



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 03/14/18

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.

02/22/18lh; 03/09/18lh

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CIVIL**

DATE: 03/14/18 TIME: 8:30 DEPT: S35P

CASE#: CIV DS1609597

CASE NAME: JESUS AGUILAR -V- JASON JENO

HEARING:

Hearing Re: STATUS OF COMPLETION OF AGREEMENT

COUNSEL:

JESUS AGUILAR (PLA)...FARHAT LAW FIRM, APC
JASON JENO (DEF)...CKB VIENNA, LLP
DAVID AARON JENO
TERESA WILLOUGHBY
AND ALL PERSONS CLAIMING ANY LEGAL
JASON JENO (CKB VIENNA, LLP)

Waiver of Court Fees and Costs filed by JASON JENO is GRANTED

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON STATUS OF COMPLETION OF AGREEMENT

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

1. Matter set on 11/08/17, wherein, Court was informed an agreement had been reached addressing both PROPS1500161 and CIVDS1609597. Terms of Settlement Agreement recited into the record. Counsel and parties stated their consent into the record.
2. Signed Order after settlement received and forwarded to Civil for processing on 12/13/17.

RECOMMENDATION

None.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

DATE: 03/14/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300192

CASE NAME: MATTHEW FLOREZ SPECIAL NEEDS TRUST

HEARING:

Petition for accept resignation, trustee and appt. of Successor Trustee

COUNSEL:

MATTHEW FLOREZ

(PET)...PRO/PER

MATTHEW FLOREZ S.N. TRUST

(TRU)...

RAQUEL FLOREZ

(PET/TEE)...JOHN F WEBER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to Accept Resignation of Trustee and Appointment of Public Guardian by Raquel Florez, Trustee

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

1. Petitioner, Raquel Florez, seeks Court approval to resign as Trustee and appoint Public Guardian.
2. Petitioner alleges the Order Establishing Special Needs Trust signed 03/28/13 provides that the Trustee may only resign pursuant to petition and order thereon with the right to nominate a successor trustee.
3. Petitioner alleges the current balance on hand for Trust is \$31,215.27, with a current bond of \$45,000.
4. Notice was given.
5. ~Proposed Order: 12/06/17

RECOMMENDATION

Court's discretion.

(lh)

Future Hearing: 6/26/18: Accounting Review re 4th Acct by Raquel Florez

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600341

CASE NAME: BERNARD SCOTT GROVES

HEARING:

Probate status report

COUNSEL:

KATHERINE WILHITE (PET)...NANCY A. SHAW
BERNARD SCOTT GROVES (DEC)...
VERNICE GROVES (PET)...J. BENJAMIN SELTERS III
RICHARD E GADD (TP)...NATHANIEL J TARVIN
STATE OF CA FRANCHISE TAX BOARD

XREF: FAMSS1200807 KATHERINE A WILHITE -N- BERNARD S GROVES
CIVDS1417951 AAA LIFE INSURANCE VS WILHITE, etal

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report of Administration

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

1. Letters of Administration with limited authority issued to Vernice Groves on 08/10/16.
2. Petitioner Vernice Groves alleges the estate is not in a condition to be closed as there is pending litigation involving the above referenced matters. No assets have come into possession of the administrator yet.
3. Petitioner requests an additional 12 months to close the estate.
4. Notice was given.
5. ~Proposed Order: 12/04/17

RECOMMENDATION:

Court's discretion. If approved, set next hearing for Accounting Review on **03/20/19**.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700221

CASE NAME: OSAMA M ELBAZ

HEARING:

First and final Account and Report of SHEREEN ELBAZ and Petition
for allowance of fees filed.

COUNSEL:

SHEREEN ELBAZ (PET)...LAILA J KEPLER
OSAMA M ELBAZ (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of Account and Report of Administrator
and Request for Fees and Final Distribution by Shereen Elbaz, administrator

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

1. Assets on hand: \$142,079.42, cash and misc. furnishings.
2. Petitioner and attorney requests statutory fees of \$8,617.05, each. Calculated.
3. All heirs waive accounting.
4. Notice was given.
5. **Need** bank/statement verifying final ending balance per Local Rule 20-908.
6. **Need** copy of escrow closing statement for sale of real property per Local Rule 20-910.
7. **Need** Notice of Proposed Action regarding sale of real property.
8. Petitioner requests reserve of \$1,500. Note: if approved, need informal account for reserves per Local Rule 20-911 prior to filing ex parte petition for final discharge.
9. ~Proposed order: 11/30/17

RECOMMENDATION:

Need to clear notes 5-7, then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge to include informal account re reserves for **03/20/19**.

(lh)

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.

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

DATE: 03/14/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701143

CASE NAME: MTR OF GUILLERMO EVELIO HERNANDEZ

HEARING:

Petition to determine succession to Real Property

COUNSEL:

EVELIO HERNANDEZ (PET)...JOHN F WEBER
GUILLERMO EVELIO HERNANDEZ (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property and Personal Property by Evelio Hernandez, son

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

1. Petitioner, Evelio Hernandez, seeks 100% interest; in decedent's 100% interest in real property and personal property per intestate succession.
2. Assignments of Interest signed by all intestate heirs; however, the assignment signed by Daylin Ramos is illegible. **Need** verified supplement with legible form. **Supp filed 03/06/18 not in LF at time of review. Clerk's office notified 03/09/18.**
3. Notice is complete.
4. ~Proposed Form Order: 11/14/17

RECOMMENDATION

Need to clear note #2, then Court's discretion.

(lh)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/14/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800213

CASE NAME: MTR OF RAMESH KUMAR KHURANA

HEARING:

Hearing Re: PETITION TO ESTABLISH FACT TIME AND PL ACE OF BIRTH

COUNSEL:

RAMESH KUMAR KHURANA (PET)...ANJU MULTANI

No notes—JTD

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

DATE: 03/14/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701221

CASE NAME: NANCY FULTON LIVING TRUST

HEARING:
Hearing Re: COMPLIANCE

COUNSEL:

JACQUELINE MIKESELL (PET)...HORSPPOOL & HORSPPOOL
THE NANCY FULTON LIVING TRUST (TRU)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON COMPLIANCE

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

1. Matter set on 01/10/18. Court granted Petition to Establish Trust by Jacqueline Mikesell. Court set deadline for true and correct copy [of Trust] to be turned over by 01/17/18 and previous Trustee to serve and file current inventory of Trust assets by 4PM on 02/09/18. Counsel to file Declaration re Status of Compliance by 4PM on 03/07/18.
2. Declaration of Jacqueline Mikesell filed 01/10/18 alleges declarant has not received a copy of Trust from current trustee, Tracy John Fulton, and that trustee has refused to provide a copy of Trust.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 03/14/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800121

CASE NAME: MTR OF JODI JENSEN BAILEY

HEARING:

Hearing Re: Petition to determine succession to Real Property

COUNSEL:

MICHAEL L BAILEY (PET)...IGNAZIO FICARA
JODI JENSEN BAILEY (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Michael L. Bailey, trustee/executor of The Bailey Family Trust Dated 04/12/11

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

1. Petitioner, Michael L. Bailey, spouse and trustee, seeks 100% interest in decedent's 100% interest in real property per terms of the pour over will.
2. Notice was given.
3. ~Proposed Form Order: 02/07/18

RECOMMENDATION

Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/14/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800020

CASE NAME: MTR OF WILLIAM KUAN-NAN CHOU TRUST

HEARING:

Petition for Order determining Trust's title to real property
(heggstad petition)

COUNSEL:

LINDA SU

(PET)...CANDICE A GARCIA-RODRIGO

WILLIAM KUAN-NAN CHOU TRUST (TRU)...

Currently under review by Legal Research

(LR)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

CONSERVATORSHIPS

DATE: 03/14/18 TIME: 9:30 DEPT: S35P

CASE#: CON DS1000281

CASE NAME: SHANIKA LISTER

SEE ALSO 9

HEARING:

Hearing Re: RECEIPT OF REPORT RE STATUS OF PURCHASE OF HOUSE

COUNSEL:

BANK OF THE WEST	(RANDOLPH M SHARON
CARMELA C JOHNSON	(CP)...PRO/PER
CHRISTINA ERICKSON-TAUBE	(CP)...SHERRI L KASTILAHN
EDWARD B FISCHEL	(PET)...EDWARD B FISCHEL &
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SHANIKA A LISTER	(CEP)...EDWARD B FISCHEL
STAN MANDELL	(CPE)...LAMB MORRIS & LOBELLO
VICKY LISTER	(CPE/CP)...HARTNELL LAW GROUP
YO TASHI KO Y TUCKER	(PET)...BRYAN C HARTNELL

XREF: PROPS1400134 (Vicki R Lister)

CIVDS1309039 (Hartnell-v-Lister)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Receipt of Report Re Status of Purchase of House

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

1. Matter set on 12/06/17. Attorney Randolph Sharon indicated a report as to the status of the purchase of a house will be prepared for 03/14/18 hearing. **Need same.**

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 03/14/18 TIME: 9:30 DEPT: S35P

CASE#: CON DS1000281

CASE NAME: SHANIKA LISTER

SEE ALSO 8

HEARING:

Hearing Re: RECEIPT OF REPORT FROM DR VALENZUELA

COUNSEL:

BANK OF THE WEST	(RANDOLPH M SHARON
CARMELA C JOHNSON	(CP)...PRO/PER
CHRISTINA ERICKSON-TAUBE	(CP)...SHERRI L KASTILAHN
EDWARD B FISCHEL	(PET)...EDWARD B FISCHEL &
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SHANIKA A LISTER	(CEP)...EDWARD B FISCHEL
STAN MANDELL	(CPE)...LAMB MORRIS & LOBELLO
VICKY LISTER	(CPE/CP)...HARTNELL LAW GROUP
YO TASHI KO Y TUCKER	(PET)...BRYAN C HARTNELL

XREF: PROPS1400134 (Vicki R Lister)
CIVDS1309039 (Hartnell-v-Lister)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON RECEIPT OF REPORT FROM DR VALENZUELA

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

1. Matter set on 12/06/17, wherein, Christina Erickson Taube was appointed as Conservator of the person and was ordered to coordinate an OB/GYN evaluation to be conducted by Dr. Valenzuela with a report to be prepared for Court.
2. Report is required from Dr. Valenzuela regarding OB/GYN recommendation. Court is to receive a copy by 4PM on 03/07/18 (not to be disclosed with clients, with exception of Shanika Lister). Court approval is required before any surgery.

