



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

**1 )Second Account Current and Report of Conservator and 2) Petition for Allowance of Compensation to Conservator and Attorney**

|  |  |  |                             |
|--|--|--|-----------------------------|
| <b>Age: 73 years</b>                                     | <b>PUBLIC GUARDIAN</b> , Conservator, is petitioner.   | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> <li><b>Wednesday, November 16, 2016</b> at 9:00 a.m. in Department 303, for the filing of third account.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p> |                             |
|  | Account period: 9/7/12 – 9/5/14  |  |                             |
| <b>Cont. from</b>  | Accounting - <b>\$44,891.42</b>  |  |                             |
| <input type="checkbox"/> <b>Aff.Sub.Wit.</b>             | Beginning POH - <b>\$ 9,411.75</b>   |  |                             |
| <input checked="" type="checkbox"/> <b>Verified</b>      | Ending POH - <b>\$ 2,560.95</b>  |  |                             |
| <input type="checkbox"/> <b>Inventory</b>                | Conservator - <b>\$3,849.60</b><br>(32.12 Deputy hours @ \$96/hr and<br>10.08 Staff hours @ \$76/hr) |  |                             |
| <input type="checkbox"/> <b>PTC</b>                      | Attorney - <b>\$1,250.00</b><br>(less than allowed per Local Rule)                                   |  |                             |
| <input type="checkbox"/> <b>Not.Cred.</b>                | Bond fee - <b>\$50.00</b><br>(o.k.)  |  |                             |
| <input checked="" type="checkbox"/> <b>Notice of Hrg</b> | <b>Petitioner prays for an Order:</b>  |  |                             |
| <input checked="" type="checkbox"/> <b>Aff.Mail</b> W/   | 1. Approving, allowing and settling the second account.  |  |                             |
| <input type="checkbox"/> <b>Aff.Pub.</b>                 | 2. Authorizing the conservator and attorney fees and commissions                                     |  |                             |
| <input type="checkbox"/> <b>Sp.Ntc.</b>                  | 3. Payment of the bond fee   |  |                             |
| <input type="checkbox"/> <b>Pers.Serv.</b>               | <b>Court Investigator Julie Negrete's Report filed on 10/7/14.</b>                                   |  |                             |
| <input type="checkbox"/> <b>Conf. Screen</b>             |  |  |                             |
| <input type="checkbox"/> <b>Letters</b>                  |  |  |                             |
| <input type="checkbox"/> <b>Duties/Supp</b>              |  |  |                             |
| <input type="checkbox"/> <b>Objections</b>               |  |  |                             |
| <input type="checkbox"/> <b>Video Receipt</b>            |  |  |                             |
| <input type="checkbox"/> <b>CI Report</b>                |  |  |                             |
| <input type="checkbox"/> <b>9202</b>                     |  |  |                             |
| <input checked="" type="checkbox"/> <b>Order</b>         |  |  |                             |
| <input type="checkbox"/> <b>Aff. Posting</b>             |  |  |                             |
| <input type="checkbox"/> <b>Status Rpt</b>               |  |  |                             |
| <input type="checkbox"/> <b>UCCJEA</b>                   |  |  |                             |
| <input type="checkbox"/> <b>Citation</b>                 |  |  |                             |
| <input type="checkbox"/> <b>FTB Notice</b>               |  |  |                             |
|  |  |  | <b>Reviewed by:</b> KT      |
|  |  |  | <b>Reviewed on:</b> 12/8/14 |
|  |  | <b>Updates:</b>  |                             |
|  |  | <b>Recommendation:</b>   |                             |
|  |  | <b>File 1 – Owings</b>   |                             |

Atty **Motsenbocker, Gary L. (for Petitioner David R. Borges)**

**(1) First and Final Report of Administrator on Waiver of Account and (2) Petition for Allowance of Compensation to Attorney for Ordinary Services and for (3) Final Distribution**

|  |  |                                  |
|--|--|----------------------------------|
| <b>DOD: 12/14/2012</b>                                   | <b>DAVID R. BORGES</b> , son and Administrator, is Petitioner.                 | <b>NEEDS/PROBLEMS/COMMENTS:</b>  |
|  | Accounting is waived.  |                                  |
| <b>Cont. from</b>  | I & A — <b>\$94,000.00</b>   |                                  |
| <b>Aff.Sub.Wit.</b>                                      | POH — <b>\$94,831.50</b><br><i>(\$831.50 is cash)</i>                          |                                  |
| <input checked="" type="checkbox"/> <b>Verified</b>      |  |                                  |
| <input checked="" type="checkbox"/> <b>Inventory</b>     | Administrator — <b>waives</b>  |                                  |
| <input checked="" type="checkbox"/> <b>PTC</b>           |  |                                  |
| <input checked="" type="checkbox"/> <b>Not.Cred.</b>     | Attorney — <b>\$3,760.00</b><br><i>(statutory; to be paid outside probate)</i> |                                  |
| <input checked="" type="checkbox"/> <b>Notice of Hrg</b> |  |                                  |
| <input checked="" type="checkbox"/> <b>Aff.Mail</b>      | W/ <b>Distribution pursuant to intestate succession is to:</b>                 |                                  |
| <b>Aff.Pub.</b>  |  |                                  |
| <b>Sp.Ntc.</b>   | <b>DAVID R. BORGES</b> – real property and vehicle.                            |                                  |
| <b>Pers.Serv.</b>  |  |                                  |
| <b>Conf. Screen</b>                                      |  |                                  |
| <b>Letters</b>   | 091113   |                                  |
| <b>Duties/Supp</b>                                       |  |                                  |
| <b>Objections</b>  |  |                                  |
| <b>Video Receipt</b>                                     |  |                                  |
| <b>CI Report</b>   |  |                                  |
| <input checked="" type="checkbox"/> <b>9202</b>          |  |                                  |
| <input checked="" type="checkbox"/> <b>Order</b>         |  |                                  |
| <b>Aff. Posting</b>                                      |  |                                  |
| <b>Status Rpt</b>  |  |                                  |
| <b>UCCJEA</b>  |  |                                  |
| <b>Citation</b>  |  |                                  |
| <input checked="" type="checkbox"/> <b>FTB Notice</b>    |  |                                  |
|  |  | <b>Reviewed by:</b> LEG          |
|  |  | <b>Reviewed on:</b> 12/8/14      |
|  |  | <b>Updates:</b>                  |
|  |  | <b>Recommendation:</b> SUBMITTED |
|  |  | <b>File 4 - Lokey</b>            |

**5 Jean Audrey Gover (Estate)**

**Case No. 13CEPR00735**

**Atty Dowling, Michael D. (for Carol Mattox – Executor – Petitioner)**

**(1) Waiver of First and Final Account and Report of Executor and Petition for Settlement Thereof; (2) for Allowance of Executor's Compensation for Ordinary Services; (3) for Allowance of Attorney's Fees for Ordinary Services and Costs; and (4) for Final Distribution**

|                     |                      |   |  |
|---------------------|----------------------|---|--|
| <b>DOD: 3-26-13</b> |                      | <b>CAROL MATTOX</b> , Executor with Full IAEA without bond, is Petitioner.            | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> Consistent with the Court's recent practice, if Court determines an informal accounting of the closing reserve is warranted, the Court will set a Status Hearing as follows:</p> <p><b>Monday, June 1, 2015 at 9:00 a.m. in Dept. 303</b> for an Informal Accounting of the \$5,400.00 Closing Reserve.</p> <p>Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required. <b>Filing of the informal accounting of closing reserve will not generate a new hearing date.</b></p> |
|                     |                      | Accounting is waived  |  |
|                     |                      | I&A: \$486,299.44   |  |
|                     |                      | POH: \$540,597.23 (\$81,524.60 is cash)   |  |
|                     | <b>Aff.Sub.Wit.</b>  | Executor (Statutory): \$13,709.68   |  |
| ✓                   | <b>Verified</b>      | Attorney (Statutory): \$13,709.68   |  |
| ✓                   | <b>Inventory</b>     | Costs: \$511.00 (certified copies, filing)  |  |
| ✓                   | <b>PTC</b>           | Closing: \$5,400.00   |  |
| ✓                   | <b>Not.Cred.</b>     | Distribution pursuant to Decedent's will:   |  |
| ✓                   | <b>Notice of Hrg</b> | Carol Mattox: \$16,064.75 plus an undivided one-third interest in various stocks      |  |
| ✓                   | <b>Aff.Mail</b>      | Jan Morgan: \$16,064.74 plus an undivided one-third interest in various stocks        |  |
|                     | <b>Aff.Pub.</b>      | Richard Henderson: \$16,064.75 plus an undivided one-third interest in various stocks |  |
|                     | <b>Sp.Ntc.</b>       |   |  |
|                     | <b>Pers.Serv.</b>    |   |  |
|                     | <b>Conf. Screen</b>  |   |  |
| ✓                   | <b>Letters</b>       | 10-4-13   |  |
|                     | <b>Duties/Supp</b>   |   |  |
|                     | <b>Objections</b>    |   |  |
|                     | <b>Video Receipt</b> |   |  |
|                     | <b>CI Report</b>     |   |  |
| ✓                   | <b>9202</b>          |   |  |
| ✓                   | <b>Order</b>         |   |  |
|                     | <b>Aff. Posting</b>  |   |  |
|                     | <b>Status Rpt</b>    |   |  |
|                     | <b>UCCJEA</b>        |   |  |
|                     | <b>Citation</b>      |   |  |
| ✓                   | <b>FTB Notice</b>    |   |  |
|                     |                      | <b>Reviewed by:</b> skc   |  |
|                     |                      | <b>Reviewed on:</b> 12-8-14   |  |
|                     |                      | <b>Updates:</b>   |  |
|                     |                      | <b>Recommendation:</b> SUBMITTED  |  |
|                     |                      | <b>File 5 - Gover</b>   |  |

