



Second/Final Check

Superior Court of California

County of San Bernardino

Probate Department

S37

Probate Notes for Calendar Date: 01/25/18

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.

01/22/18lc

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

DATE: 01/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500161
CASE NAME: LINDA JENO
HEARING: Probate status report filed.

COUNSEL:

DINA FARHAT ()...
JASON JENO (OBJ)...
JASON JENO (PET)...CKB VIENNA, LLP
JESUS AGUILAR (PET)...DINA I FARHAT
LINDA JENO (DEC)...
TERSESA WILLOUGHBY ()...

XREF: CIVDS1609597 (*Jesus Aguilar-v-Jason Jeno*)

GENERAL INFORMATION

Continued from 10/05/17 to trial related case CIVDS1609597 is set for mediation. Special setting as ROA reflects that PROPS1500161 normally set on Thursdays.

Continued from 11/08/17. Agreement reached on both matters. Trial dates vacated.

THIS CASE SET FOR HEARING ON **Amended [07/13/17]** Status Report.

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

1. Letters of Administration issued to Jason Jeno, son, on 03/02/16; full authority, \$20,000 bond. On 07/20/17 Jason Jeno's ability to make court call appearances was revoked.
2. Petitioner seeks an additional 6 months to close the estate in order to settle the civil case re Jesus Aguilar due to a rejected Creditor's Claim for \$69,489.32; CIVDS1609597.
3. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **05/10/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/ww/lc)

Future Hearing: 03/14/18 Probate status report

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

DATE: 01/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500842
CASE NAME: DENNIS JAMES AZAROVITZ

SEE ALSO 3

HEARING: FIRST Account and Report of CAROL AZAROVITZ and Petition for allowance of fees filed.

COUNSEL:

CAROL AZAROVITZ (PET)...ALEX R BORDEN
DENNIS JAMES AZAROVITZ (DEC)...

GENERAL INFORMATION

Continued from 11/17/16, 02/09/16 and 04/06/17. Court authorized counsel's request for statutory fees, 25% or \$1,807.29. Counsel may amend account to be first and final.

OSC set on 09/07/17 when there was no appearance.

Continued from 11/02/17. OSC taken off calendar. Accounting to be filed by 12/26/17.

THIS CASE SET FOR HEARING ON 1st Account Current, Petition for Preliminary Distribution and Fees. .

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

1. Accounting period 11/23/12 – 09/01/16.
2. Assets on hand \$67,240.86. **Supp 03/29: Petitioner alleges the assets on hand are now \$98,111.09.**
3. The estate has received \$141,677.36 interim payment from the pharmaceutical settlement, with a **net value of \$68,205.86** and **\$31,318.98** after attorney's fees/costs. Counsel alleges that the settlement point calculation indicates the estate will receive a total of \$211,458.75 before attorney's fees. The estate is not in a condition to be closed until the remainder of the settlement is received.
4. Counsel requests preliminary statutory fees per CRC §7.701 totaling \$5,060.43 or 70% of \$7,229.18. Calculated. In *Estate of Hilton (1996) 44 Cal.App.4th 890* the probate court allowed a 50% preliminary distribution. It later found that that the attorneys were over compensated. Court may wish to require a breakdown in services already rendered to earn the statutory fees. Court tentatively allowed 25%. Declaration filed at end of supplement; however, no itemization. [Sup.03/29 LFpg9-11]. **Statutory fees of \$1,807.29 authorized on 04/06/17**
5. Petitioner **now** seeks preliminary distribution of \$36,137.77 to herself, spouse, and \$10,391.55 to Denis Jove, daughter; 2 other children assigned their interest. This is

over 50% of the current assets. All property distributed must not exceed 50% of the estates net value of the estate Pr. C. § 11623(a)(2). Need verified supplement with points and authorities as to how the estate can distribute over 50% of the net value of the estate. **Supp11/14/16: Petitioner alleges that court may have discretion to distribute per Pr.C. § 11620. However, it appears that Pr.C. § 11623(a)(2) specifies not to exceed 50%. Supp filed 03/29/17 does not cure issue. Court's discretion as to further supplement.**

6. ~Proposed Order: 10/06/16; however, not preapproved due to above notes.

RECOMMENDATION

See next matter as this accounting now appears moot.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500842

CASE NAME: DENNIS JAMES AZAROVITZ

SEE ALSO 2

HEARING:

First and final Account and Report of CAROL AZAROVITZ and
Petition for allowance of fees filed.

COUNSEL:

CAROL AZAROVITZ (PET)...ALEX R BORDEN
DENNIS JAMES AZAROVITZ (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by Carol Azarovitz, spouse.

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

1. Assets on hand \$112,830.66 in cash.
2. Administrator and counsel seek statutory fees of \$7,334.17 each. Counsel was previously approved statutory fees of \$1,807.29, leaving a balance due of \$5,526.88.
3. Administrator seeks a reserve of \$2,000.
4. Inventory and Appraisal values total \$135,247.32 and settlement proceeds appear to be \$116,557.33 [12/13;LFpg10]. There is an alleged gain of \$81,406.33 stated in accounting. Supp 01/17/18: petitioner states the gain is from revised settlement amount. JTD
5. Proposed Order: 12/13/17; however, no statement re Creditors/taxes

RECOMMENDATION

Court's discretion. If approved, set hearing on the filing of receipts and final discharge for
01/24/19.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600651

CASE NAME: REBECA FERRO

HEARING:
Accounting Review

COUNSEL:
JOE FERRO (PET)...GAUDY LAW, INC
REBECA FERRO (DEC)...

GENERAL INFORMATION

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 Joe Ferro, spouse, on 11/14/16; full authority, \$150,000 bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.
(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601011

CASE NAME: MTR OF JOSE MANUEL CRUZ LOPEZ

HEARING:
Accounting Review

COUNSEL:
JOSE MANUEL CRUZ LOPEZ (DEC)...
MARIA E MILLICAN (PET)...PRO/PER

GENERAL INFORMATION

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 Maria Millican, daughter, on 11/17/16; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.
(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700821

CASE NAME: MTR OF CLYDE V PRINCE

HEARING:
Accounting Review

COUNSEL:
CLYDE V PRINCE (DEC)...
GUAY P WILSON (PET)...GUAY P WILSON

GENERAL INFORMATION

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 Guay Wilson, on 11/28/17; full authority, **\$275,000** bond. However, **bond of \$90,000 was posted**. Clerk's office notified on 12/22/17.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Accounting review appears to be premature. Court to continue to **01/24/19** as originally suggested.

(lc)

Future hearing dates: 02/08/18 **bond review**.

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701003

CASE NAME: MTR OF DANIEL S LUNA SR

HEARING:

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

COUNSEL:

ANDREW M LUNA (PET)...AARON F GARCIA
DANIEL S LUNA SR (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Andrew Luna, son.

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

1. Will waives bond. **Need** waivers for Arthur and Daniel Luna Jr.. Net estate value is \$321,341 in real property. Court for good cause could require bond per Pr.C. § 8481(b).
2. ~Proposed Form Order: 10/05/17.

