



## Second/Final Check

Superior Court of California  
County of San Bernardino  
Probate Department

### **Probate Notes for Calendar Date: 01/02/18**

The notes on the following pages were updated approximately three court days prior to the hearing to reflect newly-filed documents. Documents filed now after that update typically will not be reviewed except on the date of hearing at the judge's discretion.

### **Destruction of Filed Documents:**

Shredding/destruction of all court documents filed and imaged before January 2011 will begin soon. All filed/imaged documents are shredded one year after filing pursuant to court policy. Any filed original documents not retrieved timely will be permanently lost. (Wills and codicils lodged into the will vault will not be affected.)

### **Contacting the Probate Examiners:**

Probate Examiners' email address: ProbateNotes@sb-court.org

Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. Please do not email to notify that documents have been filed, to request a confirmation whether documents have been received, or to request the clearing of notes. No legal or procedural advice may be given by examiners in response to your email.

nb1207/1227

Superior Court of Calif, County of San Bernardino  
Page: 1 ADD ON  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT **PROBATE**

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DATE: 01/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS0800010

CASE NAME: MARY MARGARET ROWE  
**SEE ALSO 1A**

HEARING:  
Hearing Re: OSC RE SANCTIONS IN AMOUNT OF \$500.00

COUNSEL:  
ETHANAC ROADINVESTORS, A LIMIT (TP )...DENNIS K HASTY  
JOHN M BYLSMA (PET)...ALLARD, SHELTON &  
JOHN M BYLSMA (PET)...KEITH S WALKER  
MARY MARGARET ROWE (DEC)...

**CCP170.6 filed as to CYNTHIA LUDVIGSEN**

GENERAL INFORMATION:

Continued from **09/05/17**. No appearance. Court orders personal representative and their counsel to be present in Court on 10/17/17.

Continued from **10/17/17** at request of counsel to file status report.

**Matter set ate 12/05/17 hearing due to non-appearances. Court orders administrator and counsel to be personally present in court for hearing. Notice by Judicial Assistant.**

THIS CASE IS SET FOR HEARING ON **OSC re Sanctions in the amount of \$500** on Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Order Approving Second Status Report entered 03/04/16; accounting now due.
2. No accounting or updated status report. Need same.

RECOMMENDATION:

Inquire status.

(nb/lh/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 01/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS0800010

CASE NAME: MARY MARGARET ROWE

**SEE ALSO 1**

HEARING:

Accounting Review

COUNSEL:

ETHANAC ROADINVESTORS, A LIMIT	(TP )...DENNIS K HASTY
JOHN M BYLSMA	(PET)...ALLARD, SHELTON &
JOHN M BYLSMA	(PET)...KEITH S WALKER
MARY MARGARET ROWE	(DEC)...

**CCP170.6 filed as to CYNTHIA LUDVIGSEN**

See matter #1.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 1B

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 01/02/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1601192

CASE NAME: JAMES R GRIME

HEARING:

Waiver of Account and Report of JAMES ANDREW GRIME and Petition for allowance of fees filed.

COUNSEL:

JAMES ANDREW GRIME	(PET)...LINDA J GLADSON
JAMES ANDREW GRIME	(PET)...VARNER & BRANDT
JAMES R GRIME	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of Account and Petition for Fees by Executor, James A. Grime ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Beneficiaries waive accounting.
2. Accounting period
3. Assets on Hand \$414,876.87 of which \$3,551.87 is cash.
4. Petitioner waives statutory compensation.
5. Attorney requests statutory fees of \$11,256.12. Calculated.
6. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

RFA. If approved, set next hearing for receipts and final discharge for **01/18/19**.  
(nb)

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Page: 1C ADD ON  
CIVPRO San Bernardino District  
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HONORABLE: STANFORD E. REICHERT

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DATE: 01/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1601271

CASE NAME: SHERMAN LEE MITCHELL

**SEE ALSO 1D, 1E**

HEARING:

Hearing Re: PETITION FOR AMENDED PROBATE OF LOST WILL

COUNSEL:

RHYAN MITCHELL	(PRO/PER
RIANNE MITCHELL	(OBJ)...
SHERMAN LEE MITCHELL	(DEC)...
SHERMAN LEE MITCHELL II	(PET)...PRO/PER

GENERAL INFORMATION:

**Matter trailed from 12/18/17.**

THIS CASE IS SET FOR HEARING ON [Amended filed 03/27/17] Petition for Probate of Lost Will Letters Testamentary with full authority under IAEA by son and named executor, Sherman L. Mitchell II.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petition indicates will waives bond. Net estate value \$302,400 in personal property. The court may for good cause require that a bond be given, either before or after issuance of letters. (Prob. Code, § 8481(b)).
2. Amended petition indicates will is lost; however, section d(f)(3) is incomplete and there is no attachment 3f(3) attached. Need same.
3. Section 5b of the petition must address whether the decedent was survived by a stepchild or foster child. Court to clarify.
4. Need proof of service of amended petition.
5. **Objection filed 12/11/17 by Rianne Mitchell.**
6. No Proposed form Order/Letters. Submit after hearing.

RECOMMENDATION:

Need to clear notes 2 - 4. Court's discretion. If approved, set Accounting/Status Review for **04/01/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs/nb)

**Revised second check notes post two court days prior to the hearing.** Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

Future Hearing:  
01/16/18 Court Trial  
01/17/17 Court Trial

**Revised second check notes post two court days prior to the hearing.** Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 01/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1601271

CASE NAME: SHERMAN LEE MITCHELL

**SEE ALSO 1C, 1E**

HEARING:

Hearing Re: OSC RE DISMISSAL OF PETITION

COUNSEL:

RHYAN MITCHELL	(PRO/PER
RIANNE MITCHELL	(OBJ)...
SHERMAN LEE MITCHELL	(DEC)...
SHERMAN LEE MITCHELL II	(PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re Dismissal of Petition.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. As Sherman Lee Mitchell, ii failed to appear for readiness hearing, court sets OSC re Dismissal of the petition he filed which is currently set for trial.
2. Court orders Sherman Lee Mitchell, ii to be present on January 2, 2018 at 8:30am in department S35.
3. Court notes that if petitioner fails to appear or fails to provide sufficient information as to why he failed to appear for the hearing on December 18, 2017, the Court will dismiss the petition.
4. Notice by Judicial Assistant.

RECOMMENDATION:

Court's discretion

(nb)

Future Hearing:

01/16/18 Court Trial

01/17/17 Court Trial

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Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 01/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1601271

CASE NAME: SHERMAN LEE MITCHELL

**SEE ALSO 1C, 1D**

HEARING:

Readiness Calendar

COUNSEL:

RHYAN MITCHELL

(PRO/PER

RIANNE MITCHELL

(OBJ)...

SHERMAN LEE MITCHELL

(DEC)...

SHERMAN LEE MITCHELL II

(PET)...PRO/PER

No notes – Readiness.

(nb)

Future Hearing:

01/16/18 Court Trial

01/17/17 Court Trial



Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 01/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700452

CASE NAME: MTR OF JUAN J DAVILA JR

## SEE ALSO #2A

HEARING:

Petition for PROBATE OF THE LOST WILL AND ACCOMPANYING TRUST INSTRUMENT

COUNSEL:

JUAN J DAVILA JR

(DEC)...