|   |                                |                                |  |  |  |                                       |  |                                    |                              |                                    |   |   |                                   |                                  |                                     |                                       |                                  |                                      |                                     |  |                                    |                               |   |                                       |                                     |                                 |                                   |                                     |   |  |
|---|--------------------------------|--------------------------------|--|--|--|---------------------------------------|--|------------------------------------|------------------------------|------------------------------------|---|---|-----------------------------------|----------------------------------|-------------------------------------|---------------------------------------|----------------------------------|--------------------------------------|-------------------------------------|--|------------------------------------|-------------------------------|---|---------------------------------------|-------------------------------------|---------------------------------|-----------------------------------|-------------------------------------|---|--|
| <table border="1"> <tr><td>Thomas J. Davis<br/>DOD: 6-5-00</td></tr> <tr><td>Wealthea Davis<br/>DOD: 3-25-98</td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td>Cont from 051914,<br/>061814, 071614,<br/>082714, 101414</td></tr> <tr><td><input type="checkbox"/> Aff.Sub.Wit.</td></tr> <tr><td><input checked="" type="checkbox"/> Verified</td></tr> <tr><td><input type="checkbox"/> Inventory</td></tr> <tr><td><input type="checkbox"/> PTC</td></tr> <tr><td><input type="checkbox"/> Not.Cred.</td></tr> <tr><td><input checked="" type="checkbox"/> Notice of Hrg</td></tr> <tr><td><input checked="" type="checkbox"/> Aff.Mail <span style="float:right">w</span></td></tr> <tr><td><input type="checkbox"/> Aff.Pub.</td></tr> <tr><td><input type="checkbox"/> Sp.Ntc.</td></tr> <tr><td><input type="checkbox"/> Pers.Serv.</td></tr> <tr><td><input type="checkbox"/> Conf. Screen</td></tr> <tr><td><input type="checkbox"/> Letters</td></tr> <tr><td><input type="checkbox"/> Duties/Supp</td></tr> <tr><td><input type="checkbox"/> Objections</td></tr> <tr><td><input type="checkbox"/> Video Receipt</td></tr> <tr><td><input type="checkbox"/> CI Report</td></tr> <tr><td><input type="checkbox"/> 9202</td></tr> <tr><td><input checked="" type="checkbox"/> Order</td></tr> <tr><td><input type="checkbox"/> Aff. Posting</td></tr> <tr><td><input type="checkbox"/> Status Rpt</td></tr> <tr><td><input type="checkbox"/> UCCJEA</td></tr> <tr><td><input type="checkbox"/> Citation</td></tr> <tr><td><input type="checkbox"/> FTB Notice</td></tr> </table> | Thomas J. Davis<br>DOD: 6-5-00 | Wealthea Davis<br>DOD: 3-25-98 |  |  | Cont from 051914,<br>061814, 071614,<br>082714, 101414 | <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 <span style="float:right">w</span> | <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><b>JOSHUA DAVIS</b>, Beneficiary, is Petitioner.</p> <p><b>Petitioner states he is a beneficiary of the Davis 1989 Family Trust dated 11-17-89 (the Trust) (Exhibit A).</b> On or about the same date, Thomas and Wealthea Davis also created the <b>Davis Family 1989 Life Insurance Trust (the Insurance Trust) (Exhibit B).</b> The Family Trust became irrevocable on the settlors' deaths. The Insurance Trust was already irrevocable during their lifetimes. Petitioner states <b>BRUCE NEILSEN</b> is the successor trustee of both trusts.</p> <p>Petitioner states that following the death of Thomas Davis on 6-5-00, Petitioner, by his agent and CPA Tom Bell, inquired of Trustee Neilsen on multiple occasions about the nature of the Trust assets and timetable for distribution. Petitioner was aware that the decedents had owned real property in California, various stocks and bonds, as well as other assets to which Petitioner and the other named in this petition were beneficiaries.</p> <p>Petitioner has requested that Trustee Neilsen provide him with an account of his administration of the Trust, but Trustee Neilsen has not done so. Additionally, Petitioner believes portions of the trust property that were to be held fbo Trust beneficiaries and Insurance Trust beneficiaries have been used to make loans to beneficiaries other than Petitioner, all to the detriment of Petitioner and other beneficiaries who may have lost their share of Trust and Insurance Trust assets as a result of the breach of his duties to the beneficiaries by Trustee Neilsen.</p> <p style="text-align:center"><b>SEE ADDITIONAL PAGES</b></p> | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>Continued from 5-19-14, 6-18-14, 7-16-14, 8-27-14, 10-14-14</p> <p><b>Note:</b> On 8-26-14, Joshua Davis, Corey Davis and Brittney Davis filed a separate Petition for Order Compelling Trustee to Account and Report in Case 14CEPR00790, titled "Davis Family 1989 Life Insurance Trust – See Page 10 of this calendar.</p> <p style="text-align:center"><b>SEE ADDITIONAL PAGES</b></p> <hr/> <p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 12-8-14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 6 - Davis</b></p> |
| Thomas J. Davis<br>DOD: 6-5-00  |                                |                                |  |  |  |                                       |  |                                    |                              |                                    |   |   |                                   |                                  |                                     |                                       |                                  |                                      |                                     |  |                                    |                               |   |                                       |                                     |                                 |                                   |                                     |   |  |
| Wealthea Davis<br>DOD: 3-25-98  |                                |                                |  |  |  |                                       |  |                                    |                              |                                    |   |   |                                   |                                  |                                     |                                       |                                  |                                      |                                     |  |                                    |                               |   |                                       |                                     |                                 |                                   |                                     |   |  |
|   |                                |                                |  |  |  |                                       |  |                                    |                              |                                    |   |   |                                   |                                  |                                     |                                       |                                  |                                      |                                     |  |                                    |                               |   |                                       |                                     |                                 |                                   |                                     |   |  |
|   |                                |                                |  |  |  |                                       |  |                                    |                              |                                    |   |   |                                   |                                  |                                     |                                       |                                  |                                      |                                     |  |                                    |                               |   |                                       |                                     |                                 |                                   |                                     |   |  |
| Cont from 051914,<br>061814, 071614,<br>082714, 101414  |                                |                                |  |  |  |                                       |  |                                    |                              |                                    |   |   |                                   |                                  |                                     |                                       |                                  |                                      |                                     |  |                                    |                               |   |                                       |                                     |                                 |                                   |                                     |   |  |
| <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 <span style="float:right">w</span>   |                                |                                |  |  |  |                                       |  |                                    |                              |                                    |   |   |                                   |                                  |                                     |                                       |                                  |                                      |                                     |  |                                    |                               |   |                                       |                                     |                                 |                                   |                                     |   |  |
| <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   |                                |                                |  |  |  |                                       |  |                                    |                              |                                    |   |   |                                   |                                  |                                     |                                       |                                  |                                      |                                     |  |                                    |                               |   |                                       |                                     |                                 |                                   |                                     |   |  |

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**Petitioner states** moreover, Trustee Neilsen has failed to require the execution of notes requirement repayments by the borrowers of the Trust and Insurance Trust assets, and/or that Trustee Neilsen has failed to require the repayment of principal and interest on the Trust and Insurance Trust monies by the borrowers, all to the detriment of Petitioner and the other beneficiaries.

Petitioner states the Trust estate was to be divided into 12 separate trusts immediately on the death of both settlors. Petitioner made inquiries of Trustee Neilsen as to what is held in the trust created for Petitioner, but Trustee Neilsen has not provided the requested information or any meaningful response. Petitioner is informed and believes that Trustee Neilsen has, without consent or knowledge of several of the beneficiaries, used Trust and/or Insurance Trust assets to fund business transactions initiated by other beneficiaries, all to the detriment of Petitioner and other beneficiaries.

Petitioner has been unable to determine what has been done with what portion of the Insurance Trust assets and the Trust assets which were to have been segregated from the rest of the Trust property and Insurance Trust property for Petitioner's benefit.

**Petitioner requests the Court order as follows:**

1. Directing Trustee Bruce Neilsen to prepare and file a complete account and report of his administration of the Davis 1989 Family Trust and the Davis 1989 Life Insurance Trust for the period of June 6, 2000 through March 31, 2014, inclusive;
2. Directing Trustee Bruce Neilsen to set the Account and Report for hearing and give notice of same pursuant to §17203;
3. Awarding Petitioner reasonable attorneys' fees and costs incurred in this matter; and
4. Granting any and all other relief as the Court deems just and proper.

**SEE ADDITIONAL PAGES**

**NEEDS/PROBLEMS/COMMENTS:**

~~1. This petition requests accountings for two separate trusts. The two separate trusts have separate terms, separate assets, and separate purposes, and as such consideration by the Court requires separate petitions, separate notice, separate files, separate filing fees, and ultimately separate accountings.~~

~~The Court may designate this case number as the Family Trust file and direct Petitioner to initiate a separate proceeding regarding the Life Insurance Trust.~~

**Update: On 8-26-14, Joshua Davis, Corey Davis and Brittney Davis filed a separate Petition for Order Compelling Trustee to Account and Report in Case 14CEPR00790, titled "Davis Family 1989 Life Insurance Trust – See Page 10 of this calendar.**

2. Also, per its terms, the Family Trust was to immediately divide into twelve (12) separate trusts, only one of which was for Petitioner's benefit. Need clarification and authority regarding the scope of the request for accounting(s).

Note: The language in the instruments differentiates between division into separate trusts and into separate shares, as contemplated by the Life Insurance Trust.

3. Notice appears to have been mailed to six people as couples, rather than as individuals entitled to direct notice. The Court may require amended direct service pursuant to Cal. Rules of Court 7.51.

4. Probate Code §17200(b)(7) provides that the Court can compel the trustee to provide information or account if the trustee has failed to provide the requested information within 60 days after the beneficiary's reasonable written request. Here, Petitioner states that he requested information after the settlors' deaths, which was approx. 14 years ago, but Petitioner does not state if any recent written request was made pursuant to §17200(b)(7), or what response was received, if any, pursuant to the written request. The Court may require clarification as to whether this petition may be prematurely filed pursuant to §17200(b)(7) and may require continuance for formal request and response. (Note: The requests should be separated for each trust pursuant to the above items.)

