



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.

Petition to Terminate Trust under Probate Code 15408

		WILLIAM L. EATON , successor Trustee, is petitioner.	NEEDS/PROBLEMS/COMMENTS:	
		Petitioner states he is the current acting successor Trustee of the Trust. The property in the Trust as of the date of this petition is \$32,485.00 cash. Current bond is \$1,300,000.00.		
Cont. from		<p>Petitioner states the Trust requires the Trustee to pay the net income from the Trust to Evelyn Thayer Eaton during her lifetime. Evelyn Thayer Eaton died on 6/30/15. On the death of Evelyn Thayer Eaton the Trust is to distribute to the Trustor's grandchildren, to wit: Joan E. Eaton, John W. Eaton and William L. Eaton. Trustor has distributed the remaining assets of the Trust to the residuary beneficiaries, except for an amount for reserve (\$32,485.00) to pay closing expenses of the Trust.</p> <p>Because the fair market value of the trust is low in relation to the cost of its administration, continuation under its existing terms will substantially impair the accomplishment of the purpose of the trust. It is in the best interest of the trust and the beneficiaries that the trust be terminated and that the assets be distributed to the beneficiaries in equal shares, as provided in the trust instrument.</p> <p>Petitioner requests that the bond be cancelled and exonerated because all of the assets in the trust have been distributed, except for \$32,485.00, which is a prudent amount for final closing expenses necessary to terminate the trust. Thereafter any remaining funds will be distributed to the beneficiaries.</p> <p style="text-align: center;">Please see additional page</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.			
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<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: KT	
			Reviewed on: 12/4/15	
			Updates:	
			Recommendation:	
			File 1 - Eaton	

All beneficiaries consent to the termination of the Trust and waive an accounting.

Wherefore Petitioner requests that:

1. The Court terminate the above entitled trust;
2. All the acts of Petitioner as Successor Trustee be confirmed and approved;
3. The bond be cancelled;
4. The Court order distribution of the trust assets; after payment of closing expenses, including attorney fees and accounting and tax preparation fees and payment, to the trust beneficiaries in equal shares;
5. The Court discharge the Trustee on distribution of the assets of the trust to the beneficiaries as stated above.

Petition to Terminate Trust under Probate Code 15408

		WILLIAM L. EATON , successor Trustee, is petitioner.	NEEDS/PROBLEMS/COMMENTS:	
		Petitioner states he is the current acting successor Trustee of the Trust. The property in the Trust as of the date of this petition is \$10,312.00 cash. Current bond is \$400,000.00		
Cont. from		Petitioner states the Trust requires the Trustee to pay the net income from the Trust to Evelyn Thayer Eaton during her lifetime. Evelyn Thayer Eaton died on 6/30/15. On the death of Evelyn Thayer Eaton the Trust is to distribute to the Trustor's grandchildren, to wit: Joan E. Eaton, John W. Eaton and William L. Eaton. Trustor has distributed the remaining assets of the Trust to the residuary beneficiaries, except for an amount for reserve (\$10,312.00) to pay closing expenses of the Trust. Because the fair market value of the trust is low in relation to the cost of its administration, continuation under its existing terms will substantially impair the accomplishment of the purpose of the trust. It is in the best interest of the trust and the beneficiaries that the trust be terminated and that the assets be distributed to the beneficiaries in equal shares, as provided in the trust instrument. Petitioner requests that the bond be cancelled and exonerated because all of the assets in the trust have been distributed, except for \$10,312.00, which is a prudent amount for final closing expenses necessary to terminate the trust. Thereafter any remaining funds will be distributed to the beneficiaries. Please see additional page		
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
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<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
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<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: KT	
		Reviewed on: 12/7/15		
		Updates:		
		Recommendation:		
		File 2 - Eaton		

All beneficiaries consent to the termination of the Trust and waive an accounting.

Wherefore Petitioner requests that:

6. The Court terminate the above entitled trust;
7. All the acts of Petitioner as Successor Trustee be confirmed and approved;
8. The bond be cancelled;
9. The Court order distribution of the trust assets; after payment of closing expenses, including attorney fees and accounting and tax preparation fees and payment, to the trust beneficiaries in equal shares;
10. The Court discharge the Trustee on distribution of the assets of the trust to the beneficiaries as stated above.

Petition for Visitation

Age: 7	ANTONIO CONTRERAS , Guardian, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Petitioner is Spanish speaking.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing and proof of service at least 15 days prior to the hearing on Mother, Raina Salinas. 2. The Court may also require notice to the father and other relatives.
Cont. from	ANTONIO CONTRERAS , non-relative (father of Ulises' siblings), was appointed Guardian on 03/10/10. Mother, RAINA SALINAS , was granted supervised visitation from 3-5 pm on Saturday's at Guardian's home.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	x	
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
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<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		<p>On 07/02/14, RAINA SALINAS, filed a Petition for Termination of Guardianship. On 09/04/14, the Court [Judge Culver-Kapetan] extended Ms. Salinas' visitation from Saturday at 3pm to Sunday at 6pm. Her Petition for Termination of Guardianship was denied on 03/05/15. Minute Order from 03/05/15 states that Ms. Salinas moved to Florida.</p> <p>Petitioner states [see file for details].</p>
		<p>Reviewed by: JF</p> <p>Reviewed on: 12/04/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3 - Chavez</p>

4 Leonarda Maestas (Estate)

Case No. 10CEPR00621

Attorney: Bruce Leichty (for Petitioner/Executor Victoria Pumarejo)

Second and Final Account and Report of Victoria Pumarejo, Executor, and Petition for Allowance of Statutory Fees to Attorney for Executor and for Final Distribution

