

Age: 84	ELENA ORTIZ, sister, was appointed Conservator of the Person and Estate in 1966.	NEEDS/PROBLEMS/COMMENTS:
DOB: 05/27/27		
	The Nineteenth Account Current, Report and Petition for Settlement was filed 10/05/09 and granted at the 11/03/09 hearing.	1. Need next accounting.
	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.	
Cont. from	Status report filed 12/09/11 states that the Conservatee passed away on 08/14/11. The Conservator is in the process of collecting final bank account records to prepare the accountings to close the Conservatorship. Conservator requests a continuance of 60 days.	
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: 12/06/11
		Updates: 12/12/11
		Recommendation:
		File 1 - Miranda

Age: 82 DOB: 03/22/29	<p>VICTORIA BARBATO, daughter, was appointed Conservator of the Person and Estate on 09/16/06.</p> <p>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.</p> <p>The Public Guardian filed an Inventory & Appraisal on 01/16/09.</p> <p>The Public Guardian filed its First Account Current and Report of Successor Conservator on 10/06/09.</p> <p>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.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p style="text-align: center;">Second Account filed and set for hearing on 02/02/12</p>
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 12/06/11
		Updates:
		Recommendation:
		File 2 - Neitzel

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

Age: 83 years DOB: 6/11/1928		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Declaration of Public Guardian confirming receipt of reimbursement filed 12/02/11.
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: 12/06/11	
	Updates:	
	Recommendation:	
	File 3 - Dunlop	

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	<p>WALTER E. MORRIS, Administrator, is Petitioner.</p> <p>Accounting is waived.</p> <p>I & A - \$219,931.00 POH - \$93,012.19</p> <p>Administrator - waives</p> <p>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.)</p> <p>Costs - \$395.00</p> <p>Distribution, pursuant to intestate succession, is to:</p> <p>Walter E. Morris - \$85,667.24</p> <p>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.</p> <p>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).</p> <p>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.</p>	NEEDS/PROBLEMS/COMMENTS:
		1. Need Order.
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory		
<input checked="" type="checkbox"/> PTC		
<input checked="" 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 type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters	02/17/09	
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" 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 checked="" type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 12/06/11
		Updates:
		Recommendation:
		File 4 - Mims

DOD: 9/30/09		<p>TAMMY MAREZ PATTERSON, Decedent's daughter, is Petitioner.</p> <p>40 days since DOD</p> <p>No other proceedings</p> <p>Will dated 12/5/98</p> <p>I & A - \$95,000.00</p> <p>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.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>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.</p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<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			
<p>Reviewed by: KT</p> <p>Reviewed on: 12/6/11</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 - Marez</p>				

Age: 88 years DOB: 9/26/22	<p>MARGUERITE S. HUGHES was appointed as conservator of the person and estate on 5/17/10 with bond set at \$412,500.00</p> <p>Bond of \$412.500 was filed on 8/12/10 and Letters issued on 9/15/10.</p> <p>Inventory and appraisal was due 12/15/10.</p> <p>First account is now due.</p> <p>A status hearing was set for the filing of the inventory and appraisal and for the filing of the first account.</p> <p>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.</p> <p>At the Status Hearing on 10/11/11 there were no appearances and this Order to Show Cause Hearing was set.</p> <p>A copy of the Minute Order was mailed to Mr. Watson on 10/14/11.</p>	NEEDS/PROBLEMS/COMMENTS:
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: KT	
	Reviewed on: 12/7/11	
	Updates:	
	Recommendation:	
	File 6 - Peters	

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	NANCY J. LEVAN, petitioner was Court appointed to represent the Conservatee on 12/8/10.	NEEDS/PROBLEMS/COMMENTS:
	TIMOTHY MOORE was appointed Conservator of the Person and the PUBLIC GUARDIAN was appointed conservator of the estate on 2/17/11.	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.	Petitioner requests fees in connection with the representation of the Conservatee for Timothy Moore's petition to appoint a conservator.	
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory	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.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Services are itemized by date and include review of documents, visits with client, and court appearances.	
<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 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		Reviewed by: KT
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		Reviewed on: 12/7/11
<input type="checkbox"/> Citation		Updates:
<input type="checkbox"/> FTB Notice		Recommendation:
		File 7 - Dunn

