



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 03/13/18

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.

nb0222/0307

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

DATE: 03/13/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300620

CASE NAME: John Joseph Mall

HEARING:

FINAL Account and Report of GAIL A LEVACY and Petition for allowance of fees filed.

COUNSEL:

GAIL A. LEVACY (PET)...CHARLES S ALTHOUSE
JOHN JOSEPH MALL (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON **Amended** [12/05/17] Petition for Final Distribution upon Waiver of Account and for Fees by Administrator, Gail A Levacy ["Petitioner"-sister].

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

1. Sole heir waived accounting.
2. Assets on Hand \$59,006.52 in cash.
3. Petitioner requests authorization to pay herself the sum of \$9,194.52, less \$5,200 paid to her as a partial payment ordered by the Court, for a total due of \$3,994.52, as statutory fees. Calculated.
4. Attorney requests authorization to pay himself the sum of \$9,194.52, less \$5,200 paid to her as a partial payment ordered by the Court, for a total due of \$3,994.52, as statutory fees. Calculated.
5. Petition indicates sole heir, Carmella M. King, died on 02/18/17; there is a trust settlement in progress; and there will be no probate of her estate.
6. Petitioner alleges distribution of this estate should be made to Gail A Levacy and James M. King, Successor Co-Trustees of the King Family Revocable Living Trust.
7. ~Proposed Order 12/05/17.

RECOMMENDATION

Court's discretion. If approved, set next hearing for receipts and final discharge for **03/19/19.** (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 for clarification of the notes only - no legal or procedural advice will be given.

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 03/13/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500932

CASE NAME: MARY L. SEE AKA MARY LEOTA SEE

HEARING:

Hearing re Final Discharge

COUNSEL:

MARY L. SEE (DEC)...
MARY RENEE HOOVER (PET)...TONY J TYRE

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Order Settling Waiver of First and Final Account entered 03/07/17.
2. No receipt. Need same by Trustee of the Mary See Family Trust.
3. Need Ex-Parte Petition/Order for Final Discharge.

RECOMMENDATION:

Need to clear notes 2-3.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 03/13/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600153

CASE NAME: DALE DUNN

HEARING:
Hearing re Final Discharge

COUNSEL:
DALE WARREN DUNN (DEC)...
DAVID DUNN (PET)...JOHN F WEBER

GENERAL INFORMATION:

Continued from 01/09/18 at request of counsel. 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 01/19/17.
2. No receipts. Need same by David Dunn and Kathy Tegtmeyer
3. Need Ex-parte Petition/Order for Final Discharge.

RECOMMENDATION:

Inquire status.
(nb)

Superior Court of Calif, County of San Bernardino

Page: 4

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/13/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601243

CASE NAME: MICHAEL TATE, JR.

HEARING:

First and Final Account and Report of CAROLYN DENISE TATE and
Petition for allowance of fees filed.

COUNSEL:

CAROLYN DENISE TATE (PET)...JEFFERY T MONTEITH
MICHAEL TATE JR (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees
by Executrix, Carolyn Denise Tate ["Petitioner"-wife/successor trustee].

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

1. Accounting period 09/13/16 to 11/01/17.
2. Asset on Hand \$975,000 consisting of real property.
3. Petitioner waives statutory compensation.
4. Attorney requests statutory fees of \$22,500.00. Calculated.
5. Proposed Order 03/02/18 does not include legal description of the real property, including common address, if any, and assessor's parcel number; findings re: sole and separate property; findings re: known creditors; findings re: all taxes have been paid, or reserve made for taxes; address of beneficiary receiving real property.

RECOMMENDATION:

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

(nb)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 03/13/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700783

CASE NAME: MTR OF FLORENCE EULAMAE BOADWAY

HEARING:

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

COUNSEL:

FLORENCE EULAMAE BOADWAY (DEC)...
GAYLE KOERBER (PET)...BRIAN J HOLOHAN

GENERAL INFORMATION:

Continued from 11/07/17 and 01/16/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by former daughter-in-law, Gayle Koerber ["Petitioner"].

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

1. Decedent was survived by a spouse who has been noticed and who has waived bond.
2. All heirs have waived bond. Estimated estate valued at \$200,500. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(c). JTD.
3. Section 5 to petition [LF, p4] indicates there is no issue of a predeceased child, however, Section 8 [LF, p5] reflects there are two deceased sons and includes grandchildren. Need further clarification via verified supplement.
4. Proof of publication filed.
5. ~Proposed Form Order/Letters 08/04/17

RECOMMENDATION:

Need to clear note 3 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **05/21/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(nb)

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Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 03/13/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700961

CASE NAME: CHARLES GOES
HEARING:
Hearing Re: Amended Spousal Property Petition

COUNSEL:

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

X-REF: PROPS 1700962

GENERAL INFORMATION:

Continued from 01/02/18.

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

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

1. Petitioner requests a determination and confirmation of property passing to the surviving spouse as community property. Specifically, a Wells Fargo Savings Acct., No, XXX9000 and an investment account at Charles Schwab, No. XXX9872. Petition indicates while Petitioner was aware of the existence of many of their bank accounts and investments, she was unaware of these accounts; held in Decedent's name alone; which monies placed into these accounts came from community funds. Parties were married on 09/09/72 to the date Decedent passed away, on 01/15/17. Does Court wish to require copies of vesting documents? JTD.
2. Community Property Agreement, Exhibit "A," is not affixed as alleged. Need same.
3. The Will [LF, p.4] conditionally incorporates decedent's Trust. Need a certification of trust that meets the requirements in Pr.C. §18100.5 and additionally includes a list of Trust beneficiaries for notice purposes. **Copy of Decedent's Trust filed 12/22/17**
4. ~Proposed Form Order 09/27/17.

RECOMMENDATION:

Need to clear note 2 then Court's discretion.

(nb)

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Superior Court of Calif, County of San Bernardino

Page: 7

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

DATE: 03/13/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701222

CASE NAME: ESTATE OF VONDRA L. DAY

HEARING:

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

COUNSEL:

THOMAS H DAY JR (PET)...D M DAVIS
VONDRA L DAY (DEC)...

GENERAL INFORMATION:

Continued from 01/23/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA by son and named Executor, Thomas H. Day, Jr. ["Petitioner"].

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

1. Need proof of publication.
2. Will waives bond. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
3. ~Proposed Form Order/Letters 12/01/17.

RECOMMENDATION:

Need to clear note 1. If approved, set future hearing for Accounting/Status Review on **05/21/19**. Any account to be filed 30 days in advance. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 8

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/13/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701223

CASE NAME: ESTATE OF EUSTAQUIO RAMIREZ

HEARING:

Spousal Property Petition hearing.

COUNSEL:

EUSTAQUIO V RAMIREZ (DEC)...

SILVIA ORTEGA GONZALEZ (PET)...PRO/PER

GENERAL INFORMATION:

Continued from 01/23/18 at request of petitioner.

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Silvia Ortega Gonzalez ["Petitioner"].

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

1. Section 7b to petitioner [LF, p.3] is marked. However, Section 1b is not. Question whether petitioner also seeks confirmation of properties? Need verified supplement.
2. Petitioner requests a determination of property passing to the surviving spouse as community property. Specifically, real property located in Barstow and Hesperia in San Bernardino County. Petitioner indicates parties were married on 06/20/89 and property interests were acquired with community funds. Copies of Exhibits B and C are not affixed as alleged. Need same via verified supplement.
3. Attachments 7a & 7b [LF, pgs. 10-11] reflect petitioner is seeking a 50% interest in real properties. Suggest Court require vesting documents.
4. Decedent died intestate with 2 issues who would also share a two-thirds distribution in the estate per Pr.C. §6401 if the real property is separate property of decedent. However, notarized Affidavits by issues have been filed on 12/05/17, in favor of petitioner.
5. ~Proposed Form Order 12/05/17.

RECOMMENDATION:

Need to clear notes 1-3 then Court's discretion.

(nb)

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org 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

DATE: 03/13/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701230

CASE NAME: Ramona Beltran

HEARING:

Petition to determine succession to Real Property

COUNSEL:

RAMONA BELTRAN (DEC)...
SUSAN HERNANDEZ (PET)...SHEASBY AND ASSOCIATES

GENERAL INFORMATION:

Continued from 01/09/18. No appearances. Notice by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real Property (Estates \$150,000 or less) by issues, Susan Hernandez, David Beltran, Mary Lou Blanton, Joan McCabe, Raymond Beltran, Steve Beltran, Robert Beltran c/o Personal Representative Joyce Beltran ["Petitioners"].

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

1. Inventory & Appraisal attached to petition [LF, p. 9] has the following issues:
 - a. Need signatures of verification by all petitioners;
 - b. Attachment does not include APN #;
 - c. Attachment does not indicate the character of the property;
 - d. Attachment does not indicate decedent's interest in the property;Need corrected inventory.
2. Attachment 11 [LF, p. 8] does not include decedent's interest in property or character of property. Need same.
3. Attachment 13 [LF, p. 8] does not specify property interest claimed by each petitioner in the real property. Need same.
4. Section 9 to petition [LF, p. 2] indicates decedent was survived by spouse. Need attachment 14 that includes names, relationships to decedent, ages and residences or mailing addresses of all persons named; and all other heirs.
5. Petitioners request determination that decedent's real property located in San Bernardino County pass to petitioners without administration. Petitioners are decedent's children and heirs per intestate succession. Does Court wish to require copy of vesting document? 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 for clarification of the notes only - **no legal or procedural advice will be given.**

6. Notice filed. However, question if notice includes surviving spouse? Need verified supplement.
7. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need corrected I&A and amended petition.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 10

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/13/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800092

CASE NAME: IRA L. KNOSTMAN

HEARING:

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

COUNSEL:

IRA L. KNOSTMAN

(DEC)...

KEITH KNOSTMAN

(PET)...WILLIAM R REMERY

KIRK KNOSTMAN

(PET)...WILLIAM R REMERY

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with LIMITED authority under IAEA by sons, Keith Knostman and Kirk Knostman ["Petitioners"].

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

1. Heirs waive bond. Estimated estate valued at \$130,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). JTD.
2. Duties and Liabilities of Personal Representative Form do not include phone numbers at Section 2. Judge to determine if sufficient.
3. ~Proposed Form Order/Letters 03/05/18

RECOMMENDATION:

Court's discretion. If approved, set future hearing for Accounting/Status Review on **05/21/19**. 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: 11

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 03/13/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1700962

CASE NAME: THE HUMPHREY-GOES FAMILY 2013 REV TRUST

HEARING:

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

COUNSEL:

LINDA K HUMPHREY-GOES

(PET)...ROBBINS & HOLDAWAY

THE HUMPHREY-GOES FAMILY 2013

(TRU)...

X-REF: PROPS 1700961

Currently under review by Legal Research.
(LR)

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

Superior Court of Calif, County of San Bernardino
Page: 11A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 03/13/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800032

CASE NAME: ARTURO SANCHEZ REVOCABLE LIVING TRUST

HEARING:
Petition for Order Confirming Trust Assets (Heggstad)

COUNSEL:
IN RE THE ARTURO SANCHEZREVOCA (TRU)...PRO/PER
MARIBEL SANCHEZ (PET)...TIMOTHY J GRAY

Currently under review by Legal Research.
(LR)

Petitioner is sole beneficiary and Successor Trustee. Notice is not needed.
(nb)

Superior Court of Calif, County of San Bernardino

Page: 12

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIPS**

DATE: 03/13/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500302

CASE NAME: MURIEL ENID BRYANT

HEARING:

Accounting Review

COUNSEL:

LINDA JEAN HENRY	(CE)...VOORHEES & RATZLAFF LAW
LINDA JEAN HENRY	(PET)...VOORHEES LAW GROUP
MURIEL ENID BRYANT	(CEP)...DONNASUE ORTIZ
TERRY WAYNE ATTKISSON	(CP)...VOORHEES & RATZLAFF LAW

XREF:CONPS1600017 (James William Bryant)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review by Conservator of the Estate, Linda Henry-daughter. .

