBLEMS/COMMENTS:

1. **Petitioner's Summary of Account states the beginning Property On Hand was $11,334.12; however, it is unclear what this figure represents, as there is no schedule showing Beginning Property on Hand. The I&A and Supplemental I&A totaled $781,540.22, of which $397,060.22 was cash. That should be the beginning Property On Hand figure.**

   Further, the Summary then indicates $20,000.64 in additional property received, $55,189.81 in regular receipts, $501.04 in gains, and $779,725.86 as "other charges," which are all similarly unclear.

   Further, it appears that many of the assets Petitioner originally categorized as "cash" are now categorized as "non-cash" in the Ending Property on Hand, and if that is the case, those assets require appraisal by the Probate Referee. See Probate Code §8900 et seq. This includes the characterization and appraisal of the retirement account and various insurance policies.

   Need further amended account pursuant to §1060 et seq., and possibly amended I&A pursuant to §8900 et seq. Petitioner is strongly encouraged to seek assistance from an attorney going forward, as it continues to appear that non-attorney document services are not meeting her needs.

2. **As noted on Page A, Petitioner's bond appears insufficient. However, it appears clarification regarding #1 is necessary above in order for to confirm an appropriate bond calculation. As noted on Page A, Examiner calculates that bond should be at least $502,194.24, not including the house (because the Conservator does not currently have authority to sell the house) and not including the vehicle (because it was not inventoried as an asset of the conservatorship estate). Petitioner is again reminded of her duty to apply for increase in bond when appropriate pursuant to Cal. Rule of Court 7.204.**

3. **Petitioner's descriptions of various expenses are not sufficient to determine what the expenses were for. Specifically: "SIGNON" on 3-18-13, "AT HM REWA" on 3-26-13, and "PWA" on 4-15-13. Please note: Petitioner's other disbursements at various stores such as Costco and Target are similarly unclear; however, Petitioner provided pages and pages of copies of receipts thereafter. For future reference, copies of receipts are unnecessary and serve to add bulk and confusion to the accounting document. If properly prepared, receipts are unnecessary because the accounting should simply provide adequate descriptions of the transactions in the schedules. The only required documentation are bank statements and care facility statements pursuant to Probate Code §2620, unless otherwise requested by the Court.**

4. **The Disbursements Schedule indicates two donations to Greenpeace totaling $100.00 in March and April 2013. The Court may require clarification with reference to Cal. Rule of Court 7.1059 (Standard of Conduct for Conservators of the Estate), specifically (b)(3), which prohibits making gifts with conservatorship estate funds without authorization.**

22 Alyssa Dominguez (GUARD/P) **Case No. 14CEPR00644**

Atty Garcia, Sabrina Anne (Pro Per – Sister – Petitioner)

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

Age: 14		
Cont. from 092414, 102214		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	x
	Aff.Mail	x
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	x
✓	**Conf. Screen**	
✓	**Letters**	
✓	**Duties/Supp**	
	Objections	
	Video Receipt	
✓	**CI Report**	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
✓	**UCCJEA**	
	Citation	
	FTB Notice	

TEMPORARY EXPIRES 9-24-14

SABRINA ANNE GARCIA, Sister, is Petitioner.

Father: **FREDDIE DOMINGUEZ**
Mother: **SANDRA DOMINGUEZ**

Paternal Grandfather: Not listed
Paternal Grandmother: Not listed
Maternal Grandfather: Not listed
Maternal Grandmother: Not listed

Petitioner states she has had her sister in her home for a year because their mother lost her job and her house and is homeless. The mother has threatened to take the minor to live on the streets. Petitioner states she has a job and a house and her sister is doing well in her home.

The minor Alyssa Dominguez consents and waives notice.

Court Investigator Samantha D. Henson's report filled 09/12/2014.

NEEDS/PROBLEMS/COMMENTS:

Minute Order of 10/22/2014: The Court notes that the petition is not present. Matter is continued to 12/10/2014. The Court directs that a copy of the minute order and examiner notes be sent to the petitioner.

Minute Order and Examiner notes mailed to Sabrina A. Garcia on 10/24/2014.