RECOMMENDATION

Need report of Dr. Valenzuela.

(lh)

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: 03/14/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1100101

CASE NAME: KRISTIN ANN MCCALLA

HEARING:
Petition for change of venue of Conservatorship

COUNSEL:

DOUGLAS B MCCALLA	(CP)...LAMBERT & ROGERS, APLC
JUDY R MCCALLA	(CP)...PRO/PER
KRISTIN ANN MCCALLA	(CTP)...

GENERAL INFORMATION
Continued from 01/10/18.

THIS CASE IS SET FOR HEARING ON Petition for change of venue of Conservatorship by co-conservator Douglas McCalla (father)

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

1. On 08/17/01, Douglas McCalla (father) and Jud R. McCalla (mother) were appointed limited co-conservators of Kristin A. McCalla in San Diego County, later transferred to San Bernardino County on 01/05/12.
2. Petitioner Douglas McCalla seeks to remove conservatee, Kristin McCalla, from the residence of co-conservator, Judy McCalla, to San Diego County to reside with conservatee's sister, Heather McCalla, on or after 01/01/18.
3. Petitioner alleges co-conservator, Judy McCalla, is showing signs of early onset of dementia, is experiencing memory problems and difficulty with daily tasks, and as a result may no longer be able to perform duties as conservator.
4. No proposed order submitted.

RECOMMENDATION
Court's discretion.

(lh)

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

DATE: 03/14/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1200063

CASE NAME: IN MATTER RE JUAN JOSE CUEVAS

HEARING:

Hearing re Final Discharge

COUNSEL:

NORINE BOEHMER	(CPE)...TAMILA C JENSEN
DAWN MILLS	(CPE)...TAMILA C JENSEN
JUAN JOSE CUEVAS	(CEP)...JEANNE E KENNEDY
JEANNE E KENNEDY	(PET)...CALDWELL, KENNEDY & PORTER, A.
KATHRYN J BLACK	(TP)...KATHYRN J BLACK

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge of Norine Boehmer and Dawn Mills

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

1. Fourth and Final Account approved 08/31/16; Order signed entered 02/17/17.
2. **Need** receipt from Boehmer & Mills Fiduciary Services, Inc., Trustee of the Juan Jose Cuevas 2015 Trust.
3. **Need** Ex Parte Petition for Final Discharge and Order of Norine Boehmer and Dawn Mills.

RECOMMENDATION

Inquire status.

(lh)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/14/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500321

CASE NAME: DONATO NATIVIDAD SY

HEARING:

Accounting Review

COUNSEL:

ELIZABETH DE PERALTA SY (CPE)...PRO/PER

DONATO NATIVIDAD SY (CTE)...DONNASUE ORTIZ

Waiver of Court Fees and Costs filed by DONATO NATIVIDAD SY is GRANTED

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Elizabeth De Peralta Sy

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

1. Order Dispensing with Account entered 04/10/17 for period ending 01/04/17.
2. **Need** Accounting or Waiver for period commencing 01/05/17.

RECOMMENDATION

Inquire status.

(lh)

Future Hearing: 6/27/18: Accounting Review

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

DATE: 03/14/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600072

CASE NAME: RYAN DUGGAN

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of DALYNNE LOW

COUNSEL:

SALLY DUGGAN	(PET)...LENITA A SKORETZ
RYAN DUGGAN	(CTP)...CANDICE A GARCIA-RODRIGO
DALYNNE LOW	(CP)...CALDWELL, KENNEDY & PORTER, A.

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Dalynne Low was appointed Limited Conservator of the person by Stipulation and Order entered 11/15/17.
2. Notification of Conservatee's rights filed 01/10/18.
3. Determination of Conservatee's Appropriate Level of Care filed 12/21/17.
4. Care Plan filed 02/06/18.

RECOMMENDATION

None.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700003

CASE NAME: MTR OF MARCOS RODRIGUEZ

SEE ALSO 15

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of INEZ RODRIGUEZ

COUNSEL:

INEZ RODRIGUEZ	(CP)...PRO/PER
CELIA GARCIA	(CP)...PRO/PER
MARCOS RODRIGUEZ	(CTP)...

Waiver of Court Fees and Costs filed by MARCOS RODRIGUEZ is GRANTED

See notes on next matter #15.

(lh)

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

DATE: 03/14/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700003

CASE NAME: MTR OF MARCOS RODRIGUEZ

SEE ALSO 14

HEARING:

Hearing Re: OSC RE SANCTIONS OF 500.00 EACH ON CO-CONSERVATORS

COUNSEL:

INEZ RODRIGUEZ (CP)...PRO/PER
CELIA GARCIA (CP)...PRO/PER
MARCOS RODRIGUEZ (CTP)...

Waiver of Court Fees and Costs filed by MARCOS RODRIGUEZ is GRANTED
RODRIGUEZ is GRANTED

GENERAL INFORMATION

Continued from 01/31/18. No appearance. Matter continued. Court set OSC re Surcharge in the amount of \$500 for failure to appear on each of the co-conservators. Court orders co-conservators to be present in Court on March 14, 2018 at 9:30AM in Department S35. Notice given by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON OSC re Surcharge/Compliance Review

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

1. Inez Rodriguez and Celia Garcia (sister and mother) appointed co-conservators of the person on 06/28/17.
2. **Need** Notification of Conservatee's rights per Pr. C. §1830(c).
3. **Need** a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355).
4. **Need** Care Plan in accord with Pr. C. §2352.5.

RECOMMENDATION

Court's discretion re OSC.

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700430

CASE NAME: MTR OF MARIA SHAY

HEARING:

Fourth Account and Report of LAWRENCE A DEAN II and Petition
for allowance of fees filed.

COUNSEL:

RIVERSIDE COUNTY PUBLIC GUARDIAN (PET)...COUNTY COUNSEL
MARIA SHAY (CEP)...PUBLIC DEFENDER OF RIVERSIDE
PATRICIA A HANSON (PET/OBJ)...ELDER LAW CENTER
LAWRENCE A DEAN II (CPE)...SHERRI L KASTILAHN

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Fourth Account Current and Petition for Fees by
Lawrence A. Dean, II, LPS Conservator

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

1. **Need Order approving third account.**
2. Accounting period: 10/01/16 to 09/30/17
3. Assets on hand: \$1,388,264.41, of which \$94,568.01 is cash.
4. Petitioner requests fees of \$9,406.65 less period payments received of \$7,850,
for a total of **\$1,556.65**. Itemized. [Acct, 01/31/18, LFpg36-45]. **JTD**
5. Petitioner requests authority to take periodic payments not more than 80% of
fees, or \$150/month for the following accounting period. **JTD**
6. Attorney requests fees of **\$4,235** for 12.10 hours at \$350/hour. **JTD**
7. Conservatee was involved in personal litigation due to a catastrophic injury
sustained in a vehicle accident. Conservatee receives annuity payments per
settlement.
8. Schedule C disbursements include payments to Pat Hanson totaling \$37,893.78;
Yiczak Jeronimo for food reimbursements and physical training. **Need** verified
supplement clarifying expenses.
9. **Need** residential receipts from Braswells Leisure Manor totaling \$32,862 per Pr.
C. §2620(c)(5).
10. Current bond: \$1,556,035. **Petitioner requests bond increase to \$1,864,516.56**
per bond calculation. Appears sufficient. [Acct, 01/31/18, LFog6]. **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.

11. Notice was given.

12. Proposed order submitted 01/31/18; however, attorney's fees do not match prayer.

RECOMMENDATION:

Need order approving 3rd account.

Need to clear notes #8-9, then Court's discretion. If approved, court to set hearing on accounting review for **12/05/18** (if one year) or **12/04/19** (if two years).

(lh)

Future Hearing: 5/02/18: Hearing Re: Conservatorship Management Conference

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

DATE: 03/14/18 TIME: 9:30 DEPT: S35P

CASE#: SC SS02023

CASE NAME: MTR OF NANCY L. MANN

HEARING:
Accounting Review

COUNSEL:

J. L. MERRITT	(CPE)...BRYAN C. HARTNELL
NANCY L. MANN	(CEP)...
DEBRA M STEVENS	(CPE)...HARTNELL LAW GROUP
RONALD KNOBLOCK	(TP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re J.L. Merritt and Debra Stevens

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

1. Eighth Account Current of co-conservators/co-trustees, J.L. Merritt and Debra Stevens, approved on 11/30/16 for account period ending 01/10/16.
2. No accounting or status report of administration. **Need** same.

RECOMMENDATION

Inquire status.
(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **MISC**

DATE: 03/14/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1500463

CASE NAME: MTR OF WILLIE ANDREW MANN TRUST

VACATED

HEARING:

Hearing Re: COURT TRIAL (THIRD DAY)

COUNSEL:

WILLIE ANDREW MANN TRUST

(TRU)...

CHAUNCEY MANN II

(PET)...JACK B. OSBORN

OASIS INVESTMENT PROPERTIES

(TP)...ANDERSON,MCPHARLIN & C

LANDWOOD TITLE COMPANY

(PRENOVOST NORMANDIN BERGH

F.M. TARBELL CO

(PRENOVOST NORMANDIN BERGH

FIRST AMERICAN TITLE INSURANCE

(MARK H MCGUIRE)

MENNIE MANN

(PRO/PER)

SHANNON D NOBLE

Waiver of Court Fees and Costs filed by MENNIE MANN is GRANTED

Court trial—no notes—JTD

Future Hearings: 3/15/18-3/16/18: Court Trial

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

DATE: 03/14/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1500463

CASE NAME: MTR OF WILLIE ANDREW MANN TRUST

SEE ALSO 20

HEARING:

Hearing Re: Petition to Establish Trust

COUNSEL:

WILLIE ANDREW MANN TRUST	(TRU)...
CHAUNCEY MANN II	(PET)...JACK B. OSBORN
OASIS INVESTMENT PROPERTIES	(TP)...ANDERSON,MCPHARLIN & C
LANDWOOD TITLE COMPANY	(PRENOVOST NORMANDIN BERGH
F.M. TARBELL CO	(PRENOVOST NORMANDIN BERGH
FIRST AMERICAN TITLE INSURANCE	(MARK H MCGUIRE)
MENNIE MANN	(PRO/PER)
SHANNON D NOBLE	

Currently under review by legal research.