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

1. First Account approved on 12/07/17; proposed order returned for corrections. Need same.
2. Second account now due.
3. No accounting or waiver of account. Need same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 13

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

DATE: 03/13/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600017

CASE NAME: JAMES WILLIAM BRYANT

HEARING:

Accounting Review

COUNSEL:

JAMES WILLIAM BRYANT	(CEP)...DONNASUE ORTIZ
JAMES WILLIAM BRYANT	(CTE)...DONNASUE ORTIZ
LINDA HENRY	(CE)...VOORHEES LAW GROUP
LINDA JEAN HENRY	(CE)...VOORHEES & RATZLAFF LAW
TERRY WAYNE ATTKISSON	(CP)...VOORHEES & RATZLAFF LAW

XREF: CONPS1500302 (Muriel Enid Bryant)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review by Conservator of the Estate, Linda Henry-daughter.

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

1. First Account approved on 12/07/17; proposed order returned for corrections. Need same.
2. Second account now due.
3. No accounting or waiver of account. Need same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 14

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

DATE: 03/13/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700031

CASE NAME: MTR OF EVELYN TERESA NUNO

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ROQUE NUNO

COUNSEL:

EVELYN TERESA NUNO (CTP)...WALTER T. MOORE
ROQUE NUNO (CP)...PRO/PER

GENERAL INFORMATION

Roque Nuno appointed Limited Conservator of the Person on 06/06/17.

Continued from 01/09/18 at request of conservator.

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: 15

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/13/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700061

CASE NAME: GLORIA BARRAZA

SEE ALSO 16

HEARING:

Hearing Re: CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

GLORIA BARRAZA

(CTP)...

MARY L SHERWOOD

(PET)...FRANK A FRYE

MARY L SHERWOOD

(PET)...PRO/PER

GENERAL INFORMATION:

Continued from **04/25/17**. Court orders that conservator, Mary Sherwood, is to be personally present at next hearing. Conservator is to file amended Letters for San Bernardino County prior to next hearing date. Court notes last CI report by San Diego was completed 01/05/12; referred to Court Investigator for report. Notice given by Judicial Assistant.

Continued from **08/22/17**. Parties state they wish to terminate the conservatorship. Court sets deadline to file and serve the Petition to Terminate Conservatorship; and orders petitioner to file amended letters no later than 09/19/17. Court will consider sanctions at next hearing if the Petition for Termination and Amended Letters are not filed as ordered by the Court. Court orders Mary Sherwood to appear at hearing.

Continued from **11/07/17**. Court orders both the conservator and conservatee to be personally present at hearing. Court appoints Mark Flory as guardian ad litem for Gloria Barraza

Continued from 01/09/18 for counsel to meet with conservatee.

THIS CASE IS SET FOR HEARING ON CMC re Transfer in from San Diego County.

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

1. Order Appointing Temporary Conservator of the person and estate, Mary Sherwood (daughter), entered 05/05/2000, \$10,000 bond; Order Appointing Temporary Conservator of the estate only, Mary L. Sherwood, entered 07/18/2000, \$30,000 bond; Order Appointing Mary Sherwood general conservator of the person and estate entered 01/03/01; \$18,000 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 for clarification of the notes only - **no legal or procedural advice will be given.**

2. Order Approving Third Account and Terminating Conservatorship of the Estate entered 08/06/09 in San Diego County.
3. Letters filed.
4. Need to file Post-Move Notice of Change of Address per Pr.C. §2352 and CRC 7.1013(c).
- 5. Report by GAL, Mark Flory filed.**
6. CI report filed 01/27/17 and 08/14/17.
7. Review of San Diego documentation does not appear to include a Medical Capacity Declaration. Does Court wish to require? JTD.

RECOMMENDATION:

Need to clear note 4 then Court's discretion re note 7.

(nb/lh/nb)

Superior Court of Calif, County of San Bernardino

Page: 16

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

DATE: 03/13/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700061

CASE NAME: GLORIA BARRAZA

SEE ALSO 15

HEARING:

Petition for TERMINATION OF CONSERVATORSHIP

COUNSEL:

GLORIA BARRAZA (CTP) ...
MARY L SHERWOOD (PET)...FRANK A FRYE
MARY L SHERWOOD (PET)...PRO/PER

GENERAL INFORMATION:

Continued from **11/07/17**. Court orders both the conservator and conservatee to be personally present at hearing. Petitioner to prepare and file proof of service.

Court has appointed Mark Flory as guardian ad litem for Gloria Barraza.

Continued from 01/09/18. Court accepts declaration filed today as notice to relatives to the second degree. Matter continued to March 13, 2018 for report of court appointed counsel

THIS CASE IS SET FOR HEARING ON Petition for Termination of Conservatorship by Conservator of the Person, Mary L. Sherwood ["Petitioner"-daughter].

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

1. Petitioner alleges she and conservatee are in agreement that the conservatorship has run its course; alleges CI agrees; and requests conservatorship to be terminated.
2. Conservatee resides in San Bernardino and Petitioner resides in San Diego County.
3. Proof of Personal Service on Conservatee filed.
4. **Report by GAL, Mark Flory filed.**
5. ~Proposed Order 08/22/17 is not complete in and of itself per Local Rule 20-614.

RECOMMENDATION:

Court's discretion.

(nb)

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Superior Court of Calif, County of San Bernardino

Page: 17

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/13/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700073

CASE NAME: ANTOINE JAMES SMITH

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of PEGGY HEIDELBERG-DUNSON

COUNSEL:

ANTOINE JAMES SMITH

(CTP)...LENITA A SKORETZ

PEGGY HEIDELBERG-DUNSON

(CP)...PRO/PER

GENERAL INFORMATION

Order appointing Peggy Heidelberg-Dunson Conservator of the Person entered
08/08/17.

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

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 18

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

DATE: 03/13/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700241

CASE NAME: MTR OF FERNANDO WESLEY PRECIADO II

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of VICTORIA L PRECIADO

COUNSEL:

FERNANDO WESLEY PRECIADO II (CTP)...JENNIFER DANIEL
VICTORIA L PRECIADO (CP)...PRO/PER

GENERAL INFORMATION

Order appointing Victoria L Preciado Limited Conservator of the Person entered
08/08/17.

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 filed.
2. Determination of Conservatee's Appropriate Level of Care filed.
3. Statement of Care Plan filed.

RECOMMENDATION:

None.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 19

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

DATE: 03/13/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700443

CASE NAME: CONCEPCION R RODARTE

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CANDELARIA MCFARLAND (PET)...PRO/PER
CONCEPCION MCFARLAND (CEE)...CRAIG M PARKER

GENERAL INFORMATION

Ex parte orders granted on 10/12/17, no bond. Candelaria McFarland appointed temporary conservator of the person and estate.

Continued from 01/10/18. Court notes that citation is not required as Concepcion R Rodarte is present today in court. Court notes that notice of hearing and proof of service is not required as there are no relatives to notice and proposed conservatee is present. Attorney Craig M Parker is appointed. Notice by Judicial Assistant.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Candelaria McFarland, daughter

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

1. Suggested bond \$22,894.30, based on personal property. JTD
2. Petitioner seeks medical powers. **Need** Capacity Declaration.
3. Petitioner seeks dementia powers. **Need** report by court appointed counsel, Craig M. Parker.
4. Certificate of Completion of the Conservatorship Training Class filed
5. CI Report filed 01/03/18.
6. ~Proposed Form Order: 12/05/17

RECOMMENDATION

Need to clear notes 2-3. If approved, set hearing for Compliance Review for **10/16/18** for the filing of the required documents and hearing re Accounting Review for **05/21/19**. Any accounting to be filed 30 days in advance.
(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 for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino

Page: 20

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/13/18 TIME: 9:30 DEPT: S35P

CASE#: SC SS9340

CASE NAME: IN THE MATTER OF CHRISTOPHER LAWHON

HEARING:

Accounting Review

COUNSEL:

CHRISTOPHER LAWHON (CEP)...

LINDA LEE LAWHON (CPE)...EDWARD B FISCHER

CCP170.6 filed as to CYNTHIA A LUDVIGSEN

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review by Conservator of the Person and Estate, Linda Lee Lawhon.

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

1. Order Settling Fourteenth Account entered 01/10/17; fifteenth account now due.
2. No accounting or waiver of account. Need same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 21

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PA

DATE: 03/13/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1400175

CASE NAME: JAMES LEONARD HILL

HEARING:

First and Final Account and Report of JENNIFER L FIELD and
Petition for allowance of fees filed.

COUNSEL:

JAMES LEONARD HILL	(DEC)...
JENNIFER L FIELD	(PET)...PRO/PER
JENNIFER L FIELD	(TP)...PRO/PER
MARILYN HILL	(PET)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Report by former attorney, Jennifer L. Field ["Petitioner"], for former Administrator Marilyn Hill and Petition for its Approval.

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

1. Accounting period 1/23/13 to 06/28/17.
2. Petitioner indicates she does not have sufficient information to inform the court as to the location of the estate's assets; to all of the estate's receipts and disbursements; which will render this information incomplete and the account to not balance.
3. Assets on Hand \$0.00.
4. Statutory fees = \$10,500.00. Calculated. Petitioner requests that allocation of statutory fees and commissions be reserved until such time as the Public Administrator prepared its Final Account and Report. JTD.
5. Attorney requests reimbursement of costs advanced of \$465.00. Itemized.
6. No Summary of Account. Need same.
7. Receipts – Schedule A [LF, p. 11] reflects 2 separate proceeds from sale of the real property which are not subtotaled. Need further clarification via verified supplement.
8. Receipts – Schedule A [LF, p. 11] indicates proceeds in the amount of \$10,900 were deposited into attorneys IOLTA account. Question whether this deposit is

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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.

9. Disbursements – Schedule B [LF, pgs. 12-13] reflects various preliminary distributions made without prior court authority.
10. Need supplement indicating if cash has been invested and maintained in an interest bearing account per Pr.C. § 1064(a)(5).
11. Closing Statement for property sold during this account period is not affixed as alleged. Need same.
12. Proceeds of \$8,326.00 consisting of cash transferred to Public Administrator on 06/28/17 per Schedule B – Disbursements [LF, p. 13].
13. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 6-7, 10-11 then Court's discretion re: notes 8-9. If approved, set next hearing for receipts and final discharge for **03/19/19**.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 22

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/13/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1500825

CASE NAME: MYRL MARLENE STALLINGS

SEE ALSO 23, 24

HEARING:

Hearing Re: Accounting Review by PA

COUNSEL:

ALICIA MAE STALLINGS	(PET)...PRO/PER
DARRELL L. STALLINGS	(PET)...PRO/PER
DEPARTMENT OF HEALTH CARE SERV (TP)...	
MYRL MARLENE STALLINGS	(DEC)...
PUBLIC ADMINISTRATOR	(CRAIG M PARKER

GENERAL INFORMATION:

Continued from 12/19/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Public Administrator appointed Successor Administrator on 07/11/17.
2. Declaration Lack of Assets filed by PA on 10/03/17 alleges there are no other known assets.

RECOMMENDATION:

Court's discretion

(nb)

Superior Court of Calif, County of San Bernardino

Page: 23

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/13/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1500825

CASE NAME: MYRL MARLENE STALLINGS

SEE ALSO 22, 24

HEARING:

Hearing Re: OSC RE SURCHARGE OF \$190,000.00 ON ADMINISTRATORS

COUNSEL:

ALICIA MAE STALLINGS	(PET)...PRO/PER
DARRELL L. STALLINGS	(PET)...PRO/PER
DEPARTMENT OF HEALTH CARE SERV (TP)...	
MYRL MARLENE STALLINGS	(DEC)...
PUBLIC ADMINISTRATOR	(CRAIG M PARKER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re Surcharge of \$190,000 on Administrators in the Amount of \$190,000 (amount received from sale of real property).