5. Need revised order.



**8 Christina DeLaCruz Irlas (Estate)**

**Case No. 14CEPR00634**

**Atty Nielson, Bruce (for Petitioner Irene Preciado Irlas)**  
**Atty Lawson, Pamela (of Las Vegas NV, licensed in CA) for Fernando Irlas Objector**  
**Atty Irlas, Ruben (pro per Objector)**  
**Atty Gomez, Esmeralda (pro per Objector)**

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

|   |   |   |
|---|---|---|
| <b>DOD: 2/27/14</b>                                 | <b>IRENE PRECIADO IRLAS</b> , daughter, is petitioner and requests appointment as Administrator without bond.   | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 10/27/14.</b></p> <p><b>As of 12/8/14 the following issues remain:</b></p> <ol style="list-style-type: none"> <li>1. Need bond set at \$150,300.00 or waivers of bond from:             <ol style="list-style-type: none"> <li>a. Ruben Irlas (son)</li> <li>b. Fernando Irlas (son)</li> <li>c. Esmeralda Irlas (daughter)</li> <li>d. Manuel Pena (grandson)</li> <li>e. Ciriaco Pena (grandson)</li> <li>f. Pearl Toledo (granddaughter)</li> <li>g. Frank Pena (son)</li> </ol> </li> <li>2. Need Duties and Liabilities.</li> </ol> <p style="text-align: center;"><b>Please see additional page</b></p> |
|   | Full IAEA – o.k.  |   |
| <b>Cont. from 082514, 092314, 102714</b>            | Decedent died intestate.  |   |
| <input type="checkbox"/> <b>Aff.Sub.Wit.</b>        | Residence: Selma  |   |
| <input checked="" type="checkbox"/> <b>Verified</b> | Publication: Selma Enterprise   |   |
| <input type="checkbox"/> <b>Inventory</b>           |   |   |
| <input type="checkbox"/> <b>PTC</b>                 |   |   |
| <input type="checkbox"/> <b>Not.Cred.</b>           | <b>Estimated value of the estate:</b>   |   |
| <input type="checkbox"/> <b>Notice of Hrg</b>       | Personal property - \$ 300.00   |   |
| <input type="checkbox"/> <b>Aff.Mail</b>            | Real property - \$150,000.00  |   |
| <input checked="" type="checkbox"/> <b>Aff.Pub.</b> | <b>Total - \$150,300.00</b>   |   |
| <input type="checkbox"/> <b>Sp.Ntc.</b>             | <b>Probate Referee – Steven Diebert.</b>  |   |
| <input type="checkbox"/> <b>Pers.Serv.</b>          | <b>Objections of Fernando Irlas filed on 9/8/14 states</b> he objects to Petitioner's appointment based on the following:   |   |
| <input type="checkbox"/> <b>Conf. Screen</b>        | 1. Irene's mental health is questionable.   |   |
| <input checked="" type="checkbox"/> <b>Letters</b>  | 2. Irene failed to inform him that their mother was seriously ill. Did not keep him informed about their mother's arrangements. Assets of the decedent were allowed to be transferred to other family members. It is believed that decedent's life insurance policy was altered to name their brother Joe as beneficiary. |   |
| <input type="checkbox"/> <b>Duties/Supp</b> X       | 3. The petition for probate is filled with errors and misstatements. Personal property of the estate exceeds the \$300 listed.  |   |
| <input type="checkbox"/> <b>Objections</b>          |   |   |
| <input type="checkbox"/> <b>Video Receipt</b>       |   |   |
| <input type="checkbox"/> <b>CI Report</b>           |   |   |
| <input type="checkbox"/> <b>9202</b>                |   |   |
| <input checked="" type="checkbox"/> <b>Order</b>    |   |   |
| <input type="checkbox"/> <b>Aff. Posting</b>        |   |   |
| <input type="checkbox"/> <b>Status Rpt</b>          |   |   |
| <input type="checkbox"/> <b>UCCJEA</b>              |   |   |
| <input type="checkbox"/> <b>Citation</b>            |   |   |
| <input type="checkbox"/> <b>FTB Notice</b>          |   |   |
|   | <b>Please see additional page</b>   |   |
|   | <b>Reviewed by: KT</b>  |   |
|   | <b>Reviewed on: 12/8/14</b>   |   |
|   | <b>Updates:</b>   |   |
|   | <b>Recommendation:</b>  |   |
|   | <b>File 8 – Irlas</b>   |   |

**Contest of Appointment of Personal Representative filed by Ruben Irlas on 9/8/14 states** he opposes the appointment of Irene Preciado Irlas as personal representative for the following reason:

1. Not all assets of the estate are listed.
2. He and his brother were left out of the obituary.
3. Irene has moved into the estate property and has not paid any rent for the benefit of the estate, the only benefit is for her and her family to live there rent free.

**Contest of Appointment of Personal Representative filed by Esmeralda Gomez on 9/8/14 states** he opposes the appointment of Irene Preciado Irlas as personal representative for the following reason:

1. Not all assets of the estate are listed.
2. Irene verbally told her that she was suffering from depression.

---

**NEEDS/PROBLEMS/COMMENTS (cont.):**

**For Objector/Contestants:**

1. Objection of Fernando Irlas does not include a proof of service showing it has been served on all interested parties.
2. Contest of Ruben Irlas does not include a proof of service showing it has been served on all interested parties.
3. Contest of Esmeralda Gomez does not include a proof of service showing it has been served on all interested parties.
4. Substitution of Attorney filed by Pamela Lawson on behalf of Fernando Irlas was not on the mandatory Judicial Council form.

**Note:** The Contest filed by Ruben Irlas and the Contest filed by Esmeralda Gomez state that they each have filed a petition for their own appointment as personal representative and have served notice of hearing on that petition. However, there is no record that another Petition for Probate has been filed for this decedent.

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

- **Wednesday, January 21, 2015** at 9:00 a.m. in Department 303, for the filing of the bond.
- **Wednesday, May 20, 2015** at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal.
- **Wednesday, February 24, 2016** at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.

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

**Dept. 303, 9:00 a.m. Monday, December 15, 2014**

Atty Mendoza, Helen (Pro Per – Sister – Petitioner)

Atty Boyett, Deborah K. (Court appointed for Conservatee)

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

|                                  |                      |  |   |
|----------------------------------|----------------------|--|---|
|                                  |                      | <b>NO TEMP REQUESTED</b>   | <b>NEEDS/PROBLEMS/COMMENTS:</b>   |
|                                  |                      | <b>HELEN MENDOZA</b> , Sister, is Petitioner and requests appointment as Conservator of the Person with medical consent powers and dementia medication and placement powers. | <u>Court Investigator advised rights on 8-12-14.</u>  |
| <b>Cont. from 090414, 101614</b> |                      | <b>Voting rights affected</b>  | <u>Voting rights affected – need minute order</u>   |
|                                  | <b>Aff.Sub.Wit.</b>  | <b>Capacity Declaration filed 8-25-14.</b>   | <u>Minute Order 10-16-14:</u><br>Matter continued to 12/15/14 at which time, the Court will consider Ms. Mendoza's request for placement powers.  |
| ✓                                | <b>Verified</b>      | <b>Petitioner states</b> the proposed Conservatee suffers from dementia, autism.   | 1. It is unclear if Petitioner is seeking dementia medication and placement powers because the dementia attachment to the petition (GC-313) was not included or served with the petition. |
|                                  | <b>Inventory</b>     | <b>Court Investigator Charlotte Bien filed a report on 8-14-14.</b>  | The Capacity Declaration states the proposed Conservatee <u>has</u> dementia, and supports dementia medication powers, <u>but does not address placement at all.</u>                      |
|                                  | <b>PTC</b>           |  | Petitioner has now filed the Dementia Attachment requesting both medication and placement powers, and has filed proofs of service on the attorney for the Conservatee and the relatives.  |
|                                  | <b>Not.Cred.</b>     |  | However, because the Capacity Declaration specifically does not address placement, the Court may require further information or a new Capacity Declaration.                               |
| ✓                                | <b>Notice of Hrg</b> |  | <u>As of 12-8-14, nothing further has been filed.</u>   |
| ✓                                | <b>Aff.Mail</b>      |  |   |
|                                  | <b>Aff.Pub.</b>      |  |   |
|                                  | <b>Sp.Ntc.</b>       |  |   |
| ✓                                | <b>Pers.Serv.</b>    |  |   |
| ✓                                | <b>Conf. Screen</b>  |  |   |
| ✓                                | <b>Letters</b>       |  |   |
| ✓                                | <b>Duties/Supp</b>   |  |   |
|                                  | <b>Objections</b>    |  |   |
| ✓                                | <b>Video Receipt</b> |  |   |
| ✓                                | <b>CI Report</b>     |  |   |
|                                  | <b>9202</b>          |  |   |
| ✓                                | <b>Order</b>         |  |   |
|                                  | <b>Aff. Posting</b>  |  | <b>Reviewed by:</b> skc   |
|                                  | <b>Status Rpt</b>    |  | <b>Reviewed on:</b> 12-8-14   |
|                                  | <b>UCCJEA</b>        |  | <b>Updates:</b>   |
| ✓                                | <b>Citation</b>      |  | <b>Recommendation:</b>  |
|                                  | <b>FTB Notice</b>    |  | <b>File 9 - Alvarez</b>   |

