1 Catalina D. Miranda (CONS/P) **Case No. 0380281**

Atty Perkins, Jan T. (for Elena Ortiz – Conservator)

Probate Status Hearing Re: Next Accounting

Age: 84 **DOB: 05/27/27**	**ELENA ORTIZ,** sister, was appointed Conservator of the Person and Estate in 1966. **The Nineteenth Account Current, Report and Petition for Settlement** was filed 10/05/09 and granted at the 11/03/09 hearing. **Minute Order from 11/03/09 hearing** set this matter for hearing and states that if the next accounting is on file by 12/12/11, then no appearance is necessary.	**NEEDS/PROBLEMS/COMMENTS:** 1. **Need next accounting.**
Cont. from		
Aff.Sub.Wit.		
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Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
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Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		**Reviewed by:** JF
Status Rpt		**Reviewed on:** 12/06/11
UCCJEA		**Updates:**
Citation		**Recommendation:**
FTB Notice		**File 1 - Miranda**

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

2 **Dolores S. Neitzel (CONS/PE)** **Case No. 06CEPR00474**

Atty **Kruthers, Heather H (for Public Guardian – Successor Conservator of the Person and Estate)**

Probate Status Hearing Re: Next Account

Age: 82 **DOB: 03/22/29**	**VICTORIA BARBATO,** daughter, was appointed Conservator of the Person and Estate on 09/16/06. At a hearing on 05/14/08, Victoria was removed as conservator of the person and estate and the **PUBLIC GUARDIAN** was appointed as successor Conservator of the Person and Estate. The Public Guardian filed an Inventory & Appraisal on 01/16/09. The Public Guardian filed its **First Account Current and Report of Successor Conservator** on 10/06/09. **Minute Order from hearing on 11/03/09** for the First Account Current and Report of Successor Conservator set this matter for hearing on the next accounting on 12/13/11. The Minute Order states that if the next accounting is filed by 12/12/11, then no appearance is necessary on 12/13/11.	**NEEDS/PROBLEMS/COMMENTS:** **OFF CALENDAR** **Second Account filed and set for hearing on 02/02/12**
		Reviewed by: JF
		Reviewed on: 12/06/11
		Updates:
		Recommendation:
		File 2 - Neitzel

Cont. from

	Aff.Sub.Wit.	
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	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

3 **Maxine Dunlop (CONS/PE)** **Case No. 06CEPR01049**

Atty **Kruthers, Heather H. (for Public Guardian – Conservator)**

Probate Status Hearing Re: Confirmation by Public Guardian of American Ambulance Reimbursement

Age: 83 years **DOB: 6/11/1928**			**NEEDS/PROBLEMS/COMMENTS:** **OFF CALENDAR** **Declaration of Public Guardian confirming receipt of reimbursement filed 12/02/11.**
Cont. from			
	Aff.Sub.Wit.		
	Verified		
	Inventory		
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	Notice of Hrg		
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	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		**Reviewed by:** JF
	Status Rpt		**Reviewed on:** 12/06/11
	UCCJEA		**Updates:**
	Citation		**Recommendation:**
	FTB Notice		**File 3 - Dunlop**

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

4 Bonnie C. Mims (Estate) Case No. 09CEPR00021

Atty Harrell, Jonathan E. (for Walter E. Morris – Administrator)
Atty Matsumoto, Russell (former counsel for Walter E. Morris – Administrator)

(1) First and Final Report of Administrator and Petition for Its Settlement, (2) for Reimbursement to Attorney, (3) for Payment of Attorney's Compensation, and (4) Final Distribution Upon Waiver of Account (Prob. C. 10810)

DOD: 10/25/08		
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	02/17/09
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	9202	
	Order	x
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✓	FTB Notice	

WALTER E. MORRIS, Administrator, is Petitioner.

Accounting is waived.

I & A - **$219,931.00**
POH - **$93,012.19**

Administrator - **waives**

Attorney - **$7,057.42** (statutory) (to be divided equally between attorney Russell Matsumoto & Attorney Jonathan E. Harrell with each receiving $3,528.71. Petitioner wishes to deduct $107.47 from Mr. Matsumoto's portion to reimburse the estate for costs previously reimbursed to Mr. Matsumoto that are for expenses properly compensated within the Statutory Fee (court call, photocopies, and postage), resulting in distribution to Mr. Matsumoto in the amount of $3,421.24.)

Costs - **$395.00**

Distribution, pursuant to intestate succession, is to:

Walter E. Morris - $85,667.24

Declaration of Russell Matsumoto re Division of fees involving former counsel and successor counsel filed 06/28/10 states that he initially represented the Petitioner and completed much of the work in administration of the estate, including assisting the petitioner in the sale of real property of the estate.

Supplemental Declaration of Russell Matsumoto re Division of fees involving former counsel and successor counsel filed 12/02/11 requests the court to exercise its discretion in apportionment of the statutory attorney's fees. Mr. Matsumoto states that his office handled most of the administration of the estate, including the sale of real property, and that at the time he substituted out as attorney (filed 06/18/10) that the only two assets of the estate had been liquidated and the estate was practically in a condition to be closed, except for the preparation of the final account and petition for distribution. Mr. Matsumoto proposes that, based on the services actually rendered by each attorney, that he receive 80% of the statutory fee ($5,645.93) and Mr. Harrell receive 20% of the fee ($1,411.48).

Declaration of Walter E. Morris in support of Final Report (Exhibit G to the Petition) states that the assistance received from Mr. Matsumoto concerning the reverse mortgage on the real property of the estate was either lacking or misinformed and he was forced to retain the services of other counsel to negotiate with an investor and draft bridge loan documents to prevent a foreclosure by the reverse mortgage company. Further, upon close of escrow, Mr. Matsumoto's office had the escrow company deliver the proceeds of the sale to his office and not to Petitioner for deposit in the estate account. Petitioner felt this was improper and would not agree to endorse the check, shortly thereafter, Petitioner received the substitution of attorney from Mr. Matsumoto, and was informed by the title company that Attorney Matsumoto was no longer handling the case and that the check had been returned to the title company. Petitioner eventually received the check from the title company and deposited it into the estate account.

NEEDS/PROBLEMS/ COMMENTS:

1. **Need Order.**

Reviewed by: JF
Reviewed on: 12/06/11
Updates:
Recommendation:
File 4 - Mims

5 **Lorraine A Marez (Det Succ)** **Case No. 09CEPR00991**

Atty **Tomassian, Gerald M (for Petitioner Tammy Marez Patterson)**

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

DOD: 9/30/09		
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	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

TAMMY MAREZ PATTERSON, Decedent's daughter, is Petitioner.

40 days since DOD

No other proceedings

Will dated 12/5/98

I & A - $95,000.00

Petitioner requests court determination that Decedent's undivided 100% interest in real property located at 6882 West Shields in Fresno, passes to Petitioner pursuant to Decedent's will.