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

1. Matter set on Court's motion at 12/19/17 hearing, wherein, Court ordered Christopher Murtagh to be present at next hearing.
2. Citations issued as to Darrel L Stallings and Alicia Mae Stallings who are ordered to appear. Need return of citations.
3. Notice by Judicial Assistant.

RECOMMENDATION:

Need return of citations then Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 24

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/13/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1500825

CASE NAME: MYRL MARLENE STALLINGS

SEE ALSO 22, 23

HEARING:

- Account and Report of DARRELL L. STALLINGS, ALICIA MAE STALLINGS and Petition for allowance of fees filed.

COUNSEL:

ALICIA MAE STALLINGS	(PET)...PRO/PER
DARRELL L. STALLINGS	(PET)...PRO/PER
DEPARTMENT OF HEALTH CARE SERV	(TP)...
MYRL MARLENE STALLINGS	(DEC)...
PUBLIC ADMINISTRATOR	(CRAIG M PARKER

GENERAL INFORMATION:

Continued from 12/19/17.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Attorney Christopher Murtagh for former Co-Executors, Darrell L. Stallings and Alicia M. Stallings.

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

1. Attorney requests statutory fees of \$6,394.00. Calculated.
2. Counsel indicates he rendered services on behalf of the former co-executors totaling \$3,625.00. Billed at \$250/hour for 14.5 hours attorney time. Itemized [LF, p. 15]. JTD.
 - a. Court may wish to have attorney establish that all ordinary compensation has been earned prior to granting extraordinary compensation (In re Walker Estate (1963) 221 Cal.App.2d 792.). JTD.
3. Attorney alleges former Co-Executors have failed to perform the duties necessary of them. As such, no statutory compensation is due. JTD.
4. Need Summary of Account and supporting schedules
5. 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).
6. Need findings re: sole and separate property.

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

7. Need legal description of the real property, including common address, if any, and assessor's parcel number.
8. Real property was sold during this account period. Need copy of closing statement per Local Rule 20-910.
9. Need verified supplement indicating if cash has been invested and maintained in an interest bearing account per Pr.C. §1064(a)(5).
10. Account indicates creditor's claims consisting of a Property Tax Bill and a DHS bill have not been paid; however, there are no allowances or rejection notices in the file regarding these claims. Need verified supplement confirming status of these claims.
11. Attorney requests to be relieved as counsel for Darrell L. Stallings and Alicia M. Stallings under CCP §284(2). JTD.
12. Need Notice of Hearing with proof of service to include prior co-executors and outstanding creditors.
13. No Summary of Account. It cannot be determined whether or not this accounting balances. Need to file proper accounting that complies with Pr. C. §1060 et seq.

RECOMMENDATION:

Need amended accounting to be set on first check calendar not sooner than **05/22/19**. Any account to be filed 30 days before hearing. Note requirements of Local Rules.
(nb)

Superior Court of Calif, County of San Bernardino

Page: 25

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

MISC

DATE: 03/13/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1500463

CASE NAME: MTR OF WILLIE ANDREW MANN TRUST

VACATED

HEARING:

Hearing Re: COURT TRIAL (SECOND DAY)

COUNSEL:

CHAUNCEY MANN II

(PET)...JACK B. OSBORN

CHAUNCEY MANN II

(PET)...PRO/PER

F.M. TARBELL CO

(PRENOVOST NORMANDIN BERGH

FIRST AMERICAN TITLE INSURANCE

(MARK H MCGUIRE

LANDWOOD TITLE COMPANY, A CALI

(PRENOVOST NORMANDIN BERGH

MENNIE MANN

(PRO/PER

OASIS INVESTMENT PROPERTIES, L

(TP)...ANDERSON,MCPHARLIN&

SHANNON D NOBLE

()...

WILLIE ANDREW MANN TRUST DATED

(TRU)...

No notes – Court Trial.

(nb)

Future Hearing:

03/14/18 Court Trial

03/15/18 Court Trial

03/16/18 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: 03/13/18 TIME: 8:30 DEPT: S36P

CASE#: PRO DS1000735

CASE NAME: MTR OF NATASHA MANSKER

HEARING:

Accounting Review

COUNSEL:

CAROL GROSSO

(PET)...JACK H ANTHONY

NATASHA MANSKER

(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review by Carol Grosso, Trustee of the Natasha Mansker SNT.

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

1. Order Settling Third Account entered 04/19/16; fourth account now due.
2. No accounting or 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: JAMES MICHAEL WELCH

DATE: 03/13/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS0700798

CASE NAME: WALTER FLOWERS JR.

SEE ALSO 3

HEARING:

Hearing Re: Second amended accounting

COUNSEL:

FRANCES FLOWERS	(PET)...JO ANN MCDOLE
WALTER FLOWERS JR	(DEC)...
WANDA ROGERS	(OBJ)...PRO/PER

GENERAL INFORMATION:

Continued from **07/18/17**. The court imposes sanctions on Attorney Jo Ann McDole in the amount of \$ \$750.00 payable to the court on or before 08/18/17. Court orders a completed amended accounting be filed by 08/18/17. Court agrees to continue the hearings set for 08/08/17 to 9/12/17 so all matters can be heard together.

Continued from **09/12/17**. Attorney McDole to work on filing a waiver of account.

Continued from 12/12/17. Attorney Jo Ann McDole called into the courtroom stating she would not be appearing today. The court orders the Public Administrator to file an amended accounting.

THIS CASE IS SET FOR HEARING ON Second Amended Accounting

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

1. Matter set at 05/09/17 hearing, wherein, the Court ordered Attorney Jo Ann McDole to file an accounting by 06/15/17. Court stated sanctions will be imposed as to Attorney Jo Ann McDole if the accounting is not on file by this date.
2. Even if the accounting has been filed - this date is NOT to be vacated.
3. No amended accounting. Need same.

RECOMMENDATION:

Court's discretion

(nb)

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org 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: JAMES MICHAEL WELCH

DATE: 03/13/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS0700798

CASE NAME: WALTER FLOWERS JR.

SEE ALSO 2

HEARING:

Hearing Re: OSC RE SANCTIONS/SURCHARGE AS TO ATTY MCDOLE

COUNSEL:

FRANCES FLOWERS

(PET)...JO ANN MCDOLE

WALTER FLOWERS JR

(DEC)...

WANDA ROGERS

(OBJ)...PRO/PER

GENERAL INFORMATION:

Continued from 09/12/17 and 12/12/17. Attorney Jo Ann McDole called the courtroom and stated she will not be appearing. Due to the failure to appear and failure to pay sanctions previously ordered. Citation issued to: Jo Ann McDole who is cited and required to appear on 03/13/18.

THIS CASE IS SET FOR HEARING ON OSC re Surcharge (Florence Flowers)

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

1. Matter set at 06/5/17 hearing, wherein, Mr. Parker informed the Court that accounting filed by Ms. McDole is incomplete as there are funds still coming in.
2. Court orders sanctions of \$350 imposed on Attorney JoAnn McDole for refusing court orders. Sanctions must be paid within 30 days.
3. The Court vacates previous orders of distribution.
4. Notice by Judicial Assistant.
5. **Need return of citation.**

RECOMMENDATION:

Court's discretion

(nb)

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org 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: 03/13/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1100294

CASE NAME: MARY ROBERTA BURDICK

HEARING:

Probate status report filed.

COUNSEL:

CRAIG GASTEIGER	(PET)...NOREEN T FONTAINE
EARL SPENCER BURDICK	(PET)...PRO/PER
MARY ROBERTA BURDICK	(DEC)...
ROBERTA ROSE BURDICK	(PET).. NOREEN T FONTAINE

X-REF: CIVDS 1518673

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report by Successor Personal Representative, Roberta Rose Burdick ["Petitioner"].

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

1. Petitioner alleges the estate is not in a condition to be closed due to the pending civil action; future listing; and sale of the real property at issue.
2. Petitioner requests an additional 6 months to close the estate. Suggest 12 months.
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. If approved, set next hearing for Accounting Review on **05/21/19**. Any account to be filed 30 days' before hearing date. 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 for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 03/13/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400760

CASE NAME: Merlin Factor

HEARING:

Accounting and petition for distribution Account and Report of
CASSANDRA HUDSON and Petition for allowance of fees filed.

COUNSEL:

CASSANDRA HUDSON	(PET)...DALE K GALIPO
DALE K. GALIPO	(PET)...DALE K GALIPO
MERLIN FACTOR	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Report by
Administrator, Cassandra Hudson ["Petitioner"-sister].

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

1. Assets on Hand \$30,000 consisting of cash held in attorney's 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.
2. Petitioner does not request compensation.
3. Attorney does not request fees as to probating the Estate as the Court issued a prior order approving attorney's fees in the amount of \$20,000 after reviewing a copy of the attorney-client agreement between Ms. Hudson and her counsel in the underlying civil rights lawsuit.
4. No verification. Need verification signed by personal representative per Pr. C. §1021.
5. Need statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary per Pr. C. § 1064 (a)(4). Need verified supplement.
6. Need statement regarding notice to Director of Health Care Services or notice per Pr. C. § 9202(a).

7. Need statement regarding notice to Franchise Tax Board or notice per Pr. C. § 9202(c)(1).
8. Need findings re: all taxes have been paid, or reserve made for taxes
9. Need copy of bank/financial statement per Local Rule 20-908.
10. No omnibus clause for after-discovered property. Need same.
11. Need Notice of Hearing with proof of service.
12. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 4-11 then Court's discretion. If approved, set next hearing for receipts and final discharge for **03/19/19**.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 03/13/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600525

CASE NAME: KARL PROBERT-ENBORG SPECIAL NEEDS TRUST

SEE ALSO 7

HEARING:

Petition for REQUESTING AUTHORITY TO PURCHASE A VEHICLE AND HIRE
A CAREGIVER

COUNSEL:

JENNIFER PROBERT	(PET)...PIERRE J RODNUSKY
JENNIFER PROBERT	(TEE)...RODNUSKY & ASSOCIATES
KARL PROBERT SR	(RODNUSKY & ASSOCIATES
KARL PROBERT-ENBORG 2016 SPECI	(BEN)...

X-REF: CIVDS 1402070; CIVDS 1402068

GENERAL INFORMATION

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

Continued from 01/17/18. Court and counsel confer on the record. Court will bifurcate the petition and authorize the purchase of a vehicle not to exceed \$40,000. Counsel to submit order. The remaining issues in the petition are continued to be heard with the accounting.

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

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

1. Creation of SNT for Karl Probert, Jr, approved on 08/02/16. Jennifer and Karl Probert Sr., parents, appointed Trustees, \$661,300 bond.
2. Current assets: \$590,000 in cash, plus \$2,132.60/month from Pacific Life Insurance Co.
3. Petitioner alleges the family currently owns a 2002 Ford Expedition used to transport Karl Jr to various physical therapy and medical appointments. However, Karl Jr's safety has been compromised as he consistently removes the seatbelt. Petitioner requests authority to purchase a more reliable full-sized utility vehicle to fit Karl Jr and his equipment in an amount not to exceed

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

\$30,000. . **Court will bifurcated the petition and authorized the purchase of a vehicle not to exceed \$40,000 on 01/17/18.**

4. Petitioners request authority to hire Jennifer Probert, Trustee, as beneficiary's caregiver and for monthly compensation of **\$2,000**. Petitioners allege Karl Jr lives with and is cared for by both of his parents/trustees. Prior to Karl Jr's injury, Jennifer Probert, trustee, worked for Lucerne Valley School District, working with children with special needs at \$22.50/hour. Jennifer Probert has not been able to return to work due to Karl Jr's constant care, and thus requests compensation. **JTD**
5. Notice was given.
6. **Report of GAL Jeanne Kennedy filed.**
7. **Order on Petition Requesting Authority to Purchase a Vehicle entered 02/06/18.**

RECOMMENDATION

Court's discretion.

