

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NO: 212131; 311590 NAME: <b>Gabrielle A. Vidal; Lilian Walden Givens</b> FIRM NAME: <b>LOEB &amp; LOEB LLP</b> STREET ADDRESS: <b>10100 Santa Monica Blvd., Suite 2200</b> CITY: <b>Los Angeles</b> STATE: <b>CA</b> ZIP CODE: <b>90067</b> TELEPHONE NO.: <b>310.282.2000</b> FAX NO.: <b>310.282.2200</b> E-MAIL ADDRESS: <b>gvidal@loeb.com; lgivens@loeb.com</b> ATTORNEY FOR (name): <b>Petitioner</b>	<b>FOR COURT USE ONLY</b> Electronically FILED by Superior Court of California, County of Los Angeles 12/27/2023 10:04 AM David W. Slayton, Executive Officer/Clerk of Court, By T. Young, Deputy Clerk
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b> STREET ADDRESS: <b>111 N. Hill Street</b> MAILING ADDRESS: <b>111 N. Hill Street</b> CITY AND ZIP CODE: <b>Los Angeles, CA 90012</b> BRANCH NAME: <b>Central District</b>	Hearing Information: 3/6/2024 10:30 AM  Assigned for all purposes to: Jzcategui, Jessica A., Judicial Officer: Stanley Mosk Dept. - 5
CONSERVATORSHIP OF (name): <b>ELIJAH BLUE ALLMAN</b> (PROPOSED) CONSERVATEE	CASE NUMBER: 23STPB14135
<b>PETITION FOR APPOINTMENT OF</b> <input type="checkbox"/> <b>SUCCESSOR</b> <b>PROBATE CONSERVATOR OF THE</b> <input type="checkbox"/> <b>PERSON</b> <input checked="" type="checkbox"/> <b>ESTATE</b>  <input type="checkbox"/> <b>Limited Conservatorship</b>	HEARING DATE AND TIME: DEPT.:

1. **Petitioner (name):** Cher

**requests that**

a. (Name):

(Telephone):

(Address):

**be appointed**  successor  conservator  limited conservator of the PERSON of the (proposed) conservatee and Letters issue upon qualification.

b. (Name): Cher

(Telephone):

(Address): SEE CONFIDENTIAL CONSERVATOR SCREENING FORM SUBMITTED CONCURRENTLY

**be appointed**  successor  conservator  limited conservator of the ESTATE of the (proposed) conservatee and Letters issue upon qualification.

- c. (1)  bond not be required  because the proposed  successor conservator is a corporate fiduciary or an exempt government agency.  for the reasons stated in Attachment 1c.
- (2)  bond be fixed at: \$ 132,000.00 to be furnished by an authorized surety company or as otherwise provided by law. (Specify reasons in Attachment 1c if the amount is different from the minimum required by Probate Code section 2320.)
- (3)  \$ in deposits in a blocked account be allowed. Receipts will be filed. (Specify institution and location):
- d.  orders authorizing independent exercise of powers under Probate Code section 2590 be granted. Granting the proposed  successor conservator of the estate powers to be exercised independently under Probate Code section 2590 would be to the advantage and benefit and in the best interest of the conservatorship estate. (Specify orders, powers, and reasons in Attachment 1d.)
- e.  orders relating to the capacity of the (proposed) conservatee under Probate Code section 1873 or 1901 be granted. (Specify orders, facts, and reasons in Attachment 1e.)
- f.  orders relating to the powers and duties of the proposed  successor conservator of the person under Probate Code sections 2351-2358 be granted. (Specify orders, facts, and reasons in Attachment 1f)
- g.  the (proposed) conservatee be adjudged to lack the capacity to give informed consent for medical treatment or healing by prayer and that the proposed  successor conservator of the person be granted the powers specified in Probate Code section 2355. (Complete item 9 on page 6.)

