

JUDGE SUSANNE M. FENSTERMACHER

Date: 10/18/21

Dept.: 15

Room: 320

GENERAL HEARINGS - CIVIL

- 1A MSP08-01125 CONS. OF CAROLYN NINO
9:00 HEARING RE: PTN TO SELL RESIDENCE AND PURCHASE OUT OF STATE
FILED ON 12/17/20 BY MATTHEW S TOTH
- 1B MSP08-01125 CONS. OF CAROLYN NINO
9:00 HEARING RE: PETITION FOR APPOINTMENT OF SUCCESSOR CONSERVATOR
FILED ON 07/16/21 BY JOHN STRENG
- 1C MSP08-01125 CONS. OF CAROLYN NINO
9:00 HEARING RE: PTN FOR APPT OF SUCCESSOR C'TOR, PERSON AND ESTATE
FILED ON 02/25/21 BY LAUREN HENSLEE
4. MSP14-00336 CONS. OF ROBERT WILLIAM PIGOZZ
9:00 HEARING RE: PTN FOR AUTHORITY TO INVEST FUNDS FILED ON 08/13/21
BY ROBERT PIGOZZI, JACQUELINE PIGOZZI
5. MSP15-01156 CONS. OF DENNIS W LINO
9:00 HEARING RE: PTN FOR 3RD, 4TH & FINAL COMP FILED ON 08/26/21 BY
CCC HEALTH SERVICES DEPT
6. MSP17-00967 CONS. OF EDWIN BROUSSARD
9:00 HEARING RE: PTN FOR 3RD, 4TH & FINAL COMP FILED ON 08/26/21 BY
CCC HEALTH SERVICES DEPT
7. MSP21-00859 CONS. OF WADE BENTLEY REGENSBE
9:00 HEARING RE: PTN FOR APPT OF C'TOR, PERSON AND ESTATE FILED ON
06/08/21 BY DANIEL SEAMAN
8. MSP21-01288' LIMITED CONS OF DIEM THAO THI
9:00 HEARING RE: PTN FOR APPT OF LIMITED CONS OF PERSON FILED ON
08/17/21 BY TRI MINH HOANG
9. MSP17-01709 GRSHP OF JEREMY KAIDEN GOMEZ C
9:30 HEARING RE: 2ND ACCT & RPT OF GUARDIAN; PTN FOR APPROVAL FILED
ON 03/08/21 BY ALETHA M GOMEZ

JUDGE SUSANNE M. FENSTERMACHER

Date: 10/18/21

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Room: 320

GENERAL HEARINGS - CIVIL

10. MSP19-00876 GRSHP OF JUSTICE GOOCH & JOURN
9:30 HEARING RE: PTN FOR TERMINATION OF GRDNSHIP FILED ON 08/09/21 BY
LASHONDRA PETITE VIGAY, DAVID FRANCES VIGAY

11. MSP19-01698 GDNSHIP OF MICHAEL MOORE JR AN
9:30 HEARING RE: PTN TO TERMINATE GRDNSHIP FILED ON 05/28/21 BY MIKE
MOORE

12. MSA21-00176 PETITION OF LEILANI ANAIS GARC
1:30 SPECIAL SET HEARING ON: PETITION TERMINATION OF PARENTAL RIGHTS
SET BY SALVADOR VILLALOBOS

13. MSP21-00319 GDNSHIP OF MADELYNN J CHANCE A
1:30 PROBATE COURT TRIAL RE: JURISDICTION PETN APPTMT GUARDSHP OF
PERS FILED ON 03/16/21

CONTRA COSTA SUPERIOR COURT

725 COURT STREET; DEPT. 15

MARTINEZ, CALIFORNIA

JUDGE SUSANNE M. FENSTERMACHER

PROBATE CALENDAR AND TENTATIVE RULINGS

DATE: 10/18/2021

PROBATE EXAMINER NOTES-SUBJECT TO REVISION
AFTER REVIEW BY THE JUDGE

Unless the Court directs otherwise, appearances by counsel and parties in Department 15 may be made as follows:

- **In Person**
- **Remotely through Zoom Videoconferencing**
- **Remotely through CourtCall**

Please note the following contact information for your reference:

CourtCall: (888) 882-6878

Parties are to call CourtCall in advance of the hearing to arrange for the telephonic court appearance, not on the day of the hearing.