NEEDS/PROBLEMS/COMMENTS:

1. **There has already been an Order Determining Succession entered on February 2, 2010 passing this property. There has been no request to vacate the prior order. Once an order has been entered the prior order must be vacated before a new order can be entered. It is unclear why this amended petition has been filed.**

Reviewed by: KT
Reviewed on: 12/6/11
Updates:
Recommendation:
File 5 - Marez

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

6 Lydia Peters (CONS/PE) **Case No. 10CEPR00167**

Atty Watson, Dennis L. (for Conservator Marguerite S. Hughes)

Order to Show Cause Re: Personal Appearance

Age: 88 years **DOB: 9/26/22**	**MARGUERITE S. HUGHES** was appointed as conservator of the person and estate on 5/17/10 with bond set at $412,500.00 Bond of $412.500 was filed on 8/12/10 and Letters issued on 9/15/10. Inventory and appraisal was due 12/15/10. First account is now due. A status hearing was set for the filing of the inventory and appraisal and for the filing of the first account. Minute Order dated 9/6/11 states Dennis Watson appeared by Court Call and stated a personal emergency had occurred. He is close to filing an accounting, pending a life insurance letter. The status hearing was continued to 10/11/11. At the Status Hearing on 10/11/11 there were no appearances and this Order to Show Cause Hearing was set. A copy of the Minute Order was mailed to Mr. Watson on 10/14/11.	**NEEDS/PROBLEMS/COMMENTS:**
		Reviewed by: KT
		Reviewed on: 12/7/11
		Updates:
		Recommendation:
		File 6 - Peters

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	

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

7 Bernice Dunn (CONS/PE) **Case No. 10CEPR01051**

Atty O'Neill, Patricia B (for Conservator of the person Timothy Moore)
Atty LeVan, Nancy J. (Petitioner/court appointed attorney for Conservatee)
Atty Kruthers, Heather H (for Conservator of the Estate Public Guardian)

Petition for Attorney Fees for Court Appointed Counsel for Conservatee (Prob. C. 1472)

Age: 83 years DOB: 1/22/1928		
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	

NANCY J. LEVAN, petitioner was Court appointed to represent the Conservatee on 12/8/10.

TIMOTHY MOORE was appointed Conservator of the Person and the **PUBLIC GUARDIAN** was appointed conservator of the estate on 2/17/11.

Petitioner requests fees in connection with the representation of the Conservatee for Timothy Moore's petition to appoint a conservator.

Petitioner **asks that she be paid** from the conservatorship estate for **31.60 hours @ $200.00 per hour and for costs of $68.94 for a total of $6,388.94.**

Services are itemized by date and include review of documents, visits with client, and court appearances.

NEEDS/PROBLEMS/COMMENTS:
Reviewed by: KT
Reviewed on: 12/7/11
Updates:
Recommendation:
File 7 - Dunn

8 **Bobby Lee De France** **Case No. 11CEPR00855**

Atty **Matsumoto, Russell D. (for Petitioner Gloria V. Aguilar De France)**

Petition to Determine Succession to Real Property and Personal Property

DOD: 2/24/11		
Cont. from 110111		
	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	

GLORIA V. AGUILAR DE FRANCE, Trustee of the Bobby Lee De France Revocable Trust, dated 10/16/2006, is petitioner.

40 days since DOD.

No other proceedings.

Will dated 10/16/2006 devises entire estate to the Bobby Lee De France Revocable Trust, dated 10/16/2006.

I & A - **$86,850.00**

Petitioner requests Court determination that Decedent's 100% interest in real property, a 1974 V.W. Beetle and a 2005 Ford Focus passes to her has Trustee of the Bobby Lee De France Revocable Trust dated 10/16/2006.

NEEDS/PROBLEMS/COMMENTS:

1.

Reviewed by: KT

Reviewed on: 12/6/11

Updates:

Recommendation: SUBMITTED

File 8 – De France

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

9 Robert Belmontes and Marissa Belmontes (GUARD/P)

Case No. 11CEPR00926

Atty Benninghoff, Melinda S (for Petitioner/maternal grandmother Martha Ambriz)

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

Robert age: 13 years DOB: 10/5/1998		
Marissa age: 6 years DOB: 3/10/05		
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	

There is no temporary.
No temporary was requested.

MARTHA AMBRIZ, maternal grandmother, is petitioner.

Father: **ROBERT ANTHONY BELMONTES**

Mother: **VERONICA BURKE** – *deceased*.

Paternal grandfather: Salvador Belmontes
Paternal grandmother: Christine Palacios
Maternal grandfather: Armando Ambriz

Petitioner states the mother of the minors died on 1/19/2011 in an accident in Missouri. The minors were also injured. The mother of the minors was divorced from the father, but when he learned of the accident he took the children and has, for all practical purposes, denied all visitation to Petitioner who is the grandmother of the minors and who has lived with them for the last nine years. Petitioner believes that the minors are not in the physical custody of the father and that the minors are living with an aunt of his.

NEEDS/PROBLEMS/COMMENTS:

<u>Continued to 1/12/12</u> at the request of the attorney.

Reviewed by: KT
Reviewed on: 12/6/11
Updates:
Recommendation:
File 9 - Belmontes

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

10 Clara Carolina Jay (Estate) **Case No. 11CEPR00993**

Atty Buettner, Michael M (for Petitioner Phillip C. Erickson)

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

DOD: 10/21/11		
Cont. from		
	Aff.Sub.Wit.	S/P
✓	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	

PHILLIP C. ERICKSON, named executor without bond, is petitioner.

Full IAEA – o.k.

Will dated: 10/1/2003

Residence: Selma
Publication: Selma Enterprise

Estimated Value of the Estate:
Personal property - $350,000.00

Probate Referee: RICK SMITH

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: KT
Reviewed on: 12/7/11
Updates:
Recommendation: SUBMITTED
File 10 – Jay

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

11 Johnny Martinez (CONS/P) **Case No. 11CEPR00995**

Atty Teixeira, J. Stanley (for Petitioner/mother Janie Martinez)

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

Age: 25 years		
DOB: 6/6/1986		
Cont. from		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
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	Not.Cred.	
✓	Notice of Hrg	
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✓	Pers.Serv.	
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✓	Letters	
✓	Duties/Supp	
	Objections	
✓	Video Receipt	
✓	CI Report	
	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

THERE IS NO TEMPORARY.
No temporary was requested.

JANIE MARTINEZ, mother, is petitioner and requests appointment as conservator of the person with medical consent powers.

Declaration of Raj K. Banka, M.D., filed 12/1/11.

Voting Rights Affected.

Petitioner states the proposed conservatee was the victim of a motor vehicle accident on 3/18/2008. As a result the proposed conservatee was diagnosed with severe traumatic brain injury. He is unable to speak, and perform certain functions and to attend to basic tasks of self-care.

Court Investigator Jennifer Daniel's Report filed on 12/5/11.

NEEDS/PROBLEMS/COMMENTS:

Court Investigator Advised Rights on 11/23/11.

Voting Rights Affected Need Minute Order.

Reviewed by: KT
Reviewed on: 12/7/11
Updates:
Recommendation:
File 11 – Martinez

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

12 Kyle Yang Special Needs Trust Case No. 11CEPR01045

Atty Bell, Melinda S., sole practitioner of San Juan Capistrano (for Lee Ann Hitchman and Bruce Hitchman, professional fiduciaries, proposed SNT Trustees)

Atty Haselhoff, Otto L., sole practitioner of Santa Monica (for Applicant Chong Yang, Guardian Ad Litem for Kyle Yang, proposed SNT Beneficiary)

Ex Parte Application for Order to Specially Set a Hearing Date to Establish a Special Needs Trust for Minor Kyle Yang in Line with Previously Set Minors Compromise Hearing Date of December 22, 2011 at 3:30 P.M.; Memorandum of Points and Authorities; Declaration of Otto L. HaselHoff; Exhibits

Cont. from

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	Notice of Hrg	
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	Letters	
	Duties/S	
	Objection	
	Video Receipt	
	CI Report	
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	Order	
	Aff. Post	
	Stat Rpt	
	UCCJEA	
	Citation	
	FTB Notc	

CHONG YANG, Guardian Ad Litem for **KYLE YANG**, is Applicant.