DOD: 8/24/2008	VICTORIA PUMAREJO , Executor, is petitioner.		NEEDS/PROBLEMS/COMMENTS:
	Account period: 8/24/08 – 9/29/15		
Cont. from 110515	Accounting	- \$51,387.99	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH	- \$51,337.59	
<input checked="" type="checkbox"/> Verified	Ending POH	- \$51,187.99	
<input checked="" type="checkbox"/> Inventory	Executor	- waives	
<input checked="" type="checkbox"/> PTC	Attorney (statutory)	- \$3,168.00	
<input checked="" type="checkbox"/> Not.Cred.	Attorney costs (filing fees, certified copies)	- \$895.50	
<input checked="" type="checkbox"/> Notice of Hrg	Closing	- \$500.00	
<input checked="" type="checkbox"/> Aff.Mail	Distribution, pursuant to Decedent's Will, is to:		
<input type="checkbox"/> Aff.Pub.	Victoria Pumarejo	- \$6,660.65	
<input type="checkbox"/> Sp.Ntc.	Isabel Hernandez	- \$6,660.65	
<input type="checkbox"/> Pers.Serv.	Eduvijen Fira	- \$6,660.65	
<input type="checkbox"/> Conf. Screen	Ruby Sanchez	- \$6,660.65	
<input checked="" type="checkbox"/> Letters	Barbara Cortez	- \$6,660.65	
	Luciano Lara	- \$6,660.65	
<input type="checkbox"/> Duties/Supp	Carmen Lara	- \$6,660.65	
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input checked="" type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input checked="" type="checkbox"/> FTB Notice			
			Reviewed by: KT
			Reviewed on: 12/4/15
			Updates:
			Recommendation: SUBMITTED
			File 4 – Maestas

Petition for Authority to Administer Decedent's Estate Under the Independent Administration of Estates Act

DOD: 08/15/10	DONNA T. WRIGHT, daughter/Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need Order.
Cont. from	Petitioner was appointed Administrator with Limited IAEA and without bond on 01/24/11. Letters of Administration were issued on 07/17/12.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory	Inventory & Appraisal, final, filed 10/21/15 - \$303,900.00	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Publication: The Business Journal (filed 09/24/10)	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	w/	
<input checked="" type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Petitioner states that it is in the best interest of the estate and those interested in it that she be empowered to administer the estate with full authority under the Independent Administration of Estates Act. All beneficiaries have waived the requirement of a bond.	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections	Petitioner prays for an Order:	
<input type="checkbox"/> Video Receipt	1. Authorizing Petitioner to administer the decedent's estate under IAEA with full authority; and	
<input type="checkbox"/> CI Report	2. Authorizing the issuance of new Letters of Administration noting that Petitioner is authorized to act with full authority under IAEA.	
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order	x	
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 12/04/15
		Updates:
		Recommendation:
		File 5 - Taylor

Age: 7	ANDREW HILL, father, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 11/05/15</u></p> <p>As of 12/03/15, nothing further has been filed.</p> <ol style="list-style-type: none"> 1. Need proof of service by mail at least 15 days before the hearing of <u>Notice of Hearing</u> or <u>Consent & Waiver of Notice</u> or <u>Declaration of Due Diligence</u> for: <ol style="list-style-type: none"> a. Francis Gilbo (paternal grandfather)
	<p>DONAVAN MORRISON and PRISCILLA MORRISON, maternal grandparents, were appointed as Co-Guardians on 07/12/11. – <i>Consent of both guardians filed 05/21/15.</i></p> <p>Mother: STEPHANIE MORRISON – <i>personally served on 09/22/15</i></p> <p>Paternal grandfather: FRANCIS GILBO Paternal grandmother: HALLIDIE HILL – <i>personally served on 09/17/15</i></p> <p>Petitioner states [see file for details].</p> <p>Court Investigator Jennifer Young filed a report on 07/14/15.</p>	
Cont. from 072115, 090115, 100815, 110515		
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
Aff.Mail	x	
Aff.Pub.		
Sp.Ntc.		
✓ Pers.Serv.	w/	
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 12/03/15
		Updates:
		Recommendation:
		File 6 – Morrison

Age: 18	PATTI CRABLE , trustee, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS: CONTINUED FROM 10/27/15</p> <p>1. It does not appear that a court order was obtained authorizing the payment of \$10,000.00 from the Trust and it is unclear whether this type of expenditure was authorized by the Trust instrument without a Court order. The Court may require more information and/or authority for this expenditure without a Court Order. Further Notice of Hearing to the bonding company (International Fidelity Insurance Company) may be required.</p> <p>2. The Summary of Account indicates that there is \$9,251.63 remaining in the Trust, but paragraph 13 of the Fourth Amended Petition states that the current value of the Trust is \$0.00. Need clarification. It is unclear whether the remaining property on hand is held in a blocked account. If the remaining funds (\$9,251.63) are not held in a blocked account, bond should be set at \$10,176.79 pursuant to CRC § 7.207.</p> <p>3. Need revised Order.</p> <p>Note: If the Petition is granted, a status hearing will be set as follows:</p> <ul style="list-style-type: none"> Thursday, June 23, 2016 at 9:00am in Dept. 303 for filing of the second account. <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>
	Account period: 09/25/12 – 11/26/14	
Cont. from 102715	Accounting: \$19,251.63	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH: \$0.00	
<input checked="" type="checkbox"/> Verified	Ending POH: \$9,251.63	
<input type="checkbox"/> Inventory	Trustee: not addressed	
<input type="checkbox"/> PTC	Attorney: not addressed	
<input type="checkbox"/> Not.Cred.	Bond is currently filed in the amount of \$11,000.00, petitioner is requesting that bond be reduced to zero because the remaining assets of the Trust are zero.	
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner states that the trust disbursed \$10,000.00 to the Leigh Law Group for legal services that resulted in the beneficiary being placed in a private out of state school valued at over \$50,000.00 that was paid for by the school district. Declaration of Jay Jambeck indicates that the placement was essential to the well-being of the beneficiary and the family agreed to pay the fees from the Special Needs Trust.	
<input checked="" type="checkbox"/> Aff.Mail w/o		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 12/03/15
		Updates:
		Recommendation:
		File 7 – Crable