**Do NOT use this form for a temporary conservatorship.**

CONSERVATORSHIP OF (name): ELIJAH BLUE ALLMAN  (PROPOSED) CONSERVATEE	CASE NUMBER:
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1. h.  (for limited conservatorship only) orders relating to the powers and duties of the proposed limited conservator of the person under Probate Code section 2351.5 be granted. (Specify orders, powers, and duties in Attachment 1h and complete item 1j.)  successor\*
- i.  (for limited conservatorship only) orders relating to the powers and duties of the proposed limited conservator of the estate under Probate Code section 1830(b) be granted. (Specify orders, powers, and duties in Attachment 1i and complete item 1j.)  successor\*
- j.  (for limited conservatorship only) orders limiting the civil and legal rights of the (proposed) limited conservatee be granted. (Specify limitations in Attachment 1j.)
- k.  orders authorizing placement or treatment for a major neurocognitive disorder (such as dementia) as specified in the Attachment Requesting Special Orders Regarding a Major Neurocognitive Disorder (form GC-313) under Probate Code section 2356.5 be granted. A Capacity Declaration—Conservatorship (form GC-335) and Major Neurocognitive Disorder Attachment to Capacity Declaration—Conservatorship (form GC-335A), executed by a licensed physician or by a licensed psychologist acting within the scope of his or her license with at least two years experience diagnosing major neurocognitive disorders (including dementia),  are filed herewith.  will be filed before the hearing.
- (appointment of successor conservator only) will not be filed because an order relating to placement or treatment for a major neurocognitive disorder (such as dementia) was filed on (date): . That order has neither expired by its terms nor been revoked.
- l.  other orders be granted. (Specify in Attachment 1l.)
2. (Proposed) conservatee is (name): Elijah Blue Allman (Telephone):  
(Current address): SEE ATTACHMENT 2
3. a.  **Jurisdictional facts** (initial appointment only) The proposed conservatee has no conservator in California and is a
- (1)  resident of California and
- (a)  a resident of this county.
- (b)  not a resident of this county, but commencement of the conservatorship in this county is in the best interests of the proposed conservatee for the reasons specified in Attachment 3a.
- (2)  nonresident of California but
- (a)  is temporarily living in this county, or
- (b)  has property in this county, or
- (c)  commencement of the conservatorship in this county is in the best interest of the proposed conservatee for the reasons specified in Attachment 3a.
- b. **Petitioner** (answer items (1) and (2) and check all other items that apply)
- (1)  is  is not a **creditor** or an agent of a creditor of the (proposed) conservatee.
- (2)  is  is not a **debtor** or an agent of a debtor of the (proposed) conservatee.
- (3)  is the proposed  successor conservator.
- (4)  is the (proposed) conservatee. (If this item is **not** checked, you must also complete item 3f.)
- (5)  is the spouse of the (proposed) conservatee. (You must also complete item 6.)
- (6)  is the domestic partner or former domestic partner of the (proposed) conservatee. (You must also complete item 7.)
- (7)  is a relative of the (proposed) conservatee as (specify relationship): **Mother**
- (8)  is an interested person or friend of the (proposed) conservatee.
- (9)  is a state or local public entity, officer, or employee.
- (10)  is the guardian of the proposed conservatee.
- (11)  is a bank  is another entity authorized to conduct the business of a trust company.
- (12)  is a professional fiduciary within the meaning of Business and Professions Code section 6501(f) who is licensed by the Professional Fiduciaries Bureau of the Department of Consumer Affairs. Petitioner's license number is provided in item 1 on page 1 of the attached Professional Fiduciary Attachment. (Use form GC-210(A-PF)/GC-310(A-PF) for this attachment. You must also complete item 2 on page 2 of that form and item 3d below.)

\* See item 5b on page 4.

CONSERVATORSHIP OF  
(name): Elijah Blue Allman

CASE NUMBER:

(PROPOSED) CONSERVATEE

3. c. **Proposed**  **successor conservator** is (check all that apply)

- (1)  a nominee. (Affix nomination as Attachment 3c(1).)  
 (2)  the spouse of the (proposed) conservatee. (You must also complete item 6.)  
 (3)  the domestic partner or former domestic partner of the (proposed) conservatee. (You must also complete item 7.)  
 (4)  a relative of the (proposed) conservatee as (specify relationship): Mother  
 (5)  a bank.  another entity authorized to conduct the business of a trust company.  
 (6)  a nonprofit charitable corporation that meets the requirements of Probate Code section 2104.  
 (7)  a professional fiduciary, as defined in Business and Professions Code section 6501(f). His or her statement concerning licensure or exemption is provided in item 1 on page 1 of the attached *Professional Fiduciary Attachment*. (Use form GC-210(A-PF)/GC-310(A-PF) for this attachment.)  
 (8)  other (specify):

d.  Engagement and prior relationship with petitioning professional fiduciary (complete this item if petitioner is licensed by the Professional Fiduciaries Bureau.)