Minute Order of 09/24/2014 (Judge Vogt): Petitioner is informed she needs to file proof of service and or declaration of due diligence. UCCJEA information is provided in open Court.

The following issues remain:

1. Need Notice of Hearing.
2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:
   - Freddie Dominguez (Father)
   - Sandra Dominguez (Mother)
3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:
   - Paternal Grandfather (Not Listed)
   - Paternal Grandmother (Not Listed)
   - Maternal Grandfather (Not Listed)
   - Maternal Grandmother (Not Listed)

Reviewed by: LV
Reviewed on: 12/04/2014
Updates:
Recommendation:
File 22 - Dominguez

Dept. 303, 9:00 a.m. Wednesday, December 10, 2014

23 Robert Alan Clark, Jr. (GUARD/P) Case No. 14CEPR00805

Atty **Managan, Brenda (Pro Per – Paternal Grandmother – Petitioner)**

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

Cont. from 110514		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	w/o
	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	

TEMP EXPIRES 11-5-14, extended to 12-10-14

BRENDA MANAGAN, paternal grandmother, is Petitioner.

Father: **ROBERT CLARK** – *deceased*

Mother: **TIFFNI RUSSELL**
– Present at hearing 9-15-14, handed copy of petition in open court per minute order.

Paternal grandfather: William Clark
– Served by mail 11-7-14 without a copy of the petition

Maternal grandfather: Deceased
Maternal grandmother: Donna Jean Perry
– Served by mail 11-7-14 without a copy of the petition

Petitioner states the father, who had legal and physical custody of the minor, passed away 7-14-14. The mother had supervised visitation due to drug usel however, she did not follow the Court's order and has not been part of the minor's life. She saw him once when he was six months old. He does not know her. Petitioner's declaration states it is her understanding through the police that were at her door at 1:15am that the mother lied to the police that she had joint custody. Petitioner showed them the Court's order, and they did not remove the minor from Petitioner.
Petitioner fears for her grandson's safety if he is removed from her custody.

Court Investigator Julie Negrete filed a report on 10-21-14.

NEEDS/PROBLEMS/COMMENTS:

1. **The paternal grandfather and maternal grandmother were served notice of hearing only, without a copy of the petition as required by Probate Code §1511. The Court may require amended service.**

Reviewed by: skc

Reviewed on: 12-3-14

Updates:

Recommendation:

File 23 – Clark

24 Lillian Gertrude Haught (Estate) Case No. 14CEPR00984

Atty **Haught, Rex A. (Attorney as Pro Per Petitioner)**

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

DOD: 12/19/2013			**REX A. HAUGHT**, son and named Executor without bond, is Petitioner.
			Full IAEA – O.K.
Cont. from			
	Aff.Sub.Wit.	S/P	
✓	**Verified**		Will Dated: 12/26/1986
	Inventory		
	PTC		Residence: Fresno
	Not.Cred.		
✓	**Notice of Hrg**		Publication: Business Journal
✓	**Aff.Mail**	W/O	
✓	**Aff.Pub.**		**Estimated value of the Estate:**
	Sp.Ntc.		Real property - **$ 60,000.00**
	Pers.Serv.		Personal property - **$400,000.00**
	Conf. Screen		Annual income -PP - **$ 10,000.00**
			Total - **$470,000.00**
✓	**Letters**		
✓	**Duties/Supp**		**Probate Referee: Steven Diebert**
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	**FTB Notice**		

NEEDS/PROBLEMS/COMMENTS:
Reviewed by: LEG
Reviewed on: 12/3/14
Updates:
Recommendation: SUBMITTED
File 24 - Haught

Dept. 303, 9:00 a.m. Wednesday, December 10, 2014

25 Louise Gibbs (Det Succ) Case No. 14CEPR01008

Pro Per **Pinson, Brittney (Pro Per Petitioner)**

Petition to Determine Succession to Real Property

DOD: 12/1/2006		
Cont. from		
	Aff.Sub.Wit.	
	Verified	
✓	**Inventory**	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
✓	**Aff.Mail**	W/
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

BRITTANY PINSON, *[relationship to Decedent unstated]*, is Petitioner.

40 days since DOD.

No other proceedings.