Zoom videoconferencing for Department 15, Judge Fenstermacher:

<http://www.cc-courts.org/zoom/dept15.aspx>

**IF YOU HAVE MATTERS IN BOTH
DEPARTMENT 30 AND DEPARTMENT 15,
PLEASE NOTIFY THE BAILIFFS
THE MORNING OF YOUR APPEARANCE.**

THANK YOU.

1.A. (- 1.C.) **TIME: 9:00**

CASE # MSP08-01125

CONS. OF CAROLYN NINO

RE: PET'N TO SELL RESIDENCE AND PURCHASE OUT OF STATE
FILED ON 12/17/20 BY MATTHEW S TOTH

Need:

1. Appearances
2. Proposed Order

Parties:

CAROLYN NINO
CAROLYN NINO
DEBRA J DOLCH
DEBRA J DOLCH
DON NINO
GAIL BAUMBACK
JOHN STRENG
KATHLEEN U POLING
LAUREN HENSLEE
MATTHEW S TOTH
RICHARD NINO

Attorneys:

KATHLEEN U. POLING
MATTHEW S. TOTH
MICHAEL I LAMAY
ROBERT F MORRIS
CARA E LANKFORD
ROBERT STEPHEN KOSLOFF
KONSTANTINE A DEMIRIS

CARA E LANKFORD
MATTHEW S TOTH

1.B. **TIME: 9:00**

CASE # MSP08-01125

CONS. OF CAROLYN NINO

RE: PET'N FOR APPOINTMENT OF SUCCESSOR CONSERVATOR
FILED ON 07/16/21 BY JOHN STRENG

Need:

1. Appearances
2. Report of court-appointed counsel for conservatee (Matthew Toth)

1.C. TIME: 9:00

CASE # MSP08-01125

CONS. OF CAROLYN NINO

RE: PET'N FOR APPT OF SUCCESSOR C'TOR, PERSON AND ESTATE

FILED ON 02/25/21 BY LAUREN HENSLEE

Need appearances

Notes:

1. Objection filed 07-14-21 by John Streng.
2. Reply filed 8-27-2021.

4. TIME: 9:00

CASE # MSP14-00336

CONS. OF ROBERT WILLIAM PIGOZZI

RE: PET'N FOR AUTHORITY TO INVEST FUNDS

FILED ON 08/13/21 BY ROBERT PIGOZZI, JACQUELINE PIGOZZI

Need:

1. Proof of mailing to all persons entitled to receive notice
2. Bond presented for filing before Order will be signed.
3. Proposed Order

The Court is waiting for these items:

Report of atty. Susan Aglietti

Note: It appears petitioners are represented by attys. Matthew J. Wright and Patricia Leong. It is unclear whether a Substitution of Attorney was ever filed in this matter.

JACQUELINE PIGOZZI
JACQUELINE PIGOZZI
ROBERT PIGOZZI
ROBERT PIGOZZI
ROBERT WILLIAM PIGOZZI

MATTHEW J WRIGHT
PATRICIA A LEONG
MATTHEW J WRIGHT
PATRICIA A LEONG
SUSAN AGLIETTI

5. TIME: 9:00
CONS. OF DENNIS W LINO
RE: PET'N FOR 3RD, 4TH & FINAL COMP
FILED ON 08/26/21 BY C.C. COUNTY HEALTH SERVICES DEPT

CASE # MSP15-01156

Need:

1. Original financial account statement(s) as required by PrC § 2620(c) (2), (3)
2. Accounting that complies with PrC § 1060 *et seq.*, including Summary of Account on mandatory Judicial Council Form GC-400/GC-405
3. Proof of mailing to all persons entitled to receive notice
4. Verified declaration by petitioner to specify whether all charges for legal advertising, probate referee's services and costs of administration have been paid. LR 7.425(d)
5. Proposed Order

C.C. COUNTY HEALTH SERVICES DEPT COUNTY COUNSEL
DENNIS W LINO RONALD K MULLIN

6. TIME: 9:00
CONS. OF EDWIN BROUSSARD
RE: PET'N FOR 3RD, 4TH & FINAL COMP
FILED ON 08/26/21 BY C.C. COUNTY HEALTH SERVICES DEPT

CASE # MSP17-00967

Need:
Proposed Order

C.C. COUNTY HEALTH SERVICES DEPT COUNTY COUNSEL
EDWIN BROUSSARD

7. TIME: 9:00

CASE # MSP21-00859

CONS. OF WADE BENTLEY REGENSBURG
RE: PET'N FOR APPT OF C'TOR, PERSON AND ESTATE
FILED ON 06/08/21 BY DANIEL SEAMAN

Need:

1. Proof of mailing to Sandra Garey or waiver of notice
2. Revised Order Appointing Probate Conservator Form GC-340 (adopted 1-15-16) with Item # 18.b. completed as to estate

DANIEL SEAMAN
WADE BENTLEY REGENSBURG

RITZI K LAM

8. TIME: 9:00

CASE # MSP21-01288

LIMITED CONS OF DIEM THAO THI HOANG
RE: PET'N FOR APPT OF LIMITED CONS OF PERSON
FILED ON 08/17/21 BY TRI MINH HOANG

Petitioner, mother, still must do the following:

1. Have a copy of the Citation Form GC-320 personally served on conservatee or waiver by counsel. File the original with the Clerk of the Court with Proof of Service completed by server.
2. File Capacity Declaration (Judicial Council Form GC-335) to show whether proposed conservatee lacks capacity to give informed medical consent. PrC § 1890
3. File original signatures on verification of Confidential Conservator Screening Forms GC-314 or verified declaration to attach a corrected face page in compliance with LR 2.80 *et seq.* and CRC § 2.300 *et seq.* regarding facsimile filing.

The Court is waiting for these items:

1. Court Investigator's Report
2. Assessment from Regional Center. PrC § 1827.5; WIC § 4620.
3. Diem Thao Thi Hoang to appear or doctor's declaration stating inability to appear or waiver by counsel
4. Report of atty. Kyla Hale (limited)

Note: Letters of Temporary Conservatorship issued to petitioner expire 5-19-2022.

DIEM THAO THI HOANG
JULIE THI HOANG
TRI MINH HOANG

KYLA J HALE

9. **TIME: 9:30**

CASE # MSP17-01709

GRSHP OF JEREMY KAIDEN GOMEZ CHOY
RE: 2ND ACCT & RPT OF GUARDIAN; PET'N FOR APPROVAL
FILED ON 03/08/21 BY ALETHA M GOMEZ

Need:

1. Accounting that complies with PrC § 1060 *et seq.* Accounting must not include transfers between accounts.

Notes:

1. Statute does not require and court does not want all bank statements. Only provide the statements covering the beginning and ending dates for a 1st account and ending on any subsequent accounts. Please do not submit any others. PrC § 2620(c)(2)
2. The majority of minor's funds are held in blocked accounts; it appears accountings are not required.