LAURA A QUIGLEY

(PET)...MATTHEW E SHEASBY

NATASHA MARIE AGUIRRE

(PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Probate of Lost Will and Accompanying Trust by girlfriend, Laura Ann Quigley ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Laura A. Quigley is also a petitioner in the following matter #2A. Question the status of Petition for Letters of Administration with full authority under IAEA by fiancé and step-daughter, Laura Quigley and Natasha M. Aguirre? Court to inquire.
2. Declaration re Lost Will filed in the form of a Petition for Probate of Lost Will on 09/26/17 indicates signed copies of the Will [LF, p10] and Trust documents [LF, p. 16-34] have not been found. Declaration indicates decedent met with Gregory McCloskey in order to have Trust documents prepared; that Mr. McCloskey was in regular contact with the decedent prior to his death; and at no point did the decedent express a wish to amend or change the Trust Terms [LF, p. 92]. Petitioner further proffers an Individual Quitclaim Deed [LF, p. 90] relinquishing title in his individual capacity, to decedent as Trustor and Trustee of The Davila Family Trust dated February 17, 2011.
3. Need Mandatory Judicial Forms, Petition for Probate - DE-111.
4. Need Duties and Liabilities of Personal Representative form DE-147.
5. Need Notice of Petition to Administer Estate with proof of service form DE-121.
6. Need proof of publication.

**Revised second check notes post two court days prior to the hearing.** Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

7. Will waives bond. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. §8481(c). JTD.
8. Proposed Order 09/26/17 is not on Mandatory Judicial Council Form and includes trust instruments.

**RECOMMENDATION:**

Need amended petition to be set on first check calendar no sooner than **02/13/17** and a separate petition determining validity of purported 2011 trust et seq.

(nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 01/02/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1700452

CASE NAME: MTR OF JUAN J DAVILA JR

## SEE ALSO #2

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL IAEA

COUNSEL:

JUAN J DAVILA JR

(DEC)...

LAURA A QUIGLEY

(PET)...MATTHEW E SHEASBY

NATASHA MARIE AGUIRRE

(PET)...PRO/PER

### GENERAL INFORMATION:

Continued from **08/01/17**. Petitioner to file and serve the supplement to clear the probate notes by 4pm August 29, 2017.

**Continued from 09/19/17 and 12/05/17 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by fiancé and step-daughter, Laura Quigley and Natasha M. Aguirre ["Petitioners"].

### THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. It appears decedent was survived by sons who have higher priority but whose addresses are purportedly unknown. However, death certificate [LF, p. 7] includes address for son, Juan Jose Davila III. Need Declinations to Serve by sons and nomination of these petitioners.
2. Question if Natasha is a step-daughter from a former relationship or if Natasha is Laura's daughter? Need further clarification via verified supplement.
3. Petition is missing page 3. Need complete petition.
4. Petitioners allege all heirs waive bond. However, no waivers by sons, Juan, Joey and Joseph Davila. Suggest bond of \$200,000. JTD.
- 5. Proof of publication filed.**
- 6. Notice of Petition to Administer Estate does not include addresses for Joey Davila and Joseph Q. Davila. Need Due Diligence Declarations.**
7. ~Proposed Form Order/Letters 05/11/17.

Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

**RECOMMENDATION: See matter #2**

Need to clear notes 1-6, \$200,000 bond. If approved, set future hearing for Accounting/Status Review on **11/27/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.  
(nb)

**Revised second check notes post two court days prior to the hearing.** Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 01/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700791

CASE NAME: MTR OF MEREDITH ANN NELSON

HEARING:  
Hearing Re: RESTRAINING ORDER

COUNSEL:  
JOHN KEITH NELSON (PET)...PRO/PER  
MEREDITH ANN NELSON (DEC)...

Request for Waiver of Court Fees and Costs filed by JOHN KEITH NELSON is GRANTED

Notice:

Proof of mailed service filed. However, need proof of personal service on CIT Bank,  
N.A. c/o MTC Financial Inc. dba Trustee Corps.  
(nb)

Future Hearing:  
01/23/19 Accounting Review.

**Revised second check notes post two court days prior to the hearing.** Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

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Page: 3A ADD ON  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 01/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700842

CASE NAME: DOROTHY L. CHRISMER

**SEE ALSO 3B**

HEARING:

Hearing Re: OSC RE DISMISSAL

COUNSEL:

DARRELL CHRISMER (PET)...PRO/PER

DOROTHY L. CHRISMER (DEC)...

GENERAL INFORMATION:

**Matter set on 12/05/17 due to non-appearance. Court notes that if petitioner does not appear at next hearing nor have notes cleared, Court will dismiss petition at hearing. Notice by Judicial Assistant.**

THIS CASE IS SET FOR HEARING ON **OSC re Dismissal** on Petition for Letters of Administration with full authority under IAEA.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges that petitioner is the sole beneficiary and waives bond. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(c).
2. Petition indicates decedent has a will at section 2a and that decedent was a citizen of a country other than the U.S. at section 3b. Need further clarification via verified supplement.
3. Need proof of publication.

RECOMMENDATION:

Need to clear note 2-3. If approved, set future hearing for Accounting/Status Review on **03/26/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(nb)

**Revised second check notes post two court days prior to the hearing.** Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino

Page: 3B ADD ON

CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 01/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700842

CASE NAME: DOROTHY L. CHRISMER

**SEE ALSO 3A**

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

DARRELL CHRISMER (PET)...PRO/PER  
DOROTHY L. CHRISMER (DEC)...

See prior matter #3A.

(nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 01/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700961

CASE NAME: CHARLES GOES

HEARING:

Spousal Property Petition hearing.

COUNSEL:

CHARLES GOES (DEC)...

LINDA HUMPHREY-GOES (PET)...ROBBINS & HOLDAWAY

**X-REF: PROPS 1700962**

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON **Amended** (12/22/17) Spousal Property Petition by Linda Humphrey-Goes ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests a determination and confirmation of property passing to the surviving spouse as community property. Specifically, a Wells Fargo Savings Acct., No, XXX9000 and an investment account at Charles Schwab, No. XXX9872. Petition indicates while Petitioner was aware of the existence of many of their bank accounts and investments, she was unaware of these accounts; held in Decedent's name alone; which monies placed into these accounts came from community funds. Parties were married on 09/09/72 to the date Decedent passed away, on 01/15/17. Does Court wish to require copies of vesting documents? JTD.
2. Community Property Agreement, Exhibit "A," is not affixed as alleged. Need same.
3. The Will [LF, p.4] conditionally incorporates decedent's Trust. Need a certification of trust that meets the requirements in Pr.C. §18100.5 and additionally includes a list of Trust beneficiaries for notice purposes. **Copy of Decedent's Trust filed 12/22/17**
4. **Section 6 to petition is incomplete as to whether decedent was survived by parent(s); siblings; or issue if a deceased sibling. Need verified supplement.**
5. **Notice of Hearing filed 12/22/17 does not give 30days' notice. Need proper service.**

Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.



6. ~Proposed Form Order 09/27/17.

**RECOMMENDATION:**

Need to clear notes 4-5 then Court's discretion.

(nb)

**Revised second check notes post two court days prior to the hearing.** Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 01/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1701161

CASE NAME: MTR OF KENNETH JAMES COKER

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With Full Authority Under IAEA.

COUNSEL:

KENNETH JAMES COKER (DEC)...  
PETER C COKER (PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA by named Executor/son, Peter C. Coker [Petitioner].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will is not self-proving as it is not signed "under penalty of perjury under the laws of the State of California" by witnesses. Need proof of subscribing witness.
2. Will waives bond. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. §8481(c).
3. Section 3d is incomplete as to estimate value of the property of the estate.
4. Section 3f(2) does not include date.
5. ~Proposed Form Order/Letters 11/17/17.

