



## Second/Final Check

Superior Court of California  
County of San Bernardino  
Probate Department

### **Probate Notes for Calendar Date: 01/17/18**

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.

12/18/17 lh; 01/11/18lh

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**PROBATE**

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DATE: 01/17/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1200623

CASE NAME: MARTHA SHOAF

**SEE ALSO 2**

HEARING:

Hearing re Final Discharge

COUNSEL:

PATRICIA O'HAGAN

(PET)...ROGER I. STEIN

MARTHA SHOAF

(DEC)...

BERNARD M BIDART

(TP )...

See notes on next matter #2.

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

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DATE: 01/17/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1200623

CASE NAME: MARTHA SHOAF

**SEE ALSO 1**

HEARING:

Hearing Re: OSC RE SURCHARGE ATTORNEY & ADMINISTRATOR \$500.00

COUNSEL:

PATRICIA O'HAGAN (PET)...ROGER I. STEIN  
MARTHA SHOAF (DEC)...  
BERNARD M BIDART (TP )...

GENERAL INFORMATION

**Continued from 08/09/17** at request of counsel to obtain receipts from heirs.

**Continued from 10/18/17.** No appearance. No stipulation as there is no appearance.

Court orders counsel and administrator to be personally present at next hearing of 12/06/17. Court notes Counsel and Administrator will be excused from appearing if probate notes are cleared before 12/06/17.

**Continued from 12/06/17. No appearance. Need receipt from Shirley Helmick. Court sets OSC re Surcharge for \$500 re failure to appear.**

THIS CASE IS SET FOR HEARING ON **OSC Re Surcharge \$500 for FTA/Final Discharge** re Patricia O'Hagan

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

1. Order approving final distribution entered on 11/18/16.
2. **Need** receipt from Shirley Helmick re television set.
3. Ex Parte Petition for Final Discharge and Order rejected on 11/21/17.

RECOMMENDATION

Inquire status of receipt.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR  
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DATE: 01/17/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1300430

CASE NAME: KATIE A SHIRLEY

**SEE ALSO 4 5 6**

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

CAROLYN MARSTON	(PET/PLA)...PRO/PER
KATIE A SHIRLEY	(DEC)...
MICHAEL C MADDUX	(PET)...
CITI MORTGAGE, A CORP.	(RES)...
CLEAR RECON CORPORATION	
WOODROW SHIRLEY	

**XREF: CONDS1000212** (Katie Shirley)

GENERAL INFORMATION

OSC set when there was no appearance and continued to **05/10/17**.

Continued from **06/21/17**. Any supplement to be filed by 9/18/17.

**Continued from 10/18/17 by petitioner to seek legal advice to clear notes.**

THIS CASE SET FOR HEARING ON Petition for Letters of Administration [12/14/16] with full authority under IAEA by Carolyn Marston, daughter.

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

1. Letters of Administration were issued to Carolyn Marston on 09/24/13, limited authority no bond. It appears petitioner **now seeks full** authority.
  - a. Petitioner states will waives bond; however, there is no will, yet Petitioner also states decedent died intestate.
  - b. Petitioner does not set forth value of the estate, nor has filed an Inventory and Appraisal in this case.
  - c. Petitioner waives bond for herself; however, no other bond waivers for full authority.
  - d. It appears that petitioner may be confused as to what is needed to complete her Inventory and Appraisal and accounting. Accounting [2/8/16] was not heard at time of review.

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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.

2. **Need** Notice to Petition to Administer Estate and proof of service if petitioner is amending authority per C.R.C § 7.53(a).
3. **Need** proof of publication if petitioner is amending authority per C.R.C § 7.53(a).
4. ~Proposed Form Order:12/14/16.

#### RECOMMENDATION

Need to clear notes 2-3. Court to determine if petition is moot as petitioner is already administrator.

(lc/lh)

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DATE: 01/17/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1300430

CASE NAME: KATIE A SHIRLEY

**SEE ALSO 3 5 6**

HEARING:

SUMMARY Account and Report of CAROLYN MARSTON and Petition for allowance of fees filed.

COUNSEL:

CAROLYN MARSTON	(PET/PLA)...PRO/PER
KATIE A SHIRLEY	(DEC)...
MICHAEL C MADDUX	(PET)...
CITI MORTGAGE, A CORP.	(RES)...
CLEAR RECON CORPORATION	
WOODROW SHIRLEY	

Waiver of Court Fees and Costs filed by CAROLYN MARSTON is GRANTED  
TOTAL FEES WAIVED TO DATE: \$2004.50

**XREF: CONDS1000212** *KATIE A SHIRLEY*

#### GENERAL INFORMATION

Continued from **10/19/16 and 02/08/17**. No appearance. Court orders that Carolyn Marston be personally present in court on February 22, 2017. Notice by judicial assistant.

**Continued from 02/08/17, 04/25/17, 06/21/17 and 08/30/17 to clear notes re accounting period 01/06/13 – 06/30/16.**

**Continued from 10/18/17 to seek legal assistance to clear notes.**

THIS CASE SET FOR HEARING ON **Amended (02/16/17 & 05/10/17)** Summary of Account by Carolyn Marston, daughter administrator.

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

1. Accounting period 01/06/13 to 06/30/16. However, accounting should begin at date of death; 01/05/13. Court may wish to deem as di minimis.
2. **Need** final Inventory and Appraisal where real property is appraised by probate referee, even though it has sold.
  - a. **Inventory and Appraisal submitted from conservatorship showing real property of \$881,090.80 and alleged probate property of \$275,000 [not**

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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.

**appraised]. Petitioner alleges that there are no funds to get property appraised for date of death [Sup. 05/10/17 LFpg4-12].**

3. It cannot be determined if the accounting balances as it does not comply with Pr.C.§10900 and Pr.C.§1060 et. seq. **Need** a proper summary of account and accounting schedules.
4. Amendment filed 05/10/17 is not verified per Pr.C. § 1021. **Need** verification.
5. Petitioner alleges that surplus of funds from sale of real property, \$8,938.42, was distributed **and distributions to beneficiaries totaling \$21,901.41 have been made.** A personal representative may only preliminary distribute personal property per Pr.C. § 10520., if it is pecuniary per terms **of a will** under \$10,000 and/or personal property under \$50,000. There is no will. Under what authority did petitioner distribute property? Need verified supplement explaining why the funds should not be paid back to the estate. **Amendment (02/16/17) indicates funds should not be paid back to the estate because it will have to be given back to petitioner and her sisters and would waste more time and money.**
6. Creditor's Claims by Emma Kresser, CPA \$2,135.00 Attorney Michael Maddux \$38,962.28 appear to be outstanding. Michael Maddux was allegedly hired pro bono.
7. A second petition for Administration was filed by administrator. ***Court to inquire as petitioner is already appointed with limited authority.***

#### RECOMMENDATION

Need to clear notes 2-4. Suggest petitioner seek legal advice.

(lc/nb/lh/lc/lh)

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CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
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CASE#: PRO PS1300430

CASE NAME: KATIE A SHIRLEY

**SEE ALSO 3 4 6**

HEARING:

SUMMARY Account and Report of CAROLYN MARSTON and Petition for allowance of fees filed.

COUNSEL:

CAROLYN MARSTON	(PET/PLA)...PRO/PER
KATIE A SHIRLEY	(DEC)...
MICHAEL C MADDUX	(PET)...
CITI MORTGAGE, A CORP.	(RES)...
CLEAR RECON CORPORATION	
WOODROW SHIRLEY	

Waiver of Court Fees and Costs filed by CAROLYN MARSTON is GRANTED  
TOTAL FEES WAIVED TO DATE: \$2004.50

**XREF: CONDS1000212** KATIE A SHIRLEY

See notes on prior matter #4.



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CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
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CASE#: PRO PS1300430

CASE NAME: KATIE A SHIRLEY

**SEE ALSO 3 4 5**

HEARING:

ACCOUNTING SUMMERY Account and Report of CAROLYN MARSTON and  
Petition for allowance of fees filed.

COUNSEL:

CAROLYN MARSTON	(PET/PLA)...PRO/PER
KATIE A SHIRLEY	(DEC)...
MICHAEL C MADDUX	(PET)...
CITI MORTGAGE, A CORP.	(RES)...
CLEAR RECON CORPORATION	
WOODROW SHIRLEY	

Waiver of Court Fees and Costs filed by CAROLYN MARSTON is GRANTED  
TOTAL FEES WAIVED TO DATE: \$2004.50

**XREF: CONDS1000212** KATIE A SHIRLEY

See notes on prior matter #4.

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CASE#: PRO PS1500810

CASE NAME: MTR OF MILDRED B SHAW

HEARING:  
Accounting Review

COUNSEL:  
CHERYL TRAYLOR (PET)...DENISE ADIGUN  
MILDRED B SHAW (DEC)...

#### GENERAL INFORMATION

Accounting review continued from 02/08/17 to file a petition per Pr.C. § 12251.

**OSC set on 05/17/17** when there was no appearance or notes cleared. Citation issued to Cheryl Traylor.

**Continued from 07/19/17 to file accounting. Court to file accounting 30 days prior to next hearing date of 01/17/18. Court vacates OSC re Surcharge dated 07/19/17.**

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Cheryl Traylor, granddaughter, on 12/02/15; full authority, no bond.
2. **Need** final Inventory and Appraisal
3. **Need** accounting or status report.

#### RECOMMENDATION

Inquire status of filings. No bonding company to notice.

