



## Second/Final Check

Superior Court of California  
County of San Bernardino  
Probate Department

### **Probate Notes for Calendar Date: 03/06/18**

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.

nb0215/0228

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**PROBATE**

-----  
DATE: 03/06/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1500442

CASE NAME: CORRINE ELLEN HANSON

HEARING:

Accounting Review

COUNSEL:

CORRINE ELLEN HANSON

(DEC)...

RUTH L HENRICKS

(PET)...HARTNELL LAW GROUP

GENERAL INFORMATION:

**Continued from 11/28/17** at request of counsel. Court sets deadline for the filing of the accounting- if filed by 4pm November 29, 2017, the clerk's office is ordered to set the accounting for January 9, 2018. If the accounting is filed after the deadline, the accounting is to be set on the court's next available at the clerk's office.

**Continued from 01/09/18 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order on Report of Status of Administration entered 11/22/16.
2. No accounting or updated status report. Need same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 2

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

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DATE: 03/06/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1500462

CASE NAME: MTR OF MARK ALAN OVERGAAUW

HEARING:

Probate status report filed.

COUNSEL:

MARK ALAN OVERGAAUW (DEC)...  
SHELLY R GUERRA (PET)...PASQUALE P CAIAZZA

**X-REF: CIVDS 1518553**

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report by Executrix Shelly R. Guerra ["Petitioner"-wife].

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

1. Petitioner alleges the estate is not in a condition to be closed as although parties in the related case have approved a Settlement Agreement, the estate's interest has yet to be received.
2. Petitioner requests additional time (unspecified) in which to close estate.
3. Need Notice of Hearing and proof of service in accord with Pr.C. § 12201. Whenever a status report is filed without an accounting, notice must indicate a right to an accounting in accord with Pr.C. § 10950. **This form of notice is mandatory.**

RECOMMENDATION:

Need proper notice then Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 3

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 03/06/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1601110

CASE NAME: IN RE: THE HENRY R ZAHNER 1992 TRUST

**SEE ALSO 4, 5**

HEARING:

Hearing Re: PTN FILED JULY 12, 2016/ RESP FILED 1/9/17

COUNSEL:

CYRUS CLARKE VAN DEVENTER

(PET)...STEVE ALDACO

CYRUS CLARKE VAN DEVENTER

(RES)...STEVE ALDACO

MARY DE AVILAN

(PET)...WRIGHT KIM DOUGLAS,

THE HENRY R ZAHNER 1992 TRUST

(TRU)...

THE MARY DE AVILAN, TRUSTEE OF

(TRU)...

Currently under review by legal research  
(LR)

Continued matter. Notice not re-reviewed.

Future Hearing:

07/12/18 Readiness calendar

08/06/18 Court Trial

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

Superior Court of Calif, County of San Bernardino

Page: 4

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

-----  
DATE: 03/06/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1601110

CASE NAME: IN RE: THE HENRY R ZAHNER 1992 TRUST

**SEE ALSO 3, 5**

HEARING:

Petition to approve first Account and Report of MARY DE AVILAN  
and Petition for allowance of fees filed.

COUNSEL:

CYRUS CLARKE VAN DEVENTER	(PET)...STEVE ALDACO
CYRUS CLARKE VAN DEVENTER	(RES)...STEVE ALDACO
MARY DE AVILAN	(PET)...WRIGHT KIM DOUGLAS,
THE HENRY R ZAHNER 1992 TRUST	(TRU)...
THE MARY DE AVILAN, TRUSTEE OF	(TRU)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Approve First Reconstructed Account for Former Successor Trustee Marjorie Van Deventer-Zahner (now deceased) and/or De Facto Trustee Cyress Van Deventer, by Successor Trustee, Mary De Avilan ["Petitioner"].

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

1. Reconstructed accounting period 04/07/09 to 03/18/15 [5.9 years].
2. Assets on hand at beginning of account \$1,161,910.18 consisting of \$157,074.45 in cash and remaining in real and personal property.
3. Assets on hand at end of account \$632,648.07 consisting of
4. Rental Income [LF, pgs. 24-25] reflect missing rental payments.
5. Other Receipts [LF, p.25] include unknown deposits totaling \$10,025.00.
6. Rental Expenses [LF, pgs. 28-29] reflect payments for property taxes in arrears and late taxes.
7. Utilities [LF, p30] do not specify as to which property.
8. Total Disbursements not thought to be trust related total \$330,998.31.
  
9. Accounting period 03/19/15 to 12/31/15.
10. Assets on Hand at beginning of account \$632,648.07 consisting of (\$20,489.39) in cash and remaining in real and personal property.

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11. Assets on Hand at end of account \$468,673.27 consisting of \$457,263.27 in cash and remaining in personal property.
12. Petitioner reserves her right to seek trustee's fees.
13. Petitioner paid attorneys' fees and costs totaling \$18,085.57 as authorized by the trust.
14. Need copies of bank/financial statements to support closing balances from Bank of America and JP Morgan Chase Bank NA.
15. Petitioner requests the reconstructed account, denoting the actions of Marjorie Van Deventer and Cyrus Van Deventer as Trustee and *de facto* Trustee for the period 04/07/09 to 03/18/15 be disapproved and shall be considered evidence in support of the relief requested in the pending Section 850 Petition. JTD.
16. No proposed order. Submit Order after Hearing.

**RECOMMENDATION:**

Need to clear note 14 then Court's discretion. If approved set next hearing for Accounting Review in **60 days**.

(nb)

**Future Hearing:**

07/12/18 Readiness calendar

08/06/18 Court Trial

Superior Court of Calif, County of San Bernardino

Page: 5

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 03/06/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1601110

CASE NAME: IN RE: THE HENRY R ZAHNER 1992 TRUST

**SEE ALSO 3, 4**

HEARING:

First Account and Report of CYRUS CLARKE VAN DEVENTER and  
Petition for allowance of fees filed.

COUNSEL:

CYRUS CLARKE VAN DEVENTER	(PET)...STEVE ALDACO
CYRUS CLARKE VAN DEVENTER	(RES)...STEVE ALDACO
MARY DE AVILAN	(PET)...WRIGHT KIM DOUGLAS,
THE HENRY R ZAHNER 1992 TRUST	(TRU)...
THE MARY DE AVILAN, TRUSTEE OF	(TRU)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Approve First Reconstructed Account for Former Successor Trustee (Marjorie Van Deventer-Zahner now deceased) by Respondent and Trustee, Cyrus Clarke Van Deventer ["Petitioner"-stepson to deceased former trustee Marjorie].

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

1. Petition indicates there is a case in Riverside County, Case Number MCP1500599, wherein, Mary de Avilan was appointed administrator of Marjorie's Estate.
2. Accounting period 04/07/09 to 12/31/15 [6.8 years].
3. Petitioner alleges as he did not have access to the Trust while his step-mother was Trustee and because he only dealt with rehabilitation of the Properties, he only has receipts provided in Exhibit C [LF, pgs. 39-213]. Petitioner indicates he is currently gathering additional information on the Marjorie S. Van Deventer Trust and shall provide an accounting thereof as soon as possible.
4. Need Notice of Hearing with proof of service to Mary Louise Zahner (Settlor's daughter); Robert L. Zahner (Settlor's son); Tufts University, School of Dental Medicine; and counsel for Mary de Avilan.
5. This accounting does not appear to be a true and complete accounting of the trust and should be deemed in the nature of a status report. There is insufficient

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information and known defects that should preclude the Court from approving this accounting period.

6. No proposed order. Submit Order after Hearing.

**RECOMMENDATION:**

Require notice then need proper accounting to be set on first check calendar no sooner than **04/24/18**. Any account to be filed 30 days' before hearing. Note requirements of Local Rules.

(nb)

Future Hearing:

07/12/18 Readiness calendar

08/06/18 Court Trial



Superior Court of Calif, County of San Bernardino

Page: 6

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

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DATE: 03/06/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700621

CASE NAME: HYL A MARROW

HEARING:

Petition for PROBATE OF WILL AND FOR LETTERS TESTAMENTARY W/FULL  
IAEA

COUNSEL:

HR TOPALIAN (PET)...JILL BROUSARD  
HYLA MARROW (DEC)...

GENERAL INFORMATION

**Continued from 09/19/17, 12/05/17 and 01/09/18 at request of counsel.**

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by H.R. Topalian, Executor

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

1. Will waives bond. Estate value consists of \$160,000 in personal property.
2. Duties and liabilities filed, however, the telephone number for the proposed personal representative is missing. Need same.
3. The will conditionally incorporates decedent's Trust. **Copy of trust received.**
4. Proof of publication filed.
5. **Notice does not include beneficiaries of trust. Need proper service per Pr. C. §1208.**
6. Proposed order not submitted.

RECOMMENDATION

Need proper service then Court's discretion re bond. If approved, set Accounting/Status Review for **05/16/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs/nb)

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

Superior Court of Calif, County of San Bernardino  
Page: 7  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 03/06/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700730

CASE NAME: MARK S OBERLY

**SEE ALSO 8, 9, 10**

HEARING:

Hearing Re: PETITION FOR LETTERS OF SPECIAL ADMINISTRATION

COUNSEL:

DANIEL OBERLY SR	(OBJ)(PET)...R. STEVEN DERRYBERRY
MARK S OBERLY	(DEC)...
SHANNON KELLY ORTEGA	(PET)... KRING & CHUNG

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Special Administration with general powers by purported spouse, Shannon Kelly Ortega ["Petitioner"].

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

1. Section 1 to petition re publication is incomplete. Need verified supplement.
2. Petitioner requests a bond to be determined on estate valued at \$1,015,000.00. Suggest bond of \$1,015,000.00. JTD.
3. Petitioner submits this petition for Special Appointment to "protect the Estate"; claims to be the most suited to be the administrator of the Estate; and alleges she is the sole beneficiary of the Estate.

RECOMMENDATION:

Court's discretion

(nb)

Future Hearing:

11/08/18 Readiness calendar

11/08/18 Petition for letters of administration with etc.

12/10/18 Court Trial

12/11/18 Court Trial

12/12/18 Court Trial

12/13/18 Court Trial

12/14/18 Court Trial

Superior Court of Calif, County of San Bernardino

Page: 8

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 03/06/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1700730

CASE NAME: MARK S OBERLY

**SEE ALSO 7, 9, 10**

HEARING:

Hearing Re: OBJECTIONS FILED BY DANIEL OBERLY, SR on 12/01/17

COUNSEL:

DANIEL OBERLY SR	(OBJ)...R. STEVEN DERRYBERRY
DANIEL OBERLY SR	(PET)...R. STEVEN DERRYBERRY
MARK S OBERLY	(DEC)...
SHANNON KELLY ORTEGA	(PET)... KRING & CHUNG

See matter #10

(nb)

Future Hearing:

11/08/18 Readiness calendar

11/08/18 Petition for letters of administration with etc.

12/10/18 Court Trial

12/11/18 Court Trial

12/12/18 Court Trial

12/13/18 Court Trial

12/14/18 Court Trial

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Superior Court of Calif, County of San Bernardino

Page: 9

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 03/06/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700730

CASE NAME: MARK S OBERLY

**SEE ALSO 7, 8, 10**

HEARING:

Hearing Re: PETITION FOR LETTERS OF SPECIAL ADMIN W/GEN PWRS

COUNSEL:

DANIEL OBERLY SR	(OBJ)...R. STEVEN DERRYBERRY
DANIEL OBERLY SR	(PET)...R. STEVEN DERRYBERRY
MARK S OBERLY	(DEC)...
SHANNON KELLY ORTEGA	(PET)... KRING & CHUNG

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Special Administration with general powers by brother, Daniel Oberly, Sr. ["Petitioner"].

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

1. Section 1 to petition re publication is incomplete. Need verified supplement.
2. Petitioner requests a \$200,000 bond to be fixed on this estate valued at \$700,000. Suggest bond of \$700,000. JTD.
3. Petitioner is seeking appointment as Special Administrator to conduct an investigation to determine what assets the decedent owned; to contact and deal with third parties that might have assets belonging to the decedent and to collect and take possession of assets that remain in the decedent's name. Petitioner further seeks appointment to preserve the assets of the decedent that are now known and to prevent waste of the assets. Again, petitioner seeks appointment to protect the Estate from Mrs. Ortega's misconduct and to stop all use of decedent's assets for her own personal enjoyment.
4. Petitioner specifically requests the powers to collect and preserve all the goods, chattels and receivables of the decedent, and all incomes, rents, issues, profits, claims and demands of the estate; take charge, insure and manage the real property and enter upon it to preserve it from damage, waste and injury, including the power to commence and maintain legal proceedings to remove unauthorized occupants from the real property, i.e. occupants without legal right

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to maintain possession of said property; and the power to close accounts and pay debts of the decedent.