I & A - **$65,000.00**

Will dated 2/24/1992 devises the entire estate to Decedent's daughter, **RUBY GIBBS PINSON**.

Petitioner requests Court determination that Decedent's **100%** interest in real property located at 2489 S. Holly, Fresno, passes to the Petitioner pursuant to Decedent's Will.

NEEDS/PROBLEMS/COMMENTS:

1. Need original Will of the Decedent to be deposited with the Court pursuant to Probate Code § 8200. Deposit fee of **$50.00** will be due from Petitioner prior to the order for distribution being processed for Petitioner.
2. *Petition* does not state Petitioner's relationship to Decedent and the basis upon which she should succeed to the Decedent's property.
3. Item 7 of the *Petition* is incomplete re commencement of proceedings for the administration of Decedent's estate in another jurisdiction.
4. Item 9a of the *Petition* is incomplete as to (5) or (6) re: whether Decedent is survived by a child or children.
5. Item 7 of the *Petition* states Decedent was survived by issue of a predeceased child, listing **RUBY GIBBS PINSON**. Item 15 of the *Petition* regarding named executors also lists **RUBY GIBBS PINSON** and indicates she passed away on 6/27/2013. **RUBY GIBBS PINSON** is named in Decedent's Will as Decedent's daughter who is devised Decedent's entire estate. Therefore, the *Estate of Ruby Gibbs Pinson* succeeds to the real property, and the personal representative of the *Estate of Ruby Gibbs Pinson* must petition to receive the Decedent's property, which would then be distributed to the heirs of **RUBY GIBBS PINSON**.

~Please see additional page~

Reviewed by: LEG

Reviewed on: 12/4/14

Updates:

Recommendation:

File 25 – Gibbs

NEEDS/PROBLEMS/COMMENTS, continued:

6. Decedent's Will states decedent's spouse is deceased. *Petition* does not include the name and date of death of deceased spouse pursuant to Local Rule 7.1.1(D) in an Attachment14.

7. Item 14 of the *Petition* is incomplete, as it does not list the names, relationships to Decedent, ages and residence or mailing addresses so far as known to or reasonably ascertainable by Petitioner of all persons claiming an interest in the property, any spouse and children of Decedent, and all other heirs of Decedent. Need *Attachment 14* to the *Petition* containing all such information.

8. *Proof of Service by Mail* of the *Notice of Hearing* filed on 11/14/2014 shows notice was served to the following persons who should be listed and identified in an Attachment 14:
   - **PATRICK PINSON**;
   - **DAVID POTTS**;
   - **SARAH JONES**;
   - **ANTHONY ANDERSON**;
   - **BOBBY BURTON**.

9. *Proof of Service by Mail* of the *Notice of Hearing* filed on 11/14/2014 does not show notice was served to **LILLIE B. SMITH**, daughter of Decedent mentioned in Decedent's Will. Need proof of service of notice to her or, if she is deceased, the *Petition* must so state and must provide her date of death pursuant to Local Rule 7.1.1(D).

10. *Proof of Service by Mail* of the *Notice of Hearing* filed on 11/14/2014 shows notice was served to **LEANDREW GIBBS** on 11/10/2014; however, Decedent's Will mentions **LEANDREW SMITH**, son. Need confirmation that these two names refer to the same person.

26 William Leon Kermoyan (Estate) Case No. 14CEPR00227

Atty **Coleman, William H (for Leo Kermoyan – Administrator)**

Probate Status Hearing Re: Filing Bond

DOD: 11/24/2011	**LEO KERMOYAN**, was appointed as Administrator with Will Annexed, with Limited IAEA and bond of $23,000.00 on 04/22/2014. Receipt of Bond in the amount of $23,000.00 filed 05/14/2014. Petition for Increase in Bond and for Authority to Administer Decedent's Estate Under the Independent Administration of Estates Act with Full Authority was filed on 09/24/2014 and heard on 10/29/2014. Petition was granted, petitioner was granted authority to administer estate under full IAEA authority and bond was increased to $479,000.00. Minute Order of 10/29/2014 set this matter for hearing for the filing of the Bond.	**NEEDS/PROBLEMS/COMMENTS:** 1. Need Bond totaling $479,000.00. 2. Need Amended Order on Mandatory Judicial Council form DE-140. 3. Need Amended Letters Mandatory Judicial Council form DE - 150.
		Reviewed by: LV
		Reviewed on: 12/04/2014
		Updates:
		Recommendation:
		File 26 – Kermoyan