RECOMMENDATION:

Need to clear notes 1 & 3-4 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **03/26/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **TRUSTS AND MOTIONS**

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DATE: 01/02/18      TIME: 8:35      DEPT: S35P  
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CASE#: PRO PS1700962

CASE NAME: THE HUMPHREY-GOES FAMILY 2013 REV TRUST

HEARING:

Petition for INSTRUCTIONS RE OWNERSHIP OF TRUST ASSETS (PROBATE  
CODE SEC 17200(B)(6))

COUNSEL:

LINDA K HUMPHREY-GOES

(PET)...ROBBINS & HOLDAWAY

THE HUMPHREY-GOES FAMILY 2013

(TRU)...

**X-REF: PROPS 1700961**

Currently under review by Legal Research.  
(LR)

Notice:

Notice of Hearing filed 12/22/17 does not give 30 days' notice. Need proper service.  
(nb)

**Revised second check notes post two court days prior to the hearing.** Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIPS**

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DATE: 01/02/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON DS1000281

CASE NAME: SHANIKA LISTER

HEARING:

Hearing Re: STATUS OF EX PARTE MODIFICATION ORDER

COUNSEL:

BANK OF THE WEST	(RANDOLPH M SHARON
CARMELA C JOHNSON	(CP )...PRO/PER
CHRISTINA ERICKSON-TAUBE	(CP )...SHERRI L KASTILAHN
EDWARD B FISCHER	(PET)...EDWARD B FISCHER &
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SHANIKA A LISTER	(CEP)...EDWARD B FISCHER
STAN MANDELL	(CPE)...LAMB MORRIS & LOBELLO
VICKI LISTER	(CP )...
VICKI LISTER	(CPE)...PRO/PER
VICKY LISTER	(CPE)...HARTNELL LAW GROUP
YO TASHI KO Y TUCKER	(PET)...BRYAN C HARTNELL

Request for Waiver of Court Fees and Costs filed by CARMELA C JOHNSON is GRANTED

**XREF: PROPS1400134** (Vicki R Lister)  
**CIVDS1309039** (Hartnell-v-Lister)

No notes – Status.  
(nb)

Future Hearing:

03/14/18 Hearing re: Receipt of report re status of purchase of house

03/14/18 Hearing re: Receipt of report from Dr Valenzuela

04/19/18 Accounting Review.

**Revised second check notes post two court days prior to the hearing.** Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

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DATE: 01/02/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700320

CASE NAME: MTR OF ROY O GONCE

HEARING:

Hearing Re: OSC RE BLOCKED ACCOUNT

COUNSEL:

BECKY S BOMAN (CPE)...SUZANNE M GRAVES  
ROY O GONCE (CEP)...CRAIG M PARKER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re Blocked Account.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Order to Deposit Money into Blocked Account entered 11/28/17.
2. Need proof of blocked account in the amount of \$712,000.

RECOMMENDATION:

Need to clear note 2.

(nb)

Future Hearing:

05/22/18 Compliance review hearing

12/31/18 Accounting Review.

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CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

-----  
DATE: 01/02/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700431

CASE NAME: ELDON LAWRENCE DAVIS

HEARING:  
Petition for Appointment of Conservator

COUNSEL:  
VADA J TURNER-CHAPPELL (PET)...PRO/PER  
ELODN LAWRENCE DAVIS (CEE)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person by niece, Vada J. Turner-Chappell ["Petitioner"].

#### THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 No bond – person only.
- 2 Petitioner seeks medical powers. Medical Capacity Declaration filed.
- 3 Petitioner requests dementia powers; need report by court-appointed counsel, Sherri Kastilahn.
- 4 Need Court Investigator's Report.
- 5 Need return of Citation.
- 6 Need Certificate of Completion re Conservatorship Class.
- 7 Need Notice of Hearing with proof of service to include Veterans Administration or file due diligence declarations.
- 8 ~Proposed Form Order/Letters 11/28/17.

#### RECOMMENDATION:

Need to clear notes 3-7 then Court's discretion. If approved, set hearing for Compliance Review for **08/31/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 01/02/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700432

CASE NAME: HELEN C. MCCLANAHAN-COLLINS

HEARING:

Petition for Appointment of Conservator

COUNSEL:

HELEN C MCCLANAHAN-COLLINS (CEE)...  
JANINE LENNOY SULLIVAN (PET)...MATTHEW

GENERAL INFORMATION

Ex parte orders granted on 12/05/17.

THIS CASE IS SET FOR HEARING ON Petition for appointment of Conservatorship of person and estate by daughter, Janine Lennoy Sullivan ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 9 Petitioner requests no bond be required as proposed conservatee receives \$1,580/month in Social Security and owns personal property worth \$500. JTD.
- 10 Petitioner seeks medical powers. Need Medical Capacity Declaration with Dementia Attachment GC 335A..
- 11 Petitioner requests dementia powers; need appointment of counsel and report by same.
- 12 Court to review Court Investigator's Special Report filed 12/21/17.**
- 13 Citation returned SERVED.
- 14 Need Certificate of Completion re Conservatorship Class.
- 15 ~Proposed Form Order/Letters 11/28/17.

RECOMMENDATION: Matter appears moot.

Court to appoint counsel then need notes to be cleared. If approved, set hearing for Compliance Review for **08/07/18** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and

Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr.C.§2313.

Set hearing re Accounting Review for **03/05/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.  
(nb)

**Revised second check notes post two court days prior to the hearing.** Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**



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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 01/02/18 TIME: 9:30 DEPT: S35P  
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CASE#: SC SS02281

CASE NAME: MATTER OF JESSIE VELASQUEZ

**SEE ALSO 10, 11**

HEARING:

Hearing Re: OSC RE SANCTIONS OF \$1,500.00 & REPORT TO BAR

COUNSEL:

C L FARRELL

(TP )... C L FARRELL PC

JESSIE VELASQUEZ

(CEP)...C L FARRELL

MARY ANN VELASQUEZ

(SC )...JOHN M RAGER

RUTH L HENRICKS

(CPE)...HARTNELL LAW GROUP

#### GENERAL INFORMATION

Continued from **10/16/17** as no stipulation was signed on this case.

**Continued from 11/07/17. Court sets OSC re sanctions in the amount of \$1,500.00 and possible reporting to the state bar on CL Farrell for failure to file timely.**

**THIS CASE IS SET FOR HEARING ON OSC re Sanctions of \$1,500 and Report to Bar** on Petition for Attorney Fees by CL Farrell

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner CL Farrell was appointed counsel for conservatee Jessie Velasquez on 01/28/03. Conservatorship terminated on 04/14/16 upon death of conservatee.
2. Petition requests fees of \$27,789 for a total of 93.1 hours for attorney services for period 01/28/03 to 12/31/14 at \$295/hour, and for period 01/01/15 to 09/10/17 at \$325/hour. Itemized. [Petition, 09/11/17, LFpgs10-31]
3. Request for attorney's fees exceeds two-year period and was not made within one year of termination of conservatorship. **Supp. (11/06/17) alleges good faith reasons for the delay in filing her petition for court-appointed counsel fees as petitioner was unaware of the recent changes to Local Rule 1402(b) and the conservatorship's very limited cash.**

Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

4. **Response to Petition for Fees filed 10/03/17 by MaryAnn Velasquez. Does Court wish to deem response an Objection? If so, require service. JTD.**
5. No proposed Order Submit after hearing.

