

PROBATE NOTES: Friday, March 8, 2019

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

PR10012 LPS Conservatorship

Hearing type: Further review re twelfth accounting
Conservator: Tuolumne County Public Guardian
Conservator's counsel: County Counsel

At the time of the Court's review of this case on March 6, 2019, the file still did not reflect that the accounting had been filed. Appearance required if it is not filed prior to the hearing.

PR10521 Conservatorship of Ronald Jackson

Hearing type: Further hearing re fifth and final account and report of conservator;
petition for fees and discharge
Conservator: Tuolumne County Public Guardian
Conservator's counsel: County Counsel

The Court has reviewed the corrected supplemental Inventory and Appraisal form filed on February 26, 2019. It is the Court's understanding this form is intended to correct the Inventory and Appraisal form that was filed on February 14, 2019, which in turn was intended to correct the Inventory and Appraisal form that was filed on July 17, 2018. The February 26, 2019, form appears to accurately reflect the percentage interests in the household goods, vehicle, and real property acquired by Conservatee's estate upon the death of Conservatee's wife. However, the Court is unclear why the form indicates that Conservatee has inventoried and had appraised only a portion of the estate that has come to its knowledge or possession. Appearance required re the February 26, 2019, Inventory and Appraisal form.

The Court also has read and considered the second amendment filed on February 21, 2019, to the pleading filed on October 4, 2018 (hereafter Second Amendment). Appearance required to address the following issues:

1. Counsel's fee request: In paragraph 5 of the Second Amendment, counsel appears to request \$4,039.25 in cash, as well as a lien in the amount of \$3,008.00, even though the total of fees sought and deferred fees is \$4,039.25 and even though the schedule of property on hand reflects a checking-account balance of \$3,086.89.
2. Conservator's fee request: In paragraph 4 of the Second Amendment, Conservator states it is owed \$8,470.00 in deferred fees, which matches the Court's calculation. However, in paragraph 6 of the Second Amendment, Conservator states it is owed a lower amount of deferred fees: \$8,365.86.
3. Paragraph 8 of the Second Amendment combines the lien requests from paragraphs 4 and 5, which raise questions as set forth above.
4. The "receipt" dated December 21, 2017, and labeled "close out joint bank account."
5. The lack of interest apportionments after September 30, 2018.
6. The disbursements dated March 15, 2018, for purchases of a new television, television wall mount, recliner, and DVD player.

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PR10863 LPS Conservatorship

Hearing type: Further review re sixth accounting
Conservator: Tuolumne County Public Guardian
Conservator's counsel: County Counsel

At the time of the Court's review of this case on March 6, 2019, the file still did not reflect that the accounting had been filed. Appearance required if it is not filed prior to the hearing.

PR10888 LPS Conservatorship

Hearing type: Review re sixth accounting
Conservator: Tuolumne County Public Guardian
Conservator's counsel: County Counsel

At the time of the Court's review of this case on March 6, 2019, the file did not reflect that the accounting had been filed. Appearance required if it is not filed prior to the hearing.

PR10908 Estate of Robert Klein

Hearing type: Further hearing re petition for order confirming sale of real property
Executors: John Klein and Roy Klein
Executors' counsel: Gary P. Dambacher

Appearance required.

PR11001 Estate of Laura Walker

Hearing type: Further review re inventory and appraisal
Administrator: Tuolumne County Public Administrator
Administrator's counsel: County Counsel

The Court has reviewed the Inventory and Appraisal form filed on March 5, 2019. Appearance required.

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PR11173 Estate of Bryan S. Beenblossom

Hearing type: First and final report and account of executor; petition for final distribution, fees, and costs
Executor: Serena Beenblossom (Dehn)
Executor's counsel: Carrie M. McKernan

The Court has read and considered the pleading filed on January 28, 2019, and the supplement filed on February 11, 2019. Appearance required to address the following issues:

1. The failure to mention the accounting in the title of the pleading and the resultant impact on adequacy of notice of the hearing.
2. The estate sales conducted without any notice of proposed action.
3. The preliminary distribution of \$500 without court supervision.
4. The specific bequest to Bill Davidson.
5. The failure to inventory and have appraised various specifically bequeathed items.
6. Apparent mathematical errors in the calculation of statutory compensation.
7. Counsel's request for reimbursement for the cost of certified letters testamentary in connection with the sale of the real property.
8. Decedent's bequest of parts necessary to build a Harley Davidson.
9. The proposed distribution of Bryan Beenblossom's share of tangible personal property to Richard Harris.

PR11355 Estate of June M. Kristapovich

Hearing type: Further hearing re petition for final distribution, compensation, and costs
Executor: Greg Kristapovich
Executor's counsel: Michael R. Germain

The Court has read and considered the second supplement filed on February 21, 2019, to the petition filed on November 1, 2018. The petition, as amended and supplemented, is recommended for approval. Appearance not required.

PR11490 Estate of Leslie Carlos Soria

Hearing type: Further hearing re amended petition for final distribution and fees
Executor: Carlos Leslie Soria
Executor's counsel: Tamara M. Polley

The Court has reviewed the amended corrected Inventory and Appraisal form filed on February 19, 2019, which resolves the issue described in the minute order dated February 1, 2019.

The Court also has read and considered the amended petition for final distribution, as well as the consents to liquidation of stock, filed on January 10, 2019. These papers resolve the issues

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described in the minute order dated December 14, 2018. However, the amended petition fails to include the amount of cash on hand (6:7) or to propose distribution of cash as part of the residue of the estate (exhibit B). Accordingly, Executor shall file a supplement to the amended petition that supplies the missing information. (See Cal. Rules of Court, rule 7.3, subd. (5) [defining “supplement”]; *id.*, rule 7.104, subd. (b) [requiring verification of supplement].) The hearing will be continued to March 22, 2019, at 8:30 a.m. Appearance not required on March 8, 2019.