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

27 Miguel Isaiah Morales (GUARD/P) **Case No. 14CEPR01065**

Atty Lopez, Jose L (Pro Per – Petitioner – Maternal Step-Grandfather)

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Age: 14			**TEMPORARY GRANTED EX PARTE, EXPIRES 12/10/2014**
			GENERAL HEARING 01/27/2015
Cont. from			
	Aff.Sub.Wit.		**JOSE L. LOPEZ,** maternal step-grandfather, is petitioner.
✓	**Verified**		Father: **MIGUEL MORALES,** consents and waives notice
	Inventory		
	PTC		Mother: **JESSICA RAMIREZ**
	Not.Cred.		
	Notice of Hrg	x	Paternal Grandfather: Unknown Paternal Grandmother: Unknown
	Aff.Mail		
	Aff.Pub.		Maternal Grandfather: Not Listed Maternal Grandmother: Lydia Lopez, deceased
	Sp.Ntc.		
	Pers.Serv.	x	
✓	**Conf. Screen**		**Petitioner states:** the minor has been in his and the maternal grandmother's care since birth. The maternal grandmother recently passed away in September of Cancer. Mother applied for aid and is threatening to take the child to reside with her. Petitioner alleges that the mother is in trouble for welfare fraud. Petitioner states that the minor child is worried. The minor is safe, happy and stable in petitioner's care.
✓	**Letters**		
✓	**Duties/Supp**		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	**Order**		
	Aff. Posting		
	Status Rpt		
✓	**UCCJEA**		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

1. Need Notice of Hearing.
2. Need proof of personal service five (5) 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:
   - Jessica Ramirez (Mother)
   - Miguel Isaiah Morales (Minor)

Reviewed by: LV

Reviewed on: 12/04/2014

Updates:

Recommendation:

File 27 – Morales

Dept. 303, 9:00 a.m. Wednesday, December 10, 2014

28 JaseanWilliams, Trent Williams, & (GUARD/P) Case No 13CEPR00334

Jalen Anthony

Atty Harvey, Richard (Pro Per – Petitioner – Non-Relative)

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Trent Age: 15			**GENERAL HEARING 01/28/2015**	**NEEDS/PROBLEMS/COMMENTS:**
Cont. from				
	Aff.Sub.Wit.		**RICHARD HARVEY,** non-relative, is petitioner.	**Note: Petition pertains to Trent Williams only. RICHARD HARVEY was appointed guardian of Jasean Williams and Jalen Anthony on 06/24/2013.**
✓	**Verified**		Father: **JOSEPH WILLIAMS**	1. Need Notice of Hearing.
	Inventory		Mother: **TISHA ANTHONY,** consents and waives notice.	2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Temporary Guardian or consent and waiver of notice or declaration of due diligence for: • Joseph Williams (Father) • Trent Williams (Minor)
	PTC		Paternal Grandfather: Sylvester Williams Paternal Grandmother: Martha Williams, consents and waives notice	
	Not.Cred.			
	Notice of Hrg	x	Maternal Grandfather: Horace Anthony, Sr. Maternal Grandmother: Twyla Daily, Deceased	
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.		**Petitioner states:** the minor was living with his father in Las Vegas but as of 11/11/2014 the father is in jail, charged with child abuse/neglect. The child needs to see a doctor for a checkup and the dentist. Petitioner wants the child in a positive environment.	
	Pers.Serv.	✓		
✓	**Conf. Screen**			
✓	**Letters**			
✓	**Duties/Supp**			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	**Order**			
	Aff. Posting			**Reviewed by:** LV
	Status Rpt			**Reviewed on:** 12/04/2014
✓	**UCCJEA**			**Updates:**
	Citation			**Recommendation:**
	FTB Notice			**File 28 – Williams & Anthony**

Dept. 303, 9:00 a.m. Wednesday, December 10, 2014