5. **Objections and supporting declaration filed 01/17/18 by Shannon Kelly Ortega.**

RECOMMENDATION:

Need to clear note 1 then Court's discretion  
(nb)

Future Hearing:

11/08/18 Readiness calendar

11/08/18 Petition for letters of administration with etc.

12/10/18 Court Trial

12/11/18 Court Trial

12/12/18 Court Trial

12/13/18 Court Trial

12/14/18 Court Trial

Superior Court of Calif, County of San Bernardino  
Page: 10  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

-----  
DATE: 03/06/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700730

CASE NAME: MARK S OBERLY

**SEE ALSO 7, 8, 9**

HEARING:

Petition for LETTERS OF ADMINISTRATION W/ FULL IAEA

COUNSEL:

DANIEL OBERLY SR	(OBJ)...R. STEVEN DERRYBERRY
DANIEL OBERLY SR	(PET)...R. STEVEN DERRYBERRY
MARK S OBERLY	(DEC)...
SHANNON KELLY ORTEGA	(PET)... KRING & CHUNG

GENERAL INFORMATION:

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

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Shannon Kelly Ortega ["Petitioner"].

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

1. Petitioner requests bond to be determined. Suggest bond of \$1,015,000.00. 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. Section 3g(2), 3h(3) or (4) to petition [LF, p.3] are incomplete. Need verified supplement.
3. **Objections filed 12/01/17 by Daniel Oberly, Sr.**
4. ~Proposed Form Order 08/22/17

RECOMMENDATION:

Need to clear note 2 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **05/14/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(nb)

Future Hearing:

11/08/18 Readiness calendar

11/08/18 Petition for letters of administration with etc.

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12/10/18 Court Trial  
12/11/18 Court Trial  
12/12/18 Court Trial  
12/13/18 Court Trial  
12/14/18 Court Trial

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

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

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DATE: 03/06/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700813

CASE NAME: SHIRLEY A. BOWMAN

HEARING:

Hearing re: Petition for Letters of Administration w/WA W/Full  
Authority under IAEA.

COUNSEL:

MICHELE BOWMAN (PET)...LINDA ROBERTS ROSS  
SHIRLEY A. BOWMAN (DEC)...

GENERAL INFORMATION:

**Continued from 11/28/17 and 01/09/18 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Petition of Lost Will for Letters of Administration WWA with full authority under IAEA by Michele Bowman ["Petitioner"-daughter].

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

1. Declaration re: Lost Will is not filed. 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. **Declaration re: Lost Will filed. Petitioner alleges she has been unable to locate decedent's original Will dated 02/19/14. Petitioner obtained a copy of the Will from the drafting attorney's office and states the provisions of the will are consistent with Decedent's last stated intentions as to how she wanted her estate distributed. The residual estate passes to decedent's children in the manner also provided for by intestate succession.**
2. Will waives bond. Estimated estate \$224,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. §8481(c).
3. Proof of publication filed.
4. ~Proposed Form Order/Letters 08/11/17



**RECOMMENDATION:**

Court's discretion. If approved, set future hearing for Accounting Review on **05/14/19**. Any account to be filed 30 days' in advance. Note requirements of Local Rule 20-908.  
(nb)

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Superior Court of Calif, County of San Bernardino

Page: 12

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 03/06/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1700963

CASE NAME: RAMONA ELAISA HERRERA

HEARING:

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

COUNSEL:

JOSEPH A HERRERA

(PET)... JOSEPH M HOATS

RAMONA ELAISA HERRERA

(DEC)...

GENERAL INFORMATION:

**Continued from 01/09/18 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by son, Joseph A. Herrera ["Petitioner"].

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

1. Petition alleges all heirs waive bond. However, need bond waiver by Rocco Piantedosi, issue of predeceased daughter. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(c). Alternatively, suggest bond of \$335,000. JTD.
2. Need proof of publication.
3. ~Proposed Form Order/Letters 10/06/17.

RECOMMENDATION:

Need to clear notes 1- 2 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **05/14/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 13

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 03/06/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1800091

CASE NAME: MTR OF WILLIAM ELTON BEAMON

HEARING:

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

COUNSEL:

LINDA SAUNDERS STALLINGS      (PET)...E. MARIE HENNING  
WILLIAM ELTON BEAMON              (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full  
authority under IAEA by niece, Linda Saunders Stallings ["Petitioner"].

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

1. Non-resident petitioner requests bond in the amount of \$245,000. Appears  
sufficient. JTD.
2. Need proof of publication.
3. ~Proposed Form Order/Letters 01/30/18.

RECOMMENDATION:

Need to clear note 2, \$245,000 bond. If approved, set future hearing for  
Accounting/Status Review on **05/14/19**. Any account to be filed 30 days in advance of  
hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 14

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

-----  
DATE: 03/06/18      TIME: 8:35      DEPT: S35P  
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CASE#: PRO PS0800273

CASE NAME: ANA ISABEL COLINDRES SPECIAL NEEDS TRUST

HEARING:

PETITION FOR APPROVAL OF EIGHTH Account and Report of CITIZENS  
BUSINESS BANK and Petition for allowance of fees filed.

COUNSEL:

ANA ISABEL COLINDRES S.NEEDS T(TRU)...

CITIZENS BUSINESS BANK

(PET)...BARRY & BARRY

CITIZENS BUSINESS BANK

(PET)...ELIZABETH MCDONOUGH

DONNASUE SMITH ORTIZ

(PET)...DONNASUE ORTIZ

PFF BANK & TRUST

(PET)...ALTHOUSE & MCDONOUGH

**XREF: RGRS01108** (Ana Isabel Colindres)

**CONPS1300281** (Ana Isabel Colindres)

Images not available in Laserfiche. Clerk's office notified.

(nb)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSRVATORSHIPS**

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DATE: 03/06/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON DS1000092

CASE NAME: Jennifer Sue Vieyra

HEARING:

SECOND AND FINAL Account and Report of JOHN B VIEYRA, ANTHONY W VIEYRA, MARGARET (PEGGY) HARMON and Petition for allowance of fees filed.

COUNSEL:

ANTHONY W VIEYRA	(CPE)...E. AVERY CRARY
ANTHONY W VIEYRA	(CPE)...MESERVE MUMPER & HUGHES
JENNIFER SUE VIEYRA	(CEP)...
JOHN B VIEYRA	(CTE)...E. AVERY CRARY
JOHN BENJAMIN VIEYRA	(CE )...MESERVE MUMPER & HUGHES LLP
MARGARET (PEGGY) HARMON	(CTP)...E. AVERY CRARY
MARGARET HARMON	(CPE)...MESERVE MUMPER & HUGHES

**X-REF: CIVRS 906905**

GENERAL INFORMATION:

Conservatee passed away on 06/22/17.

**Continued from 12/05/17 at request of counsel. Mark Flory relieved as counsel of record.**

THIS CASE IS SET FOR HEARING ON **AMENDED** [02/02/18] Second and Final Account and Petition for Fees by Co-Conservator of the Estate, John B. Viera and Co-Conservator of the Person and Estate, Anthony W. Viera and Co-Conservator of the Person, Margaret P. Harmon ["Petitioners"-siblings].

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

1. Accounting period 08/02/16 to **08/16/17. (pre & post-death)**
2. Assets on Hand **\$12,086.23** of which **\$989.79 is cash.**
3. Current bond of \$17,300. Petitioner requests bond to be exonerated. However, bond is not exonerated until entry of final discharge order.
4. Petitioners waive any and all compensation/fees for services rendered for the period of this account.

5. Petitioners' attorneys waive any fees from the conservatorship estate assets for services rendered to the conservatorship estate or the person of the conservatee.
6. Petitioners state the conservatee's predeceased mother, Carol Vieyra, is the named beneficiary for the conservatee's American Building Supply, Inc. 401(K) Retirement Plan XXXX52-01, Participant ID XXX9557. The Conservatee's two adult daughters, Jacquelyn M. Vieyra and Sheridan N. Viera, are her intestate heirs. The Co-Conservators request that the Court determine that this should be distributed outright in equal shares to Jacquelyn M. Vieyra and Sheridan N. Viera **so they can complete the Death Benefit Claim Request Form required by the Retirement Plan and submit it directly to American Building Supply, Inc.**
7. Petitioners request authorization to distribute assets held at JPMorgan Chase Bank, Acct. No., XXX3604, to intestate heirs, Jacquelyn M. Vieyra and Sheridan N. Viera, outright in equal shares. **Pr. C. § 13100 petition affixed to supplement filed 02/02/18 [LF, pgs. 44-45]. JTD.**
8. **Petitioners request discharge as to conservators of the person and estate. However, discharge does not occur until entry of a final discharge order.**
9. Proposed Order 02/02/18 discharges all co-conservators; exonerates bond; and does not include account periods.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge for **03/12/19.**

(nb)

Superior Court of Calif, County of San Bernardino

Page: 16

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 03/06/18      TIME: 9:30      DEPT: S35P  
-----

CASE#: CON PS1500292

CASE NAME: SARA M KUNST

HEARING:

Accounting Review

COUNSEL:

JAMES KUNST

(PET)...VALERIE ROSS

SARA M KUNST

(CEE)...

#### GENERAL INFORMATION

Conservatee died on 12/05/16.

Continued from **05/23/17 and 09/12/17**. Counsel states no assets were marshalled; court requires a verified statement that no assets were marshalled with a request that no accounting is required. Counsel to prepare verified statement with proposed order.

**Continued from 11/28/17 at request of counsel to file accounting. Court sets deadline for the filing of the accounting for 01/30/18. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. James Kunst, son, appointed conservator of the person and estate on 08/31/16, \$38,000 bond posted 11/17/16; order and letters not signed/issued.
2. Question whether any assets were marshaled as to require an accounting? If no assets were marshaled, suggest Court require a verified statement that no assets were marshaled, in which case an accounting will not be necessary. Alternatively, require pre-death and post-death accountings per Pr. C. §2620(b).

#### RECOMMENDATION

Need verified statement.

(lh/nb)

Superior Court of Calif, County of San Bernardino

Page: 17

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 03/06/18      TIME: 9:30      DEPT: S35P  
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CASE#: CON PS1700112

CASE NAME: EDWARD URBINA DIAZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of ANGELA DIAZ

COUNSEL:

ANGELA DIAZ	(PET)...PRO/PER
EDWARD URBINA DIAZ	(CEE)...CRAIG M PARKER
ROMAN URBINA GARCIA	(PET)...PRO/PER

GENERAL INFORMATION

**Continued from 01/10/18 at request of conservators.**

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Angela Diaz appointed Conservator of the person on 06/07/17.
2. Notification of Conservatee's Rights and Appropriate Level of Care **filed**.
3. **Need** Care Plan in accord with Pr. C. §2352.5.

RECOMMENDATION

Inquire status.

(lh/nb)



Superior Court of Calif, County of San Bernardino

Page: 18

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 03/06/18      TIME: 9:30      DEPT: S35P  
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CASE#: CON PS1700222

CASE NAME: EDGARDO CONTRERAS TORRES

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of EDDIE OROZCO TORRES

COUNSEL:

EDDIE OROZCO TORRES  
EDGARDO CONTRERAS TORRES

(PET)...PRO/PER  
(CEE)...SHERRI L KASTILAHN

GENERAL INFORMATION

Order Appointing Eddie Orozco Torres Limited Conservator of the person entered  
08/01/17, no bond.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

- 1      Notification of Conservatee's Rights filed.
- 2      Need Statement of Care Plan in accord with Pr.C.§2352.5.
- 3      Need a Determination of Conservatee's Appropriate Level of Care per Pr.C.  
§2352.5 (form GC-355).

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 19

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 03/06/18      TIME: 9:30      DEPT: S35P  
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CASE#: CON PS1700230

CASE NAME: BEULAH MAE TOLLIVER

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of CARLA RAE TOLLIVER

COUNSEL:

BEULAH MAE TOLLIVER      (CTP)...

CARLA RAE TOLLIVER      (CP )...

GENERAL INFORMATION

Order Appointing Carla Rae Tolliver Conservator of the person entered 08/01/17, no bond.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

- 1      Need proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's Rights per Pr.C. §1830(c).
- 2      **Care Plan and Determination of Conservatee's Appropriate Level of Care filed.**

RECOMMENDATION:

Need to clear note 1. Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 20

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 03/06/18      TIME: 9:30      DEPT: S35P  
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CASE#: CON PS1700320

CASE NAME: MTR OF ROY O GONCE

HEARING:

Petition for order fixing compensation & authorizing payment of attys fees

COUNSEL:

BECKY S BOMAN

(CPE)...SUZANNE M GRAVES

ROY O GONCE

(CEP)...CRAIG M PARKER

GENERAL INFORMATION:

Conservatee passed away on 12/20/17.