(lh/nb)

Superior Court of Calif, County of San Bernardino

Page: 7

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 03/13/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600525

CASE NAME: KARL PROBERT-ENBORG SPECIAL NEEDS TRUST

SEE ALSO 6

HEARING:

first Account and Report of JENNIFER PROBERT and Petition for allowance of fees filed.

COUNSEL:

JENNIFER PROBERT

(PET)...PIERRE J RODNUSKY

JENNIFER PROBERT

(TEE)...RODNUSKY & ASSOCIATES

KARL PROBERT SR

(RODNUSKY & ASSOCIATES

KARL PROBERT-ENBORG 2016 SPECI (BEN)...

X-REF: CIVDS 1402070; CIVDS 1402068

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First Account Current; Petition for Fees; and Decrease in Bond by Co-Trustees, Jennifer Probert and Karl Probert, Sr. ["Petitioners"] of SNT.

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

1. Accounting period 09/22/16 to 09/29/17.
2. Assets on Hand \$558,576.90 consisting of \$63,540.60 in cash and remaining in securities.
3. Current bond of \$661,300. Petitioners request bond be decreased by \$5,300 for a new bond amount of \$656,000. Appears sufficient. JTD.
4. Petitioners do not request fees (see prior matter #6).
5. Attorney requests fees of \$12,425.00. Billed at \$350/hour for 17.50 hours' attorney time and \$150/hour for 12 hours' paralegal time and a flat fee of \$4,500 for the preparation of the SNT. Itemized [LF, p. 61]. Alternatively, should this matter be "RFA," attorney will reduce his fee request by 3 hours attorney time or \$1,050.00 for a new balance of \$11,375.00. JTD.
6. Attorney requests reimbursement of costs advanced of \$1,443.68. Itemized [LF, p. 62].
7. Disbursements – Schedule C requires further clarification via verified supplement as to the following:

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

- a. Quarterly Bank Fees;
 - b. Care Planning;
 - c. Septic Tank;
 - d. Patio Maintenance;
 - e. Pool Maintenance;
 - f. Caregiver fees;
 - g. Transportation fees;
 - h. Credit Card Payments.
8. Need copies of bank/financial statements to support ending balances as of 09/29/17 for the following accounts:
- a. First Mountain Bank Acct. 6795;
 - b. USB Acct. 18727;
 - c. USB Acct. 18758.
9. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 6 & 7 then Court's discretion re: fees and bond. If approved, set next hearing for Accounting Review on **11/28/18**.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 8

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 03/13/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700534

CASE NAME: JOHNNY HERMOSILLA

HEARING:

Hearing Re: Status

COUNSEL:

DECI HERMOSILLA

(PET)...JAMES E NEWNHAM

IAN HERMOSILLA

(PET)...JAMES E NEWNHAM

JOHNNY HERMOSILLA

(DEC)...

REMEDIOS C ABARO

(TP)...LENITA A SKORETZ

No notes – status.

(nb)

Future Hearing:

01/15/19 Accounting Review.

Superior Court of Calif, County of San Bernardino
Page: 8A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 03/13/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701276

CASE NAME: ESTATE OF RICHARD BRISCOE
SEE ALSO 8B

HEARING:

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

COUNSEL:

JUSTIN BRISCOE	(PET)...DEBORAH S WHITE
RICHARD BRISCOE	(DEC)...
TAKISHA BROWN	(PET)...CARMEN QUALLS & ASSOCIATES
YOLANDA BRISCOE	(PET)...CARMEN QUALLS & ASSOCIATES

GENERAL INFORMATION:

Special Letters of Administration issued to Takisha Brown, \$100,000 bond, on 12/22/17. **Continued from 01/23/18.** Ms. Qualls represents that the order for special administration was incorrect and request that the Court sign the corrected order The Court signs the corrected order for special administration this date.

Continued from 02/26/18 at request of parties. Parties agree to continue this matter to be heard with the competing petition. Parties also agree to have these matters be heard on 03/13/18 due to counsel's inability to appear on 03/12/18.

THIS CASE IS SET FOR HEARING ON

Petition #1: Petition for Letters of Limited Administration with full authority under IAEA by daughter and sister, Yolanda Briscoe and Takisha Brown [Petitioners].

Petition #2: Petition for Letters of Administration with Limited Authority under IAEA by son, Justin Briscoe [“Petitioner”].

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

Petition #1 by Yolanda Briscoe and Takisha Brown:

1. Petitioner Yolanda Briscoe alleges she is decedent’s attorney-in-fact. Does Court wish to require a copy of subject Power of Attorney? **JTD.**
2. Petitioners request no bond as any assets will be deposited into a blocked account. **JTD.**
3. **Objections filed by Justin Briscoe, son, filed 02/05/18; however, need proof of service.**

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

4. ~Proposed Form Order 12/19/17

Petition #2 by Justin Briscoe:

5. Sections 2b and 3c are incomplete. Need same.
6. Petitioner requests monies to be held in blocked account in lieu of bond. Estimated value of estate \$420,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. §8481(b). JTD
7. Nomination of this petitioner by siblings Travis and Marcus Briscoe affixed to petition [LF, pgs. 8-9].
8. Need Duties and Liabilities of Personal Representative form.
9. Need proof of publication.
10. Need Notice of Hearing with proof of service to include Cheryl Briscoe per Request of Special Notice.

RECOMMENDATION: Matter is contested.

Need to clear notes 5, 8-10. Court may wish to trail matter to **04/10/18** to be heard with competing petition. Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **05/21/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/ww/nb)

Future Hearing:

04/10/18 Hearing re: Petition for letters of admin. w/limited authority under IAEA **by Justin Briscoe, son.**

Superior Court of Calif, County of San Bernardino

Page: 8B ADD ON

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

DATE: 03/13/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701276

CASE NAME: ESTATE OF RICHARD BRISCOE

SEE ALSO 8A

HEARING:

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

COUNSEL:

JUSTIN BRISCOE	(PET)...DEBORAH S WHITE
RICHARD BRISCOE	(DEC)...
TAKISHA BROWN	(PET)...CARMEN QUALLS & ASSOCIATES
YOLANDA BRISCOE	(PET)...CARMEN QUALLS & ASSOCIATES

See matter #8A.

(nb)

Future Hearing:

04/10/18 Hearing re: Petition for letters of admin. w/ etc.

Superior Court of Calif, County of San Bernardino

Page: 9

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

DATE: 03/13/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800105

CASE NAME: MTR OF RICHARD NORMAN JENSEN

HEARING:

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

COUNSEL:

ERIC C JENSEN (PET)...LAW OFFICE OF GEORGINA LEPE
RICHARD NORMAN JENSEN (DEC)...

GENERAL INFORMATION:

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

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

1. Will does not waive bond as to this petitioner. Estimated value of estate is \$460,000. Suggest bond of \$460,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
2. Will is not self-proving. Need Proof of Subscribing Witness. **Supp. (03/05/18) alleges the whereabouts of witnesses are unknown and that whether or not the will is admitted will not affect final distribution.**
3. ~Proposed Form Order/Letters 02/01/18.

RECOMMENDATION:

Court's discretion re: bond and note 2. If approved, set future hearing for Accounting/Status Review on **05/21/19**. 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: 10

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

DATE: 03/13/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800106

CASE NAME: Lenore Earle Paprocki

HEARING:

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

COUNSEL:

LENORE EARLE PAPROCKI (DEC)...
PATRICIA ANN PAPROCKI (PET)...ANDERSON & LEBLANC, A.P.L.C.

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full
authority under IAEA by Executrix, Patricia Ann Paprocki ["Petitioner"-daughter].

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

1. Petitioner alleges that Co-Executor nominated, James Joseph Paprocki is non-cooperative and lives in the State of Arizona.
2. Will does not waive bond as alleged. Estimated estate is not valued. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). JTD.
3. Need receipt for "lodging" of original will.
4. ~Proposed Form Order/Letters 02/01/18.

RECOMMENDATION:

Need to clear note 3 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **05/21/19**. 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: 11

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

DATE: 03/13/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800124

CASE NAME: CARMEN REVECA NIETO

HEARING:

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

COUNSEL:

ARTURO NIETO	(PET)...WILLIAM J BRUNICK
CARMEN NIETO	(PET)...WILLIAM J BRUNICK
CARMEN REVECA NIETO	(DEC)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Arturo and Carmen Nieto, parents.

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

1. Petitioners are sole heirs and waive bond. Net estate value is \$4,448,335.
2. Need proof of publication.
3. It appears decedent may be prior conservatee in case CONPS1200235. Next hearing 08/29/18 Accounting review S36. Court may wish to inquire and cross reference cases.
4. ~Proposed Form Order: 02/07/18

RECOMMENDATION

Need to clear note 2, Court's discretion re bond. If approved, set Accounting/Status Review for **05/23/19**. Any accounting to be filed 30 days in advance local rule 20 -901. Note requirements of local rule 20-908.

(lc/nb)

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

DATE: 03/13/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800140

CASE NAME: MICHAEL C FARMER

HEARING:

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

COUNSEL:

LISE HALL (PET)...JENNIFER M DANIEL
MICHAEL C FARMER (DEC)...

GENERAL INFORMATION:

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

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

1. Out -of -state Petitioner requests bond be fixed at \$578,000. Appears
sufficient. JTD.
2. Section 7 to petition [LF, p. 4] is incomplete. Need verified supplement.
3. Need proof of publication.
4. **Section 5 to Notice of Petition to Administer Estate filed on 02/20/18 is not
marked. Need proper notice.**
5. ~Proposed Form Order/Letters 02/13/18.

RECOMMENDATION:

Need to clear notes 2-4, \$578,000 bond. If approved, set future hearing for
Accounting/Status Review on **05/21/19**. 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: 12

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 03/13/18 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1700845

CASE NAME: THE JOHN P MCGLONE REVOCABLE TRUST

HEARING:

Petition for (VERIFIED) FOR DETERMINATION OF VALIDITY OF
PURPORTED TRUST DOCUMENTS ETC

COUNSEL:

DANNY NICHOLS

(OBJ)...C. TRACY KAYSER

MARGARET CLUKEY

(PET)...PRICE LAW FIRM APC

NANCY NICHOLS

(C. TRACY KAYSER

ROSEMARY HALEY

(PET)...PRICE LAW FIRM APC

THE JOHN P MGLONE REVOCABLE TR (TRU)...

Currently under review by Legal Research.
(LR)

Notice given.
(nb)

Superior Court of Calif, County of San Bernardino

Page: 13

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 03/13/18 TIME: 8:35 DEPT: S36P

CASE#: TRU PS1800024

CASE NAME: Alexia Shinedling 2017 Statutory Minor's Trust

HEARING:

Petition for 1)bring statutory minors trust under court supervision 2)for court auth to invest

COUNSEL:

AARON SHINEDLING

(PET)...RODNUSKY & ASSOCIATES

ALEXIA SHINEDLING 2017 STATUTO

(TRU)...

Currently under review by Legal Research.
(LR)

Notice:

Notice filed 02/02/18 does not include State Director of Healthcare Services; Department of State Hospitals; or Director of Developmental Services. Need proper service.

(nb)

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

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 03/13/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS0900204

CASE NAME: KYLE SCHUNKE

HEARING:

Seventh Current Account and Report of ANGELO SCHUNKE and
Petition for allowance of fees filed.

COUNSEL:

ANGELO SCHUNKE	(CPE)...DONNASUE ORTIZ
ANGELO SCHUNKE	(OBJ)...DONNASUE ORTIZ
ANGELO SCHUNKE	(PET)...SAMUEL R WASSERSON
E. JOAN NELMS	(PET)...E JOAN NELMS
J DAVID HORSPOOL	(PET)...J. DAVID HORSPOOL
KYLE SCHUNKE	(CEP)...JOAN NELMS
NANCY S. SCHUNKE	(CP)...HORSPOOL & HORSPOOL
NANCY SLIMAK SCHUNKE	(CPE)...HORSPOOL & HORSPOOL

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Seventh Account Current and Petition for Fees by Conservator of the Person and Estate, Angelo Schunke ["Petitioner"].