RECOMMENDATION

Need to clear note 1, Court's discretion re bond. If approved, set Accounting/Status Review for **04/14/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701010

CASE NAME: FAMILY TRUST OF STANLEY J BISKUP

HEARING:

Petition for CONFIRM TRANSFER OF ASSETS TO REVOCABLE TRUST
(HEGGSTAD PETITION)

COUNSEL:

CHRISTINA L BISKUP	(PET)...ALBREKTSON & SHUMATE,
FAMILY TRUST OF STANLEY J BISK	(TRU)...
KELLEY A WILLIAMS	(PET)...ALBREKTSON & SHUMATE,

Currently under review by legal research.

(LR)

30 days' notice filed.

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701011

CASE NAME: CLYDE LEON POE

HEARING:

Petition to determine succession to Real Property

COUNSEL:

CLYDE LEON POE	(DEC)...
PATRICIA POE	(PET)...ALBREKTSON & SHUMATE, LLP
ROSANNA WATTS	(PET)...ALBREKTSON & SHUMATE, LLP

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Patricia Poe and Rosanna Watts, spouse and daughter.

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

1. Petitioners, Patricia Poe and Rosanna Watts, seek 100% interest, 50% each, in decedent's 40% interest in real property per intestate succession.
2. ~Proposed Form Order: 10/06/17.

RECOMMENDATION

RFA.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701012

CASE NAME: JAMES WILEY SALADIN

HEARING:

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

COUNSEL:

JAMES WILEY SALADIN (DEC)...
LAUREL L CASTAGNETTO (PET)...ALBREKTSON & SHUMATE, LLP

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Laurel Castagnetto, sister.

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

1. Petitioner seeks bond of \$167,351. Ok.
2. Petitioner is nominated by father of decedent. Step daughter Kristen Lannerd would appear to have higher priority per Pr.C.§ 6402.5(a)(1). However, no objections or competing petitions have been filed.
3. ~Proposed Form Order: 10/06/17.

RECOMMENDATION

RFA, \$167,351 bond. If approved, set Accounting/Status Review for **04/04/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 01/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701173

CASE NAME: DON KUSH

HEARING:

Petition to determine succession to Real Property

COUNSEL:

DAVID KUSH

(PET)...ALEXANDER W MUNN

DON KUSH

(DEC)...

GENERAL INFORMATION

Continued from 12/28/17. No appearance.

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by children.

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

1. Petitioner David Kush and siblings, Daniel Kush and Genessa Reige, seek 100% interest, 1/3rd each, in decedent's 25% interest in real property per terms of will and assignment of interest.
2. Daniel and Reige attached joinder to petition [LFpgs26-27]. Appears adequate.
3. ~Proposed Form Order: 11/16/17.

RECOMMENDATION

RFA.

(lc)

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

DATE: 01/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701201

CASE NAME: JESUS ACEVES PEREZ AKA JESUS ACEVES

HEARING:

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

COUNSEL:

DAVID ACEVES (PET)...CORREN & CORREN
JESUS ACEVES PEREZ (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA David Aceves, son.

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

1. Both heirs waive bond. Net estate value is \$217,750 of which \$7,750 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. Will is holographic; proof of translation attached. However, **need** proof of holographic instrument.
3. Proof of publication filed 01/05/18; however, hearing date states 01/26/18. **Need** proper date.
4. ~Proposed Form Order: 12/07/17.

RECOMMENDATION

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

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701242

CASE NAME: MATTER OF VALDEZ

HEARING:

Petition to determine succession to Real Property

COUNSEL:

ALICIA A VALDEZ (PET)...PRO/PER
VELNA S VALDEZ (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Alicia Valdez, daughter.

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

1. Petitioner, Alicia Valdez, seeks 100% interest in decedent's 100% interest in real property per intestate succession.
2. ~Proposed form order: 12/13/17.

RECOMMENDATION

RFA.
(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S35P

CASE#: SPR SS06802

CASE NAME: EST OF MARY JANE WILSON

SEE ALSO 14, 15, 16

HEARING:

Hearing Re: TO DETERMINE TITLE ADN FOR SURCHARGE ETC.

COUNSEL:

MARY JANE WILSON	(DEC)...
PATRICIA J O'NEIL	(PET)...HARTNELL LAW GROUP
PATRICIA J O'NEIL	(PET)...MARTIN E KELLER
RICHARD DONELLA	(TP)...PRO/PER
WILLIAM F O'NEIL	(PET)...MARTIN E KELLER

GENERAL INFORMATION

Continued from 02/16/17. Objections to be filed by 03/9/17. Matter is set contested with one week time estimate – 09/28/17. Counsel to exchange exhibits. Continued from 09/28/17.

THIS CASE SET FOR HEARING ON Petition to Determine Title and for Surcharge by Patricia O'Neil, Successor Administrator CTA.

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

1. Petitioner, Patricia, is acting successor Administrator.
2. Petitioner seeks an order against Martin Keller, former counsel, transferring title and interest to property that reportedly belongs to the estate.
3. Petitioner seeks court recognize that Martin Keller is constructive trustee of the real property sale proceeds and allow petitioner to execute any and all documents necessary for transfer.
4. Petitioner seeks an order for damages finding that Martin Keller has wrongfully taken, concealed or disposed or property that is liable for twice the value of the property taken according to proof Pr.C. § 859. Only partial distribution of the estate funds has been made and records have not been fully forthcoming. The remaining funds have **not** been distributed to petitioner or Hartnell Law Group; \$377,895.36 was initial amount. Petitioner believes that the account is empty and petitioner has contacted the San Bernardino County Police Dept. to file a complaint for embezzlement.
5. **Need** proof of personal service per Pr.C. § 851.

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 for clarification of the notes only - no legal or procedural advice will be given.

6. ~Proposed Order: 12/05/16.

RECOMMENDATION

Need notice then set for evidentiary hearing.

(lc)

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

DATE: 01/25/18 TIME: 8:30 DEPT: S35P

CASE#: SPR SS06802

CASE NAME: EST OF MARY JANE WILSON

SEE ALSO 13, 15, 16

HEARING: Hearing Re: PROBATE STATUS REPORT FILED 12/01/16

COUNSEL:

MARY JANE WILSON	(DEC)...
PATRICIA J O'NEIL	(PET)...HARTNELL LAW GROUP
PATRICIA J O'NEIL	(PET)...MARTIN E KELLER
RICHARD DONELLA	(TP)...PRO/PER
WILLIAM F O'NEIL	(PET)...MARTIN E KELLER

GENERAL INFORMATION

Continued from 02/16/17. Objections to be filed by 03/9/17. Matter is set contested with one week time estimate – 09/28/17. Counsel to exchange exhibits. Continued from 09/28/17.

THIS CASE SET FOR HEARING ON Status Report by Patricia O'Neil; successor administrator.

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

1. Letters of Successor Administration issued to Patricia O'Neil on 07/30/10.
2. Petitioner seeks an additional year to close the estate. Petitioner has finally received the file from prior Counsel Martin Keller. However, only partial distribution of the funds has been made and records have not been fully forthcoming. The remaining funds have **not** been distributed to petitioner or counsel; \$377,895.36 was initial amount. Petitioner believes that the account is empty and petitioner has contacted the San Bernardino County Police Dept. to file a complaint for embezzlement. There has been no known follow-up by police department to that complaint. Some of the beneficiaries have applied for relief from the California State Bar Client Security Fund. A petition for recovery of funds has been filed. See other matter.
3. ~Proposed Order: 12/01/16.

