



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.

Status RE: Report from the Public Administrator

DOD: 6/10/94	The FRESNO COUNTY PUBLIC ADMINISTRATOR was appointed Successor Administrator on 9/7/16.	NEEDS/PROBLEMS/COMMENTS: 1. Need petition for final distribution pursuant to Probate Code §12200 or written status report pursuant to Local Rule 7.5.
Aff.Sub.Wit.	Minute Order 9/7/16: Counsel represents that two heirs have been identified, but he has not made contact. Furthermore, the home is boarded up and taxes are delinquent. The Court orders the Public Administrator appointed to marshal the assets and close the estate.	
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	History: TONY RECEK , Friend, was appointed Executor with Full IAEA without bond on 7/26/94 and Letters issued on 7/27/94. (A corrected order was entered 8/9/94 due to clerical error.)	
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA	The Petition for Probate alleged that the decedent was not survived by spouse, issue, or issue of predeceased child, but had a will dated 5/27/94, which made various specific devises of real and personal property to various parties. The will was admitted to probate on 7/26/94.	
Citation		
FTB Notice		
	Final I&A filed 11/8/94 indicated a total estate value of \$84,360.55 consisting of	Reviewed by: skc Reviewed on: 9/26/16 Updates: Recommendation: File 1- Bond
	<ul style="list-style-type: none"> • Cash of \$25,869.95 • Real property located at 1515 E. Fountain Way in Fresno • Personal property including vehicle, gun collection, jewelry, book collection, furnishings, personal effects 	
	Various creditor's claims were filed in the estate. In addition, the decedent was named as a defendant in a quiet title action (0482628-5) involving the estate real property borders.	
	<u>SEE PAGE 2</u>	

Page 2 – History (Cont'd):

Report of Status of Administration; Petition for Instructions Concerning Abatement of Property for Payment of Creditor's Claims and Expenses of Administration; Petition for Allowance on Compensation of Attorney filed 5/23/95 stated the estate was not in a condition to be closed because the lawsuit has not been finally determined. Judgment was entered in favor of the estate as to all causes of action, but the motion for costs and attorney's fees had not yet been filed or heard. Additionally, the plaintiff planned to appeal the judgment. Compensation for ordinary services to the estate will be approx. \$5,362.00. Extraordinary compensation for litigation expenses totaled \$17,650.00 to date.

The 5/23/95 report stated the residue includes only the personal effects which have a nil value and a 1974 Plymouth Valiant valued at \$500.00, which are insufficient to pay all funeral expenses, creditor claims, and expenses of administration. The decedent's will provided specific devises including the real property and various items. The report alleged that these gifts should be abated to pay creditor's claims, administration expenses, etc., as set forth in the petition. See report for discussion, authority.

Order entered 7/17/95 authorized and directed abatement as set forth in the Order to pay administration expenses, creditor claims, and satisfy gifts, and also authorized certain attorney fees and costs. The Order authorized administration to continue until the litigation involving the estate was finally determined.

On 3/10/00, Mr. Rindlisbacher filed a Substitution of Attorney noting his move to a subsequent firm.

Nothing further was filed thereafter until 6/2/16, when **MICHAEL RECEK**, son of Executor Tony Recek, in pro per, filed a **Petition for Court to Execute Deed in Favor of Beneficiaries and Survivor Named in Will of Mardel E. Bond**. Michael Recek alleged that his father Tony Recek died 8/22/13, and that his father and grandmother were to have inherited the real property located at 1515 E. Fountain Way. Mr. Recek claimed to be the owner, as he has resided there for over 15 years, and also sought damages of \$100,000 and requested the Court execute a deed in his favor as specified in this decedent's will.

On 8/3/16, the Court denied Mr. Recek's petition on 8/3/16 and appointed the Public Guardian to properly close the estate on 9/7/16.

2 Charles David Tucker (Estate)

Case No. 0522981

Terry Tucker - Former Executor (pro per)

Attorney: Heather H. Kruthers (for Successor Administrator Public Administrator)

Probate Status Hearing RE: Filing of an Inventory and Appraisal and Filing of a First or Final Account

<p>DOD: 3/4/1994</p>	<p>TERRY TUCKER was appointed as Executor with full IAEA and without bond on 1/17/1995.</p> <p>Letters issued on 1/17/1995.</p> <p>Inventory and Appraisal was due June 1995.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 7/27/16.</p>
<p>Cont. from 042016, 050416, 061516, 072716</p>	<p>Creditor's claim filed on 2/14/1995 by Stephens & Bean Chapel in the amount of \$1,160.11.</p>	<p>1. Need Inventory and Appraisal and First or Final Account.</p>
<p>Aff.Sub.Wit.</p>	<p>First account or petition for final distribution was due March 1996.</p>	
<p>Verified</p>		
<p>Inventory</p>		
<p>PTC</p>		
<p>Not.Cred.</p>		
<p>Notice of Hrg</p>	<p>Minute Order dated 1/20/16 states the Court orders Terry Tucker removed as Executor and appoints the Public Administrator. Mr. Tucker reports that the home was lost to foreclosure in 1996, but there are vehicles and a business.</p>	
<p>Aff.Mail</p>		
<p>Aff.Pub.</p>		
<p>Sp.Ntc.</p>	<p>Letters for the Public Administrator issued on 4/22/16.</p>	
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p>Letters</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>	<p>Status Report filed on 9/26/16 states at the last hearing on 7/27/16, the Court ordered the PA to determine if the decedent's surviving spouse, Laverne Tucker, was interested in receiving anything from this estate. The PA's office also ordered to determine what happened to the real property, since it appears to have been sold, but the former administrator, Terry Tucker, said it was not.</p>	
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>	<p>Deputy Public Administrator Scott Stacey states he was able to get the address for Laverne Tucker from Jennifer Tucker, who is the daughter of one of the decedent's three sons, Lanny Tucker. Deputy Public Administrator Stacey states Laverne Tucker lives in a secure senior complex. He went to the complex and rang her room, but she did not answer. He also sent a letter to her address asking that she call him to provide information on how the house on Lind was sold by Terry Tucker.</p>	
<p>Status Rpt</p>		
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>	<p style="text-align: center;">Please see additional page</p>	<p>Reviewed by: KT</p> <p>Reviewed on: 9/29/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2- Tucker</p>