|                   |                      |   |  |
|-------------------|----------------------|---|--|
|                   |                      | <p><b>JOSHUA DAVIS, COREY DAVIS and BRITNEY DAVIS</b>, beneficiaries, are petitioners.</p>  | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>   |
|                   |                      |   |  |
|                   |                      | <p>Petitioners state Settlers <b>Wealtha Davis</b> died on 3/25/98 and <b>Thomas J. Davis</b> died on 6/5/00 – more than 14 years ago.</p>  | <p>1. Need Order</p>                     |
| <b>Cont. from</b> |                      |   |  |
|                   | <b>Aff.Sub.Wit.</b>  | <p><b>BRUCE NELSON</b> ("Trustee Neilson") is successor Trustee.</p>  |  |
| ✓                 | <b>Verified</b>      |   |  |
|                   | <b>Inventory</b>     | <p><b>Petitioners state</b> following the death of settlor Thomas J. Davis, by their agent and their CPA, Tom Bell, inquired on multiple occasions of Trustee Neilson about the nature of the Trust assets and the timetable for distribution. Petitioners believe that the Insurance Trust at its inception was funded with approximately \$2,370,000.</p>   |  |
|                   | <b>PTC</b>           |   |  |
|                   | <b>Not.Cred.</b>     | <p>Petitioners have requested that Trustee Neilson provide them with an account of his administration of the Insurance Trust, but Trustee Neilson has not yet done so.</p>  |  |
| ✓                 | <b>Notice of Hrg</b> |   |  |
| ✓                 | <b>Aff.Mail</b>      | <p>Additionally, Petitioners believe that portions of the Insurance Trust property that was to be held by Trustee Neilson for the benefit of the Insurance Trust beneficiaries has been used to make loans or excessive distributions to beneficiaries other than Petitioners, all to the detriment of Petitioners and other beneficiaries whose share of Insurance Trust assets have been improperly loaned or otherwise transferred to beneficiaries who were not entitled to receive what was loaned or otherwise transferred to them as a result of the breach by Trustee Neilson of his duties to the beneficiaries.</p> |  |
|                   | <b>Aff.Pub.</b>      |   |  |
|                   | <b>Sp.Ntc.</b>       | <p>Please see additional page.</p>  |  |
|                   | <b>Pers.Serv.</b>    |   |  |
|                   | <b>Conf. Screen</b>  |   | <p><b>Reviewed by:</b> KT</p>            |
|                   | <b>Letters</b>       |   |  |
|                   | <b>Duties/Supp</b>   |   | <p><b>Reviewed on:</b> 12-8-14 (skc)</p> |
|                   | <b>Objections</b>    |   |  |
|                   | <b>Video Receipt</b> |   | <p><b>Updates:</b></p>                   |
|                   | <b>CI Report</b>     |   |  |
|                   | <b>9202</b>          |   | <p><b>Recommendation:</b></p>            |
|                   | <b>Order</b>         |   |  |
|                   | <b>Aff. Posting</b>  |   | <p><b>File 18 – Davis Life</b></p>       |
|                   | <b>Status Rpt</b>    |   |  |
|                   | <b>UCCJEA</b>        |   |  |
|                   | <b>Citation</b>      |   |  |
|                   | <b>FTB Notice</b>    |   |  |
|                   |                      |   |  |

Moreover, Petitioners believe that Trustee Neilson has failed to require the execution of notes requiring repayment by the borrowers of the Insurance Trust assets, and/or that Trustee Neilson has failed to require repayment of principal and interest on the Insurance Trust monies by the borrowers, all to the detriment of Petitioners and the other Beneficiaries to whom loans were not made.

Petitioners believe that Trustee Neilson has transferred property belonging to the beneficiaries of the Insurance Trust in a manner that diminishes Petitioners' rights as beneficiaries under the Insurance Trust. Petitioners submit Trustee Neilson has refused to share information with Petitioners concerning what has been done with the assets of the Insurance Trust, and that such refusal constitutes a violation of Probate Code § 16060 which states the trustee has a duty to keep the beneficiaries "reasonably informed of the trust and its administration."

Further, Petitioners believe that Trustee Neilson has made substantially greater distributions to some beneficiaries than to others, in a manner which is inconsistent with the terms of the Insurance Trust. Some beneficiaries have been distributed or loaned far more than their "share" of the trust assets. Petitioners have been distributed far less than their "shares" and the Insurance Trust does not appear to hold sufficient assets to provide Petitioners with the assets to which they are entitled.

Petitioners request this Court order Trustee Neilson to provide a complete account and report of his administration of the Insurance Trust for the period from June 6, 2000 through the present.

Petitioners allege that Trustee Neilson should be personally surcharged for any damages resulting from his mismanagement of the Insurance Trust and failure to provide the beneficiaries with information as provided by law.

Petitioners allege that Trustee Neilson's failure to segregate the Insurance Trust assets as provided for in the Insurance Trust constitutes a breach of his fiduciary duties as Trustee.

As a proximate result of Trustee Neilson's breach of trust, there has been an extreme depletion of the Insurance Trust assets which would be available for distribution to Petitioners if not for the wrongful distributions and loans made by Trustee Neilson. Petitioners believe that Trustee Neilson's breach of trust has resulted in damages to Petitioners and the Insurance Trust in an amount not less than \$533,000.

**Wherefore, Petitioners request the Court order the following:**

1. Directing Trustee Bruce Neilson to prepare and file a complete account and report of his administration of the Davis Family 1989 Life Insurance Trust for the period of 6/6/2000 through 8/15/2014, inclusive;
2. Directing Trustee Bruce Neilson to set the Account and Report for hearing and give notice of same pursuant to Probate Code § 17203;
3. Awarding Petitioners reasonable attorneys' fees and costs incurred in this matter;
4. Surcharging Trustee Bruce Neilson as appropriate according to proof.

|                                     |                      |  |  |
|-------------------------------------|----------------------|--|--|
| <b>DOD: 5-30-14</b>                 |                      | <b>CRAIG R. HANSEN</b> , Son and named Executor without bond, is Petitioner. | <b>NEEDS/PROBLEMS/COMMENTS:</b><br><br><b>Note:</b> This is an ancillary probate. Petitioner has provided an exemplified copy of the will, the original having been lodged with the Clerk of the District Court, State of Idaho, County of Washington.<br><br><b>Note:</b> If granted, the Court will set status hearings as follows:<br><br><ul style="list-style-type: none"> <li>Monday 4-20-15 for the filing of the Inventory and Appraisal</li> <li>Monday 4-18-16 for the filing of the first account or petition for final distribution</li> </ul> If the proper items are on file pursuant to Local Rules, the status hearings may be taken off calendar. |
|                                     |                      | All listed heirs waive bond.   |  |
| <b>Cont from 102714</b>             |                      | Full IAEA – ok   |  |
| <input type="checkbox"/>            | <b>Aff.Sub.Wit.</b>  |  |  |
| <input checked="" type="checkbox"/> | <b>Verified</b>      | Will dated 7-2-10  |  |
| <input type="checkbox"/>            | <b>Inventory</b>     |  |  |
| <input type="checkbox"/>            | <b>PTC</b>           | Residence: Weiser, Idaho   |  |
| <input type="checkbox"/>            | <b>Not.Cred.</b>     |  |  |
| <input checked="" type="checkbox"/> | <b>Notice of Hrg</b> | The decedent owned real property in Fresno County.                           |  |
| <input checked="" type="checkbox"/> | <b>Aff.Mail</b>      | w Estimated value of estate:   |  |
| <input checked="" type="checkbox"/> | <b>Aff.Pub.</b>      | Real property: \$500,000.00  |  |
| <input type="checkbox"/>            | <b>Sp.Ntc.</b>       | Annual Income from Real Property: \$13,000.00                                |  |
| <input type="checkbox"/>            | <b>Pers.Serv.</b>    | Total: \$513,000.00  |  |
| <input type="checkbox"/>            | <b>Conf. Screen</b>  |  |  |
| <input checked="" type="checkbox"/> | <b>Letters</b>       | Probate Referee: Rick Smith  |  |
| <input checked="" type="checkbox"/> | <b>Duties/Supp</b>   |  |  |
| <input type="checkbox"/>            | <b>Objections</b>    |  |  |
| <input type="checkbox"/>            | <b>Video Receipt</b> |  |  |
| <input type="checkbox"/>            | <b>CI Report</b>     |  |  |
| <input type="checkbox"/>            | <b>9202</b>          |  |  |
| <input checked="" type="checkbox"/> | <b>Order</b>         |  |  |
| <input type="checkbox"/>            | <b>Aff. Posting</b>  |  |  |
| <input type="checkbox"/>            | <b>Status Rpt</b>    |  |  |
| <input type="checkbox"/>            | <b>UCCJEA</b>        |  |  |
| <input type="checkbox"/>            | <b>Citation</b>      |  |  |
| <input type="checkbox"/>            | <b>FTB Notice</b>    |  |  |
|                                     |                      |  | <b>Reviewed by:</b> skc  |
|                                     |                      |  | <b>Reviewed on:</b> 12-15-14   |
|                                     |                      |  | <b>Updates:</b>  |
|                                     |                      |  | <b>Recommendation:</b> SUBMITTED   |
|                                     |                      |  | <b>File 11 – Hansen</b>  |