(LR)

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

DATE: 03/14/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1500463

CASE NAME: MTR OF WILLIE ANDREW MANN TRUST

SEE ALSO 19

HEARING:

Hearing Re: FIRST SESSION OF COURT TRIAL

COUNSEL:

WILLIE ANDREW MANN TRUST	(TRU)...
CHAUNCEY MANN II	(PET)...JACK B. OSBORN
OASIS INVESTMENT PROPERTIES	(TP)...ANDERSON,MCPHARLIN & C
LANDWOOD TITLE COMPANY	(PRENOVOST NORMANDIN BERGH
F.M. TARBELL CO	(PRENOVOST NORMANDIN BERGH
FIRST AMERICAN TITLE INSURANCE	(MARK H MCGUIRE)
MENNIE MANN	(PRO/PER)
SHANNON D NOBLE	

Waiver of Court Fees and Costs filed by MENNIE MANN is GRANTED

Court trial—no notes—JTD

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CIVIL**

DATE: 03/14/18 TIME: 8:30 DEPT: S36P

CASE#: CIV DS1720709

CASE NAME: IN RE: 6743 MERITO AVE. SAN BERNARDINO, CA 92404

SEE ALSO 2 12

HEARING:

Hearing Re: STATUS (RELATED CASE PROPS1700674)

COUNSEL:

MORTGAGE LENDER SERVICES, INC. (PET)...SCHEER LAW GROUP,LLP
ESTATE OF ROBERT OSCAR CLARK (CLA)...PRO/PER
SECRETARY OF BOARD OF DIRECTOR (PRO/PER)
CALIFORNIA STATEWIDE COMMUNITIONS (PRO/PER)
LAW OFFICES OF MICHAEL C MADDUX (PRO/PER)
DALE CRAIG CLARK (MICHAEL C MADDUX)
NICOLE CARTER (LAW OFFICES OF ROBERT B KATZ)

Waiver of Court Fees and Costs filed by DALE CRAIG CLARK is GRANTED

XREF: PROPS1700674 ROBERT OSCAR CLARK

See next matter #2

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 8:30 DEPT: S36P

CASE#: CIV DS1720709

CASE NAME: IN RE: 6743 MERITO AVE. SAN BERNARDINO, CA 92404

SEE ALSO 1 12

HEARING:

Hearing Re: To Enforce the Terms of the Order

COUNSEL:

MORTGAGE LENDER SERVICES, INC. (PET)...SCHEER LAW GROUP,LLP
ESTATE OF ROBERT OSCAR CLARK (CLA)...PRO/PER
SECRETARY OF BOARD OF DIRECTOR (PRO/PER)
CALIFORNIA STATEWIDE COMMUNITIONS (PRO/PER)
LAW OFFICES OF MICHAEL C MADDUX (PRO/PER)
DALE CRAIG CLARK (MICHAEL C MADDUX)
NICOLE CARTER (LAW OFFICES OF ROBERT B KATZ)

Waiver of Court Fees and Costs filed by DALE CRAIG CLARK is GRANTED

XREF: PROPS1700674 ROBERT OSCAR CLARK

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON To Enforce Terms of Order

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

1. Matter set on 01/23/18, wherein Court ordered funds in the amount of \$16,325.64 released to Nicole Carter in her capacity as Executrix of the Estate of Robert Oscar Clark. Claimant to prepare Order pursuant to Court's ruling. Matter transferred to Department S36.
2. Proposed Order Granting Petition to Distribute Funds received 03/07/18 and forwarded to Dept S17 for review.

RECOMMENDATION

None.

(lh)

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

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **PROBATE**

DATE: 03/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1200864

CASE NAME: MTR OF EDWARD ANTHONY BYERS

HEARING:

Probate status report filed.

COUNSEL:

EDWARD R BYERS

(PET)...JOHN F WEBER

EDWARD ANTHONY BYERS

(DEC)...

TONJA DISHMON

(PET/TP)...ESTELLE & KENNEDY

GENERAL INFORMATION:

Continued from 01/10/18.

THIS CASE IS SET FOR HEARING ON Status Report of Administration by Edward R. Byers, Administrator

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

6. Letters of Administration with no authority were issued to Edward R. Byers on 10/27/16
7. Petitioner alleges the estate is not in a condition to be closed as the real property is currently in escrow. A report of sale was filed on 07/26/17, and Court confirmed sale at hearing on 10/30/17 for \$50,000.
8. Petitioner requests an additional 12 months to close the estate.
9. **Notice was given.**

RECOMMENDATION:

Court's discretion. If approved, set next hearing for Accounting Review on **09/19/18.**

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400674

CASE NAME: BOBBY LEE KIRCHNER

HEARING:

First and final Account and Report of MATTHEW GLENN KIRCHNER and
Petition for allowance of fees filed.

COUNSEL:

MATTHEW GLENN KIRCHNER	(PET)...IGNAZIO FICARA
BOBBY LEE KIRCHNER	(DEC)...
SUSAN M HEDGECK-KIRCHNER	(TP)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Report and Petition
for Final Distribution and Fees by Matthew Glenn Kirchner, administrator

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

10. Assets on hand: \$77,486.91, cash and vehicle
11. Statutory fees of \$5,788.16, each, requested by Attorney Ignazio Ficara and
Administrator Matthew Kirchner. Calculated.
12. Petitioner requests reimbursement in the amount of \$6,250, of which \$595.16
remains in client-trust, for itemized costs. [Acct, 01/18/18, LFpg8]. **JTD**
13. Special Notice filed by Susan M. Hedgecook-Kirchner.
14. Notice was given.
15. ~Proposed order: 01/18/18

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final discharge
for **03/13/19**.

(lh)

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

DATE: 03/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500386

CASE NAME: OLIVE SADIE MITTELSDORF

HEARING:
Accounting Review

COUNSEL:

RICHARD SAYLES	(PET)...JAMES B CHURCH
OLIVE SADIE MITTELSDORF	(DEC)...
APRIL MAY	(PET)...SHERRI L KASTILAHN
SURETEC INSURANCE CO	(TP)...

XREF: CONPS1400294 *Olive S Mittelsdorf*

GENERAL INFORMATION

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

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

Continued from 01/17/18. Counsel states she will be filing a motion to be relieved forthwith. Court orders April May to be personally present at next hearing for failure to comply with attorney. Citation issued to April May who is cited and required to appear and show cause for failure to cooperate with Counsel.

THIS CASE SET FOR HEARING ON OSC re Failure to Cooperate/Accounting review/Status.

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

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

RECOMMENDATION
Court's discretion re OSC.

Need to clear note 2-5.

(ww/lh/ww/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600455

CASE NAME: CHRISTOPHER LWOWSKI

HEARING:

first and final Account and Report of GREGORY S RISTER and
Petition for allowance of fees filed.

COUNSEL:

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

GENERAL INFORMATION:

Continued from 01/17/18 at request of Counsel to clear probate notes.

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

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

1. Assets on hand: \$296,953.59, cash
2. Attorney requests statutory fees of \$9,304.56. Calculated.
3. Attorney requests extraordinary fees in the amount of \$2,100 for 6 hours at \$350/hour regarding sale of real property. **Itemized in supp. filed 02/21/18.**
4. **Need** Wells Fargo Bank statement for decedent's checking account ending x6084 as of date of death on 08/20/15, or letter from bank verifying balance per Local Rule 20-908. **Supp 02/21/18 does not clear note.**
5. Schedule C Disbursements include various payments to Karen Wilson for 'assistance' totaling \$1,156.25, and to executor Greg Rister for reimbursements totaling \$3,500.94. **Need verified supplement itemizing expenses and reimbursements.**
6. Decedent's will includes a specific bequest of photography equipment to Frank Lazlo. The bequest was declined by Nick Durreta on behalf of Margaret Lazlo, the sole heir of Frank Lazlo. **Supp. filed 02/21/18 includes letter from beneficiary confirming her declination to accept equipment.**
7. Proposed distribution provides for distribution via Pr. C. §13100 Affidavit to Margaret Lazlo, the sole heir of Frank Lazlo (named beneficiary).
8. Petitioner requests reserve of \$18,000 to cover taxes on annuities and closing costs. 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.

9. Notice was given.
10. No proposed Order submitted.

RECOMMENDATION:

Need to clear notes 4-5, then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **03/20/19**.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600626

CASE NAME: MTR OF MICHAEL DAVID CUNNINGHAM

HEARING:
Accounting Review

COUNSEL:
MARGARET LOUISE CUNNINGHAM (PET)...PRO/PER
MICHAEL DAVID CUNNINGHAM (DEC)...

Waiver of Court Fees and Costs filed by MARGARET LOUISE CUNNINGHAM is GRANTED

GENERAL INFORMATION

Continued from 01/10/18. No appearance, nor has an account been filed.

THIS CASE IS SET FOR HEARING ON Accounting Review re: Margaret Cunningham

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

1. Letter Testamentary issued to Margaret Louise Cunningham on 10/26/16 with full authority; no bond.
2. **Need** final Inventory and Appraisal with supporting financial statements per Local Rule 20-908.
3. No accounting or status report of administration. **Need same.**

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 03/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601094

CASE NAME: MTR OF MANSIE BOOKER, JR.

VACATED

HEARING:

Accounting Review

COUNSEL:

KIPPY SHANTEL KRUCKENBERG

(PET)...CRAIG E WILSON

MANSIE BOOKER JR

(DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Kippy Krunkenberg

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

1. Kippy Shantel Krunkenberg appointed Executor with full authority, no bond, on 01/04/17.
2. **Need** final Inventory and Appraisal with supporting financial statements per Local Rule 20-908.
3. **Need** Accounting or Status Report of administration.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 03/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601215

CASE NAME: LAUNA BEITER

HEARING:

Waiver of account and for final distribution.