RECOMMENDATION

Court's discretion.

(lh/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 01/02/18      TIME: 9:30      DEPT: S35P  
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CASE#: SC SS02281

CASE NAME: MATTER OF JESSIE VELASQUEZ

**SEE ALSO 9, 11**

HEARING:

Petition for COURT APPOINTED ATTORNEY FOR ALLOWANCE OF  
CONSERVATEE'S ATTORNEY'S FEES

COUNSEL:

C L FARRELL

(TP )... C L FARRELL PC

JESSIE VELASQUEZ

(CEP)...C L FARRELL

MARY ANN VELASQUEZ

(SC )...JOHN M RAGER

RUTH L HENRICKS

(CPE)...HARTNELL LAW GROUP

See prior matter #9.

(nb)

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HONORABLE: STANFORD E. REICHERT

-----  
DATE: 01/02/18 TIME: 9:30 DEPT: S35P  
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CASE#: SC SS02281

CASE NAME: MATTER OF JESSIE VELASQUEZ

**SEE ALSO 9, 10**

HEARING:

SEVENTH AND FINAL Account and Report of RUTH L HENRICKS and  
Petition for allowance of fees filed.

COUNSEL:

C L FARRELL

(TP )... C L FARRELL PC

JESSIE VELASQUEZ

(CEP)...C L FARRELL

MARY ANN VELASQUEZ

(SC )...JOHN M RAGER

RUTH L HENRICKS

(CPE)...HARTNELL LAW GROUP

Request for Waiver of Court Fees and Costs filed by JESSIE VELASQUEZ is GRANTED

Fee waiver amount due \$2575.00

\$350.00 for CI fees on 07/16/04

\$350.00 for CI fees on 07/18/08

\$450.00 for CI fees on 07/09/09

\$450.00 for CI fees on 09/01/10

\$450.00 for CI fees on 10/21/11

\$60.00 for dispense w accounting on 04/16/15

\$465.00 for petition on 09/11/17

Request for Waiver of Court Fees and Costs filed by MARY ANN VELASQUEZ is GRANTED

Fee waiver amount due \$435.00 for response to petition on 10/03/17

**X-REF: PROPS1600722**

GENERAL INFORMATION:

**Continued from 11/02/17 for review of recent filing.**

THIS CASE IS SET FOR HEARING ON Seventh and Final Account and Petition for Fees by Conservator, Ruth L. Hendricks ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting period 12/02/14 to 04/14/16 (pre) and 04/15/16 to 05/31/17 (post).
2. Assets on Hand \$73,295.24 consisting of \$2,209.37 in cash and remaining in real and personal property.
3. Petitioner requests fees of \$9,097.50. Billed at \$50-\$95/hour for 105.9 hours' time. Itemized [LF, pgs. 34-41]. JTD.

Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

4. Attorney requests fees of \$24,037.50. Billed at \$250-\$325/hour for 73.4 hours' attorney time and \$50-\$75/hour for 31.6 hours' paralegal time. Itemized [LF, pgs. 45-53]. JTD.
5. Attorney requests reimbursement of unspecified costs advanced [LF, p9] for outstanding closing utility bills, medications and filing fees. Need Itemization via verified supplement.
6. Petitioner provided the Conservatee \$600/month in spending money and requests Court confirm and ratify same. JTD.
7. Petitioner and her counsel request that the Personal Representative of Conservatee's Estate be instructed to pay requested sums should there be insufficient funds in the Conservatorship Account.
8. **Objections filed by MaryAnn Velasquez filed 10/27/17. Need proof of service.**
9. **Reply filed 11/03/17 is not verified. Need same.**
10. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear note 5 then Court's discretion. If approved, set next hearing for receipts and final discharge for **01/18/19**.

(nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 01/02/18      TIME: 10:00      DEPT: S35P  
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CASE#: PRO PS1500172

CASE NAME: JOVAL D. CARRADINE

HEARING:

Accounting Review

COUNSEL:

JONATHAN E SMITH                      (PET)...PRO/PER

JOVAL D CARRADINE                      (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

3. Letters of Administration issued 11/18/16, full authority, no bond.
4. No accounting or status report of administration. Need same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**PROBATE**

-----  
DATE: 01/02/18      TIME: 8:30      DEPT: S36P  
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CASE#: PRO PS1500314

CASE NAME: Clayton D Millspaugh

**SEE ALSO 2**

HEARING:

Hearing re Final Discharge

COUNSEL:

CLAYTON D MILLSPAUGH      (DEC)...

RICKY DEAN MILLSPAUGH      (PET)...RICHARD SCOTT STEWART

**VACATED** - Final Discharge Order entered 12/12/17.

See next hearing #2.

(nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 01/02/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1500314

CASE NAME: Clayton D Millspaugh

**SEE ALSO 1**

HEARING:

Order to Show Cause RE: Sanctions (Plntf & Counsel FTA 11-28-17)

COUNSEL:

CLAYTON D MILLSPAUGH (DEC)...

RICKY DEAN MILLSPAUGH (PET)...RICHARD SCOTT STEWART

GENERAL INFORMATION

Continued from **08/22/17**. No appearance. Court continues matter and orders counsel to be present unless the ex parte petition for final discharge has been signed by Court. Continued from **10/03/17**. No appearances. Court orders Richy Dean Millspaugh or their attorney of record to appear hearing. Notice by Judicial Assistant.

**Continued from 11/28/17 due to no appearances. Notice by Judicial Assistant.**

THIS CASE IS SET FOR HEARING ON **OSC re Sanctions** on Final Discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Account for Ricky Dean Millspaugh approved on 08/16/16.
2. Need distribution receipts from Ricky Dean Millspaugh, Daniel Lee Millspaugh and Heather Lynn Weber.
3. **Ex-Parte Petition/Order for Final Discharge entered 12/12/17**

RECOMMENDATION:

Matter appears moot.

(lh/nb)



Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 01/02/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1601125

CASE NAME: MTR OF FAYE ESQUIVEL

HEARING:

Hearing Re: Petition for Letters of Administration

COUNSEL:

APPROVED INHERITANCE CASH INC.	(PRO/PER
FAYE ESQUIVEL	(DEC)...
MARIA DORADO	(PET)...JOHN
PAUL WILKINS	(TP )...PRO/PER

#### GENERAL INFORMATION

Continued from **01/17/17**. Non-appearance by counsel and petitioner. OSC re: dismissal set for 03/28/17

Hearing on **03/28/17** re OSC. No appearance. Case dismissed.

Hearing on **08/07/17** re: motion to set aside dismissal granted. Dismissal reversed and petition placed back on calendar for 10/23/17.

**Continued from 10/23/17 and 11/27/17 to clear notes.**

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Maria Dorado, Daughter

#### THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No bond requested. Net value of estate is \$227,795.23 with \$66,000 in personal property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(c). JTD.
2. **Need** Notice of Petition to Administer Estate.
3. **Need** Proof of Publication.
4. Waiver of notice and all future notices signed by heir Corina Esquivel as Attachment 3d(3) to petition (LF, pg. 9).
5. Section 8 of the petition fails to list all persons' relationships to the decedent. Court may wish to clarify on record or in alternative, need verified supplement as to Corina Esquivel.
6. ~Proposed Form Order: 11/10/16.