Applicant requests an order to specially set a hearing date to establish a special needs trust for minor **KYLE YANG** in line with previously set Minor's Compromise [Case #07CECG03870] hearing date of **12/22/2011 at 3:30 p.m. in Department 501**, upon the following bases:

- This case was confidentially settled on 9/21/2011 after a 12-hour mediation, one of the terms of which was that plaintiffs would move expeditiously to seek court confirmation; the action arose from a mobile home fire that occurred on 3/19/2006, and Plaintiffs were seriously injured when the mobile home they were living in caught fire on the property;
- A trial date looms and MSJs were on calendar and taken off as a result of the proffered conditional settlement; Plaintiffs have moved diligently to deal with Medi-Cal and other special needs trust issues which appear to be resolved; *(Note: Plaintiff engaged Attorney Melinda Bell to handle the special needs trust work);*
- Plaintiffs want to move expeditiously to recover the settlement funds for the minors, and all parties are anxious to obtain the Court approval that ends the litigation;
- It only makes sense that the hearing for the special needs trust of Kyle Yang be set for 12/22/2011 at 3:30 p.m. in Dept. 501, the same time as the Minor's Compromise hearing for Kyle Yang.

This ex parte application is based upon the *Notice*, the *Memorandum of Points and Authorities*, the *Declaration of Otto Haselhoff*, the attached exhibits, all matters subject to judicial notice, the entire court file in this case, and such other evidence and argument as may be presented at or before the hearing on the matter.

Declaration of Otto Haselhoff states he is lead counsel for this case and is familiar with every aspect of it; attached as *Exhibit 1* is a copy of the *Minor's Compromise Petition* face page for Kyle Yang; attached as *Exhibit 2* is a copy of the *Notice* of this application to all parties including Medi-Cal, Dept. of Mental Health and Dept. of Developmental Disabilities.

NEEDS/PROBLEMS/COMMENTS:

<u>Note</u>: The Attorneys in this case have been notified that Probate Court is dark on 12/22/2011, the date requested for the hearing of the *Petition to Establish a Special Needs Trust for Kyle Yang* to be in line with the Minor's Compromise case.

<u>Note</u>: *Petition for Order Establishing Special Needs Trus*t was filed by Attorney Otto Haselhoff on 12/2/2011, and is set for hearing on <u>1/31/2012</u> at 9:00 am in Dept. 303.

Reviewed by: LEG

Reviewed on: 12/2/11

Updates:

Recommendation:

File 12 - Yang

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

13 Maria DeJesus Vaughn (Estate) Case No. 0547150

Atty Walker, Keith S. (of Claremont, for Nitza Peña, Administrator)

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

DOD:
6/12/1995

Cont. from: 090910, 120610, 012711, 040611, 060711, 090611, 110811

	Aff.Sub. Wit	
	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv	
	Conf. Screen	
	Letters	
	Duties/S	
	Objection	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Post	
	Stat Rpt	
	UCCJEA	
	Citation	
	FTB Notc	

NITZA PEÑA, niece, was appointed Administrator with **Limited IAEA** on 12/6/1995 with bond fixed at **$20,000.00**.

***Proof of Bond* posted in the amount of $20,000.00** was filed on 12/15/1995, and *Letters* issued on that date.

The *Inventory and Appraisal* was due on 3/15/1996.

The first account or petition for final distribution was due on 12/15/1996.

***Proof of Service by Mail – Failure to File Inventory and Appraisal* was filed on 5/20/1996** indicating the notice of failure to file an inventory and appraisal, a first account or petition for final distribution was mailed to Attorney Keith Walker on 5/20/1996.

***Notice of Status Hearing* filed on 7/28/2010 set a status hearing on 9/9/2010** for failure to file the inventory and appraisal, and failure to file a first account or petition for final distribution. *Clerk's Certificate of Mailing* shows the *Notice* was mailed to Keith S. Walker on 7/28/2010.

Notes from the previous status hearings for background:

- *Minute Order* dated 9/9/2010 [Judge Gallagher] states Attorney Walker represents to the Court that he lost contact with his client for a period of time but has now obtained a current address and should be able to close the estate quickly as the property has been lost. If the accounting is filed, no appearance is necessary on 12/6/2010.
- *Minute Order* dated 12/06/10 [Judge Hamlin] states Attorney Walker states his intention to file a Petition to Set Aside in this matter and requests a continuance. If said petition is filed, then no appearance is necessary on 1/27/2011.
- *Minute Order* dated 1/27/2011 [Judge Oliver] states Counsel is directed to file the inventory with the petition. If filed by 4/6/2011 and reviewed by an examiner no appearance will be necessary.
- *Minute Order* dated 4/6/2011 [Judge Oliver] states Mr. Walker is appearing via conference call. Counsel advises the Court that he has managed to re-establish contact with his client and has made contact with an attorney in San Diego. Counsel further advises that he will be filing a Petition for Family Allowance.
- *Minute Order* dated 6/7/2011 [Judge Oliver] states Mr. Walker is appearing via conference call. Counsel requests a continuance. Matter continued to 9/6/2011.
- *Minute Order* dated 9/6/2011 states Keith Walker states that he has had a medical procedure keeping him away from court. Mr. Walker requests a continuance, stating, for example, a pending creditor's claim. The Court notes the creditor's claim and understands the matter will be finished at the next court hearing of 11/8/2011.

NEEDS/PROBLEMS/COMMENTS:

Continued from 11/8/2011. *Minute Order* states Mr. Walker is appearing via conference call. Mr. Walker informs the Court that he has the Petition for Family Allowance largely prepared, but needs a continuance due to medical issues. Matter continued to 12/13/2011.

The following issues remain:

1. **Need Final *Inventory and Appraisal* pursuant to Probate Code § 8800.**
2. **Need first account, petition for final distribution, or current status report pursuant to Local Rule 7.5(B) and (C).**

Reviewed by: LEG

Reviewed on: 12/6/11

Updates:

Recommendation:

File 13 - Vaughn

Pro Per Baker, Jeanine (Pro Per Petitioner, mother)
Pro Per Baker, Douglas (Pro Per Objector, Co-Guardian)
Pro Per Baker, Elida (Pro Per Objector, Co-Guardian)

Petition for Termination of Guardianship

Age: 7 years		
DOB: 10/23/2004		
Cont. from 102511		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	W/
	Aff.Pub.	
	Sp.Ntc.	
✓	Pers.Serv.	W/
	Conf. Screen	
	Letters	
	Duties/Supp	
✓	Objections	
	Video Receipt	
✓	CI Report	
✓	Clearances	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

JEANINE BAKER, mother, is Petitioner.

DOUGLAS BAKER and ELIDA BAKER, maternal grandparents, were appointed Guardians on 7/14/2005.

Co-Guardians consent to termination and waive notice.

Father: **STEWART MICHAEL HAMBY**; *Declaration of Due Diligence filed 10/20/2011*; *incarcerated per Minute Order dated 10/25/2011*; *personally served 11/22/2011;*

Paternal grandfather: Stewart Hamby, Sr.; *sent notice by mail on 10/11/2011*;
Paternal grandmother: Cindy Bruer; *sent notice by mail on 10/11/2011;*

Petitioner states she would like her son back so he can attend school with his brother and sister.

Court Investigator Charlotte Bien's *Report* was filed 10/4/2011.

Court Investigator Charlotte Bien's *Supplemental Report* was filed 12/5/2011.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS:

Continued from 10/25/2011. *Minute Order* states Petitioner informs the Court that the father is in prison. The Petitioner is advised that the father needs to be given notice. The Court continues the matter to 12/13/2011. The Court orders that Douglas Baker and Elida Baker remain as guardians. Mother is directed to provide at the next hearing information as to what she is doing to meet Trenton's needs. The Court orders that a court investigator conduct a further investigation into mother's current living circumstances.