COUNSEL:

VIRGINIA M LUCAS (PET)...JEANNE E KENNEDY
LAUNA BEITER (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of Account and Final Report of Administrator and Petition for Fees and Final Distribution by Virginia M. Lucas, Administrator

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

1. Assets on hand: \$350,857.76, cash
2. All beneficiaries waive accounting.
3. Petitioner waives statutory compensation per waiver filed 01/10/18.
4. Attorney requests statutory fees of \$10,065.13. Calculated.
5. Attorney requests extraordinary fees of \$645.00 regarding sale of real property. Itemized. [Acct, 01/10/18, LFpg13]. **JTD**
6. **Supplement filed 03/07/18 not in LF at time review.**
7. **Need** bank statement verifying final ending balance per Local Rule 20-908.
8. **Need** copy of escrow closing statement for sale of real property per Local Rule 20-910.
9. **Need** statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary. Pr. C. § 1064 (a)(4). **Need** verified supplement.
10. Estate's assets consisted of real property and rental income received. Real property was sold with proceeds held in attorney-client trust account.
11. Petitioner requests reserve of \$3,000 for closing expenses and potential taxes.
*Note: if approved, need informal account for reserves per new Local Rule 20-911 prior to filing ex parte petition for final discharge. **JTD***
12. Notice was given.
13. ~Proposed order: 01/10/18

RECOMMENDATION:

Need to clear notes #6-8, then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge to include informal account re reserves for **03/13/19**.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601236

CASE NAME: THE FRANCISCO DE LA ROSA FAMILY IRREVOCABLE TRUST

HEARING:

Petition for DETERMINE VALIDITY OF PURPORTED TRUST

COUNSEL:

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

SAME DAY HEARING: MEDIATION SETTLEMENT CONFERENCE IN DEPT. S34 @ 8:30

Currently under review by Legal Research.

(LR)

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

DATE: 03/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700316

CASE NAME: BRUCE C LEAKE

HEARING:

Waiver of First and Final Account and Report of Administration

COUNSEL:

HILLARY LEAKE	(PET)...JOHN F WEBER
BRUCE C LEAKE	(DEC)...
SURETEC INSURANCE CO	(TP)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of Account and Report of Administration and Petition for Fees and Final Distribution by Hillary Leake, Administrator

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

1. Assets on hand: \$149,000 consisting of real property, vehicles, furniture.
2. Attorney requests statutory fees of \$5,497.00. Calculated.
3. Petitioner is sole heir.
4. **Need** findings re: sole and separate property. **Supp filed 03/06/18 not in LF at time of review.**
5. ~Proposed order: 01/10/18

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **03/13/19**.

(lh)

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

DATE: 03/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700674

CASE NAME: ROBERT OSCAR CLARK

SEE ALSO 1 2

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

DALE CRAIG CLARK (PET)...MICHAEL C MADDUX
ROBERT OSCAR CLARK (DEC)...
NICOLE CARTER (OBJ)...FULLERTON LEMANN SCHAEFER & DO

Waiver of Court Fees and Costs filed by DALE CRAIG CLARK is GRANTED

XREF: CIVDS1720709 *IN RE: 6743 MERITO AVE. SAN BERNARDINO, CA 92404*

GENERAL INFORMATION

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

Continued from 09/06/17 to attempt settlement.

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

Continued from 01/17/18. Parties are still working on a settlement.

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

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

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

4. Will lodged on 09/05/17. Court may wish to clarify if an amended petition will be filed. JTD
5. **Objection to Dale Clark's Petition for Probate by Nicole Carter filed 01/11/18.**
6. **Reply to Objections by Dale Clark filed 01/12/18**
7. *Note: Petition for Termination of Probate by Dale Clark. **Court to trail to 03/22/18.***
8. ~Proposed Form Order: 07/10/17

RECOMMENDATION

Court to trail to 03/22/18.

Matter is contested.

Need to clear note 2. Court's discretion re bond. If approved, set Accounting/Status Review for **05/22/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/lh/ww/lh)

Future Hearing: 3/22/18 Petition for Termination of Further Probate Proceedings & Discharge of the Personal Representative

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800116

CASE NAME: MTR OF SHERRINE LYNN BRANCH

HEARING:

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

COUNSEL:

DARIN HEPPNER (PET)...MOHEBAN LAW FIRM
SHERRINE LYNN BRANCH (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Darin Heppner (nephew/nominee)

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

1. Requested bond \$70,000 based on real property. Appears sufficient.
2. **Need** Notice of Petition to Administer Estate.
3. **Need** Proof of Publication.
4. ~Proposed form Order: 02/06/18

RECOMMENDATION:

Need to clear notes #2-3. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **05/22/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800136

CASE NAME: NORMA J WEBB

HEARING:

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

COUNSEL:

HAROLD M LOUDERMILK	(PET)...ROSE C ROSADO
LINDA SCHLACHTER	(PET)...ROSE C ROSADO
NORMA J WEBB	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Harold Laudermilk and Linda Schlachter (siblings)

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

1. Petitioners request bond be waived so long as funds are deposited into attorney-client trust account. Estimated net value of estate is \$201,000, consisting of real property and \$1,000 in personal property. Petitioners are non-residents; Court may require bond if the proposed personal representative resides outside California per and Pr. C. § 8571. **JTD**
2. Petition is incomplete at item #6 as to who survived decedent. **Need** verified supplement.
3. **Need** verified supplement as to whether predeceased spouse had issue for notice purposes.
4. **Proof of Publication filed 03/08/18 not in LF at time of review.**
5. ~Proposed form Order: 02/13/18

RECOMMENDATION:

Need to clear notes # 2-4. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **05/22/18**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

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

DATE: 03/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400136

CASE NAME: Evelyn Joyce Murray
SEE ALSO 14B 14C 14D

HEARING:

Motion Re: TO BE RELIEVED AS COUNSEL Filed by Petitioner
KIMBERLI MURRAY

COUNSEL:

EVELYN JOYCE MURRAY

(DEC)...

KIMBERLI MURRAY

(TP)...BRENT D GRIDER

KIMBERLY PATRICE MURRAY

(PET)...PRO/PER

VINCENT EUGENE MURRAY

(PET)...THOMAS W DOMINICK

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Motion to be relieved as Counsel by Roberta Taylor.

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

1. Petitioner, Brent D. Grider, counsel for Kimberli Murray, seeks to be removed as Counsel for Kimberli Murray's failure to abide by attorney-client fee agreement.
2. Notice was given.
3. ~Proposed Form Order: 01/22/18

RECOMMENDATION

Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino
Page: 14B add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 03/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400136

CASE NAME: Evelyn Joyce Murray
SEE ALSO 14A 14C 14D
HEARING:
Hearing Re: Status

COUNSEL:
EVELYN JOYCE MURRAY (DEC)...
KIMBERLI MURRAY (TP)...BRENT D GRIDER
KIMBERLY PATRICE MURRAY (PET)...PRO/PER
VINCENT EUGENE MURRAY (PET)...THOMAS W DOMINICK

No notes—status only

(lh)

Superior Court of Calif, County of San Bernardino
Page: 14C add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 03/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400136

CASE NAME: Evelyn Joyce Murray
SEE ALSO 14A 14B 14D

HEARING:

Petition for ORDR TO RECOVER POSSESSION OF PERSONAL PROPERTY
BELONGING TO ESTATE

COUNSEL:

EVELYN JOYCE MURRAY	(DEC)...
KIMBERLI MURRAY	(TP)...BRENT D GRIDER
KIMBERLY PATRICE MURRAY	(PET)...PRO/PER
VINCENT EUGENE MURRAY	(PET)...THOMAS W DOMINICK

GENERAL INFORMATION:

Continued from 5/16/16 and 08/03/16. Counsel request M.S.C.

Continued from 10/19/16, 01/11/17, 03/22/17, and 10/18/17. Stipulated trial date.

Continued from 02/15/18.

THIS CASE IS SET FOR HEARING ON Petition to recover possession of estate personal property Pr.C. § 850 by Vincent Murray, son.

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

1. Vincent Murray, administrator, petitions for recovery of personal property allegedly belonging to the estate.
2. Petitioner alleges that respondent Kimberly Murray has retained possession of the subject personal property but does not have an ownership interest in those items. Petitioner adds that he has made written demand for the items but that respondent has failed to return the property.
3. Petitioner requests an order determining the estate ownership of the property, for return of the property by respondent within five days, for the issuance of a writ of possession for the property, for \$500/mo as reasonable use of the property, for double damages pursuant to Pr.C. 859, and for costs of suit.
4. The subject property is listed at Exhibit A to petition (furnishings, antiques, electronics, jewelry, etc.).
5. **Objection filed 5/12/16 by Kimberly Murray.**
6. ~Proposed Order 3/29/16.

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

Mater is opposed.

(ds/sa/l/lh)

Superior Court of Calif, County of San Bernardino

Page: 14D add-on

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 03/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400136

CASE NAME: Evelyn Joyce Murray

SEE ALSO 14A 14B 14C

HEARING:

FIRST Account and Report of VINCENT EUGENE MURRAY and Petition for allowance of fees filed.

COUNSEL:

EVELYN JOYCE MURRAY

(DEC)...

KIMBERLI MURRAY

(TP)...BRENT D GRIDER

KIMBERLY PATRICE MURRAY

(PET)...PRO/PER

VINCENT EUGENE MURRAY

(PET)...THOMAS W DOMINICK

GENERAL INFORMATION:

Continued from 5/16/16 and 08/03/16. Counsel request M.S.C.

Continued from 10/19/16, 01/11/17, 03/22/17 and 10/18/17. Stipulated trial date.

Continued from 02/15/18.

THIS CASE IS SET FOR HEARING ON Petition to recover possession of estate personal property Pr.C. § 850 by Vincent Murray, son.

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

1. Vincent Murray, administrator, petitions for recovery of personal property allegedly belonging to the estate.
2. Petitioner alleges that respondent Kimberly Murray has retained possession of the subject personal property but does not have an ownership interest in those items. Petitioner adds that he has made written demand for the items but that respondent has failed to return the property.
3. Petitioner requests an order determining the estate ownership of the property, for return of the property by respondent within five days, for the issuance of a writ of possession for the property, for \$500/mo as reasonable use of the property, for double damages pursuant to Pr.C. 859, and for costs of suit.
4. The subject property is listed at Exhibit A to petition (furnishings, antiques, electronics, jewelry, etc.).
5. **Objection filed 5/12/16 by Kimberly Murray.**
6. ~Proposed Order 3/29/16.