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

|   |   |   |
|---|---|---|
| <b>DOD: 1/18/11</b>                                 | <b>JANIE MURRIETA</b> , surviving spouse,<br>is petitioner.   | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Petition was filed using a fee waiver. Filing fees are considered by the Court to be costs of administration. Therefore the filing fees of \$435.00 must be paid prior to the order being signed.</li> <li>2. Need Inventory and Appraisal</li> <li>3. #5 of the petition was not answered re: intestate or testate.</li> <li>4. #9a(7) or 9a(8) of the petition was not answered re: issue of a predeceased child.</li> <li>5. Declaration attached to the petition states Petitioner and Decedent did not have any children. Did the Decedent have children from a prior marriage? Or issue of a predeceased child from a prior marriage?</li> <li>6. Attachment 11 does not include the decedent's interest in the real property.</li> <li>7. Need Order</li> </ol> |
|   | 40 days since DOD.  |   |
| <b>Cont. from</b>                                   | No other proceedings  |   |
| <input type="checkbox"/> <b>Aff.Sub.Wit.</b>        | Decedent died intestate?  |   |
| <input checked="" type="checkbox"/> <b>Verified</b> | I & A - <b>Need</b>   |   |
| <input type="checkbox"/> <b>Inventory</b>           |   |   |
| <input type="checkbox"/> <b>PTC</b>                 |   |   |
| <input type="checkbox"/> <b>Not.Cred.</b>           |   |   |
| <input type="checkbox"/> <b>Notice of Hrg</b>       | <b>Petitioner requests</b> Court determination that real property located at 4754 E. Thomas, Fresno pass to her pursuant to intestate succession. |   |
| <input type="checkbox"/> <b>Aff.Mail</b>            |   |   |
| <input type="checkbox"/> <b>Aff.Pub.</b>            |   |   |
| <input type="checkbox"/> <b>Sp.Ntc.</b>             |   |   |
| <input type="checkbox"/> <b>Pers.Serv.</b>          |   |   |
| <input type="checkbox"/> <b>Conf. Screen</b>        |   |   |
| <input type="checkbox"/> <b>Letters</b>             |   |   |
| <input type="checkbox"/> <b>Duties/Supp</b>         |   |   |
| <input type="checkbox"/> <b>Objections</b>          |   |   |
| <input type="checkbox"/> <b>Video Receipt</b>       |   |   |
| <input type="checkbox"/> <b>CI Report</b>           |   |   |
| <input type="checkbox"/> <b>9202</b>                |   |   |
| <input type="checkbox"/> <b>Order</b>               |   |   |
| <input type="checkbox"/> <b>Aff. Posting</b>        |   |   |
| <input type="checkbox"/> <b>Status Rpt</b>          |   |   |
| <input type="checkbox"/> <b>UCCJEA</b>              |   |   |
| <input type="checkbox"/> <b>Citation</b>            |   |   |
| <input type="checkbox"/> <b>FTB Notice</b>          |   |   |
|   |   |   |
|   |   | <b>Reviewed on: 12/8/14</b>   |
|   |   | <b>Updates:</b>   |
|   |   | <b>Recommendation:</b>  |
|   |   | <b>File 13 - Murrieta</b>   |



**15 Glenda Humphries (CONS/P)**  
**Atty Frame, Darline (Pro Per – Sister – Petitioner)**  
**Atty Romanenko, Carolyn (Pro Per – Sister – Petitioner)**  
**Atty White, Aline (Pro Per – Sister – Petitioner)**

**Case No. 0279066**

**Petition for Appointment successor Probate Conservator of the Person**

|                                     |  |   |
|-------------------------------------|--|---|
|                                     | <b>NO TEMP REQUESTED</b>   | <b>NEEDS/PROBLEMS/COMMENTS:</b>   |
|                                     | <b>DARLINE FRAME, CAROLYN ROMANENKO, and ALINE WHITE,</b> Sisters, are Petitioners and request appointment as Successor Co-Conservators of the Person with medical consent powers under Probate Code §2355 and additional powers under Probate Code §2590.   | <b>Note:</b> TONY DEWAYNE MARSH, Nephew, filed a petition on 10-31-14 for appointment as Joint Successor Conservator of the Person with current conservator <b>MAXINE MARSH</b> that is set for hearing on 12-16-14. Mr. Marsh is represented by Attorney Marlene Hubbell.  |
|                                     | <b>MAXINE MARSH,</b> Sister, was appointed Successor Conservator with medical consent powers on 7-15-03.   | <b>Court Investigator to advise rights, file report.</b>  |
| <input type="checkbox"/>            | <b>Aff.Sub.Wit.</b>  | <b>Voting rights affected – need minute order</b>   |
| <input checked="" type="checkbox"/> | <b>Verified</b>  | <b>1. There is no vacancy in the office of Conservator. Maxine Marsh was appointed as Successor Conservator of the person on 7-15-03 and there is no petition pending to remove her pursuant to Probate Code §2650. (Tony Dewayne Marsh is seeking appointment jointly with the existing conservator.)</b>  |
| <input type="checkbox"/>            | <b>Inventory</b>   | <b>2. Petitioners do not request conservatorship of the estate, but seek powers under Probate Code §2590 in order to seek public assistance benefits and resources for the Conservatee. Pursuant to Local Rule 7.15.4, Conservatorship of the estate is not required when the only income/assets are public assistance benefits. As such, it does not appear that powers under §2590 are necessary or appropriate. The Court may require clarification.</b> |
| <input type="checkbox"/>            | <b>PTC</b>   | <b>3. Need video receipt per Local Rule 7.15.8.A.</b>   |
| <input type="checkbox"/>            | <b>Not.Cred.</b>   | <b>4. The Conservatee is developmentally disabled pursuant to Probate Code §1420. Therefore, need notice to CVRC pursuant to Probate Code §§ 1822(e), 1461.4.</b>   |
| <input checked="" type="checkbox"/> | <b>Notice of Hrg</b>   | <b>Reviewed by:</b> skc   |
| <input checked="" type="checkbox"/> | <b>Aff.Mail</b> W  | <b>Reviewed on:</b> 12-8-14   |
| <input type="checkbox"/>            | <b>Aff.Pub.</b>  | <b>Updates:</b>   |
| <input type="checkbox"/>            | <b>Sp.Ntc.</b>   | <b>Recommendation:</b>  |
| <input type="checkbox"/>            | <b>Pers.Serv.</b>  | <b>File 15 - Humphries</b>  |
| <input checked="" type="checkbox"/> | <b>Conf. Screen</b>  |   |
| <input checked="" type="checkbox"/> | <b>Letters</b>   |   |
| <input checked="" type="checkbox"/> | <b>Duties/Supp</b>   |   |
| <input type="checkbox"/>            | <b>Objections</b>  |   |
| <input type="checkbox"/>            | <b>Video Receipt</b> X   |   |
| <input type="checkbox"/>            | <b>CI Report</b>   |   |
| <input type="checkbox"/>            | <b>9202</b>  |   |
| <input checked="" type="checkbox"/> | <b>Order</b>   |   |
| <input type="checkbox"/>            | <b>Aff. Posting</b>  |   |
| <input type="checkbox"/>            | <b>Status Rpt</b>  |   |
| <input type="checkbox"/>            | <b>UCCJEA</b>  |   |
| <input type="checkbox"/>            | <b>Citation</b>  |   |
| <input type="checkbox"/>            | <b>FTB Notice</b>  |   |
|                                     | <b>Voting rights affected</b><br><b>Petitioners state</b> the Conservatee was stricken with polio at age six months. She is unable to communicate medical and personal decisions. She must have constant care and attention and without it she cannot take care of her physical needs. A more detailed explanation is contained in the Confidential Supplement. Petitioners request that the Court deny the petition filed on 10-31-14 by Dewayne Marsh.<br>Petitioners also seek powers under Probate Code §2590 in order to seek community resources for the benefit of the Conservatee and seek and obtain benefits including Social Security, SSI, medical coverage, Medicare, Medi-Cal, long term care, supplemental health insurance, disability benefits, food stamps, subsidized housing, and personal care and welfare services.<br><b>Court Investigator Julie Negrete to file report.</b> |   |

Atty Horton, Lisa M., of Walters & Moshrefi (for Conservator Kendra L. Brenson)

Status Hearing Re: Filing Receipt of Blocked Account

|                                  |  |   |
|----------------------------------|--|---|
| <b>Age: 39 years</b>             | <p><b>KENDRA L. BRENSON</b>, sister, was appointed Successor Conservator of the Person and Estate on 8/2/2007.</p> <p><b>Petition for Order Confirming Sale of Real Property was filed by Conservator on 3/10/2014</b>, seeking Court confirmation of the real property interest owned by the Conservatorship, consisting of a <b>23.95%</b> interest in the property valued at <b>\$84,314.47</b> as of 3/31/2008.</p> <p><b>Order Confirming Sale of Real Property was filed 5/19/2014</b>, and requires bond of <b>\$42,000.00</b>. <b>Minute Order dated 5/19/2014</b> from the hearing on the confirmation of sale states the Court accepts counsel's representation and finds good cause for sale of the property at <b>\$185,000.00</b>. There being no overbids in open Court, the sale price is confirmed at <b>\$185,500.00</b>. The Court orders that there be no distribution of the proceeds pending further order of the Court.</p> <p><b>Declaration of Lisa Horton filed 6/11/2014 for the previous Status Hearing states, in pertinent part:</b></p> <ul style="list-style-type: none"> <li>• Due to the Petitioner being out of state, being bonded is difficult;</li> <li>• Petitioner requests that this Court order the funds from the sale as according to the closing statement be deposited into a blocked account in Texas, with proof of deposit into a blocked account filed within 15 days from the date of the hearing;</li> <li>• The Conservatee receives SSA from his father's death and no longer receives SSI; if the sale proceeds are deposited into a blocked account, then there is no danger of Conservatee losing any benefits.</li> </ul> | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Page 16B</b> is the Status Hearing Re: Establishment of Conservatorship in Texas; and filing of the Final Account.</p> <p><b>Continued from 10/16/2014. The following issue from the last hearing remains:</b></p> <ol style="list-style-type: none"> <li>1. Need proof of funds deposited into a blocked account in the State of Texas via filing of Judicial Council form <i>Receipt and Acknowledgment of Order for the Deposit of Money into Blocked Account</i>.</li> </ol> <p><b>Note:</b> Order to Deposit Money into Blocked Account filed 11/20/2014 authorizes deposit of the sum of <b>\$37,058.93</b>.</p> |
|                                  |  |   |
|                                  |  |   |
|                                  |  |   |
| <b>Cont. from 061814, 101614</b> |  |   |
| <b>Aff.Sub.Wit.</b>              |  |   |
| <b>Verified</b>                  |  |   |
| <b>Inventory</b>                 |  |   |
| <b>PTC</b>                       |  |   |
| <b>Not.Cred.</b>                 |  |   |
| <b>Notice of Hrg</b>             |  |   |
| <b>Aff.Mail</b>                  |  |   |
| <b>Aff.Pub.</b>                  |  |   |
| <b>Sp.Ntc.</b>                   |  |   |
| <b>Pers.Serv.</b>                |  |   |
| <b>Conf. Screen</b>              |  |   |
| <b>Letters</b>                   |  |   |
| <b>Duties/Supp</b>               |  |   |
| <b>Objections</b>                |  |   |
| <b>Video Receipt</b>             |  |   |
| <b>CI Report</b>                 |  |   |
| <b>9202</b>                      |  |   |
| <b>Order</b>                     |  |   |
| <b>Aff. Posting</b>              |  |   |
| <b>Status Rpt</b>                |  |   |
| <b>UCCJEA</b>                    |  |   |
| <b>Citation</b>                  |  |   |
| <b>FTB Notice</b>                |  |   |
|                                  | <p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 12/8/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 16A - Harris</b></p>   |   |

