



First Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 03/26/18

All corrections/supplements addressing these notes should be filed by **03/19/18**. Later-filed documents might not be reviewed prior to the hearing and could result in a continuance of your case. Updates to these notes *typically* will be posted three court days prior to the hearing.

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. (02/28/18 ww) (03/07/18 cs)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

DATE: 03/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO DS1000071

CASE NAME: LASONDRA HOWARD

HEARING:

Accounting Review by ***

COUNSEL:

INLAND COUNTIES REG CNTR	(PET)...	STEVEN K BECKETT
LASONDRA HOWARD	(BEN)...	
LASONDRA HOWARD	(TRU)...	
SURETEC INSURANCE CO	(TP)...	

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. 7th accounting by the IRC approved on 06/05/17.
2. **Need** 8th accounting beginning with date of 02/01/17.

RECOMMENDATION

Inquire status of accounting.

(ww)

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

DATE: 03/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600803

CASE NAME: MTR OF THOMAS FREDERICK LIEDBLAD

HEARING: Probate status report filed.

COUNSEL:

DOUGLAS W LIEDBLAD (PET)...PRO/PER
THOMAS FREDERICK LIEDBLAD (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report, by Douglas Liedblad (filed 12/27/17)

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 the only asset of the estate consisting of real property has been listed for sale and creditors still need to be paid.
2. Petitioner requests an additional 8 months to close the estate.
3. Need Notice of Hearing and proof of service in accord with Pr.C. § 12201. Whenever a status report is filed without an accounting, notice must indicate a right to an accounting in accord with Pr.C. § 10950.
4. ~Proposed order submitted . 12/27/17

RECOMMENDATION:

Need to clear 3. If approved, set next Accounting/Status Review for **12/31/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.
(cs)

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

DATE: 03/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601282

CASE NAME: ESTATE OF GARY ROSS MONTGOMERY

HEARING:

Hearing Re: TO ADDRESS MULTIPLE ISSUES

COUNSEL:

ANDREW MONTGOMERY (PET)...PRO/PER
JAYLYNN MONTGOMERY (PET)...LAW OFFICES OF ANNETTE L ISAAC
CHASE MONTGOMERY (PET)...LAW OFFICES OF ANNETTE L ISAAC
GARY ROSS MONTGOMERY (DEC)...
DEPT OF HEALTH CARE SERVICES (TP)...PRO/PER

GENERAL INFORMATION:

Continued from **07/26/17**. No appearance by Counsel Annette Isaac. Court orders that Counsel –Annette Isaac to be personally present at next hearing for OSC re Sanction of \$1,500 on Counsel for failure to appear on 08/28/17. Notice given by Judicial Assistant. Continued from **08/28/17, 10/30/17** and **12/18/17**.

Continued from 01/22/18. Joanne Schryver states she has objections to the filings of guardian ad litem, Jack Osborn. Objections to the petition must be in writing and served and filed by 4 PM on 02/26/18. If the objections are not served and filed by that date and time, then they will be waived permanently. In addition, written objections must be complete: If matter proceeds to trial, the court will consider only evidence relevant to the objections that were filed with the court. Objections must be in proper form, not in narrative form. Unless otherwise provided by law, the court will not consider any objections not set forth in your written objections, and will not consider any evidence thereon. Joanne Schryver states she understands admonishment.

THIS CASE IS SET FOR HEARING ON to Address Multiple Issues.

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

1. Matter set at 05/22/17 hearing, wherein, Court set hearing to address issues stated on the record: the disposition of property, creditor's claims of Department of Health Services & Shryver, the trailer, the Polaris-off road 2000, and Toyota Tacoma.
2. Receipt by Andrew Montgomery filed 09/20/17 indicates the following in regards to the issues above:

- a. ½ interest of the title in the real property was transferred to him.
 - b. ½ of the remaining proceeds in the two Bank of America bank accounts 0998 and 4433 after payment of creditor's claims has been received by him.
 - c. The distributive share has been received from the sale of the Carso Carrier Trailer Flat Bed 2005, Polaris off road 2000, and Toyota Tacoma.
3. Receipt by GAL for Jaylynn and Chase filed 10/30/17 indicates the following regarding the issues above:
- a. ½ interest of the title in the real property was transferred to Jack Osborn as GAL.
 - b. ½ of the remaining proceeds in the two Bank of America bank accounts 0998 and 4433 after payment of creditor's claims are now held in a blocked account.
 - c. The Carso Carrier Trailer Flat Bed 2005, Polaris off road 2000, and Toyota Tacoma have been sold on behalf of minors and the distributive shares are in the minor's account.
4. No objections in file for review.

