



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.

Attorney Heather H. Kruthers (for Public Guardian, Conservator)

Probate Status Hearing Re: Status of Filing Fourth Accounting

DOD: 4/16/2016	<p>PUBLIC GUARDIAN, was appointed Conservator of the Person and Estate on 11/21/06.</p> <p>Public Guardian's Third Account was approved on 09/12/13. Minute order from 09/12/13 set this status hearing regarding filing of the Fourth Account.</p> <p>Status Report Re: Filing of the Fourth Account filed 5/5/2016 for the previous Status Hearing states:</p> <ul style="list-style-type: none"> At the 2/16/2016 hearing, the matter was continued to 5/17/2016; On 4/16/2016, the Conservatee passed away; Rather than filing a 4th account and then a 5th and final account, the Public Guardian will be filing a 4th and final account; However, the investment statement covering April has not been received to date, which will not allow time to complete the schedules and to prepare and file the final account before 5/17/2016; It is respectfully requested that the next status hearing for this matter be set no sooner than 60 days from the date of this hearing. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR</p> <p><i>Fourth and Final Account and Report of Conservator, etc., filed on 9/20/2016 is set for hearing on 11/3/2016.</i></p>
Cont. from 111315, 021616, 051716, 072616		
<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		
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<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		
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<input type="checkbox"/> Aff. Posting		
<input checked="" type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF / LEG
		Reviewed on: 9/21/16
		Updates:
		Recommendation:
		File 1 - Dunlop

Petition to Fix Residence Outside of California

		<p>MONIQUE SISSION, Maternal Grandmother and Guardian appointed 2/11/09, is Petitioner.</p> <p>Petitioner requests the Court authorize that the residence of the minor be fixed outside the State of California to an address in St. Helens, Oregon.</p> <p>Petitioner states spouse received a job offer in Portland, OR. The move will benefit the family financially as well as provide a good climate. Medical treatment and curricular (IEP) will continue in the new state.</p> <p>Petitioner states there are no visitation or contact orders.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. It appears there is a balance owing to the Court of \$730.00 for the initial Court Investigation Fee.</p> <p>Note: If granted, the Court will set a status hearing for establishment of a guardianship or equivalent in Oregon pursuant to Probate Code §2352(d) as follows:</p> <ul style="list-style-type: none"> • Tuesday, March 28, 2017 	
Cont. from 081616				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
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<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
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<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: skc</p> <p>Reviewed on: 9/21/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2- Lenz</p>		

3 Savanna Makai McJamerson, Niahlee Lowe, Case No. 09CEPR00559 and Russell Lee Lowe Jr., IV (GUARD/P)

Petitioner Ramos, Frances (Pro Per – Maternal Great-Grandmother – Petitioner)

Petitioner Hernandez, Jo-Ann – Maternal Great-Aunt – Petitioner)

Petition for Appointment of Guardian of the Person (Russell only)

	See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>This petition pertains to Russell only.</u></p> <p>Minute Order 8/8/16 (Temp): The Court grants permission to notice Russell Lowe, Jr., father, via Facebook or text message, with all pertinent information included. Frances Ramos represents that Rose Hernandez signed the consent form on 7/22/16.</p>
<input type="checkbox"/>	Aff.Sub.Wit.	
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<input checked="" type="checkbox"/>	Notice of Hrg	
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<input checked="" type="checkbox"/>	Letters	
<input checked="" type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input checked="" type="checkbox"/>	CI Report	
<input checked="" type="checkbox"/>	Clearances	
<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: skc
		Reviewed on: 9/21/16
		Updates:
		Recommendation:
		File 3- McJamerson & Lowe

Second Amended Account Current and Report of Conservator; Petition of Conservator
Petition for its Settlement, for Allowance of Attorneys Compensation and for its Termination

