

Atty Sanoian, Joanne, Law Offices of Joanne Sanoian (for Petitioner Jennifer Lewis, Executor)

**First Amended (1) First and Final Account and Report of Executor, (2) Petition for Its Settlement, and for (3) Final Distribution**

<b>DOD: 1/11/1999</b>		JENNIFER LEWIS, niece and Executor appointed on 3/30/2004, is Petitioner. Letters issued on 4/2/2004.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from 100913, 112013</b>		<u>Account period: [3/30/2004 – 11/4/2013]</u>	<b>Page 2</b> is the related case of the Estate of Gladys Thomas (predeceased sibling.)
<input type="checkbox"/>	Aff.Sub.Wit.	Accounting - \$25,000.00	<b>Continued from 11/20/2013.</b> Minute Order states counsel requests a continuance.  <b>Note:</b> Minute Order dated 10/9/2013 states counsel requests a continuance to make the necessary corrections.  <b>Note:</b> Petition does not state the account period pursuant to Probate Code § 1061(a). However, based upon this atypical case characterized by lapse of time with few administrative actions taken and the simplified accounting presented, the account period may be presumed to be from the date of appointment and/or date Letters issued, to the date of the execution and verification of this accounting.  The following issue from the last hearing remains: 1. Need proposed order, including the distributions stated as being made to the estates of those devisees who are deceased, as follows: • ESTATE OF MARY LEWIS • ESTATE OF LARRY ATWATER • ESTATE OF ARLETA ATWATER.
<input checked="" type="checkbox"/>	Verified	Beginning POH - \$25,000.00	
<input checked="" type="checkbox"/>	Inventory	Ending POH - \$25,000.00 <i>(no cash; 1/5 interest in real property.)</i>	
<input checked="" type="checkbox"/>	PTC	Executor - <b>Not requested</b>	
<input checked="" type="checkbox"/>	Not.Cred.	Attorney - <b>Not requested</b>	
<input checked="" type="checkbox"/>	Notice of Hrg	<b>Petitioner states:</b>	
<input checked="" type="checkbox"/>	Aff.Mail	<ul style="list-style-type: none"> <li>The estate consists entirely of a <b>1/5 interest</b> in a parcel of real property in Fresno;</li> <li>Subsequent to the filing [on 6/9/2004] of the <i>Inventory and Appraisal</i> in this matter, a portion the real property was condemned by the Department of Transportation in an eminent domain action;</li> <li>The estate's parcel was assigned a new parcel description and APN (copy attached as Exhibit A);</li> </ul>	
<input type="checkbox"/>	Aff.Pub.	~Please see additional page~	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters	040204	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input type="checkbox"/>	Order	X	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice	N / A	
		<b>Reviewed by:</b> LEG	
		<b>Reviewed on:</b> 12/17/13	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 1 - Atwater</b>	

**Petitioner states distribution pursuant to Decedent's Will is to:**

- **[ESTATE OF] MARY LEWIS** – 1/4<sup>TH</sup> interest [in Decedent's 1/5 interest in real property]
- **DANNY THOMAS** – 1/8<sup>TH</sup> interest [in Decedent's 1/5 interest in real property]
- **LOIS ATWATER** – 1/32<sup>ND</sup> interest [in Decedent's 1/5 interest in real property]
- **JANICE EPPERSON** – 1/32<sup>ND</sup> interest [in Decedent's 1/5 interest in real property]
- **[ESTATE OF] LARRY ATWATER** – 1/32<sup>ND</sup> interest [in Decedent's 1/5 interest in real property]
- **[ESTATE OF] ARLETA ATWATER** – 1/32<sup>ND</sup> interest [in Decedent's 1/5 interest in real property]
- **CURTIS GILMER** – 1/24<sup>TH</sup> interest [in Decedent's 1/5 interest in real property]
- **TONI MARSHALL** – 1/24<sup>TH</sup> interest [in Decedent's 1/5 interest in real property]
- **DENISE GILMER** – 1/24<sup>TH</sup> interest [in Decedent's 1/5 interest in real property]
- **CHERYL GILMER** – 1/24<sup>TH</sup> interest [in Decedent's 1/5 interest in real property]
- **BRIAN GILMER** – 1/24<sup>TH</sup> interest [in Decedent's 1/5 interest in real property]
- **TOM GILMER** – 1/24<sup>TH</sup> interest [in Decedent's 1/5 interest in real property]
- **GINGER FLEMING** – 1/24<sup>TH</sup> interest [in Decedent's 1/5 interest in real property]
- **CHERRY ATWATER** – 1/24<sup>TH</sup> interest [in Decedent's 1/5 interest in real property]
- **WILLIAM HUBBY ATWATER** – 1/24<sup>TH</sup> interest [in Decedent's 1/5 interest in real property]
- **DORIS JEAN ATWATER** – 1/24<sup>TH</sup> interest [in Decedent's 1/5 interest in real property]
- **MARTHA ANN ATWATER** – 1/24<sup>TH</sup> interest [in Decedent's 1/5 interest in real property]
- **NANCY ATWATER** – 1/24<sup>TH</sup> interest [in Decedent's 1/5 interest in real property].

