



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 02/22/18

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.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

DATE: 02/22/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400053

CASE NAME: Angelina F. Rodriguez

HEARING:

Accounting Review

COUNSEL:

INLAND COUNTIES REGIONAL CENTE(PET)...STEVEN K BECKETT

SPECIAL NEEDS TRUST OF ANGELIN (TRU)...

Proposed order for waiver of account sent to department for signature on 02/15/18.

(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: 02/22/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700833

CASE NAME: RAFAELA M LARA

HEARING:

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

COUNSEL:

JOHN DAVID MEDEL	(PET)...GEORGINA LEPE
RAFAELA M LARA	(DEC)...
VERONICA M NUNO	(OBJ)...PRO/PER

GENERAL INFORMATION

Continued from 11/30/17. Any objections or competing petitions to be filed by 01/18/18.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by John Medel, nephew.

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

1. All heirs waive bond. Net estate value is \$30,000 in real property. Court may for good cause could require bond per Pr.C. § 8481(b). **Need *dated* signatures on bond waivers for Consuelo, Rebecca, Mona, Lance and Lisa.**
2. **Objections filed by Veronica Nuno, niece, on 11/20/17; no proof of service. Objections Overruled on 11/30/17.**
3. No further objections of competing petitions filed at time of review on 01/25/18.
4. ~Proposed Form Order: 08/17/17.

RECOMMENDATION

Need to clear note 1. If approved, set Accounting/Status Review for **05/02/19**. 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: STANFORD E. REICHERT

DATE: 02/22/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701063

CASE NAME: ROBERT G. RIVERA AKA ROBERT GARCIA RIVERA

VACATED

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

COUNSEL:

ANGELA VARGAS	(OBJ)...ROBERT L KERN
ANGELA VARGAS	(PET)...ROBERT L KERN
ROBERT G. RIVERA	(DEC)...
ROBERT RIVERA JR.	(PET)...HANNAH SARGENT

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with **Limited** authority under IAEA by Angela Vargas, daughter

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

1. Petitioner seeks appointment; however, alternatively appoint Kirk Hoffman PPF; consent attached.
2. Petitioner seeks bond of \$20,000. Net estate value is \$270,000 in real property. Appears adequate based on limited authority and no personal property at this time.
3. **Need** Notice to Petition to Administer Estate and proof of service [DE-121].
4. **Need** proof of publication.
5. **Need** Duties form.
6. Three of decedent's children are all named Robert Rivera Jr.
7. No proposed order submitted.

RECOMMENDATION

Need to clear notes 3-5, \$20,000 bond. If approved, set Accounting/Status Review for **05/02/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Future hearing dates: 03/08/18 Petition for Letters of Special Administration by Robert Rivera, Jr. 03/08/18 Petition for Probate, Letters Testamentary 03/08/18 Petition for Letters of Special Administration

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

DATE: 02/22/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701101

CASE NAME: GUMIE RUBY BROWN

HEARING:

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

COUNSEL:

ARLEEN LUCERO	(PET)...OMERO BANUELOS
ARLEEN LUCERO	(PET)...OMERO BANUELOS
CINDY SALAZAR	(PET)...OMERO BANUELOS
GUMIE RUBY BROWN	(DEC)...
JANICE GARZA	(PET)...OMERO BANUELOS

GENERAL INFORMATION

Letters of special administration issued to Arleen Lucero 11/14/17.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Arleen Lucero, Cindy Salazar and Janice Garcia, daughters for Arleen only.

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

1. All heirs waive bond. Net estate value is \$141,216.367 of which \$13,716.37 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. **Need** Notice to Petition to Administer Estate and proof of service.
3. Petition is not signed by co-petitioner Cindy Salazar. **Need** same.
4. **Need** proof of publication.
5. **Need** phone number on duties form.
6. No Proposed Form Order.

RECOMMENDATION

Need to clear notes 2-5. If approved, set Accounting/Status Review for **05/02/19**. 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: 02/22/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701102

CASE NAME: ESTATE OF STEPHEN LEE GUGGISBERG

HEARING:

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

COUNSEL:

SCOTT SHOWLER (PET)...FULLERTON LEMANN SCHAEFER &
STEPHEN LEE GUGGISBERG (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Scott Showler, friend.

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

1. Petitioner is nominated by surviving spouse Sharon Guggisberg.
2. All heirs waive bond. Net estate value is \$140,000 in personal property. Court for
good cause could require bond per Pr.C. § 8481(b).
3. ~Proposed Form Order: 11/02/17.

RECOMMENDATION

RFA subject to Court's discretion re bond. If approved, set Accounting/Status Review for
05/02/19. 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: 02/22/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800031

CASE NAME: WILLIAM OJEDA

HEARING:

Spousal Property Petition hearing.

COUNSEL:

CYNTHIA E PEREZ (PET)...ROGER VON KAESBORG
WILLIAM OJEDA (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Spousal Property Petition by Cynthia Perez.

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

1. Petitioner seeks confirmation of her half of community property and determination of decedent's half of community property passes to petitioner without administration.
2. Petitioner and decedent were married in 2001 where the real property was purchased later on 11/22/02. All the funds were allegedly community funds to purchase the property. The property was purchased in decedent's name only due to alleged loan requirements. The date of acquisition appears to be during the marriage.
3. ~Proposed Form Order: 01/12/18.

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: STANFORD E. REICHERT

DATE: 02/22/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800053

CASE NAME: Lawrence Michael Rojas

HEARING:

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

COUNSEL:

LAWRENCE MICHAEL ROJAS (DEC)...
STEVEN R ROJAS (PET)...CHRISTOPHER L CARPENTER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Steven Rojas, brother.

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

1. All heirs waive bond. Net estate value is \$353,500 of which \$2,500 is personal
property. Court for good cause could require bond per Pr.C. § 8481(b).
2. ~Proposed Form Order: 01/22/18.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **05/02/19**.
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: 02/22/18 TIME: 8:30 DEPT: S35P

CASE#: VPR VS002810

CASE NAME: MTR OF THE DEZMOND WESTBROOKS SPECIAL NEEDS TRU

HEARING:

Hearing re Final Discharge

COUNSEL:

DEZMOND WESTBROOKS SPECIAL NEE(TRU)...

THE DEZMOND WESTBROOKS SPECIAL(TRU)...

WELLS FARGO BANK (PET)...FRED MUSCARELLA

WELLS FARGO BANK (PET)...JILL HESS VERDON

WELLS FARGO BANK (PET)...JOHN A PAYNE

WELLS FARGO BANK (TEE)...FRED MUSCARELLA

Final Discharge order sent to department for Signature on 02/15/18.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 02/22/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1200362

CASE NAME: OLIVIA RUIZ SPECIAL NEEDS TRUST

HEARING: THIRD AND FINAL Account and Report of FREDERICK C RUIZ JR and Petition for allowance of fees filed.

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV	(PRO/PER
FREDERICK C RUIZ JR	(PET)...LAYNE A BARTHOLOMEW
JENNIFER M DANIEL	(PET)...
OLIVIA RUIZ	(PET)...THE SETTLEMENT LAW

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 3rd and Final SNT Account and Petition for Allowance of Fees by Trustee Frederick Ruiz, Jr.

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

1. Beneficiary passed away on 07/01/17.
2. Accounting period 09/01/15 – 08/31/17; post death 07/01/17 – 09/30/17.
3. Assets on hand \$56,587.06.
4. Counsel Layne Bartholomew seeks fees of \$3,510 for 19.3 hours at \$100/300 per hour for paralegal and attorney services. [Acct.11/02/17 LFpg75-77]. JTD
5. Counsel Jennifer Daniel, appointed counsel, seeks fees of \$1,110 at \$300 per hour [Acct.11/02LFpg82]. JTD
6. Trustee seeks fees of \$3,490 for 174.5 hours at \$20 per hour. [Acct.11/02LFpg84-89]. JTD
7. Petitioner reimbursement himself expenses of \$12,837.96. [Acct.11/02LFpg91-92]. JTD
8. After payment of fees all remaining trust cash assets will be paid to Department of Health Services.
9. Trustee seeks court approve the transfer of personal property vehicle valued at \$2,390 to mother. Collection representative Brian Lewis of Department of Health Services allegedly stated that DHS has no interest in the vehicle.
10. Petitioner seeks a reserve of \$1,000.
11. **Need** notice of hearing and proof of service for mother Irene Velasquez.
12. ~Proposed order: 11/02/17.