		<p>DEBRA PASLEY, Mother and Conservator of the Person and Estate with bond of \$15,000.00, is Petitioner. <i>(Not verified.)</i></p> <p>Account period: 3/28/13 – 10/17/14 Accounting: <u>Not provided</u> Beginning POH: \$13,438.31 Ending POH: \$70,195.61 (\$1,715.61 plus a 1/5 interest in real property in Virginia valued at \$68,480.00)</p> <p>Petitioner states: Inventory and Appraisal was filed 6/5/13 showing the value of the estate to be \$13,438.31. Summary of account and supporting schedules are provided at Exhibit B. <i>(See #1.)</i></p> <p>As reflected in prior pleadings, the Conservator and Conservatee moved out of state. The Conservator was appointed Guardian of the Conservatee in Oklahoma by Court order and Letters issued on 8/13/14.</p> <p>Petitioner does not request compensation for her services.</p> <p>Petitioner requests attorney's compensation as set forth in Exhibit "C." <i>(See #3.)</i></p> <p>Petitioner prays:</p> <ol style="list-style-type: none"> 1. That this account and report be approved and settled; 2. That the acts of the Conservator shown in the account and report be approved; 3. That, upon settlement of this account, the Conservator be directed to pay her attorneys, McCormick Barstow, LLP, compensation for services rendered and, as yet, unpaid; 4. That the Conservatorship in California be terminated; and 5. That the Court grant such other and further relief as it deems just and proper. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 5/17/16: Counsel represents that they have re-established contact with their client; requests 60 days.</p> <p>As of 9/21/16, nothing further has been filed. The following issues remain noted:</p> <p style="text-align: center;"><u>SEE PAGE 2</u></p>
<p>Cont. from 042315, 060215, 081815, 091515, 102015, 120115, 010516, 020916, 051716, 072616</p>			
	Aff.Sub.Wit.		
	Verified	x	
✓	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	x	
	Aff.Mail	x	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters	3/28/13	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	x	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			<p>Reviewed by: skc</p> <p>Reviewed on: 9/21/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 – Pasley</p>

Page 2 – NEEDS/PROBLEMS/COMMENTS:

1. This petition does not provide any accounting in the form required by Probate Code §§ 2620, 1060, or any mandatory schedules on the required Judicial Council forms.

Need amended petition with accounting, schedules, including required mandatory form for summary. Although Petitioner has been appointed Guardian in Oklahoma, this Court retains jurisdiction for settling accounts pursuant to Probate Code §2630.

The only schedule provided at Exhibit B is a statement of property on hand, labeled as “receipts,” but which does not show any account summary, receipts, disbursements, etc., and further indicates that the conservatorship estate cash has been reduced by \$11,722.70 without explanation.

Note: The Conservatee’s interest in the Virginia real property is not an asset of this conservatorship estate, but should be referenced in its own schedule pursuant to §1063(h).

2. This petition is not verified by the Conservator as required by Probate Code §§ 1021, 1023. (Note: §1023 provides that an attorney may sign or verify on a client’s behalf if he or she is absent from the county unless the person is a fiduciary appointing in the proceeding.)
3. Petitioner requests attorney’s compensation pursuant to Exhibit C, but no Exhibit C is attached.
4. Need Notice of Hearing.
5. Need proof of service of Notice of Hearing at least 15 days prior to the hearing pursuant to Probate Code §1460(b)(6) on:
 - Morgan Elizabeth Pasley (Conservatee)
 - Debra Pasley (Conservator/Fiduciary, since the petition is not verified by her)
 - David Hal Jones (Father)
6. *The Court may also require notice to the surety of any continued or future hearings.*

Status RE: First Account

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>First account settled 7/13/16.</p>
Cont. from 041316		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<input type="checkbox"/>	Notice of Hrg	
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<input type="checkbox"/>	Letters	
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<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input type="checkbox"/>	CI Report	
<input type="checkbox"/>	9202	
<input type="checkbox"/>	Order	
<input type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: skc
		Reviewed on: 9/21/16
		Updates:
		Recommendation:
		File 5- Greenberg

Probate Status Hearing RE: Filing of the First and Final Account

DOD: 6/18/14	<p>ALESHA J. JENSEN, Daughter, was appointed Administrator with Full IAEA without bond on 12/9/14. Letters issued on 12/10/14.</p> <p>At the hearing on 12/9/14, the Court set this status hearing for the filing of the first account or petition for final distribution.</p> <p>Status Report filed 7/25/16 states the Administrator is preparing to file a petition for final distribution of the estate. However, more than 75% of the value is comprised of personal property such as vehicles, tractors, equipment, guns, tools, etc., that is not easily distributed in undivided interests. The heirs would like for certain items to be distributed in kind, and one desires to purchase the other heirs' interests in certain items. The family does not wish them to be sold. The Administrator is optimistic that the prospective heir remains in the process of arranging for financing. Therefore, an additional 60 days is requested to allow the purchasing heir time to obtain financing and complete the sale.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account or petition for final distribution or current written status report per Local Rule 7.5.</p>
Cont. from 020916, 051016, 072616		
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: 9/21/16
		Updates:
		Recommendation:
		File 9- Bergen