DOD: 5-29-12	LORI SHIBATA , Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Page A is Trustee Lori Shibata's Petition for Instructions.
		Page B is Trustee Lori Shibata's First Account.
Cont from 111314, 031815, 041615, 052115, 070915, 091015, 100115, 110515	Petitioner states: Michael A. Lee established the Michael A. Lee Declaration of Trust dated 5-27-11 and was the initial trustee until his death on 5-29-12. The Trust is now irrevocable.	Minute Order 11/5/15: Mr. Knudson represents that a settlement has been reached.
<input type="checkbox"/> Aff.Sub.Wit.	The sole remainder beneficiary of the trust is Alyssa Lee, who is currently 20 years old. The trust provides that all remaining assets of the trust are to be held in trust for the benefits of Alyssa Lee, with income to be used for her support, including educational, medical, dental, hospital, and nursing expenses. One half of the trust's assets are to be distributed to Ms. Lee at age 30, free of trust, and the other half are to be distributed to Ms. Lee, free of trust, at age 35.	Note: On 7/9/15, the Court deferred its decision as to Ms. Lee's filing fees (for objections to both petitions) until it is determined if Ms. Lee is entitled to any compensation from the underlying action.
<input checked="" type="checkbox"/> Verified		Attorney Rube's status report filed 9/9/15 states: The trustee provided the documents requested by Mr. Knudson. The Wells Fargo checking acct has a balance of \$3,204.51 and savings has a balance of \$1,303.24. There are no other liquid assets in the trust. The estimated cost to repair the residence is approx. \$14,000 (estimate attached). The parties, by and through counsel only, have met in order to try to resolve the matter. Petitioner has offered to deed the subject real property over to respondent and terminate the trust. Petitioner does not want to try this case as there is no money to litigate further. If respondent is unwilling to accept the house "as is" and terminate the trust then Petitioner is willing to submit on the verified petition, objections, account, etc., for the court's decision.
<input type="checkbox"/> Inventory		1. Petitioner requests costs. The Court may require clarification or itemization.
<input type="checkbox"/> PTC		2. Need order.
<input type="checkbox"/> Not.Cred.		Reviewed by: skc
<input checked="" type="checkbox"/> Notice of Hrg		Reviewed on: 12/3/15
<input checked="" type="checkbox"/> Aff.Mail W		Updates:
<input type="checkbox"/> Aff.Pub.		Recommendation:
<input type="checkbox"/> Sp.Ntc.		File 8A – Lee
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input checked="" type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202 Order X		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
	<p>Petitioner states the only assets of the trust are a Wells Fargo checking account containing approx. \$18,000.00 and residential real property in Fresno appraised at \$140,000.00. The trust's only income is the interest earned on the checking account, which is negligible at best. The residential real property is vacant and in very poor condition and cannot be rented until deferred maintenance is done and substantial repairs are made. Monthly expenses including utilities and gardening amount to approx. \$165 per month or \$1,980 per annum. Property taxes for 2013 amounted to \$1,502.28 annually or approx. \$125 per month. Expenses to provide for the care of Ms. Lee in compliance with the trust consist of the payment of her health insurance premiums of \$281 per month or \$3,372 per year.</p> <p>On 3-5-13, Robyn L. Esraelian, attorney for Petitioner, sent a Notice of Proposed Action Pursuant to Probate Code §16500 to Ms. Lee informing her of Petitioner's proposed action to list the property for sale. However, Ms. Lee objected in writing to the sale.</p> <p style="text-align: center;">SEE ADDITIONAL PAGES</p>	

Petitioner states the trust does not contain enough liquid assets to pay the maintenance and repairs on the home to make it habitable and income-producing, to pay current trustee's fees, and to meet the monthly obligations associated with the residence and the beneficiary. If repairs are made, the residence could probably only be rented for no more than \$950/month, which would not generate enough income to pay the monthly expenses as outlined above and ongoing costs of administration such as property management fees and trustee's fees, and would certainly not generate enough income to fulfill the intent of the Trustor.

Petitioner states selling the subject residence and investing the net sales proceeds would generate sufficient principal and income to fulfill the intent of the Trustor to provide for Ms. Lee as set forth in Article Five, Paragraph C of the Trust.

Petitioner prays for an order:

- 1. Directing her, as Successor Trustee of the Michael A. Lee Declaration of Trust, to sell the residential real property located at 773 E. Ellery in Fresno, CA;**
- 2. For costs herein; and**
- 3. For such other orders as the Court may deem proper.**

Beneficiary Alyssa Lee filed an Objection on 12-12-14. Ms Lee states she is aware of the condition of the residence and cost to maintain it, and has proposed that she or a family member be allowed to live there at a fair rental value. Respondent believes rent of \$1100/month, offset by utilities and gardening, would result in a net rental income to the trust of \$800-900, which would generate income for payment of taxes and insurance. Respondent believes that at a reasonable rental, a tenant would be responsible for gardening and property maintenance and would pay their own utilities, eliminating those expenses for the trust. Respondent also believes the sum of \$151,000 is less than fair market value, even considering the necessary repairs. Zillow.com shows the current value at \$185,000.

The residence was Respondent's father's residence and is a very meaningful property to her. She has offered to handle repairs, maintenance and upkeep, through rental, but the trustee continues to refuse to consider the beneficiary's wishes and/or cooperate with her in maintaining the residence. See email communications.

The actions of the trustee in failing to consider the wishes of the beneficiary and adopting an authoritarian and imperious attitude raise the issue of whether the trustee is in violation of the "Duty of Loyalty" Probate Code §16002(a) which requires that a trust be administered solely in the interest of the beneficiaries.

Respondent states sale of the residence resulting in proceeds to be invested over time exposes the trust to market risk. Respondent doesn't believe that a sale would further the interests of the Trustor in providing for Respondent as beneficiary. The Trustor, Michael Lee, was Respondent's father. She has a strong emotional attachment to the residence, and would like it maintained and preserved.

Respondent states she has requested information concerning the assets of the trust, but to date has received no specific or verifiable responses from the trustee about certain issues, including account balances at her father's death. Accounting information shows round numbers, but source documents have not been provided, and bank accounts seldom have round numbers. Respondent has requested information concerning personal property passing to her and her brother, and prepared a list of items known, but the trustee has failed to respond to her request for information.

SEE ADDITIONAL PAGES

Page 3

Respondent states her father had a truck that is not shown as an asset of the trust. Prior to his death, her father made statements that, "they took my car." No information has been provided regarding the vehicle.