Status Report filed on 9/26/16 (cont.): Deputy Public Administrator Stacey states he was told by Jennifer Tucker, who met with Laverne the afternoon after the last court appearance, that Laverne wants nothing to do with this case. She wants nothing to do with this family or the estate and just wants to be left alone.

Deputy Public Administrator Stacey states he has contacted Stewart Title several times to locate documents relating to the sale of the real property. They are unable to locate anything, stating that the sale was too long ago. The Court also recommended contacting the law office of deceased attorney David St. Louis. He attempted to do so, but the phone number is out of service.

3 Zachary Filgas (GUARD/P)

Case No. 10CEPR00914

Attorney: Michael N. Splivalo (for Rachel Stauffer-Case – Petitioner)

Attorney: Zepure "Zeppy" Attashian (for Elaine Thomas – Guardian)

Petition for Visitation

		<p>RACHEL STAUFFER-CASE, mother, is petitioner.</p> <p>ELAINE THOMAS, paternal grandmother, was appointed guardian on 8/16/2013.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
<p>Cont. from 072716</p>				
<input type="checkbox"/>	Aff.Sub.Wit.	<p><i>Please see petition for details.</i></p>		
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: SEF	
			Reviewed on: 9/29/2016	
			Updates:	
			Recommendation:	
			File 3- Filgas	

4 Alina Genesis Real Torres, Aiden Real (GUARD/P) Case No. 11CEPR00648

Petitioner Phillips, Kimberlina R (Pro Per – Maternal Grandmother)

Petition for Appointment of Guardian of the Person (Non-Competing)

Aiden Age: 5 mos		<p>TEMPORARY EXPIRES 10/05/2016</p> <p>KIMBERLINA R. PHILLIPS, maternal grandmother, is petitioner.</p> <p><u>Please see petition for details</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Petition is as to Aiden Real only. Petitioner, Kimberlina R. Phillips was appointed guardian of Alina Genesis Real Torres on 09/28/2011.</p> <p>Minute Order of 08/31/2016: No other efforts required to serve grandfather. Mother needs to be personally served. Petitioner is to file letter from mother regarding permission to have child.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service fifteen (15) 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 for: <ul style="list-style-type: none"> • Ashley Real (Mother) – Unless the Court dispenses with notice. <p>Note: Declaration of Due Diligence filed 06/02/2016.</p>	
Cont. from 080316, 083116				
<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			x
<input type="checkbox"/>	Aff.Mail			x
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			x
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
<p>Reviewed by: LV</p>				
<p>Reviewed on: 09/29/2016</p>				
<p>Updates:</p>				
<p>Recommendation:</p>				
<p>File 4- Torres/ Real</p>				

5 Hayden Dixon (GUARD/P) Case No. 11CEPR00790

Petitioner: Deborah Hiatt (Pro per)

Petition for Appointment of Guardian of the Person

Age: 9 years	<p>TEMPORARY DENIED and DISMISSED on 08/16/2016 due to non-appearance</p> <p>DEBORAH HIATT, non-relative (former stepmother) is petitioner.</p> <p><u>Please see petition for details</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator to provide:</p> <p>1. CI Report</p> <p>2. Clearances</p> <p>1. Need <i>Notice of Hearing</i>.</p> <p>2. Need proof of personal service at least 15 court days before the hearing of <i>Notice of Hearing</i> with a copy of the petition <u>or</u> consents and waivers of notice <u>or</u> declarations of due diligence for:</p> <p>a. Anthony Dixon (father)</p> <p>b. Crystal Perez (mother)</p> <p>3. Need proof of service at least 15 court days before the hearing of <i>Notice of Hearing</i> with a copy of the petition <u>or</u> consents and waivers of notice <u>or</u> declarations of due diligence for:</p> <p>a. Gary Dixon (Paternal Grandfather)</p> <p>b. Rebecca Hartman (Paternal Grandmother)</p> <p>c. Larry Miller (Maternal Grandfather)</p> <p>d. Suzanne Miller-Jordan (Maternal Grandmother)</p> <p>4. UCCJEA form indicates minor is residing with his mother. However, petition indicates minor is living with petitioner. Need clarification.</p> <p>5. Need Letters.</p>	
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input type="checkbox"/> Notice of Hrg			x
<input type="checkbox"/> Aff.Mail			x
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			x
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report	x		
<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: LV			
Reviewed on: 09/29/2016			
Updates:			
Recommendation:			
File 5- Miller & Dixon			

Status RE: Visitation

	ANGELICA ARTIGAS , Maternal Grandmother, was appointed Guardian on 10/8/13.	NEEDS/PROBLEMS/COMMENTS:
	On 8/6/15, VANESSA A. ARTIGAS , Mother, filed a Petition for Termination of Guardianship. The petition was denied 1/13/16, and visitation was ordered for the mother. See Minute Order of 1/13/16 for details.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	On 4/5/16, Guardian Angelica Artigas filed a petition to modify the order. Vanessa Artigas, Mother, filed an objection on 6/13/16.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.	On 8/16/16, the Court modified the visitation order and set this status hearing re visitation. See Minute Order for details.	
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: 9/28/16
		Updates:
		Recommendation:
		File 6- Artigas