RECOMMENDATION

Mater is opposed.

(ds/sa/lc/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 03/14/18 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1600756

CASE NAME: ROBERT EDWARD MILLER

HEARING:

Motion Re: to compel contestant's responses to form interrogatories Filed by
Petitioner RYAN EDWARD MILLER

COUNSEL:

RYAN EDWARD MILLER (PET)...FULLERTON LEMANN SCHAEFER & DO

ROBERT EDWARD MILLER (DEC)...

W.A.(SAM) HLAVATY (PET)...THOMPSON & COLEGATE

ROBERT WILLIAM MILLER IV (OBJ)...MITCHELL I ROTH

WALTER & PISTOLE

Currently under review by Legal Research

(LR)

Future Hearings: 5/31/18: Readiness Calendar

6/11/18: Court Trial

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

CONSERVATORSHIPS

DATE: 03/14/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500356

CASE NAME: MTR OF AMANDA J NEWMAN

HEARING:

PTN FOR PROPOSED ACTN TO ESTABLISH SNT, FIRST Account and Report of CLAUDIA J NEWMAN and Petition for allowance of fees filed.

COUNSEL:

CLAUDIA J NEWMAN	(CEP)...JAMES L HEYWOOD
AMANDA J NEWMAN	(DEC)...ROSE C ROSADO
AMANDA J NEWMAN	(OBJ)...CALDWELL, KENNEDY & PORTER, A.

GENERAL INFORMATION

Continued from 06/21/17 to clear probate notes. Judge requests legal research review SNT petition.

Continued from 07/26/17. Attorney Heywood just subbed in as attorney

Continued from 09/27/17 to clear probate notes.

Continued from 12/13/17. Court will allow the SNT petition to be filed within the Conservatorship. An amended accounting is to be filed.

THIS CASE SET FOR HEARING ON Petition for Proposed Action to Create SNT, 1st Account Current and Petition for Reimbursement of Costs Pr.C. §§ 2580, 2640 by Claudia Newman, Mother.

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

1. Claudia Newman appointed Conservator of person and estate on 12/05/16, no bond.
2. Assets on hand \$1,245.44 and remainder of assets TBD.
3. Accounting period 11/08/10 – 12/08/11 [stated in summary pg34]. However, report states 11/30/10 – 12/16/11. **Need** corrected accounting.
4. **Need** final Inventory and Appraisal.
5. It is unclear why the accounting period starts prior to appointment. **Need** accounting beginning at appointment.
6. Summary of account and schedules are not on mandatory Judicial Council forms GC-400/SUM/GC-400/405. **Need** to file amended accounting.

7. Attorney requests fees of \$9,320 for 37.5 hours at \$120/300 per hour, less retainer of \$2,500, leaving a balance due of \$6,730. Itemized [Acct. 04/14LFpg56-64]. Need qualifications of paralegals per requirements of CRC 7.703(e)(1)(c) which show the completion of mandatory continuing education per Business & Professions Code 6450(d). **Need** verified supplement.
8. Petitioner requests reimbursement of costs advanced totaling \$3,375 for retainer and \$875 for paralegal fees for initial pleadings. JTD
9. Attorney requests reimbursement of costs totaling \$491. Itemized [Acct. 04/14LFpg64]. JTD
10. **Objections filed by conservatee's GAL Rose Rosado on 05/24/17.**

RECOMMENDATION

Need to file amended accounting; clear notes 3-7 and notice.

If approved, set Accounting/Status Review for **05/22/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/ww/lc/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600154

CASE NAME: SANDY CIRA RODRIGUEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of LILIA DE PABLO

COUNSEL:

LILIA DE PABLO (CP)...PRO/PER
SANDY CIRA RODRIGUEZ (CTP)...WALTER T. MOORE

GENERAL INFORMATION:

Continued from 07/26/17. Attorney Walter Moore to assist with required documents.

Continued from **09/27/17**.

Continued from **11/01/17**. Conseratee's rights filed 06/09/16.

Continued from 01/10/18. Matter is continued. Court ordered Lilia De Pablo to personally be present at the next hearing unless the required documents have been submitted and approved. Notice given by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Compliance Review.

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

1. Lilia De Pablo, mother, appointed limited conservator of the person only on 12/21/2016.
2. Notification of Conservatee's rights filed.
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr. C. §2352.5.

RECOMMENDATION:

Need to clear notes 3-4.

(ww/lh)

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

DATE: 03/14/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600354

CASE NAME: MTR OF DARR MADDOX

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of MARK MADDOX

COUNSEL:

MARK MADDOX (CPE)...ESTEFAN M ENCARNACION
DARR MADDOX (CEP)...JENNIFER M DANIEL

GENERAL INFORMATION

Continued from **10/05/17**. Notice to be given by Counsel Encarnacion.

Continued from 12/14/17.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Mark Maddox, spouse, appointed conservator of the person and estate on 03/02/17, no bond.
2. **Need** Notification of Conservatee's rights per Pr.C.§1830(c).
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5.
5. **Need** final Inventory & Appraisal per Pr.C.§2610.
6. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
7. **If** the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION

Need to clear notes 2-7.

(lc/lh)

Future Hearing: 05/10/18 *Accounting Review*.

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

DATE: 03/14/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800040

CASE NAME: MARIA LUISA MACLEOD

SEE ALSO 20

HEARING:

Petition for Appointment of Conservator

COUNSEL:

RICHARD C MACLEOD (PET)...CALDWELL, KENNEDY & PORTER, A.
MARIA LUISA MACLEOD (CEE)...WALTER MOORE (GAL)

GENERAL INFORMATION

Ex parte hearing held 02/14/18. Walter Moore appointed Guardian Ad Litem for proposed conservatee. Walter Moore to file report on or before 02/24/18. Current hearing re Petition for Temporary Conservatorship continued to 03/14/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Richard MacLeod, spouse

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

1. Petitioner seeks powers under Pr. C. §2591 to pay, collect, arbitrate or adjust claims, debts, or demands upon conservatorship. **JTD**
2. Petitioner seeks court reserve bond until all of proposed conservatee's financial accounts are accounted for. **JTD**
3. Petitioner seeks medical powers. **Need** Capacity Declaration.
4. Petitioner seeks dementia powers.
 - a. **Need** appointment of counsel for report.
 - b. **Need** report of Walter Moore, GAL.
5. **Need** Certificate of Completion of the Conservatorship Training Class.
6. **Need** return of citation, if proposed Conservatee will not attend hearing.
7. **CI Report of No Report filed 02/27/18. JTD**
8. Notice was given.
9. ~Proposed Form Order: 02/07/18

RECOMMENDATION

Need to clear notes #3-6. If approved, set hearing for Compliance Review for **10/17/18** for the filing of the required documents and hearing re Accounting Review for **05/22/19**. Any accounting to be filed 30 days in advance.

(lh)

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

DATE: 03/14/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800040

CASE NAME: MARIA LUISA MACLEOD

SEE ALSO 19

HEARING:

Petition for Appointment of Temporary Conservator

COUNSEL:

RICHARD C MACLEOD (PET)...CALDWELL, KENNEDY & PORTER, A.
MARIA LUISA MACLEOD (CEE)...WALTER MOORE (GAL)

No notes—JTD

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **PROBATE**

DATE: 03/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501067

CASE NAME: MTR OF MARILYN MILLER

HEARING:

FIRST AND FINAL Account and Report of WAYNE FAWCETT and Petition
for allowance of fees filed.

COUNSEL:

WAYNE FAWCETT	(PET)...J. PETER WAKEMAN
MARILYN MILLER	(DEC)...
DEBBIE DELMAN	(PET)...RODNUSKY & ASSOCIATES
CARLTON T LARRABEE	(PET)...PRO/PER

Waiver of Court Fees and Costs filed by CARLTON T LARRABEE is GRANTED
TOTAL FEES WAIVED TO DATE: \$435.00

GENERAL INFORMATION

Continued from 10/18/17. Court called this matter with Mr. Wakeman appearing via court call. After matter had been heard, Ms. Delman appeared stating she objects to the accounting as filed. Due to the objection of Ms. Delman, Court vacates its prior ruling and continues the matter to 12/06/17. Court orders Ms. Delman to file and serve written objections no later than 11/06/17. Notice given by Judicial Assistant.

Continued from 12/06/17. Parties to meet and confer regarding objections. Court encourages Debbie Delman and Carlton Larabee to obtain counsel. Notice waived.

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Wayne Fawcett/Trustee.

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

1. Petitioner waives accounting and statutory compensation as trustee.
2. Attorney requests statutory fees of \$36,216.50. Ok.
3. **Objection to Final Accounting by Carlton Larrabee filed 11/06/17. Need proof of service.**
4. **Objection to Executor's 1st and Final Accounting by Debbie Delman filed 11/06/17 with 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.

5. **Further Objections to 1st and Final Report by Deblyn “Debbie” Delman filed 02/02/18 with proof of service.**
6. **Response to Objections of Debbie Delman by Wayne Fawcett filed 11/13/17.**
7. **Response to Objections of Carlton Larrabee filed 11/13/17.**
8. **Stipulation and Order received 03/06/18 and forwarded to department for review.**
9. No proposed order. Submit after hearing.

RECOMMENDATION

Matter is contested.

If approved, set hearing on the filing of receipts and final discharge for **03/13/19**.

(lc/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600187

CASE NAME: MTR OF TIODOLA WILSON MADRID

HEARING:
Hearing Re: STATUS REPORT

COUNSEL:

ALICIANA LADD (PET)...PRO/PER
TIODOLA WILSON MADRID (DEC)...
CIPRIANO M LOERA (PET)...HORSPPOOL & HORSPPOOL
THOMAS W DOMINICK (TP)...FULLERTON LEMANN SCHAEFER & DO

GENERAL INFORMATION

On **05/02/17** Court suspended Aliciana as executor and ordered her to file a waiver of accounting. Upon approval of accounting the Court will accept the resignation. Letter of special administration issued to Cipriano Loera.

Continued from 07/20/17 on Court's own motion. . Successor letters Testamentary issued to Cipriano Loera, son on 08/10/17, \$376,000 bond.

Continued from 09/13/17 at request of Counsel for forthcoming settlement.