DOD: 2/24/11		<p>GLORIA V. AGUILAR DE FRANCE, Trustee of the Bobby Lee De France Revocable Trust, dated 10/16/2006, is petitioner.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>Will dated 10/16/2006 devises entire estate to the Bobby Lee De France Revocable Trust, dated 10/16/2006.</p> <p>I & A - \$86,850.00</p> <p>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 as Trustee of the Bobby Lee De France Revocable Trust dated 10/16/2006.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1.</p>	
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			
		Reviewed by: KT		
		Reviewed on: 12/6/11		
		Updates:		
		Recommendation: SUBMITTED		
		File 8 – De France		

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	<p style="text-align: center;">There is no temporary. No temporary was requested.</p> <p>MARTHA AMBRIZ, maternal grandmother, is petitioner.</p> <p>Father: ROBERT ANTHONY BELMONTES</p> <p>Mother: VERONICA BURKE – <i>deceased</i>.</p> <p>Paternal grandfather: Salvador Belmontes Paternal grandmother: Christine Palacios Maternal grandfather: Armando Ambriz</p> <p>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.</p>	NEEDS/PROBLEMS/COMMENTS:
Marissa age: 6 years DOB: 3/10/05		<p>Continued to 1/12/12 at the request of the attorney.</p>
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: KT
		Reviewed on: 12/6/11
		Updates:
		Recommendation:
		File 9 - Belmontes

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

DOD: 10/21/11		<p>PHILLIP C. ERICKSON, named executor without bond, is petitioner.</p> <p>Full IAEA – o.k.</p> <p>Will dated: 10/1/2003</p> <p>Residence: Selma Publication: Selma Enterprise</p> <p><u>Estimated Value of the Estate:</u> Personal property - \$350,000.00</p> <p>Probate Referee: RICK SMITH</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit. S/P		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail W/		
<input checked="" 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		
		<p>Reviewed by: KT</p> <p>Reviewed on: 12/7/11</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 10 – Jay</p>	

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

Age: 25 years DOB: 6/6/1986	<p>THERE IS NO TEMPORARY. No temporary was requested.</p> <p>JANIE MARTINEZ, mother, is petitioner and requests appointment as conservator of the person with medical consent powers.</p> <p>Declaration of Raj K. Banka, M.D., filed 12/1/11.</p> <p>Voting Rights Affected.</p> <p>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.</p> <p>Court Investigator Jennifer Daniel's Report filed on 12/5/11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Advised Rights on 11/23/11.</p> <p>Voting Rights Affected Need Minute Order.</p>	
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input 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.			
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input checked="" type="checkbox"/> Video Receipt			
<input checked="" type="checkbox"/> CI Report			
9202			
<input checked="" type="checkbox"/> Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 12/7/11</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 – Martinez</p>	

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

	<p>CHONG YANG, Guardian Ad Litem for KYLE YANG, is Applicant.</p> <p>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:</p> <ul style="list-style-type: none"> 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; (<i>Note: Plaintiff engaged Attorney Melinda Bell to handle the special needs trust work</i>); 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. <p>This ex parte application is based upon the <i>Notice</i>, the <i>Memorandum of Points and Authorities</i>, the <i>Declaration of Otto Haselhoff</i>, 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.</p> <p><i>Declaration of Otto Haselhoff</i> states he is lead counsel for this case and is familiar with every aspect of it; attached as <i>Exhibit 1</i> is a copy of the <i>Minor’s Compromise Petition</i> face page for Kyle Yang; attached as <i>Exhibit 2</i> is a copy of the <i>Notice</i> of this application to all parties including Medi-Cal, Dept. of Mental Health and Dept. of Developmental Disabilities.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><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 <i>Petition to Establish a Special Needs Trust for Kyle Yang</i> to be in line with the Minor’s Compromise case.</p> <p><u>Note:</u> <i>Notice of Waiver of Notice of Hearing by the Department of Mental Health</i> filed on 12/5/2011 indicates the aforementioned department has waived notice of the hearing of the petition for order establishing a special needs trust for Kyle Yang, and notice of the hearing of the petition to approve pending [compromise] action of minor Kyle Yang. Signed <i>Waiver of Notice</i> by the Department of Mental Health for each petition was also filed on 12/5/2011.</p> <p><u>Note:</u> <i>Petition for Order Establishing Special Needs Trust</i> was filed by Attorney Otto Haselhoff on 12/2/2011, and is set for hearing on <u>1/31/2012 at 9:00 am</u> in Dept. 303.</p>
Cont. from		
Aff.Sub.W		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
✓ Aff.Mail/Fax		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/S		
Objection		
Video Receipt		
CI Report		
9202		
Order		
Aff. Post		Reviewed by: LEG
Stat Rpt		Reviewed on: 12/2/11
UCCJEA		Updates: 12/9/11
Citation		Recommendation:
FTB Notc		File 12 - Yang