Reviewed by: LEG
Reviewed on: 12/7/11
Updates:
Recommendation:
File 14 - Hamby

Objection to Termination of Guardianship **filed on 10/26/2011 by Douglas Baker and Elida Baker, Co-Guardians and maternal grandparents, states:**

- **At the Court hearing on 10/25/2011 it was revealed that their daughter (child's mother), Jeanine Baker, has a medical marijuana card;**
- **If they had known about the marijuana card, they would not have placed Trenton in her care;**
- **Both the mother and her husband, Shadden Crisp, have medical marijuana cards;**
- **With Jeanine being a former meth addict and now in possession of a medical marijuana card, it is only a matter of time before she starts using illegal drugs;**
- **They object in the strongest possible manner to the termination of their guardianship of Trenton;**
- **Recent events have shown that the mother is not ready to care for Trenton.**

Declaration **filed on 10/28/2011 by Douglas Baker and Elida Baker contains an attached handwritten document entitled "Agreement for Visitation – Trenton Hamby" signed on 10/10/2009 by Elida Baker and Jeanine Baker, stating in sum that it is an agreement for overnight visitation for Trenton to spend the night with his parents at Doug and Elida's discretion, starting with one night a month on a trial basis for 3 to 4 months, and if Doug and Elida notice anything out of the ordinary they may rescind the agreement; if everything goes well in 4 months (February 2010), they will extend the visitation to a full weekend a month, working up to more frequent visitation.**

Ex Parte Petition for Visitation **was filed on 11/8/2022 by Jeanine Baker, mother. (*Order on Ex Parte Petition* signed 11/10/2011 set the hearing for 12/13/2011.) Petitioner states:**

- **Doug and Elida Baker took Trenton from her care on 10/27/2011 without communicating with her at all; then on 10/31/2011, they dropped him from Fresno Unified and enrolled him into Sierra Unified;**
- **Doug and Elida have cut off all contact since the morning of 10/27/2011;**
- **She is very concerned with Trenton's emotional state at this time because of the erratic behavior involving Doug and Elida;**
- **She asks if the Court could grant visitation [between the present and the Court date of 12/13/2011] because she does not feel that her parents are acting in the best interest of her son any longer.**

Declaration **filed on 10/28/2011 by Douglas Baker and Elida Baker describes reasons to keep Trenton in their care:**

1. **On 10/21/2011, they were asked to pick up all three kids [Trenton and the mother's two twin girls] for the weekend and return them on Sunday, 10/23/2011, at noon for Trenton's birthday party;**
   - **They arrived at 6:00 p.m. [to pick up the kids] and Mackenzie [one of the twins] was throwing up and complaining of a headache;**
   - **They told Jeanine to take her to Valley Children's Hospital as this was a sign of her stunt not working properly (she knows the medical symptoms); Mackenzie refused to come with us as she just wanted to lie down;**
   - **They asked Jeanine several times to take Mackenzie to the emergency room; she blew up and said: "I have to work tomorrow and Sunday is Trenton's birthday party. She will have to wait until Monday."**
   - **The next day, Saturday 10/22/2011, while Jeanine was at work, Mackenzie's step-father and his mother took Mackenzie to Valley Children's where she was admitted and placed on morphine; on Monday 10/24/2011, she was operated on to replace her clogged shunt.**

2. **Jeanine's statement in Court on 10/25/2011 that she had a marijuana card.**

~Please see additional page~

***Declaration* filed on 12/5/2011 by Douglas Baker and Elida Baker contains a letter from Trenton's teacher at Foothill Elementary School, Candice Corn, stating:**

- **She is Trenton's First Grade teacher and when Trenton arrived in their class, his peers were happy and excited to see his return;**
- **Trenton has a happy demeanor; he seems to like school; throughout the day he laughs a lot and is always involved with class discussions;**
- **At the end of the school day when he is picked up, he always seems thrilled to see his grandmother and grandfather, who she has learned Trenton calls "mom" and "dad" because he has lived with them from a very early age;**
- **Trenton's grandparents have been concerned about his happiness and well-being; they often check on his progress and behavior in class; he is a very bright boy but has difficulty keeping focused and completing work;**
- **Trenton has had excellent attendance, is never tardy, and comes to class nicely groomed with homework complete; they are making his education a priority and helping him become a responsible student; I am very glad that his grandparents are also following through with attention issues that his mother had noticed;**
- **I would like the Court to know that I have witnessed a very happy boy at school; he is doing well academically because of the support he is getting at home; he is a confident student and is making progress in all areas; this shows that he must be in an emotionally stable environment.**

15 Destinee Preciado (GUARD/P) **Case No. 08CEPR00545**

Atty Villegas, Olivia (pro per Guardian/maternal grandmother)
Atty Villegas, Arcenio (pro per Guardian/maternal grandfather)
Atty Smith, Alicia (pro per Petitioner/mother)

Petition for Termination of Guardianship (Prob. C. 1460, 1601, 2626, 26267, 2636)

Age: 14 years
DOB: 8/12/1997

Cont. from

	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	

ALICIA SMITH, mother, is petitioner.

OLIVIA VILLEGAS and **ARCENIO VILLEGAS**, maternal grandparents, were appointed as guardians on 10/6/08. *– Both guardians consent and waive notice.*

Father: **ENRIQUE PRECIADO**

Paternal grandfather: Jesus Preciado
Paternal grandmother: Alicia Preciado

Petitioner states she feels she is in a stable job and home at this time. The move with her grandmother was supposed to be a temporary move. Petitioner states everyone feels the minor is ready to live with her mother.

Court Investigator Charlotte Bien's Report filed on 11/28/11.

NEEDS/PROBLEMS/COMMENTS:

1. **Need *Notice of Hearing.***
2. **Need proof of service of *the Notice of Hearing* or *Declaration of Due Diligence* on:**
   a. **Enrique Preciado (father)**
   b. **Jesus Preciado (paternal grandfather)**
   c. **Alicia Preciado (paternal grandmother)**

Reviewed by: KT
Reviewed on: 12/7/11
Updates:
Recommendation:
File 15 - Preciado

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

16 Luv Unique Vindiola (GUARD/P) **Case No. 09CEPR00853**

Atty Vindiola, Martina R. (pro per Guardian/paternal grandmother)

Atty Vindiola, Jesse (pro per Petitioner/father)

Petition for Termination of Guardianship

Age: 7 years DOB: 12/31/03		
Cont. from		
	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	
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✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

JESSE VINDIOLA, father, is petitioner.

MARTINA VINDIOLA, paternal grandmother, was appointed guardian on 12/15/09.

Mother: **CHRISTINA MARIE QUINOINES.**

Paternal grandfather: Adrian Vindiola
Maternal grandfather: Randy Vidal
Maternal grandmother: Teresa Frajo

Petitioner states he had an agreement with the guardian that once he got his life in order he would get his daughter back.

Court Investigator Dina Calvillo's Report filed 12/8/11.

NEEDS/PROBLEMS/COMMENTS:

1. **Consent and Waiver of Notice portion of the Petition includes a signature of Martina Vindiola. The signature on the Petition does not appear to be the same signature as all the other documents signed by Martina Vindiola in the file.**
2. **Need *Notice of Hearing*.**
3. **Need proof of service of the *Notice of Hearing* or *Declaration of Due Diligence* on:**
   a. **Martina Vindiola (if the court determines she did not sign the consent and waiver of notice on the petition.)**
   b. **Christina Quinoines (mother)**
   c. **Adrian Vindiola (paternal grandfather)**
   d. **Randy Vidal (maternal grandfather)**
   e. **Teresa Frajo (maternal grandmother)**

Reviewed by: KT
Reviewed on: 12/7/11
Updates:
Recommendation:
File 16 - Vindiola

17 Promise Irene Gonzalez (GUARD/PE) **Case No. 10CEPR00471**

Atty Ramirez, Precious Irene (Pro Per – Mother – Petitioner)

Atty Hinojoza, Roxane Isabell (Pro Per – Maternal Grandmother – Guardian)

Ex Parte Petition for Termination of Guardianship

Age: 2		
DOB: 11-29-09		
Cont. from 111511		
	Aff.Sub.Wit.	
✔	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	X
	Aff.Mail	X
	Aff.Pub.	
	Sp.Ntc.	
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	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
✔	**CI Report**	
✔	**Clearances**	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

PRECIOUS IRENE RAMIREZ, Mother, is Petitioner.