Respondent states she was advised that at or about the time of his death, her father had placed \$40,000 in two envelopes, \$20,000 each, for each of his children. Respondent has requested information regarding those envelopes, but the trustee has failed to provide information, although the trustee has acknowledged that the envelopes existed. This money should be accounted for as trust asset.

Counsel for the trustee has twice provided accounting information about the trust. In fall of 2012, following the Trustor's death, information was provided regarding accounts and expenses incurred by the trustee (attached). In January 2014, an "informal accounting" provided additional documentation of transactions through the end of 2013. Total cash at that point was \$30,882.88. This petition indicates assets have decreased to \$18,000. The accounting is not prepared in the form prescribed by the Probate Code and failed to show the required information.

Accordingly, Respondent requests the trustee prepare an accounting in the form prescribed by law. Respondent also requests the Court review the appropriateness of the fees charged by the trustee (\$60/hour or \$5,185.20).

Petitioner requests reimbursement for costs. Respondent believes costs may be payable by the trust.

Respondent requests that:

- 1. The Court deny the petition for instructions in so far as it requests authority to list and/or sell the property and instruct the trustee to maintain and rent the residence at an appropriate rental;**
- 2. That the trustee be ordered to provide additional information concerning the trust assets and administration issues, together with additional information concerning the trust assets;**
- 3. That the trustee be ordered to file and serve on the beneficiary a revised accounting showing the assets on hand at date of death, remaining as of closing of the accounting, and to bring the account current through a date not less than 60 days prior to the rendering of the revised accounting;**
- 4. That the Court review the trustee's requested compensation;**
- 5. That the trustee's request for costs be denied; and**
- 6. For all other and proper orders.**

DOD: 5/29/12	LORI SHIBATA , Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 5/29/12 -12/31/14	<p>Minute Order 11/5/15: Mr. Knudson represents that a settlement has been reached.</p> <p>Note: On 7/9/15, the Court deferred its decision as to Ms. Lee's filing fees (for objections to both petitions) until it is determined if Ms. Lee is entitled to any compensation from the underlying action.</p>
	Accounting: \$222,217.13 Beginning POH: \$217,835.61 Ending POH: \$153,215.26 (\$13,215.26 cash plus residential real property valued at \$140,000.00)	
	Trustee fee: \$3,870.00	
	Petitioner has been paid \$5,185.20 for services through 12-31-13 and requests \$3,870.00 for services from 1/1/14 through 12/31/14.	
	Trustee reimbursement: \$428.94	
	Exhibit B-2 itemizes expenses including bills, travel, services. Receipts also attached.	
	Petitioner states she has made disbursements for the maintenance of the residence owned by the trust and for the support and maintenance of Alyssa Lee and her minor daughter Ariana. Petitioner, upon taking over as trustee, determined that the real property owned by the trust was not in a condition to be rented to a third party. The cost to repair is approx. \$15,000.00. See inspection report attached. In addition, the sewer is in need of repair to make the real property habitable, which additional cost is \$1,200-\$1,400.	
	Rent would likely be approx. \$950/month. With the cost of property taxes, insurance, manager, yard care, and general maintenance, and health insurance premiums, there would not be sufficient funds to provide for the support and maintenance of the beneficiary and her minor child. See breakdown. The decedent intended that income to the trust was to be used to provide for Alyssa Lee until she was 35. Decedent as trustor authorized the invasion of principal (i.e., the sale of the residence) to accomplish this goal. The primary goal was not to allow Alyssa to live in the house, but to provide income until she reached 35.	
	SEE PAGE 2	
Cont from 041615, 052115, 070915, 091015, 100115, 110515		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input checked="" type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 12/3/15
		Updates:
		Recommendation:
		File 8B- Lee

Petitioner states she has delivered all personal property to Alyssa Lee as requested, and is unaware of any other personal property referred to by Alyssa Lee. Petitioner has responded to requests for "missing property" on numerous occasions and has advised her that there is no other personal property and nothing has been removed from the home other than the items taken by Alyssa Lee and her mother and brother. Petitioner has responded to Alyssa Lee's inquiries re the truck on several occasions. See Exhibits D-1 and D-2 which show the transfer of the truck to the decedent's parents.

The decedent withdrew money from his checking account prior to his death and delivered the cash to his father. At the time, there was no written instruction as to the disposition of the cash. Therefore, upon his death, his father delivered the cash to Petitioner to deposit to the trust.

Petitioner prays for an order as follows:

- 1. Approving, allowing, and settling the First Account;**
- 2. Authorizing the trustee fees and reimbursement;**
- 3. For such other and further relief as the Court considers proper.**

Objections filed 5-7-15 by Alyssa Lee, Beneficiary, state the primary asset of the trust is the residence on Ellery in Fresno. From the time of her father's death, Alyssa has repeatedly requested that the house be retained for her eventual use and benefit, but the trustee has rejected those claims and assertions, even when provided information and an agreement by beneficiary and other family members to maintain the residence. Twice she has sought to sell the house by giving notice of proposed action; both times Alyssa has objected. Alyssa also objected to the Petition for Instructions, requesting additional information and an accounting. Alyssa now makes the following objections:

1. Trustee's Fees. The trustee's fees as reported and requested are excessive, both fees already paid, and fees for which approval is requested. Objector specifically references travel time, rate of approx. \$70.36/hr, and food purchases for two persons.
2. Attorney's Fees. While Objector acknowledges that the trustee is entitled to representation and advice in administration of the trust, there is no showing that the attorney's fees incurred were for the benefit of the trust and the beneficiary. Given the circumstances and the overall situation of the trust, it appears the trustee is incurring excessive attorney fees that are not in the best interest of the trust or its beneficiaries.