**Status Hearing Report on First Amended First and Final Account and Report filed by Attorney Joanne Sanoian on 12/17/2013 states:**

- On 9/11/2013, a First and Final Account and Report was filed with the Court, seeking a distribution of property pursuant to Decedent's Will;
- Prior to the hearing on 10/9/2013, a matter pertaining to an heir or beneficiary by the name of **TOM GILMER** was brought to my attention by the Probate Examiner's office;
- At the time of the initial filing of the Petition for Probate of Will in 2004, **JENNIFER LEWIS**, in pro per, listed one "Tom Gilmer" as an heir of **CAROL GILMER**, a Decedent of **GLADYS THOMAS**;
- As a result of the omission of this "Tom Gilmer" from the petition, an amended petition was filed on 11/5/2013, naming "Tom Gilmer" as decedent of Gladys Thomas, and therefore entitled to a 1/24<sup>th</sup> interest in the 1/5<sup>th</sup> interest in the parcel of real property which is the subject of this probate proceeding;
- Come to find out, no one has heard of a "Tom Gilmer;"
- Attorney Sanoian's client, Jennifer Lewis, obtained the names of the relatives of the Decedent Arthur Atwater, Jr., from various notes and address books available to her; she said she had no personal knowledge of the existence of a "Tom Gilmer;"
- Attorney Sanoian spoke to **TONI MARSHALL**, formerly **TONI GILMER**, a daughter of Carol Gilmer; she affirmed that Carol Gilmer only had 5 children, and those 5 children are all living;
- As no one in the Carol Gilmer family acknowledges the existence of a "Tom Gilmer," Attorney Sanoian submits that the words "Tom Gilmer" and "Toni Gilmer" are one and the same person, i.e., "Toni Gilmer" who is the daughter of Carol Gilmer; her name is now Toni Marshall;
- It appears clear that there is no "Tom Gilmer" to receive a distribution of the estate;
- Therefore, the First Account and Report, as first filed on 9/11/2013, correctly sets forth the distributees of this estate, to receive an interest in this property;
- Attorney Sanoian submits a corrected Order which is reflective of the correct distribution of the property; *[Note: A corrected proposed order has not been received by the examiner.]*
- Attorney Sanoian sincerely apologizes for the unnecessary time and confusion in this matter has created for the Court and staff, and for the lengthy delay in bringing this estate to a close for the benefit of the beneficiaries of Mr. Atwater.

**Dept. 303, 9:00 a.m. Wednesday, December 18, 2013**

**(1) First and Final Account and Report of Administrator and (2) Petition for Its Settlement and (3) for Final Distribution**

<b>DOD: 5/21/1980</b>	<b>BRIAN GILMER</b> , administrator, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Page 1</b> is the related case of the <i>Estate of Arthur Atwater</i> (post-deceased sibling.)</p> <p><b>Continued from 11/20/2013.</b> <i>Minute Order</i> states counsel requests a continuance.</p> <p><b>Note:</b> <i>Minute Order</i> dated 10/9/2013 states counsel requests a continuance to make the necessary corrections.</p> <p>The following issues from the last hearing remain:</p> <ol style="list-style-type: none"> <li>Petition was verified by the attorney and not the fiduciary. Probate Code §1023 states an attorney cannot verify for a fiduciary.</li> <li>Need proposed order, including the distribution stated as being made to the estate of the devisee who is deceased, <b>CAROL GILMER.</b></li> </ol>
	<b>Account period: [9/2/2004 – 9/22/2013]</b>	
	Accounting - <b>\$5,000.00</b>	
	Beginning POH - <b>\$5,000.00</b>	
	Ending POH - <b>\$5,000.00</b>	
<b>Cont. from 100913, 112013</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Administrator - not addressed	
<input type="checkbox"/> <b>Verified</b>	By Atty	
<input checked="" type="checkbox"/> <b>Inventory</b>	Attorney - not addressed	
<input checked="" type="checkbox"/> <b>PTC</b>		
<input checked="" type="checkbox"/> <b>Not.Cred.</b>	<b>Distribution, pursuant to intestate succession, is to:</b>	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	Carol Gilmer (deceased) – 50% of the decedent's 1/5 interest in real property.	
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	Danny Thomas - 50% of the decedent's 1/5 interest in real property.	
<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 checked="" type="checkbox"/> <b>Letters</b> 9/2/04		
<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 checked="" type="checkbox"/> <b>9202</b>		
<input type="checkbox"/> <b>Order</b>	X	
<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: KT / LEG</b>
		<b>Reviewed on: 12/17/13</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 2 - Thomas</b>

**Status Hearing Report on First and Final Account and Report filed by Attorney Joanne Sanoian on 12/17/2013 states:**

- This estate consists of a parcel of property valued at **\$5,000.00** at the date of death of **GLADYS THOMAS**;

**Dept. 303, 9:00 a.m. Wednesday, December 18, 2013**

- At the time of filing the initial petition for Letters of Administration, several parties held an interest in the real property; at various times 5 family members held title to the property; none of those parties are alive today, so fractional interests are being distributed;
- The parties who have an interest in the property are not allied, although at one time, it was believed that all parties would work together in developing a plan whereby the parcel of property could be sold for the benefit of all; that proved not to be the case;
- Attorney Sanoian has had no contact with **BRIAN GILMER** (Petitioner/Administrator) in several years; her office has written letters and attempted telephone calls to him; her office has information that he resides in Forest Park, Georgia;
- At the time of **GLADYS THOMAS'S** death, she had 2 children, **CAROL GILMER** and **DANNY THOMAS**;
- As **CAROL GILMER** died after **GLADYS THOMAS**, her interest should be distributed to her estate;
- Attorney Sanoian is informed that **DANNY THOMAS** is alive and will be able to receive his interest;
- Attorney Sanoian requests this Court's assistance in bringing this estate to a close.