(lc/lh)

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

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DATE: 01/17/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600052

CASE NAME: RAYMOND STUART MORFORD

**SEE ALSO 9**

HEARING:

Hearing Re: OSC RE SURCHARGE OF \$500.00 ON WINDA MORFORD

COUNSEL:

WINDA GALE MORFORD (PET)...PRO/PER  
RAYMOND STUART MORFORD (DEC)...

GENERAL INFORMATION

**Continued from 12/06/17. Court sets OSC re Surcharge of \$500 for FTA.**

THIS CASE IS SET FOR HEARING ON **OSC Re Surcharge of \$500**/Accounting Review

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

1. Letters of Administration issued to Winda Morford on 09/27/16 with full authority and no bond.
2. **Need** final Inventory and Appraisal with supporting financial statements per Local Rule 20-908.
3. No accounting or status report of administration. **Need** same.

RECOMMENDATION

Inquire status.

(lh)

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CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
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DATE: 01/17/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600052

CASE NAME: RAYMOND STUART MORFORD

**SEE ALSO 8**

HEARING:

Accounting Review

COUNSEL:

WINDA GALE MORFORD

(PET)...PRO/PER

RAYMOND STUART MORFORD

(DEC)...

See notes on prior matter #8.

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CASE#: PRO PS1600220

CASE NAME: MTR OF YNEZ NUNO

HEARING:  
Accounting Review

COUNSEL:  
JOHN M NUNO (PET)...BANKS GARCIA & JANIS  
YNEZ NUNO (DEC)...

**CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN,**

GENERAL INFORMATION

**Continued from 06/28/17.** Counsel to prepare and file account by 4pm on 08/28/17.  
**Continued from 09/27/17.**

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters Testamentary issued to John Nuno, son, on 05/10/16; full authority, \$200,000 bond.
2. Final Inventory and Appraisal filed.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc/ww/lh)

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

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DATE: 01/17/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600282

CASE NAME: MTR OF JAMES JOSEPH PIPOLO

HEARING:  
Accounting Review

COUNSEL:

EVAN PIPOLO (PET)...GREGORY L ZUMBRUNN  
JAMES JOSEPH PIPOLO (DEC)...

GENERAL INFORMATION

**Continued from 07/19/17 to file accounting.**

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Evan Pipolo, son, on 05/11/16; full authority, no bond.
2. **Need** final Inventory and Appraisal
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc/lh)

Future hearing date: 03/28/18 Motion to be Relieved as Counsel, Evan Pipolo

Superior Court of Calif, County of San Bernardino

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 01/17/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700251

CASE NAME: Donna Lee Campbell

HEARING:

FIRST AND FINAL Account and Report of HOLLY A. PARKER and  
Petition for allowance of fees filed.

COUNSEL:

HOLLY A. PARKER (PET)...LAW OFFICES OF DOMINIC E RAINO  
DONNA LEE CAMPBELL (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of First and Final Account and Report of  
Administrator, and Petition for Fees by Holly A. Parker, administrator

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

1. Assets on hand: \$502,950, of which \$2,950 is cash and remaining is real property.
2. Petitioner requests Court Approval of Settlement Agreement entered into between heirs on 10/01/17. Administrator Holly A. Parker will advance to estate the sum of \$35,000; Craig M. Campbell to receive \$25,500 as his full distributive share of the estate; Holly A. Parker to receive real property and residue of estate. Parties waive accounting. See attached Settlement Agreement [Acct, 10/03/17, LFpg13-19]. JTD
3. Administrator waives statutory fees.
4. Attorney requests statutory fees of \$13,056. Calculated.
5. **Need** verified supplement clarifying changes in the form of assets (e.g. sale of stock) per CRC 7.550.
6. **Need** bank/investment statements verifying date of death balances and final ending balance per Local Rule 20-908.
7. **Need** verified supplement indicating if cash has been invested and maintained in an interest bearing account. Pr.C.§ 1064(a)(5).
8. Notice was given.
9. Prayer indicates petitioner to be discharged upon *filing* of Ex Parte Petition for Final Discharge. Note: petitioner is not discharged until entry of Court order for final discharge.

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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.

10. No proposed Order submitted. Submit after hearing.

**RECOMMENDATION:**

Need to clear notes 5-7, then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **01/23/19**.

(lh)



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CASE#: PRO PS1700611

CASE NAME: MTR OF FREDERICK HAYS

HEARING:

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

COUNSEL:

JAMES B JENSEN	(PET)...JEREMIAH RAXTER
FREDERICK HAYS	(DEC)...
LISA CARLSON	(PET)...GAUDY LAW, INC

#### GENERAL INFORMATION

**Continued from 09/18/17. Court directed competing petition of Lisa Carlson to be filed by 4PM on 10/16/17. If not filed timely, it will be deemed waived. Court notes that if the competing petition is filed timely, it is to be set for 02/05/18, or any earlier Monday. Court trails this matter [petition by James Jensen] to be trailed to 02/05/18 or earlier, if a sooner Monday is given.**

#### THIS CASE SET FOR HEARING ON

- **Petition #1 [filed 06/20/17]** for Letters of Administration with Full Authority under IAEA by James Jensen, grandson
- **Petition #2 [filed 10/02/17]** for Letters of Administration with Will Annexed, with *Limited Authority* under IAEA by Lisa Carlson, granddaughter

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

##### **Petition #1 by James Jensen, grandson**

1. Petitioner alleges all heirs waive bond; however, no bond waiver submitted by competing petitioner, Lisa Carlson. Suggested bond \$250,000 based on real property. JTD
2. No proposed order. Submit order after hearing.

3. **Note: Court previously trailed petition by James Jensen to 02/05/18. Does Court wish to advance matter to this date per minute order on 09/18/17?**

**Petition #2 by Lisa Carlson, granddaughter**

4. Will purportedly waives bond, but not as to petitioner Lisa Carlson. However, petitioner seeks limited authority. Estate consists solely of real property estimated at \$250,000. JTD.
5. Petition is not signed by attorney Joseph Borjas. **Need verified supplement with signature page.**
6. The original will is allegedly lost. When a will is lost, and was last in the testator's possession, it is presumed that the testator destroyed the will with the intent to revoke it. **Need verified supplement stating reasons why presumption in Probate Code §6124 does not apply.**
7. **Need** Declination to Act by named alternate executor, Martha E. Maxwell (niece).
8. **Need** Notice of Petition to Administer Estate.
9. **Need** Proof of Publication.
10. ~Proposed Order: 10/02/17

RECOMMENDATION

Matter is contested.

Need to clear notes 5-9. Court's discretion re bond. If approved, set Accounting/Status Review for **03/27/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/lh)

**Future Hearing: 2/05/18: Petition for Letters of Administration by James Jensen**

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CASE#: PRO PS1700710

CASE NAME: ASHER EMMANUEL

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL IAEA

COUNSEL:

SABA MASIH (PET)...DALE K BETHEL  
ASHER EMMANUEL (DEC)...

GENERAL INFORMATION

**Continued from 10/18/17.**

**On 10/24/17**, Court appointed Saba Misih as Special Administrator, no bond. Funds to be placed in a blocked account.

**Continued from 12/06/17 at request of Counsel. Proof of publication filed 10/10/17.**

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Saba Masih, spouse

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

1. Bond in the amount of \$150,000 is being requested. Ok.
2. Decedent is survived by 2 minor children- Shamir and Sharon. Age unknown.
3. **Proof of Publication filed 10/10/17; however, Notice of Petition indicates incorrect spelling of petition as Saba "Marsih". JTD**
4. **Need** proof of blocked account.
5. ~Proposed Form Order: 07/14/17

RECOMMENDATION

Need to clear note 4. If approved, set Accounting/Status Review **02/13/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/lh)

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DATE: 01/17/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700972

CASE NAME: MTR OF GAYLE ELAINE CRAMPTON

HEARING:

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

COUNSEL:

BRYAN CRAMPTON (PET)...VOORHEES LAW GROUP  
GAYLE ELAINE CRAMPTON (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full  
authority under IAEA by Bryan Crampton (son/nominee)

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

1. Both heirs waive bond. Estimated net value of estate is \$310,000 based on real  
property. Court also has discretion to require bond per Pr. C. § 8481(b). JTD
2. ~Proposed form Order: 09/28/17

RECOMMENDATION:

RFA, Court's discretion re bond. If approved, set future hearing for Accounting/Status  
Review on **03/27/19**. Any accounting to be filed 30 days in advance. Note requirements of  
Local Rules.

(lh)

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DATE: 01/17/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1701210

CASE NAME: ELAINA GAIL LEMING

HEARING:

Petition to Determine Succession to Real Property

COUNSEL:

EILEEN SCHREIBER (PET)...IGNAZIO FICARA  
ELAINA GAIL LEMING (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON **Ancillary** Petition to Determine Succession to Real Property by Eileen Schreiber, sister

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

1. Petitioner seeks 100% interest in decedent's 100% interest; in real property per intestate succession.
2. Decedent resided in Texas at time of death. Proceedings have commenced in Texas.
3. ~Proposed Form Order: 11/22/17

#### RECOMMENDATION

Court's discretion.

(lh)

CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
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DATE: 01/17/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1701232

CASE NAME: MTR OF SI-YUAN CHI

HEARING:

Spousal Property Petition hearing.

COUNSEL:

SUNG-TZU LU

(PET)...WIE C WONG

SI-YUAN CHI

(DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Sunb-Tzu Lu, wife

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

1. Decedent died intestate testate on 03/19/08 and is survived by a spouse and two daughters.
2. Petitioner requests determination of decedent's property passing to the surviving spouse without administration and confirmation of property belonging to the surviving spouse.
3. Petitioner alleges that she and decedent were married in 1961 and that the property was acquired during the marriage with community assets in 1991.
4. See attached affidavits by daughters, Tienpei Chi and Tienwei Chi, confirming community assets [LFpgs19-25].
5. **Need** Notice of Hearing to Consulate of Taiwan per Pr. C. §8113.
6. No proposed Order submitted.