RECOMMENDATION:

Court's discretion as it appears that issues have been addressed.

(nb/lh/nb/ww)

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

DATE: 03/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700401

CASE NAME: MTR OF VENITA ERA FLORENCE NIELSEN

HEARING:

FIRST AND FINAL Account and Report of MARCELLA TRIMBLE and
Petition for allowance of fees filed.

COUNSEL:

MARCELLA TRIMBLE (PET)...WILLIAM K SWEENEY
VENITA ERA NIELSEN (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account; for final distribution; and
Petition for Fees by Marcella Trimble, sister

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

- 1 Accounting period: 12/31/16-12/20/17; however, Letters of Administration were not issued until 07/20/17. **JTD**
- 2 Assets on hand: \$183,885.42
- 3 Petitioner and Attorney request statutory fees of \$9,402.00. Calculated.
- 4 Petitioner requests reimbursement for advanced costs and estate care in the amount of \$17,467.00 of which \$388.00 will be reimbursed to Jimmy Trimble, grandson, for the decedent's water bill payment. Itemized. [LF pgs. 25-27]
 - a. Court may wish to inquire, or in alternative, require verified supplement as to the itemization for Adam Wheeler,. [LF pg. 27]
 - i. For dates: 11/18/17, 11/25/17, 12/01/17 and 12/03/17 there is an amount of \$299 a day time taken off of work in addition to \$10.50 an hour.
 - ii. Need clarification as to \$12,000.00 loan on 03/17/17.
- 5 Petitioner requests for a reserve of \$1,500 for closing expenses. **JTD**
- 6 Petitioner requests that the distribution to Deseray Schwartz, minor, be held for 120 in client-trust account to allow parent time to file a separate proceeding under the name of the minor. **JTD**
- 7 Schedule F includes the fee amount of \$59.01 for postage. Does Court wish to disallow amount and add amount to the assets on hand as postage is considered overhead per Local Rule 20-909? [LF pg. 23] **JTD**

8 Notice given.

9 Proposed Order: 12/26/17 need statement re: notice per Pr.C. § 9202.

RECOMMENDATION:

Court's discretion. If approved, Court to set hearing on filing of receipts and final discharge for **04/08/19**.

(ww)

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

DATE: 03/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700633

CASE NAME: BRENDA JOYCE JOHNSON

HEARING:

First & Final Account and Report of MICHAEL MOORE and Petition
for allowance of fees filed.

COUNSEL:

MICHAEL MOORE (PET)...MICHAEL C MADDUX
BRENDA JOYCE JOHNSON (DEC)...

Waiver of Court Fees and Costs filed by MICHAEL MOORE is GRANTED
TOTAL FEES WAIVED TO DATE: \$1296.50

VACATED – First and Final account vacated due to an entry of Request for Dismissal
granted on 03/09/17. **Clerk's office to set Accounting review for 11/29/18.**
(cs)

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

DATE: 03/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701272

CASE NAME: MTR OF BRUCE OGILVIE SR & OPAL LEILA OGILVIE R.T.