- (1)  Statements of who engaged petitioner, or how petitioner was engaged to file this petition, and a description of any prior relationship petitioner had with the (proposed) conservatee or his or her family or friends, are provided in item 2 on page 2 of the attached *Professional Fiduciary Attachment*. (Use form GC-210(A-PF)/GC-310(A-PF) for this attachment.)  
 (2)  A petition for appointment of a temporary conservator is filed with this petition. That petition contains statements of who engaged petitioner, how petitioner was engaged to file this petition, and a description of any prior relationship petitioner had with the (proposed) conservatee or his or her family and friends.

e. **Character and estimated value of the property of the estate** (complete items (1) or (2) and (3), (4), and (5)):

- (1)  (For appointment of successor conservator only if complete Inventory and Appraisal filed by predecessor):  
 Personal property: \$ \_\_\_\_\_, per Inventory and Appraisal filed in this proceeding on  
 (specify dates of filing of all inventories and appraisals):

- (2)  Estimated value of personal property: \$ 0.00  
 (3) Annual gross income from  
 (a) real property: \$ 0.00  
 (b) personal property: \$ 0.00  
 (c) pensions: \$ 0.00  
 (d) wages: \$ 0.00  
 (e) public assistance benefits: \$ 0.00  
 (f) other: \$ 120,000.00  
 (4) **Total** of (1) or (2) and (3): \$ 120,000.00  
 (5) Real property: \$ 0.00

- (a)  per Inventory and Appraisal identified in item (1).  
 (b)  estimated value.

f.  Due diligence (complete this item if the (proposed) conservatee is not a petitioner):

- (1) Efforts to find the (proposed) conservatee's relatives or reasons why it is not feasible to contact any of them are described on Attachment 3f(1).  
 (2) Statements of the (proposed) conservatee's preferences concerning the appointment of any (successor) conservator and the appointment of the proposed (successor) conservator or reasons why it is not feasible to ascertain those preferences are contained on Attachment 3f(2).

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3. g. So far as known to petitioner, a conservatorship or equivalent proceeding concerning the proposed conservatee

- has not  has been filed in another jurisdiction, including a court of a federally-recognized Indian tribe with jurisdiction (see Prob. Code, § 2031(b)).

(If you answered "has," identify the jurisdiction and state the date the case was filed):

4. (Proposed) conservatee

a.  is  is not a patient in or on leave of absence from a state institution under the jurisdiction of the California Department of State Hospitals or the California Department of Developmental Services (specify state institution):

b.  is receiving or entitled to receive  is neither receiving nor entitled to receive benefits from the U.S. Department of Veterans Affairs (estimate amount of monthly benefit payable):

c.  is  is not, so far as is known to petitioner, a member of a federally recognized Indian tribe. (If you answered "is," complete items (1)–(4)):

(1) Name of tribe:

(2) Location of tribe (if the tribe is located in more than one state, the state that is the tribe's principal location):

(3) The proposed conservatee  does  does not reside on tribal land.\*

(4) So far as known to petitioner, the proposed conservatee  owns  does not own property on tribal land.

5. a.  Proposed conservatee (initial appointment of conservator only)

(1)  is an adult.

(2)  will be an adult on the effective date of the order (date):

(3)  is a married minor.

(4)  is a minor whose marriage has been dissolved.

b.  Vacancy in office of conservator (appointment of successor conservator only A petition for appointment of a limited conservator after the death of a predecessor is a petition for initial appointment. (Prob. Code, § 1860.5(a)(1).)