**3 Gloria Rascon Acuna (Estate)**

**Case No. 10CEPR00892**

**Atty Kruthers, Heather H (for Petitioner Public Administrator)**

**Report of Administrator of Insolvent Estate and Request for Final Discharge [Prob. C. 11000]**

<b>DOD: 7/13/10</b>	<b>PUBLIC ADMINISTRATOR</b> , Special Administrator, is petitioner.	<p><b>NEEDS/PROBLEMS/ COMMENTS:</b></p> <ol style="list-style-type: none"> <li>Amended Creditor's Claim filed by the Franchise Tax Board on 12/16/13 shows claim now totals \$2,338.67.</li> <li>Administrator Robert Acuna was sent notice at the address for the real property of the estate (4453 W. Princeton Avenue, Fresno). The court may require more information as to the status of the real property.</li> </ol>
<b>Cont. from</b>	<b>ROBERT ACUNA, JR.</b> and <b>DESIREE ACUNA</b> , were appointed as Co-Administrators without bond on 02/18/11 and Letters were issued on 05/26/11.	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	On 4/26/2012 the Court removed Robert Acuna, Jr. and Desiree Acuna as Co-Administrators for failure to respond to the court to close the estate. At the hearing the court appointed the Public Administrator as Special Administrator.	
<input checked="" type="checkbox"/> <b>Verified</b>	According to the original petition for probate, there was 10,000 in personal property and \$100,000 in real property.	
<b>Inventory</b>	Franchise Tax Board filed a creditor's claim in the amount of \$2,020.41 and the Fresno County Tax Collector in the amount of \$263.99.	
<b>PTC</b>	The former administrators will also owe the court in the amount of \$435.00 for the filing fee for filing this petition and \$25.50 for Letters issued to the Public Administrator. The former co-administrators' attorney, Dowling, Aaron Inc. may also be owed fees.	
<b>Not.Cred.</b>	Due to the breach of fiduciary duty, the former Administrators, Robert Acuna Jr. and Desiree Acuna are personally liable to any amounts owed to the creditors including the court.	
<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/	<ol style="list-style-type: none"> <li>The final report be settled, allowed and approved as filed and all acts of petitioner and successor administrator be confirmed and approved;</li> <li>Due to the insufficiency of the estate, it is not possible to pay the outstanding debts of the estate, and there will be no estate to distribute;</li> <li>The court declare that the former co-administrators are personally liable to all creditors;</li> <li>The Fresno County Public Administrator be discharged as successor Administrator.</li> </ol>	
<b>Aff.Pub.</b>		
<input checked="" type="checkbox"/> <b>Sp.Ntc.</b> W/		
<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>		
<input checked="" type="checkbox"/> <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: KT</b></p> <p><b>Reviewed on: 12/16/13</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 3 – Acuna</b></p>

**4 Robert Alfred Acuna, Sr (Estate)**

**Case No. 10CEPR00893**

**Atty Kruthers, Heather H (for Petitioner Public Administrator)**

**Report of Administrator of Insolvent Estate and Request for Final Discharge [Prob. C. 11000]**

<b>DOD: 7/13/10</b>		<p><b>PUBLIC ADMINISTRATOR</b>, Special Administrator, is petitioner.</p> <p><b>ROBERT ACUNA, JR.</b> and <b>DESIREE ACUNA</b>, were appointed as Co-Administrators without bond on 02/18/11 and Letters were issued on 05/26/11.</p> <p>On 4/26/2012 the Court removed Robert Acuna, Jr. and Desiree Acuna as Co-Administrators for failure to respond to the court to close the estate. At the hearing the court appointed the Public Administrator as Special Administrator.</p> <p>According to the original petition for probate, there was 10,000 in personal property and \$100,000 in real property.</p> <p>Franchise Tax Board filed a creditor's claim in the amount of \$3,223.78.</p> <p>The former administrators will also owe the court in the amount of \$435.00 for the filing fee for filing this petition and \$25.50 for Letters issued to the Public Administrator. The former co-administrators' attorney, Dowling, Aaron Inc. may also be owed fees.</p> <p>Due to the breach of fiduciary duty, the former Administrators, Robert Acuna Jr. and Desiree Acuna are personally liable to any amounts owed to the creditors including the court.</p> <p><b>Petitioner prays for an Order:</b></p> <ol style="list-style-type: none"> <li>The final report be settled, allowed and approved as filed and all acts of petitioner and successor administrator be confirmed and approved;</li> <li>Due to the insufficiency of the estate, it is not possible to pay the outstanding debts of the estate, and there will be no estate to distribute.</li> <li>The court declare that the former co-administrators are personally liable to all creditors;</li> <li>The Fresno County Public Administrator be discharged as successor Administrator.</li> </ol>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>Need proof of service on intestate heirs Rosemary Acuna and Lorraine Acuna (decedent's natural children and heirs of this estate.)</li> <li>Amended Creditor's Claim filed by the Franchise Tax Board on 12/16/13 shows claim now totals \$3,432.75.</li> <li>Administrator Robert Acuna was sent notice at the address for the real property of the estate (4453 W. Princeton Avenue, Fresno). The court may require more information as to the status of the real property.</li> </ol>
<b>Cont. from</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> W/		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input checked="" type="checkbox"/>	<b>Sp.Ntc.</b> W/		
<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 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>		
		<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 12/16/13</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 4 - Acuna</b></p>	