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	<p>NITZA PEÑA, niece, was appointed Administrator with Limited IAEA on <u>12/6/1995</u> with bond fixed at \$20,000.00.</p> <p>Proof of Bond posted in the amount of \$20,000.00 was filed on 12/15/1995, and <i>Letters</i> issued on that date.</p> <p>The Inventory and Appraisal was due on 3/15/1996.</p> <p>The first account or petition for final distribution was due on 12/15/1996.</p> <p>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.</p> <p>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. <i>Clerk’s Certificate of Mailing</i> shows the <i>Notice</i> was mailed to Keith S. Walker on 7/28/2010.</p> <p>Notes from the previous status hearings for background:</p> <ul style="list-style-type: none"> • <i>Minute Order</i> 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. • <i>Minute Order</i> 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. • <i>Minute Order</i> 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. • <i>Minute Order</i> 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. • <i>Minute Order</i> dated 6/7/2011 [Judge Oliver] states Mr. Walker is appearing via conference call. Counsel requests a continuance. Matter continued to 9/6/2011. • <i>Minute Order</i> 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. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 11/8/2011. <i>Minute Order</i> 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.</p> <p>The following issues remain:</p> <ol style="list-style-type: none"> 1. Need Final <i>Inventory and Appraisal</i> 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).
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		
		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	JEANINE BAKER, mother, is Petitioner.		NEEDS/PROBLEMS/COMMENTS: <u>Continued from 10/25/2011.</u> <i>Minute Order</i> 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.
DOB: 10/23/2004	DOUGLAS BAKER and ELIDA BAKER, maternal grandparents, were appointed Guardians on 7/14/2005.		
Cont. from 102511	Co-Guardians consent to termination and waive notice.		
Aff.Sub.Wit.	Father: STEWART MICHAEL HAMBY; <i>Declaration of Due Diligence</i> filed 10/20/2011; incarcerated per Minute Order dated 10/25/2011; personally served 11/22/2011;		
<input checked="" type="checkbox"/> Verified	Paternal grandfather: Stewart Hamby, Sr.; sent notice by mail on 10/11/2011;		
Inventory	Paternal grandmother: Cindy Bruer; sent notice by mail on 10/11/2011;		
PTC	Petitioner states she would like her son back so he can attend school with his brother and sister.		
Not.Cred.	<u>Court Investigator Charlotte Bien's Report was filed 10/4/2011.</u>		
<input checked="" type="checkbox"/> Notice of Hrg	<u>Court Investigator Charlotte Bien's Supplemental Report was filed 12/5/2011.</u>		
<input checked="" type="checkbox"/> Aff.Mail W/	~Please see additional page~		
Aff.Pub.			
Sp.Ntc.			
<input checked="" type="checkbox"/> Pers.Serv. W/			
Conf. Screen			
Letters			
Duties/Supp			
<input checked="" type="checkbox"/> Objections			
Video Receipt			
<input checked="" type="checkbox"/> CI Report			
<input checked="" type="checkbox"/> Clearances			
<input checked="" type="checkbox"/> Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
Reviewed by: LEG			
Reviewed on: 12/7/11			
Updates: 12/9/11			
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.**