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **02/22/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 01/25/18 TIME: 8:30 DEPT: S35P

CASE#: SPR SS06802

CASE NAME: EST OF MARY JANE WILSON

SEE ALSO 13, 14, 16

HEARING:

Hearing Re: STATUS CONFERENCE

COUNSEL:

MARY JANE WILSON	(DEC)...
PATRICIA J O'NEIL	(PET)...HARTNELL LAW GROUP
PATRICIA J O'NEIL	(PET)...MARTIN E KELLER
RICHARD DONELLA	(TP)...PRO/PER
WILLIAM F O'NEIL	(PET)...MARTIN E KELLER

Status – No notes – JTD

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 01/25/18 TIME: 8:30 DEPT: S35P

CASE#: SPR SS06802

CASE NAME: EST OF MARY JANE WILSON

SEE ALSO 13, 14, 15

HEARING:

Trial Setting Conference

COUNSEL:

MARY JANE WILSON	(DEC)...
PATRICIA J O'NEIL	(PET)...HARTNELL LAW GROUP
PATRICIA J O'NEIL	(PET)...MARTIN E KELLER
RICHARD DONELLA	(TP)...PRO/PER
WILLIAM F O'NEIL	(PET)...MARTIN E KELLER

T.S.C. – No notes – JTD

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIPS**

DATE: 01/25/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600052

CASE NAME: HOMER N. SILACCI

SEE ALSO 18

HEARING: Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of STEVE COX

COUNSEL:

HOMER N SILACCI
STEVE COX

(CEE)...MITCHELL I ROTH
(PET)...FRANKLIN S ADLER

GENERAL INFORMATION

Continued from 04/27/17, 06/01/17 and 07/20/17. Court read and considered report of Counsel Roth. Conservator to file declaration re all aspects of the sale of Fontana property by 07/27/17. Declaration to include purchase contract, counter-offers, escrow instructions and closing statement. Steven cox and Franklin Alder to be present. Continued from 08/24/17. Todd Nuccio appointed as 730 Expert [fee capped at \$750]. Parties to cooperate with investigation. Counsel to file declaration as to Conservator's knowledge of realtor who purchased property.

Continued from 09/28/17 and 12/07/17. No appearance.

THIS CASE SET FOR HEARING ON Compliance Review/Accounting review.

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

1. Steve Cox, friend, appointed conservator of the person and estate on 09/22/16, \$350,000 bond.
2. Determination of Conservatee's Appropriate Level of Care form filed 05/31/17.
3. Notification of Conservatee's rights filed 05/31/17 & 08/23/17.
4. Care Plan in accord with Pr.C.§2352.5 filed 08/23/17.
5. Final Inventory and Appraisal filed 08/23/17. However; **need corrected.**
 - a. Real and personal property needs to be on attachment 2 and appraised by probate referee.
 - b. Bank account needs account number and bank statement to support.
 - c. Caption is incomplete as to date of appointment.
 - d. Bond amount is incorrect.
6. **If** the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

7. Declaration filed by Counsel Adler re sale of real property of conservatee on 07/27/17.
 - a. **Declaration filed 09/28/17** by Sara Lopez, agent, alleging the property was sold as is to investment company.
 - b. **Declaration filed 09/28/17** by neighbor John Carlo alleging the real property was inhabitable.
8. **Need** 730 evaluation.
9. **Need** accounting.
10. **Response filed by conservatee through counsel on 08/02/17.**

RECOMMENDATION

Need to clear notes 5-9.

(lc/ww/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 01/25/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600052

CASE NAME: HOMER N. SILACCI

SEE ALSO 17

HEARING:

Accounting Review

COUNSEL:

HOMER N SILACCI

(CEE)...MITCHELL I ROTH

STEVE COX

(PET)...FRANKLIN S ADLER

See notes on matter 17.

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

DATE: 01/25/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700303

CASE NAME: MARK ALLAN MOTT JR.

HEARING:

Hearing Re: PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

MARK ALAN MOTT JR	(CEE)...
MARK MOTT	(PET)...PRO/PER
THERESA MOTT	(PET)...PRO/PER

GENERAL INFORMATION

Continued from 1/26/17.

THIS CASE SET FOR HEARING ON Case Management Conference.

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

1. Mark and Theresa Mott, parents, appointed limited Conservator of person only on 01/06/86 in Orange County. Transferred to San Bernardino on 05/30/17.
2. Does court wish to require a Court Investigator report per Pr.C. § 2217(b)(3)? JTD
3. Does court wish to require an IRC inquiry/report? JTD
4. **Need** amended letters to reflect this county. Proposed letters returned for corrections on 10/19/17.

RECOMMENDATION

Need to clear note 4 then Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 01/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS0600065

Vacated

CASE NAME: MTR OF ANGEL WHEELER SPECIAL NEEDS TRUST

HEARING:

Accounting Review

COUNSEL:

ANGEL WHEELER SPECIAL NEEDS TR	(TRU)...
RANDALL RIVERA	(PET)...GREGORY J. LEDERMAN
RANDALL RIVERA	(PET)... DIANA C BOLEY
RANDALL RIVERA	(PET)...RICH PORTER
RANDALL RIVERA	(TEE)...RICH PORTER

Future hearing dates: 02/26/18 6th Account Current by Randall Rivera

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300206

CASE NAME: MTR OF KENNETH P BURRES

HEARING:
Accounting Review

COUNSEL:

JEFFREY BURRES	(PET)...PHILIP K FIFE
KENNETH P BURRES	(DEC)...
PHILLIP K. FIFE	(PET)...PHILLIP K FIFE
STEVEN BURRES	(PET)...

GENERAL INFORMATION

Continued from 05/17/17, 08/02/17, 09/27/17 and 12/14/17. Jerry Morgan relieved as counsel for Steven Burres.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of **Successor** Administration issued to Steven Burres, brother, on 04/05/16; limited authority, bond issue deferred.
2. Final Inventory and Appraisal indicating \$0 assets.
3. **Need** accounting/status report or Pr.C. § 12251 petition.

RECOMMENDATION

Inquire status of accounting.
(lc/ww/lc)

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 01/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300386

CASE NAME: MARY ELIZABETH INSKEEP

HEARING:

Hearing re Final Discharge

COUNSEL:

LARRY CARPENTER (PET)...MATTHEW E SHEASBY
MARY ELIZABETH INSKEEP (DEC)...
MARY ELIZABETH INSKEEP (PET)...SANDRA TURNER

GENERAL INFORMATION

Continued from 12/21/17.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Larry Carpenter approved on 12/19/16.
2. **Need** receipts for Christie Davidson, Successor Trustee of Gary and Mary Inskeep Trust and Counsel Sandy Turner.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of receipts and discharge.

(lc)

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

DATE: 01/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300446
CASE NAME: ESTHER DURAN

SEE ALSO 5, 6

HEARING: Hearing Re: PTN FOR ORDER DETERMINING TITLE AND
REQUESTING ETC

COUNSEL:

ESTHER DURAN	(DEC)...
JANET DURAN	(PET)...BANKS GARCIA & JANIS
LORIANNE M DURAN	(PET)...PRO/PER
STEVEN DURAN	(PET)...HORSPOOL & HORSPOOL
TOYOTA MOTOR CREDIT CORP	(TP)...SCOTT WELTMAN

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

XREF: CONPS1100062 (Lorianne Duran)

GENERAL INFORMATION:

Continued from 8/5/13, 8/6/13, 8/23/16, 4/30/14, 8/21/14, 11/14/14, 11/25/14, 2/11/15, 6/25/15, 11/19/15, 12/2/15, 4/4/16, 8/18/16, 08/22/16, 02/14/17, 03/16/17, 05/25/17, 08/10/17, 09/28/17, 10/26/17, 12/07/17 and 12/21/17. Settlement reached.