Probate Status Hearing RE: First or Final Account

DOD: 11/19/2014	PUBLIC ADMINISTRATOR was appointed administrator of the estate with full IAEA without bond on 4/7/2015. <i>Letters issued 4/7/2015.</i>	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service of the status report on William Liddle (son), pursuant to Local Rule 7.5.
	I&A filed 6/15/2015 - \$125,000.00 (<i>real property</i>)	
Cont. from 061416	Minute order dated 4/7/2015 set this status hearing for filing of the account.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory	Status Report by Public Administrator filed 5/23/2016 states the current estate balance is \$541.94. The real property was foreclosed and sold on 11/23/2015.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	x The PA received a check from State Farm for biohazard cleanup of the house. CaTraumaTech (CTT) was paid \$5,647.50 on 12/14/2014. The invoice says some selected valued household items were removed and transported to the CTT warehouse to be inspected/decontaminated. There is no inventory of what was taken by CTT and no mention if it was ever returned. There is a handwritten note in the case from the District Attorney employee who temporarily handled this estate, saying he was going to follow up on that.	
<input type="checkbox"/> Aff.Mail	x	
<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	Personal property from the house was sold at auction. PA received various checks from State Farm and Ocwen Loan.	
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202	There are several creditor's claims that have been received. The estate has paid probate referee and publication fees.	
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input checked="" type="checkbox"/> Status Rpt	The current Deputy PA now responsible for this matter has sent an email to the DA employee asking him if he ever got any information regarding the valued property that was removed from the house by CTT. If there are no valued items still in the possession of CTT, then there are no other assets to marshal.	
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice	To allow time to affirm what assets may currently belong to the estate and to file an account, it is requested that this status hearing be continued for 90 days.	
		Reviewed by: SEF
		Reviewed on: 9/21/2016
		Updates:
		Recommendation:
		File 10- Liddle

First and Final Account and Report of Conservator: Petition for Allowance of Compensation to Conservator and Her Attorney

	PUBLIC GUARDIAN , Conservator, is Petitioner.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: The petition for appointment of Marion Austin, professional fiduciary, as successor conservator of the person and estate was continued to 10/12/16 to meet up with the competing petition filed by Christina Fishinghawk. The PG filed a declaration in support of Ms. Austin's petition.</p> <p>Note: There is a balance of \$547.00 remaining due for outstanding court investigation fees.</p> <p>Note: It does not appear that any Inventory and Appraisal was ever filed pursuant to Probate Code §2610. The accounting reflects beginning POH of zero, and that two accounts were marshaled and closed by the PG, with funds held in the PG's pooled trust account. No income, other than interest, was received by the conservatorship estate.</p> <p>Reviewed by: skc</p> <p>Reviewed on: 9/21/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13- Doyle</p>
	Account period: 10/30/15 – 6/30/16		
	Accounting: \$795.21		
	Beginning POH: \$ 0.00		
	Ending POH: \$713.21		
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w	
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	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
	<p>Conservator: \$2,358.00 (for 21 Deputy hours @ \$96/hr and 4.5 Staff hours @ \$76/hr itemized at Exhibit B)</p> <p>Attorney: \$1,250.00 (less than local rule)</p> <p>Costs: \$104.00 (certified letters)</p> <p>Petitioner states after only partial payment, there will be no assets to distribute. Petitioner requests that due to the insufficiency of the estate to pay fees and commissions, that Marion Austin, as trustee of the conservatee's trust, be directed to pay any outstanding fees from the conservatee's trust assets.</p> <p>Petitioner prays for an order:</p> <ol style="list-style-type: none"> 1. Approving, allowing, and settling the first and final account; 2. Authorizing the conservator's and attorney's fees and commissions; 3. Authorizing payment of the certification fees; 4. Ordering that a lien be imposed against the estate for any unpaid balance of the authorized fees and commissions; and 5. Any other orders that the Court considers proper. 		

Petition for Appointment of Guardian of the Person

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> All receipts for the mailed notice re ICWA have been filed.</p> <p><u>Minute Order 8/23/16:</u> Examiner notes provided in open court.</p> <p>1. Notice of Hearing filed 9/1/16 indicates mailed service on the father. Probate Code §1511 requires personal service. The Court may require further notice.</p>	
Cont. from 062116, 080216, 082316				
<input type="checkbox"/>	Aff.Sub.Wit.			
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<input type="checkbox"/>	Inventory			
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<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Reviewed by: skc		
		Reviewed on: 9/21/16		
		Updates:		
		Recommendation:		
		File 17- Bill		

Petition for Appointment of Probate Conservator of the Person and Estate

See petition for details.			<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 8/16/16:</u> Examiner notes provided in open court. Any written objections are to be filed and properly served by 9/12/16.</p> <p>Note: As of 9/21/16, nothing further has been filed. The following issues remain noted:</p> <p><u>SEE ADDITONAL PAGES</u></p>
Cont. from 081616			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w/o	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	x	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation	x	
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 9/21/16
			Updates:
			Recommendation:
			File 22A- Amarillas

Page 3 – NEEDS/PROBLEMS/COMMENTS:

Note: The Fee Waiver was denied; therefore, filing fees will be due upon appointment.