***Declaration* filed on 12/8/2011 by Petitioner Jeanine Baker, mother, contains the following attached documents:**

- **Signed letter from the Fresno County Probation Department dated 12/5/2011 stating that on 1/3/2008, Jeanine Baker was granted a 2-year misdemeanor probationary term [under case number for cited violation, which is not identified by type of violation]; Jeanine Baker's probation was terminated and case dismissed on 7/27/2010; per Probation records, she substantially complied with the terms and conditions of her probation.**
- **Signed letter from WestCare indicating that Jeanine Baker successfully completed an outpatient program at WestCare from 12/4/2008 – 3/5/2009.**
- **Green Doctor Evaluations Physician Statement signed by Anisha Patel, D.O., indicating the Physician Statement and Recommendation issued from 4/7/2011 and valid through 4/6/2012 affirms that Jeanine Baker has been examined and evaluated by the physician and that it is their assessment that the patient qualifies under CA Health & Safety Code § 11362.5 for the use of cannabis for medical purposes.**
- **Green Doctor Evaluations Physician Statement signed by Anisha Patel, D.O., indicating the Physician Statement and Recommendation issued from 1/26/2011 and valid through 1/25/2012 affirms that Shadden Crisp has been examined and evaluated by the physician and that it is their assessment that the patient qualifies under CA Health & Safety Code § 11362.5 for the use of cannabis for medical purposes.**
- **Copies of Green Doctor Evaluations medical marijuana cards and CA Driver Licenses of Jeanine Baker and Shadden Crisp, step-father.**

15 Destinee Preciado (GUARD/P)
 Atty Villegas, Olivia (pro per Guardian/maternal grandmother)
 Atty Villegas, Arcenio (pro per Guardian/maternal grandfather)
 Atty Smith, Alicia (pro per Petitioner/mother)

Case No. 08CEPR00545

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

Age: 14 years DOB: 8/12/1997	<p>ALICIA SMITH, mother, is petitioner.</p> <p>OLIVIA VILLEGAS and ARCENIO VILLEGAS, maternal grandparents, were appointed as guardians on 10/6/08. – <i>Both guardians consent and waive notice.</i></p> <p>Father: ENRIQUE PRECIADO</p> <p>Paternal grandfather: Jesus Preciado Paternal grandmother: Alicia Preciado</p> <p>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.</p> <p>Court Investigator Charlotte Bien's Report filed on 11/28/11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of service of <i>the Notice of Hearing or Declaration of Due Diligence</i> on: <ol style="list-style-type: none"> a. Enrique Preciado (father) b. Jesus Preciado (paternal grandfather) c. Alicia Preciado (paternal grandmother) 	
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			
		Reviewed by: KT	
		Reviewed on: 12/7/11	
		Updates:	
		Recommendation:	
		File 15 - Preciado	

Age: 7 years DOB: 12/31/03	<p>JESSE VINDIOLA, father, is petitioner.</p> <p>MARTINA VINDIOLA, paternal grandmother, was appointed guardian on 12/15/09.</p> <p>Mother: CHRISTINA MARIE QUINOINES.</p> <p>Paternal grandfather: Adrian Vindiola Maternal grandfather: Randy Vidal Maternal grandmother: Teresa Frajo</p> <p>Petitioner states he had an agreement with the guardian that once he got his life in order he would get his daughter back.</p> <p>Court Investigator Dina Calvillo's Report filed 12/8/11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 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. Need <i>Notice of Hearing</i>. Need proof of service of the <i>Notice of Hearing or Declaration of Due Diligence</i> on: <ol style="list-style-type: none"> Martina Vindiola (if the court determines she did not sign the consent and waiver of notice on the petition.) Christina Quinoines (mother) Adrian Vindiola (paternal grandfather) Randy Vidal (maternal grandfather) Teresa Frajo (maternal grandmother) 	
Cont. from			
Aff.Sub.Wit.			
<input checked="" type="checkbox"/> 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			
<input checked="" type="checkbox"/> CI Report			
9202			
<input checked="" type="checkbox"/> Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: KT	
		Reviewed on: 12/7/11	
		Updates:	
		Recommendation:	
		File 16 - Vindiola	