THIS CASE IS SET FOR HEARING ON Petition to Determine Title of real and personal property and a finding of a Breach of Fiduciary Duty and Elder Abuse

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

1. Petitioner, Steven Duran, was appointed Special Administrator \$100,00 bond. Petitioner is one of six children and a beneficiary of the decedent's estate. Decedent died 2/11/13. Petitioner alleges that at all times described in the petition, the decedent was an "elder" as described in W&I§15610.27.
2. Petitioner alleges that the decedent held title to bank accounts containing proceeds from winnings and a settlement) and to 6 parcels of real property and that prior to her death, decedent was hospitalized for unknown reasons and on 7/29/12 decedent executed a Durable Power of Attorney, naming daughter, Janet Duran, as attorney in fact. Copy of POA attached (see LF pages 29-36).
3. Petitioner alleges that on 2/12/13 (one day after decedent's death) respondent, Janet Duran, through her power of attorney, recorded six Grant Deeds transferring the real property to decedent and her as joint tenants, and then on 5/10/13, Janet Duran filed Affidavit of Death of Joint Tenant on each parcel. Copies of Deeds and Affidavits attached (see LF pages 37-58). Petitioner refers to the text of the POA

that informs the agent that the property may not be transferred without adequate consideration. As the POA is terminated at death, it would appear that the Grant Deeds have created a cloud on title as they transfer title to a deceased person with a terminated POA.

4. Petitioner requests the property be transferred back to the estate. However, as the Grant Deeds were recorded after date of death of decedent creating a cloud on title, Court may wish to find the Grant Deeds and Affidavits of Joint Tenant as void.
5. Petitioner requests the Court find that Janet Duran exceeded her scope of authority, acted in bad faith, breached her fiduciary duty, and under Pr.C.§859 should be held liable for twice the value of the property in an amount to be determined.
6. Petitioner requests the Court find that prior to decedent's death, Janet Duran, fraudulently misappropriated funds from decedent's accounts, and under W&I§15657.5 for financial elder abuse be held liable for treble damages, punitive damages, prejudgment interest and costs.
7. Order on Stipulation to void and cancel four grant deeds approved on 01/15/14.
8. **Need** report of Ms. Michealis.
9. **Need** settlement.

RECOMMENDATION:

Need settlement and report.

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

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300446
CASE NAME: ESTHER DURAN

SEE ALSO 4, 6

HEARING:

Hearing Re: PTN FOR PROBATE OF WILL AND LTS TESTAMENTARY

COUNSEL:

ESTHER DURAN	(DEC)...
JANET DURAN	(PET)...BANKS GARCIA & JANIS
LORIANNE M DURAN	(PET)...PRO/PER
STEVEN DURAN	(PET)...HORSPOOL & HORSPOOL
TOYOTA MOTOR CREDIT CORP	(TP)...SCOTT WELTMAN

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

XREF: CONPS1100062 (Lorianne Duran)

GENERAL INFORMATION:

Order appointing Steven Duran as Special Administrator entered 06/03/13, \$100,000 bond required (see prior matter).

Continued from **7/11/13** and **8/22/13**.

On **8/6/13** Court denied an Ex-parte order on Motion to Set Aside Order filed by Janet Duran. Need order.

Continued from **8/26/13, 12/16/13, 1/9/14, 4/30/14 and 8/21/14**. New trial dates set.

Continued from 11/25/14, 2/11/15, 2/11/15, 6/25/15, 11/19/15, 12/2/15, 3/30/16, 04/04/16 08/22/16 02/14/17, 03/16/17, 05/25/17, 08/10/17, 09/28/17, 10/26/17 and 12/21/17.

Settlement reached.

THIS CASE IS SET FOR HEARING ON

- Petition for Letters Testamentary with full authority under IAEA, by **Steven Duran**, son.
- Petition for Letters Testamentary with full authority under IAEA, by **Janet Duran**, daughter.

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

Petition by Steven Duran - son:

1. Petitioner, Steven Duran, requests admission of decedent's Will dated 7/6/93 only.
2. Petitioner is the third nominated executor. Will dated 7/6/93 nominates first Manuel Duran (now deceased) and second Janet Duran. Petitioner believes Janet Duran should not be appointed. Objections and competing petition filed by Janet Duran.

3. Will waives bond as to nominated executors. However, Court required \$100,000 bond for Special Administrator. JTD
- 4. Objection filed by Janet Duran.**
5. Notice of Lis Pendens filed by Steven Duran on 03/30/15.

Petition by Janet Duran – daughter – second named executor:

6. Petitioner, Janet Duran, requests admission of decedent's Will dated 7/6/93 and holographic codicils dated 11/12/06 and 1/29/09.
7. Will waives bond. Estimated estate value is \$14,200. JTD
8. Decedent's will nominates Janet Duran as executor and the codicil of 1/29/09 restates/reconfirms the nomination.
- 9. Objection to appointment and admission of purported codicils filed by Steven Duran.**
- 10. Need settlement.**

RECOMMENDATION:

Need settlement. It appears Janet Duran has priority of appointment.

Court to determine bond. If approved, set hearing for Accounting/Status Review on **04/04/19**. Any accounting to be filed 30 days in advance. Note Local Rule requirements.

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

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

DATE: 01/25/18 TIME: 8:30 DEPT: S36P

CASE#: CON PS1100062

CASE NAME: *MF* LORIANNE M. DURAN.

SEE ALSO 4, 5

HEARING:

Hearing Re: TRUSTEE OF SPECIAL NEEDS TRUST

COUNSEL:

ADAN JOHN M.D.	(MCNEIL, TROPP & BRAUN LLP
DESERT VALLEY HOSPITAL	(MCNEIL, TROPP & BRAUN LLP
DESERT VALLEY HOSPITAL	(QUINTAROS, PRIETO, WOOD &
DOUGLAS ZIPRICK MD	(MCNEIL TROPP & BRAUN LLP
ESTHER DURAN	(CPE)...PRO/PER
JANET DURAN	(PET)...BANKS GARCIA & JANIS
JANET DURAN	(PLA)...KAMPF SCHIAVONE & ASSOC
JENNIFER M DANIEL	(PET)...JENNIFER M DANIEL
JOHN ADAN MD	(MCNEIL TROPP & BRAUN LLP
LORIANNE DURAN	(PET)...KAMPF SCHIAVONE &
LORIANNE M. DURAN	(CEE)...JENNIFER M DANIEL
LORIANNE M. DURAN	(PET)...JEANNE E KENNEDY
RICHARD DURAN	()...
RONALD DURAN	()...
STEVEN DURAN	(CP)...DAVID E FOATE
STEVEN DURAN	(PCR)...DAVID E FOATE
STEVEN DURAN	(PET)...HORSPOOL & HORSPOOL

XREF: PROPS1300446 (*Esther Duran estate*)

Currently under review by legal research.

(LR)

Continued matter. Notice not re-reviewed.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 01/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400674

Vacated

CASE NAME: BOBBY LEE KIRCHNER

HEARING:

Accounting Review

COUNSEL:

BOBBY LEE KIRCHNER

(DEC)...