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of Testamentary issued to **Aliciana Ladd, granddaughter**, on 04/18/16 full authority, no bond. Successor letters Testamentary issued to **Cipriano Loera, son** on 08/10/17, \$376,000 bond.
2. Aliciana Ladd does not state how long the estate needs to continue administration but does request that the Court accept her resignation as executor. Now moot.
3. **Need** notice of hearing and proof of service per Pr. C. § 12201(b) advising the recipients of the right to petition for an account.
4. **Objection to status report by Cipriano Loera, son, filed on 06/20/17.**
5. No proposed order; submit after hearing.

RECOMMENDATIO

Need to clear note 3 and require a final account for ***Aliciana Ladd***. Matter is contested.

(ww/lc/lh)

Future Hearing: 9/19/18: Accounting Review ***re Cipriano Loera***.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 03/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600489

CASE NAME: MTR OF SUMIYO NAGAO REYNOLDS

HEARING:

Probate status report filed.

COUNSEL:

ARTHUR REYNOLDS (PET)...LAW & STEIN

SUMIYO NAGAO REYNOLDS (DEC)...

GENERAL INFORMATION:

Continued from 01/30/18. Attorney Roth was appointed for Arthur Reynolds. Attorney Roth is to provide a report on the special needs by next hearing.

THIS CASE IS SET FOR HEARING ON Status Report by Administrator/son Arthur Reynolds ["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 as Petitioner recently was informed by New York Life Insurance that the Decedent's life insurance policy did not include designated beneficiaries and will need to be included in the probate estate. Furthermore, Petitioner's brother, who is the only other heir of the estate has special needs and Petitioner is currently working with an estate planning attorney to determine how assets should be distributed. **Supp 02/26/18 alleges NY Life Insurance policy is not an asset of the estate as it was discovered the policy was payable on death.**
2. Petitioner requests an additional 3-4 months to close the estate. **Supp 02/26/18 alleges estate is now in a condition to be closed. An accounting will be filed upon approval of Status Report.**
3. **Need Report of Attorney Roth.**
4. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear note #3. If approved, set next hearing for Accounting Review on **05/16/18**. Any account to be filed 30 days' before hearing. Note requirements of Local Rules.

(nb/lh)

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

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

DATE: 03/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600698

CASE NAME: JAMES M COOPER

HEARING:
Accounting Review

COUNSEL:
DONNA COOPER (PET)...MAUREEN MURATORE
JAMES M COOPER (DEC)...

GENERAL INFORMATION:
Continued from 11/14/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Administration issued 11/23/16, full authority, \$200,000 bond.
2. No accounting or status report of administration. **Need** same.

RECOMMENDATION:
Inquire status.

(nb/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600799

CASE NAME: MTR OF RICHARD HENRY ELLISON (MASTER FILE)

HEARING:

Accounting Review

COUNSEL:

VANCE L JOHNSON	(PET)...PRO/PER
RICHARD HENRY ELLISON	(DEC)...
LAWRENCE L ELLISON	(PET/OBJ)...NICHOLAS SCHOUTEN
NAJMAH T LEE	(PET)...NICHOLAS SCHOUTEN
INHERITANCE FUNDING COMPANY	

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Administration were issued to Lawrence L. Ellison and Najmah T. Lee on 01/17/17 with full authority and no bond.
2. **Need** final Inventory and Appraisal with supporting financial statements per Local Rule 20-908.
3. No accounting or status report of administration. **Need** same.

RECOMMENDATION

Inquire status

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601118

CASE NAME: MTR OF ROY LEE PELTS

SEE ALSO 7

HEARING:

Hearing Re: AMENDED PET FOR PROBATE OF WILL AND LETTERS

COUNSEL:

TROY MICHAEL PELTS (PET)...PRO/PER
ROY LEE PELTS (DEC)...

See notes on next matter #7.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601118

CASE NAME: MTR OF ROY LEE PELTS

SEE ALSO 6

HEARING:

Order to Show Cause RE: Dismissal (Failure to Appear on 1/30/18)

COUNSEL:

TROY MICHAEL PELTS (PET)...PRO/PER
ROY LEE PELTS (DEC)...

GENERAL INFORMATION

Continued from **09/11/17 and 11/20/17.**

Continued from 01/30/18. No appearance. Court ordered Troy Michael to appear at next hearing. Notice given by Judicial Assistant.

THIS CASE SET FOR HEARING ON **OSC re Dismissal of Amended [06/23/17]** Petition for Probate, Letters Testamentary with Full Authority under IAEA by Troy Pelts, son/executor

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

1. Will waives bond. The estate consists of \$330,000 in real property. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
2. **Need** Notice to Petition to Administer Estate and proof of service
3. The will conditionally incorporates decedent's Trust.
 - a. The Certificate of Trust attached to the **amended** petition states that there is a list of trust beneficiaries also attached but one is not attached. **Need** list of trust beneficiaries.
 - b. Does Court also wish to require a copy of decedent's trust? JTD
4. A copy of the will must be attached to the **amended** petition as attachment 3f(2); however, it is attached to the initial petition. JTD.
5. The petition caption does not have the IAEA box marked; however the order/letters indicate **full**. Court may wish to clarify on record; or in alternative, need verified supplement. JTD

6. Section 3e of the petition is marked that all heirs waive bond but no bond waivers are attached. Does Court wish for the bond waivers to be required even though the will waives bond? JTD.
7. Court may wish to clarify whether Melodie Pelts and decedent were still married at the time of death as the petition indicates her relationship as “ex-wife” while the will indicates that they were married.
8. ~Proposed Form Order: 11/08/16

RECOMMENDATION

Court’s discretion re OSC.

Need to clear notes 2 & 3. Court’s discretion re bond and notes 4-7. If approved, set Accounting/Status Review for **05/22/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/cs/nb/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601186

CASE NAME: MTR OF THE BROWN TRUST U/D/T DATED OCT 3,2000

SEE ALSO 9 10

HEARING:

Petition for ORDER CONFIRMING TRUST ASSETS PETITION TO
COMPEL ACCOUTNING ETC

COUNSEL:

RUTH ANITA BELL	(PET)...ZUBIATE BEAUCHAMP LLC
VALERIE ANN JOHNSON	(PET)...ZUBIATE BEAUCHAMP LLC
THE BROWN TRUST	(TRU)...
CHRISTINA BARNES	(PET/OBJ)...JAMES B CHURCH

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

Currently under review by Legal Research.

(LR)

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

DATE: 03/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601186

CASE NAME: MTR OF THE BROWN TRUST U/D/T DATED OCT 3,2000

SEE ALSO 8 10

HEARING:

FIRST Account and Report of CHRISTINA BARNES and Petition for allowance of fees filed.

COUNSEL:

RUTH ANITA BELL	(PET)...ZUBIATE BEAUCHAMP LLC
VALERIE ANN JOHNSON	(PET)...ZUBIATE BEAUCHAMP LLC
THE BROWN TRUST	(TRU)...
CHRISTINA BARNES	(PET/OBJ)...JAMES B CHURCH

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

GENERAL INFORMATION

Continued from 09/13/17. Christina Brown's name to be changed to Christina Barnes. Counsel Church stated escrow is pending. Money cannot be withdrawn from Trust Account without attorney and through court order. Counsel Church to submit order re name correction.

THIS CASE SET FOR HEARING ON 1st Account Current and Petition for Allowance of Fees by Christina Barnes, Trustee.

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

1. Accounting period 09/23/15 – 04/13/17.
2. Assets on hand \$4,888.82 in cash.
3. Real property in Pico Rivera is not included in accounting.
4. Christina Barnes' name appears to be Christina Brown on the record. Additionally, first line of report states Kristine Merrill is successor Trustee. **Need** verified supplement clarifying parties.
5. Page 2 of report is highly illegible. Court may wish to require new page.
6. **Need** list of beneficiaries per California Rule of Court 7.902.
7. **Objections filed by Ruth Bell and Valerie Johnson on 08/23/17, supplemental objections filed 09/07/17.**
8. **Reply to Objections filed by Christina Michael Barnes on 09/21/17.**
9. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 4-6; matter is contested. *If court retains jurisdiction of trust, set next Accounting review for **06/13/18**.*

(lc/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601186

CASE NAME: MTR OF THE BROWN TRUST U/D/T DATED OCT 3,2000

SEE ALSO 8 9

HEARING:

Trial Setting Conference

COUNSEL:

RUTH ANITA BELL	(PET)...ZUBIATE BEAUCHAMP LLC
VALERIE ANN JOHNSON	(PET)...ZUBIATE BEAUCHAMP LLC
THE BROWN TRUST	(TRU)...
CHRISTINA BARNES	(PET/OBJ)...JAMES B CHURCH

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

TSC—no notes—JTD

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

DATE: 03/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601218

CASE NAME: WANDA LEE ROGERS

HEARING:

Waiver of account and for final distribution.

COUNSEL:

PHYLLIS ANN SCHMALHOFER (PET)...PRO/PER
WANDA LEE ROGERS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution on Waiver of Account and for fees by Phyllis Schmalhofer, executor

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

14. Assets on hand: \$0
15. Petitioner does not request statutory fees.
16. Real property had negative equity and was encumbered by a reverse mortgage of \$180,875.35. Property was sold via short sale to beneficiary Charles Delwyn Rogers for \$152,000 per consent of all beneficiaries.
17. **Need** copy of escrow closing statement for sale of real property per Local Rule 20-910.
18. **Need** bank/investment statements verifying date of death balances and final ending balance per Local Rule 20-908.
19. **Need** verified supplement indicating if cash was invested and maintained in an interest bearing account. Pr. C. § 1064(a)(5).
20. **Need** statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary. Pr. C. § 1064 (a)(4). **Need** verified supplement.
21. **Need** waivers of account from beneficiaries, Patricia Armas and Charles Delwyn.
22. Notice was given.

RECOMMENDATION:

Need to clear notes 4-8, then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **03/20/19**. (lh)

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

DATE: 03/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700049

CASE NAME: MTR OF RICHARD S WALLER

HEARING:

Waiver of Account and Report of JOANNE KNATCHER and Petition for allowance of fees filed.