RECOMMENDATION

Need to clear note 11. If approved, set hearing on the filing of receipts and final discharge for **02/28/19**.

(lc)

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

DATE: 02/22/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1401030
CASE NAME: THE MARIA SERVIN SPECIAL NEEDS TRUST
HEARING: SECOND Account and Report of WELLS FARGO PRIVATE BANK, N.A.
and Petition for allowance of fees filed.

COUNSEL:

JULIA SERVIN	(CTE)...BROCK, MARTIN &
MARIA SERVIN	(TP)...JACK B OSBORN
THE MARIA SERVIN SPECIAL NEEDS	(TRU)...
WELLS FARGO BANK, N.A.	(PET)...CHERI GREEN, ESQ.
WELLS FARGO PRIVATE BANK, N.A.	(PET)...CHERI GREEN, TERESA

XREF: CIVDS1311752 (*Servin-v-Dignity Health*) **GARSS1300088** (*Maria, Delilah and Damian Olivas*) **CONPS1400171** (*Maria De La Cruz Servin*)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON 2nd SNT Account Current and Petition for Fees by Trustee Wells Fargo Bank.

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

1. Accounting period 08/01/16 – 08/31/17.
2. Assets on Hand \$1,084,111.63; \$37,219.21 in cash; remaining in real and personal property.
3. Trustee requests ratification of compensation taken in the amount of \$22,016.78. Billed at 1.50% for the first \$2,000,000 and 1.05% for the next \$3,000,000, based on fee schedule [Acct.11/2LFpg51-53]. JTD
4. Trustee seeks ratification of costs for tax preparation of \$350. JTD
5. Attorney seeks fees of \$1,688.75 for 5.25 at \$95/375 per hour and costs of \$242 [Acct.11/2LFpg60-61]. Costs not specifically itemized.
6. Beneficiary's three minor children and mother Maria Del Refugio [guardian of minors] also reside.
7. ~Proposed Order: 11/02/17.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for Accounting Review for **12/26/18**. Any account to be filed 30 days in advance of hearing. Note Local Rules.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 02/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS0800464

CASE NAME: THELMA E. LARKIN

HEARING:

Accounting Review

COUNSEL:

BILLY GRAHAM EVANGELISTIC ASSO (TP)...

THELMA E. LARKIN (DEC)...

WILLIAM F STAPLETON (PET)...HARTNELL LAW GROUP

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 Testamentary issued to William Stapleton, stranger, on 05/04/09; full authority, no bond.
2. Previous status report approved on 02/14/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 02/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS0900560

CASE NAME: RYAN ALLEN REYNOLDS
HEARING: SIXTH Account and Report of CHRISTIE DAVIDSON and Petition for allowance of fees filed.

COUNSEL:

CHRISTIE DAVIDSON	(PET)...HORSPOOL & HORSPOOL
INLAND COUNTIES REGIONAL CENTE	(PET)...BRUNICK MCELHANEY &
INLAND COUNTIES REGIONAL CENTE	(PET)...LAYNE A BARTHOLOMEW
MITCHELL I ROTH	(PET)...
RYAN REYNOLDS	(PET)...
SPECIAL NEEDS TRUST OF RYAN AL	(TRU)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 6th SNT Trust Account and Petition for Allowance of Fees by Christie Davidson, PPF.

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

1. Accounting period 09/01/16 – 08/31/17.
2. Assets on hand \$295,216.98 of which \$58,742.77 is cash.
3. Trustee seeks fees of \$10,498.50 for 117.3 hours at \$45/95 per hour. [Acct.12/14 LFpgs20-77]
4. Counsel seeks fees of \$2,385 for 6.7 hours at \$350/390 per hour. [Acct.12/14 LFpgs78-80]
5. Disbursements indicate repairs for water remediation etc in excess of \$21,682.66 which appear to have been reimbursed mostly by insurance for \$19,717.38 [Acct.12/14 LFpgs12&17].
6. Current bond is \$175,000. Ok.
7. ~Proposed Order: 12/14/17.

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **01/03/19**. 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: 02/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400604

CASE NAME: Edward Vezirian

HEARING:
Accounting Review

COUNSEL:
EDWARD VEZIRIAN (DEC)...
NANCY GEORGE (PET)...HORSPPOOL & HORSPPOOL

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 WWA issued to Nancy George on 12/13/16; limited authority, no bond.
2. Final Inventory and Appraisal filed 08/15/16 & 05/16/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.
(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: 02/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500906

CASE NAME: MTR OF JACQUELINE DAVIS

HEARING:

Probate status report filed.

COUNSEL:

CHRISTOPHER DAVIS (PET)...THE GROSSMANLAW FIRM, A.P.C
JACQUELINE DAVIS (DEC)...

XREF: PROPS1500977 (Jacqueline Lynn Davis)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of Administration issued to Christopher Davis, brother, on 12/10/15; full authority, \$150,000 bond.
2. Administrator seeks an additional year to close the estate in order to defend quiet title action under CIVDS1605914.
3. **Need** notice of related case.
4. Partial Inventory and Appraisal filed 11/09/16.
 - a. **Need** bank statements per local rule 20-908.
5. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 3-4. If approved, set Accounting/Status Review for **01/03/19**. 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: 02/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601056

CASE NAME: MTR OF AMELIA E SMITH

HEARING:
Accounting Review

COUNSEL:

AMELIA E SMITH (DEC)...
NATALIE BECK FRIERSON (PET)...MYERS & D'ANGELO

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 Testamentary issued to Natalie Frierson, niece, on 12/15/16; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.
4. Letter from Sean Smith submitted on 12/19/17. Sean appears to be objecting as no accounting has been filed, yet references the trust. The letter appears to be exparte communication and court may wish to direct Sean Smith to file proper objections.

RECOMMENDATION

Need to clear notes 2-3.
(lc)

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

DATE: 02/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700306

CASE NAME: MTR OF KATHLEEN PEDREGON

HEARING:

first and final Account and Report of CHRISTINA M AGUILAR,
DOMINIC PEDREGON and Petition for allowance of fees filed.

COUNSEL:

CHRISTINA M AGUILAR	(PET)...DIANA J CARLONI
DEPARTMENT OF HEALTH CARE SERV	(TP)...PRO/PER
DOMINIC PEDREGON	(PET)...DIANA J CARLONI
KATHLEEN PEDREGON	(DEC)...
STATE OF CALIFORNIA FRANCHISE	(PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Christina Aguilar, daughter.

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

1. Assets on hand \$276,604.35 in cash and vehicle.
2. Administrator and counsel seek statutory fees of \$9,971.83 each.
3. Administrator seeks a reserve of \$600.
4. Administrator seeks reimbursement of costs totaling \$2,711. [Acct. 12/12 LFpg5-6].
5. Administrator seeks counsel be reimbursed costs not paid of \$211. [Acct. 12/12 LFpg6].
6. **Need** notice of hearing and proof of service including to Department of Health Services and Franchise Tax Board.
7. ~Proposed Order: 12/12/17.

RECOMMENDATION

Need notice. If approved, set hearing on the filing of receipts and final discharge for **02/28/19**.

(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: 02/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700400

CASE NAME: HELEN B DIACO

HEARING:

First & Final Account and Report of LINDA STRACHEN and Petition
for allowance of fees filed.

COUNSEL:

HELEN BEATRICE DIACO (DEC)...
LINDA STRACHEN (PET)...WILLIAM K SWEENEY

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by Linda Strachen, daughter/Trustee.

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

1. Assets on hand \$624,620.72 in cash.
2. Executor and counsel seek statutory fees of \$16,506 each. Ok.
3. ~Proposed Order: 12/12/17.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **02/28/19**.