RECOMMENDATION:

Need to clear note #5, then Court's discretion.

(lh)

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HONORABLE: STANFORD E. REICHERT

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DATE: 01/17/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1701262

CASE NAME: MATTER OF GEORGE ALEXANDER ROWE

HEARING:  
Spousal Property Petition hearing.

COUNSEL:  
GLORIA MARIA ROWE (PET)...RICHARD W.S. PERSHING  
GEORGE ALEXANDER ROWE (DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Gloria Maria Rowe (spouse)

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

1. Decedent died intestate testate on 08/29/17 and is survived by a spouse and 3 children.
2. Petitioner requests determination of decedent's property passing to the surviving spouse without administration and confirmation of property belonging to the surviving spouse.
3. **Need** Attachment 7 explaining the facts upon which the petitioner bases the allegation that property should pass or be confirmed.
4. Petition is incomplete at item #5b as to any children that would have been adopted but for a legal barrier. **Need** verified supplement.
5. **Need** notice of hearing and proof of service.
6. Notice is complete.
7. No proposed Order submitted.

RECOMMENDATION:  
Need to clear notes 3-5.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**CONSERVATORSHIPS**

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DATE: 01/17/18      TIME: 9:30      DEPT: S35P  
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CASE#: CON PS1600282

CASE NAME: OSMOND KH LEE

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of LISA HC LEE

COUNSEL:

LISA HC LEE

(CPE)...PRO/PER

OSMOND KH LEE

(CEE)...JACK B OSBORN

#### GENERAL INFORMATION

**Continued from 09/13/17.** For conservator to file conservatorship compliance review documents.

**Continued from 11/08/17.**

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Lisa HC Lee, mother, appointed limited conservator of the person only on 02/08/17, no bond.
2. Notification of Conservatee's Rights filed 12/11/17; however, proof of service did not include copy of Order. **Need** proper service.
3. Determination of Conservatee's Appropriate Level of Care form is incomplete at item 4(b). **Need completed form.**
4. Care Plan filed 12/11/17.

#### RECOMMENDATION

Need to clear notes 2-3.

(ww/lh)



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: 01/17/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700163

CASE NAME: MTR OF JOSE ANGEL CARRILLO JR

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of NANCY M ALCALA RUBIO

COUNSEL:

NANCY M ALCALA RUBIO (CP)...PRO/PER  
JOSE ANGEL CARRILLO JR (CTP)...WALTER T. MOORE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Nancy Malcala Rubio appointed Conservator of the person on 06/14/16.
2. Notification of Cnservatee's rights filed 07/12/17.
3. **Need** a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355).
4. **Need** Care Plan in accord with Pr. C. §2352.5.

RECOMMENDATION

Inquire status.

(lh)

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

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DATE: 01/17/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700451

CASE NAME: ALDAIR S MEDINA

HEARING:  
Petition for Appointment of Conservator

COUNSEL:  
IRMA NAVA (CP)...PRO/PER  
ALDAIR S MEDINA (CTP)...PRO/PER

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Irma Nava, 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, consent/withhold consent to marriage, limit right to contract, control social/sexual contacts, and make decisions re education. JTD
2. Petitioner seeks conservatee's civil and legal rights to be limited in regards to requested powers under Pr. C. §2351.5. JTD
3. Petitioner seeks medical powers. **Need** Capacity Declaration.
4. Proposed conservatee is developmentally disabled. **Need** appointment of counsel for report.
5. Proposed conservatee is developmentally disabled. **Need** IRC report. **Letter from IRC filed 01/08/18 requesting 30-day extension. JTD.**
6. Petition is not dated at signature. **Need** verified supplement with signature page.
7. **Notice of Hearing and Proof of Service filed 01/03/18; however, need proper service to Inland Regional Center providing at least 30-days'notice.**
8. Return of Citation filed 01/06/18; however, Citation is incomplete at item #1b as to name of proposed conservator. **Need return of re-issued Citation with proof of personal service.**
9. **CI Report filed 01/10/18.**
10. Certificate of Completion of the Conservatorship Training Class filed.

11. ~Proposed Form Order: 12/13/17

RECOMMENDATION

Need to clear notes 3-8. If approved, set hearing for Compliance Review for **08/22/18** 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.

(lh)

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HONORABLE: STANFORD E. REICHERT

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DATE: 01/17/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1400223

CASE NAME: ASHLEY MORGAN CIMINSKI

HEARING:

Hearing Re: OSC RE TRANSFER TO RIVERSIDE COUNTY

COUNSEL:

SANDRA L CIMINSKI (CP)...LOCKHART LAW FIRM  
ASHLEY MORGAN CIMINSKI (CTP)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON OSC Re Transfer to Riverside County

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

1. Matter set on Court's own motion on 12/26/17 upon receipt of Court Investigator Report and Request for Action indicating conservatee, Ashley Ciminski, now resides in Norco, California, County of Riverside.
2. **Need** receipt and acknowledgment of transfer from Riverside County Superior.

#### RECOMMENDATION

Need receipt of transfer from Riverside County Superior.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **MISC.**

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DATE: 01/17/18 TIME: 1:30 DEPT: S35P  
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CASE#: PRO PS1601271

CASE NAME: SHERMAN LEE MITCHELL

**VACATED**

HEARING:

Hearing Re: COURT TRIAL (SECOND DAY)

COUNSEL:

SHERMAN LEE MITCHELL II (PET)...PRO/PER

SHERMAN LEE MITCHELL (DEC)...

RIANNE MITCHELL (OBJ)...

RHYAN MITCHELL (PRO/PER)

Waiver of Court Fees and Costs filed by SHERMAN LEE MITCHELL II is GRANTED

Waiver of Court Fees and Costs filed by RIANNE MITCHELL is GRANTED

Waiver of Court Fees and Costs filed by RHYAN MITCHELL is GRANTED

Court trial—no notes—JTD

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **PROBATE**

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DATE: 01/17/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1500386

CASE NAME: OLIVE SADIE MITTELSDORF

HEARING:

Accounting Review

COUNSEL:

RICHARD SAYLES

(PET)...JAMES B CHURCH

OLIVE SADIE MITTELSDORF

(DEC)...

APRIL MAY

(PET)...SHERRI L KASTILAHN

SURETEC INSURANCE CO

(TP )...

**XREF: CONPS1400294** *Olive S Mittelsdorf*

#### GENERAL INFORMATION

**Continued from 08/26/17.** Counsel stated that accounting is being prepared.

**Continued from 11/01/17 for accounting to be filed.**

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to April May, on 06/22/16; full authority, \$200,000 bond.
2. Final Inventory and Appraisal filed 07/25/17. Northwestern Access account x2251 reflects \$91,644.20 as of post date of death on 04/30/15. Date of Death value is \$91,384.71. Does Court wish to deem de minimis?
3. **Need** supporting bank statement for US Bank x4176 and American Funds x3951 accounts as of date of death on 04/11/15.
4. **Need** accounting or status report.
5. **Declaration requesting a comprehensive audit/accounting be done filed by Shawnee Lopez, granddaughter on 04/28/17**

#### RECOMMENDATION

Need to clear note 2-4.

(ww/lh/ww/lh)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 01/17/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600455

CASE NAME: CHRISTOPHER LWOWSKI

HEARING:

First and Final Account and Report of GREGORY S RISTER and  
Petition for allowance of fees filed.

COUNSEL:

GREGORY S RISTER (PET)...BEWLEY, LASSLEBEN & MILLER  
CHRISTOPHER LWOWSKI (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by  
Gregory S. Rister, executor

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

1. Assets on hand: \$296,953.59, cash
2. Attorney requests statutory fees of \$9,304.56. Calculated.
3. Attorney requests extraordinary fees in the amount of \$2,100 for 6 hours at \$350/hour regarding sale of real property. **Need verified supplement with itemization of attorney services per Local Rule 20-904.**
4. **Need** verified supplement indicating if cash has been invested and maintained in an interest bearing account. Pr. C. § 1064(a)(5).
5. **Need** bank/investment statements verifying date of death balances **and** final ending balance per Local Rule 20-908.
6. **Need** copy of escrow closing statement for sale of real property per Local Rule 20-910.
7. Schedule C Disbursements include various payments to Karen Wilson for 'assistance' totaling \$1,156.25, and to executor Greg Rister for reimbursements totaling \$3,500.94 **Need verified supplement clarifying expenses and reimbursements.**
8. Decedent's will includes a specific bequest of photography equipment to Frank Lazlo. The bequest was allegedly declined by Nick Durreta on behalf of Margaret Lazlo, the sole heir of Frank Lazlo. Question in what capacity does Nick Durreta represent Margaret Lazlo? **Need verified supplement clarifying relationship of Nick Durreta to Margaret Lazlo**

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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.

9. Proposed distribution provides for distribution via Pr. C. §13100 Affidavit to Margaret Lazlo, the sole heir of Frank Lazlo (named beneficiary).
10. Petitioner requests reserve of \$18,000 to cover taxes on annuities and closing costs. JTD.
11. Notice was given.
12. No proposed Order submitted.

**RECOMMENDATION:**

Need to clear notes 3-8, then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **01/23/19**.