Probate Status Hearing Re: Filing of the First Account

		<p>SHELIA STEARNS was appointed Conservator of the Person and Estate with bond of \$50,000.00 and \$425,000.00 to be placed into blocked accounts pursuant to Evidentiary/Settlement Conference Minute Order dated 2/25/14. The Order was signed on 3/5/14.</p> <p>On 8/13/14, bond of \$50,000.00 was filed. Thereafter, Letters were issued on 8/25/14.</p> <p>Order Increasing Bond filed 06/26/15, increased bond to \$373,717.86.</p> <p>Bond of \$373,718.00 filed 09/08/15.</p> <p>Inventory & Appraisal, partial no. 1, filed 10/28/15 - \$429,743.51</p> <p>Inventory & Appraisal, partial no. 2-Final filed 7/13/16 - \$684,950.00</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 9/7/16. Minute order states Counsel represents that the accounting is ready, however his client has not yet provided the facility statements.</p> <p>1. Need First Account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
<p>Cont. from 102915, 011316, 022416, 042016, 051816, 062216, 080316, 090716</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: KT
			Reviewed on: 9/29/16
			Updates:
			Recommendation:
			File 7 – Cook

8 Warren Barigian (Estate)

Case No. 14CEPR00607

Attorney Paganetti, Steven E. (of Newport Beach, Ca. for Executor Henry Barigian)

Attorney Stroh, Herbert A (for Ray Bergman – Creditor)

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

DOD: 3/19/14	HENRY BARIGIAN , brother, was appointed Executor with full IAEA and without bond on 10/15/14.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 06/29/2016: No appearance is necessary at the status hearing if the required documents are filed at least two court days prior.</p> <p>Current Status Report filed 09/28/2016 is on the final page.</p> <p>Note: Executor, Henry Barigian, passed away on 08/05/2016.</p>
	Letters Testamentary were issued on 10/16/14.	
	Inventory & Appraisal, Final filed 06/25/15- \$45,000.00	
Cont. from 040616, 062916		
<input type="checkbox"/> Aff.Sub.Wit.	Minute Order of 01/13/2016 set this status hearing for the filing of the First and/or Final Account.	
<input type="checkbox"/> Verified	Minute Order states: David Knudson is also specially appearing with Henry Barigian in conjunction with Mr. Paganetti. The Court admonishes Mr. Barigian regarding his duties and deadlines, then vacates the Order to Show Cause. Mr. Paganetti requests 90 days to investigate the judgment against the estate.	
<input type="checkbox"/> Inventory	Ms. Drews raises the issue of not receiving a copy of the Inventory and Appraisal and filed status reports, despite her filed Request for Special Notice. Mr. Knudson represents that they will address the issue.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	Objection to Report of Status Administration; Demand for Accounting; Declaration of N. Ellen Drews, Esq. filed 01/28/2016 states Bergman filed his Request for Special Notice in this matter on 03/09/2015. In his Request for Special Notice, Bergman requests special notice of all matters for which special notice may be requested, which include, amongst other things, inventories and appraisals of property, including supplements, accountings, reports of status of administration, objections to an appraisal, and petitions. Pursuant to Probate Code § 1252, if a request has been made for special notice of a hearing, the person filing the petition, report, account or other paper shall give written notice of the filing, together with a copy of the document and the time and place set for hearing, at least fifteen (15) days before the time set for hearing. If a request for special notice of the filing of an inventory and appraisal of the estate or of the filing of any other paper that does not require a hearing, the inventory and appraisal or other paper shall be mailed no later than 15 days after the paper was filed with the Court.	
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

Please see additional page

Objection continued: Executor filed a final Inventory and Appraisal with the court on 06/25/2015. Bergman was not served with a copy of the I&A until 01/25/2016, seven full months after the I&A was filed. It took a request in Court on 01/13/2016, and a letter from counsel for Executor filed a Status Report with the Court on 01/08/2016, which he also failed to timely or properly serve on Bergman. The Status Report was not served until 01/12/2016, by mail, and was received by counsel for Bergman on 01/14/2016, a day after the 01/13/2016 hearing.

Probate Code § 12201 (b) requires that the Status Report should have been accompanied by a notice of hearing that including the following language: "YOU HAVE THE RIGHT TO PETITION FOR AN ACCOUNT UNDER SECTION 10950 OF THE CALIFORNIA PROBATE CODE"

No such notice of hearing was provided, however Bergman hereby exercises his right to petition for an account under Probate Code § 10950. Executor repeatedly failed to serve Bergman timely with documents as required by the Probate Code. Despite filing a request for special notice, Bergman, a creditor of decedent is not being provided with the timely information necessary to enforce his rights. The I&A, which is particularly relevant to a creditor, was not served until seven months after it was filed, and only in response to two direct requests. Further, information about the creditor suit is critical in determining whether or not the estate may be closed, and Executor failed to report it in his Status Report. Berman is concerned about what else may be missing from the status report. Because Bergman is concerned that he and the Court lack full information regarding the estate, he believes that an interim accounting under Probate Code § 10950 would be appropriate. For the foregoing reasons, Bergman objects to Executor's Status Report as incomplete and demands an accounting under Probate Code § 10950.