(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: 02/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700540

CASE NAME: THE SPECIAL NEEDS TRUST OF JUDITH ARCA DUMAS

HEARING:
Accounting Review

COUNSEL:
INLAND COUNTIES REGIONALCENTER (PET)...LAYNE A BARTHOLOMEW
THE SPECIAL NEEDS TRUST OF JUD (TRU)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. SNT created in Los Angeles County on 11/12/15 through KP005939 in a settlement creating case 17ST9B00297. Matter transferred to San Bernardino County on 05/08/17.
2. 1st Account for IRC approved on 04/07/17.
3. **Need** 2nd account beginning with 11/01/16.

RECOMMENDATION

Inquire status of accounting.
(lc)

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

DATE: 02/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700675

CASE NAME: MARILYN LOUISE DELASHMUTT

SEE ALSO 8B

*****NOTE: NOTES CONTINUED BY CLERK'S OFFICE FROM [02/15/18].
NOTES WERE NOT RE-REVIEWED BY LEGAL RESEARCH*****

HEARING: Hearing Re: Ptn for Letters of Administration

COUNSEL:

DEBORAH EHRLICH	(OBJ)...C BENJAMIN GRAFF
DEBORAH EHRLICH	(PET)...C BENJAMIN GRAFF
DIANNA L THOMPSON	(PET)...CHRISTOPHER G JENSEN
MARILYN LOUISE DELASHMUTT	(DEC)...

GENERAL INFORMATION

Continued from 09/05/17. Deborah Ehrlich objects and will be retaining Counsel and filing written objections.

Continued from 11/28/17. Matter set for trial.

Letters of special administration issued to W.A. Hlavaty on 12/21/17; bond deferred at this time

THIS CASE SET FOR HEARING ON .

- Petition - 1: Petition for Letters of Administration with full authority under IAEA by Dianna Thompson, daughter
- Petition - 2: **Amended (10/16/17)** Petition for Letters of Administration with full authority under IAEA by Debra Ehrlich, daughter

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

Petitioner – 1 Dianna Thompson, daughter:

1. All heirs waive bond. Net estate value \$591,264 with \$9,000 in personal property. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(c). JTD
2. No proposed order submitted.

Petitioner - 2 Debra Ehrlich, daughter

3. It appears that petitioner Debra is also “Deborah”. Court to clarify.

4. All heirs allegedly waive bond. However, **need** waiver for Dianna Thompson. Alternatively, suggest bond in the amount of \$598,000.
5. **Need** proof of publication.
6. **Need** Notice of Petition to Administer Estate with proof of service.
7. Several Declarations filed in support of petitioner Debra 12/07/17.
8. No proposed order submitted.

RECOMMENDATION

Need to clear notes 4-6. Court's discretion re bond. If approved, set Accounting/Status Review for **04/25/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs/lh/nb/lc)

Superior Court of Calif, County of San Bernardino

Page: 8B ADD ON

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

DATE: 02/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700675

CASE NAME: MARILYN LOUISE DELASHMUTT

SEE ALSO 8A

*****NOTE: NOTES CONTINUED BY CLERK'S OFFICE FROM [02/15/18].
NOTES WERE NOT RE-REVIEWED BY LEGAL RESEARCH*****

HEARING:
Readiness Calendar

COUNSEL:

DEBORAH EHRLICH	(OBJ)...C BENJAMIN GRAFF
DEBORAH EHRLICH	(PET)...C BENJAMIN GRAFF
DIANNA L THOMPSON	(PET)...CHRISTOPHER G JENSEN
MARILYN LOUISE DELASHMUTT	(DEC)...

Readiness – No notes – JTD

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

DATE: 02/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700904

CASE NAME: BEVERLY BATES

HEARING:

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

COUNSEL:

BEVERLY BATES (DEC)...
MICHELLE DAVIS (PET)...PRO/PER

GENERAL INFORMATION

Letters of special administration issued on 09/19/17.

Continued from 12/07/17.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Michelle Davis, daughter.

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

1. Petition states bond TBD. Net estate value is \$125,000 of which \$50,000 is personal property. However, petitioner is a non-resident and court has discretion to require bond per Pr.C. §8571.
2. **Need** proof of publication.
3. Notice to Petition to Administer Estate and proof of service filed 01/03/18; however, hearing date states **0/22/18** and proof of service is not dated at signature line. **Need** corrected notice.
4. ~Proposed Form Order: 09/12/17.

RECOMMENDATION

Need to clear notes 2-3, Court's discretion re bond. If approved, set Accounting/Status Review for **05/02/19**. 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

Page: 9A ADD ON

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

DATE: 02/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701216

CASE NAME: THE RAUL RICK CORTEZ 2005 TRUST

HEARING:

Petition for Determine the Existence of a Trust and for
Instructions

COUNSEL:

JEANNIE CORTEZ (PET)...ANDERSON & LEBLANC,
THE RAUL RICK CORTEZ 2005 TRUS (TRU)...

Currently under review by legal research.

Notice:

1. Notice filed 12/20/17.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 9B ADD ON

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

DATE: 02/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800054

CASE NAME: MTR OF DIANE CECLIA NILAND

HEARING:

Petition to determine succession to Real Property

COUNSEL:

DANIAL BRYAN HALLUM (PET)...SCOTT M SHIELDS
DIANE CECELIA NILAND (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real and Personal Property by Danial Hallum, son.

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

1. Petitioner seeks 100% interest in real and personal property per terms of will. However, no personal property is listed on Inventory and Appraisal.
2. ~Proposed Form Order: 01/16/18.

RECOMMENDATION

Court's discretion.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 02/22/18 TIME: 9:30 DEPT: S36P

CASE#: CON DS1000118

CASE NAME: MTR OF EDWARD LEE ROSENBERRY

HEARING: Petition for Order Directing Trustee to Pay Costs of Representation

COUNSEL:

2008 EDWARD LEE ROSENBERRY REV (TRU)...	
CHOC CHILDRENS FOUNDATION	(PAUL HASTINGS LLP
DIANE D HARKISON	(CP)...M DANIEL SAYLOR
EDWARD LEE ROSEBERRY REVOCABLE(TRU)...	
JEAN ANN EMMONS	(OBJ)...SHIRLEY L KOVAR
KATIE CURE HERNANDEZ	(PET)...E. JOAN NELMS
LOMA LINDA UNIVERSITY CHILDREN	(CLAYSON, MANN, YAEGER &
NANCY SUE CARMAN	(BEN)...PRO/PER
STACY CARMEN	(PRO/PER
W. A, HLAVATY	(CP)...PRO/PER
W. A. HLAVATY	(PET)...THOMPSON & COLEGATE
WILLIAM LEE ROSENBERRY	(BEN)...BRYAN C. HARTNELL
WILLIAM LEE ROSENBERRY	(CPE)...HARTNELL LAW GROUP
WILLIAM LEE ROSENBERRY	(SHIRLEY L KOVAR

XREF: PROPS1601174 (*The Edward Lee Rosenberry revocable living trust*)

CIVDS1008424 (*Chagolla-v-Hlavaty*)

Currently under review by legal research.

Notice:

1. Need 30 days' notice to all 8 other trust beneficiaries Patrick Curran, Alyssa Riggs, Ronda Arnold, Susan Heckendron, Jean Ann Emmons; and Carla, Dena, and Mack Rosenberry.
2. **Response filed by GAL for unborn beneficiaries Mitchell Roth on 02/05/18.**

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

DATE: 02/22/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300060
CASE NAME: DORIS M. CARROLL

HEARING: FIRST Account and Report of LOWETA CARROLL and Petition for allowance of fees filed.

COUNSEL:

DORIS M CARROLL (CEP)...
LOWETA CARROLL (CPE)...PRO/PER
LOWETA CARROLL (PET)...KEITH S WALKER

GENERAL INFORMATION:

Continued from **6/17/15, 09/02/15, 10/29/15, 01/05/16, and 02/23/16**. At hearing on 02/23/16 Court appointed Walter Moore as Guardian Ad Litem for Doris M. Carroll. Clerk's office to notify of appointment.