SEE ADDITIONAL PAGES

3. Trustee is not administering the trust in the best interest of the beneficiary and has refused to consider the beneficiary's requests, unilaterally interposing her own will in spite of requests by the beneficiary. Objector believes the Trustee has thwarted and attempted to destroy or remove any memories or links to her father. She was not advised of nor given the opportunity to attend the memorial service; she was not invited to go with the trustee and other family members on a chartered boat trip to dispose of his ashes. See accounting for documentation of funds spent on these events, including boat, luncheon for "Mike's family," limousine service, etc. Various items of jewelry that her father held her for in the residence were not given to her, nor has the trustee been accommodating in seeking their return from family members who may have taken them. Prior to his death, Michael Lee was working on remodeling and refurbishing the house. There were various materials, including shelving, flooring, in the house. However, the trustee refused to proceed with any of the work and told Objector and/or Objector's mother that those items would be given away or thrown away. As the materials amounted to a substantial investment, the items were removed and are in storage at Objector's residence to be installed in the Ellery residence.

Objector and her mother also proposed the house be rented to a family member at \$850/month, with the family member to pay for water, garbage, lawn care, but in an email to Objector's mother Elizabeth Rocha-Lee, the trustee displayed a condescending and unyielding attitude. The trustee characterized the proposed rental as sub-par, even though this was an amount determined with reference to deductions for property management fees and other costs based on information provided by the trustee.

Alyssa also presented estimates for repair, which were discarded and discounted by the trustee. Now, after the trust has dissipated more than \$10,000 of available trust cash in carrying costs on the residence, payment of attorney's fees, and trustee's fees for trips back and forth to Fresno, Ms. Shibata now states the trust does not have the money to place the residence in rentable condition. At the time these proposals were made in 2013, there was and would have been sufficient cash to repair the residence with the assistance of the beneficiary and other family members who have an interest in preserving and maintaining it – an interest that the trustee does not share.

Accordingly, the trustee's actions with respect to the residence have not been in the beneficiary's interest, nor consistent with her wishes for preservation of the residence for her eventual long term use and enjoyment.

4. Trustee has been uncommunicative and uncooperative.
 - a. In May 2012, the trustee opened an account for Alyssa's benefit, and deposited \$500 into it. However, when Alyssa withdrew the funds for her use, as provided by the terms of the trust, the trustee refused to deposit more funds and then closed the account.
 - b. The trustee persuaded to and did provide Kaiser medical insurance for the beneficiary; however, Alyssa does qualify for Medi-Cal and may determine that private medical insurance is no longer required. Alyssa has a young daughter, who, when born was also covered under Kaiser insurance, however, when that daughter was eligible for Medi-Cal, Alyssa requested that Kaiser for the child be cancelled. The trustee, however, misunderstood and sought to cancel Alyssa's medical insurance.

SEE ADDITIONAL PAGES

- c. Other than paying the premiums on the medical insurance, the only benefit the trustee has provided to Alyssa was paying \$376.83 for a stroller, car seat and pay pen for the infant.
- d. The trustee has committed waste. In various communications, a shed was listed as being at the residence, but when the shed disappeared, she claimed she had no knowledge of it. Decedent was known to have had a number of tools, yet upon his death they could not be found. Alyssa believes Lori Shibata permitted other family members (Mike's siblings and parents) free access to the house.

Prior to his death, the decedent made statements to his wife and daughter that "they took my truck." When asked, Lori Shibata stated the truck had been given to his father or other family members. Now documentation appended to the account indicates the Toyota Tacoma was sold for \$1,000 to Raymond Yee, which Alyssa believes is far less than its fair market value.

Other instances of neglect and waste: the account shows the trustee had to address squatters in the residence. Objector previously advised the trustee that the locks were not working, but she did not replace them. Offers of assistance by Alyssa, her mother, and other family members to look after the residence or assist with its care have been rejected. As a result, it has not generated any income.

- e. The trustee has not satisfactorily explained the "missing \$40,000.00." See Objection for details.
5. Objector states the trust is ambiguous; it was not the decedent's intent that the residence be sold. Also, Article II claims no provision was made for Elizabeth D. Rocha Lee and/or Ramon Lee; however, Article 5a provides that personal effects, automobiles, and personal property are to be distributed to his children. The assets of the trust are to be retained with distributions to Alyssa one half at age 30 and the balance at age 35, however, the trust has generated less than \$100 of income during the last two years. The Trust is also ambiguous at Article V(g) which does not indicate any residual takers.

Accordingly, extrinsic evidence can and should be admitted to determine the trustor's intent in executing the trust document and what he meant to provide for his daughter Alyssa.

Objector requests that her objections be sustained, that the claimed charges be disallowed, that the trustee be surcharged for excessive and unnecessary trustee's fees and attorney's fees, that the request for approval of additional attorney's fees be denied, that the Court admit extrinsic evidence to construe the terms of the trust and the trustor's intent in providing for the beneficiary, that the trustee be instructed to provide additional information and seek additional information concerning the assets described herein, that the trustee be instructed to cooperate with the beneficiary to attempt to implement a plan by which the residence may be maintained to generate income for the beneficiary and ultimately for her use and benefit, and for all other and proper orders.

See also Declaration of Elizabeth Rocha-Lee in support of objections.

First and Final Report of Executor on Waiver of Account and Petition for Final Distribution, and of Allowance of Compensation to Attorneys for Ordinary Services

DOD: 08/15/14	WENDY PELOTE , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Accounting is waived.	
	I & A - \$2,571,236.01	
	POH - \$2,612,875.08	
	(\$39,006.47 is cash)	
Cont. from	Executor - waived	
<input type="checkbox"/> Aff.Sub.Wit.	Attorney - \$38,712.36 (statutory)	
<input checked="" type="checkbox"/> Verified	Petitioner states that this is an ancillary administration and she is also the personal representative of the decedent's domiciliary estate in Arizona. As personal representative of decedent's estate in Arizona, Petitioner represents to this court that the domiciliary estate is solvent and notice of administration has been given to all known and reasonably ascertained creditors in Arizona and that the statutory period for filing claims in that proceeding has expired.	
<input checked="" type="checkbox"/> Inventory	Distribution, pursuant to decedent's will, is to:	
<input checked="" type="checkbox"/> PTC	Wendy M. Pelote - \$294.11 cash, plus interest in various parcels of real property and interest in mineral rights in various parcels of real property	
<input checked="" type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/o		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters 06/04/15		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 12/07/15
		Updates:
		Recommendation: SUBMITTED
		File 10 - Parks