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

1. Accounting period 08/01/16 to 07/31/17.
2. Assets on Hand \$937,612.97 consisting of \$531,808.49 in cash and \$405,804.48 in equities and personal property.
3. Current bond of \$1,201,127.14. Petitioner requests a bond increase by \$58,402.69 for a total new bond of \$1,259,529.83. Appears sufficient. JTD.
4. Petitioner does not request compensation but requests authorization to continue to receive a monthly stipend of \$250/month. JTD.
5. Attorney requests fees of \$13,431.25. Billed at \$375/hour for 26.25 hours' attorney time and \$125/hour for 28.70 paralegal time. Itemized [LF, pgs. 36-39]. JTD.
6. Disbursements – Schedule C requires further clarification via verified supplement as to the following:
 - a. Multiple Church Tithes on the same day in varying amounts;

- b. Bank Charges.
7. Need residential facility statements and/or written verification of rent per Pr.C. §2620(c)(5).
 8. Conservatee resides in Bakersfield, CA. Suggest transfer to Kern County. If so, Court to set control date.
 9. Proposed Order 01/31/18 does not include 3 lines of content before signature line and captions title includes reimbursement of expenses when reimbursement was not prayed for.

RECOMMENDATION:

Need to clear notes 6-7 then Court's discretion re: fees and bond. If approved, set hearing on the next accounting review for **09/25/18** (if one year) or **09/24/19**(if two years). 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: 15

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 03/13/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1400292

CASE NAME: ANDREW R FOSTER

HEARING:

Accounting Review

COUNSEL:

ANDREW R FOSTER (CTE)...

BERNICE M FOSTER (CPE)...HARTNELL LAW GROUP

GENERAL INFORMATION

Continued from 12/18/17 and 01/29/18 at request of counsel.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Ex parte petition to dispense with 2nd accounting and order filed 12/19/16.
2. ~Ex Parte Petition to Dispense with Accounting and Order received 01/26/18.
3. Conservatee now resides in Riverside County. Suggest transfer to Riverside. If so, Court to set control date.

RECOMMENDATION: Transfer to Riverside.

RFA. If approved, set next hearing for Accounting Review on 12/26/18.

(ww/nb)

Superior Court of Calif, County of San Bernardino

Page: 16

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

DATE: 03/13/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500086

CASE NAME: CARLOS ORENDAIN

SEE ALSO 17, 18, 19, 20, 21

HEARING:

Hearing Re: Kenia Orendayn's Account and Report/Petition

COUNSEL:

ASCENCION ISALDO DIAZ	(TP)...PRO/PER
CARLOS ORENDAIN	(PCE)...MITCHELL I ROTH
CARLOS ORENDAIN	(PCE)...PRO/PER
CHRISTINA ERICKSON-TAUBE	(CE)...SHERRI L KASTILAHN
KENIA ORENDAYN ISALDO	(PET)...RICHARD M MOSS
MARIA ORENDAIN ISAIDO	(PCR)...PRO/PER
SAMUEL BRAMBILA	(PRO/PER

Request for Waiver of Court Fees and Costs filed by MARIA ORENDAIN ISAIDO is GRANTED
Fee waiver amount due \$465.00 for first apt and etc. on 04/15/15

Request for Waiver of Court Fees and Costs filed by CARLOS ORENDAIN is GRANTED
Fee waiver amount due \$930.00 for petition on 06/21/16
\$465.00 for petition on 06/21/16
\$465.00 for account on 03/32/17

GENERAL INFORMATION:

Continued from **08/07/17**. Court orders proper accounting to be filed.

Continued from 10/23/17, 12/04/17 and 01/29/18.

THIS CASE IS SET FOR HEARING ON Accounting and Report of Proposed
Conservator, Kenia Orendain ["Petitioner"-sister].

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

1. No inventory and appraisal. However, order or letters have not issued as to this petitioner.
2. Accounting period 12/28/12 to 12/24/15 (3 years).
3. Assets on Hand \$0.00.
4. No request for compensation or fees.

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

5. Petitioner requests reimbursement of costs advanced of \$43,508. **Need** itemization.
6. Summary of Account [LF, pg. 6] – Total Charges and Total Credits do not match. **Need** amended summary and affected schedules.
7. Attachment A – Receipts [LF, p19-20] reflects temporary and permanent disability payments. However, a total is not given.
8. Schedule C – Disbursements [LF, p18] does not include dates or check no's.
9. **Need** Notice of Hearing and proof of service.
10. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

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.

(nb/ww/nb)

Superior Court of Calif, County of San Bernardino

Page: 17

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

DATE: 03/13/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500086

CASE NAME: CARLOS ORENDAIN

SEE ALSO 16, 18, 19, 20, 21

HEARING:

Hearing Re: PTN FOR CONSERVATORSHIP OF THE PERSON AND ESTATE

COUNSEL:

ASCENCION ISALDO DIAZ	(TP)...PRO/PER
CARLOS ORENDAIN	(PCE)...MITCHELL I ROTH
CARLOS ORENDAIN	(PCE)...PRO/PER
CHRISTINA ERICKSON-TAUBE	(CE)...SHERRI L KASTILAHN
KENIA ORENDAYN ISALDO	(PET)...RICHARD M MOSS
MARIA ORENDAIN ISAIDO	(PCR)...PRO/PER
SAMUEL BRAMBILA	(PRO/PER

GENERAL INFORMATION:

Continued from **6/23/15**. Court Investigator notified that there are competing petitions and requests report to address both petitions.

Continued from **8/6/15** at request of counsel. Notice to be given by Krishna Malhotra.

Continued from **9/29/15**.

On 10/2/15 **Christina Taube-Erikson appointed temporary conservator of estate** and successor GAL in Worker's Compensation Appeals Board action.

Continued from **1/25/16** Court notes that there are several competing petitions. All temporary orders to remain in full force and effect.

Continued from **6/7/16** at request of counsel.

Continued from 06/22/16. Court appoints Christina Erickson-Taube as temporary conservator of person; counsel to submit for signature revised/amended order and letters showing temporary conservator of person and estate.

Continued from **10/25/16** pending outcome of motion to be relieved.

Continued from **12/06/16 and 12/12/16**. Matter is continued for Kenia Orendayn Isaldo to file an accounting. Accounting to be filed by 01-27-17. Notice to be given by Attorney Mitchell Roth.

Continued from **02/27/17**. Court orders that Kenia Orendayn Isaldo file her accounting prior to the next hearing. If the accounting has not been filed court will strike her petition and surcharge her for the full amount of the monies received for caregiver services. All temporary orders to remain in full force and effect until 04/24/17.

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

Continued from **04/24/17**. Court finds: All future payments from medical compensation are to be given to Christina Erickson-Taube. Mitchell Roth prepared order regarding funds. Kenia Orendayn Isaldo and counsel Richard Moss are ordered to appear at the next hearing. Accounting is to be filed no later than 5-19-17. No account filed.

Continued from **06/19/17 and 08/07/17 and 10/23/17** Maria Orendain withdraws per petition as to the estate. Petition for conservatorship by Kenia Orendayn Isaldo is withdrawn per agreement of counsel.

Continued from 12/04/17 and 01/29/18.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship 022717.

- Petition 1 – for Conservatorship, person only, by **Maria Orendain Isaldo** (sister)
- Petition 2 – for Conservatorship, person and estate, by **Kenia Orendain** (sister)- **Withdrawn**
- Petition 2 – for Conservatorship, person and estate, by **Christina Erickson-Taube** (PPF)

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

Petitioner 1 – Maria Orendain Isaldo, sister

1. Matter transferred from Los Angeles County. Per LA minute order dated 12/04/14, it does not appear temporary or general orders were made.
2. Medical Capacity Declaration filed 10/6/15 supporting request.
3. Certificate of Completion re Conservatorship Class filed 07/08/16.
4. **Objections filed by competing petitioner Kenia on 06/19/15.**
5. **Petition filed by Kenia Orendayn Isaldo on 06/16/16; however, withdrawn per agreement of counsel on 10/23/17.**
6. Supplemental Report by Court-Appointed Counsel, Mitchell Roth, filed 05/09/17.
- 7.

Petitioner 2 – Christina Erickson-Taube, PPF/ temporary conservator of the person

8. Petitioner requests bond, but does not state an amount. Current bond of \$100,000 posted as to the Temporary Conservatorship. Estimated estate value is \$38,222. Based on estate value and cost of recover, Court may wish to require bond of \$43,000.
9. Medical powers sought. Capacity Declaration filed 10/6/15. Updated Capacity Declaration filed 09/29/16. Capacity Declaration filed 11/14/16.
10. Need return of Citation.
11. Court Investigator report filed on 7/22/15 as to petitioners Maria and Kenia. **CI report as to petitioner Christina Erickson-Taube filed 07/28/16.**
12. Consents to act filed 10/23/14 by mother, Ascencion Isaldo Diaz, and brother-in-law, Samuel Brambila; however, no petitions filed by them.
13. Report of LA court-appointed counsel filed 12/04/14. Report by Attorney Roth filed 8/6/15, 9/24/15 and 1/12/16. **Court to review supp. report by Attorney Roth filed 08/03/16.**
14. **Objections filed by Kenia Orendayn Isaldo on 06/16/16**

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

RECOMMENDATION:

Matter is contested. If approved, set hearing for Compliance Review for **10/16/18** 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 and Inventory & Appraisal with notice.

Set hearing re Accounting Review for **05/21/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(vet/lc/vet/abs/ds/nb/sa/nb/ww/nb)

Superior Court of Calif, County of San Bernardino

Page: 18

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 03/13/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500086

CASE NAME: CARLOS ORENDAIN

SEE ALSO 16, 17,19, 20, 21

HEARING:

Hearing Re: Ptn for Conservatorship of the Person Only

COUNSEL:

ASCENCION ISALDO DIAZ	(TP)...PRO/PER
CARLOS ORENDAIN	(PCE)...MITCHELL I ROTH
CARLOS ORENDAIN	(PCE)...PRO/PER
CHRISTINA ERICKSON-TAUBE	(CE)...SHERRI L KASTILAHN
KENIA ORENDAYN ISALDO	(PET)...RICHARD M MOSS
MARIA ORENDAIN ISAIDO	(PCR)...PRO/PER
SAMUEL BRAMBILA	(PRO/PER

See notes on matter #17.

(nb)

Superior Court of Calif, County of San Bernardino
Page: 19
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 03/13/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500086

CASE NAME: CARLOS ORENDAIN
SEE ALSO 16, 17, 18, 20, 21

HEARING:
Hearing Re: TRIAL SETTING CONFERENCE ON SURCHARGE

COUNSEL:
ASCENCION ISALDO DIAZ (TP)...PRO/PER
CARLOS ORENDAIN (PCE)...MITCHELL I ROTH
CARLOS ORENDAIN (PCE)...PRO/PER
CHRISTINA ERICKSON-TAUBE (CE)...SHERRI L KASTILAHN
KENIA ORENDAYN ISALDO (PET)...RICHARD M MOSS
MARIA ORENDAIN ISAIDO (PCR)...PRO/PER
SAMUEL BRAMBILA (PRO/PER

No notes – TSC.
(nb)

Superior Court of Calif, County of San Bernardino

Page: 20

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 03/13/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500086

CASE NAME: CARLOS ORENDAIN

SEE ALSO 16, 17, 18, 19, 21

HEARING:

Motion Re: TO BE RELIEVED AS COUNSEL Filed by Petitioner KENIA ORENDAYN ISALDO

COUNSEL:

ASCENCION ISALDO DIAZ	(TP)...PRO/PER
CARLOS ORENDAIN	(PCE)...MITCHELL I ROTH
CARLOS ORENDAIN	(PCE)...PRO/PER
CHRISTINA ERICKSON-TAUBE	(CE)...SHERRI L KASTILAHN
KENIA ORENDAYN ISALDO	(PET)...RICHARD M MOSS
MARIA ORENDAIN ISAIDO	(PCR)...PRO/PER
SAMUEL BRAMBILA	(PRO/PER

GENERAL INFORMATION

Hearing originally set for 07/06/17.