(lh)



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

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DATE: 01/17/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600525

CASE NAME: KARL PROBERT-ENBORG SPECIAL NEEDS TRUST

HEARING:

Petition REQUESTING AUTHORITY TO PURCHASE A VEHICLE AND HIRE  
A CAREGIVER

COUNSEL:

JENNIFER PROBERT (PET/TEE)...PIERRE J RODNUSKY  
KARL PROBERT-ENBORG 2016 SPECIAL NEEDS TRUST (BEN)...  
KARL PROBERT SR (RODNUSKY & ASSOCIATES)

GENERAL INFORMATION

**Continued from 12/06/17. Court appoint Jeanne Kennedy as to Guardian Ad Litem for beneficiary, Karl Probert-Enborg, Jr.**

THIS CASE IS SET FOR HEARING ON Petition to Request Authority to Purchase a Vehicle and Hire a Caregiver filed by Jennifer and Karl Probert, Sr, parents/trustees

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

1. Creation of SNT for Karl Probert, Jr, approved on 08/02/16. Jennifer and Karl Probert Sr., parents, appointed Trustees, \$661,300 bond.
2. Current assets: \$590,000 in cash, plus \$2,132.60/month from Pacific Life Insurance Co.
3. Petitioner alleges the family currently owns a 2002 Ford Expedition used to transport Karl Jr to various physical therapy and medical appointments. However, Karl Jr's safety has been compromised as he consistently removes the seatbelt. Petitioner requests authority to purchase a more reliable full-sized utility vehicle to fit Karl Jr and his equipment in an amount not to exceed \$30,000. **JTD**
4. Petitioners request authority to hire Jennifer Probert, trustee, as beneficiary's caregiver and for monthly compensation of **\$2,000**. Petitioners allege Karl Jr lives with and is cared for by both of his parents/trustees. Prior to Karl Jr's injury, Jennifer Probert, trustee, worked for Lucerne Valley School District, working with children with special needs at \$22.50/hour. Jennifer Probert has not been able to return to work due to Karl Jr's constant care, and thus requests compensation. **JTD**
5. Notice was given.
6. **Need Report of GAL Jeanne Kennedy.**

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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. No proposed Order. Submit after hearing.

**RECOMMENDATION**

Need report of GAL, then Court's discretion.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 01/17/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1601236

CASE NAME: THE FRANCISCO DE LA ROSA FAMILY IRREVOCABLE TRUST

HEARING:

Petition for DETERMINE VALIDITY OF PURPORTED TRUST

COUNSEL:

RENATO A DE LA ROSA (PET)...THE LEGACY LAWYERS  
HERMAN A DE LA ROSA (PET)...THE LEGACY LAWYERS  
THE FRANCISCO DE LA ROSA FAMILY TRUST (TRU)...  
RENATO DANIEL DE LA ROSA JR (OBJ)...VEGA & RIVERA, LLP

Currently under review by Legal Research.  
(LR)

Continued matter – notice not re-reviewed.  
(lh)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 01/17/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700255

CASE NAME: MTR OF JOHNP LOPEZ REVOCABLE TRUST

HEARING:

Petition for ORDER DETERMINING TITLE TO REAL PROPERTY IN THE  
JOHN P LOPEZ TRUST

COUNSEL:

ALBERT JOSEPH LOPEZ (PET)...LAYNE A BARTHOLOMEW  
JOHN P LOPEZ REVOCALE LIVING TRUST (TRU)...

Currently under review by Legal Research

LR

Continued matter- notice not re-reviewed.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 01/17/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700674

CASE NAME: ROBERT OSCAR CLARK

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

DALE CRAIG CLARK (PET)...MICHAEL C MADDUX  
ROBERT OSCAR CLARK (DEC)...

**XREF: CIVDS1720709** *IN RE: 6743 MERITO AVE. SAN BERNARDINO*

#### GENERAL INFORMATION

Letters of special administration issued to Dale Clark on 07/17/17.

**Continued from 09/06/17 to attempt settlement.**

**Continued from 11/08/17. Parties are trying to reach settlement.**

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Dale Clark, son

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

1. Petitioner is the purported sole heir and waives bond. Estimate value of estate is \$15,000, cash.
2. Notice of Petition to Administer Estate filed 08/23/17 includes notice to Nicole Carter. **Need** verified supplement clarifying Nicole Carter's relationship to decedent as she is not listed in section 8 of Petition.
3. Declaration filed on 07/14/17 re ex parte notice indicating that Nicole Carter replied with a statement that she was "executor and owns everything". Will must be lodged per Pr.C. § 8200 and court would order persons to produce a will per Pr.C. § 8201. Question if there is a will as Nicole cannot be an executor without testamentary document? **Need** verified supplement. **Supp. 08/23/17 Nicole Carter has ignored phone calls and letters, and has not provided a copy of Will.**
4. Will lodged on 09/05/17. Court may wish to clarify if an amended petition will be filed. JTD
5. ~Proposed Form Order: 07/10/17

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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

Inquire status of settlement.

Need to clear note 2. Court's discretion re bond. If approved, set Accounting/Status Review for **03/27/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/lh/ww/lh)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 01/17/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700874  
CASE NAME: JOSEPH LUIS NAVARRO

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

COUNSEL:  
MATTHEW LUIS NAVARRO (PET)...PRO/PER  
JOSEPH LUIS NAVARRO (DEC)...

#### GENERAL INFORMATION

**Continued from 12/04/17. Marianne and Lorena Navarro object – to file written objections.**

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Matthew Navarro, son

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

1. Petitioner resides in Missouri and requests that bond be determined by the Court. The estate consists of \$80,000.00 in real property. Suggest bond of \$80,000.00.
2. 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 Lorena and Marianne Navarro.
3. **Competing petition for Letters of Administration by Lorena Navarro filed 12/26/17 set for hearing on 01/30/18. Court to trail matter to 01/30/18 to be heard with competing petition.**
4. No Form Order Provided.

#### RECOMMENDATION

Matter is contested. Court to trail matter to 01/30/18.

RFA; Court's discretion re note 2 and bond. If approved, set Accounting/Status Review **03/27/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908. (ww/lh)

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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: JAMES MICHAEL WELCH

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DATE: 01/17/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700896

CASE NAME: CHRISTINE BROWN SPECIAL NEEDS TRUST DATED:11-28-16

HEARING:

Petition for Void or terminate trust or replace trustee of  
fraudulently established trust

COUNSEL:

CHRISTINE BROWN (PET)...RONALD W ASK  
CHRISTINE BROWN SPECIAL NEEDS (TRU)...

Waiver of Court Fees and Costs filed by CHRISTINE BROWN is GRANTED

Currently under review by legal research

(LR)

Notice was given.



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HONORABLE: JAMES MICHAEL WELCH

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CASE#: PRO PS1701046

CASE NAME: CARMEN ROSE EISENHAUR

HEARING:

Petition to determine succession to Real Property

COUNSEL:

MILTON EISENHAUR	(PET)...PRO/PER
CARMEN ROSE EISENHAUER	(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property  
by Milton Eisenhauer, spouse

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

1. Matter appears moot as an ex parte Order Determining Succession to Real Property was entered 11/27/17.

RECOMMENDATION

None.

(lh)

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: 01/17/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1701064

CASE NAME: MTR OF KIRK LOTT

HEARING:

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

COUNSEL:

ANGELA LOTT  
KIRK LOTT

(PET)...VINCENT W. DAVIS & ASSOCIATES  
(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full  
authority under IAEA by Angela Lott, spouse/sole heir

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

1. Bond waived. Estimated net value of estate is \$9,585.57. The court may for good  
cause require that a bond be given, either before or after issuance of letters (Prob.  
Code, § 8481(b)). JTD
2. No proposed Order submitted. Submit after hearing.

RECOMMENDATION:

RFA, Court's discretion re bond. If approved, set future hearing for Accounting/Status  
Review on **03/27/19**. Any accounting to be filed 30 days in advance. Note requirements of  
Local Rules.

(lh)

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HONORABLE: JAMES MICHAEL WELCH

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DATE: 01/17/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1301068

CASE NAME: The Robert Bruce Cumming & Lois Wielen Cumming tru

HEARING:  
Hearing Re: RCPT OF REMITTITUR

COUNSEL:

JANET ANNE CUMMING	(PET)...EDWARD B FISCHER &
NATALIE BLICKENSTAFF	(PET/SC)...JENNIFER M DANIEL
ROBERT BRUCE CUMMING & LOIS WI	(TRU)...
STEVEN ROBERTSON CUMMING	(APP/RES)...PRO/PER
THE ROBERT BRUCE CUMMING & LOIS	(TRU)...
US SPECIALTY INSURANCE COMPANY	(PRO/PER
WILLIAM HENRY CUMMING	(PET)...EDWARD B FISCHER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Receipt of Remittitur

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

1. Remittitur filed 12/14/17. Matter set by Court on 12/20/17 as a remittitur was received, and the judgment was reversed in parts and affirmed in parts. Notice sent to parties.

RECOMMENDATION

Court's discretion.