**5 Yoshiye Nagahama (Estate)**

**Case No. 12CEPR00905**

**Atty Molsenbocker, Gary L. (for Kurt Nakaoka – Administrator – Petitioner)**

**(1) First and Final Account and Report of Administrator and (2) Petition for Its Settlement, for Allowance of Attorney Fees and for (3) Final Distribution**

<b>DOD: 8-9-12</b>	<b>KURT NAKAOKA</b> , Administrator With Will Annexed, with Full IAEA with bond of \$93,900.00, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>Account period: 8-9-12 through 9-25-13</b>	
	Accounting: \$ 102,483.21	
	Beginning POH: \$ 91,790.00	
	Ending POH: \$ 79,555.34	
	Administrator (Statutory): Waived	
	Attorney (Statutory): \$4,074.50	
	<b>Distribution pursuant to decedent's will and codicil:</b>	
	Kurt Nakaoka: \$75,480.84 cash	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<input checked="" type="checkbox"/> <b>Inventory</b>		
<input checked="" type="checkbox"/> <b>PTC</b>		
<input checked="" type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	W	
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>		
<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> skc
		<b>Reviewed on:</b> 12-13-13
		<b>Updates:</b>
		<b>Recommendation:</b> SUBMITTED
		<b>File 5 – Nagahama</b>

Petition to Determine Title and Request Transfer of Personal Property to the Estate and Assess Statutory Damages Thereto Against Mary J. Quin

DOD:		NEEDS/PROBLEMS/COMMENTS:  <u>CONTINUED TO 1-6-14</u>  Per Order of 12-9-13
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
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Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 12-13-13
		Updates:
		Recommendation:
		File 6 – Martin



Petition for Appointment of Temporary Guardian of the Person

Lauren, 15	<b>TEMPORARY GRANTED EX PARTE; EXPIRES 12/18/13</b>		NEEDS/PROBLEMS/COMMENTS:
Jenelle, 12	RUBEN MACEDO and ERLINDA MACEDO, maternal grandparents, are Petitioners.		<u>CONTINUED FROM 11/2013</u>
Cont. from 112013	Father: JOHNNY JARAMILLO – Personally served 12/06/13		
Aff.Sub.Wit.	Mother: CYNTHIA MACEDO – Consent & Waiver of Notice filed 11/07/13		
✓ Verified	Paternal grandfather: DECEASED		
Inventory	Paternal grandmother: DORA		
PTC	JARAMILLO - Ex Parte Order Dispensing with Notice filed 12/12/13		
Not.Cred.	Sibling: JOHNNY JARAMILLO		
✓ Notice of Hrg	<b>Petitioner alleges</b> that the mother is terminally ill and is currently in hospice care. It is not anticipated that she will live much longer. The mother has nominated Petitioners to be guardians. The children have not visited with their father for approximately 3 years. The mother has custody of the children. Petitioners allege that the father is abusive and has a history of domestic violence in his relationships. Further, Petitioners allege that the last time the girls visited their father, he woke Lauren up and spanked her with a belt in Jenelle's presence. Petitioners state that the girls are afraid of their father and have not visited with him since that incident. Petitioners state that temporary guardianship is necessary because they are fearful that the father will try to take custody of the children when he learns of the mother's illness or passing. The girls do not want to have contact with their father.		
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
✓ Pers.Serv.			
✓ Conf. Screen			
Letters	x		
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order	x		
Aff. Posting			Reviewed by: JF
Status Rpt			Reviewed on: 12/13/13
✓ UCCJEA			Updates:
Citation			Recommendation:
FTB Notice			File 8 – Jaramillo

<b>DOD: 5/12/2010</b>	<b>RICK GONZALEZ</b> was appointed as Administrator without bond and with <b>Limited</b> IAEA authority on 4/22/2013.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: Attorney Gary Bagdasarian substituted in on 10/8/2013.</b></p> <p>1. Need First Account, Petition for Final Distribution</p> <p><u>Note:</u> The three intestate heirs of the estate are the Administrator, Rick Gonzalez, and his two brothers, Louis Edward Gonzalez and John Augustine Miranda.</p>
	Letters issued on 4/26/2013.	
	I & A filed on 10/2/2012 show the estate valued at \$130,400.00, consisting of real property (encumbered) and minimal personal property.	
<b>Cont. from 071713, 082113, 100913</b>	This status hearing was set for the filing of the first account or petition for final distribution.	
<b>Aff.Sub.Wit.</b>	<b>Status Report filed on 12/16/13</b> states the estate is not yet in a condition to close. A buyer has been found for the real property. The Administrator will be filing a report of sale of real property within the next seven days. Petitioner requests an additional 90 days to complete same.	
<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>		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 12/16/13</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 9 – Borunda</b>

