

1. CONSERVATORSHIP OF THOMAS G., SP20070042

Biennial Review Hearing

Before the court is the biennial review of the conservatorship of the person. The court investigator recommends continuation of the conservatorship.

TENTATIVE RULING # 1: ABSENT OBJECTION, THE CONSERVATORSHIP SHALL CONTINUE. THE COURT FINDS THAT ASSESSMENT OF THE COURT INVESTIGATOR FEE WOULD CAUSE A HARDSHIP TO THE CONSERVATORSHIP AND WILL NOT REQUIRE REIMBURSEMENT OF THE FEE. THE COURT SETS THE NEXT BIENNIAL REVIEW HEARING AT 8:30 A.M., AUGUST 18, 2028, IN DEPARTMENT FOUR.

2. ESTATE OF CHOO, 26PR0202

Petition to Administer Estate

TENTATIVE RULING # 2: ABSENT OBJECTION, PETITION GRANTED AS REQUESTED.

**LETTERS SHALL ISSUE. THE COURT SETS A STATUS OF ADMINISTRATION HEARING AT
8:30 A.M., FRIDAY, AUGUST 13, 2027, IN DEPARTMENT FOUR.**

3. GUARDIANSHIP OF WILLIAM B., 23PR0161**Second and Final Account Hearing**

On May 22, 2026, the court granted the petition to fix residence outside the State of California¹ and set the instant hearing to review the second and final account, covering the period of November 8, 2024, through May 22, 2026.

On July 28, 2026, the guardian of the estate, Bonnie Dee Flores (“petitioner”),² filed the second and final account. To date, no party has filed any response or objection.

“In probate court, nothing speaks more eloquently or provides more insight into factual and legal issues than an accounting.” (*Christie v. Kimball* (2012) 202 Cal.App.4th 1407, 1409.) The petition for approval of an account or a report accompanying the petition shall contain, amongst other items, a description of all purchases, or other transactions occurring during the period of the account that are not otherwise readily understandable from the schedule. (Prob. Code, § 1064, subd. (a)(1).) The instant petition is void of any explanation for the numerous disbursements allegedly made for the support, maintenance, and education of the minor — a 12-year old boy — which total \$137,850.99 over a roughly 18-month period.

By way of background, the minor’s father is incapacitated due to a self-inflicted gunshot wound. The minor’s mother died of cancer in 2022, leaving approximately \$1 million to the minor. In 2024, petitioner filed the first accounting. At that time, the court admonished petitioner that she was spending money at a rate and on things that cannot be considered reasonable expenses for the minor’s care. Apparently, petitioner did not take the court’s admonishment seriously because the second and final account would appear to show that the inappropriate expenses have continued.

The guardian of a minor's estate must apply the income from the estate to the support, maintenance, and education of the minor, taking into account the value of the estate and the minor's condition of life. (Prob. Code, § 2420, subd. (a).) The standard of ordinary care and diligence determines the extent to which the guardian should or should not exercise a power otherwise granted by statute. (Prob. Code, § 2401, subd. (b).) Uniform standards of estate management require a guardian, amongst other things, to (1) "[p]rovide competent management of the [minor's] property, with the care of a prudent person dealing with someone else's property," (2) "[m]anage the estate for the benefit of the [minor]," and (3) "[m]ake reasonable efforts to preserve [the minor's] property." (Cal. Rules Ct., Rules 7.1009, subd. (b), 7.1059, subds. (b)(1), (b)(4), (b)(11).)

Although the guardian has the duty to provide "comfortable and suitable support" (Prob. Code, § 2420, subd. (a)), the general rule that any transaction not previously authorized, approved, or confirmed by the court is subject to review also applies to any disbursement made in satisfaction of that duty. (Prob. Code, § 2625.) Guardians have the ultimate responsibility to make decisions regarding disbursement for support because of their familiarity with the particular individual, but they must be prepared to justify and explain to the court the reasons for the amounts spent.