Continued from **04/25/16, 07/12/16 and 09/20/16**. Notice to be given by Attorney Keith Walker.

Continued from 11/29/16. Court orders an account to be filed on the trust by 12/31/16. Matter is contested and set for trial. No account filed.

Continued from 02/21/17, 03/23/17 (accounting not filed as ordered) and 03/30/17 and 04/06/17. Notice given by Judicial Assistant to bonding company. All documents to be filed by 04/26/17. Mediation date requested.

Continued from **06/15/17** at request of Counsel. Matter set for voluntary mediation.

Continued from 07/05/17. Counsel is informed 2 separate accountings must be submitted to the court by the next hearing on 8-1-17: the accounting for the trust from 8-15-12 to present and the conservatorship accounting from 5-30-13 to present.

Continued from 08/01/17, 11/06/17 and 12/07/17. As Conservatee has passed away; Objections are moot. Declaration and Pr.C.§ 13100 petition to be filed by Counsel Walker.

THIS CASE IS SET FOR HEARING ON **Amendment [05/02/17]**^{1st} Account Current and Petition for fees by Loweta Carroll, daughter.

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

1. **Conservatee recently passed away on 09/18/17.**
2. Daughter, Loweta Carroll, was appointed conservator, person/estate, on 4/16/13. Recent amendment filed did not appear to have many changes.

3. Account period covers **05/30/13 - 05/29/14** and begins as of date letters were issued instead of as of date of appointment. As petitioner did not have authority until bond was posted, Assets may not have been marshaled on date of appointment.
4. Assets on hand \$4,291.33 in cash.
5. Accounting shows conservatee's estate was considerably spent down; the beginning balance was \$52,456.75 in cash. The only income is from SS benefits; Court may wish to inquire as to the **current** care plan.
6. Conservatee and conservator reside together in conservatee's home and is her full time caregiver with no alleged respite. Petitioner has not sought compensation for her services or reimbursement of funds advanced.
7. Attorney does not seek fees; however, reserves the right for a later date.
8. The \$11,918.80 paid to Keith Walker, of which \$7,465 was for services performed prior to the conservatorship and was allegedly due prior to issuance of letters.
 - a. **Declaration with itemization filed on 08/01/17. Counsel stands prepared to refund Conservator all of part of \$12,085 in fees taken out of client trust account.**
9. The \$2,500.00 paid to Ben Selters was for services rendered prior to conservatorship and were paid per Pr.C. § 2430(a)(1).
10. The \$3,000.00 paid to Margaret Arter for "attorney fees were related to creation of conservatorship per Pr.C. § 2430(a)(1).
11. Disbursements show a total of \$85.00 paid for overdraft fees [05/02 Accounting LF p.26]. Petitioner previously suggests fees are de minimis given fees are currently waived.
12. Original Report states: "Conservatee was the victim of financial and physical elder abuse perpetrated by her son, Davey Eugene Carroll and his wife and other persons. This abuse has been reported to the San Bernardino County Sheriff and Wells Fargo Bank and investigations are pending with both the Sheriff and the Bank."
 - a. Disbursements show many payments totaling \$897.58 to various payees "to locate brother and his wife."
13. Disbursements show many payments totaling \$776.03 for forms "to begin civil suit against Lillie Norton or for "access to legal website". As Conservatee is represented, question the need of these expenditures. **Supp. (11/10/15) indicates use of Conservatee's counsel for these endeavors would have cost the conservatorship attorney fees far in excess of the funds expended. JTD.**
14. Disbursements show several payments for auto supplies and AAA membership renewal. **Supp. (11/10/15) indicates Petitioner uses her own vehicle to provide all transportation for the Conservatee. JTD.**
15. Disbursements show several payments for Nico-derm beginning 11/18/13. As prior to this date there are no entries for tobacco purchases, question if these purchases were for the conservatee's benefit. **Supp. (11/10/15) indicates these purchases were for Petitioner who did not want to smoke around Conservatee; has successfully stopped smoking; and benefits Conservatee as residence remains smoke-free. JTD.**
16. Disbursements show many payments for repairs: supplies and labor. Does Court wish to require further explanation for these payments as no petition for authority to

expend funds for repairs filed. **Supp. (11/10/15) indicates Conservator is not required to obtain authority to expend funds for repairs to Conservatee's home. However, as home is held in trust, question why trust should not be liable for cost of repairs? JTD.**

17. Disbursements show several payments noted as "unknown" payee. Does Court wish to require further explanation for these payments **[05/02 LF, p. 74-75]**.
18. Disbursements show 2 payments to psychiatrist of \$115.00 each. Court may wish to inquire as to conservatee's care plan. **Supp. (11/10/15) indicates these payments were for fees incurred by Petitioner, personally, in her efforts to cope with caring for Conservatee full-time. JTD.**
19. Bond was set at \$21,000. Petitioner requests bond exonerated as the estate now qualifies for bond waiver under Pr.C."§2323, 2628. Ok.
20. Waiver of Objections to First Account Current filed 01/05/16 by counsel, Margaret Helen Arter, on behalf of conservatee.
21. **Objections filed 09/20/16 by GAL, Walter Moore, for Conservatee. Moot.**
 - a. **No objections to amendment filed at time of review.**
22. **Supplement filed 03/30/17 by Loweta Carrol, Conservator, which appears to be a reply to objections.**

RECOMMENDATION:

Matter is contested. If approved, set next Accounting Review in **60 days** as second account is overdue and conservatee is now deceased. Account to be filed 30 days' in advance of hearing date. Note requirements of Local Rules.

(kra/cbr/nb/dl/nb/lc/lh/nb/lc/ww/lc)

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

DATE: 02/22/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500135
CASE NAME: MTR OF STEPHANIE MARIE VARNEY
HEARING: second Account and Report of FRANCES A VARNEY and Petition for allowance of fees filed.

COUNSEL:

FRANCES A VARNEY (CPE)...BUXBAUM & CHAKMAK
STEPHANIE MARIE VARNEY (CEP)...MITCHELL I ROTH

XREF: PROPS1500330 (*Robert James Varney*)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON 2nd Account Current and Petition for Fees by Frances Varney, mother.

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

1. Accounting period 12/01/16 – 11/30/17.
2. Assets on Hand \$413,587.73 consisting of \$110,254.26 in cash and \$303,333.17 in equities.
3. Attorney seeks fees of \$2,832.50 for 8.55 hours at \$330 per hour. JTD
4. Conservator waives compensation.
5. **Need** list of conservatee's addresses per local rule 20-1406 (a).
6. Current bond of \$465,000. Appears sufficient.
7. No proposed order; submit after hearing.

RECOMMENDATION:

Need to clear note 5. If approved, set hearing on the next accounting review for **02/07/19** (if one year) or **02/06/20** (if two years). Accounting to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(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: 02/22/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600046

CASE NAME: MTR OF DORETHA RILEY

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ADAM RILEY

COUNSEL:

ADAM RILEY JR (CP)...PRO/PER
DORETHA RILEY (CTP)...MARK J. FLORY

GENERAL INFORMATION

Continued from 11/09/17 and 12/14/17.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Adam Riley Jr., son appointed conservator of the person only on 05/04/17.
2. Notification of Conservatee's rights per Pr.C.§1830(c), Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan filed 02/14/18.

RECOMMENDATION

None.

(lc)

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

DATE: 02/22/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600094

CASE NAME: MTR OF CHARLES J KOSKY

HEARING:
Accounting Review

COUNSEL:

CHARLES J. KOSKY	(CEP)...MAUREEN MURATORE
DESIREE M FORSBERG	(CPE)...LAYNE A BARTHOLOMEW
ERIC B FORSBERG	(CPE)...LAYNE A BARTHOLOMEW
JOANNA AVERETT	(CPE)...DONNASUE ORTIZ
JOANNA AVERETT	(CPE)...MAUREEN MURATORE
MADELYN M. KOSKY	(CEP)...MAUREEN MURATORE

XREF: CONPS1600095 (*Madelyn M Kosky spouse*)

GENERAL INFORMATION

Continued from 11/16/17. Cases consolidated should be coordinated. Matters to be unconsolidated. Case CONPS1600095 set for accounting review.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Joanna Averett, PPF, appointed conservator of the person and estate on 09/08/16, current bond \$66,500.
2. **Need** 1st Account beginning with 09/08/16.
3. **NOTE:** Conservator is also Trustee, \$800,000 bond. As court ordered bond, court to clarify if an Accounting review for trust needs to be set.