<b>DOD: 5-29-10</b>	<p><b>DEBORAH GURRY</b>, Surviving Spouse, was appointed Administrator with Full IAEA without bond and Letters issued on 1-8-13.</p> <p>At hearing on 1-8-13, the Court set status hearing for filing the I&amp;A for 5-17-13.</p> <p>A status report filed 5-13-13 by Attorney Flanigan (not verified by the Administrator) stated that the real property located at 6684 N. El Capitan in Fresno is the only asset of the estate, and is currently in foreclosure. The Administrator has no other funds to pay the costs of administration or to pay the mortgage on the real property asset of the estate. It is likely that after the foreclosure, there will be no assets left in the estate and the probate proceeding will be dismissed. The Administrator is the sole heir and there are no claims superior to the mortgage on the property. Counsel requested a 120 day continuance to file a Petition to close the Probate if dismissal is deemed appropriate.</p> <p><b>At hearing on 9-20-13</b>, Counsel informed the Court that he filed an ex parte petition for dismissal, and the matter was taken off calendar.</p> <p><b>On 10-21-13</b>, the Court set status hearing for 11-15-13 and ordered both Attorney Flanigan and Administrator Deborah Gurry to personally appear. Notice was mailed to Philip Flanigan and Deborah Gurry on 10-21-13.</p> <p><b>On 11-15-13</b>, there were no appearances. The Court continued the matter to 12-18-13 and set an Order to Show Cause re Failure to appear, imposition of sanctions. See Page 10B.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>10A – OFF CALENDAR</u></b></p> <p><b>First and Final Report of Status filed 12-13-13 is set for hearing on 2-4-14.</b></p>
<b>Cont. from 111513</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> skc</p> <p><b>Reviewed on:</b> 12-12-13</p> <p><b>Updates:</b> 12-17-13</p> <p><b>Recommendation:</b></p> <p><b>File 10A– Gurry</b></p>	

	<p><b>DEBORAH GURRY</b>, Surviving Spouse, was appointed Administrator with Full IAEA without bond and Letters issued on 1-8-13.</p> <p><b>On 10-21-13</b>, the Court set a status hearing for 11-15-13 and ordered both Attorney Flanigan and Administrator Deborah Gurry to personally appear. Notice was mailed to Philip Flanigan and Deborah Gurry on 10-21-13.</p> <p><b>Minute Order 11-15-13:</b> No appearances. The Court sets the matter for an Order to Show Cause on 12/18/13 regarding Philip Flanigan and Deborah Gurry's failure to appear. Imposition of sanctions in the amount of \$500.00 each to be addressed at the next hearing. Philip Flanigan and Deborah Gurry are ordered to be personally present on 12/18/13. Continued to 12-18-13 at 9am in Dept 303. Set on 12-18-13 at 9am in Dept 303 for Order to Show Cause Re: Failure to Appear; Imposition of Sanctions in the Amount of \$500.00.</p> <p><u>Note:</u> Copies of the Minute Order and Order to Show Cause were mailed to Philip Flanigan and Deborah Gurry on 11-20-13 and 12-2-13.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p style="text-align: center;"><b><u>10B – OFF CALENDAR</u></b></p> <p><b>Background:</b> Letters of Administration issued to Surviving Spouse Deborah Gurry on 1-8-13. At a status hearing for the filing of the Inventory and Appraisal on 5-17-13, the Court continued the matter to 9-20-13. On 9-20-13, the attorney reported that he filed an ex parte petition for dismissal and the matter was taken off calendar.</p> <p>However, upon review, the Court reset the matter for status for 11-15-13 because the filing of an ex parte petition for discharge is not appropriate once Letters have issued. Notice indicated that both the attorney and the Administrator were ordered to appear.</p> <p>However, on 11-15-13, there were no appearances. The Court set this OSC re Failure to Appear and Sanctions. See Minute Order.</p> <p><b>Update:</b> On 12-13-13, a First and Final Report was filed and set for hearing on 2-4-14; therefore, the Status Hearing on the filing (Page 10A) was taken off calendar. However, as this OSC was set by the Court, it cannot be administratively taken off calendar.</p> <p><b>Note:</b> The First and Final Report will be reviewed prior to hearing on 2-4-14.</p>
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: skc
		Reviewed on: 12-12-13
		Updates: 12-17-13
		Recommendation:
		File 10B – Gurry