ROXANE ISABELL HINOJOZA, Maternal Grandmother, was appointed Guardian on 9-13-10, and on that date, the Court granted supervised visits to Father every Saturday 10am-12pm.

Father: **JOSE LUIS GONZALEZ**
- Currently has supervised weekly visits

Paternal Grandmother: Juanita I. Rivera
- (original petitioner for guardianship)

Paternal Grandfather: Not listed
Maternal Grandfather: Not listed

Petitioner filed an Ex Parte Petition for Termination of Guardianship on 11-3-11. Petitioner states Guardian is threatening to leave California with the child.

The Court set the petition for expedited noticed hearing on 11-15-11; however, at that date, notice had not been accomplished and a court investigation report could not be completed on an expedited basis. The matter was continued to 12-13-11.

Court Investigator Dina Calvillo filed a report on 12-6-11.

NEEDS/PROBLEMS/COMMENTS:

<u>Minute Order 11-15-11</u>: The Court continues the matter to 12-13-11. The Court orders that Promise not be moved outside of California. The Court further orders the investigator conduct further investigation of the parties.

As of 12-8-11, nothing further has been filed. The following issue exists:

1. **Need Notice of Hearing and proof of service on all parties below per Order dated 11-3-11, Probate Code §§ 1460(b)(5) and 1510(c):**
   - Roxane Isabell Hinojoza (Guardian)
   - Jose Luis Gonzalez (Father)
   - Juanita I. Rivera (Paternal Grandmother)
   - Paternal Grandfather
   - Maternal Grandfather

<u>Note</u>: Guardian filed a "Notice of Change of Address" on 5-25-11 indicating a new address in Fresno. However, the notice does not indicate service on the appropriate parties, and is not the correct form for notice of moving a minor pursuant to Probate Code §2352 and Cal. Rule of Court 7.1013. Mandatory Judicial Council Form GC-080 is in the file for Guardian if present at this hearing.

Reviewed by: skc
Reviewed on: 12-6-11
Updates: 12-8-11
Recommendation:
File 17 - Gonzalez

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

18 Randi Taylour Robinson-Cervantes (GUARD/P) Case No. 10CEPR00724

Atty Pena, Elena K (pro per Guardian/sister)

Order to Show Cause Re: Contempt for Failure to Appear

Age: 11 years **DOB: 10/31/2000**	**ELENA PENA,** sister, was appointed Guardian of the Person and Estate on 07/26/11 and Letters were issued on 07/28/11. An **Order to Deposit Money Into Blocked Account** was signed 07/26/11 ordering all funds of the minor to be placed in a blocked account. **Minute Order from hearing on 07/26/11** set a status hearing regarding proof of the Blocked Account & Money Being Held for 09/20/11. **Minute Order from hearing on 09/20/11** states: No appearances. The Court sets the matter for an Order to Show Cause on 11/01/11. The Court orders Elena Pena to be present on 11/01/11 whether or not the proof of blocked account has been filed. Clerk's Certificate of Mailing filed 09/23/11 shows that the minute order was mailed to Elena Pena on 09/23/11. **Notice of Taking Possession or Control of an Asset of Minor or Conservatee filed 09/28/11 by Metlife Total Control Account** reflects that the guardian, Elena Pena, has taken control of the minor's assets in the amount of $211,865.50 from Metlife. Minute Order from hearing on 11/1/11 states: No appearances. The court set this Order to Show Cause Re: Contempt for Failure to Appear.	**NEEDS/PROBLEMS/COMMENTS:**
		Reviewed by: KT
		Reviewed on: 12/8/11
		Updates:
		Recommendation:
		File 18 – Robinson-Cervantes

Cont. from

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	Objections	
	Video Receipt	
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	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

19A **Ruby Garcia, Jessica Garcia, Isaiah Venegas, Ruben Venegas and Faith Rose Venegas (GUARD/P)** **Case No. 11CEPR00125**

Atty **Grider, Roman (Pro Per – Maternal Cousin – Co-Guardian of Ruby)**
Atty **Acevedo, Monica (Pro Per – Girlfriend of Roman Grider – Co-Guardian of Ruby)**

Status Hearing Re: Progress of Minor(s) (Ruby F. Garcia)

Faith Rose Venegas (12) **DOB: 12-7-98**		
Jessica Garcia (8) **DOB: 11-17-02**		
Ruben Venegas (7) **DOB: 11-22-03**		
Isaiah Venegas (5) **DOB: 5-30-06**		
Ruby Frances Garcia (2) **DOB: 2-16-09**		
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	UCCJEA	
	Citation	
	FTB Notice	

On 6-20-11, the Court appointed **ROMAN GRIDER and MONICA ACEVEDO**, a maternal cousin and his longtime girlfriend, as Co-Guardians of **RUBY FRANCES GARCIA**.

On 6-20-11, the Court also appointed guardians for Ruby's siblings (See Pages 10A through 10D), and set these status hearings for progress of the minors.

Also on 6-20-11, the Court made visitation orders for Mother and for Paternal Grandparents Angel Gustavo Garcia and Patricia Garcia.

On 9-21-11, the Court clarified the visitation schedule as follows:

For Ruben and Isaiah: Mother's visitation is Friday 5:00 pm to Sunday 5:00 pm.

For Ruby, Jessica and Faith: Mother's visitation is Saturday 9:00 am to Sunday 5:00 pm.

For all children: Paternal Grandparents' visitation is every Sunday at Mother's home from 3:00 to 5:00 pm.

The Order also specifies: If any of the children's activities interfere with the visitation, their activities will take precedence. Mother is to be advised of such activities by Thursday evening before the visit.

Guardians, collectively, filed a request to modify the visitations to once a month supervised with all visiting parties at Chucky Cheese in River Park on the 2nd Saturday of the month from 12-3. Also, Guardians urge Mother to get a land-line telephone to communicate with her directly. At this time, Guardians have to communicate with her oldest so Hugo Lopez, which makes it difficult to relay information and is very disrespectful on the phone.

NEEDS/PROBLEMS/COMMENTS:

Page 10A - Ruby
Page 10B - Jessica
Page 10C - Faith
Page 10D - Ruben & Isaiah
Page 10E – Petition for Termination

Minute Orders 10-24-11:
The Court orders the parties to adhere to the previous orders. The Court further orders that visitation remain as previously ordered unless, there is a school event at which time the children are to attend that event. Parties are ordered to notify mother of any school events. Matters continued to 12-13-11.

- **Guardianship has been in place for all children since 6-20-11. On 10-14-11, Mother filed a Petition for Termination of Guardianship (Page 19E).**
- **All Guardians request to modify the visits due to recent incidents. Guardians no longer trust that they will adher to the established guidelines.**
- **Recently, Mother refused to return Ruby (2) and resorted to calling the police, but returned her before they got there.**
- **The Paternal Grandparents and aunt took Ruben (7) and Isaiah (5) to Mexico without permission.**
- **Mother complains that Guardians don't send supplies with Ruby, such as diapers, but Guardians claim she is potty trained and Mother does not return clothes when they send them for visits.**

Reviewed by: skc
Reviewed on: 12-6-11
Updates:
Recommendation:
File 19A – Garcia & Venegas

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

19B **Ruby Garcia, Jessica Garcia, Isaiah Venegas, Ruben Venegas and Faith Rose Venegas (GUARD/P)** **Case No. 11CEPR00125**

Atty **Grider, Helen (Pro Per – Maternal Aunt – Guardian of Jessica)**

Status Hearing Re: Progress of Minor(s) (Jessica Garcia)

Faith Rose Venegas (12) **DOB: 12-7-98**		
Jessica Garcia (8) **DOB: 11-17-02**		
Ruben Venegas (7) **DOB: 11-22-03**		
Isaiah Venegas (5) **DOB: 5-30-06**		
Ruby Frances Garcia (2) **DOB: 2-16-09**		
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	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

On 6-20-11, the Court appointed **HELEN GRIDER**, a maternal aunt, as Guardian of **JESSICA GARCIA**.