There is a vacancy in the office of conservator of the  person  estate for the reasons  specified in Attachment 5b.  specified below.

\* "Tribal land" is land that is, with respect to a specific Indian tribe and the members of that tribe, "Indian country," as defined in 18 U.S.C. § 1151.

CONSERVATORSHIP OF <i>(name):</i> Elijah Blue Allman  (PROPOSED) CONSERVATEE	CASE NUMBER:
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5. c. **(Proposed) conservatee** requires a conservator and is
- (1)  unable to properly provide for his or her personal needs for physical health, food, clothing, or shelter.  
 Supporting facts are  specified in Attachment 5c(1)  as follows:

- (2)  substantially unable to manage his or her financial resources or to resist fraud or undue influence.  
 Supporting facts are  specified in Attachment 5c(2)  as follows:

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5. d.  (Proposed) conservatee voluntarily requests the appointment of a  successor conservator.  
*(Specify facts showing good cause in Attachment 5(d).)*
- e.  Confidential Supplemental Information (form GC-312) is filed with this petition. *(Initial appointment of conservator only. All petitioners must file this form except banks and other entities authorized to do business as a trust company.)*
- f. **(Proposed) conservatee**  does  does not have a developmental disability as defined in Probate Code section 1420. Petitioner is aware of the requirements of Probate Code section 1827.5. *(Specify the nature and degree of the alleged disability in Attachment 5f).*
6.  **Petitioner or proposed**  **successor conservator is the spouse of the (proposed) conservatee.**  
*(If this statement is true, you must answer a or b.)*
- a.  The (proposed) conservatee's spouse is not a party to any action or proceeding against the (proposed) conservatee for legal separation, dissolution of marriage, annulment, or adjudication of nullity of their marriage.
- b.  Although the (proposed) conservatee's spouse is a party to an action or proceeding against the (proposed) conservatee for legal separation, dissolution, annulment, or adjudication of nullity of their marriage, or has obtained a judgment in one of these proceedings, it is in the best interest of the (proposed) conservatee that:
- (1)  a  successor conservator be appointed.
- (2)  the spouse be appointed as the  successor conservator.  
*(If you checked item 6b(1) or (2) or both, specify the facts and reasons in Attachment 6b.)*
7.  **Petitioner or proposed**  **successor conservator is the domestic partner or former domestic partner of the (proposed) conservatee.** *(If this statement is true, you must answer a or b.)*
- a.  The domestic partner of the (proposed) conservatee has not terminated and does not intend to terminate the domestic partnership.
- b.  Although the domestic partner or former domestic partner of the (proposed) conservatee intends to terminate or has terminated the domestic partnership, it is in the best interest of the (proposed) conservatee that
- (1)  a  successor conservator be appointed.
- (2)  the domestic partner or former domestic partner be appointed as the  successor conservator.  
*(If you checked item 7b(1) or (2) or both, specify the facts and reasons in Attachment 7b.)*
8. **(Proposed) conservatee** *(check all that apply)* **SEE ATTACHMENT 8**
- a.  will attend the hearing AND  is the petitioner  is not the petitioner AND  has  has not nominated the proposed  successor conservator.
- b.  *(initial appointment of conservator only)* is able but unwilling to attend the hearing AND  does  does not wish to contest the establishment of a conservatorship,  does  does not object to the proposed conservator, AND  does  does not prefer that another person act as conservator.
- c.  *(initial appointment of conservator only)*: is unable to attend the hearing because of medical inability. A *Capacity Declaration—Conservatorship* (form GC-335), executed by a licensed medical practitioner or an accredited religious practitioner  is filed with this petition.  will be filed before the hearing.
- d.  *(initial appointment of conservator only)* is not the petitioner, is out of state, and will not attend the hearing.
- e.  *(appointment of successor conservator only)* will not attend the hearing.
9.  **Medical treatment of (proposed) conservatee**
- a. There is no form of medical treatment for which the (proposed) conservatee has the capacity to give an informed consent.
- b. A *Capacity Declaration—Conservatorship* (form GC-335) executed by a licensed physician or by a licensed psychologist acting within the scope of his or her licensure, stating that the (proposed) conservatee lacks the capacity to give informed consent for any form of medical treatment and giving reasons and the factual basis for this conclusion,  
 is filed with this petition.  will be filed before the hearing.  will not be filed for the reason stated in c.
- c.  *(appointment of successor conservator only)* The conservatee's incapacity to consent to any form of medical treatment was determined by order filed in this matter on *(date)*:  
 That order has neither expired by its terms nor been revoked.
- d. (Proposed) conservatee  is  is not an adherent of a religion that relies on prayer alone for healing, as defined in Probate Code section 2355(b).