Ex Parte Petition for Termination of Guardianship

Age: 2	PRECIOUS IRENE RAMIREZ, Mother, is Petitioner.	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.
DOB: 11-29-09	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.	
Cont. from 111511	Father: JOSE LUIS GONZALEZ - Currently has supervised weekly visits	
Aff.Sub.Wit.	Paternal Grandmother: Juanita I. Rivera - (original petitioner for guardianship)	
✓ Verified	Paternal Grandfather: Not listed Maternal Grandfather: Not listed	
Inventory	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.	
PTC	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.	
Not.Cred.	Court Investigator Dina Calvillo filed a report on 12-6-11.	
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
✓ Clearances		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 12-6-11
		Updates: 12-8-11
		Recommendation:
		File 17 - Gonzalez

**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)

<table border="1"> <tr><td>Faith Rose Venegas (12) DOB: 12-7-98</td></tr> <tr><td>Jessica Garcia (8) DOB: 11-17-02</td></tr> <tr><td>Ruben Venegas (7) DOB: 11-22-03</td></tr> <tr><td>Isaiah Venegas (5) DOB: 5-30-06</td></tr> <tr><td>Ruby Frances Garcia (2) DOB: 2-16-09</td></tr> <tr><td>Cont. from 102411</td></tr> <tr><td>Aff.Sub.Wit.</td></tr> <tr><td>Verified</td></tr> <tr><td>Inventory</td></tr> <tr><td>PTC</td></tr> <tr><td>Not.Cred.</td></tr> <tr><td>Notice of Hrg</td></tr> <tr><td>Aff.Mail</td></tr> <tr><td>Aff.Pub.</td></tr> <tr><td>Sp.Ntc.</td></tr> <tr><td>Pers.Serv.</td></tr> <tr><td>Conf. Screen</td></tr> <tr><td>Letters</td></tr> <tr><td>Duties/Supp</td></tr> <tr><td>Objections</td></tr> <tr><td>Video Receipt</td></tr> <tr><td>CI Report</td></tr> <tr><td>9202</td></tr> <tr><td>Order</td></tr> <tr><td>Aff. Posting</td></tr> <tr><td>Status Rpt</td></tr> <tr><td>UCCJEA</td></tr> <tr><td>Citation</td></tr> <tr><td>FTB Notice</td></tr> </table>	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	Aff.Pub.	Sp.Ntc.	Pers.Serv.	Conf. Screen	Letters	Duties/Supp	Objections	Video Receipt	CI Report	9202	Order	Aff. Posting	Status Rpt	UCCJEA	Citation	FTB Notice	<p>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.</p> <p>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.</p> <p>Also on 6-20-11, the Court made visitation orders for Mother and for Paternal Grandparents Angel Gustavo Garcia and Patricia Garcia.</p> <p>On 9-21-11, the Court clarified the visitation schedule as follows:</p> <p>For Ruben and Isaiah: Mother’s visitation is Friday 5:00 pm to Sunday 5:00 pm.</p> <p>For Ruby, Jessica and Faith: Mother’s visitation is Saturday 9:00 am to Sunday 5:00 pm.</p> <p>For all children: Paternal Grandparents’ visitation is every Sunday at Mother’s home from 3:00 to 5:00 pm.</p> <p>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.</p> <p>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.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page 10A - Ruby Page 10B - Jessica Page 10C - Faith Page 10D - Ruben & Isaiah Page 10E – Petition for Termination</p> <p>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.</p> <ul style="list-style-type: none"> - 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 adhere 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. <p>Reviewed by: skc</p> <p>Reviewed on: 12-6-11</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 19A – Garcia & Venegas</p>
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																															
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																															