The court briefly identifies some of its spending concerns below and notes that these are the same or similar concerns the court expressed to petitioner after reviewing the first account.

- A. Food, meals, and personal hygiene items – Petitioner asks the court to approve a total of \$26,183.19 (roughly \$1,450.00 per month) for these expenses. The accounting shows that, in addition to substantial grocery expenses, there are multiple meal outings every week where it is not uncommon for petitioner to pay over \$50.00 or \$100.00 for one individual meal, allegedly for the minor only. The court questions whether the minor's estate is being used to pay for items for other people. Below are some examples. This is by no means an exhaustive list.

1. November 12, 2024 - \$95.12 at Lotus Pho;
2. November 26, 2024 – \$72.55 at Bob Dog Pizza (DoorDash);
3. January 15, 2025 - \$147.40 at Amici's;
4. January 21, 2025 - \$91.50 at Wingstop;
5. February 4, 2025 - \$101.26 at Bob Dog Pizza;
6. February 4, 2025 - \$128.85 at Margaritaville;
7. February 19, 2025 - \$58.46 at KFC;
8. February 25, 2025 - \$94.99 at Marion's Fish Market;
9. March 11, 2025 - \$81.74 at Ernie's Coffee Shop;
10. April 10, 2025 - \$70.68 at Ernie's Coffee Shop;
11. April 15, 2025 - \$86.72 at Lotus Pho;
12. April 17, 2025 - \$50.95 at Hunan Garden of Lake Tahoe;
13. April 21, 2025 - \$64.72 at Ernie's Coffee Shop;
14. April 22, 2025 - \$78.80 at Ernie's Coffee Shop;
15. April 29, 2025 - \$57.47 at My Thai Cuisine;
16. May 6, 2025 - \$61.06 at Ganbaru Sushi;
17. June 3, 2025 - \$60.54 at Applebee's (DoorDash);
18. June 4, 2025 - \$60.95 at Hope Valley Bar;
19. June 10, 2025 - \$54.52 at Hope Valley Bar;
20. June 17, 2025 - \$65.00 at Brothers Burrito House;
21. July 15, 2025 - \$67.93 at 3811 El Pollo Loco;
22. July 16, 2025 - \$55.02 at Carl's Jr.;
23. July 22, 2025 - \$50.00 at Brothers Bar and Grill;
24. July 29, 2025 - \$83.65 at Hunan Garden of Lake Tahoe;
25. October 6, 2025 - \$83.49 at Harrah's LT Brew Brot;
26. October 14, 2025 - \$60.37 at Ernie's Coffee Shop;
27. October 28, 2025 - \$65.00 at Ernie's Coffee Shop;

- 28. October 28, 2025 - \$56.00 at Foothills Sourdough;
- 29. October 28, 2025 - \$67.65 at Harrah's LT Brew Brot;
- 30. October 30, 2025 - \$65.07 at Cuppa Tahoe;
- 31. November 4, 2025 - \$381.45 at BJ's Restaurants;
- 32. November 4, 2025 - \$75.30 at CNS Ginza Sushi;
- 33. November 12, 2025 - \$63.83 at Ernie's Coffee Shop;
- 34. November 14, 2025 - \$65.60 at Ernie's Coffee Shop;
- 35. December 2, 2025 - \$200.28 at Olive Garden;
- 36. December 9, 2025 - \$91.61 at Ernie's Coffee Shop;
- 37. January 7, 2026 - \$430.39 at Costco;
- 38. January 12, 2026 - \$87.64 at DoorDash;
- 39. February 3, 2026 - \$106.72 at Red Hut Café;
- 40. April 7, 2026 - \$76.30 at Bali Express;
- 41. April 20, 2026 - \$67.15 at Applebee's;
- 42. April 21, 2026 - \$59.45 at Pegs Glorified Ham;
- 43. May 5, 2026 - \$135.94 at The Bail Thai Cuisine.