CONSERVATORSHIP OF (name): Elijah Blue Allman (PROPOSED) CONSERVATEE	CASE NUMBER:
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10.  **Temporary conservatorship**  
 Filed with this petition is a *Petition for Appointment of Temporary Conservator* (form GC-111).

11. **(Proposed) conservatee's relatives**

The names, residence addresses, and relationships of the spouse or registered domestic partner and the second-degree relatives of the (proposed) conservatee (his or her parents, grandparents, children, grandchildren, and brothers and sisters), so far as known to petitioner, are

- a.  listed below.
- b.  not known, or no longer living, so the (proposed) conservatee's deemed relatives under Probate Code section 1821(b) (1)–(4) are listed below.

<u>Name and relationship to conservatee</u>	<u>Residence address</u>
(1) SEE ATTACHMENT 11	
(2)	
(3)	
(4)	
(5)	
(6)	
(7)	
(8)	
(9)	
(10)	
(11)	
(12)	
(13)	
(14)	
(15)	
(16)	

Continued on Attachment 11.

CONSERVATORSHIP OF (name): Elijah Blue Allman  (PROPOSED) CONSERVATEE	CASE NUMBER:
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12.  **Confidential conservator screening form**

Submitted with this petition is a *Confidential Conservator Screening Form* (form GC-314) completed and signed by the proposed  successor conservator. (Required for all proposed conservators except banks and trust companies.)

13.  **Court investigator**

Filed with this petition is a proposed *Order Appointing Court Investigator* (form GC-330).

14. Number of pages attached: 3

Date: December 26, 2023

Gabrielle A. Vidal  
\_\_\_\_\_  
(TYPE OR PRINT NAME OF ATTORNEY FOR PETITIONER)

  
\_\_\_\_\_  
(SIGNATURE OF ATTORNEY FOR PETITIONER)

(All petitioners must also sign (Prob. Code, § 1020; Cal. Rules of Court, rule 7.103).)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: December 26, 2023

Cher  
\_\_\_\_\_  
(TYPE OR PRINT NAME OF PETITIONER)

  
\_\_\_\_\_  
(SIGNATURE OF PETITIONER)

\_\_\_\_\_  
(TYPE OR PRINT NAME OF PETITIONER)

  
\_\_\_\_\_  
(SIGNATURE OF PETITIONER)



CONSERVATORSHIP OF THE ESTATE OF ELIJAH BLUE ALLMAN

ATTACHMENT TO PETITION FOR APPOINTMENT OF PROBATE CONSERVATOR

**Attachment 2**

In an effort to maintain Elijah's privacy, his address is provided in the concurrently submitted Confidential Supplemental Information (item 4).

**Attachment 3f(1)**

Petitioner will provide notice of this petition to all persons named in Attachment 11 below.

**Attachment 3f(2)**

Petitioner has been unable to discuss Elijah's preferences concerning the appointment of a temporary conservator because given Elijah's current mental and physical health issues, discussed in detail in the concurrently filed Confidential Supplemental Information, he is unable to form or express a preference concerning the appointment of a conservator for his estate.

**Attachment 5c(2)**

*A Conservator of the Estate is Needed Because Elijah is Substantially Unable to Manage his Own Financial Resources*

Probate Code section 1801(b) provides that "[a] conservator of the estate may be appointed for a person who is substantially unable to manage his or her own finances resources." As explained in more detail in the concurrently filed Confidential Supplemental Information, Elijah is substantially unable to manage his financial resources due to severe mental health and substance abuse issues.