Faith Rose Venegas (12) DOB: 12-7-98	On 6-20-11 , the Court appointed HELEN GRIDER , a maternal aunt, as Guardian of JESSICA GARCIA .	NEEDS/PROBLEMS/COMMENTS:
Jessica Garcia (8) DOB: 11-17-02	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.	Page 10A - Ruby Page 10B - Jessica Page 10C - Faith Page 10D - Ruben & Isaiah Page 10E – Petition for Termination
Ruben Venegas (7) DOB: 11-22-03	Also on 6-20-11 , the Court made visitation orders for Mother and for Paternal Grandparents Angel Gustavo Garcia and Patricia Garcia.	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).
Isaiah Venegas (5) DOB: 5-30-06	On 9-21-11 , the Court clarified the visitation schedule as follows:	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.
Ruby Frances Garcia (2) DOB: 2-16-09	For Ruben and Isaiah: Mother’s visitation is Friday 5:00 pm to Sunday 5:00 pm.	<u>Therefore, need correct form “Post-Move Change of Residence of Ward” GC-080 with appropriate notice.</u>
Cont. from 102411	For Ruby, Jessica and Faith: Mother’s visitation is Saturday 9:00 am to Sunday 5:00 pm.	Reviewed by: skc
Aff.Sub.Wit.	For all children: Paternal Grandparents’ visitation is every Sunday at Mother’s home from 3:00 to 5:00 pm.	Reviewed on: 12-6-11
Verified	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.	Updates:
Inventory		Recommendation:
PTC		File 19B - Garcia & Venegas
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		

Faith Rose Venegas (12) DOB: 12-7-98	On 6-20-11 , the Court appointed BOBBY JOE GRIDER , a maternal uncle, as Guardian of FAITH ROSE VENEGAS .	NEEDS/PROBLEMS/COMMENTS:
Jessica Garcia (8) DOB: 11-17-02	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.	Page 10A - Ruby Page 10B - Jessica Page 10C - Faith Page 10D - Ruben & Isaiah Page 10E – Petition for Termination
Ruben Venegas (7) DOB: 11-22-03	Also on 6-20-11 , the Court made visitation orders for Mother and for Paternal Grandparents Angel Gustavo Garcia and Patricia Garcia.	
Isaiah Venegas (5) DOB: 5-30-06	On 9-21-11 , the Court clarified the visitation schedule as follows:	
Ruby Frances Garcia (2) DOB: 2-16-09	For Ruben and Isaiah: Mother’s visitation is Friday 5:00 pm to Sunday 5:00 pm.	
Cont. from 102411	For Ruby, Jessica and Faith: Mother’s visitation is Saturday 9:00 am to Sunday 5:00 pm.	
Aff.Sub.Wit.	For all children: Paternal Grandparents’ visitation is every Sunday at Mother’s home from 3:00 to 5:00 pm.	
Verified	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.	Reviewed by: skc
Inventory		Reviewed on: 12-6-11
PTC		Updates:
Not.Cred.		Recommendation:
Notice of Hrg		File 19C – Garcia & Venegas
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		

Faith Rose Venegas (12) DOB: 12-7-98	<p>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.)</p> <p>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.</p> <p>Also on 6-20-11, the Court made visitation orders for Mother and for Paternal Grandparents Angel Gustavo Garcia and Patricia Garcia.</p> <p>On 9-21-11, the Court clarified the visitation schedule as follows:</p> <p>For Ruben and Isaiah: Mother’s visitation is Friday 5:00 pm to Sunday 5:00 pm.</p> <p>For Ruby, Jessica and Faith: Mother’s visitation is Saturday 9:00 am to Sunday 5:00 pm.</p> <p>For all children: Paternal Grandparents’ visitation is every Sunday at Mother’s home from 3:00 to 5:00 pm.</p> <p>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.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page 10A - Ruby Page 10B - Jessica Page 10C - Faith Page 10D - Ruben & Isaiah Page 10E – Petition for Termination</p>	
Jessica Garcia (8) DOB: 11-17-02			Reviewed by: skc
Ruben Venegas (7) DOB: 11-22-03			Reviewed on: 12-6-11
Isaiah Venegas (5) DOB: 5-30-06			Updates:
Ruby Frances Garcia (2) DOB: 2-16-09			Recommendation:
Cont. from 102411			File 19D – Garcia & Venegas
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			

Ruben Venegas and Faith Rose Venegas (GUARD/P)