		<b>TEMP EXPIRES 12-18-13</b>	<p><b>ANTHONY MICHAEL POWER and LISA CHAPMAN</b>, brother and maternal aunt, are Petitioners.</p> <p>Father: <b>LUIS GABRIEL RODRIGUEZ</b> (Deceased)</p> <p>Mother: <b>JESSICA STORMO</b> (Deceased)</p> <p>Paternal Grandfather: Luis Rodriguez, Sr. (Deceased)</p> <p>Paternal Grandmother: Judith K. Botello - Served by mail 10-21-13</p> <p>Maternal Grandfather: Gerold Stormo (Deceased)</p> <p>Maternal Grandmother: Mary Diana Stormo - Served by mail 10-21-13</p> <p>Siblings: Melanie Rodriguez, Lorena Rodriguez - Served by mail 10-21-13</p> <p><b>Petitioners state</b> the minor's parents are deceased. Petitioners have a close relationship with her and there is no one else capable of providing care, maintenance and support for her. The minor receives Social Security and death benefits as a result of her father's death in 2002; therefore, Petitioners are requesting guardianship of the person and of the estate. <b>Estimated Value of Estate: Annual income: \$40,357.72</b></p> <p><b>Court Investigator Charlotte Bien filed a report on 12-6-13.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: This minor resides with Petitioner Lisa Chapman in Ventura County.</b> The Court may request clarification regarding Fresno as the appropriate venue for this guardianship, or whether transfer may be appropriate pursuant to Probate Code §2210 et seq., considering the additional filings and maintenance that will be required if guardianship of the estate is established.</p> <p><b>If guardianship of the estate is granted and venue will remain here in Fresno, the Court will set the following status hearings:</b></p> <ul style="list-style-type: none"> <li>• Friday 2-7-14 for filing of <u>bond in the amount of \$44,393.49</u> (based on annual income and cost of recovery pursuant to Probate Code §2320(c)(4) and Cal. Rules of Court 7.207</li> <li>• Friday 4-11-14 for filing of Inventory and Appraisal pursuant to Probate Code §2610</li> <li>• Friday 4-10-15 for filing the first account current pursuant to Probate Code §2620</li> </ul> <p>If the appropriate items are on file prior to the status hearing date pursuant to Local Rule 7.5, the status hearings may be taken off calendar upon review.</p>
	<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>	W		
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
✓	<b>Pers.Serv.</b>	W		
✓	<b>Conf. Screen</b>			
✓	<b>Letters</b>			
✓	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
✓	<b>CI Report</b>			
✓	<b>Clearances</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
✓	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			

Age: 15		<b><u>TEMPORARY EXPIRES 12/18/13</u></b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>ANTHONY POWER</b> , brother, and <b>LISA CHAPMAN</b> , maternal aunt, are Petitioners.		1. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ul style="list-style-type: none"> <li>- Paternal grandfather</li> <li>- Janice Power (paternal grandmother)</li> <li>- Gerald Stormo – maternal grandfather</li> </ul>	
Cont. from		Father: <b>DOUGLAS POWER</b> – <i>Personally served on 11/05/13</i>			
<input type="checkbox"/>	Aff.Sub.Wit.	Mother: <b>JESSICA STORMO</b> - <i>deceased</i>			
<input checked="" type="checkbox"/>	Verified	Paternal grandfather: UNKNOWN			
<input type="checkbox"/>	Inventory	Paternal grandmother: JANICE POWER			
<input type="checkbox"/>	PTC	Maternal grandfather: GERALD STORMO			
<input type="checkbox"/>	Not.Cred.	Maternal grandmother: MARY STORMO			
<input checked="" type="checkbox"/>	Notice of Hrg	– <i>Served by mail on 10/21/13</i>			
<input checked="" type="checkbox"/>	Aff.Mail	<b>Petitioners state</b> the minor's mother passed away on 08/30/13. His father is currently incarcerated in Kings County and has had very little contact with the minor his entire life. Petitioners state that they have a close relationship with Daniel and there is no one other than them capable of providing the care, maintenance and support the minor needs.			
<input type="checkbox"/>	Aff.Pub.				
<input type="checkbox"/>	Sp.Ntc.				
<input checked="" type="checkbox"/>	Pers.Serv.				
<input type="checkbox"/>	Conf. Screen				
<input checked="" type="checkbox"/>	Letters				
<input checked="" type="checkbox"/>	Duties/Supp				
<input type="checkbox"/>	Objections				
<input type="checkbox"/>	Video Receipt				
<input checked="" type="checkbox"/>	CI Report			<b>Court Investigator Charlotte Bien filed a report on 12/06/13.</b>	
<input type="checkbox"/>	9202				
<input checked="" type="checkbox"/>	Order				
<input type="checkbox"/>	Aff. Posting				
<input type="checkbox"/>	Status Rpt				
<input checked="" type="checkbox"/>	UCCJEA				
<input type="checkbox"/>	Citation				
<input type="checkbox"/>	FTB Notice				
				Reviewed by: JF	
				Reviewed on: 12/13/13	
				Updates:	
				Recommendation:	
				File 12 – Power	

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

<b>DOD: 02/06/2012</b>	<b>ANH PHU TU</b> , surviving spouse is petitioner and requests appointment as Executor without bond.		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>The following issues still remain:</b></p> <ol style="list-style-type: none"> <li>1. Petition states decedent died intestate. Petitioner requests appointment as executor, if decedent died without a will petition should request appointment as administrator.</li> <li>2. #5a(7) or 5a(8) of the Petition was not answered regarding issue of predeceased child.</li> </ol> <p><b>Note: If the petition is granted status hearings will be set as follows:</b></p> <ul style="list-style-type: none"> <li>• <b>Friday, 05/16/2014 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u></li> <li>• <b>Friday, 02/20/2015 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
	All heirs waive bond		
<b>Cont. from 111313</b>	Full IAEA – o.k.		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Decedent died intestate		
<input checked="" type="checkbox"/> <b>Verified</b>	Residence: Fresno		
<input type="checkbox"/> <b>Inventory</b>	Publication: The Business Journal		
<input type="checkbox"/> <b>PTC</b>	<b>Estimated value of the Estate:</b>		
<input type="checkbox"/> <b>Not.Cred.</b>	Real property - \$331,293.00		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	Less Encumbrances - \$323,194.00		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	w/	<b>Total: \$8,099.00</b>	
<input type="checkbox"/> <b>Aff.Pub.</b>	Probate Referee: Rick Smith		
<input type="checkbox"/> <b>Sp.Ntc.</b>			
<input type="checkbox"/> <b>Pers.Serv.</b>			
<input 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>			
<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> LV
			<b>Reviewed on:</b> 12/13/2013
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 13 – Dunn</b>