- B. Shelter: Petitioner asks the court to approve monthly mortgage payments, as well as home and fire insurance premiums, on the California residence, and also a security deposit and rent payments for the Nevada residence. There are also semi-monthly disbursements for various utilities (i.e., gas, electric, water, garbage) and home maintenance expenses (e.g., pool, plumbing, painting, etc.). Petitioner has not provided any additional information, however, for the court to evaluate the expenses (e.g., the total amount of mortgage and rent expenses). It is the court's understanding that at least four people besides the minor live in the household, and that all four people are adults.
- C. Gasoline and vehicle expenses: In October 2023, the court authorized petitioner to spend up to \$40,000.00 on a new vehicle to transport the minor. On

- December 15, 2023, petitioner purchased a 2020 Hyundai Palisade Limited for at least \$40,000.00. (See Petn. to Approve First Account, filed Feb. 20, 2025, Ex. A.) Despite having purchased this vehicle less than three years ago, petitioner now seeks approval of \$2,048.18 for new brakes and \$3,614.47 for a new transmission. Other unidentified vehicle maintenance expenses total over \$1,000.00. The second accounting also includes expenses for two other vehicles, a Mazda and a Subaru (e.g., \$242.00 registration fee for the Subaru and \$45.00 registration fee for the Mazda). Further, the frequency and amount of gas consumption is suspicious. Again, the court questions whether the minor's estate is being used to pay for more than his share of travel expenses.
- D. Clothing, toys, and books: Petitioner requests approval of a total of \$9,252.71 (roughly \$514.00 per month) on these items, most of which appear to be clothing.
- E. Pet expenses: Petitioner asks the court to approve a total of \$566.88 for pet expenses related to a cat and a dog. The accounting refers to these pets as belonging to the minor. The court needs additional information.
- F. Miscellaneous: The second accounting includes two separate disbursements, \$170.52 each, for a set of graduation pictures for the minor's grandparents (one set for petitioner and her husband, and another set for the paternal grandparents). The accounting also shows a disbursement of \$108.31 for a hotel room for the grandfather to attend the minor's graduation ceremony. It is not reasonable for the minor to bear all of the grandparents' expenses.

Based on the submitted accounting, an issue exists of whether petitioner breached her fiduciary duty of ordinary care and diligence in managing and controlling the estate. The court will need to hold an evidentiary hearing to make such determination. In the event the court finds a breach of fiduciary duty, the court will consider whether to (1) surcharge petitioner for certain disbursements, and/or (2) remove petitioner as

guardian of the estate and appoint a different guardian. (Prob. Code, §§ 2401.3, 2650.)

The court reserves the right to take any other lawful action to remedy the situation, as necessary.

Pursuant to Probate Code section 1470, subdivision (a), the court will exercise its discretion to appoint counsel for the minor with respect to these proceedings.

TENTATIVE RULING # 3: APPEARANCES ARE REQUIRED AT 8:30 A.M., FRIDAY, AUGUST 14, 2026, AT WHICH TIME, THE COURT WILL APPOINT COUNSEL TO REPRESENT THE MINOR AND SET A TRIAL SETTING HEARING ON THE ISSUE OF WHETHER PETITIONER BREACHED A FIDUCIARY DUTY.

1. CONSERVATORSHIP OF GUADALUPE G., SP20080029

Biennial Review Hearing

Before the court is the biennial review of the conservatorship of the person. The court investigator recommends continuation of the conservatorship.

TENTATIVE RULING # 1: ABSENT OBJECTION, THE CONSERVATORSHIP SHALL CONTINUE. THE COURT FINDS THAT ASSESSMENT OF THE COURT INVESTIGATOR FEE WOULD CAUSE A HARDSHIP TO THE CONSERVATORSHIP AND WILL NOT REQUIRE REIMBURSEMENT OF THE FEE. THE COURT SETS THE NEXT BIENNIAL REVIEW HEARING AT 10:00 A.M., AUGUST 18, 2028, IN DEPARTMENT FOUR.