On 6-20-11, the Court also appointed guardians for Jessica's siblings (See Pages 10A through 10D), and set these status hearings for progress of the minors.

Also on 6-20-11, the Court made visitation orders for Mother and for Paternal Grandparents Angel Gustavo Garcia and Patricia Garcia.

On 9-21-11, the Court clarified the visitation schedule as follows:

For Ruben and Isaiah: Mother's visitation is Friday 5:00 pm to Sunday 5:00 pm.

For Ruby, Jessica and Faith: Mother's visitation is Saturday 9:00 am to Sunday 5:00 pm.

For all children: Paternal Grandparents' visitation is every Sunday at Mother's home from 3:00 to 5:00 pm.

The Order also specifies: If any of the children's activities interfere with the visitation, their activities will take precedence. Mother is to be advised of such activities by Thursday evening before the visit.

NEEDS/PROBLEMS/COMMENTS:

Page 10A - Ruby
Page 10B - Jessica
Page 10C - Faith
Page 10D - Ruben & Isaiah
Page 10E – Petition for Termination

1. **On 10-24-11, Helen Grider Venegas (Guardian) filed a "Notice of Change of Address" form without proof of service and indicating a new address in Visalia (the previous address was in Fresno).**

   This is the wrong form to use to inform the Court of a change of address of the child. Pre-Move and Post-Move notice are required by Probate Code §2352 and Cal. Rule of Court 7.1013. The correct forms are GC-079 and GC-080, and notice to the parties is required.

   <u>Therefore, need correct form "Post-Move Change of Residence of Ward" GC-080 with appropriate notice</u>.

Reviewed by: skc
Reviewed on: 12-6-11
Updates:
Recommendation:
File 19B - Garcia & Venegas

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

19C **Ruby Garcia, Jessica Garcia, Isaiah Venegas, Ruben Venegas and Faith Rose Venegas (GUARD/P)** **Case No. 11CEPR00125**

Atty **Grider, Bobby Joe (Pro Per – Maternal Uncle – Guardian of Faith)**

Status Hearing Re: Progress of Minor(s) (Faith Venegas)

Faith Rose Venegas (12) **DOB: 12-7-98**		
Jessica Garcia (8) **DOB: 11-17-02**		
Ruben Venegas (7) **DOB: 11-22-03**		
Isaiah Venegas (5) **DOB: 5-30-06**		
Ruby Frances Garcia (2) **DOB: 2-16-09**		
Cont. from 102411		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
	PTC	
	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	

On 6-20-11, the Court appointed **BOBBY JOE GRIDER**, a maternal uncle, as Guardian of **FAITH ROSE VENEGAS**.

On 6-20-11, the Court also appointed guardians for Faith's siblings (See Pages 10A through 10D), and set these status hearings for progress of the minors.

Also on 6-20-11, the Court made visitation orders for Mother and for Paternal Grandparents Angel Gustavo Garcia and Patricia Garcia.

On 9-21-11, the Court clarified the visitation schedule as follows:

For Ruben and Isaiah: Mother's visitation is Friday 5:00 pm to Sunday 5:00 pm.

For Ruby, Jessica and Faith: Mother's visitation is Saturday 9:00 am to Sunday 5:00 pm.

For all children: Paternal Grandparents' visitation is every Sunday at Mother's home from 3:00 to 5:00 pm.

The Order also specifies: If any of the children's activities interfere with the visitation, their activities will take precedence. Mother is to be advised of such activities by Thursday evening before the visit.

NEEDS/PROBLEMS/COMMENTS:

Page 10A - Ruby
Page 10B - Jessica
Page 10C - Faith
Page 10D - Ruben & Isaiah
Page 10E – Petition for Termination

Reviewed by: skc
Reviewed on: 12-6-11
Updates:
Recommendation:
File 19C – Garcia & Venegas

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

19D **Ruby Garcia, Jessica Garcia, Isaiah Venegas, Ruben Venegas and Faith Rose Venegas (GUARD/P)** **Case No. 11CEPR00125**

Atty **Cardenas, Monica Nallely (Pro Per – Paternal Aunt – Guardian of Ruben and Isaiah)**

Status Hearing Re: Progress of Minor(s) (Ruben and Isaiah Venegas)

Faith Rose Venegas (12) **DOB: 12-7-98**		
Jessica Garcia (8) **DOB: 11-17-02**		
Ruben Venegas (7) **DOB: 11-22-03**		
Isaiah Venegas (5) **DOB: 5-30-06**		
Ruby Frances Garcia (2) **DOB: 2-16-09**		
Cont. from 102411		
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	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

On 10-11-11, the Court appointed **MONICA NALLELY CARDENAS**, a paternal aunt, as Successor Guardian of **RUBEN VENEGAS and ISAIAH VENEGAS**. (The prior Guardian appointed 6-20-11 had been deported.)

On 6-20-11, the Court appointed guardians for Ruben's and Isaiah's siblings (See Pages 10A through 10D), and set these status hearings for progress of the minors.

Also on 6-20-11, the Court made visitation orders for Mother and for Paternal Grandparents Angel Gustavo Garcia and Patricia Garcia.

On 9-21-11, the Court clarified the visitation schedule as follows:

For Ruben and Isaiah: Mother's visitation is Friday 5:00 pm to Sunday 5:00 pm.

For Ruby, Jessica and Faith: Mother's visitation is Saturday 9:00 am to Sunday 5:00 pm.

For all children: Paternal Grandparents' visitation is every Sunday at Mother's home from 3:00 to 5:00 pm.

The Order also specifies: If any of the children's activities interfere with the visitation, their activities will take precedence. Mother is to be advised of such activities by Thursday evening before the visit.

NEEDS/PROBLEMS/COMMENTS:

Page 10A - Ruby
Page 10B - Jessica
Page 10C - Faith
Page 10D - Ruben & Isaiah
Page 10E – Petition for Termination

Reviewed by: skc

Reviewed on: 12-6-11

Updates:

Recommendation:

File 19D – Garcia & Venegas

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

19E **Ruby Garcia, Jessica Garcia, Isaiah Venegas, Ruben Venegas and Faith Rose Venegas (GUARD/P)** **Case No. 11CEPR00125**

Atty Venegas Lopez, Frances Marie (Pro Per – Mother – Petitioner)
Atty Grider, Roman (Pro Per – Maternal Cousin – Co-Guardian of Ruby)
Atty Acevedo, Monica (Pro Per – Girlfriend of Roman Grider – Co-Guardian of Ruby)
Atty Grider Venegas, Helen (Pro Per – Maternal Aunt – Guardian of Jessica)
Atty Grider, Bobby Joe (Pro Per – Maternal Uncle – Guardian of Faith)
Atty Cardenas, Monica Nallely (Pro Per – Paternal Aunt – Guardian of Ruben and Isaiah)

Petition for Termination of Guardianship

Faith Rose Venegas (12)
DOB: 12-7-98

Jessica Garcia (8)
DOB: 11-17-02

Ruben Venegas (7)
DOB: 11-22-03

Isaiah Venegas (5)
DOB: 5-30-06

Ruby Frances Garcia (2)
DOB: 2-16-09

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

FRANCES LOPEZ, Mother, is Petitioner.