Status Hearing Re: Establishment of Conservatorship in Texas; Final Account

|                          |  |   |
|--------------------------|--|---|
| <b>Age: 39 years</b>     | <p><b>KENDRA L. BRENSON</b>, sister, was appointed Successor Conservator of the Person and Estate on 8/2/2007.</p> <p><b>Order Fixing Residence Outside the State of California filed on 6/18/2014</b> finds the residence of the Conservatee shall be [street address omitted], Conroe, Texas; and that conservatorship of the person and estate or its equivalent shall be commenced in the state of new residence <b>within 4 months</b> of the date of this order.</p> <p><b>Minute Order dated 6/18/2014</b> set a Status Hearing on 10/16/2014 for filing proof of establishment of conservatorship or its equivalent in Texas. Four months from the date of the <i>Order Fixing Residence</i> expired on <b>10/18/2014</b>.</p> <p><b>Status Hearing Report filed 10/15/2014 for the previous Status Hearing states:</b></p> <ul style="list-style-type: none"> <li>• <b>Receipt:</b> The escrow funds were deposited into a Wells Fargo Savings account under the name of the conservatorship at the direction of Ms. Brenson's Texas counsel; she is trying to get a signed receipt for the deposit into a blocked account, but they do not have blocked accounts in Texas for conservatorships; those accounts are called "safe keeping" accounts; she has spoken with Ms. Brenson's counsel in Texas and she is advising Ms. Brenson on maintaining and keeping the funds safe;</li> <li>• She has seen a bank account statement showing the funds gaining interest and with no withdrawals; she needs more time to get a signed receipt from Wells Fargo;</li> <li>• <b>Final accounting:</b> Since the conservatorship has not been established yet in Texas, the final accounting period has not ended; she is gathering the bank statements since the escrow funds from the sale were deposited and have started the accounting;</li> <li>• <b>Conservatorship in TX:</b> She has been in contact with Ms. Brenson's Texas counsel and was informed that the application for guardianship (TX term for conservatorship) has been prepared and will be filed shortly; she was informed that a court investigator is appointed after the application is filed and the investigators are behind on their investigations and could be out a couple of months; the whole process could take 4 months.</li> </ul> | <p><b>NEEDS/PROBLEMS/ COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need proof of the establishment of conservatorship of the person and estate or its equivalent in the State of Texas.</li> <li>2. Need first and final account of the conservatorship pursuant to Probate Code § 2620 et seq.</li> </ol> |
|                          |  |   |
|                          |  |   |
|                          |  |   |
|                          |  |   |
| <b>Cont. from 101614</b> |  |   |
| <b>Aff.Sub.Wit.</b>      |  |   |
| <b>Verified</b>          |  |   |
| <b>Inventory</b>         |  |   |
| <b>PTC</b>               |  |   |
| <b>Not.Cred.</b>         |  |   |
| <b>Notice of Hrg</b>     |  |   |
| <b>Aff.Mail</b>          |  |   |
| <b>Aff.Pub.</b>          |  |   |
| <b>Sp.Ntc.</b>           |  |   |
| <b>Pers.Serv.</b>        |  |   |
| <b>Conf. Screen</b>      |  |   |
| <b>Letters</b>           |  |   |
| <b>Duties/Supp</b>       |  |   |
| <b>Objections</b>        |  |   |
| <b>Video Receipt</b>     |  |   |
| <b>CI Report</b>         |  |   |
| <b>9202</b>              |  |   |
| <b>Order</b>             |  |   |
| <b>Aff. Posting</b>      |  |   |
| <b>Status Rpt</b>        |  |   |
| <b>UCCJEA</b>            |  |   |
| <b>Citation</b>          |  |   |
| <b>FTB Notice</b>        |  |   |
|                          |  | <p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 12/8/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 16B - Harris</b></p>  |



|                      |  |   |
|----------------------|--|---|
| <b>DOD: 6-17-13</b>  | <p><b>HOWARD YOUNG</b>, Brother, was appointed as Administrator with Full IAEA with bond of \$205,000.00 on 7-14-14.</p> <p>At the hearing on 7-14-14, the Court set this status hearing for the filing of the Inventory and Appraisal.</p> <p>On 9-2-14, the Court amended its order to reflect Limited IAEA and no bond was required.</p> <p>Letters issued on 9-5-14.</p> | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. <b>Need Inventory and Appraisal pursuant to Probate Code §8800 or verified written status report pursuant to Local Rule 7.5.</b></p> |
|                      |  |   |
|                      |  |   |
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|                      |  |   |
|                      |  |   |
| <b>Aff.Sub.Wit.</b>  |  |   |
| <b>Verified</b>      |  |   |
| <b>Inventory</b>     |  |   |
| <b>PTC</b>           |  |   |
| <b>Not.Cred.</b>     |  |   |
| <b>Notice of Hrg</b> |  |   |
| <b>Aff.Mail</b>      |  |   |
| <b>Aff.Pub.</b>      |  |   |
| <b>Sp.Ntc.</b>       |  |   |
| <b>Pers.Serv.</b>    |  |   |
| <b>Conf. Screen</b>  |  |   |
| <b>Letters</b>       |  |   |
| <b>Duties/Supp</b>   |  |   |
| <b>Objections</b>    |  |   |
| <b>Video Receipt</b> |  |   |
| <b>CI Report</b>     |  |   |
| <b>9202</b>          |  |   |
| <b>Order</b>         |  |   |
| <b>Aff. Posting</b>  |  |   |
| <b>Status Rpt</b>    |  |   |
| <b>UCCJEA</b>        |  |   |
| <b>Citation</b>      |  |   |
| <b>FTB Notice</b>    |  |   |
|                      | <p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 12-8-14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 19 - Young</b></p>   |   |

Atty Roberts, Gregory J. (for Executor Sandra Gonzalez)

Status Hearing Re; Filing of the Inventory and Appraisal

|                |  |   |
|----------------|--|---|
| DOD: 2/17/2014 |  | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>OFF CALENDAR</b></p> <p><i>Final Inventory and Appraisal</i><br/>filed 10/27/2014.</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: LEG  |
|                |  | Reviewed on: 12/8/14  |
|                |  | Updates:  |
|                |  | Recommendation:   |
|                |  | File 20 - Gonzalez  |

Atty Delgado, Maria Guadalupe (pro per Petitioner/mother)

Atty Garcia, Alfredo (pro per Guardian/maternal step-grandfather)

Atty Alvarez-Garcia, Maria (pro per Guardian/maternal grandmother)

Petition for Visitation

|  |  |  |                      |
|--|--|--|----------------------|
| Age: 11 years                                | MARIA DELGADO, mother, is petitioner.  | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of service of the Notice of Hearing on:                     <ol style="list-style-type: none"> <li>a. Maria Alvarez-Garcia (guardian)</li> <li>b. Alfredo Garcia (guardian)</li> </ol> </li> </ol> |                      |
|  | MARIA ALVAREZ-GARCIA, maternal grandmother, and ALFREDO GARCIA, maternal step-grandfather, were appointed guardians on 5/3/2010. |  |                      |
| Cont. from                                   | Father: FLAVIO CARBAJAL  |  |                      |
| <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 checked="" type="checkbox"/>  |  |                      |
| <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 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 checked="" type="checkbox"/>  |  |                      |
| <input type="checkbox"/> Aff. Posting        |  |  |                      |
| <input type="checkbox"/> Status Rpt          |  |  |                      |
| <input type="checkbox"/> UCCJEA              |  |  |                      |
| <input type="checkbox"/> Citation            |  |  |                      |
| <input type="checkbox"/> FTB Notice          |  |  |                      |
|  |  |  | Reviewed by: KT      |
|  |  |  | Reviewed on: 12/8/14 |
|  |  | Updates:   |                      |
|  |  | Recommendation:  |                      |
|  |  | File 22 - Carbajal   |                      |