Report of Status Administration filed 03/24/2016 states the inventory consisted of two assets: an undivided one-half interest in real property in the City of Fowler, which was appraised at \$45,000.00. The other asset of the estate is a judgment against Craig Burchfiel and All Encompass Financial, in the sum of \$132,210.75 obtained in Fresno County Superior Court case number 08CECG02829, which was appraised at no value. As of the date of this Status Report the estate has not realized any funds. Ray Berman a judgment creditor obtained a deficiency judgment in the amount of \$340,203.29 against the estate which included a judicial foreclosure against the real property located in Fowler, Ca. As a result of the foreclosure, there was sale which did not result in any money to the estate. The estates judgment against Craig Burchfiel and All Encompass Financial Services, Inc. is for \$132,210.75.

Based upon a recent asset search conducted through a third party agency, there does not appear to be any asset available for satisfaction of this judgment with the possible exception Craig Burchfiel is currently employed with the possibility obtaining a wage garnishment to obtain funds to satisfy this judgment.

The estate has no other assets or funds to pay administrative expenses. Various creditors claims have been filed. If any assets are recovered as a result of the judgment against Craig Burchfiel and All Encompass Financial Services, Inc. the amount will be applied toward payment of expenses of administration including executor fees, attorney's fees and court costs. Thereafter, any recovery will be applied toward payment of creditors claims. It is not known at this time whether there will be funds available to satisfy the judgment resulting in a payout on some of the creditors claims.

There is a pending legal action in Fresno County Superior Court Case No. 15CECG03310 filed on 10/23/2015 to set aside fraudulent transfer of real property and injunctive relief against Defendants including Henry Barigian in his capacity as personal representative for the estate of Warren Barigian.

Please see additional page

Dept. 303, 9:00 a.m. Wednesday, October 05, 2016

8(additional page) Warren Barigian (Estate) Case No. 14CEPR00607

A demurrer hearing on behalf of the estate was heard on 03/22/2016. The matter was taken under advisement by the court and there has been no ruling served by the court as of the date of this status report. It has recently come to the attention of the Executor, Henry Barigian facts which may amount to fraud on the court by creditor Ray Bergman in obtaining a judgment against Warren Barigian deceased which is the basis of Ray Bergman's creditors claim in this case in the form of perjured testimony at the time of trial.

Based upon the newly acquired information regarding the perjured testimony, it is the intent of Henry Barigian as Executor to deny the creditors claim by Ray Bergman. In the even the demurrer to the pending fraudulent conveyance legal action is denied, Executor Henry Barigian on behalf of the estate will be filing an answer denying all material allegations in the complaint and filing a separate cross complaint to set aside the underlying judgment which is the basis of Ray Bergman's creditors claim.

In view of all the above facts and circumstances it is the belief of the Executor, Henry Barigian the estate cannot be closed at this time in view of the uncertainty regarding collection of money to pay the judgment against Craig Burchfiel and All Encompass Financial Services Inc. Further, the estate cannot close at the present time due to the pending status of the fraudulent conveyance action in Fresno County Superior Court Case No. 08CEG02829.

Wherefore, petitioner requests that the court accept this Report of Status of Administration and that the court set a future status hearing for 180 days in order to evaluate the status collection efforts on the above referenced judgment and status of the pending above referenced legal action.

Declaration of Steven E. Paganetti Regarding Probate Statute Hearing for Filing First Account and Order to Show Cause filed 03/25/2016 states one of the objections by Creditor Ray Bergman is the objection based upon the failure to provide special notice to Bergman's counsel as requested by counsel on March 9, 2016. Bergman filed a creditors claim on 11/05/2014. A copy of the face sheet of the Creditors Claim is attached to the declaration as Exhibit 1 which lists Herbert A. Stroh from the law firm of Sinsheimer, Juhnke, McIvor & Stroh, LLP, 1010 Peach Street, P.O. Box 31, San Luis Obispo, Ca. 93406.as attorneys for Bergman. However, the address of the claimant listed as c/o David S. Hamilton, Esq. Sinsheimer, Juhnke, McIvor & Stroh, LLP, 1010 Peach Street, P.O. Box 31, San Luis Obispo, Ca. 93406. Attorney David Hamilton was the attorney on behalf of Berman who obtained the judgment of foreclosure and order for sale against Decedent, Warren Barigian.

On March 9, 2015 Bergman through his same counsel Herbert A. Stroh at Sinsheimer, Juhnke, McIvor & Stroh, LLP filed a request for Special Notice with a request to send the special notice to Herbert A Stroh attorney P.O. Box 31, San Luis Obispo, Ca. 93406 which was the same address as the creditors claim designation of attorney for Bergman. The status conference statement on 06/17/2015 was set to Ray Bergman c/o David Hamilton 1010 Peach Street, P.O. Box 31 San Luis Obispo, Ca. 93406, the same address as Bergman's counsel. It is Attorney Paganetti's recollection that Ms. Drews from the law firm of Sinsheimer, Juhnke, McIvor & Stroh, LLP appeared at the status hearing on 06/17/2015 on behalf of Bergman. The proof of service was signed by Linda Jebsen who was a temporary staff person at Wild, Carter & Tipton at the time of service.

Bergman's counsel has appeared at the last report of status administration on 01/13/2016 and thereafter has filed an objection to the report of status administration and demand for accounting. There has been no prejudice shown to creditor Bergman since he has been appraised of each of the events reflected in this declaration including service on his prior counsel who was at the same office location as the request for special notice.

Please see additional page

Dept. 303, 9:00 a.m. Wednesday, October 05, 2016

Executor Henry Barigian's Opposition to Objection to Report of Status Administration; Demand for Accounting filed 03/25/2016 states creditor Bergman has objected to the prior 01/013/2016 report of Executor Henry Barigian based upon the contention the status report failed to advise the court regarding a pending creditor's suit and failed to provide notice to creditor Bergman after a request for special notice was served. As demonstrated by this opposition Creditor Bergman objections are moot since Executor Barigian has file an updated Status Report for the April 6, 2016 hearing which has corrected any of the alleged deficiencies, specifically the status pending legal action for fraudulent conveyance which included a claim against Henry Barigian as Executor of the Estate of Warren Barigian.