Elijah is entitled to regular distributions from a trust established by his father for his benefit, but given his ongoing mental health and substance abuse issues, Petitioner is concerned that any funds distributed to Elijah will immediately be spent on drugs, leaving Elijah with no assets to provide for himself, and putting Elijah's life at risk. Additional facts and details supporting the need for a conservator of Elijah's estate are set forth in the concurrently filed Confidential Supplemental Information.

*Petitioner is Entitled to Appointment as Conservator of Elijah's Estate*

In making the selection of a conservator of Elijah's estate, "the court is to be guided by what appears to be for the best interests of" Elijah. (Prob. C. § 1812 (a). Here, the appointment of Petitioner as conservator of Elijah's estate is in his best interest. Not only is Petitioner, as Elijah's mother, entitled to priority of appointment as conservator for Elijah's estate (see Prob. C. § 1812(b)), but two of Elijah's siblings have nominated Petitioner to act as conservator. (See declarations and nominations attached as **Exhibit 2** to the concurrently filed Confidential Supplemental Information.) (See Prob. C. § 1812(b)(6).) As explained in the concurrently filed Confidential Supplemental Information, Petitioner has worked tirelessly to get Elijah into treatment and get him the

CONSERVATORSHIP OF THE ESTATE OF ELIJAH BLUE ALLMAN

ATTACHMENT TO PETITION FOR APPOINTMENT OF PROBATE CONSERVATOR

help he needs. Petitioner loves Elijah immensely and has always acted with his best interests in mind.

On or about November 15, 2021, Elijah filed for divorce from his wife, Marieangela King (“Angela”). As detailed more fully in the concurrently filed Confidential Supplemental Information, Petitioner is informed and believes that, until recently, Elijah and Angela were estranged and their tumultuous relationship has been marked by a cycle of drug addiction and mental health crises. Petitioner is informed and believes that Angela is not supportive of Elijah’s recovery and that Angela actively works to keep Elijah from getting clean and sober or receiving mental health treatment that he desperately needs. Most recently, Petitioner is informed and believes that Angela took steps to check Elijah out of the treatment center where he was receiving much needed medical care. Petitioner notes that because Angela and Elijah are currently in the midst of dissolution proceedings, Angela is not entitled to appointment as conservator of Elijah’s estate unless the court finds, *by clear and convincing evidence*, that such appointment would be in Elijah’s best interest. (Prob. C. § 1813.) It is not. Indeed, it would be unsafe for Elijah and his estate because Petitioner is informed and believes that the appointment of Angela as conservator of Elijah’s estate would result in the immediate loss or dissipation of Elijah’s assets for self-destructive purposes.

**Attachment 8**

Petitioner does not know if Elijah will attend the hearing on this Petition. Petitioner will serve Elijah with a copy of the Petition and a citation as required under Probate Code section 1824.

**Attachment 11**

The names, residence addresses, and relationships of the spouse, and second degree relatives of Elijah are listed below.

Name & Relationship	Residence Address
Cher, Petitioner, Mother	Withheld for Privacy – See Confidential Notification to Court of Addresses
Gregg Allman, Father	Deceased
Marieangela King, Spouse (in dissolution proceedings)	Withheld for Privacy – See Confidential Notification to Court of Addresses
Chaz Bono, Brother	Withheld for Privacy – See Confidential Notification to Court of Addresses

CONSERVATORSHIP OF THE ESTATE OF ELIJAH BLUE ALLMAN

ATTACHMENT TO PETITION FOR APPOINTMENT OF PROBATE CONSERVATOR

Name & Relationship	Residence Address
Delilah Island Frawley, f/k/a Delilah Island Allman Kurtom, Sister	Withheld for Privacy – See Confidential Notification to Court of Addresses
Layla Brooklyn Allman, Sister	Withheld for Privacy – See Confidential Notification to Court of Addresses
Devon Allman, Brother	Withheld for Privacy – See Confidential Notification to Court of Addresses
Geraldine Robbins Allman, Grandmother	Deceased
Willis Turner Allman, Grandfather	Deceased
John Sarkisian, Grandfather	Deceased
Georgia Holt, Grandmother	Deceased