**Revised second check notes post two court days prior to the hearing.** Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

## RECOMMENDATION

Need to clear notes 2-3 & 5. Court's discretion re note 3 and bond. If approved, set Accounting/Status Review for **02/04/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh/ww/nb)

**Revised second check notes post two court days prior to the hearing.** Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 01/02/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700360

CASE NAME: MTR OF JOSEPHINE ROMO VICTORINO

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With Full Authority Under IAEA..

COUNSEL:

JOSEPHINE ROMO VICTORINO (DEC)...  
MARCELLA CRUZ (PET)...PRO/PER

GENERAL INFORMATION:

**Continued from 07/17/17, 10/02/17 (no appearance) and 10/24/17 on Court's motion.**

THIS CASE IS SET FOR HEARING ON **Amended** [filed 07/21/17] Petition for Probate, Letters Testamentary with Full Authority under IAEA by Marcella Cruz (daughter/executor)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond. Court also has discretion to require bond per Pr. C. § 8481(b).
2. Need Receipt for will lodged with court.
3. ~Proposed form Order/Letters: 04/17/17 & 07/21/17

RECOMMENDATION:

Need to clear note 2 then Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **03/26/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.  
(lh/nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 01/02/18      TIME: 8:30      DEPT: S36P  
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CASE#: PRO PS1700856

CASE NAME: ROLF SAUTTER

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

CURT SAUTTER

(PET)...MIHELL LAW

ROLF SAUTTER

(DEC)...

GENERAL INFORMATION:

**Continued from 11/28/17 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by nephew, Curt Sautter ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Estimated value of the estate is \$291,500. Suggest bond of \$292,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(c). JTD.
2. Need proof of publication.
3. ~Proposed Order/Letters 08/25/17.

RECOMMENDATION:

Need to clear note 2 then Court's discretion re: bond. If approved, set future hearing for Accounting Review on **03/05/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(nb)

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CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 01/02/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700944

CASE NAME: LEON MICHAEL CANADY

HEARING:  
Petition to Determine Succession to Real Property

COUNSEL:  
CHRISTINA M CONLEY (PET)...PRO/PER  
MALCOM CANADY (PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real Property (Estates \$150,000 or less) by Christina M. Conley and Malcolm C. Canady.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petition is not signed by Malcolm C. Canady. Need same.
2. Inventory & Appraisal attached to petition has the following issue:
  - a. No signature on the I & A by Malcolm C. Canady. Need signature of verification.  
Need corrected inventory.
3. Petition does not indicate how title is to be vested. Need same.
4. Petitioners request a determination that decedent's real property located in San Bernardino County pass to petitioners without administration. Petitioners are decedent's issue and heirs per intestate succession. Does Court wish to require copy of vesting document? JTD.
5. No proposed order. Submit Order after Hearing.

RECOMMENDATION:  
Need to clear notes 1-3 then Court's Discretion.  
(nb)

CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 01/02/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700945

CASE NAME: MTR OF EDWARD EUGENE MILLER

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL AUTHORIZATION  
TO ADMINISTER UNDER IAEA

COUNSEL:

EDWARD EUGENE MILLER (DEC)...  
TINA MARIE RHODES (ADM)...WILLIAM K SWEENEY

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by daughter, Tina Marie Rhodes ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner request bond be fixed at \$186,000. Appears sufficient. JTD.
2. Proof of publication filed.
3. Proposed Form Order/Letters 09/25/17.

RECOMMENDATION:

RFA, \$186,000 bond. If approved, set future hearing for Accounting/Status Review on **03/05/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 01/02/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700954

CASE NAME: MARY ANN FRANCIS BREEN

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

MARY ANN FRANCIS BREEN (DEC)...  
SARAH RAINES (PET)...PRO/PER

GENERAL INFORMATION:

Ex Parte orders granted 10/03/17. All temporary orders to remain in full force and effect.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by nominee Sarah Raines ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Nominations of this petitioner; assignments and bond waivers by all issue affixed to petition [LF, pgs. 6-17]. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(c).
2. Need proof of publication.
3. Need Notice of Petition to Administer Estate with proof of service to include assignees, Trevor Neale and Sarah Raines.
4. ~Proposed Form Order/Letters 09/26/17.

RECOMMENDATION:

Need to clear notes 2-3 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **03/05/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 01/02/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700974

CASE NAME: PALMIRA TORRES

HEARING:

Petition to Determine Succession to Real Property

COUNSEL:

PALMIRA TORRES  
VICTORIA TORRES

(PET)...CHUCK & TSOONG, LLP

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON **Amended** (10/10/17) Petition to Determine Succession to Real Property (Estates \$100,000 or less) by daughter, Victoria P. Torres ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner requests a determination that decedent's real property located in San Bernardino County pass to petitioner without administration. Petitioner is decedent's issue and purported heir per intestate succession. Does Court wish to require a copy of vesting document? JTD.
2. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Court's Discretion.

(nb)



Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 01/02/18      TIME: 8:30      DEPT: S36P  
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CASE#: PRO PS1701155

CASE NAME: JOE M. RUBI AKA JOE MAX RUBI & JOE MAXIMO RUBI

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With Full Authority Under IAEA.

COUNSEL:

JAE M. RUBI

(DEC)...

LARRY J. RUBI

(PET)...SU P CHEAH

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON **Amended** (11/28/17) Ancillary Petition for Letters Testamentary with full authority under IAEA by named executor/son, Larry J. Rubi ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Personal Representative from Maricopa County, Arizona affixed to petition [LF, p. 12].
2. Exemplified copy of Arizona Will [LF, p.9] proffered. Need Proof of Subscribing Witness.
3. Section 3a to petition does not indicate where decedent died. Need same.
4. Will waives bond. However, petitioner is a non-resident and court has discretion to require bond per Pr. C. §8571. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(c).
5. ~Proposed Form Order/Letters 11/16/17.

RECOMMENDATION:

Need to clear notes 2-3 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **03/05/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 01/02/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1701176

CASE NAME: RICHARD HOM

HEARING:

Hearing re: Petition for Letters of Admin. W/Full Authority under IAEA.

COUNSEL:

RICHARD HOM (DEC)...  
STEPHEN HOM (PET)...MARIVEL M ZIALCITA

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by brother, Stephen Hom ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Sections 7 and 9 to petition are incomplete. Need same.
2. Need proof of publication.
3. Diane M. Weiss is not included on Section 8 of petition. Need same.
4. Petitioner requests bond be fixed in the amount of \$625,000. Appears sufficient. JTD.
5. ~Proposed Form Order/Letters 11/22/17.

RECOMMENDATION:

Need to clear notes 1-3 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **03/05/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino  
Page: 11A ADD ON  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH **CONSRVATORSHIPS**

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DATE: 01/02/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1300245

CASE NAME: ROSE MARY WILLIAMS

HEARING:

AMENDED FIRST REPORT AND Account and Report of VALARIE EVANS-BURBANK and Petition for allowance of fees filed.

COUNSEL:

DONNA OSBORN	(CPE)...LAYNE A BARTHOLOMEW
JOYERIA LEDAY	(CP )...ARMENTA LAW
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
ROSE MARY WILLIAMS	(CEP)...MITCHELL I ROTH
VALARIE EVANS-BURBANK	(CE )...ARMENTA LAW

GENERAL INFORMATION

Continued from **10/24/17** at request of Attorney Roth. Objections filed. Court clears note 7. Notice given by Attorney Roth.