THIS CASE IS SET FOR HEARING ON Petition for Fees and Compensation by Court-Appointed Counsel, Craig M. Parker ["Petitioner"].

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

- 1      Petitioner was appointed on 09/08/17. Petitioner alleges that services have been rendered for which counsel has not been compensated for the period 09/2017 to 12/20/17.
- 2      Attorney requests fees of \$3,202.50. Billed at \$350/hour for 9.15 hours' attorney time. Itemized [LF, pg. 7]. JTD.
- 3      No final inventory and appraisal.
- 4      Petitioner requests the Conservator of the Person and Estate, Becky S. Boman, be authorized to pay requested fees.
- 5      ~Proposed Order 01/10/18.

RECOMMENDATION:

Court's discretion.

(nb)

Future Hearing:

12/31/18 Accounting Review - **VACATE** and re-set in 60 days for 1<sup>st</sup> & final accounting to include pre and post-death account periods.

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

Superior Court of Calif, County of San Bernardino

Page: 21

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

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DATE: 03/06/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700431

CASE NAME: ELDON LAWRENCE DAVIS  
HEARING:  
Petition for Appointment of Conservator

COUNSEL:

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

GENERAL INFORMATION

**Continued from 01/02/18. No appearance.**

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

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

- 1 No bond – person only.
- 2 Petitioner seeks medical powers. Medical Capacity Declaration filed.
- 3 Petitioner requests dementia powers; need report by court-appointed counsel, Sherri Kastilahn.
- 4 **Court Investigator's Report filed.**
- 5 **Citation returned served.**
- 6 **Certificate of Completion re Conservatorship Class filed.**
- 7 **Notice of Hearing filed 01/10/18 does not include Veterans Administration. Need proper service.**
  - a. **Due Diligence Declaration filed as to granddaughters, Laterry and Dealawanna. JTD.**
- 8 ~Proposed Form Order/Letters 11/28/17.

RECOMMENDATION:

Need to clear notes 3 & 7 then Court's discretion. If approved, set hearing for Compliance Review for **10/09/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(nb)

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

Superior Court of Calif, County of San Bernardino

Page: 22

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 03/06/18      TIME: 9:30      DEPT: S35P  
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CASE#: CON PS1800020

CASE NAME: KAYLEE S CHINCHAY

HEARING:

Petition for Appointment of Conservator

COUNSEL:

KAYLEE S CHINCHAY

(CTP)...

LUIS H CHINCHAY

(PET)...PRO/PER

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person by father, Luis H. Chinchay ["Petitioner"].

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

1. No bond – person only.
2. Petitioner seeks medical powers. Medical Capacity filed.
- 3. Court Investigator's Report filed.**
- 4. Citation returned served.**
5. Certification of Conservatorship Class filed
6. Powers under Pr. C. §§ 2351-2358 sought regarding making exclusive health or medical treatment and care decisions for proposed conservatee; to have the care, custody, and control of, and has charge of the education of the conservatee.
7. ~Proposed Form Order/Letters 01/24/18.

#### RECOMMENDATION:

Court's discretion. If approved, set hearing for Compliance Review for **10/09/18** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C. §1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C. §2352.5 (form GC-355); and Care Plan per Pr.C. §2352.5.

(nb)

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

Superior Court of Calif, County of San Bernardino

Page: 23

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 03/06/18      TIME: 9:30      DEPT: S35P  
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CASE#: SC SS01183

CASE NAME: IN THE MATTER OF JOSHUA J ROBINSON

HEARING:

Petition for attorney's fees

COUNSEL:

JOSHUA J ROBINSON	(CEP)...MARK J. ANDREW FLORY
LUCILLE WILKES	(CPE)...CRAIG M PARKER
LUCILLE WILKES-GARVIN	(CPE)...CRAIG M PARKER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Fees and Compensation by Court-Appointed Counsel, Mark J. Andrew Flory ["Petitioner"].

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

1. Petitioner was appointed on 12/19/14. Petitioner alleges that services have been rendered for which counsel has not been compensated.
2. Attorney requests fees of \$3,130.50. Billed at \$250-\$350/hour for 11.20 hours' attorney time and \$95-\$105/hour for 6.50 hours' paralegal time. Itemized [LF, pgs. 7-9]. JTD.
3. Petitioner requests authorization and direction to the Conservator of the Estate to pay requested sum.
4. Proposed Order 01/23/18 does not have 3 lines of content and includes trustee of conservatee's trust which is not prayed for in petition.

RECOMMENDATION:

Court's discretion.

(nb)

Future Hearing:

04/17/18 Tenth account and report etc.

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

Superior Court of Calif, County of San Bernardino  
Page: 24  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT **PA**

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DATE: 03/06/18 TIME: 10:00 DEPT: S35P  
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CASE#: PRO PS0800976

CASE NAME: KATE KATHLEEN BIRGERS

HEARING:

FIRST AND FINAL Account and Report of PUBLIC ADMINISTRATOR and  
Petition for allowance of fees filed.

COUNSEL:

BRAILLE INSTITUTE OF AMERICA,	(PRO/PER
KARIN E HORSPOOL	(TP )...KARIN E HORSPOOL
KATE KATHLEEN BIRGERS	(DEC)...
PUBLIC ADMINISTRATOR	(PET)...CRAIG M PARKER
SANDRA LINDER-MUNOZ	(PET)...

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

GENERAL INFORMATION:

Continued from **09/05/17**. Court enters order surcharging the bond of the former administrator in the amount of \$20,000.

**Continued from 11/14/17 at request of Craig Parker.**

THIS CASE IS SET FOR HEARING ON First and Final Account; Petition for Fees; and for Surcharge of Bond of prior Administrator by Successor Administrator, Public Guardian ["Petitioner"].

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

1. Accounting period 04/26/08 to 04/24/17.
2. Assets on Hand \$874.49 in cash.
3. Statutory fees of \$280.01 requested. Calculated.
4. Petitioner requests extraordinary fees of \$480 for services rendered in connection with the sale of real property. Billed at \$60/hour for a total of 8 hours' time. Generally described [LF, p. 24]. JTD.
5. Attorney requests extraordinary fees of \$630 for services rendered in connection with the sale of real property. Billed at \$350/hour for a total of 1.8 hours' attorney time. Itemized [LF, p. 26].

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

6. Petitioner indicates as the Estate is insolvent and there are insufficient funds to pay all of the commissions and fees, both ordinary and extraordinary, said remaining funds will be distributed proportionately between Petitioner and Petitioner's Attorney.
7. Petitioner requests authority to withhold the sum of \$500 as a reserve. JTD.
8. Petition alleges prior Administrator, Sandra Linder-Munoz, allowed decedent's real property located in Yucca Valley, to be lost to foreclosure. Petitioner requests that the Court enter an Order surcharging the bond of the former Administrator in the amount of \$20,000. JTD.
9. ~Proposed Orders 06/07/17

**RECOMMENDATION:**

Court's discretion. If approved, set next hearing for receipts and final discharge for **03/12/19.**

(nb)



Superior Court of Calif, County of San Bernardino

Page: 25

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 03/06/18      TIME: 10:00      DEPT: S35P  
-----

CASE#: PRO PS1300856

CASE NAME: Ralph L Church

HEARING:

Accounting Review

COUNSEL:

HAROLD ULRICH

(PET)...FUERZA LEGAL

HAROLD ULRICH

(PET)...PRO/PER

PAMELA HARRIS

(PET)...ROBERT J SPITZ

RALPH L CHURCH

(DEC)...

SAN BERNARDINO COUNTY PUBLIC A (PET)...CRAIG M PARKER

**CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN, case reassigned to Judge TARA REILLY for all purposes.**

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review by Successor Administrator, Public Administrator.

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

1. Order on Report of Status of Administration entered 02/28/17; accounting now due.
2. No accounting or updated status report.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 26

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

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DATE: 03/06/18 TIME: 10:00 DEPT: S35P  
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CASE#: PRO PS1400815

CASE NAME: MARIA C ACEVEDO

HEARING:

(AMENDED) FINAL Account and Report of MIGUEL BARRIOS ACEVEDO and  
Petition for allowance of fees filed.

COUNSEL:

MARIA C ACEVEDO (DEC)...  
MIGUEL BARRIOS ACEVEDO (PET)...PRO/PER

Waiver of Court Fees and Costs filed by MIGUEL BARRIOS ACEVEDO is GRANTED **FILING FEES 2014-2016 TOTAL \$930.00**

#### GENERAL INFORMATION

Previous accountings continued from **05/09/16, 07/18/16, 10/17/16 and 03/15/17.**

Parties are urged to consult with counsel.

Continued from **05/18/17.** The Court orders Cesar Acevedo to deed the property back to the estate. Referred to Public Administrator.

Continued from **05/30/17.** Court orders Cesar Acevedo to bring the proof of the deed being recorded in the name of the estate. If this is not done, the court will hold Cesar Acevedo in contempt of court and sanctions \$500. Court directs the clerks' office to notify the Public Administrator of possible appointment.

Continued from **08/08/17** at request of counsel to file accounting. Walter Moore files a copy of the recorded deed with the court.

**Continued from 11/14/17 at request of counsel. Oral report given by Craig Parker.**

THIS CASE IS SET FOR HEARING ON **Amended (03/13/17)** Final Account and Report by Miguel Acevedo, spouse.

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

1. Petitioner waives statutory compensation.
2. Amended accounting is not verified per Pr.C. § 1021. Need same.
3. Petitioner requests accountings be waived. Petitioner provides bond waivers; however, need waivers of account by all heirs: Cesar, Miguel, Yvette and Elizabeth Acevedo.

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

4. Petitioner appears to have distributed the real property to Cesar Acevedo, son. However, petitioner had no authority to distribute the real property to anyone without a court order. [Supp. 04/19 LFpg 4]. There also appears to be 3 other children and no assignments of interest. Court to may wish to direct petitioner to transfer the real property back to the estate. **Proof of deed recorded in the name of the estate filed 08/08/17.**
5. Proposed distribution excludes petitioner and the other 3 children. See note 4.
6. Need residual distribution clause.
7. No statement regarding Creditor's Claims. Seven (7) Creditor's Claims filed.
8. Need statement regarding debts being paid.
9. Need statement regarding character of estate property, sole and separate etc.
10. Need notice to Franchise Tax Board. Notice not attached to supplement.
11. Need Notice of Hearing as to amended accounting.
12. Proposed Order 10/14/16 and 1/04/17 are incomplete and do not comply with Local Rule 20-614.

**RECOMMENDATION:**

Need amended account with proper full report to be set on first check calendar no sooner than **04/17/18**. Petitioner may wish to seek legal advice.

(/lc/nb)

Superior Court of Calif, County of San Bernardino

Page: 27

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

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DATE: 03/06/18 TIME: 10:00 DEPT: S35P  
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CASE#: PRO PS1500816

CASE NAME: MARTHA MARY BARBEE

HEARING:

First and Final Account and Report of PUBLIC ADMINISTRATOR and  
Petition for allowance of fees filed.

COUNSEL:

LYDIA WINZ-BYONE	(OBJ)...PRO/PER
MARTHA JO WILKINS-PADILLA	(PET)...PRO/PER
MARTHA MARY BARBEE	(DEC)...
PUBLIC ADMINISTRATOR	(PET)...CRAIG M PARKER

Request for Waiver of Court Fees and Costs filed by MARTHA JO WILKINS-PADILLA is GRANTED  
Fee waiver amount due \$465.00 for petition for letters of administration on 08/31/15

Request for Waiver of Court Fees and Costs filed by LYDIA WINZ-BYONE is GRANTED  
Fee waiver amount due \$435.00 for objection to petition for probate on 12/01/15

PA fees waived for the amount of \$1169.50  
\$25.50 for cert copy of the letters on 02/05/16  
\$525.00 for ex-parte ptn for temp. restraining order on 04/18/16  
spr  
\$52.00 for 2 cert copies of the order on 04/19/16  
\$102.00 for certified copies on 05/31/16  
\$465.00 for first and final on 11/14/17

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees  
by Administrator w/WA, Public Administrator ["Petitioner"].

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

1. Accounting period 06/02/15 to 10/27/17.
2. Assets on Hand \$32,222.25 consisting of cash.
3. Statutory fees of \$3,828.30 requested. Calculated.
4. Petitioner requests extraordinary fees of \$480 for services rendered in  
connection with the sale of real property. Billed at \$60/hour for a total of 8  
hours' time. Generally described [LF, p. 27]. JTD.