RECOMMENDATION

Inquire status of accounting.

(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: 02/22/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600095

CASE NAME: MTR OF MADELYN M KOSKY

HEARING:
Accounting Review

COUNSEL:

DESIRE M FORSBERG	(CPE)...LAYNE A BARTHOLOMEW
ERIC B FORSBERG	(CPE)...LAYNE A BARTHOLOMEW
JOANNA AVERETT	(CPE)...MAUREEN MURATORE
MADELYN M KOSKY	(CEP)...

XREF: CONPS1600094 (*Charles J Kosky spouse*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Joanna Averett, PPF, appointed conservator of person and estate on 09/08/16, \$20,000 bond.
2. Final Inventory and Appraisal filed 04/21/17.
3. **Need** 1st account beginning with 09/08/16.

RECOMMENDATION

Inquire status of accounting.

(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: 02/22/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600144

CASE NAME: MTR OF LETHA JOAN CANUP PHILLIPS

SEE ALSO 18

HEARING:

Accounting Review

COUNSEL:

ARTHUR CHARLES EWING (CPE)...CHRISTINA FERRANTE

LETHA JOAN CANUP PHILLIPS (CEP)...MITCHELL I ROTH

GENERAL INFORMATION

Continued from 12/14/17.

THIS CASE SET FOR HEARING ON Accounting review re conservatorship.

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

1. Arthur Ewing, son, appointed conservator of the person and estate on 10/06/16, \$20,000 bond.
2. Final Inventory and Appraisal filed 06/09/17.
3. **Need** accounting.

RECOMMENDATION

Inquire status of accounting.

(lc/lh/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: 02/22/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600144

CASE NAME: MTR OF LETHA JOAN CANUP PHILLIPS

SEE ALSO 17

HEARING:

Accounting Review

COUNSEL:

ARTHUR CHARLES EWING (CPE)...CHRISTINA FERRANTE
LETHA JOAN CANUP PHILLIPS (CEP)...MITCHELL I ROTH

GENERAL INFORMATION

Continued from 12/14/17.

THIS CASE SET FOR HEARING ON Accounting review re Trust.

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

1. On 10/28/16 Court took jurisdiction over the trust. Arthur Ewing Trustee. All proceeds placed into a blocked account.
2. **Need** trust accounting.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 02/22/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600145

CASE NAME: MTR OF BETTY MAY CAVENAUGH

SEE ALSO 19A

HEARING:
Accounting Review

COUNSEL:

BETTY MAY CAVENAUGH	(CEP)...
COLLEEN ANN CAVENAUGH	(CPE)...SHERRI L KASTILAHN
DEPARTMENT OF AGING AND ADULT	(TP)...COUNTY COUNSEL
KATHY BREITENBACH	(PCR)...PRO/PER
PATRICK M CAVENAUGH	(PET)...PRO/PER
SURETEC INSURANCE COMPANY	()...

XREF: CONPS1600146 (Patrick Richard Cavanaugh, spouse)

GENERAL INFORMATION
Continued from 11/30/17.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Colleen Cavanaugh, daughter, appointed Conservator on 06/12/17; person and estate, \$300,000 bond.
2. Final Inventory and Appraisal filed.
3. **Need** first and final accounting as conservatee passed away 07/22/17.

RECOMMENDATION

Inquire status of accounting.
(lc)

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

DATE: 02/22/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600145

CASE NAME: MTR OF BETTY MAY CAVENAUGH

SEE ALSO 19

HEARING:

Petition for attorney fees and costs

COUNSEL:

BETTY MAY CAVENAUGH	(CEP)...
COLLEEN ANN CAVENAUGH	(CPE)...SHERRI L KASTILAHN
DEPARTMENT OF AGING AND ADULT	(TP)...COUNTY COUNSEL
KATHY BREITENBACH	(PCR)...PRO/PER
PATRICK M CAVENAUGH	(PET)...PRO/PER
SURETEC INSURANCE COMPANY	()...

XREF: CONPS1600146 (Patrick Richard Cavenaugh, spouse)

GENERAL INFORMATION:

Continued from 01/30/18.

THIS CASE IS SET FOR HEARING ON Petition for Fees and Compensation by, Mitchel Roth.

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

- 1 Petitioner, Mitchel Roth, was appointed GAL on 06/14/16. Petitioner alleges that services were rendered for which counsel has not been compensated.
- 2 Petitioner requests fees of \$23,175.00. Billed at the reduced rate of \$375/hour for 61.80 hours' attorney time. Itemized [LF, pgs. 8-30]. JTD.
- 3 Petitioner requests reimbursement of costs advanced of \$43.00. Itemized.
- 4 ~Proposed Order 12/19/17

RECOMMENDATION:

Court's discretion.

(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: 02/22/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600250

CASE NAME: SYBIL JOYCE MUMMERT

HEARING:
Accounting Review

COUNSEL:

MICHAEL C. SNOW (PET)...HARTNELL LAW GROUP
SYBIL JOYCE MUMMERT (CEE)...BROWN WHITE & NEWHOUSE, LLP

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. **Conservatee passed away on 09/20/17.**
2. Michael Snow, son, appointed conservator of the estate only on 12/15/16, \$322,000 bond.
3. Final Inventory and Appraisal filed 02/06/18.
4. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610 for final Inventory and Appraisal.
5. **Need** 1st and final accounting.

RECOMMENDATION

Need to clear notes 4-5.

(lc)

Future hearing dates: 03/05/18 Petition for Attorney's Fees by Mark Flory.

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

DATE: 02/22/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700034

CASE NAME: CHRISTOPHER CORONEL

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ROSALVA L CORONEL

COUNSEL:

CHRISTOPHER CORONEL (CTP)...SANDY L. TURNER
ROSALVA L CORONEL (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. Rosalva Coronel, mother, appointed conservator of the person only on 07/20/17.
2. Notification of Conservatee's rights filed 07/28/17. However, proof of service does not indicate service of order or include all parties. **Need** to complete mailed service on
 - a. Conservatee.
 - b. sibling Noe Coronel.
 - c. Counsel Sandy Turner.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan in accord with Pr.C.§2352.5, local rule 20-1403 filed 07/28/17.

RECOMMENDATION

Need to clear note 2.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 1 ADD ON

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

Readiness Calendar

DATE: 02/22/18 TIME: 8:29 DEPT: S37P

CASE#: PRO PS0800088

CASE NAME: MTR OF JUANITA DAVIS SLOAN

HEARING:

Readiness Calendar

COUNSEL:

HSBC BANK

(PET)...LAUREL I HANDLEY, GENAIL M

JUANITA DAVIS SLOAN

(DEC)...

MARIBELLE D. MCDUGLE

(PET)...ROBERT L KERN

WELLS FARGO BANK

(PET)...LAUREL I HANDLEY, GENAIL M

Readiness – No notes – JTD

Superior Court of Calif, County of San Bernardino

Page: 1A

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

DATE: 02/22/18 TIME: 8:29 DEPT: S37P

CASE#: GAR PS1700428

CASE NAME: MTR OF PRESTON CHARLES CLARK

HEARING:
Readiness Calendar

COUNSEL:

JULIE CLARK	(MOT)...PRO/PER
LEWIS WAYNE WARE	(GP)...PRO/PER
PRESTON CHARLES CLARK	(MIN)...