<b>DOD: 09/15/04</b>		<p><b>PUBLIC GUARDIAN</b>, Administrator, is Petitioner.</p> <p><b>Petitioner states:</b></p> <ol style="list-style-type: none"> <li>Petitioner was appointed successor Administrator on 06/10/19. Petitioner was not provided any information upon his appointment.</li> <li>According to the Court's file, the only asset of the estate was real property located at 6649 S. Smith Avenue, Parlier, CA.</li> <li>Petitioner contacted a title company and confirmed that the property is not vested in the name of the decedent.</li> <li>According to the former Administrator, Nobuto Yoshido, there were no assets in the estate. He stated that he did not report to the Court that there was no assets because he thought the case would just be closed.</li> <li>Petitioner states that there were never any assets in the estate to marshal, no Inventory &amp; Appraisal was ever filed.</li> </ol> <p><b>Petitioner prays for an Order:</b></p> <ol style="list-style-type: none"> <li>Settling, allowing and approving the Report of Administrator of Insolvent Estate and Request for Final Discharge;</li> <li>Discharging the Public Administrator as successor Administrator of the estate.</li> </ol>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>The original Petition for Probate filed by the former Administrator estimated that there was personal property of \$500,000.00 in the estate and no real property. The present Petition indicates that the Petitioner investigated whether the decedent had any real property but does not address personal property. It is unclear whether there were personal property assets of the estate and if so what happened to those assets. The Court may require more information.</li> </ol>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b> x		
<input type="checkbox"/>	<b>PTC</b> x		
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<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> 08/22/06		
<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> n/a		
<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> n/a		



<p>DOD: 11-29-12</p> <p>Aff.Sub.Wit.</p> <p>Verified</p> <p>Inventory</p> <p>PTC</p> <p>Not.Cred.</p> <p>Notice of Hrg</p> <p>Aff.Mail</p> <p>Aff.Pub.</p> <p>Sp.Ntc.</p> <p>Pers.Serv.</p> <p>Conf. Screen</p> <p>Letters</p> <p>Duties/Supp</p> <p>Objections</p> <p>Video Receipt</p> <p>CI Report</p> <p>9202</p> <p>Order</p> <p>Aff. Posting</p> <p>Status Rpt</p> <p>UCCJEA</p> <p>Citation</p> <p>FTB Notice</p>	<p><b>SPECIAL ADMINISTRATION EXPIRES 1-7-13 (per Minute Order 12-3-13)</b></p> <p><b>DOUGLAS CLEVINGER</b> was appointed Special Administrator without bond on 9-24-13 with authority to enter into an exclusive listing agreement and contract to sell certain real property of the decedent.</p> <p>At the hearing on 9-24-13, the Court continued the Petition for Special Administration to a future date ("PENDING" per Minute Order) and also set a separate status hearing for 1-24-14.</p> <p>Pursuant to the Order signed 9-27-13: <i>"This matter is continued to determine the disposition of the sale proceeds, and such continued hearing shall occur on the same date as the petition to sell the real property, which notice of such continued hearing to be provided under Probate Code §1220 and published pursuant to Probate Code §8121."</i></p> <p>The Report of Sale and Petition for Order Confirming Sale of Real Property filed 10-24-13 was set for hearing on 12-3-13; therefore, the Petition for Special Administration was also re-set pursuant to the order and addressed on 12-3-13.</p> <p>On 12-3-13, the Court confirmed the sale of the real property for \$96,000.00 and ordered the proceeds deposited to a blocked account.</p> <p>The Court set this status hearing for the filing of the receipt for blocked account.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><b><u>OFF CALENDAR</u></b></p> <p><del>1. Need receipt for blocked account.</del></p> <p>Receipt filed 12-17-13.</p> <p><b>Note:</b> There appear to be two (2) upcoming hearing dates set for status of the special administration:</p> <ul style="list-style-type: none"> <li>1-7-14 (pursuant to the Court's minute order of 12-3-13)</li> <li>1-24-14 (pursuant to the Court's original minute order of 9-24-13)</li> </ul> <p>Examiner notes that at this time, a formal petition for probate has not yet been filed, and notice has not been published pursuant to Probate Code §8121 and the Order filed 9-23-13.</p> <p><b>Note:</b> A Request for Special Notice was filed 9-30-13 by Attorney Tracy M. Potts. If this status matter is continued, the Court may require notice as appropriate.</p> <p>Reviewed by: skc</p> <p>Reviewed on: 12-13-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15 - Fore</p>
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Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)