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

5. Attorney requests extraordinary fees of \$2,922.50 for services rendered in connection with the sale of real property. Billed at \$350/hour for a total of 8.35 hours' attorney time. Itemized [LF, p. 29]. JTD.
6. Petitioner requests authority to withhold the sum of \$5,000 as a reserve. JTD.
7. Fees previously waived. Does Court wish to reconsider waiver of fees? JTD.
8. ~Proposed Order 02/22/18.

**RECOMMENDATION:**

Court's discretion. If approved, set next hearing for receipts and final discharge for **03/12/19**.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 28

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

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DATE: 03/06/18 TIME: 10:00 DEPT: S35P  
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CASE#: PRO PS1700118

CASE NAME: DANIEL NAGY

HEARING:

first and final Account and Report of PUBLIC ADMINISTRATOR and  
Petition for allowance of fees filed.

COUNSEL:

DANIEL NAGY (DEC)...  
PUBLIC ADMINISTRATOR (PET)...C/O PUBLIC ADMINISTRATOR

**X-REF: CONPS 1200205**

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Amended (11/14/17) First and Final Account and Petition for Fees by Administrator, Public Administrator ["Petitioner"].

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

1. Accounting period 03/04/15 to 09/20/17.
2. Assets on Hand \$264,431.52 consisting of \$264,001.79 in cash and remaining in personal property.
3. Statutory fees of \$8,299.99 requested. Calculated.
4. Petitioner requests authority to withhold the sum of \$6,000 as a reserve. JTD.
5. Fees previously waived. Does Court wish to reconsider waiver of fees? JTD.
6. ~Proposed Order 11/14/17.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge for **03/12/19**.

(nb)

(nb)

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

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

Superior Court of Calif, County of San Bernardino

Page: 29

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

-----  
DATE: 03/06/18 TIME: 10:00 DEPT: S35P  
-----

CASE#: SPR SS06771

CASE NAME: VERNICE OWENS INDIVIDUAL TRUST

HEARING:

FIRST AND FINAL Account and Report of ZOANNE MARTZ and Petition  
for allowance of fees filed.

COUNSEL:

LAWRENCE R OWENS	(TEE)...PRO/PER
SAN BERNARDINO COUNTY PUBLIC P	(PET)...CRAIG M PARKER
ZOANNE MARTZ	(PET)...HARTNELL LAW GROUP
ZOANNE MARTZ	(PET)...JACK B OSBORN

GENERAL INFORMATION

**Continued from 01/04/18 at request of counsel.**

THIS CASE SET FOR HEARING ON Final Account and Report of Prior 2<sup>nd</sup> Successor  
Trustee, Zoanne Martz, by Bryan Hartnell.

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

1. Accounting period 06/11/11 – 06/14/17.
2. Assets on hand \$0.
3. Assets of \$48,000, parcels of property, were allegedly distributed to 3<sup>rd</sup>  
Successor Trustee; Public Administrator.
4. Prior Trustee Zoanne was removed on 04/22/16.
5. Petitioner/Attorney Hartnell seeks fees of \$58,829.70 for 263.30 hours at  
\$25/425 per hour for paralegal and attorney services. There are no liquid  
assets in the Trust. JTD
6. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion. ***If Trust is deemed court supervised, need Accounting review for  
Public Administrator.*** Otherwise no future dates need.

(lc/nb)

Future Hearing:

04/03/18 First and final account and report by Public Administrator etc.

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



Superior Court of Calif, County of San Bernardino

Page: 30

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**MISC**

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DATE: 03/06/18      TIME: 1:30      DEPT: S35P  
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CASE#: PRO PS1600862

CASE NAME: MTR OF IONA FAYE McKNIGHT JAMES

**VACATED**

HEARING:

Hearing Re: COURT TRIAL (SECOND DAY OF TRIAL)

COUNSEL:

IONA FAYE MCKNIGHT JAMES	(DEC)...
PATRICIA A BROWN	(PET)...PRO/PER
SAULETA JAMES	(OBJ)...GUAGENTI & DAMSKY
SAULETA JAMES	(PET)...GUAGENTI & DAMSKY

Future Hearing:

03/07/18 Court Trial

03/08/18 Court Trial

03/09/18 Court Trial

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**PROBATE**

-----  
DATE: 03/06/18      TIME: 8:30      DEPT: S36P  
-----

CASE#: PRO PS1401134

CASE NAME: Celia A Ramirez

**SEE ALSO 2, 3**

HEARING:

Hearing Re: REMOVAL OF ADMINISTRATOR

COUNSEL:

CELIA A RAMIREZ	(DEC)...
DEPARTMENT OF HEALTH CARE SERV	(PRO/PER
ERIC B RAMIREZ	(PET)... LINDA ROBERTS-R
ESTHER M DAVID	(PET)...HARTNELL LAW GROUP
ESTHER M DAVID	(TP )...HARTNELL LAW GROUP

#### GENERAL INFORMATION

Continued from **09/19/16 and 11/28/16**. Court orders an accounting to be filed 12/21/16. Court orders that all monies be placed into a blocked account. All temporary orders to remain.

Continued from **02/06/17 and 04/10/17**. Counsel represent all parties agree to the listing of property for sale. Counsel is to communicate regarding approval of sale.

Continued from 06/26/17 Proof of blocked account has not been filed. Copy of check and proof it was placed into blocked account must be filed by 06/28/17 or administrator will be removed.

**Continued from 09/18/17** to hearing pending matters.

**Continued from 10/12/17**. An oral motion was made to reinstate Eric Ramirez.

**Continued from 01/10/18 and 01/31/18**.

THIS CASE SET FOR HEARING ON Petition for Removal of Administrator (Eric Ramirez) by Esther M. David, daughter Pr.C. §§ 850, 859, 8500, 8540.

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

1. Letters Testamentary issued to Eric Ramirez on 6/27/16, no bond. (Order appointing was granted 8/21/15.) Eric Ramirez suspended on 08/01/16 and Letters of Special Administration were issued to Esther David, daughter, \$20,000 bond.

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

2. Petitioner, Esther David, is seeking removal of executor Eric Ramirez. Petitioner alleges that Eric has wrongfully taken, concealed and disposed of property in the estate. Petitioner additionally cites Pr.C. § 859 that Eric be twice liable for assets taken. Grant deed attached to petition showing real property was transferred by Eric as executor to himself [LFpg8].
3. Waiver of Notice filed 11/14/16 by Sylvia Vizcarra, and Jose Juan Ramirez on 11/21/16.
4. Order Voiding Grant Deed 02/06/17.
5. Proof of blocked account filed on 08/22/17.
6. **Objections filed 11/21/16 by suspended administrator, Eric Ramirez.**
7. **Declaration of Juan Ramirez in support of Objections by Eric Ramirez filed on 01/26/17.**

#### RECOMMENDATION

Matter is contested.

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

Superior Court of Calif, County of San Bernardino

Page: 2

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

-----  
DATE: 03/06/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1401134

CASE NAME: Celia A Ramirez

**SEE ALSO 1, 3**

HEARING:

Petition for PROBATE OF WILL AND FOR LETTERS OF  
ADMINISTRATION WITH WILL ANNEXED

COUNSEL:

CELIA A RAMIREZ	(DEC)...
DEPARTMENT OF HEALTH CARE SERV	(PRO/PER
ERIC B RAMIREZ	(PET)... LINDA ROBERTS-R
ESTHER M DAVID	(PET)...HARTNELL LAW GROUP
ESTHER M DAVID	(TP )...HARTNELL LAW GROUP

#### GENERAL INFORMATION

Continued from **11/28/16**.

Ex parte hearing on **01/11/17** for Authority to Administer under IAEA was heard and taken off calendar. Partial settlement was reached at mediation and parties agreed to sell the real property. Counsel to prepare order.

Continued from 02/06/17 and 04/10/17. The Court addresses probate note #2 on the record.

Continued from **06/26/17, 09/18/17, 10/18/17**.

Continued from **01/10/18** at request of parties and request for mediation to be set.

**Continued from 01/31/18.**

THIS CASE SET FOR HEARING ON Petition for Probate, **Successor** Letters of Administration WWA with Full Authority under IAEA **by Esther David, daughter.**

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

1. Temporary Letters issued 01/09/17 to petitioner Esther David, daughter.
2. Petitioner Esther David requests no bond and all proceeds of sale to be placed into blocked account. There does not appear to be personal property.
3. **Need** proof of publication.
4. Does Court wish to require the Order on partial settlement that was reached on 01/11/17?
5. ~Proposed Form Order: 07/27/16.

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

## RECOMMENDATION

Need to clear note 3. Prior administrator needs to be removed prior to granting this petition. If approved, set Accounting/Status Review for **05/16/19**. Any account to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

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

Superior Court of Calif, County of San Bernardino  
Page: 3  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 03/06/18 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1401134

CASE NAME: Celia A Ramirez

**SEE ALSO 1, 2**

HEARING:  
Accounting Review

COUNSEL:

CELIA A RAMIREZ	(DEC)...
DEPARTMENT OF HEALTH CARE SERV	(PRO/PER
ERIC B RAMIREZ	(PET)... LINDA ROBERTS-R
ESTHER M DAVID	(PET)...HARTNELL LAW GROUP
ESTHER M DAVID	(TP )...HARTNELL LAW GROUP

GENERAL INFORMATION

Continued from **6/21/16** for Eric Ramirez, son, to appear.

On **8/1/16** Eric Ramirez, suspended and Esther David, daughter appointed Special Administrator with authority to file an 850 petition and marshal assets.

**Continued from 08/31/16, 09/19/16, 11/28/16, 02/06/17, 04/10/17 and 06/26/17, 09/18/17, and 10/12/17.**

**Continued from 01/10/18 and 01/31/18.**

THIS CASE IS SET FOR HEARING ON Accounting/Status Review (re Eric Ramirez)

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

1. Letters Testamentary issued to Eric Ramirez, son, on 6/27/16, no bond. (Order appointing was granted 8/21/15.) However, as Eric Ramirez, is now suspended and no I&A filed. Court may wish to inquire if any assets were marshaled thus requiring an accounting.
2. Partial Inventory and Appraisal filed 02/06/17 by Eric Ramirez. **Need** a final inventory & appraisal.
3. **Need** an accounting or status report.

RECOMMENDATION:

Need to clear notes 2-3. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq.

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

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

Superior Court of Calif, County of San Bernardino

Page: 4

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 03/06/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600466

CASE NAME: BEATRICE DORETTA CHISUM

HEARING:

Accounting Review

COUNSEL:

BEATRICE LORETTA CHISUM (DEC)...

JEANNETTA LORETTA LOVE (PET)...MATTHEW SHEASBY

#### GENERAL INFORMATION

**Continued from 11/22/17 and 01/16/18. No appearance by counsel nor has an accounting been filed. Court orders counsel to be present at the next hearing. Notice by Judicial Assistant.**

THIS CASE IS SET FOR HEARING ON Accounting Review of Jeannetta Loretta Love

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

1. Letters Testamentary issued to Jeannetta Loretta Love on 09/14/16 with full authority, no bond.
2. Need final Inventory and Appraisal with supporting financial statements per Local Rule 20-908.
3. No accounting or status report of administration. Need same.

#### RECOMMENDATION

Inquire status.

(lh/nb)

Superior Court of Calif, County of San Bernardino

Page: 5

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 03/06/18      TIME: 8:30      DEPT: S36P  
-----

CASE#: PRO PS1600744

CASE NAME: MTR OF ALICE L WALL

HEARING:

Petition for stay of unlawful detainer; possession of family dwelling and exempt personal property

COUNSEL:

ALICE L WALL

(DEC)...

BILL WALL

(PET)...EDWARD G. OPERINI

JENNIFER JUNE WALL WALSTEN

(PET)...LUELLA G HAIRSTON

Currently under review by Legal Research.  
(LR)

Future Hearing:

03/28/18 First and final account and report

03/28/18 Hearing re: 1<sup>st</sup> accounting

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



Superior Court of Calif, County of San Bernardino

Page: 6

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

-----  
DATE: 03/06/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700326

CASE NAME: MTR OF PHILIP SHERIDAN HIGGINS

HEARING:

REPORT OF ADMINISTRATOR AND PTN, WAIVER OF Account and Report of  
PAUL H HIGGINS and Petition for allowance of fees filed.

COUNSEL:

PAUL H HIGGINS (PET)...LAVONNA G HAYASHI  
PHILIP SHERIDAN HIGGINS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of  
Account and for Fees by Administrator w/WA, Paul H. Higgins ["Petitioner"-brother].