Readiness – No notes - JTD

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 02/22/18 TIME: 8:29 DEPT: S37P

CASE#: SPR SS06988

CASE NAME: EST OF MADELINE M DEXTER

SEE ALSO 3

HEARING:

Hearing Re: PTN FOR ORDER DETERMINING TITLE TO REAL PROP ETC

COUNSEL:

CYNTHIA BURGESS	(PET)...ROBERT E KNUDSEN
DEBORAH L DEXTER	(PET)...BRYAN C. HARTNELL
JOSEPH J FONDY	(TP)...PRO/PER
KLARISSE DEXTER	(PET)...ROBERT E KNUDSEN
MADELINE M. DEXTER	(DEC)...

XREF: PROPS1600198 (*Maud I Harris*)

Currently under review by legal research.

(LR)

Notice appears sufficient.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 02/22/18 TIME: 8:29 DEPT: S37P

CASE#: SPR SS06988

CASE NAME: EST OF MADELINE M DEXTER

SEE ALSO 2

HEARING:
Readiness Calendar

COUNSEL:

CYNTHIA BURGESS	(PET)...ROBERT E KNUDSEN
DEBORAH L DEXTER	(PET)...BRYAN C. HARTNELL
JOSEPH J FONDY	(TP)...PRO/PER
KLARISSE DEXTER	(PET)...ROBERT E KNUDSEN
MADELINE M. DEXTER	(DEC)...

XREF: PROPS1600198 (*Maud I Harris*)

Readiness – 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: 02/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500197

CASE NAME: CHRISTOPHER E. JONES

SEE ALSO 5

HEARING: Hearing Re: FIRST AND FINAL accounting

COUNSEL:

CHRISTOPHER E JONES (DEC)...
PATRICIA VAN OSTERHOUDT (PET)... DANIEL HANOUM
ROBIN E. ROBLE (PET)...DAVID S PAWLOWSKI, ESQ

GENERAL INFORMATION:

Continued from 01/09/17. Petitioner reports supplemental declaration has been filed, however it has not been processed by the court. Petitioner advised notice needs to be given and parties need to be served with all filings in this matter. Should petitioner fail to file and serve appropriate pleadings, the Court will consider appointing the Public Administrator in this matter.

Matter approved on 04/03/17; however, on 10/26/17 court ordered the final distribution order stricken. Counsel Daniel Hanoum to prepare order from 10/26/17 hearing re motion to set aside.

THIS CASE IS SET FOR HEARING ON **Amended (01/06/17)** First and Final Account and Petition for Fees.

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

1. Assets on Hand 05/07/14 to 06/30/16.
2. Assets on Hand **\$254,210.48** consisting of **\$71,512.95** in cash and remaining in real and personal property.
3. Petitioner requests lessor statutory compensation in the amount of \$5,000. Calculated. JTD.
4. Petitioner requests authority to withhold \$2,500 for closing expenses.
5. 05/05/17 order stricken per 10/26/17 minute order.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge for **02/28/19**.

(nb/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 02/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500197

CASE NAME: CHRISTOPHER E. JONES

SEE ALSO 4

HEARING: Petition for REMOVAL OF PERSONAL REPRESENTATIVE FOR CAUSE;
AND OBJECTION TO FIRST AND FINAL ACCOUNT ETC

COUNSEL:

CHRISTOPHER E JONES (DEC)...
PATRICIA VAN OSTERHOUDT (PET)... DANIEL HANOUM
ROBIN E. ROBLE (PET)...DAVID S PAWLOWSKI, ESQ

GENERAL INFORMATION

Continued from 08/08/17 to trail motion and 10/26/17 for discovery.

THIS CASE SET FOR HEARING ON Petition for Removal of Personal representative for Cause and Objection to Final Account by Patricia Van Osterboudt, beneficiary Pr.C. § 8500.

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

1. Petitioner Patricia Van Osterboudt, seeks removal of personal representative Robin Roble. Petitioner objected to the final accounting on 04/03/17.
2. Petitioner alleges that personal representative has failed to fully inventory all assets, account, reimburse or treat beneficiaries impartially. Personal representative has allegedly breached her fiduciary duty owed to all beneficiaries. The decedent's Chase bank account and Bank of America Safety Deposit Box were reportedly not included, which total alleged approximate total of \$103,600.
3. Petitioner further alleges she advanced substantial personal funds on behalf of the estate in order to pay creditors and to maintain status quo of assets.
4. Citation mailed 10/19/17 per Pr.C. § 8500(b); however, only 7 days of service. 90 days' have since passed.

RECOMMENDATION

Court may wish to set for evidentiary hearing.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 02/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500907

VACATED

CASE NAME: MTR OF CHRISTINE MARY DEDIANOUS

SEE ALSO 7, 8

HEARING:FIRST & FINAL Account and Report of KATHLEEN ANN OWENS and
Petition for allowance of fees filed.

COUNSEL:

CHRISTINE MARY DEDIANOUS (DEC)...

KATHLEEN ANN OWENS (PET)...DALE C HUFFAKER

See notes on matter 8A.

Superior Court of Calif, County of San Bernardino

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

DATE: 02/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500907

VACATED

CASE NAME: MTR OF CHRISTINE MARY DEDIANOUS

SEE ALSO 6, 8, 8A

HEARING: AMMENDED FIRST AND FINAL Account and Report of KATHLEEN ANN OWENS and Petition for allowance of fees filed.

COUNSEL:

CHRISTINE MARY DEDIANOUS (DEC)...
KATHLEEN ANN OWENS (PET)...DALE C HUFFAKER

See notes on matter 8A.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 8

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

DATE: 02/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500907

CASE NAME: MTR OF CHRISTINE MARY DEDIANOUS

SEE ALSO 6, 7, 8A

HEARING:

Probate status report filed.

COUNSEL:

CHRISTINE MARY DEDIANOUS (DEC)...
KATHLEEN ANN OWENS (PET)...DALE C HUFFAKER

GENERAL INFORMATION

Continued from 08/09/17. No appearance. Kathleen Owens and/or counsel ordered to appear.

Continued from 12/21/17.

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of Administration issued to by Kathleen Owens, sister, on 11/16/15; full authority, no bond.
2. Petitioner seeks additional time to close the estate in order to sell the real property.
3. No proposed order. Submit after hearing.

RECOMMENDATION

Appears moot as accounting(s) have been filed. See matter 8A.

(lc/ww/lc)

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

DATE: 02/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500907

CASE NAME: MTR OF CHRISTINE MARY DEDIANOUS

SEE ALSO 6, 7, 8

HEARING:

Second Amended First and Final Account and Report of KATHLEEN
ANN OWENS and Petition for allowance of fees filed.

COUNSEL:

CHRISTINE MARY DEDIANOUS (DEC)...
KATHLEEN ANN OWENS (PET)...DALE C HUFFAKER

GENERAL INFORMATION

Continued from 12/21/17.

THIS CASE SET FOR HEARING ON 2nd **Amended** [01/26/18] Final Account, Distribution
and Petition for Allowance of Fees by Kathleen Owens, sister.

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

1. Assets on hand \$152,519.96 in cash.
2. Administrator and attorney seek statutory fees of \$6,766.90 each. However,
calculation appears to be slightly overstated as calculation does not include loss on
sale [\$12,500] Pr.C. § 10800(b). Fees appear to be \$6,364.42. **Need** verified
supplement.
3. Proposed Order: 01/26/18; however, statutory fee calculation is incorrect.

RECOMMENDATION

Need to clear note 2. If approved, set hearing on the filing of receipts and final discharge
for **02/28/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 02/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600299

Vacated

CASE NAME: LANCE DALTON

HEARING:

Hearing re Final Discharge

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV (TP)...

GINA REDDOCH

(PET)...CHRISTINA E GENTILINI

LANCE DALTON

(DEC)...

Final Discharge filed 08/23/17.