Age: 11 months	<b>TEMPORARY EXPIRES 12/18/2013</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>GENERAL HEARING 02/06/2014</b>	
Cont. from	LISA V. REECE, cousin, is petitioner.	1. Need Notice of Hearing. 2. Need proof of personal service five (5) Court days prior to the hearing of the notice of hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice: <ul style="list-style-type: none"> <li>• Jeff Don McKenzie (Father) – Unless the Court dispenses with Notice</li> <li>• Ashley Fisher (Mother) – Unless the Court dispenses with Notice</li> </ul>
Aff.Sub.Wit.	Father: <b>JEFF DON MCKENZIE</b> , Declaration of Due Diligence filed on 12/06/2013	
✓ Verified	Mother: <b>ASHLEY FISHER</b> , Declaration of Due Diligence filed on 12/06/2013	<b>Note:</b> Declaration of Due Diligence filed 12/06/2013 states that the petitioner was unable to find the parents. Petitioner's last contact with the mother was when she asked the petitioner to pick up the child because she was going to jail. 3. UCCJEA does not provide where the child has resided since birth as required.
Inventory	Paternal Grandparents: Unknown, Declaration of Due Diligence filed on 12/06/2013	
PTC	Maternal Grandfather: Ezequial Ordundo, Declaration of Due Diligence filed on 12/06/2013	<b>Reviewed by:</b> LV <b>Reviewed on:</b> 12/13/2013 <b>Updates:</b> <b>Recommendation:</b> <b>File 16 – McKenzie</b>
Not.Cred.	Maternal Grandmother: Debra Fisher, Consents and Waives Notice	
Notice of Hrg	<b>Petitioner states:</b> parents are nowhere to be found and are believed to be on meth and living in the streets. The baby is sick and is need of medical attention. The child has not received his shots and has a bad cough. The doctors will not see the child without the court documents.  Petitioner requests to be excused from noticing the parents as she has looked everywhere for them.	
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		

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

<b>Age: 13</b>	<b>GENERAL HEARING 02/05/2014</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>JUDY SISCO</b> , maternal grandmother is petitioner.	1. Need Notice of Hearing.
<b>Cont. from</b>	Father: <b>MATTHEW HARDY</b>	2. Need proof of personal service five (5) Court days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice declaration of due diligence for:
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Mother: <b>JOANNA SISCO</b>	<ul style="list-style-type: none"> <li>• Matthew Hardy (Father)</li> <li>• Joanna Sisco (Mother)- Unless the Court dispenses with notice</li> <li>• Donald Lee Hardy (Minor)</li> </ul>
<input checked="" type="checkbox"/> <b>Verified</b>	Paternal Grandfather: Bob Hardy, Deceased	
<input type="checkbox"/> <b>Inventory</b>	Paternal Grandmother: Wilvona Hardy	
<input type="checkbox"/> <b>PTC</b>	Maternal Grandfather: Donald Sisco, Deceased	
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Notice of Hrg</b>		
<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 checked="" type="checkbox"/> <b>Conf. Screen</b>	<b>Petitioner states:</b> the mother is a great danger to the child as she is both mentally and physically unstable. She throws things, uses foul language and also threatens to kill them. Petitioner states that if guardianship is not granted CPS will put the child in Foster Care.	
<input checked="" type="checkbox"/> <b>Letters</b>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>	Petitioner requests to be excused from noticing the mother as the petitioner is unable to locate her. Petitioner has attempted to contact her last known phone number, various shelters and through other family members.	
<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 checked="" type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> LV
		<b>Reviewed on:</b> 12/16/2013
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 17 – Hardy</b>



## Page 2

**Petitioner states:** What was unknown by Petitioner and his counsel at the time of the 12-3-13 hearing was the fact that because the \$150,000.00 was withdrawn from a tax-deferred account, the funds must be re-deposited into the account by a certain date in order to avoid a monetary penalty. This certain date is 12-20-13.

As indicated, the Court was made aware of the cash offer at the last hearing, at which time, counsel for Jamie Thomas indicated that she would not agree to the sale because without a listing on the Multiple Listing Service it is unknown if a higher offer would be made on the property.

At the 12-3-13 hearing, the Court suggested that if necessary, a Petition for Instructions could be brought with respect to the sale of the property. Given that the Court is familiar with the issue of the sale of the property, and in consideration of the deadline of 12-20-13 for the buyer to return the cash funds, Petitioner is requesting that the Court approve the sale of the property to the buyer for a total cash amount of \$150,000.00.

Petitioner believes this is a very good offer because it is a cash offer within \$10,000.00 of the appraised value and there will be no commission or broker fees deducted from the proceeds. Attached is a summary report of the recent sales in the area of the property prepared by local realtor Jeri Kuddes, with Guarantee Real Estate. Ms. Kuddes has been selling property for over 20 years with her focus being in the foothills area where the property is located. See Exhibit "C."

Alternatively, realizing that a Petition for Instructions was already suggested by the Court, Petitioner requests that this Ex Parte Application be heard on or before 12-19-13 with notice and a copy of the instant application to be served prior to that hearing date.

**Petitioner seeks:**

1. An order authorizing the sale of the property to Laura Yager for \$150,000.00 cash and to be distributed to the trust beneficiaries pursuant to the trust's terms; or alternatively
2. An order setting the instant application for hearing on or before 12-19-13 with notice of said hearing and a copy of the application to be served on all parties prior to said date.

Trustee Gary C. Hamilton filed an additional Declaration in support of the ex parte petition.

On 12-10-13, the Court ordered that the matter be scheduled for hearing on 12-18-13 with notice to be served by 5pm on Monday 12-16-13.

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**NEEDS/PROBLEMS/COMMENT (Continued):**

3. The petition states the proposed buyer is Laura Yager. However, the Proposed Order authorizes sale to Jeremy Yager. Need clarification.