Continued from **08/07/17** for proper notice.

Continued from **10/23/17**.

Continued from **12/04/17**. Court orders Attorney Richard Moss to personally be present.

Continued from 01/29/18 at request of counsel.

THIS CASE SET FOR HEARING ON Motion to be Relieved as Counsel by Richard Moss III.

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

1. Petitioner, Richard Moss III, seeks to be removed as Counsel for Kenia Orendain Isaldo due to attorney client relationship breakdown.
2. Proof of service filed; however, need proof of service of declaration and proposed Order in compliance with Rules of Court, rule 3.1362(d).
 - a. (d) Service *The notice of motion and motion, **the declaration, and the proposed order** must be served on the client and on all other parties who have appeared in the case. The notice may be by personal service, electronic service, or mail.*

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

3. **Declaration filed 01/19/18 by Kenia Orendain, Conservator. Need proof of service.**
4. No Proposed order.

RECOMMENDATION

Need to clear note 2.

(lc/nb/ww/cs/nb)

Superior Court of Calif, County of San Bernardino

Page: 21

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 03/13/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500086

CASE NAME: CARLOS ORENDAIN

SEE ALSO 16, 17, 18, 19, 20

HEARING:

OSC re: SANCTIONS FOR ATTORNEY RICHARD MOSS FOR FTA filed by
KENIA ORENDAYN ISALDO

COUNSEL:

ASCENCION ISALDO DIAZ	(TP)...PRO/PER
CARLOS ORENDAIN	(PCE)...MITCHELL I ROTH
CARLOS ORENDAIN	(PCE)...PRO/PER
CHRISTINA ERICKSON-TAUBE	(CE)...SHERRI L KASTILAHN
KENIA ORENDAYN ISALDO	(PET)...RICHARD M MOSS
MARIA ORENDAIN ISAIDO	(PCR)...PRO/PER
SAMUEL BRAMBILA	(PRO/PER

GENERAL INFORMATION

Continued from 01/29/18. Bench warrant ordered to issue with bail set at \$60,000.00 and held to 03/13/18 as to Attorney Richard Moss.

THIS CASE SET FOR HEARING ON OSC re Sanctions for Attorney Richard Moss for
FTA

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

1. OSC set on 12/04/17 when Attorney Richard Moss failed to appear at the Motion to be relieved as counsel hearing.

RECOMMENDATION

Court's discretion re OSC.

(ww/nb)

Superior Court of Calif, County of San Bernardino

Page: 22

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 03/13/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600104

CASE NAME: IN THE MATTER OF COREY CAPECE

HEARING:

Accounting Review

COUNSEL:

COREY CAPECE

(CTE)...

FRANK CAPECE

(PET)...MELINDA S. BELL

TERRI CAPECE

(PET)...MELINDA S. BELL

GENERAL INFORMATION

Continued from 09/05/17, 10/17/17 and 01/23/18 at request of counsel. Notice to be given by Attorney Melinda S. Bell.

THIS CASE SET FOR HEARING ON Accounting Review.

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

1. Frank and Terri Capece, (parents) appointed conservators of the estate of Corey Capece on 07/19/16, limited conservatorship, no bond.
2. Need 1st Account beginning 07/19/17.

RECOMMENDATION

Inquire status of accounting. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(cs/lh/nb)

Superior Court of Calif, County of San Bernardino
Page: 23
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 03/13/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700405

CASE NAME: MTR OF JERRY DEAN PATTON

HEARING:

Hearing Re: PTN FOR CONSERVATORSHIP OF THE PERSON AND ESTATE

COUNSEL:

CHRISTINA D PATTON (CPE)...BROWN WHITE & OSBORNE, LLP
CRYSTAL D PATTON (CPE)...BROWN WHITE & OSBORNE, LLP
JERRY DEAN PATTON (CEP)...MARIVEL M ZIALCITA

GENERAL INFORMATION

Ex Parte orders granted by Riverside County on 02/16/17, \$30,000 bond.

Continued from 01/03/18. Court deems capacity declaration filed sufficient. Attorney Marivel M. Zialcita appointed. All temporary orders to remain in full force and effect. Referred to Court Investigator for investigation and report.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person and estate by daughters, Christina D. Patton and Crystal D. Patton ["Petitioners"].

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

- 1 Petitioners request no bond for estimated value of estate of \$32,000 consisting of public benefits. JTD.
- 2 Petitioners seek appointment as representative payees of conservatee's public benefits.
- 3 Petitioner seeks medical powers. Medical Capacity declaration filed.
- 4 **Need** Duties of Conservatorship Form.
- 5 **Need** Notification to Court of Address on Conservatorship form.
- 6 **Need** report of court appointed counsel, Marivel M. Zialcita.
- 7 **Need** Court Investigator's Report.
- 8 Citation returned 12/28/17 served via substituted service on Bernadette Patton (relationship unknown). **Need** proper personal service.
- 9 **Need** amended temporary Letters to reflect this county.
- 10 Declaration of Completion of Video Orientation for Non-Professional Conservators filed 09/05/17 as to Christina and Crystal Patton filed 09/05/17.

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

- 11 Notice filed 03/06/18 does not include sister, Robin Patton. **Need** proper service.
- a. Request to Excuse Notice with Due Diligence Declaration as to sibling Robin Patton filed 09/05/17. **JTD.**

RECOMMENDATION:

Need to clear notes 4-9 then Court's discretion re: note 11. If approved, set hearing for Compliance Review for **10/16/18** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr.C.§2313.

Set hearing re Accounting Review for **05/21/19**. 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: 24

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

DATE: 03/13/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800034

CASE NAME: MTR OF KRISTOFER M CABALLERO

HEARING:

Petition for Appointment of Conservator

COUNSEL:

DEE ANN RICK (CP)...PRO/PER
KRISTOFER M CABALLERO (CTP)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Limited Conservatorship, person only, by mother, Dee Ann Rick ["Petitioner"].

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

1. Section 1k to petition is incomplete. **Need** verified supplement.
2. Section 5a(2) is incomplete. **Need** verified supplement.
3. No bond – person only.
4. Proposed conservatee is developmentally disabled. **Need** appointment of counsel and report by same.
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.
7. **Need** Notification to Court of Address on Conservatorship form.
8. **Need** List of Required Contacts.
9. **Need** return of Citation.

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

10. Court Investigator Report filed.

11. **Need** Inland Regional Center Report.

12. **Need** Certificate of Completion re Conservatorship Class.

13. **Need** Notice of Hearing with proof of service to include IRC.

14. No proposed order/letters. Submit Order after Hearing.

RECOMMENDATION:

Court to appoint counsel then need to clear notes 1-2, 4, 7-9 & 11-13. If approved, set hearing for Compliance Review for **04/26/16** 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: 25

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

DATE: 03/13/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800035

CASE NAME: Jose David Orozco Gonzalez

HEARING:

Petition for Appointment of Conservator

COUNSEL:

JOSE DAVID OROZCO GONZALEZ (CTP)...

LAURA R OROZCO GONZALEZ (CP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person by mother, Laure R Orozco Gonzalez ["Petitioner"].

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

1. No bond – person only.
2. Petitioner seeks medical powers. Need Medical Capacity declaration.
- 3. Court Investigator's Report filed.**
4. Citation returned served.
5. Section 7b to capacity declaration is blank but is initialed. Court to determine if sufficient. JTD.
6. Need Certificate of Completion re Conservatorship Class.
7. Proof of Service to notice filed on 03/13/18, Sections 4a and 4b are incomplete. Need proper service.
8. ~Proposed Form Order/Letters 02/06/18.

RECOMMENDATION:

Need to clear notes 2, 6-7 then Court's discretion re: note 5. If approved, set hearing for Compliance Review for **10/16/18** 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 for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino

Page: 26

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

DATE: 03/13/18 TIME: 9:30 DEPT: S36P

CASE#: SC SS01236

CASE NAME: IN THE MATTER OF JEREMY KEN PUGEL

HEARING:

Hearing Re: Status of Jeremy Ken Pugel/Co-conservator

COUNSEL:

ANDREA WILLIS	(PET)...PRO/PER
JEREMY KEN PUGEL	(CEP)...MITCHELL I ROTH
JOSEPH EARLS	(PET)...PRO/PER
VIRGIE LEE EARLS S	(CPE)...PRO/PER

XREF: PROPS1700222 (Joseph Richard Earls)

GENERAL INFORMATION

Matter set on 01/20/17 after review of Court Investigator memo. Mitchell Roth appointed counsel. IRC directed to provide a report. Court Investigator also notified. Continued from 02/09/17. Court noted that the order/letters from 2008 are not correct. Amended order/letters to be submitted. Counsel also to address the conservatee's eligibility to vote.

Continued from **04/06/17, 05/11/17 and 07/13/17** to submit amended order/letters.

Continued from 01/11/18. Challace Earls (sister) to file a petition to become successor conservator. Oral report given by Attorney Mitchell Roth. Notice given by Attorney Mitchell Roth.

THIS CASE SET FOR HEARING ON Status of conservatee/Co-Conservator.

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

1. Co-Conservator Joseph Earls, grandfather, passed away leaving mother Andrea Willis, mother, as sole Conservator of person only. ***Need amended order/letters to reflect Andrea only.***
2. Report of Counsel Mitchell Roth filed 06/01/17.
3. Court Investigator reports filed 01/30/17 and 04/18/17.
4. IRC report filed 02/07/17.
5. **Proof of Service to Notice of Continuance is not signed. Need proper service.**

RECOMMENDATION

Need amended order/letters.

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

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 03/13/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0600080

CASE NAME: DONALD H ROSE

HEARING:

Petition for instructions, by Lyle Stotelmyre

COUNSEL:

DAMON T ROSE	(KERENDIAN & ASSOCIATES
DAMON T ROSE	(PET)...NOREEN T FONTAINE
DAMON T ROSE	(PET)...PRO/PER
DONALD H ROSE TRUST	(TRU)...
KERENDIAN & ASSOCIATES, INC.	(PET)...SHAWN S KERENDIAN
LYLE STOTELMYRE	(PET)...M DANIEL SAYLOR
NOREEN T FONTAINE	(PET)...NOREEN T FONTAINE
SHAWN S KERENDIAN	(PET)...SHAWN S KERENDIAN
SOHEILA AZIZI & ASSOCIATES, P.	(PET)...NOREEN T FONTAINE
SVEN E ROSE	(OBJ)...BRIAN J SIMPSON
SVEN E ROSE	(PET)...BRIAN J SIMPSON

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

Request for Waiver of Court Fees and Costs filed by DAMON T ROSE
is GRANTED

XREF: PROPS0900631 (Donald H Rose)

Currently under review by Legal Research.
(LR)

Notice given.
(nb)

Future Hearing:
03/26/18 Third account & 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 for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 03/13/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0700435

CASE NAME: RICHARD ANTHONY DOMINGUEZ

HEARING:

Accounting Review

COUNSEL:

BENJAMIN DOMINGUEZ	(BRYAN C. HARTNELL
BRYAN C HARTNELL	(TP)... BRYAN C. HARTNELL
DORENE DOMINGUEZ	(MITCHELL I ROTH
JONATHAN REED	(STEPHEN M MAGRO
NOREEN DOMINGUEZ	(PET).. (MARK C EDWARDS.
NOREEN DOMINGUEZ	(PET)...MIRAU, EDWARDS, CANNON,
RICHARD ANTHONY DOMINGUEZ	(DEC)...
RYAN DOMINGUEZ	(BRYAN C. HARTNELL
STATE OF CALIFORNIA FRANCHISE (AGN)...	
SUSAN M DOMINGUEZ	(PET)...HARTNELL, LISTER & MOORE
VANIR GROUP OF COMPANIES	(MUSICK PEELER & GARRETT
WILFRID C LEMANN	(PET)...THOMAS W DOMINICK

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

GENERAL INFORMATION

Continued from 6/11/14, 07/30/14, 9/9/14, 01/12/15, 2/5/15, 2/11/15, 06/16/15, 12/10/15 and 12/12/16 at request of Mr. Hagenbuch. Corporate meeting set in December

Continued from **03/13/17** Mr. Dominick gives an oral status report and requests a 6-month continuance for corporation to resolve issues. If there is no movement on the corporation's part, a civil action will be filed.