Under California Probate Code § 12201 (a) a status report is required to show the condition of the estate and the reasons why the estate cannot be distributed and closed. In the present case the updated status report of Executor Henry Barigian specifically details the status of the estate by designating the pending legal action in Fresno County Superior Court Case No. 15CECG03310 for fraudulent transfer of real property and injunctive relief by advising the court there was a demurrer hearing on 03/22/2016 where the court took the demurrer of the personal representative for the estate of Warren Barigian under advisement and there have not been any ruling as of the date of this status report filing. Further, Executor Henry Barigian advised based upon a recent asset check there may be funds available toward payment of the judgment previously obtained by Warren Barigian based upon the current employment of judgment debtor Craig Burchfiel. Based upon the above conditions, Executor Henry Barigian advised the court the estate could not be closed until the above conditions are resolved.

Based upon the above, it is respectfully submitted the updated status report of Executor Henry Barigian should be accepted and Objection denied.

Report of Status Administration filed 06/22/2016 states there has been no financial transactions involving the estate, which occurred since the last filing of a Report of Status Administration on March 24, 2016. The asset of the estate is in judgment against Craig Burchfiel and All Encompass Financial, in the amount of \$132,210.75 obtained in Fresno County Superior Court, Case No. 08CECG02829, which was appraised in the inventory as having no value. The estate has no other assets or funds to pay administrative expenses. Creditors have filed claims as follows:

- Ray Bergman: \$452,442.61
- Nancy Stegall: \$2,675.25
- California Franchise Tax Board: (Amount not specified)
- Henry Barigian (Executor): (Undermined)
- Unspecified: \$720.36

The executor filed a notice of rejection of Ray Bergman's claim on 06/16/2016. There is a pending legal action in Fresno County Superior Court Case No. 15CECG03310 filed on 10/23/2015, to set aside fraudulent transfer of real property and injunctive relief against Defendants, including Henry Barigian in his capacity as personal representative for the estate of Warren Barigian. A cross-complaint has been filed in this case against Ray Bergman to set the prior judgment obtained against Warren Barigian, which is the bases of Ray Bergman's claim upon the basis of fraud on the court. A trial in this case is currently set for 08/07/2017. In view of all the above facts, this estate cannot be closed at this time in view of the uncertainty regarding collection of money to pay the judgment against Craig Burchfiel and All Encompass Financial Services, Inc. and determination of whether Ray Bergman will ultimately have a claim in this estate.

Wherefore, petitioner requests the Court accept this Report of Status of Administration and that he Court set a future status hearing in 90 days pending the legal action. It is anticipated that mediation will take place within 90 days.

Dept. 303, 9:00 a.m. Wednesday, October 05, 2016

8(additional page) Warren Barigian (Estate) Case No. 14CEPR00607

Report of Status Administration filed 09/28/2016 states Henry Barigian passed away on 08/05/2016 in the State of Oregon. Henry Brarigian was appointed executor of the above entitle estate on 10/15/2014, with full authority under IAEA. At all times he has remained the executor under decedent's will. There have been no financial transactions involving the estate which have occurred since the last filing of a Report Status of Administration on 06/29/2016. The other asset of the estate is a judgment against Craig Burchfiel and All Encompass Financial, in the sum of \$132,210.75 obtained in Fresno County Superior Court case number 08CECG02829, which was appraised at no value. The estate has no other assets or funds to pay administrative expenses.

Doretta Hovanessian, Warran Barigian's cousin, is designated as successor executor in the will should Henry Barigian be unable to serve as Executor.

Wherefore, petitioner requests that the court accept this Report of Status of Administration and that the Court set a future status hearing in 60 days in order to determine status of appointment of substitute executor.

10 Frank Cambio (Estate) Case No. 15CEPR00104

Attorney Boyajian, Thomas M. (for JoAnne M. Ling – Executor)

Probate Status Hearing RE: First or Final Account

DOD: 12/20/2014	<p>JOANNE M. LING, was appointed Executor with full IAEA without bond on 03/11/2015.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 07/27/2016</p> <p>1. Need First Account or Petition for Final Distribution.</p>
	<p>Letters issued on 03/13/2016</p>	
Cont. from 051116, 072716	<p>Final Inventory & Appraisal filed 0714/2015 shows an estate valued at \$702,352.62</p>	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC	<p>Minute Order of 03/11/2015 set this Status Hearing for the filing of the First or Final Account.</p>	
Not.Cred.		
Notice of Hrg	<p>Status Report filed 09/19/2016 states there is still an issue regarding the real property located at 5662 Greens Drive, Riverside, Ca. The buyer, Marie Perez, has an issue regarding some former bills which were community obligations, that weren't paid by her ex-husband. These bills came to the attention of her lender and they wanted them paid prior to the sale of the house. Mr. Boyajian states he has spoken to Lori Moore the realtor in this case and she believes that there will be a resolution within a week or two. Once those issues have been mitigated the sale will proceed. She believes the buyer is serious especially because she has spent over \$20,000.00 in repairs on the property. Mr. Boyajian states hopefully the issues will be resolved by the date of the hearing and the estate will be in a condition to close.</p>	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: LV</p> <p>Reviewed on: 09/29/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10- Cambio</p>