(lh)

///

Future Hearings: 3/15/18: 2<sup>nd</sup> & Final Account & Report of Blickenstaff  
3/27/18: Final Account & Report of Cummings

CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIPS**

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DATE: 01/17/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1400276

CASE NAME: Rita Sue Pesch

HEARING:  
Hearing re Final Discharge

COUNSEL:

JOHN PESCH	(CPE)...PRO/PER
RITA SUE PESCH	(CEP)...KARIN E HORSPOOL
KARIN E HORSPOOL	(PET)...KARIN E HORSPOOL
JOHN PESCH	(CPE)...PRO/PER
RITA SUE PESCH	(CEE)...KARIN E HORSPOOL

GENERAL INFORMATION

**Continued from 06/01/17. Petitioner reports he has filed an appeal of attorney fees and exhibits. Court set a hearing date on those issues. Petitioner advised he need to file a petition for final discharge and order.**

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Requirement for final account waived for, John Pesch, on 10/28/16. The court found that the reasonable fee for court-appointed counsel's work is \$12,356; from the sums on deposit, court appointed counsel is to be paid \$8,500; remainder to be submitted via voucher. The balance of the funds on deposit, \$4,600.77, is to be paid to the conservator. Need order for submitted matter.
2. **Receipt** for Karin Horspool filed 05/31/17.
3. **Ex Parte Petition for Final Discharge and Order returned by Court on 06/14/17. Need corrected Ex Parte Petition for Final Discharge and Order.**

RECOMMENDATION

Inquire status.

(lc/lh)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 01/17/18      TIME: 9:30      DEPT: S36P  
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CASE#: CON PS1500164

**VACATED**

CASE NAME: DERRILL LEE MCCONNELL

HEARING:

Accounting Review

COUNSEL:

MONIQUE JUEDES                      (PET)...FULLERTON LEMANN SCHAEFER & DO  
DERRILL LEE MCCONNELL (PET/CEE)...

Second Account and Report filed 12/15/17.

***Future hearing date: 01/22/18 – 2<sup>nd</sup> Account Current by Monique Juedes***

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

-----  
DATE: 01/17/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1600055

CASE NAME: RAY R RAMOS

HEARING:

Petition for Appointment of Conservator

COUNSEL:

RETA R RIOS (CPE)...BRYAN C HARTNELL  
RAY R RAMOS (CEP)...E JOAN NELMS

GENERAL INFORMATION:

Ex-parte hearing 3/17/16 continued. Joan Nelms appointed counsel.

Continued from 07/18/16 and 09/26/16. Temporary orders denied on 10/13/16.

Continued from 12/21/16 and **03/08/17**. Order for physician to complete Capacity Declaration – HIPPA signed on 03/06/17.

Continued from **05/24/17 and 08/02/17**. Petition will be dismissed unless progress has been made on clearing of notes.

**Continued from 10/04/17**. Court and Counsel confer on the record. Court continues matter to 11/08/17.

**Continued from 11/08/17 to clear probate notes.**

THIS CASE IS SET FOR HEARING ON Petition for Conservatorship, person and estate, by sister

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

1. Petitioner requests bond waived as petitioner has no assets in this state and receives only public benefits. Court may wish to inquire the necessity of estate powers. Alternatively, bond may be waived per Pr.C. §2628. JTD
2. Report of court appointed attorney, E. Joan Nelms, filed 05/02/16.
3. Medical powers sought. **Need** Capacity Declaration.
4. Declaration of Completion of Riverside County's Video Orientation filed 02/28/17.
5. Court Investigator report filed 04/15/16.
6. Citation returned served.
7. ~Proposed form order: 3/10/16.

**RECOMMENDATION:**

Need to clear note 3. If approved, set hearing for Compliance Review for **08/22/18** for the filing of the required documents and hearing re Accounting Review for **03/27/19**. Any account to be filed 30 days in advance of hearing.

(sa/dl/nb/lc/lh/lc/lh)

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

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DATE: 01/17/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1600318

CASE NAME: MTR OF JASON DEAN DAVIS

HEARING:

Hearing Re: Status/CI Report/Amended Letters

COUNSEL:

JOHN D DAVIS	(CP )...J. DAVID HORSPOOL
CAROL J DAVIS	(CP )...PRO/PER
SABRINA WORTH	(CP )...PRO/PER
JASON DEAN DAVIS	(CTP)...J. DAVID HORSPOOL

**XREF: PROPS1500764** JASON DAVIS SPECIAL NEEDS TRUST

GENERAL INFORMATION

Continued from **12/21/16**. Counsel reports that Judge Ludvigsen requested that this matter be heard with PROPS1500764 which is assigned to Judge Ludvigsen.

Continued from **01/09/17**. No appearance. Notice by Judicial Assistant.

Continued from **03/27/17**. Counsel to file notice of related case and amended letters. Referred to CI.

Continued from **05/10/17**. Court orders Carol Davis and Sabrina Worth to be present if the order and letters have not been filed/issued. John Davis is deceased.

**Continued from 07/26/17**. Court does not need an amended order for conservatorship, court needs an order stating Carol Davis has changed her name to Carol J Roberts. New letters to also issue.

**Continued from 09/20/17. Referred to Court Investigator for investigation and report.**

THIS CASE SET FOR HEARING ON Status/ CI Report/Amended Letters

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

1. John & Carol Davis, Sabrina Worth; parents and sister, appointed limited co-Conservators on 11/08/90 in Orange County. John Davis passed away.
2. Case ordered transferred from Orange County on 10/17/16.
3. CI report filed 04/25/17 **and 10/04/17**.
4. Report of Court appointed counsel David Horspool filed on 08/01/17.
5. Amended letters issued on 07/31/17.



RECOMMENDATION

None.

(lc/lh/nb/lc/lh/ww/lc)

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

-----  
DATE: 01/17/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1700040

CASE NAME: MTR OF JACQUELINE J SCALES

**SEE ALSO 16**

HEARING:

Petition for APPT OF CONSERVATORSHIP PERSON AND ESTATE

COUNSEL:

ANTHONY E SCALES (CPE)...BRYAN C HARTNELL  
JACQUELINE J SCALES (CEP)...ROSE C ROSADO  
PIERRE A SCALES (CPE)...FULLERTON LEMANN SCHAEFER & DO

GENERAL INFORMATION

Continued from 03/20/17. Rose Rosado appointed counsel.

**Continued from 06/28/17 and 08/30/17. Parties working on settlement.**

**Continued from 110/1/17.**

THIS CASE IS SET FOR HEARING ON

- Petition 1 - for Appointment of Conservatorship person and estate by Anthony Scales, son.
- Petition 2 - for Appointment of Conservator person and estate by Pierre Scales, son.

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

**Petitioner 1 - Anthony Scales, son.**

1. **NOTE: Proposed conservatee passed away on 10/08/17.**
2. Petitioner requests dementia powers. Report of Counsel Rosado filed.
3. Petitioner requests no bond be required as proposed conservatee receives less than \$2,000/month and all monies are applied to her share of costs. It appears there are pensions, not public benefits. Suggest bond of \$20,000. JTD
4. Petition indicates the proposed Conservatee's other son, Pierre Scales, receives \$4,000/month, as the Trustee of Proposed Conservatee's Trust [LR, p. 11].
5. Petitioner seeks medical powers. Capacity Declaration filed 02/02/17.
6. Court Investigator report filed 04/06/17.
7. Certificate of Completion of the Conservatorship Training Class filed 03/21/17.
8. Citation returned served on 03/03/17.
9. **Objections file by Pierre Scales on 04/25/17.**

10. ~Proposed Form Order/Letters 02/02/07.

**Petitioner 2 – Pierre Scales, son.**

11. Petitioner seeks powers re habilitation, treatment, training, medical etc. per Pr.C. § 2355(a). JTD
12. Petitioner seeks no bond. Petitioner alleges that there is a monthly pension of \$500 per month and Social Security. Social Security is allegedly for 24 hour care. Suggest bond of \$20,000. JTD
13. Petitioner states there is a power of attorney for Property Management [Pet. 4/25 LFpg 12 et.seq.]. Does court wish to visit suspension of power of attorney if appointed? JTD
14. Petitioner seeks medical powers. **Need** Capacity Declaration as to this petitioner.
15. **Need** return of citation as to this petitioner.
16. Certificate of Completion of the Conservatorship Training Class filed.
17. Petitioner seeks dementia powers. Report of Counsel Rosado filed 06/27/17.
18. Court Investigator report filed 06/27/17.
19. Proposed Form Order: None.

RECOMMENDATION

Matter appears moot as proposed conservatee passed away.

(lc/lh)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 01/17/18 TIME: 9:30 DEPT: S36P  
-----

CASE#: CON PS1700040

CASE NAME: MTR OF JACQUELINE J SCALES

**SEE ALSO 15**

HEARING:

Petition for Appointment of Conservator

COUNSEL:

ANTHONY E SCALES	(CPE)...BRYAN C HARTNELL
JACQUELINE J SCALES	(CEP)...ROSE C ROSADO
PIERRE A SCALES	(CPE)...FULLERTON LEMANN SCHAEFER & DO

See notes on prior matter #15.

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

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DATE: 01/17/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1700450

CASE NAME: MONICA GAZANFARI

HEARING:  
Petition for Appointment of Conservator

COUNSEL:

YADIE GAZANFARI (CP)...PRO/PER  
MINA ASKARI (CP)...PRO/PER  
MONICA GAZANFARI (CTP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Yadie Gazanfari and Mina Askari, parents

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, make and consent to all medical decisions, and limit right to contract. JTD
2. Petitioner seeks medical powers. Capacity Declaration filed 12/13/17.
3. Proposed conservatee is developmentally disabled. **Need** appointment of counsel for report.
4. Proposed conservatee is developmentally disabled. **Need** IRC report.
5. **Need** Confidential Screening Form.
6. **Need** Confidential Supplemental Information.
7. **Need** return of citation.
8. List of required contact information filed 12/13/17 is missing parents and paternal grandparents. **Need** completed form.
9. **Need** Certificate of Completion of the Conservatorship Training Class.
10. **Need** notice of hearing and proof of service as to all relatives listed in petition within the 2<sup>nd</sup> degree, or file Due Diligence Declarations. Note: notice to include at least 30 days' notice to Inland Regional Center.
11. **Need** Court Investigator report.