**Spousal or Domestic Partner Property Petition (Prob. C. 13650)**

|  |   |   |                             |
|--|---|---|-----------------------------|
| <b>DOD: 6-11-14</b>                                      | <b>SCOTT LASSLEY</b> , Surviving Spouse, is Petitioner.   | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. The Decedent's will is a printout of the California Statutory Will with blank spaces to fill in the devisees, etc. It appears that the decedent fill in her own name, and not the name of her devisee, in most sections of the will. Because of this, the will does not devise her estate to Petitioner; it devises her estate to herself.</p> <p>However, Petitioner alleges that the assets described in this petition were community property; therefore, it appears the assets would pass to Petitioner pursuant to intestate succession. The Court may require further information.</p> |                             |
|  | No other proceedings  |   |                             |
| <b>Cont from 102714</b>                                  | Will dated 4-28-13 is the California Statutory Will. The spaces filled in indicate Petitioner as named executor, but the decedent's own name is filled in regarding the residence and residue.  |   |                             |
| <input type="checkbox"/> <b>Aff.Sub.Wit.</b>             |   |   |                             |
| <input checked="" type="checkbox"/> <b>Verified</b>      |   |   |                             |
| <input type="checkbox"/> <b>Inventory</b>                |   |   |                             |
| <input type="checkbox"/> <b>PTC</b>                      |   |   |                             |
| <input type="checkbox"/> <b>Not.Cred.</b>                |   |   |                             |
| <input checked="" type="checkbox"/> <b>Notice of Hrg</b> | Petitioner states he and the decedent were married in 1984 and remained married until her death. They acquired the real property that is the subject of this petition in 1997 together with the understanding that it would be and remain their community property. |   |                             |
| <input checked="" type="checkbox"/> <b>Aff.Mail</b>      | w   |   |                             |
| <input type="checkbox"/> <b>Aff.Pub.</b>                 |   |   |                             |
| <input type="checkbox"/> <b>Sp.Ntc.</b>                  |   |   |                             |
| <input type="checkbox"/> <b>Pers.Serv.</b>               |   |   |                             |
| <input type="checkbox"/> <b>Conf. Screen</b>             |   |   |                             |
| <input type="checkbox"/> <b>Letters</b>                  | Petitioner requests court confirmation that an undivided one-half interest in the real property located at 1763 5 <sup>th</sup> Street in Clovis belongs to him, and that the decedent's one-half interest in the real property passes to him.                      |   |                             |
| <input type="checkbox"/> <b>Duties/Supp</b>              |   |   |                             |
| <input type="checkbox"/> <b>Objections</b>               |   |   |                             |
| <input type="checkbox"/> <b>Video Receipt</b>            |   |   |                             |
| <input type="checkbox"/> <b>CI Report</b>                |   |   |                             |
| <input type="checkbox"/> <b>9202</b>                     |   |   |                             |
| <input checked="" type="checkbox"/> <b>Order</b>         | Petitioner also requests court confirmation that the decedent's 2005 Toyota passes to him.  |   |                             |
| <input type="checkbox"/> <b>Aff. Posting</b>             |   |   |                             |
| <input type="checkbox"/> <b>Status Rpt</b>               |   |   |                             |
| <input type="checkbox"/> <b>UCCJEA</b>                   |   |   |                             |
| <input type="checkbox"/> <b>Citation</b>                 |   |   |                             |
| <input type="checkbox"/> <b>FTB Notice</b>               |   |   |                             |
|  |   |   | <b>Reviewed by:</b> skc     |
|  |   |   | <b>Reviewed on:</b> 12-8-14 |
|  |   | <b>Updates:</b>   |                             |
|  |   | <b>Recommendation:</b>  |                             |
|  |   | <b>File 24 – Lassley</b>  |                             |

**29A Wanda H. Bingham (CONS/PE)**

**Case No. 11CEPR00949**

**Atty Krause, Stephanie J. (for Randy Grace – Petitioner and Co-Trustee of Trust)**  
**Atty Magness, Marcus D. (also for Randy Grace – Petitioner and Co-Trustee of Trust)**  
**Atty Roberts, David A. (for Joan St. Louis – Conservator)**  
**Atty Boyett, Deborah K. (Court appointed attorney for Conservatee Wanda H. Bingham)**  
**Atty Burnside, Leigh W. (for Wells Fargo Bank, N.A. – Co-Trustee of Trust)**

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

|                                     |   |  |   |
|-------------------------------------|---|--|---|
|                                     |   | <p><b>RANDALL "RANDY" GRACE</b>, Step-grandson and Co-Trustee of the Byrum C. and Wanda H. Bingham Trust, is Petitioner and requests appointment as Successor Conservator of the Person with medical consent powers under Probate Code §2355 and dementia medication and placement powers pursuant to Probate Code §2356.5, and as Successor Conservator of the Estate with bond of \$485,578.45.</p> <p><b>Voting rights affected</b></p> <p><b>Capacity Declaration filed 11-17-11.</b></p> <p><b>Estimated Value of Estate:</b><br/>                 Personal property: \$ 406,225.91<br/>                 Annual income: \$ 93,985.27<br/>                 Total: \$ 500,211.18</p> <p><b>Petitioner states</b> it was previously determined that Mrs. Bingham is unable to provide for her personal needs for physical health, food, clothing, or shelter. Accordingly, the Court appointed David St. Louis as Conservator of her person. Subsequently, Joan St. Louis was appointed as Successor Conservator. Attached are nominations of Petitioner to serve as successor conservator signed by all relatives. Petitioner's Declaration details events during conservatorship under the current conservator, Joan St. Louis. Petitioner is also a co-trustee of the conservatee's trust and provides details of his experience as a fiduciary and administrator. Petitioner states he is actively involved in learning about Alzheimer's care to arrange better care and quality of life for the Conservatee. Attached are various communications with Joan St. Louis.</p> <p><b>Court Investigator Charlotte Bien filed a report on 11-7-14.</b></p> | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: Page B is the corresponding Petition for Removal of current conservator.</b></p> <p><b>Minute Order 12-3-14:</b><br/>Continued to 12-15-14 at 9:00 am in Dept. 303.</p> <p><b>Note: Order Granting Conservator Leave to Resign as Conservator of the Person and Estate was filed 12-4-14 and accepted Ms. St. Louis' resignation as of Midnight on 12-31-14.</b></p> <p><b>Court Investigator advised rights on 10-31-14 and 11-5-14</b></p> <p><b>Voting right affected – Need minute order.</b></p> <p><b>SEE ADDITIONAL PAGES</b></p> <p><b>Reviewed by: skc</b></p> <p><b>Reviewed on: 12-8-14</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 29A - Bingham</b></p> |
| <b>Cont 111914</b>                  |   |  |   |
| <input type="checkbox"/>            | <b>Aff.Sub.Wit.</b>                                     |  |   |
| <input checked="" type="checkbox"/> | <b>Verified</b>   |  |   |
| <input type="checkbox"/>            | <b>Inventory</b>  |  |   |
| <input type="checkbox"/>            | <b>PTC</b>  |  |   |
| <input type="checkbox"/>            | <b>Not.Cred.</b>  |  |   |
| <input checked="" type="checkbox"/> | <b>Notice of Hrg</b>                                    |  |   |
| <input checked="" type="checkbox"/> | <b>Aff.Mail</b> <span style="float:right">w</span>      |  |   |
| <input type="checkbox"/>            | <b>Aff.Pub.</b>   |  |   |
| <input type="checkbox"/>            | <b>Sp.Ntc.</b>  |  |   |
| <input type="checkbox"/>            | <b>Pers.Serv.</b>                                       |  |   |
| <input checked="" type="checkbox"/> | <b>Conf. Screen</b>                                     |  |   |
| <input checked="" type="checkbox"/> | <b>Letters</b>  |  |   |
| <input checked="" type="checkbox"/> | <b>Duties/Supp</b>                                      |  |   |
| <input type="checkbox"/>            | <b>Objections</b>                                       |  |   |
| <input type="checkbox"/>            | <b>Video Receipt</b> <span style="float:right">x</span> |  |   |
| <input type="checkbox"/>            | <b>CI Report</b>  |  |   |
| <input type="checkbox"/>            | <b>9202</b>   |  |   |
| <input checked="" type="checkbox"/> | <b>Order</b>  |  |   |
| <input type="checkbox"/>            | <b>Aff. Posting</b>                                     |  |   |
| <input type="checkbox"/>            | <b>Status Rpt</b>                                       |  |   |
| <input type="checkbox"/>            | <b>UCCJEA</b>   |  |   |
| <input type="checkbox"/>            | <b>Citation</b>   |  |   |
| <input type="checkbox"/>            | <b>FTB Notice</b>                                       |  |   |

Page 2

**NEEDS/PROBLEMS/COMMENTS:**

1. Notice was served on Deborah Boyett as Court appointed attorney for Conservatee Wanda Bingham, and on David Roberts as attorney for the current Conservator Joan St. Louis. The Court may require direct notice to the Conservatee and the current Conservator pursuant to Probate Code §§1460(b) and 1214 and Cal. Rules of Court 7.51 (c).
2. Need video receipt pursuant to Local Rule 7.15.8.A.
3. Petitioner requests bond be fixed at \$485,578.45; however, based on the estimated value of the estate, Examiner calculates that bond should be at least \$550,236.52, which includes cost of recovery pursuant to Probate Code §2320(c)(4) and Cal. Rule of Court 7.207.

Note: The estimated value of the estate appear to be based on the accounting filed by the current conservator.

4. The Petition at #1k requests orders related to dementia medication and placement; however, the separate Attachment Requesting Special Orders Regarding Dementia (Mandatory Judicial Council Form GC-313) was not attached to the petition or served on interested parties, and the proposed order does not specify dementia medication and placement powers.

Examiner notes that the additional medical consent and dementia medication and placement powers requested herein were originally granted to the original conservator, David St. Louis; however, additional orders were made pursuant to agreement reached at Court Trial on 12-6-11 and Order After Hearing Regarding Placement filed 12-13-11.

The 12-13-11 Order specifies that care providers for Byrum Bingham (now deceased) and Wanda Bingham are to be present inside the main residence 24 hours per day; that Wanda Bingham is to abide by the dietary and nutrition guidelines recommended by her treating physician, and that the keys to the automobile are to be kept in the possession of the care providers or the conservator, David St. Louis.

Examiner is not aware without extensive further review of the file whether subsequent agreements or orders were made regarding Mrs. Bingham's care and placement after Mr. Bingham's death, or after Mr. St. Louis' death. The Court may require clarification.