Status RE: Filing of the First or Final Account

DOD: 4/15/15	<p>BRAD M. JACOBSON, Son, was appointed Administrator with Full IAEA without bond on 7/6/15; Letters issued 7/8/15.</p> <p>At the hearing on 7/6/15, the Court set this status hearing for the filing of the first or final account.</p> <p>Status Report filed 9/14/16 states the I&A was filed 4/14/16. A creditor's claim was filed by the Franchise Tax Board on 5/16/16. The Administrator and CPA are obtaining information, preparing, and filing delinquent tax returns for 2010-2014 in order to satisfy the claim. The CPA hopes to complete the filings and payment of taxes within the next 60 days. All federal income taxes due have been paid. Therefore, a request is made for continuance of 90 days to file the first and final report of administrator.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account or petition for final distribution pursuant to Probate Code §12200.</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		
		<p>Reviewed by: skc</p> <p>Reviewed on: 9/28/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13- Craig</p>

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

DOD: 09/30/14	DON LEMLY and LINDA JENVEY , son and daughter, were appointed co-administrators with full IAEA and without bond on 07/01/15.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 9/7/2016.</p> <p>2. Need first or final account.</p>
Cont. from 090716	Letters issued 07/06/15.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Minute order dated 07/01/15 set this status hearing regarding filing of the first or final account.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Minute order dated 7/6/2016 for status of the filing of the I&A was continued to 1/25/2017. Declarations filed 6/27/2016 and 9/13/2016 by the attorney for the personal representatives state the only asset of the estate is decedent's share of a trust containing a parcel of real property that is in the process of being sold with an anticipated sale date of 11/15/2016. Once sold, the proceeds are to be distributed to this estate and an I&A will be filed. Thereafter, the first and final account and petition for distribution of the estate will be prepared.	
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input checked="" type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: SEF
		Reviewed on: 9/29/2016
		Updates:
		Recommendation:
		File 14 - Lemley

Order to Show Cause

DOD:9/17/15	DARLE STONE , Daughter, was appointed Special Administrator 1/5/16 with specific powers, and was later appointed Executor with Full IAEA without bond on 3/24/16. Letters issued 3/25/16.	NEEDS/PROBLEMS/COMMENTS: Note: The Executor was previously represented by Attorney Jeffrey B. Pape; however, pursuant to Substitution filed 8/18/16, is now self-represented. 1. Need Inventory and Appraisal pursuant to Probate Code §8800 or written status report pursuant to Local Rule 7.5.
Cont. from	At the hearing on 3/24/16, the Court set status hearing for 8/24/16 for the filing of the Inventory and Appraisal.	
Aff.Sub.Wit.	There were no appearances at the status hearing on 8/24/16 and the Court set this Order to Show Cause to Darle Stone for her failure to appear and failure to file the Inventory and Appraisal. Darle Stone is ordered to be personally present in Court on 10/5/16.	
Verified	The minute order was mailed to Ms. Stone on 8/24/16.	
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: 9/28/16
		Updates:
		Recommendation:
		File 15- Loughridge

Status RE: Filing of the Inventory and Appraisal

DOD: 2/11/16	<p>ROSA E. VELAZCO, Spouse, was appointed Administrator with Full IAEA without bond and Letters issued on 5/4/16.</p> <p>At the hearing on 5/4/16, the Court set this status hearing for the filing of the Inventory and Appraisal.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Inventory and Appraisal pursuant to Probate Code §8800 or written status report per Local Rule 7.5.</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: skc
		Reviewed on: 9/28/16
		Updates:
		Recommendation:
		File 16- Velazco

Attorney Catherine A. Amador (for Petitioner Crystal Smith, Conservator of the Person)

Petition for Appointment of Conservator of the Estate

		<u>THERE IS NO TEMPORARY</u>	<p>CRYSTAL SMITH, mother, is Petitioner and requests appointment of IMA JOY HAMETT, maternal grandmother, as Conservator of the Estate without bond.</p> <p style="text-align: center;">~Please see Petition for details~</p> <p>Court Investigator's Report filed 9/28/2016.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proposed Order to Deposit Money into Blocked Account (Judicial Council form MC-355) for the settlement funds that will be received by the estate of Conservatee.</p> <p>Note: If Petition is granted, Court will set status hearings as follows:</p> <ul style="list-style-type: none"> • Monday, November 7, 2016 at 9:00 a.m. in Dept. 303 for filing receipt for blocked account; • Monday, February 6, 2017 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and • Monday, December 4, 2017 at 9:00 a.m. in Dept. 303 for filing of first account of the conservatorship. <p>Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.</p>
Cont. from 060916				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail	W/		
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input checked="" type="checkbox"/>	Pers.Serv.	W/		
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input checked="" type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input checked="" type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			<p>Reviewed by: LEG</p> <p>Reviewed on: 9/28/16</p> <p>Updates: 9/29/16</p> <p>Recommendation:</p> <p>File 21B - King</p>	