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

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: <u>Minute Order 10/29/15:</u> Janice Muhamad is the paternal grandmother. The Court finds sufficient notice as to Thurman Lignons, father, and Laquandra Lignons, mother. Reynaldo Palms represent that he served Nicholas Ward by mail, but upon questioning cannot identify what documents he mailed. Petitioner must re-notice Nicholas Ward and file proper proof. As of 12/3/15, nothing further has been filed. 1. Notice of Hearing filed 10/19/15 does not indicate that a copy of the petition was included with the notice sent to Nicholas Ward (Kinchen), maternal grandfather.
Cont. from 061515, 072715, 083115, 101915, 102615, 102915			
	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		
✓	DSS Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: skc	
		Reviewed on: 12/3/15	
		Updates:	
		Recommendation:	
		File 11 - Lignons	

Probate Status Hearing RE: Filing of the Inventory and Appraisal

DOD: 11/02/14	CARL JOHNSTON , father, filed a Petition for Probate requesting to be appointed as Administrator of the Estate on 04/30/15.	NEEDS/PROBLEMS/COMMENTS: 1. Letters have not been issued to the Public Administrator. Need updated status report and issuance of Letters.
Cont. from	Minute Order from hearing on 07/16/15 states: The Court appoints the Public Administrator due to substantial disagreement; Letters are to issue forthwith from the minute order. Mr. Johnston and Ms. Churchill are ordered to turn over any and all paperwork, oral information, and assets to the Public Administrator by 07/23/15. The Court orders that the Public Administrator has the authority to hire counsel for litigation, without paying attorney's fees without Court approval. The Minute Order also set this hearing for filing of the Inventory & Appraisal.	
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: JF
		Reviewed on: 12/07/15
		Updates:
		Recommendation:
		File 12 - Johnston

13 William Cooper & Richard Cooper (GUARD/P) Case No. 15CEPR00716

Guardian Cooper, Tammy (pro per – paternal aunt)

Mother Cayson, Shannon (pro per)

Probate Status Hearing Re: Visitation

Richard, 6	TAMMY COOPER, paternal aunt, was appointed Guardian of the Person on 09/24/15.	NEEDS/PROBLEMS/COMMENTS:
William, 4		
	At the hearing on 09/24/15, SHANNON CAYSON, mother, objected to the Petition. Minute order from 09/24/15 states: Ms. Cayson states her objections for the record and represents that her last use of meth was 5 months ago. The Court orders supervised visitation only for Ms. Cayson every Saturday from 12 noon to 2pm at the McDonald's at Shaw and Peach. Ms. Cooper shall remain in eyesight and hearing distance at all times. Parties are admonished to not discuss this matter or each other with the minors. The Minute Order also set this status hearing for status regarding the visitation.	<p>CONTINUED FROM 11/05/15 Minute Order from 11/05/15 states: The clerk received a voicemail from an unidentified person stating that Shannon Cayson, mother, is currently hospitalized. Ms. Cooper represents that Ms. Cayson did not show for 4 of the 6 visits and arrived 20 minutes late for one. The Court orders Shannon Cayson's visitation suspended until further orders from the Court. Ms. Cooper is to notify Ms. Cayson of the 12/10/ hearing via text.</p> <p>As of 12/03/15, nothing further has been filed.</p> <p>1. Need status update regarding visitation.</p>
Cont. from 110515		
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: JF
		Reviewed on: 12/03/15
		Updates:
		Recommendation:
		File 13 - Cooper

14 Kenneth Ray Lane and Cynthia Kaye Lane Living Trust dated April 2, 2012

Case No. 15CEPR00845

Attorney Magness, Marcus D. (for Analisa Lane – beneficiary/Petitioner)
 Attorney Thompson, Timothy L. (for Cynthia Kaye Kane – Trustee/Respondent)

Probate Status Hearing RE: Filing of a Response

Age:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u> Response filed 11/30/15</p> <p>Minute Order from 10/29/15 states: Mr. Thompson was just retained and will file a response by 11/30/15; no appearance is necessary on 12/10 if the response is filed at least two court days prior. Matter is set for trial with a 5-7 day time estimate.</p>
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 12/07/15
		Updates:
		Recommendation:
		File 14 - Lane

Petition for Appointment of Guardian of the Person

		There is no temporary. No Temporary was requested.	NEEDS/PROBLEMS/COMMENTS:
		RAYMUNDO SANCHEZ, paternal uncle, is petitioner.	1. Need Notice of Hearing.
Cont. from 110415		Please see petition for details.	2. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice on: a. Amber Dancliff (mother) – unless the court dispenses with notice.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Court Investigator Report filed on 10/28/15	3. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Maternal grandfather b. Kelly Dancliff (maternal grandmother)
<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 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: KT
			Reviewed on: 12/4/15
			Updates:
			Recommendation:
			File 15 – Higuera

Petition for Appointment of Probate Conservator

Age: 18	<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
	RICHARD ELENSKY and BRENDA ELENSKY , parents, are Petitioners and request appointment as co-conservators of the person with medical consent powers.	<u>CONTINUED FROM 10/22/15</u>
	Voting rights affected.	Court Investigator advised rights on 09/25/15
Cont. from 102215	Petitioners state: [see file for details].	Voting rights affected, need minute order.
<input type="checkbox"/> Aff.Sub.Wit.	Court Investigator Charlotte Bien filed a report on 10/01/15.	1. Dr. Hernandez checked box 7(b) on the Capacity Declaration stating that the proposed conservatee lacks capacity to make medical decisions, but did not initial where necessary. Need revised Capacity Declaration with the doctor's initials at item 7(b).
<input checked="" type="checkbox"/> Verified		2. The proposed relatives listed at item 11 of the Petition does not include grandparents, which are relatives within the second degree and entitled to notice. If grandparents are deceased, their name and date of death should be listed. (Local Rule 7.1.1D). It is noted that the proof of Service filed 11/20/15 indicates that William E. Kowalski and Elaine D. Bechtold were served on 11/16/15, however, it is unclear what their relationship is to the proposed conservatee. Need clarification and/or proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Probate Conservator</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for each living grandparent.
<input type="checkbox"/> Inventory		3. Need Letters of Conservatorship.
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv. w/		
<input checked="" type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters x		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input checked="" 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 type="checkbox"/> UCCJEA		
<input checked="" type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 12/03/15
		Updates:
		Recommendation:
		File 16 – Elensky