**Continued from 11/28/17 and 12/18/17 for response to be filed. Court will take matter under submission at next hearing. No appearance necessary.**

THIS CASE SET FOR HEARING ON **AMENDED** (09/19/17) 1<sup>st</sup> Account Current, Petition for Authority to Sell Real Property, allowance of Fees and Reduction of Bond by Valarie Evans-Burbank.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting period: 06/16/15– 06/15/17.
2. Assets on hand \$495,923.91 of which \$220,873.91 is cash.
3. Report by Conservator indicates current value of estate is \$570,917.53; however, does not match value of assets on hand in Summary of Account. **Need** verified supplement.
4. **Need** statement of address in which Conservatee resided during the accounting period.
5. Attorney requests fees of \$29,038.00 for 86.4 hours at \$250/295 per hour and costs of \$4,616.88 for a total of \$33,654.00 of which \$10,800 was previously paid. Balance of \$14,307.88 is owed. Itemized [Acct.12/22 LF pgs. 46-70]. **JTD**

**Revised second check notes post two court days prior to the hearing.** Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

6. Petitioner requests reimbursement of attorney costs advanced of \$10,800 and bond premium of \$1,210 for a total of \$12,010. Generally itemized. **JTD**
7. Petitioner requests fees of \$1,833.75 for 122.25 hours bill at \$15/hour. [LF pgs. 71-76] **JTD**
8. Current bond is \$345,000. Petitioner seeks a reduction to \$214,396.65. (\$295,867.53-\$81,470.88 in Legal fees) Insufficient as Bond calculation does not include 10% recovery. If Court allows the subtraction of legal fees from calculation suggest bond of \$223,000. If not allowed, suggest bond of \$304,000. **JTD**
  - a. Requested bond amount reduction amount differ on pages 5 & 6 of petition. **Need** verified supplement to clarify which amount is correct.
9. Court to see Notice of Petitioner's Request that Court Issue A Ruling/Order on Amended Accounting by Valarie Evans-Burbank filed 12/06/17.
10. **Objections filed on behalf of conservatee on 10/23/17. Need signed proof of service.**
11. **Response to Objections by Valarie Evans-Burbank filed 11/15/17.**
12. Proposed Order: 12/06/17; however, attorney fees and costs request doesn't match petition.

#### RECOMMENDATION

Matter is contested. Need to clear notes 3, 4 & 8. If approved, set hearing on the next accounting review **in 60 days** as second account is now overdue. Account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/ww/nb)

CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 01/02/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1700366

CASE NAME: LALITA JOY REDDY

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CHRISTIAN MICHAEL REDDY (CP)...PRO/PER  
LALITA JOY REDDY (CTP)...J DAVID HORSPOOL

GENERAL INFORMATION

**Continued from 11/20/17. Attorney Horspool appointed.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Christian Reddy, brother

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No bond- Person only.
2. Petitioner seeks dementia powers; however, need more information as proposed conservatee is 41 years old and no mention of dementia is made in the petition or supporting documents. **Need report by court-appointed counsel, J. David Horspool.**
3. Certificate of Completion of the Conservatorship Training Class dated 10/11/17 received.
4. Petitioner seeks medical powers. Capacity Declaration filed 10/17/17.
5. Attachments 3(f)(1) and 3(f)(2) reference relatives in India, mother of conservatee who is allegedly under conservatorship with the State being her conservator, and 5 children of the proposed conservatee. **Need** amended List of Required Contacts (Local form SB-12224) as all relatives in the 2<sup>nd</sup> degree must be noticed. [Pet. LF pgs. 10-11]
6. **Need** Due Diligence Declarations (local form) for all 2<sup>nd</sup> degree relatives that cannot be located.
7. **Need** Notice of Hearing and proof of service on all relatives in the 2<sup>nd</sup> degree.
8. **Proof of personal service filed. However, need return of Citation.**
9. CI report filed 11/14/17.

10. ~Proposed Form Order: 10/11/17

**RECOMMENDATION**

Need to clear notes 2, 5-8. If approved, set hearing for Compliance Review for **08/13/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5

(ww/nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 01/02/18      TIME: 9:30      DEPT: S36P  
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CASE#: CON PS1700435

CASE NAME: FERNANDO AYON

HEARING:

Petition for Appointment of Conservator

COUNSEL:

FERNANDO AYON	(CTP)...PRO/PER
GUSTAVO A AYON	(CP )...PRO/PER
LUZ ELENA AYON	(CP )...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Limited Conservatorship, person only, by parents Gustavo A. Ayon and Luz Elena Ayon ["Petitioners"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. No bond – person only.
2. Section 4(4) to petition is incomplete. Need verified supplement.
3. Section 11b(1)(2) to petition are incomplete as to relationships of Julieta and Mateo Ayala. Need verified supplement.
4. Proposed conservatee is developmentally disabled. Need appointment of counsel and report by same.
5. Need Medical Capacity Declaration.
6. Petitioners request Pr. C. § 2351.5 powers concerning education, authority to fix the residence/dwelling of the proposed limited conservatee; authority to access all confidential records, paper, documents, reports and other information regarding the proposed limited conservatee, authority to control the right of the proposed limited conservatee to contract, control his social and sexual contacts and relationships; consent or withhold consent to the marriage of, or the entrance into a registered domestic partnership; and to give or withhold medical consent.
7. Citation returned SERVED.
8. **Court Investigator Report filed.**
9. Need Inland Regional Center Report.
10. Need Certificate of Completion re Conservatorship Class by Luz E. Ayon.
11. ~Proposed Form Order 12/01/17

**Revised second check notes post two court days prior to the hearing.** Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

**RECOMMENDATION:**

Court to appoint counsel then need to clear notes. If approved, set hearing for Compliance Review for **08/07/18** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(nb)



Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**PROBATE**

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DATE: 01/02/18      TIME: 8:30      DEPT: S37P  
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CASE#: PRO PS1300267

CASE NAME: MTR OF ANGELA DIAZ

HEARING:

Probate status report filed.

COUNSEL:

ANGELA DIAZ

(DEC)...

MARIA LEIVA

(PET)...DIANE E ROBBINS

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report by Executrix Maria Leiva ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges the estate is not in a condition to be closed as an Inventory and Appraisal has not yet been prepared as all the assets of the estate consist of real property owned by the decedent located in Mexico. Petition indicates probate proceedings have been commenced in Mexico, but petitioner's counsel in Mexico anticipates it will take about 3 years to finalize the probate and obtain adjudication by the Court in Mexico. Petition states when the assets of the decedent are known and/or have been confirmed by the Court in Mexico, petitioner will prepare an Inventory and Appraisal and file same in this proceeding.
2. Petitioner requests an additional 12 months to close the estate.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for Accounting Review on **01/18/19**.

(nb)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: TARA REILLY

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DATE: 01/02/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1500769

CASE NAME: MTR OF FELIPE CURIEL

HEARING:  
Hearing Re: RECEIPT OF REVISED ORDER

COUNSEL:

ANA ISABEL SANCHEZ	(PET)...	MARIO D VEGA
ANA ISABEL SANCHEZ	(TP )...	PRO/PER
CURIEL MINORS	(MIN)...	
FELIPE CURIEL	(DEC)...	
FELIPE CURIEL	(GREGORY J. LEDERMAN	
GLORIA CURIEL	(GREGORY J. LEDERMAN	
ROBERT SCHNIEDERS	(PET)...	RODNUNSKY & ASSOCIATES

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Receipt of Revised Order.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter set at 12/11/17 hearing, wherein, the Court directed that an order be revised adding three lines of text to signature page.
2. Proposed order received on 12/13/17 is not signed by GAL for minors, Walter Moore. Need same.