Petition for Substituted Judgment to Amend Revocable Trust

		ROBERT C. WILBANKS and ANGELA WILBANKS ANDERSON , Co-Conservators, are petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued to 11/14/16 at the request of the attorney.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: <ol style="list-style-type: none"> a. James Wilbanks b. Tina Wilbanks Schrader c. Deanna Lynn Wilbanks d. Morgan Wilbanks e. Ethan Wilbanks f. Paige Anderson g. Lauren Anderson h. Ryan Anderson i. Sydney Anderson j. Luck Wilbanks k. Noah Wilbanks l. Cody Winkle m. Jake Winkle n. Theodore Wilbanks o. Thomas Markeson p. Bobby E. Wilbanks
		Petitioners state the purpose of this Petition is to modify the conservatee Bobby E. Wilbanks' (the "Conservatee") living trust consistent with his express wishes that the Conservators serve as Co-Trustees of the Trust.	
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	X	
<input type="checkbox"/>	Aff.Mail	X	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<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		
		On 12/9/999, as Settlor, Bobby E. Wilbanks established the Bobby E. Wilbanks Revocable Trust (the "Trust").	
		On 6/25/14 the Trust was amended and restated in its entirety by the Conservatee.	
		On 9/9/14, the Trust was again amended and restated in its entirety by the Conservatee. The Second Amendment and Restatement has not been amended or modified in any way.	
		Conservatee is represented by Thomas Markeson. Through discussions, Conservatee and Mr. Markeson expressed a desire that the Co-Conservators also serve as Co-Trustees of the Trust. This Petition is brought to fulfill the desire expressed by the Conservatee.	
		As a result of the Conservatorship, Petitioners allege it is prudent and efficient for the Co-Conservators to be Co-Trustees of the Trust. This will allow the coordinated effort in managing both the trust estate and the conservatorship estate.	
		Wherefore Petitioners pray for an Order approving substituted judgment modifying Section "First" of the Trust, as set forth in Paragraph 10(b) governing succession of Trustees.	
		Reviewed by: KT	
		Reviewed on: 9/30/16	
		Updates:	
		Recommendation:	
		File 18- Wilbanks	

Petition for Appointment of Guardian of the Person

<u>NO TEMPORARY REQUESTED</u>		NEEDS/PROBLEMS/COMMENTS:	
MAGDALENA RAMIREZ, paternal grandmother, is petitioner		<p>Continued from 8/24/2016. Continued for due diligence or consents as to maternal grandparents. If the <i>Petition for Special Immigrant Juvenile Findings</i> is filed timely, it is also to be set for 10/5/2016.</p> <p>Please see related page 19B for <i>Petition for Special Immigrant Juvenile Findings</i>.</p> <p>1. Need Notice of Hearing (for the 10/5/2016 hearing).**</p> <p>**Note: A proof of service filed 9/7/2016 shows service of both a "Notice of Upcoming Hearing" and "Notice of Hearing" on the maternal grandparents. The <i>Notice of Upcoming Hearing</i> was filed. However, the mandatory use <i>Notice of Hearing</i> (GC-020) has not been filed.</p> <p>2. <i>Orders</i> and <i>Letters</i> are on outdated forms; need new orders and letters on current Judicial Council forms.</p>	
Cont. from 082416			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		w/
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.		w/
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: SEF	
		Reviewed on: 9/30/2016	
		Updates:	
		Recommendation:	
		File 19A- Geronimo	

Probate Status Hearing RE: Proof of Bond

DOD: 10/09/2002	NANCY RAMOS, was appointed Administrator with full IAEA authority and with bond set at \$25,000.00 on 08/04/2016.	NEEDS/PROBLEMS/COMMENTS:
	Letters issued 09/15/2016	<u>OFF CALENDAR.</u>
Cont. from 090816	Minute Order of 08/04/2016 set this Status Hearing for the filing of the bond.	<u>Receipt of Bond filed in the amount of \$25,000.00 on 09/15/2016.</u>
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		Reviewed by: LV
Status Rpt		Reviewed on: 09/29/2016
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 20- Marple

Petitioner Villa, Brian (Pro Per – Son)

Petition for Appointment of Probate Conservator of the Person and Estate

Age: 76	<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
	BRIAN VILLA, son, is petitioner.	Minute Order of 08/17/2016: Examiner notes provided in open court.
		The deficiencies with the pleadings include, but are not limited to, the following:
Cont. from 081716	<u>Please see petition for details</u>	1. Need Capacity Declaration.
Aff.Sub.Wit.		2. Petition does not address bond. Probate Code §2320 states except as otherwise provided by statute, every person appointed as conservator shall, before letters are issued, give a bond approved by the court. Probate Code §2321 states Notwithstanding any other provision of the law, the court in a conservatorship proceeding may not waive the filing of a bond or reduce the amount of bond required without a good cause determination by the court that the conservatee will not suffer harm as a result of the waiver or reduction of the bond. If the court requires bond it should be set at \$255,200.00.
✓ Verified		3. Petition requests several independent powers under Probate Code §2591 without Court oversight. Local Rule 7.15.2 states: <i>It is the policy of the court to grant a guardian or conservator only those independent powers necessary in each case to administer the estate. A request for all powers described in Probate Code § 2591 will not be granted by the court. Each independent power requested must be justified by, and narrowly tailored to the specific circumstances of that case. Any powers so granted must be specified in the order and in the Letters of Guardianship or Conservatorship.</i> Petition does not state facts needed for the Court to determine powers under 2591 are necessary.
Inventory		Please see additional page
PTC		Reviewed by: LV
Not.Cred.		Reviewed on: 09/29/2016
Notice of Hrg	X	Updates:
Aff.Mail	X	Recommendation:
Aff.Pub.		File 21- Villa
Sp.Ntc.		
Pers.Serv.	X	
✓ Conf. Screen		
✓ Letters		
✓ Duties/Supp		
Objections		
Video Receipt	X	
✓ CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation	X	
FTB Notice		

NEEDS/PROBLEMS/COMMENTS continued:

4. Petition requests that the petitioner be granted the exclusive use and control of the family residence and if needed to sell the family home. However it is unclear if the family residence is separate property or if it was held in joint tenancy. Probate Code §251 states a joint tenant who feloniously and intentionally kills another joint tenant thereby effects a severance of the interest of the decedent so that the share of the decedent passes as the decedent's property and the killer has no rights by survivorship. This section applies to joint tenancies in real and personal property, joint and multiple-party accounts in financial institutions, and any other form of co-ownership with survivorship incidents.
5. Need Citation.
6. Need proof of personal service of the Citation and a copy of the Petition on the proposed conservatee.
7. Need video viewing receipt pursuant to Local Rule 7.15.8(A).
8. Need proof of service at least fifteen (15) days before the hearing of the Notice of Hearing with a copy of the Petition for Appointment of Conservator for:
 - Jerry Frank
 - Daniel Joseph Balber
9. Need order.