On 6-20-11, guardians were appointed for all five minors. At this time, guardianship is as follows:

- Roman Grider and Monica Acevedo are Co-Guardians of Ruby.
- Helen Grider Venegas is Guardian of Jessica.
- Bobby Joe Grider is Guardian of Faith.
- Monica Nallely Cardenas is Guardian of Ruben and Isaiah. *- Ms. Cardenas signed the consent and waiver of notice on the Petition.*

Father (Jessica, Ruben, Isaiah, Ruby): Ruben F. Garcia
Paternal grandfather: Angel Garcia
Paternal grandmother: Patricia Garcia

Father (Faith): Moises Vargas
Paternal Grandfather: Not provided
Paternal Grandmother: Not provided

Maternal grandfather: Joe Venegas
Maternal grandmother: Mary Venegas - *Deceased*

Petitioner states she regrets her choices and it seems like an eternity since the children were separated from her and from each other. She is doing everything she can to correct her mistakes that lead the family to this point. She has completed anger management and is still attending rehabilitation counseling for her medication addictions. She would very much like the children returned to her care; however, if Faith (12), who is living in Hanford, prefers to finish the school year there, that is fine. Petitioner thanks the Court for the opportunity to continue raising her children. Petitioner includes certificates of completion from a parenting program and a batterer's intervention program, and a letter in support from a rehabilitation counselor regarding her progress.

Court Investigator Dina Calvillo to provide report, clearances.

NEEDS/PROBLEMS/COMMENTS:

Court Investigator to provide report, clearances.

1. **Need Notice of Hearing.**
2. **Need proof of service of the Notice of Hearing at least 15 days prior to the hearing per Probate Code §§ 1460(b)(5) and 1510 or consent and waiver of notice or diligence on:**
   - Roman Grider (Co-Guardian of Ruby)
   - Monica Acevedo (Guardian of Ruby)
   - Helen Grider Venegas (Guardian of Jessica)
   - Bobby Joe Grider (Guardian of Faith)
   - Faith Venegas (minor, age 12)
   - Ruben F. Garcia (father)
   - Angel Garcia (paternal grandfather)
   - Patricia Garcia (paternal grandmother)
   - Joe Venegas (maternal grandfather)
   - Moises Vargas (father)
   - Paternal grandfather of Faith
   - Paternal grandmother of Faith

Reviewed by: skc
Reviewed on: 12-6-11
Updates:
Recommendation:
File 19E – Garcia & Venegas

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

20 Jennifer Medrano, Hazel Medrano, (GUARD/P) Case No. 11CEPR00789
Sally Medrano, Amy Medrano, & Mike Medrano, Jr.

Pro Per Reynoso, Rufina Santamaria (Pro Per Petitioner, paternal grandmother)

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

Jennifer Age: 13 yrs DOB: 11/20/1997		
Hazel Age: 9 yrs DOB: 1/30/2002		
Sally Age: 5 yrs DOB: 3/25/2006		
Amy Age: 3 yrs DOB: 5/8/2008		
Mike Age: 1 yr DOB: 3/12/2010		
Cont. from 110111		
	Aff.Sub.W	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	X
	Aff.Mail	X
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	X
✓	Conf. Screen	
	Aff. Posting	
✓	Duties/S	
	Objections	
	Video Receipt	
✓	CI Report	
✓	Clearances	
✓	Order	
✓	Letters	
	Status Rpt	
✓	UCCJEA	
	Citation	
	FTB Notice	

NO TEMPORARY REQUESTED

RUFINA SANTAMARIA REYNOSO, paternal grandmother, is Petitioner.

Father: **ARTEMIO MEDRANO**; *incarcerated; nominates Petitioner, consents and waives notice*;

Mother: **EDITH GARCIA**; *deceased;*

Paternal grandfather: Guillermo Medrano

Maternal grandfather: Felipe Garcia; *Court dispensed with notice on 11/1/2011*;

Maternal grandmother: Naborina Estrada; *present in Court on 11/1/2011*;

Petitioner states the children's father is in jail, the children's mother is deceased, and the children have been living with Petitioner since June 2011 when the father placed them with her and she has provided for their day-to-day needs. Petitioner states she needs guardianship so she can make their health and education decisions, and the school recently requested that the Petitioner provide them with a guardianship order.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS:

Note: Spanish language interpreter may be needed at the hearing.

<u>Continued from 11/1/2011</u>. *Minute Order* states Court employee Petra Ramos is sworn and interprets for Ms. [Naborina] Estrada [maternal grandmother.] Examiner notes are provided to the Petitioner. The Petitioner is directed to cure the defects. Ms. Estrada advises the Court that Felipe Garcia [maternal grandfather] is in Mexico. The Court dispenses with further notice to Felipe Garcia. A letter from Ms. Estrada is accepted by the Court and filed. The Court orders that Ms. Estrada may see the children after school today and take them to McDonalds for an hour if she so wishes. Ms. Estrada provides [her] telephone number to the Court. The Court directs that a court investigator contact Ms. Estrada regarding this petition. The Court continues the matter to 12/13/2011.

The following issues from the last hearing remain:

1. **Need *Notice of Hearing*.**
2. **Need proof of personal service of the *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian*, or *Consent to Appointment of Guardian and Waiver of Notice*, for:**
   - **Jennifer Medrano, proposed ward (age 13).**
3. **Need proof of service by mail of the *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian*, or *Consent to Appointment of Guardian and Waiver of Notice*, or a *Declaration of Due Diligence*, for:**
   - **Guillermo Medrano, paternal grandfather.**

Reviewed by: LEG	
Reviewed on: 12/7/11	
Updates:	
Recommendation:	
File 20 - Medrano	

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

***Letter from Naborina Estrada*, maternal grandmother, accepted by the Court and filed on 11/1/2011 states:**

- **Her daughter (mother of the children) is now deceased;**
- **Her daughter, her grandchildren, and the father of her grandchildren lived with her in Los Angeles since the children were born;**
- **Her daughter and her daughter's husband were always in arguments, and when her daughter died, the father took all of her grandchildren to live with his family;**
- **She agreed for him to have her grandchildren in Fresno; however, every time she asks the family to visit her grandchildren and take them with her to Los Angeles to visit with them when they are on vacation, the family says no;**
- **The father usually lets her spend some time with her grandchildren, but now he is in jail and will probably be deported because he is not legally in this country;**
- **She asks the Court to consider her position since the children have lived with her for many years.**

Court Investigator Charlotte Bien's *Report* was filed 10/11/2011.

Court Investigator Charlotte Bien's *Supplemental Report* was filed 11/30/2011.

21 Hayden Daniels (GUARD/P) **Case No. 11CEPR00927**

Atty Bushman, Sharon (pro per – paternal grandmother/Petitioner)

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

Age: 2		
DOB: 09/03/09		
Cont. from		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
✓	**Notice of Hrg**	
	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 12/13/11

SHARON BUSHMAN, paternal grandmother, is Petitioner.

Father: **AARON DANIELS** – *currently incarcerated*

Mother: **STACY GOMEZ** – *declaration of due diligence filed 10/25/11*

Paternal grandfather: NOT LISTED

Maternal grandparents: NOT LISTED

Siblings: HANNAH DANIELS

Petitioner states that the mother left the minor in her care on 04/20/11 and has not returned. The father lived with the Petitioner for a short time after the minor was left in her care, but has since left. Petitioner states that the minor has breathing problems and has medical appointments that need to be kept and needs stability in his life.

Court Investigator Jennifer Young's report was filed 12/06/11.

