

PROBATE NOTES: Friday, March 1, 2019

These notes are not updated based on subsequent filings once they are posted.

3. The terms of the testamentary trusts are not set forth in the petition, as required by local rule 5.18.0, subdivision (j).

Executor shall file an amendment to the petition that resolves these issues. (See Cal. Rules of Court, rule 7.3, subd. (4) [defining “amendment”]; *id.*, rule 7.104, subd. (a)(2) [requiring verification of amendment].) The hearing will be continued to March 22, 2019, at 8:30 a.m. Appearance not required on March 1, 2019.

PR11553

Conservatorship of Hubert F. Leaycraft

Hearing types: (1) Further hearing re amended account and report of conservators
(2) Further hearing re petition for attorney fees and costs
Conservators: Diane L. Souders and Leland V. Souders, Jr.
Conservators’ counsel: Michael R. Germain

The Court has read and considered the amended accounting filed on January 16, 2019, and the petition for attorney fees and costs filed on November 29, 2018. The Court raised some issues with these pleadings at the last hearing on February 1, 2019. At the time of the Court’s review of this case on February 22, 2019, the file did not reflect that any further papers had been filed since the February 1, 2019, hearing. (The amendment and declaration filed on February 21, 2019, were not processed by the clerk’s office until February 25, 2019, and were not timely filed for a hearing on March 1, 2019.)

Appearance required to address the following issues identified by the Court in its review of the pleadings filed on January 16, 2019, and November 29, 2018:

1. The need for a supplemental Inventory and Appraisal form listing the “unclaimed funds” Conservators received from the California State Controller’s Office.
2. The need for various amendments to the narrative, summary of account, and/or accounting schedules related to the “unclaimed funds,” a repayment to the estate of a non-estate expense, and the reissued royalty check.
3. The need for statements from Highland Springs Care Center.
4. Conservators’ plan regarding the life-insurance policy.
5. The need for an amendment to address the correct value of the reissued royalty check, which is said to have different values at different places in the amended accounting.
6. The correct balance of the Edward Jones CDs as of the end of the accounting period.
7. The need to address whether bond is sufficient.
8. The additional filing fee incurred by the decision to file a petition for attorney fees and costs separate from the accounting.

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PR11579 Estate of Barrett Kent Reiswig Grabow

Hearing type: Review re inventory and appraisal
Administrator: James A. Grabow
Administrator's counsel: Gary P. Dambacher

At the time of the Court's review of this case on February 25, 2019, the file did not reflect that Administrator had filed an Inventory and Appraisal form. Appearance required if it is not filed prior to the hearing.

PR11586 Estate of Delvin L. King

Hearing type: Review re inventory and appraisal
Executor: Stacey R. Chavez
Executor's counsel: William J. Coffill

At the time of the Court's review of this case on February 25, 2019, the file did not reflect that Executor had filed an Inventory and Appraisal form. Appearance required if it is not filed prior to the hearing.

PR11606 Estate of Mary Ann Marriott

Hearing type: Second amended petition for probate of will and letters testamentary
Petitioner: Wayne William Booth
Petitioner's counsel: None

The Court has read and considered the petition filed on February 6, 2019, which it interprets to be a second amended petition for probate of lost will and letters testamentary. (Previous petitions were filed on October 3, 2018, and December 10, 2018.) The following issues must be resolved before the second amended petition can be granted:

1. Proper proof of service of notice of the March 1, 2019, hearing must be filed. Petitioner failed to use mandatory Judicial Council form DE-121 for this purpose, instead using Judicial Council form DE-120.
2. Proof of publication of notice of the second amended petition must be filed. At the time of the Court's review of this case on February 25, 2019, the file did not reflect that proof of publication had been filed.
3. The proposed order appointing Petitioner as executor must have a copy of the lost will attached to it. (Prob. Code, § 8223.) Petitioner shall lodge either (1) a new proposed order with a copy of the will attached or (2) a copy of the will that can be attached to the proposed order that already is lodged in the file. If Petitioner chooses the second option,

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he shall clearly identify the purpose of the copy of the will submitted so that the clerk's office processes it correctly.

The hearing will be continued to April 5, 2019, at 8:30 a.m. in order to allow Petitioner time to address the above issues. Appearance on March 1, 2019, is not required, but Petitioner may appear if he has questions about the remaining issues.

PR11508

Guardianship of Jonathan S. Heitzenroder

Hearing type:	Review re termination of guardianship by operation of law
Guardian:	Alisha Morrow
Guardian's counsel:	None

The guardianship terminated by operation of law on the former ward's eighteenth birthday. Appearance not required.