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

DATE: 02/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600387

CASE NAME: MTR OF MARK G H EAGLETON

HEARING:
Accounting Review

COUNSEL:
ABIGAIL EAGLETON (PET)...DIANA J CARLONI
MARK G H EAGLETON (DEC)...
SUMMIT (TP)...THOMAS W DOMINICK

XREF CIVDS1700232 (Summit Valley V Eagleton) & CIVDS1700233 (Sycip V Eagleton)

GENERAL INFORMATION

Continued from 08/24/17 and 10/19/17. Inventory and Appraisal hearing set, if filed, matter may go off calendar.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Testamentary issued to Abigail Eagleton, spouse, on06/16/16, limited authority, no bond.
2. Partial Inventory and Appraisal filed 12/11/17. **Need** final Inventory and Appraisal
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear note 2 & 3.
(ww/lc)

Future Hearing: 03/29/18 Hearing re: Filing of inventory and appraisal

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

DATE: 02/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600407

CASE NAME: RIVARD LOUIS HEIL

HEARING:

FIRST AND FINAL Account and Report of PENNY LOU HEIL and
Petition for allowance of fees filed.

COUNSEL:

PENNY LOU HEIL	(PET)...GREGORY L ZUMBRUNN
RIVARD LOUIS HEIL	(DEC)..
ROSE C ROSADO	(TP)...CALDWELL, KENNEDY & PORTER, A.

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Penny Lou Heil, former spouse.

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

1. Assets on hand \$0.
2. Executor and counsel seek fees of \$3,125 each. Executor agrees to pay counsel outside of estate subject to reimbursement and payment of executor's commission.
3. Counsel seeks reimbursement of costs totaling \$1,474.50.
4. ~Proposed Order: 11/01/17.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **02/28/19**.

(lc)

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

DATE: 02/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601190

CASE NAME: MTR OF BARBARA L CROSLEY

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

DARLEEN BITTER (PET)...JAMES L HEYWOOD AND ASSOCIATES
BARBARA L CROSLEY (DEC)...

GENERAL INFORMATION

Continued from 01/22/18. Counsel stated bond company will not issue unless attorney trust account is created, which counsel will do. Proceeds from escrow to be placed in attorney trust account. Should bond not issue, Public Administrator to be appointed.

THIS CASE SET FOR HEARING ON Receipt of Bond.

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

1. Darleen Bitter, daughter, appointed administrator on 12/07/17, **limited** authority, \$151,800 bond.
2. **Need** bond in order for letter to issue.
3. Proposed order submitted 02/14/18 regarding Joint account; however, there does not appear to be a hearing on 02/14/18. It appears the order may be for 01/22/18 hearing. Court to clarify.

RECOMMENDATION

Inquire status of bond.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 02/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700269

CASE NAME: LIVING TRUST OF EUGENE MONTE NACCARATO

HEARING:

Hearing Re: PRETRIAL re CONTEMPT

COUNSEL:

HELLEN BUSH	(INT)...PRO/PER
HELLEN BUSH	(PET)...PRO/PER
JOHN LAMBRECHT	(PET)...MICHAEL C MADDUX
LIVING TRUST OF EUGENE MONTE N	(TRU)...
MICHAEL C. MADDUX	(PET)...MICHAEL C MADDUX
NORA J MORALES	(PET)...SKAPIK LAW GROUP

Pretrial re Contempt – No notes - JTD

Superior Court of Calif, County of San Bernardino
Page: 13A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 02/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700968

Vacated

CASE NAME: ETHEL BEATRICE LUCKY

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

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

Bond filed, letters issued.

(lc)

Future Hearing: 04/04/19 Accounting Review.

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

DATE: 02/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701068
CASE NAME: ESTATE OF SHIRLEY MAE ZUPA
HEARING: Hearing re: Petition for Probate, Letters of Testamentary With Full Authority Under IAEA.

COUNSEL:

BONNIE JOHNSON (PET)...PRO/PER
SHIRLEY MAE ZUPA (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate of **Lost Will**, Letters Testamentary with Full Authority under IAEA by Bonnie Johnson, granddaughter.

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

1. Will and all heirs waive bond. Net estate value is \$330,000 of which \$170,000 in personal property, Court for good cause could require bond per Pr.C. § 8481(b).
2. Codicil is not witnessed. Codicil does not comply with Pr.C. § 6110(c)(1) as it is not witnessed. In order that the will be admitted, need a verified supplement showing that the will is valid per Pr.C. § 6110(c)(2).
3. 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 Pr.C. § 6124. This presumption affects the burden of producing evidence and unless petitioner can overcome the presumption, no valid will exists. **Need** verified supplement addressing.
4. **Need** declination to act by named co-executor Stefanie Burke.
5. **Need** Notice to Petition to Administer Estate and proof of service.
6. **Need** proof of publication.
7. **Need** verified supplement indicating Successor Trustee of Trust.
8. The will conditionally incorporates decedent's Trust. **Need** a certification of trust that meets the requirements in Pr.C. § 18100.5 and additionally includes a list of Trust beneficiaries for notice purposes. Does Court also wish to require a copy of decedent's Trust? JTD
9. ~Proposed Form Order: 10/25/17.

RECOMMENDATION

Need to clear notes 3-8, Court's discretion re bond. If approved, set Accounting/Status Review for **05/02/19**. 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: 02/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701097

CASE NAME: MTR OF JUNE DENISE SAVALA

HEARING:

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

COUNSEL:

JUNE DENISE SAVALA (DEC)...
LEILANI COFIELD (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Leilani Cofield, daughter.

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

1. Will has one witness, which signature is notarized. Therefore, the will does not comply with Pr.C. §.6110(c)(1). In order that the will be admitted, need a verified supplement showing that the will is valid per Pr.C. § 6110(c)(2).
2. Will waives bond. Net estate value is \$390,000 in real property. Court for good cause could require bond per Pr.C. § 8481(b).
3. **Need** Notice to Petition to Administer Estate and proof of service.
4. **Need** proof of publication.
5. Section 8 does not list petitioner or following persons named in will; Gloria and Bernard Savala; Sherri Collins. **Need** verified supplement.
6. ~Proposed Form Order: 11/01/17.

RECOMMENDATION

Need to clear notes 3-5, Court's discretion re bond. If approved, set Accounting/Status Review for **05/02/19**. 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: 02/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701098

CASE NAME: MTR OF PRISCILLA ANN VASQUEZ

HEARING:

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

COUNSEL:

PRISCILLA ANN VASQUEZ (DEC)...
SALLY VANGORKUM (PET)...EDWARD W O'CONNELL JR

GENERAL INFORMATION

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

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

1. Petitioner seeks bond of \$51,000. Ok.
2. Section 8 does not list relationships for the 5 heirs. **Need** verified supplement.
3. Notice filed; however, **need** Notice to Petition to Administer Estate and proof of
service for Gina Vasquez, Jesus, Lilian and Brian Rodriguez.
4. ~Proposed Form Order:11/01/17.

RECOMMENDATION

Need to clear notes 2-3, \$51,000 bond. If approved, set Accounting/Status Review for
05/02/19. 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: 02/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701217

CASE NAME: MTR OF ANTONIO QUEZADA

HEARING:

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

COUNSEL:

AMALIA QUEZADA (PET)...PRO/PER
ANTONIO QUEZADA (DEC)...

GENERAL INFORMATION:

Letter of Special Administration issued 12/12/17.

THIS CASE IS SET FOR HEARING ON **Amended** [01/12/18] Petition for Letters of
Administration with full authority under IAEA by Amalia Quezada, spouse.

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

1. Original petition heard on 02/06/18, no appearance, this is amended petition which superseded 02/06/18 petition.
2. Petition does not explain priority or relationship. However, section 8 clearly indicates Petitioner is the spouse.
3. All heirs waive bond. Estimated estate valued at \$310,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
4. ~Proposed Form Order 12/05/17.

RECOMMENDATION:

Court's discretion re bond. Court may **wish to vacate 04/17/18** hearing as this amended petition is filed. If approved, set future hearing for Accounting/Status Review on **05/02/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules. (nb/lc)

Future Hearing:

04/17/18 Hearing re: Petition for letters of admin. w/full etc.
04/17/18 OSC re: Dismissal

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

DATE: 02/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800047

CASE NAME: RODNEY MC CULLOUGH

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL IAEA

COUNSEL:

MATTHEW MCCULLOUGH (PET)...ROQUEMORE PRINGLE & MOORE
RODNEY MCCULLOUGH (DEC)...