COUNSEL:

JOANNE KNATCHER (PET)...LINDA J GLADSON
RICHARD S WALLER (DEC)...
LIBERTY MUTUAL INSURANCE (TP)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of Account and Report of Executor, Petition for Fees, and Final Distribution by Joanne Knatcher, Trustee/Exeuctor

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

1. Assets on hand: \$317,340.67, cash
2. Petitioner and attorney request statutory fees of \$9,639.25, each. Calculated.
3. Petitioner/trustee, Joanne Knatcher, waives final accounting.
4. Notice was given.
5. ~Proposed order: 12/05/17

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **03/20/19**.

(lh)

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

DATE: 03/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700177

CASE NAME: SELINA JOAN RAMIREZ

HEARING:

Waiver of account and for final distribution.

COUNSEL:

LENA LOPEZ BRADLEY (PET)...MOGA LAW FIRM
SELINA JOAN RAMIREZ (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Distribution on Waiver of Account and Petition for Fees and Reimbursements

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

1. Assets on hand: \$86,988.33, cash
2. Petitioner and attorney requests statutory fees of **\$8,700**, each. Calculated.
3. Attorney reimbursed himself for costs advanced totaling **\$2,747.48**. Itemized [Acct, 12/05/17, LFpg15].
4. **Need** copy of escrow closing statement for sale of real property per Local Rule 20-910.
5. A Creditor's Claim from Lena Lopez Bradley in the amount of \$1,120.46 was filed 10/24/17. **Need** satisfaction/withdrawal of claim.
6. All heirs have waived accounting.
7. Notice was given.
8. No proposed order submitted. Submit after hearing.

RECOMMENDATION:

Need to clear notes #4-5, then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **03/20/19**.

(lh)

Future Hearing: 7/03/18: Accounting Review - **VACATE**

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

DATE: 03/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700367

CASE NAME: MTR OF VIRGINIA P ALDERMAN-MONIET

SEE ALSO 15

HEARING:

OSC re: Dismissal

COUNSEL:

CHRISTOPHER EDWARD MOINET (PET)...PRO/PER
VIRGINIA P ALDERMAN-MOINET (DEC)...

GENERAL INFORMATION:

Continued from 07/03/17 and 11/20/17. The Court urges petitioner to speak with counsel as this may not be the appropriate petition to be filed in this matter. The Court orders all deeds including the current vesting deed and a copy of judgment in the dissolution matter be filed. The Court further orders written assignments from the children to be filed.

Continued from 01/30/18. No appearance. Court set OSC re dismissal for 03/14/18. Notice given by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON **OSC re Dismissal of Spousal Property Petition** by Christopher E. Moinet ["Petitioner"].

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

1. Declarations indicate petitioner and decedent were married in 1984, became divorced in 2005, and remarried on 11/11/13. Marriage Certificate affixed [LF, p.7].
2. Petitioner requests a determination of property passing to the surviving spouse as community property. Specifically, real property at Victorville, CA, in San Bernardino County. .
3. Declaration of Petitioner filed 11/07/17 indicates subject property was an inheritance to Linda Crook (decedent's sister) and decedent. Linda Crook sold her one-half of said property to decedent while she was married to petitioner. They took out a home loan in the amount of \$45,000 on 08/21/95 under both their names to repay Linda Crook for her one-half of the property. Petitioner further indicates delinquent taxes for 2009 – 2012 were paid by petitioner.
4. Petition has the following issues:
 - a. Section 7a is marked instead of 7b;
 - b. Section 13 is incomplete; and
 - c. Signatures are not dated.

Need corrected petition.

5. Grant Deed affixed [LF, p. 5] to petition, indicates property was titled solely in Decedent's name. Notwithstanding subject grant deed, it appears parties may have formerly held subject property jointly. Supp filed 09/06/17 provides a copy of Metroscan Property profile indicating joint tenant vesting.
6. Decedent died intestate with 4 issue 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, declarations filed by all issue agree that Petitioner should inherit Decedent's property. Does Court wish to require proper assignments? JTD.
7. ~Proposed Form Order 04/14/17.

RECOMMENDATION:

Need to clear notes 4 then Court's discretion.

(nb/cs/nb/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700367

CASE NAME: MTR OF VIRGINIA P ALDERMAN-MONIET

SEE ALSO 14

HEARING:

Spousal Property Petition hearing.

COUNSEL:

CHRISTOPHER EDWARD MOINET
VIRGINIA P ALDERMAN-MOINET

(PET)...PRO/PER
(DEC)...

See notes on prior matter #14.

(lh)

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

DATE: 03/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800099

CASE NAME: EUGENE PHILLIPS AKA EUGENE PHILLIPS JR.

HEARING:

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

COUNSEL:

EMANY ROSIA GREEN (PET)...PAUL HORN
EUGENE PHILLIPS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Emany Green (daughter)

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

1. Petitioner alleges all heirs waive bond. Estimated net value of estate is \$626,000, real property. Court also has discretion to require bond per Pr. C. § 8481(b).
2. ~Proposed form Order: 01/31/18

RECOMMENDATION:

Court's discretion. If approved, set future hearing for Accounting/Status Review on **05/22/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

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

DATE: 03/14/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1400199

CASE NAME: Kenneth Wayne Horne

HEARING:

Motion Re: TO BE RELIEVED AS COUNSEL Filed by Petitioner MARCUS
RAY JONES

COUNSEL:

MARCUS RAY JONES (PET)...E. LAWRENCE BROCK
KENNETH WAYNE HORNE (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Motion to be Relieved as Counsel by Kariann
Voorhees ["Petitioner"].

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

1. Petitioner, Kariann Voorhees, seeks to be relieved as counsel despite a status report/accounting are due as client, Marcus Ray Jones, has been uncooperative with Counsel. Client remains unresponsive despite Counsel's various attempts to contact via telephone, email and mailed correspondence.
2. **Need** proof of service of Notice of Hearing re compliance with Rules of Court, rule 3.1362(d), including service of Notice of Motion, Declaration and Proposed Order.
3. No proposed order submitted.

RECOMMENDATION:

Need to clear note #2, then Court's discretion.

(lh)

Future Hearing: 4/03/18: Accounting Review

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIPS

DATE: 03/14/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0700078

CASE NAME: MTR OF BRANDON JOEL WIJNHAMER

HEARING:

Hearing Re: COURT INVESTIGATOR'S REPORT

COUNSEL:

JAMES WIJNHAMER

(CP)...DIXIE J ALLISON

SHELLEY WIJNHAMER

(CP)...DIXIE J ALLISON

BRANDON JOEL WIJNHAMER

(CTP)...DIANA CARLONI NOURSE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON COURT INVESTIGATOR'S REPORT

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

1. Matter set by Court on 01/19/18 upon Court's review of Court Investigator Report to discuss move to Arizona. Conservators may appear via CourtCall.

RECOMMENDATION

None.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 03/14/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0800198

VACATED

CASE NAME: ROSEMARY ESCOBEDO

HEARING:

Accounting Review

COUNSEL:

CHRISTINA ERICKSON-TAUBE (CPE)...SHERRI L KASTILAHN

ROSEMARY ESCOBEDO (CEP)...E JOAN NELMS

JACK B OSBORN (PET)...JACK B OSBORN

CCP170.6 filed as to JUDGE CYNTHIA LUDVIGSEN

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0900098

CASE NAME: OSCAR HUANTES

HEARING:

Petition for Authorization to Purchase Patio Cover; Furniture; and Appliances

COUNSEL:

JUAN HUANTES (CPE)...MICHAEL ROOFIAN AND ASSOCIATES
OSCAR HUANTES (CEP/CTE)...LENITA A SKORETZ
ANITA HUANTES (CPE)...MARK J ANDREW FLORY
ANITA HUANTES (CP/SC)...JAMES B CHURCH
MITCHELL I ROTH (PET)...MITCHELL I ROTH
CITIZENS BUSINESS BANK (PET)...BARRY & BARRY
BOND SERVICES OF CA (TP)...

CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN

Currently under review by legal research.

(LR)

Future Hearings: 5/01/18: Accounting Review

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 03/14/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0900147

CASE NAME: JESSICA AURORA RODARTE

HEARING:

Hearing Re: COURT INVESTIGATOR REPORT

COUNSEL:

AURORA RODARTE

(CP)...PRO/PER

JESSICA AURORA RODARTE

(CTP)...DONNASUE ORTIZ

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Court Investigator Report

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

1. Matter set by Court on 01/19/18 upon review of CI Report filed 01/02/18. Court reappointed Counsel Donnasue Ortiz for Jessica Aurora Rodarte. Notice given by Judicial Assistant.
2. **Need** Report of Counsel.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 03/14/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0900263

CASE NAME: THELMA LENK

HEARING:

Hearing re Final Discharge

COUNSEL:

JEAN SLAAMOD	(CPE)...CARROLL M LAWSON
DARROLD SLAAMOD	(CPE)...CARROLL M LAWSON
THELMA LENK	(CEP)...SANDY L. TURNER
SANDY TURNER	(PET)...DAVID & TURNER
DARROLD SLAAMOD	(PET)...HARTNELL LAW GROUP
JEAN DARROLD	(PET)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Continued from 08/08/17, 10/17/17 and 11/21/17 at request of counsel.

Continued from 01/30/18. Court notes the order on 3rd Accounting did not mention Trust assets. Court further notes the Order on the 3rd accounting lists 2 accounts; however, the 13100 declaration lists only 1 account. Court orders Counsel to file a declaration explaining the 2 accounts and/or revise the 13100 declaration. Ex parte Petition/Order for Final Discharge is returned to Counsel in open Court.

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Order Settling Third and Final Account entered 08/02/16.
2. Receipts filed.
3. Supporting declaration explaining accounts or revised 13100 declaration filed 02/05/18. JTD
4. The ROA indicates the Order for Final Discharge was signed and forwarded to clerk's office for processing on 02/15/18; however, the signed Order for Final Discharge does not appear to have been processed yet. **Clerk's office notified on 03/09/18.**

RECOMMENDATION:

None.

(nb/lh/nb/lh)

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

DATE: 03/14/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400045

CASE NAME: Vivian Bertrand

SEE ALSO 24

HEARING:

AMENDED SECOND Account and Report of MELODIE Z SCOTT and
Petition for allowance of fees filed.