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

- **Wednesday, 11/02/2016 at 9:00a.m. in Dept. 303** for the filing of the bond **and**
- Wednesday, 03/01/2017 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal **and**
- **Wednesday, 12/6/2017 at 9:00a.m. in Dept. 303** for the filing of the first account and final distribution.

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.

DOD: 01/07/2015	MARIA YOLANDA SANCHEZ, surviving spouse is petitioner and requests appointment as Administrator with bond set at \$110,000.00.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 08/17/2016: Tamera Garcia is granted one continuance, absent extraordinary good cause, to file a competing petition or the Court will move forward.</p> <p>As of this Examiner’s review on 09/29/2016, no competing petition has been filed.</p> <p>Note: Final Inventory and Appraisal was filed 08/17/2016 therefore no status hearing was set.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Wednesday, 11/2/2016 at 9:00a.m. in Dept. 303 for the filing of the bond <u>and</u> • Wednesday, 12/06/2017 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <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>
Cont. from 081716	Full IAEA – o.k.	
Aff.Sub.Wit.		
✓ Verified	Decedent died intestate	
Inventory	Residence: Firebaugh	
PTC	Publication: Firebaugh-Mendota Journal & The Mendota Times	
Not.Cred.		
✓ Notice of Hrg	Estimated value of the Estate:	
✓ Aff.Mail	Personal property - \$15,760.02	
✓ Aff.Pub.	Real property - \$120,000.00	
Sp.Ntc.	Less encumbrances - \$28,995.73	
Pers.Serv.	Total - \$106,714.29	
Conf. Screen	Probate Referee: Steven Diebert	
✓ Letters		
✓ Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 09/29/2016
		Updates:
		Recommendation:
		File 22- Green

Petitioner: Analia Aguayo Villegas (pro per)

Objector: Samantha Pena (pro per)

Petition for Appointment of Guardian of the Person

		<u>TEMPORARY EXPIRES 10/5/16</u>	NEEDS/PROBLEMS/COMMENTS:
		ANALIA AGUAYO VILLEGAS , paternal grandmother, is petitioner.	
		Please see petition for details.	
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	W/	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT
			Reviewed on: 9/30/16
			Updates:
			Recommendation:
			File 23- Archuleta

Petition for Letters of Administration with IAEA

DOD: 12/1/13		<p>WANDA FOSTER, daughter, is petitioner and requests appointment as Administrator without bond.</p> <p>All heirs waive bond.</p> <p>Full/Limited IAEA – See # 1</p> <p>Decedent died intestate.</p> <p>Residence: Fresno Publication: Fresno Business Journal.</p> <p>Estimated value of the estate: Real property - \$75,000.00</p> <p>Probate Referee: Steven Diebert</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The caption of the Petition and the proposed order have limited IAEA authority. #2(c) of the petition asks for full IAEA authority. Need clarification.</p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/
<input checked="" type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Reviewed by: KT		
		Reviewed on: 9/29/16		
		Updates:		
		Recommendation:		
		File 24- Jefferson		

Petition for Appointment of Temporary Guardian of the Person

		TEMPORARY EXPIRES 10/5/2016 <i>(granted ex parte 9/19/2016)</i>	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of personal service with at least 5 court days notice of <i>Notice of Hearing</i> with a copy of the temporary petition <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence for: a. Christopher Knobel (father) – <i>unless the Court excuses notice</i>
		GENERAL HEARING 11/28/2016	
Cont. from		JILL BOOLOOTIAN, maternal grandmother, is petitioner.	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory	<i>Please see petition for details.</i>	
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	w/	
✓	Conf. Screen		
	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: SEF
			Reviewed on: 10/3/2016
			Updates:
			Recommendation:
			File 25- Knobel

Petition for Visitation

		<p>SELINA GUTIERREZ, mother, is petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
		<p>NORMA LEYVA, paternal grandmother, was appointed successor guardian on 9/24/14.</p>	<p>Note: This visitation petition was filed first. While this petition was still pending mother filed a second petition for visitation. Please see page 8B.</p>
<p>Cont. from 092115, 100515, 111715, 020216, 071916, 092716</p>			<p>Continued from 9/27/16. Minute order states matter is continued in order for the parties to discuss an over-night visitation supervisor that they can each agree on.</p>
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	N/A	
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			<p>Reviewed by: KT</p>
			<p>Reviewed on: 9/29/16</p>
			<p>Updates:</p>
			<p>Recommendation:</p>
			<p>File 26A – Ortiz</p>

Guardian: Norma Irene Leyva (pro per)

Petitioner/Mother: Selina Eyleen Gutierrez (pro per)

Petition for Visitation

		SELINA GUTIERREZ, mother, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: This matter was presented ex parte. Order dated 8/9/16 set the matter for hearing and ordered a Notice of Hearing to be served on Norma Leyva at least 15 days prior to the hearing.</p> <p>Continued from 9/27/16. Minute order states matter is continued in order for the parties to discuss an over-night visitation supervisor that they can each agree on.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: <ol style="list-style-type: none"> a. Norma Leyva 3. Declaration of Norma Leyva filed on 8/9/16 was not verified. Probate Code §1021.
		NORMA LEYVA, paternal grandmother, was appointed successor guardian on 9/24/14.	
Cont. from 090116, 092716			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			<p>Reviewed by: KT</p> <p>Reviewed on: 9/29/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 26B- Ortiz</p>