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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

Conservatorship of the Person and  
Estate of KYUNG H. YUN

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LOS ANGELES COUNTY OFFICE  
OF THE PUBLIC GUARDIAN as  
Conservator,

Petitioner and Respondent,

v.

JOHN P.,

Objector and Appellant.

B282598

(Super. Ct. L.A. County  
No. 16STPB02948)

APPEAL from an order of the Superior Court of  
Los Angeles, Brenda Penny, Commissioner. Appeal dismissed.

John P., in pro. per., for Objector and Appellant.

Mary C. Wickham, County Counsel, Rosanne Wong,  
Assistant County Counsel, Deborah P. Mogul, Senior Deputy

Counsel; Greines, Martin, Stein & Richland and Alison M. Turner for Petitioner and Respondent.

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John P. appeals from a March 24, 2017 order appointing the Los Angeles County Office of the Public Guardian (Public Guardian) as conservator of the estate and person of his mother, Kyung H. Yun. Because Yun died on November 24, 2017, terminating the conservatorship, we dismiss the appeal as moot.

### **FACTUAL AND PROCEDURAL SUMMARY**

On August 11, 2016, the court appointed the Public Guardian as temporary conservator of Yun's estate and person. On March 3, 2017, the court granted the Public Guardian's petition to be appointed conservator; an order to that effect was entered on March 24, 2017. The order included limitations on John P.'s visitation with Yun. On May 11, 2017, John P. on his own behalf, Yun, purportedly on her own behalf, and John P. and Yun jointly, appealed the order establishing the permanent conservatorship, including the limitations placed on John P. John P.'s notice of appeal stated that it appealed "the order of the court entered on March 24, 2017, appointing probate conservator, affecting the legal capacity of the conservatee (Prob. Code[,] § 1301[, subd. ](e)), and granting injunctions."

On December 14, 2017, John P. filed a petition for writ of supersedeas in this court, seeking relief from a petition filed by the Public Guardian to further restrict John P.'s visitation. The petition did not disclose that Yun had died. The Public Guardian contended, in opposition to the petition for writ of supersedeas, that the petition was mooted by Yun's death. The Public Guardian moved to dismiss the appeal as moot for the same reason. We denied the petition for writ of supersedeas as moot on

December 29, 2017. We now address the motion to dismiss the appeal.

## DISCUSSION

The Public Guardian contends that the appeal should be dismissed as moot, because the order appointing it as the conservator for Yun is rendered ineffective by reason of her death. It argues, therefore, that the propriety of that order is no longer an actual controversy because any ruling by this court can have no practical effect. We agree.

“[A]n appeal is moot if ‘the occurrence of events renders it impossible for the appellate court to grant appellant any effective relief.’ ” (*Lockaway Storage v. County of Alameda* (2013) 216 Cal.App.4th 161, 175.) A conservatorship is terminated by the death of the conservatee or by order of the court. (Prob. Code, § 1860, subd. (a).) From that point, the conservator continues to have a duty of custody and conservation of the estate “pending the delivery thereof to the personal representative of the ward’s or conservatee’s estate or other disposition according to law.” (Prob. Code, § 2467, subd. (a).)

In opposition to the motion to dismiss and at oral argument, John P. does not contend that the Public Guardian has any duty other than pursuant to this provision with respect to Yun’s estate. Instead, he raises other issues involving orders and actions taken after he filed the notice of appeal. For example, John P. asserts that the Public Guardian is liable for Yun’s death because of alleged failings in the care Yun received before her death. These issues, however, are not before us in this appeal. Finally, with respect to Yun’s estate, a reversal of the order establishing the conservatorship would not affect actions taken by the Public Guardian prior to the date of the reversal. (See,

e.g., Prob. Code, §§ 1310, subd. (b), 1311.) Therefore, reversal could not yield any monetary benefit to Yun's estate.

Because the conservatorship terminated at Yun's death, there is no effective relief we are able to provide John P., and Yun's estate will be returned to her personal representative regardless of the resolution of this appeal. Accordingly, we dismiss the appeal as moot.

### **DISPOSITION**

The appeal is dismissed. Each party to bear their own costs on appeal.

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ROTHSCHILD, P. J.

We concur:

CHANEY, J.

BENDIX, J.