NEEDS/PROBLEMS/COMMENTS:

1. **Need proof of personal service at least 15 days before the hearing of *Notice of Hearing* with a copy of the *Petition for Guardianship* or Consent and Waiver of Notice or Declaration of Due Diligence for:**
   - Aaron Daniels (father)
   - Stacy Gomez (mother) – Petitioner filed a declaration of diligence re Stacy Gomez on 10/25/11; however, it appears that Ms. Gomez' whereabouts are now known because she had contact with the Court Investigator.
2. **Need proof of service by mail at least 15 days before the hearing of *Notice of Hearing* with a copy of the *Petition for Guardianship* or Consent and Waiver of Notice or Declaration of Due Diligence for:**
   - Paternal grandfather
   - Maternal grandfather
   - Maternal grandmother

Reviewed by: JF	
Reviewed on: 12/07/11	
Updates:	
Recommendation:	
File 21 - Daniels	

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

1 Benny Markarian (CONS/PE) **Case No. 11CEPR00779**

Atty **Walters, Jennifer L. (for Ronald Markarian – spouse/competing Petitioner)**
Atty **Harris, Richard A. (for Pamela Milam – daughter/Petitioner)**
Atty **Sanoian, Joanne (court appointed for Conservatee)**

Petition for Enforcement of Support of Conservatee Spouse from Community Property (Prob. C. 3080 et seq)

Age: 78
DOB: 07/17/33

Cont. from 111011

	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	

PAMELA S. MILAM, daughter, is Petitioner.

Petitioner filed petitions for appointment of Temporary and General Conservator of the Person and Estate of Benny Markarian on 09/02/11.

Ronald Markarian, the conservatee's husband, filed petitions for appointment of Temporary and General Conservator of the Person and Estate of Benny Markarian on 09/01/11.

Petitioner was appointed Temporary Conservator of the Person Ex Parte on 09/07/11 and was appointed as permanent conservator of the Person on 11/10/11.

Petitioner states that the conservatee and her spouse, Ronald Markarian, have community property that is under the exclusive control of Ronald Markarian who has refused and/or failed to contribute to the conservatee's support. The conservator requires the assistance of home health care workers to care for the conservatee. The home health care workers are not covered by the conservatee's insurance or Medicare and costs about $1,150.00 per month. In addition, the conservatee has expenses for food, clothing and associated expenses that currently run about $350.00.

Petitioner prays for and Order:

1) Restraining Ronald Markarian from transferring, encumbering, hypothecating, concealing, or any way disposing of any property, except in the usual course of business for necessities of life during the pendency of this proceeding;
2) Requiring Ronald Markarian to notify Petitioner of any proposed extraordinary expenditures and to account to the Court for all such extraordinary expenditures during the pendency of this proceeding;
3) Requiring Ronald Markarian to pay expense arrears according to proof and the amount of $1,500.00 per month, or according to proof, for the future support of the conservatee pending the determination of this Petition;
4) Requiring Ronald Markarian to serve and file an income and expense declaration pursuant to Probate Code § 3084; and
5) For other such and further relief as the court deems appropriate, including an order dividing the community property and turning over the conservatee's community interest to the conservator of her estate, should Ronald Markarian refuse to comply with any order made pursuant to this petition or Probate Code § 3080 – 3092.

See Page 2 for more information

NEEDS/PROBLEMS/COMMENTS:

CONTINUED FROM 11/10/11

This matter will be heard at 10:30 am.

Reviewed by: JF
Reviewed on: 12/06/11
Updates:
Recommendation:
File 1A– Markarian

Dept. 303, 9:00 a.m. Tuesday, December 13, 2011

Response to Petition for Enforcement of Support of Conservatee Spouse from Community Property filed 11/08/11 by Ronald Markarian states:

1) Respondent is the conservatee's husband and they have been married for 58 years;
2) Respondent confirms that he and the conservatee have community property consisting of an Air Force Pension and personal finances in the form of cash and real property;
3) Respondent adamantly denies refusing to provide for assistance of his wife through the use of community property funds;
4) Respondent, both through his attorney and personally, has repeatedly requested information regarding the financial obligations in regards to supporting the conservatee and as of October 27, 2011, no response has been received;
5) On September 19, 2011 respondent's attorney received a request for payment of $750.00 from opposing counsel for half of the costs of home care provided by Right at Home;
6) On September 22, 2011 respondent's attorney received a letter from opposing counsel stating that if opposing counsel's office was not contacted by September 26, 2011, they would proceed in filing this petition;
7) On September 22, 2011 respondent's counsel contacted opposing counsel by e-mail and stated that the respondent was prepared to contribute to the conservatee's care, but wanted the billing information and a list of what services were provided, further opposing counsel was provided my healthcare insurance information and information about the possibility of its assistance in paying for expenses;
8) No response was received from opposing counsel and this Petition was filed requesting an Ex Parte order restraining me from transferring, encumbering, or disposing of any property that would be considered community property because there is a danger that respondent will attempt to hide the property. Respondent states that this notion is absurd and insulting;
9) Respondent states that he has a strained relationship with his children and that his wife has been living in his daughter's home for the last few months. Respondent states that he has been given a visitation schedule to visit his wife, and that he has learned of a medical power of attorney that was drafted without his knowledge in 2008, and that Petitioner is now trying to limit the control he has over his own property;
10) Respondent states that he has never indicated that he would not take care of his wife, or that he would squander or hide their community property;
11) Respondent states that his attorney has repeatedly requested financial information regarding his wife's care so that he could contribute what was necessary. Even requesting this information at the last hearing that was held in the conservatorship matter;
12) On October 20, 2011, respondent provided a check to the Conservator, Pamela Milam, in the amount of $750.00 after not receiving any response to his request for more information. Included with the check was a letter requesting an invoice or additional financial information. The check and letter were returned by opposing counsel stating that they were moving forward with this Petition;
13) Respondent states that this Petition is not necessary and that these issued can be dealt with through amicable conversation between the parties and their attorneys. Respondent states that it is impractical and rather unreasonable for the Petitioner to believe Respondent should pay all the funds requested but not provide Respondent with any proof or information regarding the care;
14) Respondent believes that Petitioner is acting this way to convince the Court that she should be appointed as Conservator of the Estate of my wife and have control over her community property interest. Respondent states that is not necessary and suggests, in the alternative, that open lines of communication between the parties and reasonable financial information is provided so that all parties are apprised of the situation.

Respondent, Ronald Markarian, also filed an Income & Expense Declaration on 11/08/11.

See Page 3 for more information

Reply to Response to Petition for Enforcement of Support of Conservatee Spouse From Community Property filed 11/08/11 by Petitioner, Pamela Milam, states:

1) The Response to my Petition by Ronald Markarian, is misleading and deficient in several respects and the Petition is necessary to secure the conservatee's right to support from community assets;
2) Contrary to what is stated in the Response, Respondent has not requested information about the conservatee's costs of care. Respondent has only requested information about the services being provided to her. Respondent believes that Medicare should be responsible for payment of the cost of care and has been reluctant to provide any information regarding the community property finances or account information and is failing to cooperate in disclosing his community property retirement payments and other community property accounts in order to control the care that the conservatee receives as well as the community cash flow. Petitioner states that Respondent is violating his fiduciary duties by failing to timely provide information to both the Petitioner and the Court regarding the community property;
3) Petitioner states the spouse of a conservatee has a duty to support his spouse as stated in the Petition. The conservatee should not have to support herself from her separate property when ample community property assets exist for that purpose;
4) On 11/05/11, Petitioners attorney received an income and expense declaration showing substantial income and liquid assets.
5) To date, Petitioner has spent $4,056.23 on the conservatee's care and it has become necessary to increase the hours of Right at Home (a private caregiver) to 50 hours per week due to the Petitioner resuming her employment. Accordingly, the estimated monthly expenses for the conservatee's care will be $4,620.00 for home care, food, supplies and utilities.
6) Therefore, Petitioner states it is appropriate that all orders prayed for in her Petition be granted.