ALETHA M GOMEZ
JEREMY KAIDEN GOMEZ-CHOY
WILLIAM A HICKEY

ZACHARY R RAYO
WILLIAM A HICKEY

GRSHP OF JUSTICE GOOCH & JOURNEY Y GOOCH

RE: PET'N FOR TERMINATION OF GRDNSHIP

FILED ON 08/09/21 BY LASHONDRA PETITE VIGAY, DAVID FRANCES VIGAY

Petitioners still must do the following:

1. Appear at the hearing
2. File a verified declaration to verify the Petition. Petition verification was not dated. (CCP § 2015.5)
3. File a verified declaration to include current addresses of maternal grandparents, and name and current address of sibling Mason
4. File a verified declaration to include current address of paternal grandfather so court can confirm mailing. He is listed on Proof of Service attached to Notice filed 8-30-2021; however, his address is not listed in petition.
5. Do one or the other, but not both: (1) Have a copy of the Notice of Hearing and Petition Form GC-210 served by mail on maternal grandparents Shannon Benoit and Angel Moore, and sibling Mason, and file Proof of Service or have each person sign a consent and waiver form (GC-211); OR (2) If a person cannot be found, submit a declaration (GC-02) explaining what efforts have been made to find that person. CRC 7.52
6. File a verified declaration to **address** Petition item 8. The referenced attachment 8 is not attached and a completed Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (form FL-105/GC-120) is not attached as indicated at item 8.

Note: Letters of Guardianship issued to petitioners/paternal grandparents 9-9-2019.

DAVID FRANCES VIGAY
JOURNEY YVETTE MARIE GOOCH
JUSTICE NICOLE GOOCH
LASHONDRA PETITE VIGAY

11. TIME: 9:30

CASE # MSP19-01698

GDNSHIP OF MICHAEL MOORE JR AND SERENA MOORE
RE: PET'N TO TERMINATE GRDNSHIP
FILED ON 05/28/21 BY MIKE MOORE

Mike Moore, father, still must do the following:

1. Appear at the hearing
2. File a verified declaration to complete petition item # 8 with names and current addresses of minors, maternal grandfather and paternal grandmother, and current addresses of maternal grandmother and paternal grandfather
3. Do one or the other, but not both: (1) Have a copy of the Notice of Hearing and Petition Form GC-210 served by mail on maternal and paternal grandparents, and Michael Moore (minor), and file Proof of Service or have each person sign a consent and waiver form (GC-211); OR (2) If a person cannot be found, submit a declaration (GC-02) explaining what efforts have been made to find that person. CRC 7.52

The Court is waiting for these items:

Report of atty. Robert O. Morris

Notes:

1. Letters of Guardianship issued to sister Kaitlyn Camilli 12-13-2019.
2. Declarations in objection filed by guardian 7-12-2021 and 7-27-2021.

KAITLYN CAMILLI	
MICHAEL JASON MOORE JR	ROBERT O. MORRIS
MIKE MOORE	
SERENA ARLENE MOORE	ROBERT O. MORRIS

12. **TIME: 1:30**

CASE # MSA21-00176

PETITION OF LEILANI ANAIS GARCIA-MARQUEZ

RE: PET'N TERMINATION OF PARENTAL RIGHTS SET BY SALVADOR VILLALOBOS

Need:

1. Petition verified. PrC § 1021. CCP § 2015.5. CRC 7.103
2. Proof of personal service of Citation on father
3. Consent of mother filed
4. UCCJEA Form FL-105 filed
5. Verified declaration to include Form ICWA-010(A) to confirm that you have questioned minor's relatives as to whether minor has any Indian ancestry CRC 5.481
6. Parental Notification of Indian Status Form ICWA-020 filed
7. Court Investigator's Report

SALVADOR VILLALOBOS

13. **TIME: 1:30**

CASE # MSP21-00319

GDNSHIP OF MADELYNN J CHANCE AND MEADOW G. WHITING

**PROBATE COURT TRIAL RE: JURISDICTION PET'N APPTMT GUARDSHP OF PERS
FILED ON 03/16/21**

Need appearances

ADAM G WHITING
ASHLEY J WILMS
DENNIS LEE WHITING
MADELYNN JOY CHANCE
MEADOW GENE WHITING
SANDY KAY WHITING