MATTHEW GLENN KIRCHNER

(PET)...IGNAZIO FICARA

SUSAN M HEDGECOCK-KIRCHNER

(TP)...

Future hearing dates: 03/14/18 1st and Final Accounting

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

DATE: 01/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500014

CASE NAME: MANUEL HERNANDEZ VERDUGO

HEARING:
Accounting Review

COUNSEL:
INHERITANCE FUNDING COMPANY, I ()...
IRMA MORENO (PET)...PRO/PER
MANUEL HERNANDEZ VERDUGO (DEC)...
MICHAEL J ULISSE (PET)...ALAN D. DAVIS
RUBEN VERDUGO (PET)...PRO/PER
STATE OF CA FRANCHISE TAX BOAR (TP)...

X REF: FSB1400128 FSB023796 MSB1500239

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting Review/Status.

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

1. **Successor** letters of Administration issued to **Michael Ulisse**, nominee, on 11/21/16; full authority \$100,000 bond.
2. Final Inventory and Appraisal filed 1/10/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status.
(lc)

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

DATE: 01/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500415

CASE NAME: ELEANOR A GRIGGS

HEARING:

Petition for FINAL DISTRIBUTION WITHOUT RENDERING ACCOUNT

COUNSEL:

ELEANOR A GRIGGS	(DEC)...
JOANN CHRISTY	(PET)...GUAY P WILSON
THE ELEANOR A GRIGGS LIVING TR	(TRU)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Joann Christy, daughter.

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

1. No statutory fees are sought.
2. Both heirs waive accounting.
3. **Need** assets on hand.
4. Proposed Order: 10/31/17; however, does not list assets on hand.

RECOMMENDATION

Need to clear note 3. If approved, set hearing on the filing of receipts and final discharge for **01/31/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500635

CASE NAME: ERIK RASHAD THOMPSON

HEARING:
Hearing re Final Discharge

COUNSEL:
ERIK RASHAD THOMPSON (DEC)...
WINIFRED LANDRUM (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Winifred Landrum approved on 01/19/17.
2. **Need** receipts for Charlotte Addison and Malik Thompson.
3. **Need** Ex Parte Petition for Final Discharge and Order with recording information per Pr.C.§11753(b).

RECOMMENDATION

Inquire status of receipts and discharge order.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600876

CASE NAME: DAVID FLORES

HEARING:

WAIVER OF FIRST AND FINAL Account and Report of ELODIA F LOWTHER
and Petition for allowance of fees filed.

COUNSEL:

DAVID FLORES (DEC)...
ELODIA F LOWTHER (PET)...VICTOR P SKVARNA

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Elodia Lowther, sister.

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

1. Executor is sole beneficiary, waives accounting and statutory compensation.
2. Assets on hand real property and cash of \$13,127.23.
3. Attorney states statutory fees of \$16,154.92 were paid privately.
4. ~Proposed Order: 01/08/18.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **01/31/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701084

CASE NAME: JAMES MANUAL SMITH

HEARING:

Petition for Letters of Administration with Full IAEA

COUNSEL:

JAMES MANUAL SMITH (DEC)...
JOSEPH FRANKLIN SICA (PET)...GABRIELLE R RANSELL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Joseph Sica, son.

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

1. All heirs waive bond. Net estate value is \$183,800 in real property.
2. **Need** proof of publication.
3. ~Proposed Form Order: 10/27/17.

RECOMMENDATION

RFA subject to note 2, Court's discretion re bond. If approved, set Accounting/Status Review for **04/04/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701085

CASE NAME: MTR OF JOSE NAPOLEON CABALLERO SALAIS

HEARING:

Spousal Property Petition hearing.

COUNSEL:

EMMA SALAIS (PET)...DIANA J CARLONI
JOSE NAPOLEON CABALLERO SALAIS (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Spousal Property Petition by Emma Salais.

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

1. Petitioner, Emma Salais, seeks an order determining decedent's half of community property, real and personal, passes to decedent without administration.
2. Petitioner alleges that she and decedent were married in 1948, real property was allegedly purchased in 1955 with community funds as well as vehicle in 1994.
3. ~Proposed Form Order: 10/31/17.

RECOMMENDATION

Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701250

CASE NAME: THE CORONA FAMILY TRUST DATED 10/7/13

HEARING:

Petition for Order determining trust's title to real property

COUNSEL:

THE CORONA FAMILY TRUST DATED (TRU)...
VICKY CORONA (STE)...DIANA J CARLONI

Currently under review by legal research.

(LR)

30 days' notice filed; however, section 5 of proof of service does not indicate a copy of petition was mailed with notice.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **TRUSTS AND MOTIONS**

DATE: 01/25/18 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1700825

CASE NAME: CRYSTAL LAGUNAS-LARA

HEARING:

Petition for ORDER AUTHORIZING ESTABLISHMENT OF SPECIAL
NEEDS TRUST

COUNSEL:

CYRSTAL LAGUNAS-LARA (MIN)...

LILIANA LARA (PET)...RUDY AGUIRRE

Currently under review by legal research.

(LR)

Notice complete.

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1701165

CASE NAME: GILBERT GUERRA SR

HEARING:

Petition for TO DETERMINE HUSBAND LACKS CAPACITY TO JOINT IN
CONSENT TO PROPOSED TRANSACTIONS

COUNSEL:

GILBERT GUERRA SR (INC)...
MARINA GUERRA (PET)...OLIVER M RILEY

Currently under review by legal research.

(LR)

Citation served on respondent Gilbert Guerra Sr. per Pr.C.§ 3130.

Need notice to any state agency, **if any**, where respondent receives services Pr.C.§ 3121(d).

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIPS**

DATE: 01/25/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS0900044

CASE NAME: ROGER DURHAM

HEARING:

Accounting Review

COUNSEL:

AVALEE COHEN	(CPE)...BRYAN C HARTNELL
AVALEE COHEN	(CPE)...DENNIS M SANDOVAL
AVALEE COHEN	(TP)...BRYAN C HARTNELL
ROGER DURHAM	(CEP).....SHERRI L KASTILAHN
SHERRI L KASTILAHN	(PET)...SHERRI L KASTILAHN

GENERAL INFORMATION

Continued from 06/15/17, 07/27/17, 09/28/17 and 11/16/17.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 3rd Account of Avalee Cohen, niece, approved on 12/22/15.
2. **Need** 4th Account beginning with 04/04/15.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 01/25/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500290
CASE NAME: SILVIA MORAN

SEE ALSO 19

HEARING: Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ANTONIO A MORAN

COUNSEL:

ANTONIO A MORAN (PET)...PRO/PER
SILVIA MORAN (PCE)...MELVIN L FRIEDLAND

GENERAL INFORMATION

OSC set on 12/14/16 and continued from 02/22/17. No appearances. Court imposed sanctions of \$150 each for petitioner and counsel. Matter will be referred to PG.

Continued from 05/10/17, 07/19/17, 09/20/17 and 11/02/17. Need care plan and waiver of accounting.

THIS CASE SET FOR HEARING ON Compliance Review/Accounting review.