Finally, counsel is reminded of the need for compliance with California Rules of Court, rule 7.705, subdivision (b) and local rule 5.18.0, subdivision (q). Future fee requests will not be approved in the absence of compliance with these authorities.

PR11497 Estate of James Glosick

Hearing type: Further hearing re petition for final distribution, fees, and costs
Administrator: Nancy J. Lawrence
Administrator’s counsel: Carrie M. McKernan

The Court has read and considered the amendment filed on February 8, 2019, to the petition filed on November 21, 2018. The Court also has reviewed the original signatures filed on February 14, 2019. The petition, as amended, is recommended for approval. Appearance not required.

PR11509 Conservatorship of Sigried Fountain

Hearing type: Review re court investigator’s report (Prob. Code, § 1850)
Conservator: Teresa Barnhart
Conservator’s counsel: Kimberly Sullivan Gray

The Court has read and considered the report filed on February 15, 2019. The court investigator shall mail copies of her report to Conservatee’s stepsons, Stephen Fountain and Timothy Fountain. (See Prob. Code, § 1851, subd. (b)(1).) The hearing will be continued to April 5, 2019, at 8:30 a.m. in order to allow time for that service. Appearance not required on March 8, 2019.

PR11510 Conservatorship of Gerald Fountain

Hearing type: Review re court investigator’s report (Prob. Code, § 1850)
Conservator: Teresa Barnhart
Conservator’s counsel: Kimberly Sullivan Gray

The Court has read and considered the report filed on February 15, 2019. Appearance not required. A review hearing re the court investigator’s next report will be set for March 5, 2021, at 8:30 a.m.

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PR11575 Estate of Robert E. Deutschman

Hearing type: Review re inventory and appraisal
Administrator: Kathleen D. Scott
Administrator's counsel: Judy A. Jensen

At the time of the Court's review of this case on March 6, 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.

PR11628 Estate of Kenneth H. Bisordi

Hearing type: Further hearing re petition for probate of will and letters testamentary
Petitioner: Douglas L. Wagner
Petitioner's counsel: Gary P. Dambacher

The Court has reviewed the proof of publication filed on February 27, 2019, which corrects the error described in the minute order dated February 15, 2019. The petition for probate of will that was filed on December 10, 2018, is recommended for approval. Appearance not required. A review hearing re inventory and appraisal will be set for July 12, 2019, at 8:30 a.m. A review hearing pursuant to Probate Code section 12200 will be set for March 13, 2020, at 8:30 a.m.

PR10256 Guardianship of Kailey Marie Olson

Hearing type: Order to show cause issued on December 11, 2018
Guardian: Teresa Woody
Guardian's counsel: None

At the time of the Court's review of this case on March 6, 2019, the file still did not reflect that the Confidential Guardianship Status Report that was due no later than September 28, 2018, had been filed. On January 25, 2019, Laurie May was appointed as the court investigator to investigate the status of the guardianship, including current contact information for Guardian and the ward. Appearance of Guardian required pursuant to the order to show cause issued on December 11, 2018, and the minute order dated January 4, 2019.

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PR10483 Guardianship of Patrisha Lynn Trevino, et al.

Hearing type: Further review re Confidential Guardianship Status Reports
Guardians: Randall and Rebecca Deaton
Guardians' counsel: None

At the time of the Court's review of this case on March 6, 2019, the file still did not reflect that the reports for Jeremy Trevino and Harley Trevino had been filed. Appearance required if they are not filed prior to the hearing.

PR10804 Guardianship of Paisley L. Davis, et al.

Hearing type: Review re Confidential Guardianship Status Report for Paisley
Guardians: Gayle Davis and Johnnie G. Davis, Jr.
Guardians' counsel: None

The Court has read and considered the report filed on February 21, 2019. Appearance of Guardians required.

PR10808 Guardianship of Chloe M. Brinkman and Caydence J. Brinkman

Hearing type: Review re Confidential Guardianship Status Reports
Guardians: Sandra and William Wood
Guardians' counsel: None

The Court has read and considered the reports filed on February 21, 2019. Appearance not required. A review hearing re the next annual Confidential Guardianship Status Reports will be set for March 6, 2020, at 9:30 a.m.

PR11376 Guardianship of Nehemiah George Stofle

Hearing type: Review re Confidential Guardianship Status Report
Guardians: Dorianne P. Stofle and Gary G. Stofle
Guardians' counsel: None

At the time of the Court's review of this case on March 6, 2019, the file did not reflect that the report had been filed. Appearance required if it is not filed prior to the hearing.

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PR9094

Guardianship of Riley Carone Swack

Hearing type: Review re Confidential Guardianship Status Report
Guardian: Linda Mae Sweet
Guardian's counsel: None

The Court has read and considered the report filed on February 22, 2019, which is missing the following information:

1. Personal information about the ward (item 2).
2. Name and address of the ward's school (item 3a).
3. A copy of the ward's last report card (item 3c).
4. Information about the ward's dentist (item 4c).

Appearance required if the missing information is not filed prior to the hearing. Guardian may use Judicial Council form MC-030 (Declaration) to file the missing information.

PR11025

Guardianship of Taven Barlow, et al.

Hearing type: Further review re Confidential Guardianship Status Reports
Guardian: Elizabeth Binion
Guardian's counsel: None

At the time of the Court's review of this case on March 6, 2019, the file did not reflect that Guardian had filed the information missing from the reports that were filed on January 11, 2019, as required by the minute order dated February 8, 2019. Appearance required if the missing information is not filed prior to the hearing. Guardian may use Judicial Council form MC-030 (Declaration) to file the missing information.