Note: Petitioner requests various additional powers that are do not appear applicable to this proposed conservatee's situation, including under §§ 1873, 1901, 2351-2358, and 2590.

Note: Petitioner requests dementia medication and placement powers under Probate Code §2356.5 via separate **Petition for Exclusive Authority to Give Consent for Medical Treatment** (Page B). However, this request is typically included within the conservatorship petition by checking #1k.

Therefore, this petition is reviewed as a petition for conservatorship with:

- **Medical consent powers under §2355**
- **Dementia medication and placement powers under §2356.5.**

1. Petitioner did not include the *Form GC-313 Attachment Requesting Special Orders Re Dementia* with this petition or with the separate petition. Need GC-313 if dementia medication and placement powers are requested.
2. Also, if dementia powers are requested, continuance is necessary in order for an attorney to be appointed for the Proposed Conservatee pursuant to Probate Code §2356.5(f)(1).
3. Need Capacity Declaration (GC-335) together with separate Dementia Attachment (GC-335A) if dementia powers are requested.
4. Need Citation and proof of personal service of Citation with a copy of the petition and with dementia attachment at least 15 days prior to the hearing per Probate Code §1824 on Proposed Conservatee Luz Amarillas.
5. Petitioner's Notice of Hearing filed 7/27/16 does not indicate that a copy of the petition was included with the service, and it appears some relatives were omitted from the list. Also, because additional powers are requested as set forth above, the additional Dementia Attachment will need to be included in the service. Therefore, need proof of service of Notice of Hearing with a copy of the petition and with dementia attachment at least 15 days prior to the hearing on:
 - Ana Esparza (Sister)
 - Joe Mendez (Brother)
 - Jesse Mendez (Brother)
 - Reymundo Amarillas (Son)
 - Victor Amarillas (Grandson)
 - Daniel Haro (Grandson)
 (Note: Cal. Rule of Court 7.51 requires service to minors and to their parent or guardian.)
6. The petition is blank at #3e re estimated value of conservatorship estate. Need declaration setting fort the character and estimated value of the property of the estate, including personal property assets, annual income, and real property, as requested at #3e.
7. Pursuant to Probate Code 2320(c)(4) and Cal. Rule of Court 7.207, conservator of the estate must furnish bond including cost of recovery. Need estimated value of conservatorship estate per #6 above to calculate bond. Based on income alone as reported by the Court Investigator, bond should be at least \$73,352.40.

Note: If granted, the Court will set status hearings as follows:

- **Tuesday, Nov. 8, 2016 for filing of bond;**
- **Tuesday, Jan. 31, 2017 for filing the Inventory and Appraisal**
- **Tuesday, Nov. 28, 2017 for filing the first account.**

If the proper items are on file, the status hearings may come off calendar. Otherwise, status report is required per Local Rule 7.5.

Order to Show Cause

DOD: 1/13/15	<p>ROBERT SEAN BAKER, Son, was appointed Administrator without IAEA and without bond on 6/8/15.</p> <p>At the hearing on 6/8/15, the Court set a status hearing for 8/9/16 for the filing of the first or final account.</p> <p>At the status hearing on 8/9/16, there were no appearances and the Court issued this Order to Show Cause to Daniel Bruce as to why he should not be sanctioned for his failure to appear, and to Robert Baker, as to why he should not be removed as Administrator for his failure to file a first or final account. Both are ordered to be personally present in Court or via CourtCall on 9/20/16.</p> <p>The minute order was mailed to Attorney Bruce and Mr. Baker on 8/9/16.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 9/20/16: Counsel represents that he received a text message just before court indicating that he was in a traffic accident. Counsel requests a continuance and represents that the property is still in the estate with his client paying the mortgage.</p> <p>Note: Final I&A filed 1/11/16 indicates real property in Del Rey, CA, valued at \$350,000.00. Pursuant to a declaration filed 6/5/15, the mortgage on the property was seriously delinquent at the decedent's death and the Administrator paid out of pocket to stop the non-judicial foreclosure. Administrator is the sole heir; however, various creditor's claims have been filed.</p> <p>1. Need first account or petition for final distribution pursuant to Probate Code §12200 or written status report pursuant to Local Rule 7.5.</p>
Cont. from 092016		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
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Reviewed on: 9/21/16		
Updates:		
Recommendation:		
File 27- Richardson		