Continued from **09/11/17** at request of counsel due to negotiation underway.

Continued from 12/18/17 at request of counsel. Working on non-disclosure protective order. Notice to be given by Mr. Roth.

THIS CASE IS SET FOR HEARING ON Accounting Review.

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

1. Prior Status Report granted 11/06/13 indicating the personal representative, Atty Wilfrid Lemann, needed additional time in obtaining a reappraisal of

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

decedent's stock in Vanir Group of Companies, Inc. for purposes of a sale or redemption to pay estate taxes, expenses of administration and distributive shares.

2. Need accounting or further status report.

RECOMMENDATION:

Inquire status of accounting. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq.

(gls/cbr/kra/vet/gls/cbr/nb/ww/cs/nb)

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

DATE: 03/13/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0800367

CASE NAME: JOHN JOSEPH MCCARTHY

HEARING:

Accounting Review

COUNSEL:

GWENDOLENE MCCARTHY	(PET)...PRO/PER
GWENDOLY MCCARTHY, AS ADMINIST	(DEF)...ANNE ZIMMERMAN
GWENDOLYN MCCARTHY	(PET)...ANNE ZIMMERMAN
JOHN JOSEPH MCCARTHY	(DEC)...
MARY IRENE MCCARTHY	(PLA)...SCHREIBER & SCHREIBER
ROBERT MCCARTHY	(PET)...SCHREIBER & SCHREIBER,

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review by Successor Administrator, Robert McCarthy (son).

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

1. Status Report approved on 05/09/17, Petitioner waiting for house to be sold; need Order after Hearing.
2. No accounting or updated status report. Need same.

RECOMMENDATION:

Inquire status.

(nb)

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

DATE: 03/13/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300097

CASE NAME: PAUL GERALD STIEGELMAR III

HEARING:

FOURTH Account and Report of CHRISTIE DAVIDSON and Petition for allowance of fees filed.

COUNSEL:

CHRISTIE DAVIDSON	(PET)...HORSPPOOL & HORSPPOOL
CHRISTIE DAVIDSON	(PET)...KARIN E HORSPPOOL
LESLIE F STIEGELMAR	(PET)...PRO/PER
PAUL GERALD STIEGELMAR III	(MIN)...
PAUL GERALD STIEGELMAR III, S.	(TRU)...
ROBIN SHEA	(PET)...DENNIS M SANDOVAL
ROBIN SHEA	(TEE)...DENNIS M. SANDOVAL, A

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON 4th Account Current and Petition for Fees by Successor Trustee, Christie Davidson ["Petitioner"-PPF] of SNT.

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

1. Accounting period 10/01/16 to 09/30/17.
2. Assets on hand \$251,224.26 consisting of \$244,780.77 in cash.
3. Beginning Assets on Hand does not reflect Assets on Hand at End of prior account by a difference of \$810.53. Does Court wish to deem this amount de minimus or require amended Summary of Account and affected schedules? JTD.
4. Petitioner requests fees of \$4,609.75. Billed at \$35-\$95/hour for professional fiduciary; financial; and clerical/administrative services totaling 51.9 hours. Itemized [LF, pgs. 21-50]. JTD.
5. Attorney requests fees of \$5,319.50 for 15.20 hours' attorney time at \$315-\$395/hour. Itemized. [LF, pgs. 51-53].
6. Current bond is \$475,000. Petitioner states said amount is excessive and should be reduced to \$380,000. Appears sufficient. JTD.
7. Schedule C – Disbursements [LF, p. 15] includes postage not normally allowed in the amount of \$15.20. Does Court wish to reduce fees by this amount? 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 for clarification of the notes only - **no legal or procedural advice will be given.**

8. Schedule C – Disbursements [LF, p. 16] includes monthly Personal & Incidental Expenses for \$2,000/month that are not itemized. Does Court wish to require itemization? JTD.
9. Schedule C – Disbursements [LF, p. 16] includes a Vacation Expense in the amount of \$5,000. Need further clarification via verified supplement.
10. ~Proposed Order: 12/01/17.

RECOMMENDATION:

Need to clear note 9 then Court's discretion re: notes 3-8. If approved, set Accounting/Status Review for **11/28/18**. 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: 5

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

DATE: 03/13/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1401029

CASE NAME: KAY EULENE LANDIN

HEARING:
Accounting Review

COUNSEL:
KAY EULENE LANDIN (DEC)...
LOREE SABATINO (PET)...BROWN & BROWN

XREF: CIVDS1612554 (Sabatino-v-Pomtario Enterprises)

GENERAL INFORMATION:

Continued from **2/17/16** at request of counsel to file a quiet title action.
Continued from **6/29/16** as Quiet Title action still needs to be filed. Nothing new filed.
Continued from 09/28/16. Judge McCarville has heard the request to find this case and CIVDS1612554 related actions. These matters to be heard in S30 until issue of quiet title is resolved.
Continued from **04/04/17 and 06/13/17** at request of Counsel due to pending civil litigation. Notice to be given by Mr. Morris.
Continued from 12/19/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON accounting/status review

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

1. Letters of Administration issued 1/8/15, no bond.
2. Need final inventory & appraisal filed.
3. Need an accounting or status report filed. Need same.

RECOMMENDATION:

Inquire status.
(sa/lh/nb)

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 03/13/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500178

CASE NAME: Gloria Simonds

HEARING:
Hearing re Final Discharge

COUNSEL:

BERNARD M BIDART	(TP)...
DAVID R. SENA	(PET)...DAVID M SENA
GLORIA SIMONDS	(DEC)...
VERONICA GRANVILLE	(PET)...THOMAS W DOMINICK

X-REF: GARPS 1600025

GENERAL INFORMATION:

Continued from 12/19/17 at request of counsel.

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 Accounting entered 12/15/16.
2. No receipts. Need same.
3. Need Ex-parte Petition/Order for Final Discharge.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 7

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 03/13/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600138

CASE NAME: ANGELA ROSARIO ELDER

HEARING:

Accounting Review

COUNSEL:

ANGELA C ELDER

(CAD)...THOMAS W DOMINICK

ANGELA ROSARIO ELDER

(DEC)...

CECILIA GUERRA

(TP)...DICKER & DICKER

EDWIN O. ELDER

(PET)...THOMAS W DOMINICK

GENERAL INFORMATION

Continued from 06/13/17 and 10/10/17. Property in escrow, waiting for escrow to close.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Administration issued to Edwin O. Elder and Angela C. Elder on 04/04/16, with limited authority and no bond.
2. No accounting or status report of administration. Need same.

RECOMMENDATION

Inquire status.

(lh/nb)

Superior Court of Calif, County of San Bernardino

Page: 8

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

DATE: 03/13/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600298

CASE NAME: MTR OF MIATTA NATALIE O MASSAQUOI

HEARING:

Petition for REMOVAL OF COURTNEY VIVIAN ROGERS-WRIGHT AS
ADMINISTRATOR, AND APPOINT CO-ADMINISTRATORS

COUNSEL:

ALBERT S MASSAQUOI	(PET)...PRO/PER
ALBERT S MASSAQUOI	(TP)...PRO/PER
COURTENAY VIVIAN ROGERS-WRIGHT	(PET)...HOWARD R HAWKINS
GIFTY FOWLER	(PET)...HOWARD R HAWKINS
MIATTA NATALIE O MASSAQUOI	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Request for Removal of Courtney Vivian Rogers-Wright as Administrator and for Appointment of Albert Massaquoi and Gifty Fowler as Co-Administrator's ["Petitioner"].

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

1. Petitioner, Albert Massaquoi, is an heir of Decedent. Gifty Fowler and Albert Massaquoi are the parents of the Decedent.
2. Petitioner alleges Administrator, Courtney Vivian Rogers-Wright, has neglected to locate the assets of the estate; not contacted the Federal Reserve about Decedent's pension or 401K; or addressed funeral expenses paid by petitioner.
3. Petitioner states that Courtenay has breached his fiduciary duties to both the estate and beneficiary by refusing to communicate with him; neglected to act in good faith; has demonstrated and acknowledged to petitioner that he is incapable of properly executing the duties of the office or otherwise not qualified to do so.
4. Petitioner requests the Court remove Courtney Vivian Rogers-Wright as Administrator and Letters of Administration issued to him be revoked.
5. Petitioner requests to be appointed Administrator and that letters of administration be issued, accordingly.

6. Need Notice of Hearing with proof of service to include brother, Albert N. Massaquoi and bonding company, Suretec Insurance Company.
7. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Require notice then Court's discretion. If approved, require proper petition for appointment to be filed.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 9

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

DATE: 03/13/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600347

CASE NAME: MTR OF BEINSCHROTH FAMILY TRUST

HEARING:

FIRST AND FINAL Account and Report of MICHAEL BEINSCHROTH and
Petition for allowance of fees filed.

COUNSEL:

JOAN BEINSCHROTH-PAUSTEL	(PET)...JAMES L HEYWOOD AND
BEINSCROTH FAMILY TRUST	(TRU)...
MICHAEL BEINSCHROTH	(PET)...JASON L GAUDY
MICHAEL BEINSCHROTH	(RES)...PRO/PER
ANDREW BEINSCHROTH	(PRO/PER

GENERAL INFORMATION:

Stipulation and Order re Removal of Trustees; Appointment of Successor Trustee entered 12/12/16.

Continued from **08/15/17**. Counsel reports they will meet and confer regarding settlement and/or file objections prior to next hearing.

Continued from **10/03/17** at request of court. Settlement forthcoming/scheduled mediation.

Continued from 12/19/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Successor Co-Trustee, Michael Beinschroth ["Petitioner"].

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

1. Accounting period 12/18/13 to 12/20/16.
2. Assets on Hand \$5,057,938.61 consisting of \$216,682.16 in cash and \$4,841,256.45 in real and personal property.
3. Assets were distributed to the Successor Trustee, Lawrence A. Dean II, pursuant to the stipulation dated 12/12/16.
4. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

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

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

Superior Court of Calif, County of San Bernardino

Page: 10

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 03/13/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600938

CASE NAME: GLORIA YVONNE ELLIOTT

SEE ALSO 11

HEARING:

Hearing Re: APPROVAL OF PROPOSED ACTION RE CAL REAL PROP

COUNSEL:

GLORIA YVONNE ELLIOTT	(DEC)...
JONOVA KNICKERBOCKER	(PET)...SHEASBY AND ASSOCIATES
LISA HOEFGEN	(PET)...ROBERT J SPITZ

GENERAL INFORMATION:

Ex parte orders denied 07/11/17. Mr. Sheasby reports 850 petition will be filed. The Court orders the tenant to maintain the property and pay home owners insurance. Continued from 08/21/17 on courts motion. Running Springs realtor to be hired. Continued from **10/30/17 and 11/16/17** to trail demurrer hearing.

Continued from 12/19/17 on court's motion.

THIS CASE IS SET FOR HEARING ON Approval of Proposed Action re California Real Property by Administrator, Lisa Hoefgen ["Petitioner"].

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

- 1 Petitioner requests authority to issue all required notices and initiate and prosecute all required court proceedings to evict the current tenant(s) occupying the subject property; and list the subject property for sale for the price of \$159,000.
- 2 **Objections to Petition filed 08/18/17 by beneficiary, Jonova Knickerbocker.**
- 3 Supp. (09/13/17) provides the Court with additional information in support of Petitioner's Petition.
- 4 ~Proposed Order 10/26/17.