12. ~Proposed Form Order: 12/13/17

RECOMMENDATION

Need to clear notes 3-11. If approved, set hearing for Compliance Review for **08/22/18** 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.

(lh)

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

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DATE: 01/17/18 TIME: 9:30 DEPT: S36P  
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CASE#: PRO PS1400495  
CASE NAME: THE SAVAGE TRUST

**SEE ALSO 18A**

HEARING:  
DEKTEROV and Petition for allowance of fees filed.

COUNSEL:

THE SAVAGE TRUST	(TRU)...
SAVAGE TRUST	(TRU)...
GEORGE DEKTEROV	(PET)...BARRY & BARRY
DIANE D. HARKISON	(STE)...MARIELLEN ROSS
VICTOR DEKTEROV	(PRO/PER)

**XREF: CONPS1300065** LIDIA DEKTEROV

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON 1<sup>st</sup> Account of Successor Trustee, George Dekterov

THE FOLLOWING ISSUES

Petition for Approval of First Account and Report of GEORGE AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. 3<sup>rd</sup> and Final Account of former trustee, Diane Harkison, was court-approved on 08/10/17 for account period ending on **04/18/16. Need Order approving 3<sup>rd</sup> and Final Account.**
2. Accounting period is from 02/05/16 to 08/14/17, although it should commence as of date of appointment as Successor Trustee on **01/06/16**. However, the accounting appears to overlap with prior trustee's final accounting period ending 04/18/16. **Need verified supplement.**
3. Assets on hand: \$73,137.14, cash.
4. Assets marshalled from former trustee, Diane Harkison, in the amount of \$161,761.84 are identified as Schedule "A" Receipts; however, they should be identified as assets on hand at beginning of account period. **JTD.**
5. Petitioner requests attorneys' fees of \$4,900; however, Exhibit "B" with itemization of attorney time and fees is not included as alleged. **Need verified supplement.**

6. **Need** bank/investment statements verifying date of death balances and final ending balance per Local Rule 20-908.
7. No proposed order submitted.

RECOMMENDATION:

**Need Order approving 3<sup>rd</sup> and Final Account of prior Trustee, Diane Harkison.**

Need to clear notes, then Court's discretion. If approved, Court to set hearing on filing of receipts and final discharge for **01/23/19**.

(lh)



Superior Court of Calif, County of San Bernardino

Page: 18A ADD ON

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

-----  
DATE: 01/17/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1300065  
CASE NAME: LIDIA DEKTEROV

**SEE ALSO 18**

HEARING: Second and Final Account and Report of GEORGE DEKTEROV and  
Petition for allowance of fees filed.

COUNSEL:

GEORGE DEKTEROV	(CP/CPE )...ELIZABETH MCDONOUGH BAR
DIANE D HARKISON	(CE )...MARIELLEN ROSS
LIDIA KEKTEROV	(PCE/CEP)...THE ALVAREZ FIRM
VICTOR DEKTEROV	(PET/OBJ)...JOHN R SETLICH

**XREF PROPS1400495** (*Savage Trust, matter 18*)

GENERAL INFORMATION

**Continued from 12/14/17 to be heard with trust account. Court orders Victor Dekterov to file written objections by 01/02/18.**

THIS CASE SET FOR HEARING ON 2<sup>nd</sup> and Final Conservatorship Account and Petition for Allowance of Fees by George Dekterov, son.

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

1. Conservatee died on 08/21/16.
2. Accounting period 04/01/16 - 10/31/16. Normally pre and post death accountings are required per Pr. C. § 2620(b). However, all assets were transferred to trust post death. JTD
3. Assets on hand \$0.
4. Conservator waives fees.
5. Attorney seeks fees of \$39,764.06 at \$350 per hour to be paid by Trust. Costs of \$389.06 appear to be overhead per local rule 20-1406(d). [Acct. 10/30LFpg27-23]. JTD
6. Current bond \$20,000.
7. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **01/23/19**.

(lc/lh)

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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: 01/17/18 TIME: 9:30 DEPT: S36P  
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CASE#: VC VS255

CASE NAME: IN THE MATTER OF DANIELLE KAY LUCIA

HEARING:

Hearing Re: Proof of Blocked Account/Transfer Case

COUNSEL:

DANIELLE KAY LUCIA	(CEP)...
LOUIS E LUCIA	(CPE)...PRO/PER
DEBORAH J LUCIA	(SC/CPE)...JEANNE E KENNEDY
PATRICIA A FREITAS	(SC/CPE)...JEANNE E KENNEDY

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Proof of Blocked Account/ Transfer Case

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

1. Matter set on 10/11/17, wherein, Court approved 13<sup>th</sup> Account Current.
2. Post Move Notice of Change of Address filed 10/11/17 indicates conservatee now resides in Novato, California, Marin County.
3. **Need** proof of blocked account.

#### RECOMMENDATION

Inquire status.

(lh)

Future Hearing: 9/11/19 Accounting Review

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: 01/17/18      TIME: 1:30      DEPT: S36P  
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CASE#: MC MS00062

CASE NAME: IN THE MATTER OF ROY LEE PAYNE III

HEARING:

Trial Setting Conference

COUNSEL:

JEANETTE PAYNE

(PET)...PRO/PER

ROY LEE PAYNE

(CTP)...MARK J. FLORY

TSC—no notes—JTD

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **PROBATE**

-----  
DATE: 01/17/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO DS1000091

CASE NAME: JOANNA B HUNT

HEARING:

Hearing Re: ACCOUNTING REVIEW

COUNSEL:

JOHN HUNT (PET)...PRO/PER  
ROBERT HUNT (PET)...  
JOANNA B HUNT (DEC)...  
JOANNA B HUNT (PET)...DAVID W BROWN  
XAVIER FRANK FRANCO (PET/OBJ)...PRO/PER  
DAVID BROWN  
VICTIM COMP & GVRNMT CLAIMS (PRO/PER)  
JEANNE E KENNEDY (JEANNE E KENNEDY)  
DEPT. OF HEALTH CARE SERVICES (PRO/PER)  
KATHY HUNT (PRO/PER)

GENERAL INFORMATION

Continued from **5/7/14, 6/18/14** (no appearance) and **8/20/14** for Mr. Hunt to retain counsel. On 5/7/14, John Hunt is ordered to consult with probate referee and advised to speak with counsel. Court orders no property to be sold or disposed of at this time.

**Continued from 09/24/14, 12/11/14, 3/13/15, 5/29/15 and 06/08/15.**

Matter reset by court when it was discovered there was no accounting or discharge.

Continued from **04/12/17**. John Hunt to file change of address. Xavier Franco ordered to allow parties into home to inventory contents and not disturb Xavier's belongings.

Inventory and Appraisal and accounting to be filed 30 days prior to hearing.

**Continued from 07/19/17**. Parties to contact Probate Referee to conduct and appraisal.

Accounting must be filed 30 days before date of hearing on 11/15/17.

**Continued from 11/15/17.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Administration issued to John Hunt, son, on 07/10/12; full authority no bond.

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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.

2. At hearing on 2/13/14, the Court orders John Hunt to prepare and provide accounting from date of appointment to present date to the court.
3. It is unclear whether the 06/08/15 Trial granted part of the property through the Petition to Determine Succession or the Probate Administration. **Need order after trial re-submitted with corrections.**
4. Supplemental Inventory and Appraisal filed 02/08/12; however, **need** final Inventory and Appraisal.
5. **Need** accounting.

RECOMMENDATION:

Inquire status.

(gls/vet/gls/lc/lh)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 01/17/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1100827

CASE NAME: ESTATE OF VADIS MALONE SCOTT

HEARING:  
Accounting Review

COUNSEL:

PATRICK MCDANIEL (PET)...THOMAS W DOMINICK  
VADIS MALONE SCOTT (DEC)...  
US SPECIALTY INSURANCE CO (TP )...PRO/PER

GENERAL INFORMATION:

**Continued from 11/18/15, 06/01/16 and 12/07/16** at request of counsel as property has not yet sold.

**Continued from 06/07/17 for property to sell.**

THIS CASE IS SET FOR HEARING ON accounting/status review

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

1. Letters of Administration issued to Patrick McDaniel on 1/20/12, \$50,000 bond.
2. Last status report approved 11/19/14.
3. **Need** an accounting or status report.

RECOMMENDATION:

Inquire status.  
(sa/lc/lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 01/17/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1300297

CASE NAME: ELLIS ALFORD WESTMORELAND

HEARING:  
Accounting Review

COUNSEL:

PEGGY JOAN WESTMORELAND	(PET)...	GREGORY T ANNIGIAN
ELLIS ALFORD WESTMORELAND	(DEC)...	
DIANA JANE WESTMORELAND ABSOLOR	(OBJ)...	PRO/PER
ELISA JILL WESTMORELAND COGBURN	(B. PALMER RIEDE)	
KEVIN JUDE WESTMORELAND	(PRO/PER)	

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Peggy Westmoreland, administrator

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

1. Letters of Administration issued to Peggy Westmoreland, daughter, on 02/18/14; full authority; no bond.
2. Status Report approved on 01/25/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 01/17/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1301069

CASE NAME: Eric G Jefferson

HEARING:  
Accounting Review

COUNSEL:

AUTUMN M DANIEL	(PET)...THOMAS W DOMINICK
ERIC G JEFFERSON	(DEC)...
AUTUMN M DANIEL	(PET)...FULLERTON LEMANN SCHAEFER & DO
MARY BAKER	(PET)...HORSPPOOL & HORSPPOOL

GENERAL INFORMATION

**Continued from 04/30/15, 07/30/15, 10/29/15, 1/28/16, 04/28/16, 09/01/16 and 01/11/17.**

Oral report given by Counsel Dominick. Matter continued to determine whether or not to pursue judgment.