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

1. All heirs waive accounting.
2. Assets on Hand \$148,703.34 consisting of cash.
3. Statutory fees of \$11,200.93 requested. Calculated.
4. Need copy of bank/financial statement to support date of death balance per  
Local Rule 20-908.
5. ~Proposed Order 01/31/18

RECOMMENDATION

Need to clear note 4 then Court's discretion. If approved, set next hearing for receipts  
and final discharge for **03/12/19**.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 7

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

-----  
DATE: 03/06/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700424

CASE NAME: MTR OF J C WILSON

HEARING:

First and Final Account and Report of JEREMIAH WILSON and  
Petition for allowance of fees filed.

COUNSEL:

J C WILSON (DEC)...  
JEREMIAH WILSON (PET)...FULLERTON LEMANN SCHAEFER & DO

GENERAL INFORMATION:

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

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

1. Section 7 re bond is incomplete on Inventory and Appraisal. Court to determine if sufficient.
2. Accounting period 10/26/15 to 11/30/17.
3. Assets on Hand \$174,012.59 consisting of cash.
4. Statutory fees of \$6,222.63. Calculated.
5. Petitioner requests authority to withhold the amount of \$2,500 as a reserve.  
JTD.
6. ~Proposed Order 01/05/18.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge for  
**03/12/19.**

(nb)

Superior Court of Calif, County of San Bernardino

Page: 8

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

-----  
DATE: 03/06/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1800086

CASE NAME: Helen Goritz

HEARING:

Hearing re: Petition for Probate, Letters Testamentary with Full Authority under IAEA.

COUNSEL:

HELEN GORITZ (DEC)...  
SPIRO GORITZ (PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA by son, Spiro Goritz ["Petitioner"].

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

1. Court address at caption is incorrect.
2. Section 3d to petition re character and estimated value of the property lists home at section 1-personal property and does not include total at section 3d(7).
3. Section 3e(1) to petition indicates will waives bond. However, will does not address bond.
4. Section 3f(3) to petition indicates the original will is lost. However, a receipt for lodging of the original will is filed.
5. Section 5b to petition is blank.
6. Section 7 to petition is marked and should be blank as issue survived decedent.
7. Will is not self-proving. Need Proof of Subscribing Witness.
8. Beneficiaries waive bond on estimated estate valued at \$200,000. However, Need Mandatory Waivers of Bond by Heir, form DE-142/DE-111, by Spiro Goritz.
9. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
10. Need proof of publication.
11. Need Notice of Petition to Administer Estate with proof of service.
12. ~Proposed Form Order/Letters 01/29/18

RECOMMENDATION:

Need amended petition to be set on first check calendar no sooner than **04/17/18**.

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

If approved, set future hearing for Accounting/Status Review on **05/14/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.  
(nb)

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

Superior Court of Calif, County of San Bernardino

Page: 8A

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 03/06/18      TIME: 8:30      DEPT: S36P  
-----

CASE#: PRO PS1800115

CASE NAME: MICHAEL DUANE STERLING

HEARING:

Spousal Property Petition hearing.

COUNSEL:

EARL ALBERT FISHER                      (PET)...PRO/PER

MICHAEL DUANE STERLING              (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON **Amended** (02/23/18) Spousal Property Petition

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

1. Petitioner requests a determination of property passing to the surviving spouse. Specifically real property at Highland, in San Bernardino County. Petitioner proffers a Declaration of Domestic Partnership filed on 01/13/00 [LF, p. 5]; a License and Certificate of Marriage [LF, p. 6] recorded on 07/09/08; and indicates he is noted as beneficiary and is the recipient of Decedent's pension benefits, retirement accounts, life insurance, motor vehicles; and all personal property.
2. Need Notice of Hearing with proof of service to decedent's siblings listed on Attachment 9.
3. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need notice then Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 9

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

-----  
DATE: 03/06/18      TIME: 8:35      DEPT: S36P  
-----

CASE#: PRO PS1700614

CASE NAME: The Juan and Aurora Acosta 2001 Living Trust

**SEE ALSO 10**

HEARING:

Motion Re: motion to strike Filed by Petitioner OLGA ACOSTA

COUNSEL:

EVELIA SANCHEZ

(OBJ)...KENNETH U REYES

OLGA ACOSTA

(PET)...ALBREKTSON & SHUMATE,

THE JUAN AND AURORA ACOSTA 200

(TRU)...

Currently under review by Legal Research.

(LR)

Superior Court of Calif, County of San Bernardino

Page: 10

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 03/06/18      TIME: 8:35      DEPT: S36P  
-----

CASE#: PRO PS1700614

CASE NAME: The Juan and Aurora Acosta 2001 Living Trust

**SEE ALSO 9**

HEARING:

Petition for Confirm Transfer of Assets to Revocable Trust

COUNSEL:

EVELIA SANCHEZ

(OBJ)...KENNETH U REYES

OLGA ACOSTA

(PET)...ALBREKTSON & SHUMATE,

THE JUAN AND AURORA ACOSTA 200

(TRU)...

Currently under review by Legal Research.

(LR)

Continued matter – notice not re-reviewed.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 10A

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 03/06/18      TIME: 8:35      DEPT: S36P  
-----

CASE#: TRU PS1800026

CASE NAME: GEORGE A. LONG JR

**VACATED**

HEARING:

Petition for CONFIRMING ASSETS ARE TRUST ASSETS, COMPELLING TRANSFER TO TRUSTEE ETC

COUNSEL:

CYNTHIA DAVIS (PET)...ZUMBRUNN LAW CORPORATION  
THE GEORGE ALONG JR. LIVING TR(TRU)...

FUTURE HEARING DATES:

04/04/18 Petition for Confirming Assets are Trust Assets, Compelling Transfer to Trustee Etc

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



Superior Court of Calif, County of San Bernardino

Page: 11

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIPS**

-----  
DATE: 03/06/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1200246

CASE NAME: MILO VERNON ELLINGER

HEARING:

FIRST Account and Report of LISA ZIEMER and Petition for allowance of fees filed.

COUNSEL:

JACK B. OSBORN	(PET)...JACK B OSBORN
LISA ZIEMER	(CPE)...JENNIFER M DANIEL
MILO VERNON ELLINGER	(CEP)...WALTER T. MOORE
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL

#### GENERAL INFORMATION

**Continued from 11/13/17 and 01/08/18 to clear notes.**

THIS CASE SET FOR HEARING ON 1<sup>st</sup> Account Current and Petition for Allowance of Fees for Successor Conservator Lisa Artinger

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

1. Accounting period 04/09/14 – 01/13/17.
2. Assets on hand \$4,473.70 cash.
3. Current bond \$24,000. Appears adequate.
4. **Conservator requests compensation of \$45,625.00. Billed at \$25/day for period 01/14/13 to 01/13/18, for an annual total of \$9,125.00. Conservator requests that all personal expenses be credited towards this total and waive any and all fees over the amount for this accounting period. Thus, Conservator waives fees over \$17,077.13; acknowledges that she has received the benefit of \$17,077.13; and therefore. The total amount waived is \$28,547.87.**
5. Attorney requests total fees of **\$20,868.50** for attorney's time billed at \$325/hour for **55.2** hours of which \$491 is for costs and for paralegal time billed at \$125/hour for 19.5 hours. Itemized [LF pgs. 29-35 & supp. filed 01/11/18, LF, p. 5]. **Question how counsel proposed to be paid as assets on hand are insufficient? JTD**

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

6. Schedule C includes various expenditures to Home Depot, Sandborn's Air Conditioning, Solar Mosaic, Inc., Mountain West, Edison, the Gas Company, Time Warner Cable, auto repairs to Palms Springs Infinity, Window tinting to Edana Window tint and Octavio Martinez, Auto Zone, O'Reillys, and AAA membership. Final Inventory and Appraisal filed 06/04/15 does not indicate Conservatee has a residential home or vehicle. **Supp. (01/11/18) indicates conservatee resided with petitioner for 16 months during this accounting period and should be in lieu of rent which averages to \$605/month which petitioner alleges is a reasonable fee for living expenses. JTD.**
7. Additional expenditures to Toys R Us, Attorney Heath Baker and payments to credit cards not belonging to Conservatee. **Supp. (01/11/18) alleges Conservatee offered to pay these expenses as an offset for Conservator fees. JTD.**
8. Petitioner indicates Conservatee can maintain and does not require a Conservatorship, however, the conservator has filed a newly updated Capacity Declaration [filed 08/21/17] which indicates continued moderate cognitive impairment despite the conservatee's right to consent to make medical decisions. It is anticipated that the conservatee through his attorney may file a petition to terminate the conservatorship.
9. Proposed order. 10/03/17 Need statement of bond amount.

#### RECOMMENDATION

Court's discretion. If approved, set hearing on the next accounting review for **01/14/19** (if one year) or **01/13/20** (if two years). Accounting to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(cs/ww/nb)

Superior Court of Calif, County of San Bernardino  
Page: 12  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 03/06/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1500216

CASE NAME: MILDRED SCHUYLER

HEARING:

third Account and Report of VERONICA LANUZA and Petition for allowance of fees filed.

COUNSEL:

BRANDON EDWARDS	(CPE)...PRO/PER
DEBBIE EDWARDS	(SCHLECHT, SHEVLIN &
LISA SCHUYLER	(CPE)...PRO/PER
LYSA SCHUYLER	(CPE)...PRO/PER
MILDRED SCHUYLER	(CEP)...SHERRI L KASTILAHN
MILDRED SHUYLER	(PET)...SHERRI L KASTILAHN
VERONICA LANUZA	(PET)...M DANIEL SAYLOR

Waiver of Court Fees and Costs filed by MILDRED SCHUYLER is GRANTED  
TOTAL FEES WAIVED TO DATE:\$465.00

GENERAL INFORMATION:

Conservatee passed away on 06/30/17.

**Continued from 01/09/18.**

THIS CASE IS SET FOR HEARING ON Third Account Final and Petition for Fees by Conservator of the Person and Estate, PPF Veronica Lanuza ["Petitioner"].

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

1. Accounting period 03/01/17 to 06/30/17 (pre-death) and 07/0/17 to 09/30/17 (post-death).
- 2- Assets on Hand ~~\$721,782.88 consisting of \$3,649.33 in cash and remaining in real and personal property.~~ **\$0.00. Supp. (02/13/18) indicates all assets have been distributed to personal representative. Receipt filed on 01/31/18 by Veronica Lanuza as Administrator of the Estate. However, there are no probate proceedings pending. Court to inquire.**
3. Current bond of \$57,000.

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

4. Petitioner requests compensation of \$8,764.50, of which \$1,500 has been paid, leaving a balance owing of **\$7,235.10**. Billed at the rates of \$40-\$115/hour for 86.30 hours.' JTD. Itemized [LF, pgs. 29-41]. JTD.
  - a. Prior Conservator fees ordered per Order entered 07/17/17, in the amount of \$17,125.50 have been partially paid in payments totaling \$10,000, leaving a balance of \$7,125.50, which has not been paid. **Supp. (02/13/18) requests payment for past fee amounts owed.**
5. Attorney requests fees of \$6,945.75. Billed at \$375/hour for 11.25 hours' attorney time and \$140/hour for 19.50 hours' paralegal time. Itemized [LF, pgs. 43-44]. JTD.
  - a. Prior attorney's fees ordered per Order entered 07/17/17, in the amount of \$9,721.50 have not been paid. **Supp. (02/13/18) requests payment for past fee amounts owed.**
6. **Need financial statements for securities held with Computershare per Local Rule 20-908.**
7. Bond exoneration and discharge are not granted until entry of a final discharge order.
8. ~Proposed Order 02/13/18.

RECOMMENDATION:

Need to clear note 6 then Court's discretion re fees and preliminary distribution. If approved, set next hearing for receipts and final discharge for **03/12/19**.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 13

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 03/06/18      TIME: 9:30      DEPT: S36P  
-----

CASE#: CON PS1700115

CASE NAME: JORJINA ELIZABETH LOPEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of MARYHELEN LOPEZ

COUNSEL:

JORJINA ELIZABETH LOPEZ      (CEP)...DONNASUE ORTIZ

MARYHELEN LOPEZ      (CP )...PRO/PER

GENERAL INFORMATION

Order Appointing MaryHelen Lopez Limited Conservator of the Person, no bond,  
entered 08/01/17.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Notification of Conservatee's Rights; Care Plan; and Determination of  
Conservatee's Appropriate Level of Care filed.

RECOMMENDATION:

None

(nb)

Superior Court of Calif, County of San Bernardino

Page: 14

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 03/06/18      TIME: 9:30      DEPT: S36P  
-----

CASE#: CON PS1700164

CASE NAME: LORELEI SVEUM

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of GARY SVEUM

COUNSEL:

GARY SVEUM

(CPE)...JAMES B CHURCH

LORELEI SVEUM

(CEP)...MARK J. ANDREW FLORY

**GENERAL INFORMATION**

Order appointing Gary Sveum Conservator of the Person and Estate, \$160,000 bond,  
entered 08/01/17.