RECOMMENDATION:

Set for contested hearing.

(nb)

Future Hearing: 08/20/18 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 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: TARA REILLY

DATE: 03/13/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600938

CASE NAME: GLORIA YVONNE ELLIOTT

SEE ALSO 10

HEARING:

Petition for RETURN OF REAL PROPERTY

COUNSEL:

GLORIA YVONNE ELLIOTT (DEC)...

JONOVA KNICKERBOCKER (PET)...SHEASBY AND ASSOCIATES

LISA HOEFGEN (PET)...ROBERT J SPITZ

Currently under review by legal research.

Notice given.

(lc/nb)

Future Hearing:

08/20/18 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 for clarification of the notes only - **no legal or procedural advice will be given.**

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

DATE: 03/13/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601237

CASE NAME: MTR OF TONI HYATT

HEARING:

Petition for final distribution on waiver of Account and Report of LISA HYATT, SHARON JOHNSON and Petition for allowance of fees filed.

COUNSEL:

LISA HYATT	(PET)...THOMAS V PRATT
SHARON JOHNSON	(PET)...THOMAS V PRATT
TONI HYATT	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of Account and for Fees by Co-Administrators, Lisa Hyatt and Sharon Johnson ["Petitioners"-daughters].

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

1. All heirs waive accounting.
2. Assets on Hand \$151,507.73 consisting of \$151,007.73 in cash and remaining in personal property.
3. Petitioners waive statutory compensation.
4. Attorney requests statutory fees of \$11,719.33. Calculated.
5. Please file verified supplement indicating if cash has been invested and maintained in an interest bearing account per Pr.C.§ 1064(a)(5).
6. ~Proposed Order 11/27/17.

RECOMMENDATION

Need to clear note 5 then Court's discretion. If approved, set next hearing for receipts and final discharge for **03/19/19**.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 13

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 03/13/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700517

CASE NAME: JEROME DAVIS

SEE ALSO 14

HEARING:

Hearing Re: PTN FOR LETTERS OF ADMINIS W/FULL IAEA BY S DAVIS

COUNSEL:

DIANE YOUNG DAVIS	(PET)...PRO/PER
JASMINE ELISE VERRETTE	()...
JEANETTE DAVIS	(OBJ)...PRO/PER
JEROME DAVIS	(DEC)...
SHAUN JEROME DAVIS	(PET)...PRO/PER

GENERAL INFORMATION

Continued from **08/21/17**. Objection and competing petition filed.

Continued from **10/30/17** at request of court for competing petitions to be heard together.

Continued from 12/19/17 on court's motion for verification of response to be filed.

THIS CASE SET FOR HEARING ON

- Petition for Letters of Administration with Full Authority under IAEA by Diane Young Davis, spouse
- Petition for Letters of Administration with Full Authority under IAEA by Jerome Davis, son

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

Petition by Diana Young, spouse

1. Bond in the amount of \$350,473 is being requested. Ok.
2. **Objection by Shaun Davis, son, filed 08/16/17.**
3. **Response by Diane Young Davis filed 10/12/17. Need verification by same.**
4. **Objection by Jeanette Davis, daughter, filed 10/25/17.**

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

5. **Objection by Jasmine Verrette, daughter, filed 10/27/17.**

6. ~Proposed Form Order: 05/24/17

Petition by Jerome Davis, son

7. Petitioner requests bond to be determined by Court.

8. It appears Diana Young, spouse/competing petitioner, has priority of appointment per Pr. Code §8461. JTD

9. Need Duties and Liabilities.

10. Need Notice of Petition to Administer Estate

11. Need Proof of Publication.

12. **Objection by Diane Young, spouse, filed 10/12/17.**

13. No proposed Order submitted by Jerome Davis.

RECOMMENDATION

Matter is contested.

Need to clear notes 7-9 as to Petition by Jerome Davis. If approved, Court to set Accounting Review Hearing on **05/21/19**. Any accounting to be filed 30 days in advance of review date. Note requirements of Local Rules 20.901 and 20.908.

(lh/nb)

Superior Court of Calif, County of San Bernardino

Page: 14

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

DATE: 03/13/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700517

CASE NAME: JEROME DAVIS

SEE ALSO 13

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

DIANE YOUNG DAVIS	(PET)...PRO/PER
JASMINE ELISE VERRETTE	()...
JEANETTE DAVIS	(OBJ)...PRO/PER
JEROME DAVIS	(DEC)...
SHAUN JEROME DAVIS	(PET)...PRO/PER

See prior matter #13.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 15

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 03/13/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700878

CASE NAME: CAROLYN S NEMETH

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

CAROLYN S NEMETH (DEC)...

GARY HOWARD MARTELL JR (PET)...PRO/PER

VACATE – bond filed.

(nb)

Future Hearing:

02/26/19 Accounting Review.

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

Superior Court of Calif, County of San Bernardino

Page: 16

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

DATE: 03/13/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700879

CASE NAME: CAROL SNYDER

HEARING:

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

COUNSEL:

CAROL SNYDER (DEC)...
ELENA SNYDER (PET)...MATTHEW E SHEASBY

XREF: CONPS1500058 (Carol Lane Snyder)

GENERAL INFORMATION:

Ex Parte orders granted 09/13/17.

Continued from 12/19/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA by daughter, Elena Snyder ["Petitioner"].

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

1. Will does not waive bond as to this petitioner. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(c). Suggest bond of \$370,000. JTD.
2. Waiver of Bond filed by petitioner/primary beneficiary.
3. Supplement filed 09/20/17 reflects attempts to locate decedent's step-son, Dale Morris Snyder, Jr. and niece, Lawdra Colley. **Does Court wish to deem supplement a due diligence declaration? JTD.**
4. Proof of publication filed.
5. **Notice filed on 03/01/18 does not give 15 days' notice to Diane Emery. Need proper service.**
6. Proposed Form Order/Letters 09/06 & 09/13/17

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

RECOMMENDATION:

Need to clear note 5 then Court's discretion re bond and note 3. If approved, set future hearing for Accounting/Status Review on **05/21/19**. 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 for clarification of the notes only - **no legal or procedural advice will be given.**

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

DATE: 03/13/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701168

CASE NAME: MTR OF PAUL FRANCIS AGLIO

HEARING:

Petition for letters of administration with full authorization
to administer under IAEA

COUNSEL:

FRANCIS A AGLIO JR	(ADM)...PRO/PER
PAUL FRANCIS AGLIO	(DEC)...
SHERRY MCGRANN	(VOGT, RESNICK & SHERAK

XREF: CONPS1700363 (Paul Francis Aglio)

GENERAL INFORMATION:

Continued from 12/19/17. The Court deems Sherry McGrann served by her counsel's appearance today. Counsel reports written objections will be filed. Proof of publication shown to the court and will be filed. The Court orders vehicle in the possession of Sherry McGrann returned to the estate immediately. The Court further orders Sherry McGrann to prepare a list of property she believes was removed from the home and an explanation of why she believes it is her property.

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

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

1. Petitioner alleges that petitioner is the sole heir and waives bond. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(c). Estimated value of estate is \$409,000. JTD.
2. **Proof of publication filed names Decedent as Petitioner. Need correct publication.**

RECOMMENDATION:

Need to clear note 2 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **05/21/19**. 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 for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino

Page: 18

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 03/13/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600090

CASE NAME: NAJLA FORD

HEARING:

Hearing Re: PTN FOR ATTY FEES BY MARC HANKIN

COUNSEL:

CHARLES NAJJAR	(PET)...MARC B HANKIN
ISABELLA PLACENTIA	(PRO/PER
JACOB NIXA	(PRO/PER
JOHN MOIO	(CPE)...MARC B HANKIN
JOHN MOIO	(PET)...MITCHELL I ROTH
JORDAN NIXA	(PRO/PER
MARC B HANKIN	(PET)... MARC B HANKIN
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
NAJLA FORD	(CEP)...PRO/PER
NAJLA FORD	(PET)...SANDY L. TURNER
NAJLA FORD	(PP)...MITCHELL I ROTH
NATALIE BLICKENSTAFF	(CE)...JENNIFER M DANIEL
NATALIE BLICKENSTAFF	(CPE)...JENNIFER M DANIEL
SANDY TURNER	(PET)...SANDY L. TURNER
TINA MARIE NIXA	(JEREMIAH RAXTER
TINA NIXA	(JEREMIAH RAXTER
TINAMARIA A NIXA	(CP)...PRO/PER

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

GENERAL INFORMATION:

Ex Parte Orders granted 02/15/18. Mr. Roth objects to request for further time to file attorney billings. Mr. Hankin is ordered to file attorney billing by 03/02/18.

THIS CASE IS SET FOR HEARING ON Petition for Fees and Compensation by Attorney for Attorney-in-fact for Charles Najjar and as Special Litigation Guardian ad Litem for Najla Ford, John Moio by Attorney Marc B. Hankin ["Petitioner"].

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

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

- 1 Petitioner alleges that services have been rendered for which counsel has not been compensated. The services included those as Attorney-in-fact for Charles Najjar and as Special Litigation Guardian ad Litem for Najla Ford, John Moio.
- 2 Petitioner alleges he is too ill to properly prepare a petition that requires supplements.
- 3 Attorney requests fees of \$\$40,000 plus \$10,000, the same amount of fees that Attorney Roth requested. Generally described. Need itemization via verified supplement.
- 4 Attorney requests reimbursement of costs advanced of \$3,051.26. Itemized.
- 5 Declaration filed by John Moio alleges there is no attorney fee retainer agreement between myself and Mr. Hankin; there is nothing in writing; and requests the Court honor the oral contract between he and Mr. Hankin and allow \$10,000 to suffice as payment in full for all attorney fees.
- 6 **Objections by John Moio filed requests petition be denied in its entirety.**
- 7 **Response by Marc B. Hankin proffers case law and requests a continuance to a date not earlier than April 19, 2018.**
- 8 Need Notice of Hearing with proof of service.
- 9 No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 3 & 8 then set for contested hearing.
(nb)

Future Hearing:

12/24/18 Final Discharge

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

DATE: 03/13/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800027

CASE NAME: Gilbert Flores

HEARING:

Petition for Appointment of Conservator

COUNSEL:

GILBERT FLORES (CEP)...
RAMONA GUTIERREZ (CPE)...LAMB MORRIS & LOBELLO

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Limited Conservatorship of person and estate by sister, Ramona Gutierrez ["Petitioner"].

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

1. Petitioner requests and Order Dispensing with siblings, Michael Flores and Angie Ramirez as a private detective was hired to search for them and siblings could not be found. **JTD.**
2. Petitioner requests no bond be required as the estate will satisfy the conditions of Pr. C. § 2628(a). Estate appears to consist of SSI. Question the need for estate powers? Court to inquire. **JTD.**
3. Proposed conservatee is developmentally disabled. **Need** appointment of counsel and report by same.
4. Medical Capacity Declaration filed.
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. Proposed limited conservatee's civil and legal rights are not to be limited without a court order.
7. Citation returned SERVED.
8. **Court Investigator Report filed.**

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

9. **Need** Inland Regional Center Report.
10. Certificate of Completion re Conservatorship Class filed.
11. Petitioner requests an order waiving all Probate Investigator's assessments for as long as the requirements of Pr. C. §1851.5 are met. **JTD.**
12. Petitioner requests and order waiving all accounting as the estate will satisfy the conditions of Pr. C. §2628(a) for its duration. Suggest Court require yearly waivers of account. **JTD.**
13. ~Proposed Form Order 01/31/18.

RECOMMENDATION:

Court to appoint counsel then need to clear notes 3 & 9 then Court's discretion. If approved, set hearing for Compliance Review for **10/16/18** 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.

Set hearing re Accounting Review for **05/21/19**. Any accounting to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(nb)