**Continued from 07/12/17 to file accounting or status report.**

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Autumn Daniel, friend, on 05/01/14, full authority no bond.
2. Final Inventory and Appraisal filed.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status.  
(lc/lh)



Superior Court of Calif, County of San Bernardino

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

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DATE: 01/17/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1500391

CASE NAME: GERALD MARVIN JOHNSON

HEARING:

Hearing re Final Discharge

COUNSEL:

SUSAN MORA (PET)...THOMAS W DOMINICK  
GERALD MARVIN JOHNSON (DEC)...

GENERAL INFORMATION

**Continued from 03/30/17. Need to transfer assets to trust.**

**Continued from 07/13/17 to clear probate notes.**

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of Susan Mora, approved on 03/24/16.
2. **Receipts filed**
3. ~Ex Parte Petition for Final Discharge and Order received 01/08/18 and forwarded to Department for review/signature.

RECOMMENDATION

None.

(lc/lh)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 01/17/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600427

CASE NAME: MTR OF ROBERT CARL STINDT

HEARING:  
Accounting Review

COUNSEL:

ANDREA STINDT (PET)...MARK H MCGUIRE  
ROBERT CARL STINDT (DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Andrea Stindt,  
administrator

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

1. Letters of Administration with Will Annexed issued to Andrea Stindt with full authority and no bond on 11/09/16.
2. **Need** final Inventory and Appraisal with supporting financial statements per Local Rule 20-908.
3. No accounting or status report of administration. Need same.

#### RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 01/17/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600847

CASE NAME: MTR OF BILL MUZQUIZ

HEARING:  
Accounting Review

COUNSEL:  
TERI JO MUZQUIZ (PET)...ZUMBRUNN LAW CORPORATION  
BILL MUZQUIZ (DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Teri Jo Muzquiz,  
administrator

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

1. Letters of Administration issued to Teri Jo Muzquiz with full authority and no bond on 11/09/16.
2. Final Inventory and Appraisal filed.
3. No accounting or status report of administration. **Need** same.

#### RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 01/17/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600979

CASE NAME: MTR OF DENNIS R MCDERMOTT

HEARING:

PETITION UPON WAIVER OF Account and Report of ELIZABETH M  
SCHWANEBERG and Petition for allowance of fees filed.

COUNSEL:

ELIZABETH M SCHWANEBERG (PET)...KENNETH E DEVORE & ASSOC  
DENNIS R MCDERMOTT (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON PETITION UPON WAIVER OF Account and  
Report of ELIZABETH M SCHWANEBERG and Petition for allowance of fees

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

1. Assets on hand: \$475,703.01, consisting of \$95,088.87 in cash and remaining in real property, stock, and a vehicle.
2. Petitioner waives compensation.
3. Attorney requests statutory fees of \$12,514.06. Calculated.
4. **Need** bank/investment statements verifying date of death balances **and** final ending balance per Local Rule 20-908.
5. Notice was given.
6. ~Proposed order: 09/22/17

RECOMMENDATION:

Need to clear note 4, then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **01/23/19**.

(lh)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 01/17/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1700939

CASE NAME: BETTY LOU FRIEDMAN

HEARING:

Petition to determine succession to Real Property

COUNSEL:

ANTHONY D WILLIAMS (PET)...PRO/PER  
BETTY LOU FRIEDMAN (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Anthony Williams, Kathleen Parnell, and Linda Lee Dee (issue)

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

1. Petitioner seeks 100% interest, 33.33% each; in decedent's 100% interest; in real property per intestate succession.
2. ~Proposed Form Order: 09/28/17

#### RECOMMENDATION

Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 01/17/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1700947

CASE NAME: MTR OF HOWARD BURTON IMMERMANN

HEARING:

Petition for LETTERS OF ADMINISTRATION W/LIMITED AUTHORIZATION  
TO ADMINISTER UNDER IAEA

COUNSEL:

RONNIE HYMAN (PET)...LAW OFFICES OF LEANN E MAILLIA  
HOWARD BURTON IMMERMANN (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with *Limited Authority* under IAEA by Ronnie Hyman (nominee/cousin)

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

1. Requested bond \$10,000. Estimated net value of estate is \$131,000. JTD
2. Petition is incomplete at item #6 as to relatives surviving decedent. **Need** verified supplement.
3. ~Proposed form Order: 09/25/17

RECOMMENDATION:

Need to clear note #2. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **03/27/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

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

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DATE: 01/17/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1700948

CASE NAME: FRANCISCO JAVIER AGUILERA BARRON

**SEE ALSO 11A**

HEARING:

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

COUNSEL:

VICTOR HUGO AGUILERA BARRON (PET)...MICHAEL C MADDUX  
FRANCISCO JAVIER AGUILERA BARRON (DEC)...

GENERAL INFORMATION:

Ex parte orders granted on 11/13/17. Victor Hugo Aguilera Barron appointed Special Administrator.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Victor Barron (brother)

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

1. Petitioner requests proceeds to be placed in blocked account upon sale of real property. JTD.
2. ~Proposed form Order: 09/26/17

RECOMMENDATION:

RFA, Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **03/27/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

Superior Court of Calif, County of San Bernardino  
Page: 11A add-on  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: TARA REILLY

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DATE: 01/17/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1700948

CASE NAME: FRANCISCO JAVIER AGUILERA BARRON

**SEE ALSO 11**

HEARING:

Hearing re: Preliminary Injunction

COUNSEL:

VICTOR HUGO AGUILERA BARRON (PET)...MICHAEL C MADDUX

FRANCISCO JAVIER AGUILERA BARRON (DEC)...

Currently under review by Legal Research.

(LR)



Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 01/17/18      TIME: 8:30      DEPT: S37P  
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CASE#: PRO PS1701247

CASE NAME: MATTER OF LYLE WAYNE FEASTER

HEARING:

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

COUNSEL:

SUMMER OCEAN

(PET)...CHRISTOPHER JAMES MURTAGH

LYLE WAYNE FEASTER

(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full  
authority under IAEA by Summer Ocean (daughter/sole heir)

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

1. Petitioner is sole heir and waives bond. The court may for good cause require that a bond be given, either before or after issuance of letters (Prob. Code, § 8481(b)).
2. Petition is incomplete at item #3 regarding character of property and estimated value of assets. **Need** verified supplement.
3. **Need** Proof of Publication.
4. ~Proposed form Order: 12/08/17

RECOMMENDATION:

Need to clear notes 2-3. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **03/27/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**CONSERVATORSHIPS**

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DATE: 01/17/18      TIME: 9:30      DEPT: S37P  
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CASE#: CON PS1100097

CASE NAME: SARA MARIE KIRCHNER

HEARING:

Hearing Re: VOTING RIGHTS

COUNSEL:

MARITZA KIRCHNER

(CP )...PRO/PER

DENNIS KIRCHNER

(CP )...PRO/PER

SARA MARIE KIRCHNER

(CTP)...

SHERRI L KASTILAHN

(PET)...SHERRI L KASTILAHN

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Voting Rights

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

1. Court set matter on its own motion upon review of Court Investigator Report filed 11/29/17. Notice given by Judicial Assistant.

#### RECOMMENDATION

Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 01/17/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1300097

CASE NAME: ROBERT J WRIGHT-WALDEN

HEARING:  
Hearing Re: VOTING RIGHTS

COUNSEL:  
CARLA MARIE WALDEN (CPE)...PRO/PER  
ROBERT J WRIGHT-WALDEN (CEP)...MATTHEW E SHEASBY

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Voting Rights

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

1. Court set matter on its own motion upon review of Court Investigator Report filed 11/27/17. Notice given by Judicial Assistant.

#### RECOMMENDATION

Court's discretion.

(lh)

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

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DATE: 01/17/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1300327

CASE NAME: RANSOM GEORGE BALLARD

HEARING:

Petition for Attorney's Fees and Costs and For Order Directing  
Payment etc

COUNSEL:

GLORIA L MCFARLAND	(CPE)...PRO/PER
RANSOM GEORGE BALLARD	(CEP)...DONNASUE ORTIZ
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
RANSOM GEORGE BALLARD	(CEE)...LAYNE A BARTHOLOMEW

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Attorney Fees by Donnasue Smith-Ortiz

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

1. Petitioner Donnasue Smith Ortiz represented the Conservator, Ransom George Ballard, from 10/31/13 to 10/31/17.
2. Petitioner seeks compensation of services provided to the conservatorship estate for the period covering 04/13/16 to 12/12/17.
3. Petition requests fees of reduced fee of \$8,525.00 for 57.90 hours at \$325/\$100 hour for attorney/paralegal services, plus \$555 for costs. [Itemized, petition, 12/13/17, LFpg8].
4. It appears estate does not have sufficient cash funds. Proposed Order indicates authorization for counsel to record Order against real property; however, requested authorization is not reflected in prayer. **JTD**
5. Notice was given.
6. Proposed Order: 12/13/17

RECOMMENDATION

Court's discretion.