THIS CASE IS SET FOR HEARING ON Inventory & Appraisal/Compliance Review

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

1. Notification of Conservatee's Rights; Statement of Care Plan; and including a Determination of Conservatee's Appropriate Level of Care filed.
2. Need final Inventory & Appraisal per Pr.C. §2610.
3. Need proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C. §2610.
4. 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.

**RECOMMENDATION:**

Inquire status.

(nb)

Future Hearing:

10/09/18 Accounting Review.

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

Superior Court of Calif, County of San Bernardino

Page: 15

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

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DATE: 03/06/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1700315

CASE NAME: MTR OF CINDY MARTINEZ

HEARING:

Petition for Appointment of Conservator

COUNSEL:

BRAULIO MARTINEZ (CP)...PRO/PER  
CINDY MARTINEZ (CTP)...J. DAVID HORSPOOL

#### GENERAL INFORMATION

Continued from **10/03/17**. Attorney Horspool appointed.

Continued from **11/14/17**. Attorney Walter Moore is present (as a friend of the court – amicus curiae) to answer some questions regarding a LPS conservatorship. This is not a limited conservatorship as the proposed conservatee is not developmentally disabled. Court to contact the court employees at mental health regarding this case. Notice to be given by Attorney Horspool.

**Continued from 01/16/18. Court, counsel and petitioner confer on the record. Attorney Moore appears as a friend of the court. Court grants a temporary conservatorship with the only purpose to file a restraining order on behalf of his daughter. Braulio Martinez is appointed Temporary Conservator.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Braulio Martinez, father

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

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, control right to contract, and give or withhold medical consent. JTD
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks medical powers. Need Capacity Declaration.
4. Petition is incomplete at item #9 as to medical treatment. Need verified supplement.
5. Petition alleges proposed conservatee is developmentally disabled. However, it appears an LPS conservatorship may be appropriate. Does Court wish to appoint Counsel?

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

6. **Report by court-appointed counsel, J. David Horspool, filed 11/08/17 and 01/23/18.**
7. Need List of required contacts (Local form SB-12224).
8. **Certificate of Completion of the Conservatorship Training Class filed**
9. Citation served by mail. **Need proof of personal service.**
10. Court Investigator report filed.
11. No proposed order submitted.

#### RECOMMENDATION

Need to clear notes 3-4, 7 & 9. If approved, set hearing for Compliance Review for **08/31/18** 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/nb)



Superior Court of Calif, County of San Bernardino

Page: 16

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 03/06/18      TIME: 9:30      DEPT: S36P  
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CASE#: CON PS1700465

CASE NAME: MTR OF MARIA FELIPA PEREZ

HEARING:

Hearing Re: APPOINTMENT OF CONSERVATOR OF THE PERSON

COUNSEL:

LETICIA PEACOCK                      (CP )...MAREND M GARRETT

MARIA FELIPA PEACOCK              (CTP)...WALTER T. MOORE

**VACATE** - Parties agreed to advance 03/06 hearing and continue it to 03/19/18.

(ww/nb)

Superior Court of Calif, County of San Bernardino

Page: 17

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 03/06/18      TIME: 9:30      DEPT: S36P  
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CASE#: CON PS1800026

CASE NAME: EDNA VALERO

HEARING:

Petition for Appointment of Conservator

COUNSEL:

ALONDRA VALERO	(PET)...PRO/PER
EDNA VALERO	(CEE)...
VERONICA VALERO	(PET)...PRO/PER

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Limited Conservatorship, person only, by mother and sister, Veronica Valero and Alondra Valero ["Petitioners"].

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

1. No bond – person only.
2. Proposed conservatee is developmentally disabled. Need appointment of counsel and report by same.
3. Medical Capacity Declaration is incomplete starting page 2 – 3 and signature on page one is not dated. Need complete Capacity Declaration.
4. Section 11 to petition does not include petitioners. Need verified supplement.
5. Petitioners request Pr. C. § 2351.5 powers to secure habilitation or treatment, training, education, medical, psychological services, social and vocational opportunities, authority to fix the residence/dwelling of the proposed limited conservatee; authority to access all confidential records, paper, documents, reports and other information regarding the proposed limited conservatee, including those in the possession of the Regional Center, authority to control the right of the proposed limited conservatee to contract, authority to make and consent to all medical decisions for the proposed limited conservatee.
6. Petitioner requests to limit civil and legal rights of proposed conservatee to consent or withhold consent to marriage of, or entrance into a registered domestic partnership by limited conservatorship; to exercise limited conservatee's right to control his or her social and sexual contacts and relationships.

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

7. **Citation returned served.**
8. Section 4b to petition is incomplete. Need verified supplement.
9. Section 11 to petition does not include petitioners. Need verified supplement.
10. List of Required Contacts does not include petitioners. Need complete form.
11. **Court Investigator Report filed.**
12. Need Inland Regional Center Report.
13. Need Certificates of Completion re Conservatorship Class.
14. **Notice filed on 02/27/18 does not include maternal and paternal grandparents named on Section 11 to petition. Need proper service.**
15. ~Proposed Form Order/Letters 01/29/18.

RECOMMENDATION:

Court to appoint counsel then need to clear notes. If approved, set hearing for Compliance Review for **10/09/18** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**PROBATE**

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DATE: 03/06/18      TIME: 8:30      DEPT: S37P  
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CASE#: PRO PS1200077

CASE NAME: ESTATE OF SHIRLEY MAE DARLING

HEARING:

Petition for its settlement and waiver Account and Report of  
APRIL RENE DARLING and Petition for allowance of fees filed.

COUNSEL:

SHIRLEY MAE DARLING      (DEC)...  
APRIL RENE DARLING      (PET)...DIXIE J ALLISON  
APRIL RENE DARLING      (PET)...CRAIG M PARKER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of  
Account and for Fees by Executrix, April R. Darling ["Petitioner"].

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

1. Beneficiaries waive accounting and notice of hearing.
2. Accounting period 04/01/13 to 10/31/17.
3. Assets on Hand \$135,189.80 in cash.
4. Petitioner waives statutory compensation.
5. Attorney requests statutory fees of \$7,500.00. Calculated.
6. Petitioner distributed the sum of \$10,000 to herself and her brother. There does not appear to be harm to the estate or creditors.
7. Proposed Order 11/14/17 does not indicate petitioner waives compensation.

RECOMMENDATION

Court's discretion. If approved, set next hearing for receipts and final discharge for  
**03/12/19.**

(nb)

Superior Court of Calif, County of San Bernardino

Page: 2

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

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DATE: 03/06/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1300188

CASE NAME: EUGENE F. SACHARA

HEARING:

Hearing Re: FINAL DISCHARGE OF LYNETTE HILL

COUNSEL:

EUGENE F SACHARA	(DEC)...
LYNETTE HILL	(PET)...J. DAVID HORSPPOOL
MARK T SACHARA	(TP )...THOMAS W DOMINICK

**XREF: PROPS1200758** (Eugene F Sachara)

GENERAL INFORMATION:

**Continued from 10/22/15, 5/4/16, 07/20/16, 01/09/17 and 04/03/17** at request of counsel. Attempting to deliver property.

**Continued from 06/26/17, 08/22/17 and 12/12/17. Oral report given by Attorney David Horspool.**

THIS CASE SET FOR HEARING ON Final Discharge

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

1. Final Distribution approved on 01/21/15.
2. Need receipts for March Sachara and Lance Sachara.
3. Need Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with Pr.C. § 8505.

(lc/sa/nb/lh/nb)

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

Superior Court of Calif, County of San Bernardino

Page: 3

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 03/06/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1500846

CASE NAME: DOROTHY I. MCGUFFEE

HEARING:

Hearing re Final Discharge

COUNSEL:

DOROTHY I. MCGUFFEE (DEC)...

RANDY ODELL MCGUFFEE (PET)...BANKS GARCIA & JANIS

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

GENERAL INFORMATION:

**Continued from 12/12/17 at request of court. Notice by Judicial Assistant.**

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Order Settling First and Final Account entered 02/21/17.
2. **Receipt by Randy O. McGuffee distributes after discovered property according to the laws of intestate succession instead of per Will. Need corrected receipt.**
3. Ex-parte Petition/Order for Final Discharge received on 11/30/17.

RECOMMENDATION:

Need to clear note 2.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 4

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

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DATE: 03/06/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1501090

CASE NAME: RICHARD MURRAY JONES

HEARING:

Interim Account and Report of RAYMOND KELLY JONES and Petition  
for allowance of fees filed.

COUNSEL:

RAYMOND KELLY JONES (PET)...PRO/PER  
RICHARD MURRAY JONES (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Interim Accounting by Administrator Raymond  
K. Jones ["Petitioner"].

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

1. Need final inventory and appraisal with supporting statements per Local Rule 20-908.
2. Accounting period 01/2016 to 08/2017.
3. Assets on Hand \$136,412.00 consisting of \$115,413 in cash and remaining in personal property.
4. Need balance and description of the assets on hand, specifically noting the amount of cash included in said balance per Local Rule 20-614(c).
5. Need supporting schedules.
6. Need final escrow statements for sale of real properties.
7. Need proofs of service to Notices of Proposed Action.
8. Need proposed distribution.
9. Need statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary per Pr. C. § 1064 (a)(4).
10. Need verified supplement indicating if cash has been invested and maintained in an interest bearing account per Pr.C. § 1064(a)(5).
11. Need statement regarding notice to Director of Health Care Services or notice per Pr. C. § 9202(a).
12. Need statement regarding notice to California Victim and Compensation and Government Claims Board or notice per Pr. C. § 9202(b).

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

13. Need statement regarding notice to Franchise Tax Board or notice per Pr. C. § 9202(c)(1).
14. Need findings re: character of property.
15. Need findings re: known creditors.
16. Need findings re: all taxes have been paid or reserve made for taxes.
17. It appears preliminary distributions totaling \$90,000 have been made without prior court approval.
18. Need Notice of Hearing with proof of service.
19. No proposed order. Submit Order after Hearing.

**RECOMMENDATION:**

Need amended accounting that complies with Pr. C. §1060 et seq. to be placed on first check calendar no sooner than **05/01/18**. Any account to be filed 30 days' before hearing. Note requirements of Local Rules.

(nb)



Superior Court of Calif, County of San Bernardino

Page: 5

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 03/06/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600629

CASE NAME: MTR OF ROBERT CHARLES STODDARD

HEARING:

First and final Account and Report of ROBERT SAMUEL STODDARD and  
Petition for allowance of fees filed.

COUNSEL:

ROBERT CHARLES STODDARD	(DEC)...
ROBERT SAMUEL STODDARD	(PET)...KRISTINE M BORGIA
ROBERTA L TAYLOR	( )...
SURETEC INSURANCE CO	(TP )...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of Account and for Fees by Executor, Robert Samuel Stoddard ["Petitioner"].

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

1. Assets on Hand \$32,760.44 consisting of \$26,260.44 in cash and remaining in personal property.
2. Petitioner waives statutory compensation of \$9,584.65 and requests to receive \$3,500 as payment for his services. JTD.
3. Attorney requests statutory fees of \$9,584.65. Calculated.
  - a. Attorneys of record reached an agreement wherein Roberta L. Taylor will receive 1/3<sup>rd</sup> of the statutory fee plus \$200 for a total of \$3,391.68 and Attorney Borgia will receive 2/3<sup>rd</sup> of the statutory fee for a total of \$6,192.97.
4. Attorney requests extraordinary fees of \$3,932.50 for services rendered in connection with the sale of real property. Billed at \$275/hour for a total of 14.30 hours' attorney time. Itemized [LF, pgs. 20-23]. JTD.
5. Attorney requests reimbursement of costs advanced of \$140.00. Itemized.
6. Need copies of bank/financial statements to support date of death balances per Local Rule 20-908.
7. Petitioner requests authority to withhold the sum of \$1,000 as a reserve.
8. Proposed Order 09/13/17 does not include balance and description of the assets on hand, specifically noting the amount of cash included in said balance per Local Rule 20-614(c) or omnibus clause and has a gap before signature

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

line.

**RECOMMENDATION:**

Need to clear note 6 then Court's discretion. If approved, set next hearing for receipts and final discharge for **03/12/19**.

(nb)

(nb)

Superior Court of Calif, County of San Bernardino  
Page: 6  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: TARA REILLY

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DATE: 03/06/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1601157

CASE NAME: MARTHA NATALIE PILLING

HEARING:

FIRST AND FINAL Account and Report of EUNICE R HARRIS and  
Petition for allowance of fees filed.