RECOMMENDATION:

Need to clear note 2.

(nb)

Superior Court of Calif, County of San Bernardino

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: TARA REILLY

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DATE: 01/02/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1500998

CASE NAME: CLYDE ANDERSON

**SEE ALSO 3**

HEARING:

Probate status report filed.

COUNSEL:

CLYDE ANDERSON (DEC)...  
STEPHEN ANDERSON (PET)...MATTHEW ALDEN

GENERAL INFORMATION

**Continued from 04/17/17 and 09/21/17 at request of counsel. The Court is informed the 2015 tax return has been filed. Pre-deceased son's estate to be brought into this estate.**

THIS CASE SET FOR HEARING ON Status Report (filed 02/10/17)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters Testamentary issued to Stephen Anderson, son, on 12/15/415; full authority no bond.
2. Petitioner requests an additional 4 months to close the estate in order to file 2015 tax return. The documents were allegedly sent to wrong address causing the delay.
3. ~Proposed Order: 02/10/17.

RECOMMENDATION: **Court may wish to take matter off calendar. See next matter #3**

Court's discretion. If approved, set Accounting/Status Review for **02/16/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/nb)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: TARA REILLY

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DATE: 01/02/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1500998

CASE NAME: CLYDE ANDERSON

**SEE ALSO 2**

HEARING:

Probate status report filed.

COUNSEL:

CLYDE ANDERSON (DEC)...  
STEPHEN ANDERSON (PET)...MATTHEW ALDEN

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report (filed 09/13/17) by Executor Stephen Anderson ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges the estate is not in a condition to be closed as it has recently been discovered the decedent's predeceased son, Clyde Anderson, Jr., had around \$100,000 in a retirement Savings Plan that this estate may be entitled to.
2. Petitioner alleges once the estate acquires all amounts of this retirement fund it is entitled to; then Petitioner will file a supplemental inventory and will submit a final report to close out this case, barring any newly discovered assets.
3. Petitioner requests an additional 12 months to close the estate.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for Accounting Review on **05/17/18**. Any account to be filed 30 days' before hearing. Note requirements of Local Rules.  
(nb)

CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: TARA REILLY

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DATE: 01/02/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1601037

CASE NAME: MTR OF JANET ANNE CUMMING

HEARING:

First and final Account and Report of WILLIAM HENRY CUMMING and  
Petition for allowance of fees filed.

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV ( )...  
JANET ANNE CUMMING (DEC)...  
STEVE CUMMING (TP )...PRO/PER  
WILLIAM HENRY CUMMING (PET)...EDWARD B FISCHER &

Request for Waiver of Court Fees and Costs filed by STEVE CUMMING is GRANTED  
Fee waiver amount due \$100.00  
\$40.00 for special notice on 02/15/17  
\$60.00 for ex parte on 09/01/17

**X-REF: PROPS 1301068**

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees  
by Executor, William Henry Cumming ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petition indicates Decedent's forthcoming distribution from her predeceased parents' trust is expected to be made in the related case. This matter is not in a position to be closed.
2. Need Final Inventory and Appraisal.
3. Accounting period 03/27/17 to 08/31/17.
4. Petitioner waives any statutory or extraordinary compensation.
5. Attorney requests statutory fees in the approximate amount of \$11,000. Unable to confirm as distribution from related case has not occurred.
6. Balance and description of the assets on hand, specifically noting the amount of cash included in said balance (Local Rule 20-614c).
7. No Summary of Account or supporting schedules. Need same.
8. Need copy of bank/financial statements per Local Rule 20-908.
9. Proposed Order 09/14/17 is premature and complete in and of itself.

Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

**RECOMMENDATION:**

This account is not in a position to close as distribution from the related case has yet to occur and a Second and Final Account are set to be heard on 03/15/18. Need proper accounting once distribution has occurred. Set next hearing for Accounting Review/Status Report on **03/15/18** to be heard with related hearing or as initially set on 06/04/18.

(nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 01/02/18      TIME: 8:30      DEPT: S37P  
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CASE#: PRO PS1701177

CASE NAME: MARIA FELIX PERRONE

HEARING:

Hearing re: Petition for Letters of Admin. W/Full Authority under IAEA.

COUNSEL:

GLORIA VALDIVIA

(PET)...MARIVEL M ZIALCITA

MARIA FELIX PERRONE

(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by daughter, Gloria Valdivia ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests bond be set in the amount of \$320,000. Appears sufficient. JTD.
2. Need proof of publication.
3. ~Proposed Form Order/Letters 11/22/17.

RECOMMENDATION:

Need to clear note 2, \$320.000 bond. If approved, set future hearing for Accounting/Status Review on **03/05/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 01/02/18      TIME: 8:30      DEPT: S37P  
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CASE#: PRO PS1701190

CASE NAME: JILL STACY KEMOCK

HEARING:

Spousal Property Petition hearing.

COUNSEL:

BRADLEY R KEMOCK                      (PET)...HORSPOOL & HORSPOOL

JILL STACY KEMOCK                      (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Bradley R. Kemock ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Section 5a(1) indicates decedent is survived by "no child" and "child as follows." Need verified supplement.
2. Petitioner requests a determination and confirmation of real property passing to the surviving spouse as community property. Specifically, real property at Yucaipa, CA, in San Bernardino County. However, petitioner does not set forth facts sufficient to establish a community property interest in the California real property. When were petitioner and decedent married? How was the property interest acquired – with community funds, etc? Need verified supplement.
3. Decedent died intestate with three issues who would also share a two-thirds distribution in the estate per Pr.C. §6401 if the real property is separate property of decedent. Does Court wish to require a copy of vesting document? JTD.
4. ~Proposed Form Order 11/28/17.

RECOMMENDATION:

Need verified supplement then Court's discretion

(nb)



Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **TRUSTS AND MOTIONS**

-----  
DATE: 01/02/18      TIME: 8:35      DEPT: S37P  
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CASE#: PRO PS1700880

CASE NAME: THE MALLINGER FAMILY TRUST

HEARING:

Petition for ORDER APPOINTING SUCCESSOR CO TRUSTEE

COUNSEL:

RICHARD COCKRUM                      (PET)...FULLERTON LEMANN SCHAEFER  
THE MALLINGER FAMILY TRUST      (TRU)...

Currently under review by Legal Research.  
(LR)

Notice:

Notice filed on 09/20/17 does not include Alise Mallinger, child of Richard Mallinger.  
Need proper service.  
(nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 01/02/18      TIME: 8:35      DEPT: S37P  
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CASE#: PRO PS1701170

CASE NAME: THE MAYNARD G & PHYLLIS L THOMPSON TRUST

HEARING:

Petition for to Modify Trust; Memorandum of Points & Authorities

COUNSEL:

MAYNARD G AND PHYLLIS L THOMPS (TRU)...

