

DEPARTMENT TWENTY-TWO
JUDGE ALESIA JONES
707-207-7322

PROBATE NOTES FOR
MATTERS SCHEDULED FOR

WEDNESDAY, JUNE 1, 2016

Prepared on May 25, 2016

Probate notes are not posted for conservatorship matters, ex parte petitions, or status conferences.

Probate notes supplement—but do not replace—the posting of intended rulings on probate matters. Please check the court’s website for intended rulings on probate matters (“pregrants”) after 2:00 p.m. the court day before the scheduled hearing.

If the notes identify defects, you can file documents with the court to correct them. Defects that are not corrected may result in your petition being denied or the hearing delayed.

Because of processing times and staff shortages, documents filed one or two court days prior to the hearing might not be reviewed in time to alter the court’s intended pregrant ruling.

Questions?

You can now e-mail the court’s probate staff at probate@solano.courts.ca.gov.

Remember:

- (1) Probate staff cannot give legal advice or discuss your case with you.
- (2) Parties or attorneys may not submit via e-mail any documents intended to address the probate notes. Attachments e-mailed directly to probate staff will not be opened.

PROBATE NOTES

Case Name: In re the Estate of Jessie Jones, Deceased
Case Number: FPR046931

Calendar Date: June 1, 2016
Prior Calendar History:

Petition(s) or Motion(s): Petition for Settlement of First and Final Account of Personal Representative; for Final Distribution; and for Allowance of Statutory Attorney's Fees

Filed On: April 29, 2016
Filed By: Darryl D. Williams

Objections:
Filed On:
Filed By:

Reviewed By: C. Donovan, Staff Attorney
Date of Review: May 25, 2016

SUMMARY/COMMENTS

Unopposed petition to close estate administration.

IDENTIFIED DEFECTS OR ISSUES

None.

RECOMMENDATION

Recommend for approval.

PROBATE NOTES

Case Name: In re the Loren M. Carlson and Jean M. Carlson Revocable Living Trust

Case Number: FPR047366

Calendar Date: June 1, 2016
Prior Calendar History: May 18, 2016

Petition(s) or Motion(s): Petition for Order to Modify Terms of Irrevocable Trust
Filed On: April 5, 2016
Filed By: Elisa Cetera

Objections:
Filed On:
Filed By:

Reviewed By: C. Donovan, Staff Attorney
Date of Review: May 11, 2016; updated May 26, 2016

SUMMARY/COMMENTS

Unopposed petition to modify irrevocable trust to distribute assets to SNT instead of to individual.

IDENTIFIED ISSUES OR DEFECTS

1. It is unclear from the petition whether the SNT is already in existence or whether it will be in existence at some point in the future.
2. If a SNT is established by the petitioner in her capacity as conservator (e.g. through a substituted judgment procedure), is modification of this trust still necessary or appropriate?

RECOMMENDATION

Petitioner to address issue(s) above.

PROBATE NOTES

Case Name: In re the Estate of Willie Mae Dorton, Deceased
Case Number: FPR047525

Calendar Date: Wednesday, June 1, 2016
Prior Calendar History: February 25, 2016, March 17, 2016, April 14, 2016

Petition(s) or Motion(s): Petition for Letters of Administration and Petition for Authorization to Administer Under the Independent Administration of Estates Act

Filed On: April 28, 2016
Filed By: Roslyn Reynolds

Objections: None
Filed On:
Filed By:

Reviewed By: M. Stokes, Probate Examiner // C. Donovan, Staff Attorney
Date of Review: May 24, 2016

SUMMARY/COMMENTS

Petition to open administration.

IDENTIFIED ISSUES OR DEFICIENCIES

None.

RECOMMENDATION

Recommend for approval.

PROBATE NOTES

Case Name: In re the Walter W. King and Cecelia A. King 1981 Trust
Case Number: FPR047623

Calendar Date: June 1, 2016
Prior Calendar History: May 11, 2016

Petition(s) or Motion(s): Complaint for Fraud, Undue Influence, Interference with Expected Inheritance, Breaches of Trust, Wrongfull [SIC] Taking of Trust Property, for Accounting and to Bring Property into and Declarations Trust Issue Cite

Filed On: March 9, 2016
Filed By: Virginia Gardner

Objections:
Filed On:
Filed By:

Reviewed By: C. Donovan, Staff Attorney
Date of Review: May 25, 2016

SUMMARY/COMMENTS

Unopposed petition to set aside distributions from trust, for relief from allegedly improper accountings, and for transfer of assets back into trust or to the petitioner.

IDENTIFIED DEFECTS OR ISSUES

1. The petitioner does not provide the court with a copy of the trust.
2. There is no proof that Beverly Richards has been served as required.