COUNSEL:

EUNICE R HARRIS	(PET)...PRO/PER
MARTHA NATALIE PILLING	(DEC)...
MARY BETH FRY	(TP )...PRO/PER

GENERAL INFORMATION:

**Continued from 12/12/17. Court finds notices filed are not valid.**

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Executrix, Eunice R. Harris ["Petitioner"].

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

1. Accounting period 05/07/16 to 10/23/17.
2. Assets on Hand \$6,155.00 in cash.
3. Petitioner requests statutory compensation in the amount of \$6,155.00 based on inventory and appraisal total that does not include gains on sale of the real property. **Supp. (12/04/17) Petitioner waives additional statutory compensation.**
4. **Notice does not include nephew, Justis V. Koon. Need proper service.**
5. Petitioner has affixed receipts [LF, pgs. 23-28] reflecting unauthorized preliminary distribution to beneficiaries. It does not appear there is harm to creditors or estate. JTD.
6. Proposed Order 01/26/18 is not complete in itself per Local Rule 20-614; does not include findings re known creditors; findings re all taxes have been paid or reserve made for taxes. Also, proposed order does not include an omnibus clause and discharges executrix upon filing of her affidavit for discharge instead of upon entry of a final discharge order. Need proper order.

**RECOMMENDATION:**

Need to clear note 4 then Court's discretion. If approved, set next hearing for final discharge on **12/18/18**.

(nb)

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

Superior Court of Calif, County of San Bernardino

Page: 7

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 03/06/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1700079

CASE NAME: \*\*\*MF MTR OF JAMES ODELL ROBINSON\*\*\*

**SEE ALSO 8, 9**

HEARING:

Hearing Re: PTN FOR LTRS OF ADMINISTRATION (GERALDINE SIMMONS)

COUNSEL:

EVELYN L ROBINSON	(PET)...PRO/PER
EVELYN L. ROBINSON	(CHRISTOPHER B JOHNSON
GERALDINE SIMMONS	(OBJ)...MARA C ALLARD
GERALDINE SIMMONS	(PET)...MARA C ALLARD
JAMES ODELL ROBINSON	(DEC)...
KATHY ROBINSON	(PET)...GAUDY LAW, INC

**XREF: PROPS1700759** (Lily Mae Robinson)- **CONSOLIDATED WITH PROPS1700079; PROPS1700079 DEEMED MASTER FILE**

#### GENERAL INFORMATION

Continued from 04/05/17. Case Consolidated with PROPS17000150; PROPS1700079 master file. Copy of will to be filed by any party. Mr. Smith advised court that Lily Mae Robinson was never divorced from decedent. Kathy and Evelyn Robinson deny that is the case and are advised to file divorce decree. Bond of \$165,000 will be ordered.

**Continued from 06/07/17.** Petitioner confirmed this petition to be withdrawn. Petition by Kathy Robinson dismissed. Amended petition to be served on all parties. If objections are the same as to the original petition, objector to file a declaration stating they are the same. If they are different, new objections to be filed.

**Continued from 08/30/17 and 10/11/17 (no appearances).** Notice to be given by Mr. Johnson.

**Continued from 12/12/17. Oral reports given by counsel (both sides).**

#### THIS CASE SET FOR HEARING ON

- Petition 1- **Amended** Petition [filed 03/28/17] for Letters of Administration with full authority under IAEA by Evelyn & Kathy Robinson, daughter.
- Petition 2 - Petition for Letters of Administration with full authority under IAEA by Geraldine Simmons, alleged daughter, for Sam Hlavaty.

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

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

**Petitioners 1 - Evelyn Robinson daughter**

1. Petitioners seeks bond of \$200,000. Ok.
2. Consents to appointment filed by 5 heirs on 06/09/17.
3. **Objections filed by Geraldine Simmons, alleged daughter on 03/24/17.**
4. **Kathy Robinson withdraws and revokes request to be co-petitioner and nominates Evelyn Robinson filed on 06/02/17.**
5. Amended proposed form order not submitted.

**Petitioner 2 – Geraldine Simmons, alleged daughter, for Sam Hlavaty**

**PROPS1700150**

6. Petitioners seek bond of \$320,000. Ok.
7. Petitioner Hlavaty is nominated by Lily Robinson, Cecelia Banks and Karen Abrames.
8. Proof of publication reflects 06/15/17 hearing [which was original date, which court vacated and reset]. It appears re-publication would not be required per Pr.C. § 1205. JTD
9. Petition indicates 2 unknown children. **Need** due diligence.
10. **Supp. (02/22/18) states pursuant to Pr. C. §§6401(b)(3), 6402, Decedent's separate property passes 1/3<sup>rd</sup> to the estate of his wife Lily Mae Robinson and the balance passes equally to Decedents children thorough his estate. Petition indicates Geraldine Simmons was informed that Decedent had 2 unknown children and does not know their names of locations.**
11. **Objections filed by Evelyn Robinson, daughter, on 06/05/17.**
12. ~Proposed Form Order: 03/20/17

RECOMMENDATION

Need to clear note 9; matter is contested. If approved, set Accounting/Status Review for **02/21/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

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

Superior Court of Calif, County of San Bernardino

Page: 8

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

-----  
DATE: 03/06/18      TIME: 8:30      DEPT: S37P  
-----

CASE#: PRO PS1700079

CASE NAME: \*\*\*MF MTR OF JAMES ODELL ROBINSON\*\*\*

**SEE ALSO 7, 9**

HEARING:

Hearing Re: PTN FOR LTRS OF ADMINISTRATION (EVELYN ROBINSON)

COUNSEL:

EVELYN L ROBINSON	(PET)...PRO/PER
EVELYN L. ROBINSON	(CHRISTOPHER B JOHNSON
GERALDINE SIMMONS	(OBJ)...MARA C ALLARD
GERALDINE SIMMONS	(PET)...MARA C ALLARD
JAMES ODELL ROBINSON	(DEC)...
KATHY ROBINSON	(PET)...GAUDY LAW, INC

**XREF: PROPS1700759** (Lily Mae Robinson)

See prior matter #7.

(nb)

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

-----  
DATE: 03/06/18 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1700079

CASE NAME: \*\*\*MF MTR OF JAMES ODELL ROBINSON\*\*\*

**SEE ALSO 7, 8**

HEARING:

Spousal Property Petition hearing.

COUNSEL:

EVELYN L ROBINSON	(PET)...PRO/PER
EVELYN L. ROBINSON	(CHRISTOPHER B JOHNSON
GERALDINE SIMMONS	(OBJ)...MARA C ALLARD
GERALDINE SIMMONS	(PET)...MARA C ALLARD
JAMES ODELL ROBINSON	(DEC)...
KATHY ROBINSON	(PET)...GAUDY LAW, INC

**XREF: PROPS1700759** (Lily Mae Robinson)

GENERAL INFORMATION:

Continued from **10/24/17**. Notice to be given by Mr. Johnson.

**Continued from 12/12/17 for counsel to file a supplement with deeds attached.**

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Petitioner, Geraldine Simmons (daughter), proposed Personal Representative of spouse, Lily Mae Robinson.

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

1. Petitioner requests confirmation of property passing to the surviving spouse as community property. Specifically, six parcels of improved and unimproved real properties in San Bernardino County. Petition indicates parties were married on 11/14/56 but does not set forth facts sufficient to establish a community property interest in the California real properties. **Supp. (02/22/18) states Decedent acquired real property as his separate property, after he left Lilly Mae, and pursuant to Pr. C. §§6401(b)(3), 6402, the separate property passes 1/3<sup>rd</sup> to the estate of his wife Lily Mae Robinson and the balance passes equally to Decedents children through his estate. Petition indicates Geraldine Simmons was informed that Decedent had 2 unknown children and does not know their names of locations.**
2. Need copies of vesting documents as directed by Court on 12/12/17. **Copies of Deeds affixed to supplement filed on 02/22/18.**

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



3. **Proof of service filed without Notice of Hearing. Need proper notice.**
4. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear note 3 then Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 10

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

-----  
DATE: 03/06/18      TIME: 8:30      DEPT: S37P  
-----

CASE#: PRO PS1700477

CASE NAME: Benjamin B Banaag

HEARING:

Hearing Re: RECEIPT OF BOND OR PRF OF BLOCKED ACCOUNT

COUNSEL:

BENJAMIN B BANAAG

(DEC)...

SHIRLEY B. WEIS

(PET)...T W RONALD DANIERI

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Receipt of Bond or Proof of Blocked Account

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

1. Matter set at 12/12/17 hearing, wherein, the Court ordered a bond in the amount of \$201,500.00.
2. Supplement filed by Attorney Danieri indicates proceeds in the amount of \$174,589.26 have been deposited into attorneys IOLTA account. Question whether this deposit is contrary to the requirement in Probate Code §9652 that a personal representative keep cash not reasonably necessary for estate administration into an interest-bearing account as interest goes to the State Bar? Suggest a reduction in statutory fees for both the personal representative and attorney for the lost interest. JTD.

RECOMMENDATION:

Court's discretion

(nb)

Future Hearing:

04/03/18 Petition for determination of entitlement to estate etc.

Superior Court of Calif, County of San Bernardino

Page: 11

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

-----  
DATE: 03/06/18 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1700759

CASE NAME: LILY MAE ROBINSON

**SEE ALSO 12**

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

GERALDINE SIMMONS (PET)...JONATHAN BRADLEY SMITH  
LILY MAE ROBINSON (DEC)...

**XREF: PROPS1700079** (James Odell Robinson)

GENERAL INFORMATION:

**Continued from 12/12/17 for bond to be posted.**

THIS CASE IS SET FOR HEARING ON Receipt of Bond

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

1. Matter set at hearing held on 10/24/17, wherein, the Court ordered a bond in the amount of \$352,000 to be posted.
2. Need proof of bond.

RECOMMENDATION:

Need proof of bond.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 12

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

-----  
DATE: 03/06/18 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1700759

CASE NAME: LILY MAE ROBINSON

**SEE ALSO 11**

HEARING:

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

COUNSEL:

GERALDINE SIMMONS (PET)...JONATHAN BRADLEY SMITH  
LILY MAE ROBINSON (DEC)...

**XREF: PROPS1700079** (James Odell Robinson)

GENERAL INFORMATION:

Continued from **10/24/17**. Bond required of \$352,000.

**Continued from 12/12/17 at request of court.**

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

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

1. All heirs waive bond. However, petitioner is a non-resident and court has discretion to require bond per Pr. C. § 8571. **Estimated estate valued at \$106,666.67. Petitioner requests bond be fixed. Suggest bond of \$107,000. JTD.**
2. Proof of publication filed.
3. **Notices filed on 08/18/17 and 11/01/17 is the wrong type of notice. Need Notice of Petition to Administer Estate with proof of service.**
4. ~Proposed Form Order/Letters 07/28/17

RECOMMENDATION:

Need to clear note 3 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **05/14/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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

Superior Court of Calif, County of San Bernardino

Page: 12A

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

-----  
DATE: 03/06/18      TIME: 8:30      DEPT: S37P  
-----

CASE#: PRO PS1800117

CASE NAME: ROSA TERESA WEDDINGTON

HEARING:

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

COUNSEL:

BRENDA LATHROP

(PET)...CRAIG E WILSON

ROSA TERESA WEDDINGTON

(DEC)...

GENERAL INFORMATION:

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

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

1. Petitioner requests bond be fixed on estimated estate valued at \$410,000. Suggest bond of \$410,000. JTD.
2. Need proof of publication.
3. ~Proposed Form Order/Letters 02/06/18.

RECOMMENDATION:

Need to clear note 2 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **05/14/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 13

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

## TRUSTS AND MOTIONS

-----  
DATE: 03/06/18      TIME: 8:35      DEPT: S37P  
-----

CASE#: PRO PS1700280

CASE NAME: FAMILY TRUST OF JOSEPHINE ROBINSON

### **SEE ALSO 14**

HEARING:

Petition for REMOVAL OF TRUSTEE, ACCOUNT, AND APPOINTMENT  
OF SUCCESSOR

COUNSEL:

DALE ROBINSON

(OBJ)...OSTERGAR LAW GROUP

DALE ROBINSON

(PET)...OSTERGAR LAW GROUP

FAMILY TRUST OF JOSEPHINE ROBI

(TRU)...

MARTIN ROBINSON-TOBEY

(PET)...GRIDER LAW OFFICE

Currently under review by Legal Research.  
(LR)

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

Superior Court of Calif, County of San Bernardino

Page: 14

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

-----  
DATE: 03/06/18      TIME: 8:35      DEPT: S37P  
-----

CASE#: PRO PS1700280

CASE NAME: FAMILY TRUST OF JOSEPHINE ROBINSON

**SEE ALSO 13**

HEARING:

FORMAL Account and Report of DALE ROBINSON and Petition for allowance of fees filed.