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

1. Antonio Moran, spouse, appointed conservator of the estate only on 05/25/16, \$20,000 bond.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed 06/23/16.
3. **Need** Care Plan in accord with Pr.C. § 2352.5.
4. Final Inventory and Appraisal filed 07/03/17.
 - a. **Need** bank statement for Chase account.
 - b. Final Inventory and Appraisal indicates partial community property, 50% interest.
5. Proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§ 2610 filed 07/12/17. However, new proof of service will be required when corrected Inventory and Appraisal is filed.
6. Summary of account filed 07/12/17 is not proper. **Need** actual accounting and schedules. Court may wish to inquire if estate qualifies under Pr.C. § 2628.
 - a. The total net value of the estate property, exclusive of the conservatee's residence, is less than \$15,000;
 - b. The income of the estate, exclusive of public benefit payments, is less than \$2000 per month; and
 - c. All the income of the estate, if not retained, was spent for the benefit of the conservatee.

7. The conservatorship estate holds interest in real property, **need** proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.
8. Report from Counsel Melvin Friedland filed 04/14/17.

RECOMMENDATION

Need to clear notes 3-7.

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 01/25/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500290

CASE NAME: SILVIA MORAN

SEE ALSO 18

HEARING:

Accounting Review

COUNSEL:

ANTONIO A MORAN

(PET)...PRO/PER

SILVIA MORAN

(PCE)...MELVIN L FRIEDLAND

See notes on matter 18.

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

DATE: 01/25/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700165

CASE NAME: NATHAN D MILLER

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of NIKKI J MILLER

COUNSEL:

NATHAN D MILLER (CTP)...SHERRI L KASTILAHN
NIKKI J MILLER (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Nikki Miller, mother, appointed **limited** conservator of the person only on 06/22/17.
2. Notification of Conservatee's rights filed 07/25/17. **Need** service on paternal grandfather David Miller and maternal grandfather John Novak Pr.C.§ 1821(b)
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan in accord filed 07/25/17.

RECOMMENDATION

Need to clear note 2.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1100589

CASE NAME: ESTATE OF FRANCES ABAHAZI

HEARING:
Hearing re Final Discharge

COUNSEL:

BRYAN C HARTNELL ESQ (TP)...HARTNELL LAW GROUP
FRANCES ABAHAZI (DEC)...
GLENN BAUER (PET)...JACK B. OSBORN

GENERAL INFORMATION

**Continued from 05/19/16, 07/14/16, 01/05/17, 03/23/17, 07/20/17 and 11/16/17.
Counsel recently located his client and discovered there is an error in that monies
should be in hand are missing. Counsel attempting to track down error. Glenn
Bauer to be present at next hearing is all funds are not found, accounted for and/or
in hand to pay claim and Children's Village.**

THIS CASE SET FOR HEARING ON Final Discharge

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

1. Order for final distribution approved on 08/18/15.
2. **Need** receipts from Children's Village and Bryan Hartnell.
3. **Amended creditor's claim filed on 04/18/17 by Bryan Hartnell. The claim has not been paid as ordered in the 08/18/15 Order re First and Final Accounting.**
4. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of receipts and order.

(lc/ww/lc)

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 01/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300467

CASE NAME: THE JANE GILL THOMPSON SEPARATE PROPERTY TRUST

SEE ALSO 3

HEARING:

Hearing Re: Status on completion of CPA report

COUNSEL:

EMORY D'AQUILA	(RES)...DAVID LIVINGSTONE TAUB
MILES THOMPSON	(PET)...PRO/PER
OSCAR EMMETT THOMPSON	(PET)...JACK B OSBORN
THE JANE GILL THOMPSON SEPARA	(TRU)...

Status – 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

DATE: 01/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300467

Vacated

CASE NAME: THE JANE GILL THOMPSON SEPARATE PROPERTY TRUST
SEE ALSO 2

HEARING:
Accounting Review

COUNSEL:

EMORY D'AQUILA	(RES)...DAVID LIVINGSTONE TAUB
MILES THOMPSON	(PET)...PRO/PER
OSCAR EMMETT THOMPSON	(PET)...JACK B OSBORN
THE JANE GILL THOMPSON SEPARA	(TRU)...

Future hearing dates: 03/29/18 1st Account by Emory D'Aquila

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

DATE: 01/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300469
CASE NAME: CHRISTOPHER E. PETERSON
HEARING: FIRST Account and Report of WARREN SEITZ and Petition for allowance of fees filed.

COUNSEL:

CHRISTOPHER E. PETERSON (DEC)...
WARREN SEITZ (PET)...E LAWRENCE BROCK

XREF: GARSS1300151 (*Logan Peterson - daughter*)

GENERAL INFORMATION

Continued from 04/13/17. Fee requests and reserve request approved; mileage denied. Billing rate questioned and portion of accounting to be redone.

Continued from 07/13/17, 09/28/17 and 11/16/17. Modified report reducing extraordinary fees may be approved; extraordinary fees will not be approved for marshalling assets. Fees of \$175 per hour will not be approved.

THIS CASE SET FOR HEARING ON 1st and Final Account, Distribution and Petition for Allowance of Fees and extraordinary fees by Warren Seitz, executor.

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

1. Executor and attorney request statutory fees of \$14,453.51 each. Ok.
2. Counsel requests extraordinary fees of \$13,893 for 49.50 hours at \$115/325 per hour. Itemized [Acct.02/02 LFpg28-34]. Ok.
3. Executor r requests extraordinary fees of \$37,064.09 at \$175 per hour. Itemized; hours not totaled [Acct.02/02 LFpg36-52]. Court to determine if rate is reasonable.
Supp 09/21: Executor appears to own a tax preparation LLC and alleges his efforts increased the value of the home. JTD
4. Executor withdraws mileage request.
5. Executor requests a reserve of \$108,000 for taxes due to decedent failing to file from 2006-2011.
6. No actions were taken on Creditor's Claims and the 90-day rejection period has passed.
7. No proposed order; submit after hearing.

RECOMMENDATION

RFA subject to Court's discretion re fees. If approved, set hearing on the filing of receipts and final discharge for **01/31/19**.

(lc)

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

DATE: 01/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500999

CASE NAME: ARMANDO YBARRA CARDOZA

HEARING:
Accounting Review

COUNSEL:

ADRIAN GARCIA CORDOZA	(OBJ)...PRO/PER
ANGELA POSADAS	(PET)...
ARMANDO YBARRA CARDOZA	(DEC)...
CECELIA MACIAS	(PET)...PRO/PER
MATTHEW ALDEN	(PET)...
PATRICIA ROQUE	(PET)...LENITA A SKORETZ

GENERAL INFORMATION

Continued from 07/20/17 and 11/16/17. Sole heir is disabled and conservatorship of estate will 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 Patricia Roque, mother of sole heir Angela Posadas, on 05/18/16; full authority, no bond.
2. Partial Inventory and Appraisal filed on 08/10/16. **Need** final Inventory and Appraisal
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear note 2 & 3.

(ww/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501189

CASE NAME: INGEBURG ELISABETH GOETZ

HEARING:
Accounting Review

COUNSEL:

FRIEDJOF SCHWARZ	(OBJ)...HOLGER SIEGWART
HOLGER SIEGWART	(PET)...SIEGWART GERMAN AMERICAN
INGEBURG ELISABETH GOETZ	(DEC)...
MELODIE Z SCOTT	(PET)...RYAN J GALLANT

XREF: PROPS1300322 (Ingeburg Goetz) CONPS1400211 (Ingeburg Elisabeth Goetz)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review/Status.