COUNSEL:

MELODIE Z SCOTT	(CPE)...TREVOR D MARTIN
VIVIAN BERTRAND	(CEP)...JEANNE E KENNEDY
JEANNE E KENNEDY	(PET)...JEANNE E KENNEDY
ANNMARIE M SCOTT	(PET)...RYAN J GALLANT
JAMES L OBERMAN	(PET)...DONNASUE ORTIZ
SURETEC INSURANCE	(TP/PET)...WOLKIN CURRAN LLP

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

GENERAL INFORMATION:

Continued from **05/02/17**. Compliance review re Melodie deemed moot.

Continued from 06/14/17. The Court confirms Judge McCarville's order that **Melodie Scott's fees are not to be paid to Melodie Scott, but instead go to Pacific Western Bank. Petition for surcharge may be filed.** Amended 2nd or 3rd and final accounting to be filed. Melodie Scott's posted bond amount and whether AnneMarie Scott's bond has been brought current to be addressed. The Court orders accounting to be filed by 8/16/17.

Continued from 10/02/17 for Counsel to file reply to written objections. Court orders request for attorney's fees to be filed by Ms. Scott. At request of Counsel, matter is set on a Wednesday. Notice is waived.

Continued from 12/06/17 at request of Counsel. Attorney Bryan Hartnell represents responses have been recently filed and additional time is needed to review responses. Counsel are encouraged to meet and confer regarding setting a Court Sponsored Mediation date.

THIS CASE IS SET FOR HEARING ON **Amended (08/16/17) Second Account Current to Create Second and Final Account** and Petition for Fees by **former** Conservator of the Person and Estate and Successor Trustee, Melodie Z. Scott.

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

1. Accounting period 03/12/15 to **09/16/16 (Conservatorship)**
Accounting period 03/12/15 to 09/30/16 (Trust)
2. Assets on Hand \$0.00 (Conservatorship)
Assets on Hand \$0.00 (Trust)
3. Current bond set at \$735,000.
4. Petitioner indicates she is entitled to reasonable fees for her services as Conservator of the person and estate and as Trustee of the Trust. **Court ordered fees to be paid to Pacific Western Bank per m/o on 06/14/17.**
5. Petitioner acquired authority to make periodic payments of compensation to herself in an amount of 80% equal to her monthly billing. Supp filed 12/05/17 the fees of \$2,744.58 and \$12,700 paid on 11/12/15 from Trust were approved in prior account leaving \$6,400 paid toward fees. Said paid sum of \$6,4000 will be used for fees earned and unpaid during this account period; however, petitioner does not have current time records available.
6. Attorney requests reimbursement of costs advanced of \$3,072.34. Itemized [LF, p. 72]. **JTD**
7. During this accounting period, petitioner paid caregiving services; case management fees; and account management fees. **Supp 12/05/17 fee acknowledgments attached** by Danielle Temby; Deborah Diaz; Jodi Loera; Annmarie Scott; Raumey Wilson; Vivian Kavigan; Lindsey Fillian; Carol Voll-Buschez; Carie Bashez; Sheryl Cook; Christopher Scott; and Right at Home Inland Valley; **see LFpgs7-25. JTD**
8. Supp 09/29/17 residential facility statements for Rose Garden Residential from 01/2015 to 08/2015. **Supp 12/05/17 includes residential statements through 09/2016 at LFpgs28-37.**
9. Supp 09/29/17 requests attorneys' fees **\$39,610.00** for 166.90 hours at ranging from \$250-\$425/hour for attorney services; \$50-125/hour for paralegal services, and \$25/hour for book keeper. Itemized at LFpg24-42. **JTD**
10. **Objections filed 09/27/17 by James Oberman, current conservator and trustee.**
11. **Declaration joining objection filed by appointed Counsel Jeanne Kennedy on 10/04/17.**
12. **Reply to Objection to Amended Second Account by Melodie Scott filed 12/05/17. Need proof of Service.**
13. Proposed Order 08/16/17 indicates the fees for Petition and her counsel as requested are approved; no fees have been requested. Fees remaining due and owing the Petitioner are blank; attorney fees are blank; allows discharge and exoneration of bond upon filing of documents instead of upon entry of discharge order.

RECOMMENDATION:

Matter is contested.

Need to clear note #12, then Court's discretion. If approved, set hearing for receipts and final discharge for **03/20/19**.

(nb/lc/nb/lh)

Future hearing dates:

12/20/17: Accounting review re James Oberman, Successor Conservator

10/31/19: CI Review

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

DATE: 03/14/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400045

CASE NAME: Vivian Bertrand

SEE ALSO 23

HEARING:

Third Account and Report of JAMES L OBERMAN and Petition for allowance of fees filed.

COUNSEL:

MELODIE Z SCOTT	(CPE)...TREVOR D MARTIN
VIVIAN BERTRAND	(CEP)...JEANNE E KENNEDY
JEANNE E KENNEDY	(PET)...JEANNE E KENNEDY
ANNMARIE M SCOTT	(PET)...RYAN J GALLANT
JAMES L OBERMAN	(PET)...DONNASUE ORTIZ
SURETEC INSURANCE	(TP/PET)...WOLKIN CURRAN LLP

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Third Account Current and First Report of Successor Conservator, Petition for Settlement, Fees and Reimbursements by James L. Oberman, second successor conservator

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

1. Assets on hand: \$367,211.82, cash. Note: it is unclear if the starting balance of the third account matches the ending balance of the second account. See prior matter. Need Order approving second account prior to approval of third account.
2. Accounting period: 09/30/16 to 09/30/17. Note: accounting period lapses one day.
3. Petitioner will file separate supplements conservator fee's and attorney's fees.
4. **Need** bank/investment statements verifying ending balance per Local Rule 20-908.
5. During this accounting period, petitioner paid caregiving services to a Debbie Diaz, nurse's aid. **Need** verified declaration for acknowledgment of receipt of fees per Local Rule 20-1406(c)
6. **Need** verified supplement with residential care statements for Braswell Leisure Manor per Pr. C. §2620(c)(5).

7. Need statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary. Pr. C. § 1064 (a)(4). **Need** verified supplement.
8. Current bond is \$20,000. Petitioner requests bond increase of \$386,413 for a total bond of \$406,413.00. **Need** bond calculation via verified supplement.
9. Request for Special Notice: Pacific Western Bank; Suretec Insurance Co.
10. Notice was given.
11. No Proposed Order submitted.

RECOMMENDATION:

Need to clear notes 4-8, then Court's discretion. If approved, Court to set next accounting review hearing 12/4/18 (if one year) or 12/03/19 (if two years).

(lh)

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

DATE: 03/14/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400253

CASE NAME: Rosalyn Y Braxton

HEARING:

Nineteenth Account and Report of HAROLD D BRAXTON and Petition for allowance of fees filed.

COUNSEL:

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

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 19th Account and Petition for Allowance of Fees for Harold Braxton.

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

1. Accounting period **10/31/16 to 11/30/17**. Note: accounting lapses by one day.
2. Assets on hand \$2,395,710.89
3. Conservator paid himself periodic payments of **\$1,191.66** plus travel of **\$250/month** per court order.
 - a. Petitioner seeks court approve payments and for *Court to increase periodic payments to \$1,250, equating to \$25/hour*, and to confirm travel expenses of **\$250/month. JTD**
 - b. Travel includes an additional \$60 fee for driving time per trip. JTD [Acct, 01/30/18, LFpg4].
4. Schedule "C" Expenses include a \$1,500 payment to "loan Tevel son emrg." **Need** verified supplement clarifying expense.
5. Conservatee's sister, Linda Braxton, receives a court-approved stipend of \$200 per month for conservatee's grooming and toiletries, and requests the amount to continue. **JTD**
6. Attorney Selters requests fees of **\$8,520** for 28.4 hours at \$300/hour. Itemized. [Acct.01/30/18,LF pgs11-12].
7. Attorney requests reimbursement of costs of **\$957** for petitions filed. Itemized. [Acct.01/30/18 LFpg9].
8. Bank statements and residential receipts attached to Supplement filed 01/30/18.

9. Carry value of \$1,837,841.20 is considerably less than fair market value on Wells Fargo Financial statement of approximately \$6M+.
10. Petitioner requests court order a release of **\$150,000** from the blocked Wells Fargo Investment account to supplement the conservatorship cash. The care expenses are allegedly using all of the conservatorship available cash. JTD
11. Bond is \$900,000 with \$1,837,841.20 in blocked account. Appears sufficient.
12. Notice was given.
13. ~Proposed Order: 01/30/18

RECOMMENDATION

Need to clear note #4. If approved, set hearing on the next accounting review for **01/30/19** (if one year) or **01/29/19** (if two years). Accounting to be filed 30 days in advance.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/14/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400368

CASE NAME: GLORIA RODRIGUEZ

HEARING:
Hearing Re: COURT INVESTIGATOR REPORT

COUNSEL:

FRANCISCA MARTINEZ	(CP)...CHRISTOPHER A POULOS
JUAN MARCOS SARABIA	(CP)...CHRISTOPHER A POULOS
GLORIA RODRIGUEZ	(CEE)...JENNIFER M DANIEL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON COURT INVESTIGATOR REPORT

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

1. Matter set on 01/19/18 upon Court's review of Court Investigator Special Report filed 12/27/17. Court appointed Jennifer M Daniel as Counsel for Gloria Rodriguez.
2. **Need** Report of Counsel Daniel.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 03/14/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600119

CASE NAME: JOYCE ELLEN GOBBEL

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of THOMAS BEFERT

COUNSEL:

THOMAS BEFERT	(PET)...HARTNELL LAW GROUP
MARIE J HUMPHREY	(PET)...HARTNELL LAW GROUP
JOYCE ELLEN GOBBEL	(CEP)...CRAIG M PARKER
THOMAS BEFERT	(PET)...HARTNELL LAW GROUP
MARIE J HUMPHREY	(PET/CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Thomas Befert and Marie Humphrey appointed co-conservators of the person and estate of Joyce Ellen Gobbel on 08/09/17; no bond is required.
2. Notification of Conservatee's Rights filed 08/21/17.
3. Determination of Conservatee's Appropriate Level of Care filed.
4. **Need** Care Plan in accord with Pr. C. §2352.5.
5. Final Inventory and Appraisal filed.; however, **need** proof of service Inventory and Appraisal including Instructions for Objections per Pr. C. §2610.

RECOMMENDATION

Need to clear notes #4-5.

(lh)

Future Hearing: 9/19/18: Accounting Review