17 Gloria Espinoza (Estate) Case No. 15CEPR00895

Petitioner Noriega, Doreen Ann (Pro Per)

Petition for Authorization to Administer Under IAEA

DOD: 12/17/2009	DOREEN ANN NORIEGA , is petitioner and requests appointment as Executor.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 10/22/2015: Examiner notes given.</p> <p>The Petition is vastly incomplete. The deficiencies with the pleadings include, but are not limited to, the following:</p> <p>Following issues remain:</p> <ol style="list-style-type: none"> 1. Petition states decedent died intestate. Petitioner requests appointment as executor, if decedent died without a will petitioner should request appointment as administrator. 2. #8 of the petition does not list the petitioner's relationship to the decedent. 3. Need Affidavit of Publication. 4. Need Notice of Petition to Administer Estate. 5. Need proof of service of the Notice of Petition to Administer Estate on all interested parties pursuant to Probate Code §81 10. 6. #5a(1) or #5a(2) was not answered regarding a spouse. 7. #5a(3) or #5a(4) was not answered regarding a registered domestic partner. 8. #5a(7) or #5a(8) was not answered regarding issue of predeceased child. 9. #2d(1), #2d(2) or #2d(3) of the petition regarding bond is incomplete. 10. #3g is incomplete regarding whether the personal representative is a resident of California.
Cont. from 102215	Full IAEA - ?	
<input type="checkbox"/> Aff.Sub.Wit.	Decedent died intestate.	
<input checked="" type="checkbox"/> Verified	Residence: Fresno	
<input type="checkbox"/> Inventory	Publication: Need	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Estimated value of the Estate:	
<input type="checkbox"/> Notice of Hrg	Personal property - \$134,347.00	
<input type="checkbox"/> Aff.Mail	Probate Referee: Rick Smith	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LV
		Reviewed on: 12/04/2015
		Updates:
		Recommendation:
		File 17 – Espinoza

DOD: 6/5/15		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR Amended petition filed 11/24/15 is set for hearing on 1/27/16.</p>	
Cont. from 102815			
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		w/o
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		x
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: skc	
		Reviewed on: 12/3/15	
		Updates:	
		Recommendation:	
		File 18 – Balderrama	

DOD: 6/5/15		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR</u> Amended petition filed 11/24/15 is set for hearing on 1/27/16.</p>	
Cont. from 102815			
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		w/o
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		x
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: skc	
		Reviewed on: 12/3/15	
		Updates:	
		Recommendation:	
		File 19 – Balderrama	

Petition for Letters of Administration; Authorization to Administer Under IAEA

DOD: 8/11/09	PEDRO F. REYES , Nominee, is Petitioner and requests appointment as Administrator with Full IAEA without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 10/29/15: The Court finds publication in the Business Journal sufficient for this one time only. Matter is continued for service as to the consulate office.</p> <p>Update: The consulate office has now been served. The following issues is noted:</p> <ol style="list-style-type: none"> The waiver of bond is not on the mandatory Judicial Council Form DE-142, which was adopted 1/1/15. The Court may require this form to be signed by Asteria R. Raguidin, Sister, sole heir. <p>Note: If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> Thursday Jan. 28, 2016 for filing of bond, if required Thursday May 12, 2016 for the filing of the Inventory and Appraisal Thursday Feb. 9, 2017 for the filing of the First Account or Petition for Final Distribution. <p>If items are properly on file per Local Rule 7.5, the status hearings may come off calendar.</p> <p>Reviewed by: skc</p> <p>Reviewed on: 12/3/15</p> <p>Updates: 12/7/15</p> <p>Recommendation:</p> <p>File 20 – Recel</p>
Cont. from 102915		
<input type="checkbox"/> Aff.Sub.Wit.	Sole heir nominates Petitioner and waives bond. (See attached Power of Attorney and Waiver of Bond.)	
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Full IAEA – ok	
<input checked="" type="checkbox"/> Notice of Hrg	Decedent died intestate	
<input checked="" type="checkbox"/> Aff.Mail	Residence: Reedley, CA	
<input checked="" type="checkbox"/> Aff.Pub.	Publication: Business Journal	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	Estimated value of estate: Real property: \$160,000.00	
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters	Probate Referee: Rick Smith	
<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		

Petition for Appointment of Guardian of the Person

		THERE IS NO TEMPORARY. No temporary was requested.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Luis Salazar (father) b. Georgette Salazar (minor) c. Mayela Juarez (mother) – unless the court dispenses with notice.
		MARIA DE LA LUZ RANGEL , maternal grandmother, is petitioner.	
		Please see petition for details.	
Cont. from		Court Investigator Report filed on 11/23/15.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	X	
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	X	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 12/7/15
			Updates:
			Recommendation:
			File 21 - Salazar

Petition for Appointment of Guardian of the Person

Crystal Age: 17	<p align="center"><u>NO TEMPORARY IN PLACE;</u> <u>TEMPORARY DENIED ON 10/14/15</u></p> <p>MARIA GONZALEZ, maternal aunt, is Petitioner.</p> <p>Father (Crystal): JOSE GARCIA – <i>deceased</i></p> <p>Father (Tiffany): UNKNOWN (JESUS LUNA)</p> <p>Mother: TERESA VILLA – <i>deceased</i></p> <p>Paternal grandfather (Crystal): UNKNOWN Paternal grandmother (Crystal): MARTHA GARCIA – <i>served by mail on 10/01/15 with Notice of Hearing only</i></p> <p>Paternal grandparents (Tiffany): UNKNOWN</p> <p>Maternal grandparents: DECEASED</p> <p>Petitioner states [see file for details].</p> <p>Court Investigator Charlotte Bien filed a report on 11/18/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Petitioner is Spanish speaking.</p> <p>1. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for:</p> <p>a. Crystal Garcia (minor) – <i>personal service required</i></p> <p>b. Jesus Luna (Tiffany's father) – <i>personal service required</i></p> <p>c. Martha Garcia (Crystal's paternal grandmother) – <i>Proof of Service filed 10/01/15 does not state that she was served with a copy of the Petition</i></p> <p>d. Crystal's paternal grandfather – <i>service by mail ok</i></p> <p>e. Tiffany's paternal grandparents – <i>service by mail ok</i></p>
Tiffany Age: 10		
Cont. from		
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		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
✓ UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: JF</p> <p>Reviewed on: 12/07/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 22 – Garcia/Luna</p>	