PHYLLIS THOMPSON

(PET)...DENNIS M SANDOVAL

Currently under review by Legal Research.  
(LR)

Notice given.  
(nb)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **CONSERVATORSHIPS**

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DATE: 01/02/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700318

CASE NAME: KATYA IXCEL VALLEJO

HEARING:

Petition for Appointment of Conservator

COUNSEL:

KATYA IXCEL VALLEJO

(CTP)...SANDY L. TURNER

ROSA M VALLEJO

(PET)...PRO/PER

#### GENERAL INFORMATION

**Continued from 10/10/17 at request of petitioner to clear notes and appoint counsel. Attorney Sandy L. Turner appointed.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Rosa Vallejo, mother

#### THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract.
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks medical powers. Need Capacity Declaration.
4. Proposed conservatee is developmentally disabled. **Report by appointed counsel, Sandy L. Turner, filed.**
5. Proposed conservatee is developmentally disabled. **IRC report filed**
6. Need return of citation.
7. Need notice of hearing and proof of service, including 30 days' notice to Inland Regional Center.
8. Court Investigator report filed.
9. Certificate of Completion of the Conservatorship Training Class filed.
10. ~Proposed Form Order: 08/24/17

#### RECOMMENDATION

Need to clear notes 3, 6-7. If approved, set hearing for Compliance Review for **08/07/18** for the filing of the following: proof of service of Order with Notification of

Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

Conservatee's Rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.  
(lh/nb)

**Revised second check notes post two court days prior to the hearing.** Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

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PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 01/02/18      TIME: 9:30      DEPT: S37P  
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CASE#: CON PS1700378

CASE NAME: MATILDE ALVARADO

HEARING:

Petition for Appointment of Conservator

COUNSEL:

MARIA ALVARADO                      (PET)...PRO/PER

MATILDE ALVARADO                  (CEE)...MARK J. FLORY

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Limited Conservatorship, person only, by mother Maria Alvarado [Petitioner].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. No bond – person only.
2. Proposed conservatee is developmentally disabled. Need report by court-appointed counsel, Mark Flory.
3. Need Medical Capacity Declaration.
4. Petitioners request Pr. C. § 2351.5 powers to secure habilitation or treatment, training, education, medical, psychological services, social and vocational opportunities, authority to fix the residence/dwelling of the proposed limited conservatee; authority to access all confidential records, paper, documents, reports and other information regarding the proposed limited conservatee, including those in the possession of the Regional Center, authority to control the right of the proposed limited conservatee to contract, authority to make and consent to all medical decisions for the proposed limited conservatee.
5. Proposed limited conservatee's civil and legal rights are not to be limited without a court order.
6. Citation returned SERVED.
7. Court Investigator Report filed.
8. Need Inland Regional Center Report.
9. Need Certificate of Completion re Conservatorship Class.
10. Notice filed on 11/28/17 does not include IRC. Need proper service.
11. ~Proposed Form Order/Letters 10/17/17.

**Revised second check notes post two court days prior to the hearing.** Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

**RECOMMENDATION:**

Need to clear notes 2-3 & 8-10. If approved, set hearing for Compliance Review for **08/07/18** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(nb)

CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: TARA REILLY

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DATE: 01/02/18 TIME: 9:30 DEPT: S37P  
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CASE#: SC SS00280

CASE NAME: IN THE MATTER OF JOSEPH WARREN HOLT

HEARING:

Petition for Court-appointed attorney fees

COUNSEL:

JOSEPH WARREN HOLT	(CEP)...SHERRI L KASTILAHN
MARIA K HOFFMAN	(CPE)...M DANIEL SAYLOR
SHERRI L. KASTILAHN	(PET)...SHERRI L KASTILAHN
VERONICA LANUZA	(CP )...M DANIEL SAYLOR
VERONICA LANUZA	(SC )...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for fees and compensation by Court-Appointed Counsel, Sherri Kastlahn ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Petitioner was appointed on 07/28/04. Petitioner alleges that services have been rendered for which counsel has not been compensated.
- 2 Attorney requests fees of \$4,330.00. Billed at the reduced fee of \$300/hour for 14.50 hours' attorney time. Itemized [LF, pgs. 4-5].
  - a. Does not comply with Local Rule 20-1402(b) as fee request exceeds two years. JTD.
- 3 Petitioner requests an order directing Conservator of the Estate to pay requested sum for services rendered.
- 4 Need Notice of Hearing with proof of service.
- 5 ~Proposed Order 11/28/17.

RECOMMENDATION:

Require notice then Court's discretion.

(nb)

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PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 01/02/18      TIME: 9:30      DEPT: S37P  
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CASE#: SC SS02049

CASE NAME: MATTER OF LAWRENCE SQUILLACOTE

HEARING:

First and final Account and Report of LAWRENCE DEAN II and  
Petition for allowance of fees filed.

COUNSEL:

LAWRENCE A DEAN II	(CPE)...PRO/PER
LAWRENCE SQUILLACOTE	(CEP)...ANNETTE G DE BELLEFEUILLE
LINDA SQUILLACOTE	(PET)...
MELODIE Z SCOTT	(TP )...PRO/PER
RAYMOND SQUILLACOTE	(CP )...CHRISTOPHER A POULOS
THERESE SQUILLACOTE	(CP )...CHRISTOPHER A POULOS

Request for Waiver of Court Fees and Costs filed by LAWRENCE SQUILLACOTE is GRANTED  
Fee waiver amount due \$230.00 for

Fee waiver amount due for CI  
\$350.00 for order on 11/15/05  
\$350.00 for order on 09/24/08  
\$450.00 for order on 10/26/09  
\$450.00 for order on 01/20/11  
\$450.00 for order on 11/13/13  
\$450.00 for order on 10/06/15.

GENERAL INFORMATION:

Conservatee passed away on 04/17/17.

THIS CASE IS SET FOR HEARING ON First and Final Account of Conservator of the  
Person and Estate, Lawrence A. Dean II, and Petition for Fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1      Need final Inventory & Appraisal with supporting statement per Pr.C.§2610.
- 2      Need proof of service of Inventory & Appraisal including Instructions for  
         Objection per Pr.C.§2610.
- 3      Accounting period 01/01/12 to 06/30/17 (5.5 years).
- 4      Assets on Hand \$0.00
- 5      No bond.

**Revised second check notes post two court days prior to the hearing.** Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**



- 6 Petitioner requests compensation of \$5,057.45 and ratification of \$500 paid in 2012. Billed at \$65-\$105/hour for services rendered. Itemized [LF, pgs. 25-31]. JTD.
  - a. Question how petitioner proposed to be paid as there are no assets? Court to inquire.
- 7 Petitioner does not request reimbursements.
- 8 Petitioner has not used mandatory Summary of Account (GC-400/405). Court may wish to direct petitioner to use mandatory form(s) on future accountings.
- 9 Need residential facility statements and/or written verification of rent per Pr.C. §2620(c)(5).
- 10 During the accounting period, petitioner paid Christina Erickson for case management fees of \$112.50. Need verified declaration for acknowledgment of receipt of fees per Local Rule 20-1406(c).
- 11 Need closing bank statement ending 06/30/17.
- 12 Petitioner alleges notice to court-appointed counsel, Annette deBellefeuille, should be waived. JTD.
- 13 Petitioner requests termination of the Conservatorship as Conservatee is now deceased.
- 14 Need Notice of Hearing with proof of service.
- 15 No proposed order. Submit Order after Hearing.

**RECOMMENDATION:**

Need to clear notes 1-2, 9-11 & 14 then Court's discretion. If approved, set next hearing for receipts and final discharge on **01/18/19**. Court to inquire re SNT accounting and set an Accounting Review.

(nb)