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

1. Letters of general administration issued to **Holder Siegwart**, nominee, on 07/27/16; full authority, \$601,500 bond.
2. **Need** accounting or status report.

RECOMMENDATION:

Inquire status of accounting.

(lc)

Future hearing dates: 12/06/18 Final Discharge re **Melodie Scott**

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600688

CASE NAME: MTR OF RAUL MIRANDA

HEARING:
Accounting Review

COUNSEL:

HEATHER MIRANDA (PET)...JACK B. OSBORN
NATIONSTAR MORTGAGE LLC (OBJ)...
RAUL MIRANDA (DEC)...

XREF: GARPS1600219 (*Alyssa Miranda-Sims, daughter of decedent*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status

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

1. Heather Miranda, spouse, appointed administration on 11/17/16; full authority \$98,072 bond. Modified order reducing authority to limited and requiring blocked accounts filed 09/12/17.
 - a. **Need** proof of blocked account.
 - b. **Need** letters issued.
2. As letters have not issued, accounting appears to be premature.

RECOMMENDATION

Inquire status of blocked account and letters. Court may wish to trail 03/15/18 hearing.
(lc)

Future hearing dates: 03/15/18 Spousal Property Petition

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600700

Vacated

CASE NAME: MTR OF JOYCELAINE CAROL EVENSON

HEARING:
Accounting Review

COUNSEL:
GRANT E EVENSON (PET)...GEORGE S VORGITCH
JOYCELAINE CAROL EVENSON (DEC)...

Future hearing dates: 02/26/18 Final Waiver of Accounting for Grant Evenson

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600849

CASE NAME: WASSILCHALK TRUST DATED APRIL 30,1992

SEE ALSO 10

HEARING:

Petition for (FIRST AMENDED) PETITIN FOR ORDERS REGARDING TRUST
ESTATE ETC

COUNSEL:

KAREN WASSILCHALK	(PET)...VICTORIA P STAPLETON
KAREN WASSILCHALK	(TEE)...VICTORIA P STAPLETON
ROBERT J. SPITZ	(PET)...ROBERT J SPITZ
SUSAN WASSILCHALK	(PET)...PRISCILLA C SOLARIO ESQ
THE FAMILY REVOCABLE TRUST DAT	(TRU)...

Currently under review by legal research

(LR)

Continued matter. Notice not re-reviewed.

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

DATE: 01/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600849

CASE NAME: WASSILCHALK TRUST DATED APRIL 30,1992

SEE ALSO 9

HEARING:

FIRST Account and Report of KAREN WASSILCHALK and Petition for allowance of fees filed.

COUNSEL:

KAREN WASSILCHALK (PET)...VICTORIA P STAPLETON
KAREN WASSILCHALK (TEE)...VICTORIA P STAPLETON
ROBERT J. SPITZ (PET)...ROBERT J SPITZ
SUSAN WASSILCHALK (PET)...PRISCILLA C SOLARIO ESQ
THE FAMILY REVOCABLE TRUST DAT (TRU)...

GENERAL INFORMATION

Continued from 10/12/17. Counsel Spitz has subbed out of this case.

THIS CASE SET FOR HEARING ON 1st Account Current of Trustee Karen Wassilchalk.

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

1. Accounting period 11/13/08 – 05/31/17.
2. Assets on hand:
 - a. Trust A \$0.
 - b. Trust B \$217,331.16.
3. There were distributions of 21 Shares of stock to Susan, Eric, Denzel and Karen Wassilchalk, valued at \$1,081.71 each.

RECOMMENDATION

Court's discretion. ***If court retains jurisdiction of trust***, set next Accounting review for **08/23/18**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600899

CASE NAME: MTR OF ANTHONY HENRY MARTINEZ SR

HEARING:
Accounting Review

COUNSEL:
ANTHONY HENRY MARTINEZ SR (DEC)...
MARLO R MARTINEZ (PET)...MICHAEL C MADDUX
STATE OF CALIFORNIA FRANCHISE (TP)...PRO/PER

XREF: CIVDS1616871 (3442 Gray Street)

GENERAL INFORMATION

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 Marlo Martinez, daughter, on 12/09/16; full authority, sale proceeds to be blocked.
2. Final Inventory and Appraisal filed 02/27/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.
(lc)

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

DATE: 01/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600900

CASE NAME: PALMIRA N PASCUA

HEARING:
Accounting Review

COUNSEL:
NANCY A LOPEZ (PET)...PRO/PER
PALMIRA N PASCUA (DEC)...

GENERAL INFORMATION

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 Nancy Lopez, daughter, on 11/17/16; full authority; any sale proceeds to be placed into blocked account.
2. Final Inventory and Appraisal filed.
 - a. **Need** copy of Wells Fargo statement per local rule 20-908.
 - b. Section 5 is incomplete as to property tax certificate. **Need** property tax certificate.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.
(lc)

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

DATE: 01/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700897
CASE NAME: **MF** LOREANO MANUEL GASPAR
HEARING: Hearing re: Petition for Letters of Admin. W/ Full Authority
under IAEA.

COUNSEL:

JANAE GASPAR	(PET)...JOSEPH D BORJAS
LOREANO MANUEL GASPAR	(DEC)...
MANUEL GASPAR	(PET)...JAMES MERCER
MARIA GASPAR	(PET)...JAMES MERCER
MARIA MANUELA SOARES	(PET)...JAMES MERCER

GENERAL INFORMATION:

Temporary orders denied on 10/05/17. Action consolidated physically with PROPS1700970; Case PROPS1700897 deemed master file. Counsel to submit order re consolidation.

Continued from 12/27/17. Letters of special administration issued to Maria Manuela Gaspar Soares \$20,00 bond. If notes not cleared, matter will be dismissed.

THIS CASE IS SET FOR HEARING ON

- **PROPS1700897 Petition 1** for Letters of Administration with full authority under IAEA by Manuel and Maria Gaspar (parents) to appoint Maria Gaspar
- **PROPS1700970 Petition 2** for Letters of Administration with full authority under IAEA by Janae Gaspar

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

Petition - 1 to appoint Maria Gaspar –mother

1. Requested bond \$205,000. Appears sufficient.
2. Petition identifies decedent as Loreano Manuel Gaspar; however, Notice filed 09/20/17 identifies decedent as Larry Gaspar in section 1.
 - a. **Need** verified supplement clarifying all names by which decedent was known.
 - b. **Need** amended Notice of Petition to reflect all names of decedent.
3. **Need** Proof of Publication.
4. **Need** Order re consolidation.
5. ~Proposed form Order: 09/11/17

Petition - 2 Janae Gaspar – spouse.

6. Petitioner requests bond of \$120,000. Court to clarify estimated assets identified in competing petition [filed 09/11/17 by Marias Gaspar] to determine bond. JTD
7. Petitioner Janae Gaspar appears to have priority of appointment per Pr. C. §8461.
8. **Objections filed by Manuel and Maria Gaspar, parents, on 12/21/17.**
9. ~Proposed form Order: 09/29/17

RECOMMENDATION:

Matter is contested.

Need to clear notes 2-4. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **04/04/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700967

CASE NAME: MARLENKA LOUISE MCDOWELL

HEARING:

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

COUNSEL:

MARLENKA LOUISE MCDOWELL (DEC)...
SAGE MONTGOMERY MCDOWELL (PET)...DONNASUE ORTIZ

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Sage McDowell, son.