GENERAL INFORMATION

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

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

1. Both heirs waive bond. Net estate value is \$168,000 of which \$10,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. Other son Kevin consents to petition.
3. **Need** proof of publication.
4. ~Proposed Form Order: 01/18/18.

RECOMMENDATION

RFA subject to note 3, Court's discretion re bond. If approved, set Accounting/Status Review for **05/02/19**. 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

CONSERVATORSHIP

DATE: 02/22/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0800038

CASE NAME: CHARLES D. GLADISH

HEARING: Hearing re Final Discharge

COUNSEL:

CHARLES D GLADISH	(CEP)...MITCHELL I ROTH
CHARLES DANIEL GLADISH	(CEP)...
CHERIE PETERSON	(CPE)...PRO/PER
DANA CALHOUN	(CPE)...PRO/PER
DON HOUSTON GLADISH	(SC)...JACK B OSBORN
SKY LUNDY	(CPE)...MICHAEL POLLOCK

XREF: CONPS0800095 (*Laverne B Gladish*)

GENERAL INFORMATION

Continued from 12/10/13, 1/28/14, 3/18/14, 6/23/14, 8/25/14, 10/09/14, 01/08/15, 2/24/15 and 5/4/15. Court notes a petition for surcharge to be filed.

On 6/23/14 hearing re ORAP -- Examination of Judgment Debtor: Off-Calendar. Reason: Don Gladish is deceased.

Continued from **7/6/15 and 8/19/15** for bond company to be present. Court previously signs order to place funds of conservatorship estate in attorney trust account.

Continued from **09/21/15**. Bond company to personally appear on 10/29/15.

Continued from **10/29/15**. Court refers this case to Public Administrator. Public Administrator to determine if estates of conservatee, Charles D. Gladish, and conservator, Don Houston Gladish, need to be opened by the public administrator to distribute the estate on conservatorship of Charles D Gladish.

Continued from **01/05/16** at request of counsel. Bond company will be excused from next hearing if it has been determined that there are enough funds to address notes.

Continued from 02/22/16, 04/25/16, 07/12/16, 09/20/16 and 11/30/16. Conservatee and Conservator have both passed away [per minute order] and there are no funds left to pay bills as ordered in acc. Court requests that counsel check where Conservator resided before his death to see if any funds remain. Mr. Theios reports petition to surcharge will be filed.

Continued from 02/22/17. Conservator has not passed away.

Continued from **05/03/17 and 07/05/17** to determine what funds are left in conservatorship estate.

Continued from 09/13/17 and 11/08/17.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Don Gladish, son, approved on 12/04/12.
2. **Need** receipts for attorney's fees.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Need to clear notes 2 – 3. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with C.C.P. §§ 128 & 1209.

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

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

DATE: 02/22/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0800321

CASE NAME: KENNETH STONEBREAKER

HEARING:
Hearing re Final Discharge

COUNSEL:

DAVID STONEBREAKER	(PET)...PRO/PER
KATHLEEN A. STONEBREAKER	(PCR)...PRO/PER
KATHY STONEBREAKER	(PET)...PRO/PER
KENNETH STONEBREAKER	(PCE)...

GENERAL INFORMATION

Continued from **05/04/17**. No appearance. Personal representatives ordered to appear if notes not cleared.

Continued from **07/06/17**. Donnasue Smith Ortiz relieved. Parties given copy of accounting and minute order to assist in preparing order.

Continued from 11/30/17.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of David and Kathy Stonebreaker approved on 04/28/16.
Need order.
2. No receipts needed as there were \$0 assets.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of orders. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with C.C.P. §§ 128 & 1209.

(lc)

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

DATE: 02/22/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600229

CASE NAME: ERIC MURILLO

HEARING:
Accounting Review

COUNSEL:

DOLORES M FUENTES	(CE)...MELINDA S. BELL
ERIC MURILLO	(CEP)...EDWARD B FISCHER
JEANNETTE CABRERA	(CPE)...MELINDA S. BELL

GENERAL INFORMATION
Continued from 12/21/17.

THIS CASE SET FOR HEARING ON Accounting review

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

1. Dolores Fuentes and Jeanette Cabrera; mother and sister, appointed Conservators of person and estate; bond now \$36,000.
2. Final Inventory and Appraisal filed 07/21/17.
3. **Need** accounting.

RECOMMENDATION

Inquire status of accounting.
(lc)

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

DATE: 02/22/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700203

CASE NAME: CURTIS MITCHELL HAGAN

HEARING:

Hearing Re: PETITION FOR CONSERVATORSHIP

COUNSEL:

CURTIS MITCHELL HAGAN	(CEP)...PRO/PER
CURTIS MITCHELL HAGAN	(CTP)...J. DAVID HORSPOOL
SYLVIA A HAGAN	(CP)...PRO/PER
SYLVIA A HAGAN	(CPE)...PRO/PER

GENERAL INFORMATION

Sylvia Hagan appointed Temporary Conservator of the person on 06/07/17. Court makes LPS referral. Clerk's office to notify public guardian. Hearing set for 07/20/17 is reset to Department S37.

Continued from 07/20/17. Court urges family to request the facility/doctors to contact IRC Investigator's office for an investigation as to eligibility. Court relieves the Public Guardian from appearing at next hearing.

Continued from 10/05/17 and 12/21/17.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Sylvia Hagan, mother.

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

1. Petitioner seeks orders related to powers under Pr. C. §2351.5 to fix residence, access confidential records, control right to contract, and make and consent to all medical decisions. JTD.
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Proposed conservatee is developmentally disabled. IRC letter filed 07/11/17 indicating proposed conservatee is not a consumer.
4. Court Investigator notice of no report filed 07/05/17.
5. Certificate of Completion of the Conservatorship Training Class filed 07/06/17.
6. Petitioner seeks medical powers. **Need** Capacity Declaration.
7. Proposed conservatee is developmentally disabled. **Need** report of Counsel David Horspool.

8. List of Required Contact Information form filed 05/31/17 is missing relatives Jan and Sherri Hagan, paternal grandparents. **Need** completed form.
9. **Need** return of Citation
10. **Need** Notice of Hearing and Proof of Service.
11. **Objections filed by Mark Hagan, father, on 10/03/17.**
12. ~Proposed Form Order: 05/31/17

RECOMMENDATION

Matter is contested. Need to clear notes 6-10. If approved, set hearing for Compliance Review for **09/27/18** 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)

Superior Court of Calif, County of San Bernardino

Page: 21A ADD ON

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

DATE: 02/22/18 TIME: 9:30 DEPT: S37P

CASE#: EAP PS1800010

CASE NAME: HERNANDEZ VS. DELLANO

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

HUGO A HERNANDEZ (PP)...CRAIG M PARKER
HUGO DELLANO (RP)...
WANDA LOY ()...

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

XREF: CONPS1700467 (*Hugo A Hernandez*)

1. Proof of service filed for Hugo Dellano on 02/02/18. However, notice states original hearing date of 02/23/18, court changed hearing to 02/22/18 on 02/13/18.
2. Court to clarify if Wanda Loy remains as a potential restrained person.

(lc)

Future Hearing: 02/23/18 Hearing re: Elder abuse restraining order

Superior Court of Calif, County of San Bernardino

Page: 22

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 02/22/18 TIME: 9:35 DEPT: S37P

CASE#: CON PS1400253

CASE NAME: Rosalyn Y Braxton

HEARING:

Petition for SUBSTITUTED JUDGMENT TO ESTABLISH A LIVING TRU filed by
ATTORNEY FOR HAROLD D BRAXTON

COUNSEL:

HAROLD D BRAXTON	(CPE)...SELTERS & SELTERS
JUANITA BRAXTON	(CPE)...SELTERS & SELTERS
ROSALYN Y BRAXTON	(CEP)...DONNASUE ORTIZ

Currently under review by legal research.

(LR)

Future Hearing: 02/06/19 *Accounting Review.*