- 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	<p>FRANCES LOPEZ, Mother, is Petitioner.</p> <p>On 6-20-11, guardians were appointed for all five minors. At this time, guardianship is as follows:</p> <ul style="list-style-type: none"> • 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. <p>Father (Jessica, Ruben, Isaiah, Ruby): Ruben F. Garcia Paternal grandfather: Angel Garcia Paternal grandmother: Patricia Garcia</p> <p>Father (Faith): Moises Vargas Paternal Grandfather: Not provided Paternal Grandmother: Not provided</p> <p>Maternal grandfather: Joe Venegas Maternal grandmother: Mary Venegas - <i>Deceased</i></p> <p>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.</p> <p>Court Investigator Dina Calvillo to provide report, clearances.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Court Investigator to provide report, clearances.</u></p> <ol style="list-style-type: none"> 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: <ul style="list-style-type: none"> - 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
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.		
<input checked="" type="checkbox"/> 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		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

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		<p>NO TEMPORARY REQUESTED</p> <p>RUFINA SANTAMARIA REYNOSO, paternal grandmother, is Petitioner.</p> <p>Father: ARTEMIO MEDRANO; <i>incarcerated; nominates Petitioner, consents and waives notice</i>;</p> <p>Mother: EDITH GARCIA; <i>deceased</i>;</p> <p>Paternal grandfather: Guillermo Medrano</p> <p>Maternal grandfather: Felipe Garcia; <i>Court dispensed with notice on 11/1/2011</i>;</p> <p>Maternal grandmother: Naborina Estrada; <i>present in Court on 11/1/2011</i>;</p> <p>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.</p> <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Spanish language interpreter may be needed at the hearing.</p> <p><u>Continued from 11/1/2011.</u> <i>Minute Order</i> 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.</p> <p>The following issues from the last hearing remain:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of personal service of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian</i>, or <i>Consent to Appointment of Guardian and Waiver of Notice</i>, for: <ul style="list-style-type: none"> • Jennifer Medrano, proposed ward (age 13). 3. Need proof of service by mail of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian</i>, or <i>Consent to Appointment of Guardian and Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i>, for: <ul style="list-style-type: none"> • Guillermo Medrano, paternal grandfather.
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			
<input type="checkbox"/>	Aff.Sub.W		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	X	
<input type="checkbox"/>	Aff.Mail	X	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	X	
<input checked="" type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Aff. Posting		
<input checked="" type="checkbox"/>	Duties/S		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	Clearances		
<input checked="" type="checkbox"/>	Order		
<input checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Reviewed by: LEG			
Reviewed on: 12/7/11			
Updates:			
Recommendation:			
File 20 - Medrano			

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.

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

Age: 2 DOB: 09/03/09	<p align="center"><u>TEMPORARY EXPIRES 12/13/11</u></p> <p>SHARON BUSHMAN, paternal grandmother, is Petitioner.</p> <p>Father: AARON DANIELS – <i>currently incarcerated</i></p> <p>Mother: STACY GOMEZ – <i>declaration of due diligence filed 10/25/11</i></p> <p>Paternal grandfather: NOT LISTED</p> <p>Maternal grandparents: NOT LISTED</p> <p>Siblings: HANNAH DANIELS</p> <p>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.</p> <p>Court Investigator Jennifer Young's report was filed 12/06/11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need proof of personal service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Guardianship or Consent and Waiver of Notice or Declaration of Due Diligence</i> for: <ul style="list-style-type: none"> - 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 <i>Notice of Hearing</i> with a copy of the <i>Petition for Guardianship or Consent and Waiver of Notice or Declaration of Due Diligence</i> for: <ul style="list-style-type: none"> - Paternal grandfather - Maternal grandfather - Maternal grandmother
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<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: 12/07/11
		Updates:
		Recommendation:
		File 21 - Daniels

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	<p>PAMELA S. MILAM, daughter, is Petitioner.</p> <p>Petitioner filed petitions for appointment of Temporary and General Conservator of the Person and Estate of Benny Markarian on 09/02/11.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Petitioner prays for and Order:</p> <ol style="list-style-type: none"> 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. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 11/10/11</u></p> <p>This matter will be heard at 10:30 am.</p>
DOB: 07/17/33		
Cont. from 111011		
<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		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input 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		
See Page 2 for more information		
		<p>Reviewed by: JF</p> <p>Reviewed on: 12/06/11</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1A – Markarian</p>

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 issues 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, Petitioner's 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.