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

1. All heirs waive bond. Estate value is \$471,000 in real property. Court for good
cause could require bond per Pr.C. § 8481(b).
2. ~Proposed Form Order: 09/28/17.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **04/04/19**.
Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of
local rule 20-908.

(lc)

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

DATE: 01/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700968

CASE NAME: ETHEL BEATRICE LUCKY

HEARING:

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

COUNSEL:

ETHEL BEATRICE LUCKY (DEC)...
LORI DEANNE LUCKY RUIZ (PET)...DONNASUE ORTIZ

GENERAL INFORMATION

Letters of special administration issued to Lori Lucky Ruiz on 10/11/17; no bond.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Lori Lucky Ruiz.

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

1. Will and beneficiaries waive bond. Net estate value is \$92,800 in real property. Court for good cause could require bond per Pr.C. § 8481(b).
2. ~Proposed Form Order: 09/28/17

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **04/04/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700969

CASE NAME: FELIMON RAMIREZ RODRIGUEZ

HEARING:

Petition for LETTERS OF ADMINISTRATION W/ FULL IAEA

COUNSEL:

ANTONIA RAMIREZ (PET)...MICHAEL C MADDUX
FELIMON RAMIREZ RODRIGUEZ (DEC)...

GENERAL INFORMATION

Letters of special administration issued to Antonia Ramirez on 10/04/17; limited authority no bond.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Antonia Ramirez, spouse.

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

1. All heirs waive bond. Gross estate value is \$130,00 in real property according to Inventory and Appraisal. Court for good cause could require bond per Pr.C. § 8481(b).
2. ~Proposed Form Order: 09/29/17.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **04/04/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 01/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701248

CASE NAME: MATTER OF VICTOR JOSEPH REYNOLDS

HEARING:

Petition to determine succession to Real Property

COUNSEL:

PATRICIA L REYNOLDS-DICKSON (PET)...JULIA E BURT
VICTOR JOSEPH REYNOLDS (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Patricia Reynolds-Dickson.

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

1. Petitioner is executor of estate of spouse Jerry Reynolds [PROPS1700604].
2. Petitioner seeks 100% interest in decedent's 50% interest in real and personal property per terms of will.
 - a. Will gives directly to Trustee of Jerry and Victor Reynolds Trust; not to a person directly [LFpg4]. **Need** amended petition with Trustee petitioning as Trustee. Alternatively, provide points and authorities as to how petitioner can petition as executor as opposed to Trustee as directed in will.
 - b. Petition indicates property is community; however, petitioner appears to have chosen not to file spousal property petition.
3. Attachment 16 does not list Trustee of Trust. **Need** verified supplement.
4. **Need** notice of hearing and proof of service to Trustee of Trust.
5. ~Proposed Form Order: 12/11/17.

RECOMMENDATION

Need to clear notes 2-4.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 01/25/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1601107

CASE NAME: JACK E BIRKINSHAW TRUST OF 2009,DATED MARCH 12,200

SEE ALSO 19

HEARING:

Hearing Re: OSC RE: SANCTIONS

COUNSEL:

ERLINDA CAMERON

ISRAEL GARCIA

JACK E BIRKINSHAW TRUST OF 200

(PET)...ROBERT F SCHAUER

(OBJ)...SERGIO A WHITE

(TRU)..

XREF: CIVDS1413193 (*Cameron-v-Garcia, et al*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC re Sanctions.

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

1. OSC set on 11/1617 when petitioners failed to appear and file proper service.
Service to include Crystal Garcia and Wells Fargo Bank.

RECOMMENDATION

Court's discretion re OSC.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/25/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1601107

CASE NAME: JACK E BIRKINSHAW TRUST OF 2009,DATED MARCH 12,200

SEE ALSO 18

HEARING:
Trial Setting Conference

COUNSEL:

ERLINDA CAMERON	(PET)...ROBERT F SCHAUER
ISRAEL GARCIA	(OBJ)...SERGIO A WHITE
JACK E BIRKINSHAW TRUST OF 200	(TRU)..

XREF: CIVDS1413193 (*Cameron-v-Garcia, et al*)

T.S.C – No notes – JTD *

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIPS

DATE: 01/25/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400317

CASE NAME: MTR OF KNUD ANDERSEN

HEARING:

FIRST Account and Report of JENS ANDERSEN and Petition for allowance of fees filed.

COUNSEL:

JENS ANDERSEN

(CPE)...MATTHEW E SHEASBY

KNUD ANDERSEN

(CEP)...E JOAN NELMS

KNUD ANDERSEN

(PET)...JAMES B CHURCH

GENERAL INFORMATION

Continued from 02/23/17, 05/11/17, 08/24/17 and 10/26/17 to clear notes.

THIS CASE SET FOR HEARING ON 1st Account Current and Petition for Allowance of Fees by Jens Andersen, son.

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

1. **Conservatee passed away on 08/15/17.**
2. Accounting period 11/20/14 – 05/31/16.
3. Assets on hand \$753,882.74 of which \$150,228.65 is cash.
4. Attorney requests fees of \$16,101.85 at \$300 an hour. Itemized [Sup.12/12 LFpg4-31]. **Need** hours totaled.
5. Beginning balance does not match Inventory and Appraisal values. **Need** corrected accounting or Inventory and Appraisals.
6. Inventory and Appraisals filed do not have full legal descriptions. **Need** same.
7. **Need** bank statement that covers 05/31/16. Last statement appears to be 05/23/16 [Con.12/12 LFpg215].
8. Disbursements indicate \$315 in overdraft charges [Acct.12/12 LFpg16-17]. Question why the overdraft fees and why petitioner should not be liable? **Need** verified supplement.
9. Disbursements indicate several credit card payments, one of which is \$8,715.81 to Bank of America [Acct.12/12 LFpg16-17]. Question if these credit cards were paid and closed or are they a continuing liability? **Need** verified supplement.
10. Question the reimbursement of \$945 to Anelise Andersen? **Need** verified supplement.
11. Petitioner paid Arnie Muderspach, Teresa McKinney, Elsie Muderspach, Anelise Andersen, Jorgen Anderson and American Companion Care for caregiver services.

Need verified declaration that payment was received for the dates services were provided per local rule 20-1406(c).

12. Conservator completed the Saticoy Property transaction whereby a 1st Deed of Trust was secured for \$450,000, which conservatee received monthly interest. Conservatee was also paid a lump sum of \$208,794.88.
13. Current bond is \$507,000.
14. ~Proposed Order: 12/12/16.

RECOMMENDATION

Need to clear notes 4-11. If approved, set hearing on the next accounting review for final pre and post death accounting **03/29/18**. Accounting to be filed 30 days in advance.

(lc)

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

DATE: 01/25/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700068

CASE NAME: RICARDO GOMEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of MARIA GOMEZ

COUNSEL:

MARIA GOMEZ (PET)...PRO/PER
RICARDO GOMEZ (CEE)...WALTER T. MOORE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Maria Gomez, mother, appointed **limited** conservator of the person only on 06/22/17.
2. Notification of Conservatee's rights filed 09/25/17. However, section 5 of proof of service does not indicate copy of order served. **Need** completed proof of service.
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5, local rule 20-1403.

RECOMMENDATION

Need to clear notes 2-4.

(lc)