**If granted, the Court will set status hearings on Monday, 2-2-15 for filing of bond.**

**29B Wanda H. Bingham (CONS/PE)**

**Case No. 11CEPR00949**

Atty Krause, Stephanie J. (for Randy Grace – Petitioner and Co-Trustee of Trust)  
 Atty Magness, Marcus D. (also for Randy Grace – Petitioner and Co-Trustee of Trust)  
 Atty Roberts, David A. (for Joan St. Louis – Conservator)  
 Atty Boyett, Deborah K. (Court appointed attorney for Conservatee Wanda H. Bingham)  
 Atty Burnside, Leigh W. (for Wells Fargo Bank, N.A. – Co-Trustee of Trust)

**Petition for Removal of Conservator of Person and Estate of Wanda H. Bingham, and for Costs, Expenses and Attorney Fees**

|  |   |  |  |   |   |                     |   |   |   |                      |  |
|--|---|--|--|---|---|---------------------|---|---|---|----------------------|--|
|  | <p><b>RANDALL "RANDY" GRACE</b>, Step-grandson and Co-Trustee of the Byrum C. and Wanda H. Bingham Trust, is Petitioner.</p>  | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> |  |   |   |                     |   |   |   |                      |  |
| <p><b>Cont from 111914</b></p>   | <p><b>Petitioner states JOAN ST. LOUIS</b> should be removed for cause as conservator for because she has failed to use ordinary care and diligence in the management of the Conservatee's person and estate and has continued to fail to perform her duties. See petition for details.</p> | <p><u>SEE ADDITIONAL PAGES</u></p>     |  |   |   |                     |   |   |   |                      |  |
| <table border="1"> <tr> <td data-bbox="99 609 162 651"></td> <td data-bbox="162 609 365 651"><b>Aff.Sub.Wit.</b></td> <td data-bbox="365 609 418 651"></td> </tr> </table>       |   | <b>Aff.Sub.Wit.</b>                    |  | <p>Removal of the Conservator is in the best interest of the Conservatee. The Conservator has shown an unwillingness to pay attention to details resulting in continuous and long-term failures in performing her duties. The Conservator has not actively sought to improve the Conservatee's quality of life, whereas the proposed successor conservator has been and will continue to do so. The Conservator is seeking full compensation from the Conservatee's estate, whereas the proposed successor conservator is willing to waive compensation other than reimbursement of certain expenses upon Court approval. The Conservator has not acted in good faith in the best interests of the Conservatee. A petition for appointment of a successor conservator is filed concurrently with this petition.</p> | <p><u>Minute Order 12-3-14: Continued to 12-15-14 at 9:00 am in Dept. 303.</u></p>  |                     |   |   |   |                      |  |
|  | <b>Aff.Sub.Wit.</b>   |  |  |   |   |                     |   |   |   |                      |  |
| <table border="1"> <tr> <td data-bbox="99 651 162 693">✓</td> <td data-bbox="162 651 365 693"><b>Verified</b></td> <td data-bbox="365 651 418 693"></td> </tr> </table>          | ✓   | <b>Verified</b>                        |  | <p>See also Memorandum of Points and Authorities in Support of Petition filed 10-10-14.</p>   | <p><u>Note: Order Granting Conservator Leave to Resign as Conservator of the Person and Estate was filed 12-4-14 and accepted Ms. St. Louis' resignation as of Midnight 12-31-14.</u></p> |                     |   |   |   |                      |  |
| ✓  | <b>Verified</b>   |  |  |   |   |                     |   |   |   |                      |  |
| <table border="1"> <tr> <td data-bbox="99 693 162 735"></td> <td data-bbox="162 693 365 735"><b>Inventory</b></td> <td data-bbox="365 693 418 735"></td> </tr> </table>          |   | <b>Inventory</b>                       |  | <p>Petitioner requests that:</p>  | <p><b>Reviewed by:</b> skc</p>  |                     |   |   |   |                      |  |
|  | <b>Inventory</b>  |  |  |   |   |                     |   |   |   |                      |  |
| <table border="1"> <tr> <td data-bbox="99 735 162 777"></td> <td data-bbox="162 735 365 777"><b>PTC</b></td> <td data-bbox="365 735 418 777"></td> </tr> </table>                |   | <b>PTC</b>                             |  | <ol style="list-style-type: none"> <li>1. JOAN ST. LOUIS be removed as Conservator of the Person and Estate of Wanda H. Bingham, the Conservatee, and her Letters of Conservatorship be revoked;</li> <li>2. The Court find that the Conservator has not acted in good faith in the best interests of the Conservatee and therefore order that Petitioner be awarded costs, expenses, and attorney fees from the Conservator, individually; and</li> <li>3. The Court order other relief the Court may deem proper.</li> </ol>  | <p><b>Reviewed on:</b><br/>12-8-14</p>  |                     |   |   |   |                      |  |
|  | <b>PTC</b>  |  |  |   |   |                     |   |   |   |                      |  |
| <table border="1"> <tr> <td data-bbox="99 777 162 819"></td> <td data-bbox="162 777 365 819"><b>Not.Cred.</b></td> <td data-bbox="365 777 418 819"></td> </tr> </table>          |   | <b>Not.Cred.</b>                       |  | <p><b><u>SEE ADDITIONAL PAGES</u></b></p>   | <p><b>Updates:</b></p>  |                     |   |   |   |                      |  |
|  | <b>Not.Cred.</b>  |  |  |   |   |                     |   |   |   |                      |  |
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| ✓  | <b>Notice of Hrg</b>  |  |  |   |   |                     |   |   |   |                      |  |
| ✓  | <b>Aff.Mail</b>   | w                                      |  |   |   |                     |   |   |   |                      |  |
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|  | <b>Aff.Pub.</b>   |  |  |   |   |                     |   |   |   |                      |  |
|  | <b>Sp.Ntc.</b>  |  |  |   |   |                     |   |   |   |                      |  |
| <table border="1"> <tr> <td data-bbox="99 987 162 1029"></td> <td data-bbox="162 987 365 1029"><b>Pers.Serv.</b></td> <td data-bbox="365 987 418 1029"></td> </tr> </table>      |   | <b>Pers.Serv.</b>                      |  | <table border="1"> <tr> <td data-bbox="99 1029 162 1071"></td> <td data-bbox="162 1029 365 1071"><b>Conf. Screen</b></td> <td data-bbox="365 1029 418 1071"></td> </tr> </table>  |   | <b>Conf. Screen</b> |   | <table border="1"> <tr> <td data-bbox="99 1071 162 1113"></td> <td data-bbox="162 1071 365 1113"><b>Letters</b></td> <td data-bbox="365 1071 418 1113"></td> </tr> </table>       |   | <b>Letters</b>       |  |
|  | <b>Pers.Serv.</b>   |  |  |   |   |                     |   |   |   |                      |  |
|  | <b>Conf. Screen</b>   |  |  |   |   |                     |   |   |   |                      |  |
|  | <b>Letters</b>  |  |  |   |   |                     |   |   |   |                      |  |
| <table border="1"> <tr> <td data-bbox="99 1113 162 1155"></td> <td data-bbox="162 1113 365 1155"><b>Duties/Supp</b></td> <td data-bbox="365 1113 418 1155"></td> </tr> </table>  |   | <b>Duties/Supp</b>                     |  | <table border="1"> <tr> <td data-bbox="99 1155 162 1197">✓</td> <td data-bbox="162 1155 365 1197"><b>Objections</b></td> <td data-bbox="365 1155 418 1197"></td> </tr> </table>   | ✓   | <b>Objections</b>   |   | <table border="1"> <tr> <td data-bbox="99 1197 162 1239"></td> <td data-bbox="162 1197 365 1239"><b>Video Receipt</b></td> <td data-bbox="365 1197 418 1239"></td> </tr> </table> |   | <b>Video Receipt</b> |  |
|  | <b>Duties/Supp</b>  |  |  |   |   |                     |   |   |   |                      |  |
| ✓  | <b>Objections</b>   |  |  |   |   |                     |   |   |   |                      |  |
|  | <b>Video Receipt</b>  |  |  |   |   |                     |   |   |   |                      |  |
| <table border="1"> <tr> <td data-bbox="99 1239 162 1281"></td> <td data-bbox="162 1239 365 1281"><b>CI Report</b></td> <td data-bbox="365 1239 418 1281"></td> </tr> </table>    |   | <b>CI Report</b>                       |  | <table border="1"> <tr> <td data-bbox="99 1281 162 1323"></td> <td data-bbox="162 1281 365 1323"><b>9202</b></td> <td data-bbox="365 1281 418 1323"></td> </tr> </table>  |   | <b>9202</b>         |   | <table border="1"> <tr> <td data-bbox="99 1323 162 1365">✓</td> <td data-bbox="162 1323 365 1365"><b>Order</b></td> <td data-bbox="365 1323 418 1365"></td> </tr> </table>        | ✓ | <b>Order</b>         |  |
|  | <b>CI Report</b>  |  |  |   |   |                     |   |   |   |                      |  |
|  | <b>9202</b>   |  |  |   |   |                     |   |   |   |                      |  |
| ✓  | <b>Order</b>  |  |  |   |   |                     |   |   |   |                      |  |
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|  | <b>Aff. Posting</b>   |  |  |   |   |                     |   |   |   |                      |  |
|  | <b>Status Rpt</b>   |  |  |   |   |                     |   |   |   |                      |  |
|  | <b>UCCJEA</b>   |  |  |   |   |                     |   |   |   |                      |  |
| <table border="1"> <tr> <td data-bbox="99 1491 162 1533"></td> <td data-bbox="162 1491 365 1533"><b>Citation</b></td> <td data-bbox="365 1491 418 1533"></td> </tr> </table>     |   | <b>Citation</b>                        |  | <table border="1"> <tr> <td data-bbox="99 1533 162 1575"></td> <td data-bbox="162 1533 365 1575"><b>FTB Notice</b></td> <td data-bbox="365 1533 418 1575"></td> </tr> </table>  |   | <b>FTB Notice</b>   |   |   |   |                      |  |
|  | <b>Citation</b>   |  |  |   |   |                     |   |   |   |                      |  |
|  | <b>FTB Notice</b>   |  |  |   |   |                     |   |   |   |                      |  |

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**See also Declarations in Support of Petition for Removal by:**

- Stefanie J. Krause, attorney for Petitioner Randy Grace herein
- Paul T. Chambers, attorney for Petitioner Randy Grace as Co-Trustee of the Byrum C. and Wanda H. Bingham Family Trust
- Leigh Burnside, attorney for Wells Fargo Bank, N.A., Co-Trustee of the Byrum C. and Wanda H. Bingham Family Trust
- Jeffrey Bingham, a grandson of the Conservatee
- Mark Lanier, property manager of Conservatee's home
- Tamie Arnold, professional caregiver
- Anthony C. Oxford, handyman

**NEEDS/PROBLEMS/COMMENTS:**

5. Notice was served on Deborah Boyett as Court appointed attorney for Conservatee Wanda Bingham, and on David Roberts as attorney for the current Conservator Joan St. Louis. The Court may require direct notice to the Conservatee and the current Conservator pursuant to Probate Code §§1460(b) and 1214 and Cal. Rules of Court 7.51 (c).

**Note: The Court will set a status hearing for the filing of a final accounting through 12-31-14.**