

PROBATE NOTES: Friday, April 19, 2019

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

PR10949 Conservatorship of Frank Ziegenhein

Hearing type: Further hearing re third account and report of conservator; petition for fees
Conservator: Mark Olson
Conservator's counsel: Jennifer J. Lothert

The Court has read and considered the separate amendment and supplement filed on March 11, 2019, to the pleading filed on October 9, 2018. Appearance required to address Conservator's fee requests.

PR10995 Conservatorship of Timothy Majors

Hearing types: (1) Further review re change of venue
 (2) Further hearing re order to show cause issued on February 22, 2019
Conservators: Frank and Marilee Majors
Conservators' counsel: Jennifer J. Lothert

On January 25, 2019, this case was ordered to be transferred to Sacramento County, and Conservators were ordered to submit to this Court either the first-appearance fee of \$435 or a Request to Waive Court Fees (Judicial Council form FW-001-GC) no later than February 15, 2019. At the last hearing on April 5, 2019, Conservators' counsel stated that Conservators had provided a check but should qualify for a fee waiver. At the time of the Court's review of this case on April 16, 2019, the file still did not reflect that Conservators had submitted a completed fee-waiver request. Appearance required if the request is not submitted prior to the hearing.

PR11003 LPS Conservatorship

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

At the time of the Court's review of this case on April 16, 2019, the file still did not reflect that Conservator had filed the fifth accounting. Appearance required if it is not filed prior to the hearing.

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PR11173 Estate of Bryan S. Beenblossom

Hearing type: Further hearing re 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 amendment filed on April 3, 2019, to the pleading filed on January 28, 2019. The pleading, as supplemented and amended, is recommended for approval, except that the Court will not "approve" the two estate sales held without the required notices of proposed action or the preliminary distribution made without court supervision, which issues were discussed at the hearing on March 8, 2019. Appearance not required.

PR11367 Estate of Larry M. Freschi

Hearing type: Further hearing re petition for removal of Administrator, appointment
of Petitioner as successor administrator, and attorney fees
Administrator: Karen Robles
Administrator's counsel: Paul S. Bunt
Petitioner: Donald Freschi
Petitioner's counsel: N. Aaron Johnson

At the time of the Court's review of this case on April 16, 2019, the file did not reflect that Petitioner had filed proof of service on Administrator of the citation issued on April 2, 2019. The file also did not reflect that Administrator had filed any response to the petition. Appearance required.

PR11413 Estate of Janet Lee Hamilton

Hearing type: Report on status of administration (Prob. Code, § 12200)
Administrator: Tuolumne County Public Administrator
Administrator's counsel: County Counsel

The Court has read and considered the report filed on March 25, 2019. Appearance not required. The next review hearing pursuant to Probate Code section 12200 will be set for October 18, 2019, at 8:30 a.m.

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PR11581 Estate of Edward Eaton

Hearing type: Review re inventory and appraisal

Administrator: Claudia Johnson

Administrator's counsel: Margaret Laughlin Martin

The Court has reviewed the Inventory and Appraisal form filed on April 15, 2019. Appearance not required.

The Inventory and Appraisal form indicates that the current bond amount is insufficient. Administrator shall file an application to increase the bond amount. A review hearing re bond increase will be set for May 10, 2019, at 8:30 a.m.

Finally, the Court notes that the original will was not filed at the time of its admission to probate on December 21, 2018. It appears Administrator may have neglected to lodge it in advance of that hearing. If the original will is not lodged prior to the hearing on April 19, 2019, a review hearing will be set for May 10, 2019, to ensure its receipt and filing.

PR11582 Estate of Rose M. Eaton

Hearing type: Review re inventory and appraisal

Administrator: Claudia Johnson

Administrator's counsel: Margaret Laughlin Martin

The Court has reviewed the Inventory and Appraisal form filed on April 15, 2019. Appearance not required.

The Inventory and Appraisal form indicates that the current bond amount is insufficient. Administrator shall file an application to increase the bond amount. A review hearing re bond increase will be set for May 10, 2019, at 8:30 a.m.

PR11600 In the Matter of the Blagdon Trust

Hearing type: Further hearing re amended petition to modify terms of trust

Petitioner: Linda Anne Menary

Petitioner's counsel: Joe Bautista

Because the Court signed the proposed order following the hearing on April 5, 2019, appearance will not be required.

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PR8839

Conservatorship of Julie A. Barnes

Hearing type: Review re court investigator's report (Prob. Code, § 1850.5)

Conservators: Bonnie and William Barnes

Conservators' counsel: None

The Court has read and considered the report filed on March 21, 2019. Appearance not required.

As to the April 2018 change of Conservatee's personal residence described in the report, the Court notes that Conservators failed to comply with various authorities governing changes of residence. (See Prob. Code, § 2352; Cal. Rules of Court, rule 7.1063; local rule 6.05.0.) Conservators shall file and serve Judicial Council form GC-080 (Post-Move Notice of Change of Residence of Conservatee) no later than May 10, 2019. A review hearing to confirm filing of the notice and proof of service will be set for May 24, 2019, at 8:30 a.m.

Because Conservatee has lived in Stanislaus County for the past year and there is no mention of a plan to change her residence back to Tuolumne County, this case will be transferred to Stanislaus County. The Superior Court for the County of Stanislaus will require a first-appearance fee of \$435 or a Request to Waive Court Fees (Judicial Council form FW-001-GC); Conservators shall submit either the fee or a completed fee-waiver request to this Court no later than May 10, 2019, and this Court will transmit it, along with the file, to the Superior Court in Stanislaus County. Moreover, this Court will require a transfer fee of \$50 or a Request to Waive Court Fees; Conservators shall submit either the fee or a completed fee-waiver request to this Court no later than the same deadline of May 10, 2019. A review hearing re change of venue will be set for May 24, 2019, at 8:30 a.m. to ensure Conservators have submitted the first-appearance fees or completed fee-waiver requests as required.

Finally, it appears that the letters of conservatorship of the person and the estate, which were issued on June 27, 1983, by the Superior Court for the County of Alameda, were not amended when that same court terminated the conservatorship of the estate by order dated June 18, 1986. Conservators shall submit proposed amended letters of conservatorship of the person only, using Judicial Council form GC-250, no later than May 10, 2019, so that the scope of Conservators' authority is clear prior to transfer of the case to Stanislaus County.

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PR11253

Guardianship of Daniel Killough

Hearing types: (1) Further review re Confidential Guardianship Status Report
(2) Review re change of residence

Guardian: Vivian Martinez

Guardian's counsel: None

Guardian did not appear as required at the hearing on March 15, 2019, to address the report filed on February 19, 2019. Appearance required.

Moreover, the Court has reviewed the Post-Move Notice of Change of Residence of Ward that was filed on April 4, 2019, as required by the minute order dated March 15, 2019. The proof of mailing does not reflect service on the ward's mother, and no explanation was provided for not mailing a copy to her. Appearance required.