(lh)

Future Hearing: 3/07/18: Third Account & Report

Superior Court of Calif, County of San Bernardino

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

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DATE: 01/17/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1500168

CASE NAME: MTR OF ADRIAN ALBERT COOMBS

HEARING:  
Hearing Re: VOTING RIGHTS

COUNSEL:

MARIA NATALA COOMBS (CP)...PRO/PER  
NATHAN R COOMBS (CP)...  
ADRIAN ALBERT COOMBS (CTP)...ROSE C ROSADO

Waiver of Court Fees and Costs filed by ADRIAN ALBERT COOMBS is GRANTED

**XREF: CONPS1400048** *NATHAN COOMBS JR.*

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Voting Rights

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

1. Court set matter on its own motion upon review of Court Investigator Report filed 11/28/17. Notice given by Judicial Assistant.

RECOMMENDATION

Court's discretion.

(lh)

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

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DATE: 01/17/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1600098

CASE NAME: MTR OF FORTMAN S YAN

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of ROBBIN YAN-SINGZON

COUNSEL:

ROBBIN YAN-SINGZON	(CPE)...BRYAN C HARTNELL
FORTMAN S YAN	(CEP)...WALTER T. MOORE
FORTMAN S YAN	(CPE)...BRYAN C HARTNELL

GENERAL INFORMATION

Order Appointing Temporary Conservator entered 05/17/16.

Order appointing Robbin Yan-Singzon, Conservator of the person and estate entered 07/27/16, \$20,000 bond.

Continued from **01/31/17** to clear notes.

Continued from **04/18/17**. Robbin Yan-Singzon and Fortman S Yan are ordered to be present at next hearing if required documents are not filed.

Continued from **06/20/17** at request of counsel.

**Continued from 09/05/17 at request of court.**

**Continued from 11/13/17. Counsel will file Inventory and Appraisal this date.**

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Section 4b to proof of service to Notification of Conservatee's Rights filed 02/21/17 is blank. **Need proper service to include copy of order.**
2. Statement of Care Plan filed 05/10/17.
3. Determination of Conservatee's Appropriate Level of Care filed.
4. Inventory and Appraisal filed 11/13/17.

RECOMMENDATION:

Need to clear note #1.

(nb/lh/nb/lh)

Future Hearing: 3/05/18: Accounting Review

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

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DATE: 01/17/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700070

CASE NAME: MTR OF OLIVIA CRAWFORD

HEARING:

Petition for Appointment of Conservator

COUNSEL:

HELLEN HUNT (CP)...PRO/PER  
OLIVIA CRAWFORD (CTP)...JEANNE E KENNEDY

#### GENERAL INFORMATION

Continued from 04/13/17. Court clarifies that petitioner does not request a change of placement of proposed conservatee. Jeanne Kennedy appointed counsel. Remove attorney Caldwell, Kennedy & Porter, APC, from case. Court orders IRC to prepare a report for the Court. Clerk's office to notify IRC.

Continued from **06/22/17**. Court requests petitioner apply for IRC for Olivia. **Counsel Rosado to assist**. Hellen Hunt appointed temporary Conservator of Estate.

**Continued from 08/31/17**. Petitioner applying for IRC.

**Continued from 11/08/17 for IRC application to be processed.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Dr. Hellen Hunt (aunt)

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

1. Petitioner seeks medical powers. Capacity Declaration filed 03/03/17.
2. Petitioner seeks dementia powers. Report of Counsel Kennedy filed 06/14/17.
3. Petitioner alleges that proposed conservatee is developmentally disabled. **Inquire status of IRC application/report.**
4. Citation returned served.
5. Certificate of Completion of the Conservatorship Training Class filed 06/01/17.
6. Court Investigator report filed 04/05/17.
7. ~Proposed Form Order: 06/19/17.

#### RECOMMENDATION

Need to clear note 3. If approved, set hearing for Compliance Review for **08/22/18** 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 (lh/lc/lh/lc/lh)

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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.

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

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DATE: 01/17/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700197

CASE NAME: CLARENCE WARE

HEARING:

Petition for CONSERVATOR OF THE PERSON AND ESTATE filed by DIANA  
L MCKENZIE

COUNSEL:

LACHELLE WARE	(CPE)...PRO/PER
CLARENCE WARE	(CEP)...E JOAN NELMS
DIANA L MCKENZIE	(PET)...PRO/PER

GENERAL INFORMATION

**OSC set when there was no appearance on 07/05/17.** Walter Moore appointed counsel. **Continued from 08/16/17.** Court believes this case should proceed as an LPS conservatorship. Parties report to petitioner, Lachelle Waree, has left the state and abandoned this petition. Parties further report a competing petition will be filed. Parties further report Clarence Ware is currently hospitalized in Riverside Community Hospital and has been for 3 weeks. Parties attempting to have him transferred to the VA. Counsel reports he has not yet seen his client. Court relieves Mr. Moore as counsel and appoints him as Guardian Ad Litem in this matter. Remove Walter T. Moore from this case. Attorney E. Joan Nelms appointed for Clarence Ware.

**Ex parte orders granted 08/28/17. Diana McKenzie appointed Temporary Conservator of person and estate, no bond.**

THIS CASE SET FOR HEARING ON

- **Petition #1** [filed 05/25/17] for Appointment of Conservator of person and estate by Lachelle Ware, daughter.
- **Petition #2** [filed 08/24/17] for Appointment of Conservator of person and estate by Diana L McKenzie, sister

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

**Petition #1 by Lachelle Ware (daughter)**

1. Petitioner seeks all funds of \$1,650 be placed into a blocked account. As the Conservatee's only assets are Social Security income no bond would be required. Pr.C. §§ 2323 and 2628. JTD
2. Petitioner seeks dementia powers. **Report of Counsel E. Joan Nelms filed 10/10/17.**



3. Petitioner does not seek medical powers; however, seeks dementia powers. **Need** verified supplement.
4. Report of Walter Moore, GAL, filed 08/28/17.
5. List of required contacts (Local form SB-12224) lists more persons than in petition. **Need** verified supplement re second degree relatives.
6. **Need** notice of hearing and proof of service.
7. **Need** return of Citation. Petition does not indicate if proposed conservatee will attend the hearing.
8. CI Report filed 08/09/17.
9. Capacity Declaration filed 08/24/17.
10. Certificate of Completion of the Conservatorship Training Class filed 06/02/17.
11. Court to see letter from Senior Living facility [Pet. 05/25 LFpg 10-11].
12. ~Proposed Form Order: 05/25/17.

**Petition #2 by Diana McKenzie (sister)**

13. Petitioner seeks no bond; however, did not include reasons in attachment 1c. **Need** verified supplement.
14. Petitioner seeks medical powers. Capacity Declaration filed 08/24/17.
15. Petitioner seeks dementia powers. Report of Counsel E. Joan Nelms filed 10/10/17.
16. **Need** Court Investigator report.
17. **Need** Certificate of Completion of the Conservatorship Training Class.
18. **Need** return of Citation.
19. **Need** Notice of Hearing and Proof of Service, including service to Veteran's Administration.
20. Confidential Screening Form filed 08/24/17 is missing attachment #20 as to persons living in home with assigned social worker/parole officer. **Need** verified supplement.
21. Confidential Supplemental Information form filed 08/24/17; however, item #3 incomplete as to reasons unable to manage financial resources. **Need** completed form.
22. No proposed Order submitted.

**RECOMMENDATION**

**Petition #1:** Need to clear notes 3-6. **Petition #2:** Need to clear notes 13, 15-21.  
 If approved, set hearing for Compliance Review for **08/22/18** for the filing of the required documents and hearing re Accounting Review for **03/27/19**. Any accounting to be filed 30 days in advance.  
 (lc/lh/lc/lh)

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

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DATE: 01/17/18 TIME: 9:30 DEPT: S37P  
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CASE#: SLC SS8948

CASE NAME: IN THE MATTER OF DIANA GARBANI

HEARING:

SIXTH Account and Report of CHRISTINA ERICKSON-TAUBE and  
Petition for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
DIANA GARBANI (CEP)...HARTNELL LAW GROUP  
CHRISTINA ERICKSON-TAUBE (SC)...SHERRI L KASTILAHN  
PECHANGA BAND OF LUISENO MISSION INDIANS (TP)...JAMES COHEN

GENERAL INFORMATION:

Letters expire 07/21/18.

THIS CASE IS SET FOR HEARING ON Sixth Account Current and Petition for Fees

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

1. Account covers 10/01/16 – 09/30/17
2. Assets on hand \$514,434.34, consisting of \$178,420.00 in cash and \$336,014.34 in securities.
3. Current bond of \$620,000. Petitioner requests bond increase by \$194,000.00 for a total bond on \$814,000 (includes recovery). Appears sufficient. JTD.
4. Petitioner requests compensation of \$7,634.30 for services rendered during account period. Billed at various rates for various services not exceeding \$115/hour. Itemized [LF, pgs. 30-36]. JTD.
5. Attorney requests \$4,742.50 for 13.55 hours billed at \$350/hour. Itemized [LF, pgs. 37-38]. JTD.
6. Schedule E Assets on Hand indicates a balance of \$35,795.33 re Pacific Premier Bank, account ending in x6851. [6<sup>th</sup> acct, 11/13/17, LFpg26]. However, the statement ending on 09/30/17 indicates a balance of \$43,715.33 [Stmt,11/13/17,LFpg3]. **Need verified supplement clarifying Schedule E Assets on Hand.**
7. During the accounting period, petitioner paid to Lance Riley for case management fees and Visiting Angels. **Need** verified declarations for acknowledgment of receipt of fees per Local Rule 20-1406(c).

8. Notice given.
9. ~Proposed Order: 11/13/17

**RECOMMENDATION:**

Need to clear notes 6-7, then Court's discretion. If approved, set next hearing for Accounting Review for **11/28/18**.

(lh)

Future Hearing: 4/02/18: Hearing Re: Final Discharge