COUNSEL:

DALE ROBINSON

(OBJ)...OSTERGAR LAW GROUP

DALE ROBINSON

(PET)...OSTERGAR LAW GROUP

FAMILY TRUST OF JOSEPHINE ROBI

(TRU)...

MARTIN ROBINSON-TOBEY

(PET)...GRIDER LAW OFFICE

Unable to complete due to time constraints. Place on first check calendar no sooner than 05/15/18.

(nb)

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

-----  
DATE: 03/06/18 TIME: 8:35 DEPT: S37P  
-----

CASE#: PRO PS1700739

CASE NAME: STANTON W LOWRY

HEARING:

Spousal Property Petition hearing.

COUNSEL:

STANTON W LOWRY (DEC)...  
VIVIAN L LOWRY (PET)...THE LAW OFFICES OF JOHN G. WUR

GENERAL INFORMATION:

Continued from **10/31/17** on court's motion. Referred to Legal Research. Counsel to file dated and signed supplement today.

**Continued from 12/12/17 at request of court.**

THIS CASE IS SET FOR HEARING ON *Spousal* Property Petition by Vivian L. Lowry ["Petitioner"].

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

1. Petitioner requests a determination and confirmation of property passing to the surviving spouse as community property. Specifically, real property at Crestline in San Bernardino County.
2. Petitioner indicates the real property was acquired on 03/01/13 with community property funds consisting of the earnings of the decedent and Petitioner. Petitioner alleges the property was purchased in decedent's name only because he had better availability as Petitioner was working and it was not until after decedent's demise that Petitioner became aware the property was titled in decedent's name as separate property.
3. Grant Deed affixed [LF, p7].
4. Supp. (10/23/17) is not signed or dated. In addition, supplement indicates that counsel has spoken with Decedent's siblings who have agreed to the proposed Grant Deed with Life Estate [LF, p8]. Question how distribution to Decedent's siblings can be effectuated via this petition? Suggest Court require p's & a's that would allow this Court to appropriate percentages to siblings.
5. Declaration and Brief filed in support on 11/16/17.
6. **Assignments by decedent's siblings, Gloria Sieler and Scott Lowry filed granting Petitioner a 50% interest in the property, with 25% to Gloria and**

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



**25% to Scott, and a life estate in favor of Petitioner. Petitioner to pay the loan on the property, taxes, insurance and maintain the property.**

7. ~Proposed Form Order 11/16/17

RECOMMENDATION:

Court's discretion

(nb).

(LR)

Superior Court of Calif, County of San Bernardino

Page: 16

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

## CONSERVATORSHIPS

-----  
DATE: 03/06/18      TIME: 9:30      DEPT: S37P  
-----

CASE#: CON PS1100089

CASE NAME: JOSE PEREZ JR

**SEE ALSO 17**

HEARING:

Hearing Re: RECONSIDERATION OF PETITIONER'S FEE REQUEST

COUNSEL:

JEANNE E KENNEDY

(PET)...

JOSE PEREZ jr

(CEP)...PRO/PER

JOSE PEREZ JR

(DEC)...MITCHELL I ROTH

KATIE C HERNANDEZ

(CPE)...BRYAN C HARTNELL

No notes – Court's discretion  
(nb)

Future Hearing:

10/24/18 Accounting Review.

Superior Court of Calif, County of San Bernardino

Page: 17

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

-----  
DATE: 03/06/18      TIME: 9:30      DEPT: S37P  
-----

CASE#: CON PS1100089

CASE NAME: JOSE PEREZ JR

**SEE ALSO 16**

HEARING:

Hearing Re: CHC

COUNSEL:

JEANNE E KENNEDY

(PET)...

JOSE PEREZ jr

(CEP)...PRO/PER

JOSE PEREZ JR

(DEC)...MITCHELL I ROTH

KATIE C HERNANDEZ

(CPE)...BRYAN C HARTNELL

No notes – Judge to decide.

(nb)

Future Hearing:

10/24/18 Accounting Review.

Superior Court of Calif, County of San Bernardino  
Page: 18  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: TARA REILLY

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DATE: 03/06/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1500115

CASE NAME: MARIA TOMASA TRUJILLO  
HEARING:  
Final Account and Report of MARIA GRINDE and Petition for  
allowance of fees filed.

COUNSEL:  
MARIA GRINDE (CPE)...R.M. SCHLOSSER  
MARIA TOMASA TRUJILLO (CEP)...MATTHEW E. SHEASBY

Request for Waiver of Court Fees and Costs filed by MARIA GRINDE is GRANTED  
**Fee waiver amount due \$1485.00**  
**\$555.00 for Petition for conservatorship and temp. on 05/01/15**  
**\$465.00 for accounting on 03/30/17**  
**\$465.00 for termination on 03/30/17**

GENERAL INFORMATION:

Continued from **05/16/17** on Court's motion. Notice  
waived. Continued from **08/15/17** at request of counsel.  
**Continued from 10/10/17 and 12/11/17 at request of Court.**

THIS CASE IS SET FOR HEARING ON First and Final Account by Conservator,  
Maria Grinde ["Petitioner"].

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

1. This accounting does not appear to be a true and complete accounting and should be deemed in the nature of a status report. There is insufficient information and known defects that should preclude the Court from approving this accounting period.
2. Need Notice of Hearing with proof of service to include court-appointed counsel.
3. ~Proposed Order 03/30/17 does not comply with Local Rule 20-614.

RECOMMENDATION:

Need proper, complete accounting per Pr. C. § 1060 et  
seq. to be placed on first check calendar no sooner than  
**04/24/18.** (nb/cs/nb)

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

Superior Court of Calif, County of San Bernardino  
Page: 19  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: TARA REILLY

-----  
DATE: 03/06/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1600149

CASE NAME: MTR OF DOREEN BOTELHO

**SEE ALSO 20**

HEARING:

Petition for Order Fixing Compensation and Authorizing Payment of Attorneys'  
Fees

COUNSEL:

ANTHONY BOTELHO	(CPE)...PETER LAW GROUP
CRAIG M PARKER	(PET)...CRAIG M PARKER
DOREEN BOTELHO	(CEP)...CRAIG M PARKER
DOREEN BOTELHO	(CPE)...PRO/PER

GENERAL INFORMATION:

Conservatee passed away on

THIS CASE IS SET FOR HEARING ON Petition for Fees and Compensation by Court-Appointed Attorney, Craig M. Parker ["Petitioner"].

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

1. Petitioner was appointed on 06/16/16. Petitioner alleges that services have been rendered for which counsel has not been compensated for the period 06/24/16 to 11/17/17.
2. Attorney requests fees of \$5,145.00. Billed at \$350/hour for 14.7 hours' attorney time. Itemized [LF, p. 7]. JTD.
3. Petitioner requests an order authorizing and directing Conservator of the Person and Estate, Anthony Botelo, to pay requested sum for services rendered.
4. ~Proposed Order 11/16/17.

RECOMMENDATION:

Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 20

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

-----  
DATE: 03/06/18 TIME: 9:30 DEPT: S37P  
-----

CASE#: CON PS1600149

CASE NAME: MTR OF DOREEN BOTELHO

**SEE ALSO 19**

HEARING:

Accounting Review

COUNSEL:

ANTHONY BOTELHO	(CPE)...PETER LAW GROUP
CRAIG M PARKER	(PET)...CRAIG M PARKER
DOREEN BOTELHO	(CEP)...CRAIG M PARKER
DOREEN BOTELHO	(CPE)...PRO/PER

**XREF: CONPS1300121** (Doreen A Botelho)

GENERAL INFORMATION

**Continued from 11/14/17 at request of court to clear notes. Notice to be given by Mr. Parker.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

- 1 Order Appointing, Anthony Botelho, Temporary Conservator entered 07/12/16, \$245,000 bond; general order entered 01/23/17; first and final account now due.
- 2 No accounting or waiver of account. Need same.
- 3 Conservatee passed away on 10/15/17. Question whether any assets were marshaled as to require an accounting? If no assets were marshaled, suggest Court require a verified statement that no assets were marshaled, in which case an accounting will not be necessary. Alternatively, need first and final account that includes pre and post-death periods. JTD.

RECOMMENDATION:

Inquire status.

(nb)

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

Superior Court of Calif, County of San Bernardino

Page: 21

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

-----  
DATE: 03/06/18 TIME: 9:30 DEPT: S37P  
-----

CASE#: CON PS1600159

CASE NAME: LEONARDO MENESES

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of LETICIA MENESES

COUNSEL:

LEONARDO MENESES	(CTP)...E. JOAN NELMS
LETICIA MENESES	(PET)...PRO/PER
MIGUEL MENESES	(PET)...PRO/PER

#### GENERAL INFORMATION

Continued from **10/10/17** at request of counsel to clear probate note 2.

**Continued from 12/11/17 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Leticia Meneses and Miguel Meneses appointed co-conservators of the person on 03/07/17.
2. Notice of Conservatee's Rights filed..
3. Determination of Conservatee's Appropriate Level of Care and Care Plan filed 04/06/17.

#### RECOMMENDATION

None..

(lh/cs/nb)

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

-----  
DATE: 03/06/18 TIME: 9:30 DEPT: S37P  
-----

CASE#: CON PS1700408

CASE NAME: GEORGE GARCIA

HEARING:  
Petition for Appointment of Conservator

COUNSEL:

GEORGE GARCIA	(CTP)...MARK J. FLORY
KARINA ROMERO	(PET)...PRO/PER
ROMULO GARCIA	(PET)...PRO/PER

GENERAL INFORMATION

**Continued from 12/11/17 at request of court. Attorney Mark J. Flory appointed. The Court requests IRC to prepare report for the court. Notice by Judicial Assistant.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Romulo Garcia and Karina Romero, mother and father.

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

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, consent/withhold consent to marriage, limit right to contract, power to withhold medical consent, control social/sexual contacts, and make decisions re education. JTD
2. Petitioner seeks civil rights be limited without court order. JTD
3. Court to see Confidential Conservator Screening form by petitioners, [LF p. 3/4].
4. Petitioner seeks medical powers. **Capacity Declaration, section 4 is incomplete. Need same.**
5. Proposed conservatee is developmentally disabled. **Report by court-appointed counsel, Mark J. Flory filed.**
6. Proposed conservatee is developmentally disabled. Need IRC report.
7. Need Certificate of Completion of the Conservatorship Training Class.
8. Court Investigator report filed.
- 11.~Proposed Form Order: 11/01/17

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



RECOMMENDATION

Need to clear notes 4, 6 &7. If approved, set hearing for Compliance Review for **10/15/18** 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.  
(cs/nb)

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

-----  
DATE: 03/06/18 TIME: 9:30 DEPT: S37P  
-----

CASE#: RC RS717

CASE NAME: IN THE MTTR OF SHAREEN A BRITTAIN

HEARING:

Fourth Account and Report of DAVID L BATES and Petition for allowance of fees filed.

COUNSEL:

CHARLES GRAY	(CP )...PRO/PER
CONNIE GRAY	(CP )...PRO/PER
DAVID L BATES	(PET)...PATTERSON HANNA &
DAVID L. BATES	(TEE)...PATTERSON HANNA &
JENNIFER M. DANIEL	(PET)...JENNIFER DANIEL
SHAREEN ANN BRITTAIN	(CEP)... JENNIFER M DANIEL
SHAREEN ANN BRITTAIN TRUST CRE	(TRU)...

Request for Waiver of Court Fees and Costs filed by CHARLES GRAY is GRANTED  
**Fee waiver amount due \$355.00 for accounting on 07/08/10**

**CI fees \$450.00 02/07/14**

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Fourth Account Current filed by Petitioner, David L. Bates, CPA/Trustee of the Shareen Ann Brittain Trust.

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

1. Accounting covers 01/01/17 to 12/31/17.
2. Assets on hand: \$1,104,544.00 (consisting of securities, annuity and life insurance policy)
3. Petitioner requests the Court ratify, confirm and approve trustee and accounting fees totaling \$11,007.00. Billed at \$225-\$250/hour. [Itemized pgs. 34-37]. JTD.
4. Petitioner requests the Court ratify, confirm and approve payment of attorneys' fees in the amount of \$5,249.75 for the accounting period. Billed at \$350/hour for attorney time. Itemized [LF, pgs. 258-272]. JTD.

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

5. Petitioner has not used the mandatory Summary of Account (GC-400/405). Court may wish to direct petitioner to use mandatory form(s) on future accountings.
6. No proposed order. Submit Order after Hearing.

**RECOMMENDATION:**

Court's discretion. If approved, set next accounting period for the SNT for **02/26/19** Account to be filed 30 days in advance of hearing. Note requirements of Local Rules.  
(nb)