Petitioner Turner, Alice (pro per – maternal step-grandmother)
 Petitioner Turner, Jake Thomas (pro per – maternal grandfather)

Petition for Appointment of Guardian of the Person

Age: 2	<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
	JAKE TURNER and ALICE TURNER, maternal grandfather and step-grandmother, are Petitioners.	1. Need <i>Notice of Hearing</i> .
Cont. from	Father: ERIC BUGARIN – <i>currently incarcerated</i>	2. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for:
<input type="checkbox"/> Aff.Sub.Wit.	Mother: CAITLYN TURNER	a. Eric Bugarin (father) – <i>personal service needed</i>
<input checked="" type="checkbox"/> Verified	Paternal grandfather: ANTHONY BUGARIN	b. Caitlyn Turner (mother) – <i>personal service needed</i>
<input type="checkbox"/> Inventory	Paternal grandmother: THERESA POWERS	c. Anthony Bugarin (paternal grandfather) – <i>service by mail ok</i>
<input type="checkbox"/> PTC	Maternal grandmother: KIMBERLY TURNER	d. Theresa Powers (paternal grandmother) – <i>service by mail ok</i>
<input type="checkbox"/> Not.Cred.	Petitioners states [see file for details]	
<input type="checkbox"/> Notice of Hrg <input checked="" type="checkbox"/>	Court Investigator Samantha Henson filed a report on 12/03/15.	
<input type="checkbox"/> Aff.Mail <input checked="" type="checkbox"/>		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv. <input checked="" type="checkbox"/>		
<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: 12/07/15
		Updates:
		Recommendation:
		File 23 - Bugarin

Attorney
Attorney
Attorney

Burnside, Leigh W. (for Petitioners DeeAnn Doyle Summers and John Doyle)
Istanbouljian, Flora (Court appointed for Proposed Conservatee)
Kruthers, Heather H. (for Public Guardian)

Petition for Appointment of Probate Conservator of the Person and Estate

	See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> The following three matters are related: Page 29: 15CEPR01070 (Conservatorship) Page 30: 15CEPR01071 (Durable POA) Page 36: 15CEPR01158 (Trust)</p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p>
		Reviewed by: skc
		Reviewed on: 12/3/15
		Updates:
		Recommendation:
		File 29 - Doyle

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

Page 2

NEEDS/PROBLEMS/COMMENTS:

1. Petitioners did not include the mandatory Judicial Council Attachment Requesting Special Orders Regarding Dementia Form GC-313 to the petition, which specifies if they are seeking dementia medication and/or placement powers. As such, this form has not been served on the proposed Conservatee or the relatives. If dementia medication and/or placement powers are sought, the Court may require further service on the proposed Conservatee and relatives to include this form.
2. The Capacity Declaration filed 11/24/15 supports medical consent powers, but is blank at #9 as to whether the proposed Conservatee has or does not have dementia, and does not appear to support dementia medication or placement powers. If dementia medication and/or placement powers are sought, the Court may require clarification or further declaration by the doctor.
3. Petitioners state they have been unable to ascertain addresses for two of the proposed conservatee's grandchildren. The Court may require further diligence and notice per Probate Code §1822 to:
 - Brandon Vance (Grandson)
 - Amanda Fishinghawk Martinez (Granddaughter)

Attorney Burnside, Leigh W. (for Petitioners DeeAnn Doyle Summers and John Doyle)
 Attorney LeVan, Nancy J. (for Respondent Christina Fishinghawk)

Petition to Compel Attorney to Account and Report; for Immediate Suspension of Authority to Act;
 for Revocation of Power of Attorney; and for Surcharge (Probate Code §4541)

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: Note: The following three matters are related: Page 29: 15CEPR01070 (Conservatorship) Page 30: 15CEPR01071 (Durable POA) Page 36: 15CEPR01158 (Trust) 1. Probate Code §4541 states a petition may be filed under this part if the attorney in fact has failed to submit an accounting or report within 60 days after written request from the person filing the petition. The Court may require clarification as to whether written request was made, and the response. 2. Need order. Local Rule 7.1.1.F.	
	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	X		
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: skc		
		Reviewed on: 12/7/15		
		Updates:		
		Recommendation:		
		File 30 – Doyle		

The A. James Doyle, Jr., Trust Dated April 19, 2004, as amended and restated on May 14, 2014 Case No. 15CEPR01158

Attorney
Attorney

Burnside, Leigh W. (for Petitioners DeeAnn Doyle Summers and John Doyle)
Kruthers, Heather H. (for Public Guardian)

Ex Parte Petition for Appointment of Successor Trustee, or Alternatively, Temporary Successor Trustee

		See petition for details.	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p><u>Note:</u> Concurrently with this Ex Parte Petition, Petitioners filed a Petition for Order Compelling Former Co-Trustees to Account and Report, which is set for hearing on 1/26/16.</p> <p><u>Note:</u> The following three matters are related: Page 29: 15CEPR01070 (Conservatorship) Page 30: 15CEPR01071 (Durable POA) Page 36: 15CEPR01158 (Trust)</p> <p>1. Petitioner requests appointment of Marion Austin, a professional fiduciary, as temporary trustee without bond; however, Probate Code §15602 requires bond for a trustee not named in the trust instrument. Therefore, need estimated value of trust to fix bond.</p>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w/o
	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: 12/7/15	
			Updates:	
			Recommendation:	
			File 36 - Doyle	