RECOMMENDATION

Petitioner to address issue(s) above.

PROBATE NOTES

Case Name: In re the Barbara J. Conway Revocable Trust Dated February 27, 2016

Case Number: FPR047664

Calendar Date: June 1, 2016
Prior Calendar History: May 18, 2016

Petition(s) or Motion(s): Petition for Order Confirming Validity of Trust; to Confirm Trustee; and Confirm Assets to Trust

Filed On: April 1, 2016
Filed By: Julie Lunsted

Objections: None
Filed On:
Filed By:

Reviewed By: C. Donovan, Staff Attorney
Date of Review: May 11, 2016; updated May 26, 2016

SUMMARY/COMMENTS

Unopposed petition to confirm trust's validity, confirm trustee, and confirm assets to trust under Prob. C. § 850. Supplement filed May 6, 2016 which removes three accounts held at Diablo Valley Federal Credit Union from the relief sought in the petition. Second supplement filed May 24, 2016 which removes all accounts held at Travis Credit Union from the relief sought in the petition and adds a safe deposit box at Wells Fargo Bank to the list of assets at issue. Declaration filed by petitioner on May 24, 2016 re: assets held by decedent.

IDENTIFIED DEFECTS OR ISSUES

None.

RECOMMENDATION

Judicial discretion whether to grant petition.

PROBATE NOTES

Case Name: In re the Estate of Francis Cronan, aka Frank E. Cronan, Deceased
Case Number: FPR047668

Calendar Date: Wednesday, June 1, 2016
Prior Calendar History: May 12, 2016

Petition(s) or Motion(s): Petition for Probate of Will and for Letters of Administration; and Petition for Authorization to Administer Under the Independent Administration of Estates Act

Filed On: April 6, 2016
Filed By: Steven Patrick Healer and Selinda (Cindy) Towey

Objections: None
Filed On:
Filed By:

Reviewed By: M. Stokes, Probate Examiner; C. Donovan, Staff Attorney
Date of Review: May 26, 2016

SUMMARY/COMMENTS

Petition to open estate administration. Declaration of Maureen Webb filed May 26 re: service of the will on those entitled to notice.

IDENTIFIED DEFECTS OR ISSUES

None.

RECOMMENDATION

Recommend for approval.

PROBATE NOTES

Case Name: In re the Estate of Connie Rae Harris, Deceased
Case Number: FPR047686

Calendar Date: Wednesday, June 1, 2016
Prior Calendar History:

Petition(s) or Motion(s): Petition for Probate of Will and for Letters Testamentary with Will Annexed; and for Authorization of Administration Under the Independent Administration of Estates Act

Filed On: April 18, 2016
Filed By: Alice M. Munoz

Objections: None
Filed On:
Filed By:

Reviewed By: M. Stokes, Probate Examiner // C. Donovan, Staff Attorney
Date of Review: May 24, 2016

SUMMARY/COMMENTS

Petition to open administration.

IDENTIFIED ISSUES OR DEFICIENCIES

1. *Petition*, Item 5(a): Items (3) or (4) must be addressed.
2. Petitioner has not filed the *Duties and Labilities* form (DE-147).
3. The proof of service form filed April 18, 2016 is "signed" through a stamp of an attorney's name. This is not a sufficient signature. An original signature is required.
4. There are no proposed orders or letters in the file.

RECOMMENDATION

Petitioner to address issue(s) above.

PROBATE NOTES

Case Name: In re the Estate of Lola Mae Stolz, Deceased
Case Number: FPR047709

Calendar Date: Wednesday, June 1, 2016
Prior Calendar History:

Petition(s) or Motion(s): Petition for Probate of Will and for Letters Testamentary; and for Authorization of Administration Under the Independent Administration of Estates Act

Filed On: May 2, 2016
Filed By: Karen Kim Horn

Objections: None
Filed On:
Filed By:

Reviewed By: M. Stokes, Probate Examiner // C. Donovan, Staff Attorney
Date of Review: May 24, 2016

SUMMARY/COMMENTS

Petition to open administration.

IDENTIFIED ISSUES OR DEFICIENCIES

1. There is no proof of publication on file as required by Probate Code § 8124.
2. There is no proof of service showing that all those entitled to receipt of the *Notice of Petition to Administer Estate* have received it.
3. *Petition*, Item 8: The petitioner is required to list all persons identified in the decedent's will, whether living or deceased, and provide the information indicated. Edith Rose Dye is named in the will but she is not listed in Item 8 and no information required by Item 8 is provided for her. If Edith Rose Dye is deceased, Item 8 should include the date of her death.
4. The original will has not been filed with the court as required by Probate Code § 8200.

RECOMMENDATION

Petition to address the issue(s) above.