HEARING: PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

MICHAEL OGILVIE (PET)...SW SMYTH LLP
1998 MTR OF BRUCE OGILVIE SR & OPAL LEILA OGILVIE R.T. (TRU)...
GREGORY L WIEBE (RES)...LAW OFFICE OF DOONAN & DOONAN,
JANIS BRANDY MARTINDALE (LAW OFFICE OF DOONAN & DOONAN,)
RICHARD OGILVIE (BENNETT KERNS, ESQ)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON **Trust** Management Conference

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

1. Case was initiated in Los Angeles County on 06/29/17 when Michael Ogilvie, trust beneficiary, filed a Petition for Interpretation of Terms of Trust etc.
2. The principal place of trust administration was in San Dimas at that time as, Janis Brady Martindale, co-successor trustee's office is located in San Dimas.
3. Janis resigned as co-trustee on 09/20/16 leaving Gregory as the sole successor trustee. As his office is located in Upland the principal place of trust administration is now in San Bernardino County.
4. .Notice of Lien filed 09/19/17 indicates that there is a related family law case. VFLVS018296. Does Court wish for a Notice of Related Cases be filed? **JTD**
5. Matter was ordered transferred by Los Angeles Superior Court on 10/19/17.

RECOMMENDATION

Court's discretion .

(ww)

Future hearing dates:

04/10/18 Hearing Re: Demurrer and Demurrer to the Petition

04/10/18 Motion Re: To Strike the Petition Mot

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

DATE: 03/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800161

CASE NAME: MTR OF CHARLES ANDREW KERBY

HEARING: Spousal Property Petition hearing.

COUNSEL:

ZINA MICHELLE KERBY (PET)...PRO/PER
CHARLES ANDREW KERBY (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Zina Kerby,
Spouse/Petitioner

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

1. Petitioner, Zina Kerby, seeks court to determine and confirm community property that is subject to the written agreement via will of decedent and Declaration of trust;
2. Section 12 to petition [LF, p3] is incomplete re petition for probate or administration of decedent's estate filed. Need same via verified supplement.
3. Proof of service filed 02/27/18; however, proof indicates a "Notice of hearing – Decedent's Estate or Trust in the Estate of Charles Andrew Kerby", served. JTD
4. ~Proposed Form Order: 02/26/18

RECOMMENDATION:

Need to clear note 2, then Court's discretion re note 3..

(cs)

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

DATE: 03/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800173

CASE NAME: MTR OF MIRELLE VIRIDIANA QUIRARTE HERNANDEZ

HEARING:

Petition to determine succession to Real Property

COUNSEL:

MIGUEL QUIRARTE (PET)...WILFRID C LEMANN
PATRICIA QUIRARTE (PET)...WILFRID C LEMANN
MIRELLE VIRIDIANA QUIRARTE HERNANDEZ (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Miguel and Patricia Quirarte, parents

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

1. Petitioner seeks 100% interest, 50% each; in decedent's 100% interest; in real property per intestate succession.
2. No notice required as petitioners appear to be sole heirs.
3. ~Proposed Form Order: 02/22/18

RECOMMENDATION

Court's discretion.

(ww)

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

DATE: 03/26/18 TIME: 8:30 DEPT: S35P

CASE#: TRU PS1800036

CASE NAME: MTR OF JOHN N MOORE

HEARING:

Petition for to Remove John A Moore as Trustee, Submit Trust to
Jurisdiction of the Court to Bring Action

COUNSEL:

EUGENIA MOORE (PET)...PRO/PER
JOHN N MOORE (DEC)...
FAMILY LIVING TRUST OF JOHN N MOORE (TRU)...

Currently under review by Legal Research

LR

NOTICE:

Need notice to John A. Moore; Janet Morris; Cami Howard; Walter Ford; Darnelle Ford;
Marthenia Ford; and Calvin Moore.

(ww)

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

DATE: 03/26/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1701300

CASE NAME: MTR OF THE PATRICIA M MAMOLA 2016 LIVING TRUST

HEARING:

Petition for 1 Orders Regarding Trust, 2 Removal and Surcharge
of Co-Trustee, 3 etc

COUNSEL:

JOHNETTE ROUZAUD (PET)...HERITAGE LAW, LLP
THE PATRICIAM MAMOLA 2016 LIVING TRUST (TRU)...

Currently under review by Legal Research

LR

NOTICE:

Notice given.

(ww)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

CONSERVATORSHIPS

DATE: 03/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS0900183

CASE NAME: CARRIE SCALA

SEE ALSO 12 13

HEARING:

Hearing Re: POST MOVE TO NEW YORK

COUNSEL:

JEAN HORAN

(CP)...PRO/PER

CARRIE SCALA

(CTP)...

GENERAL INFORMATION:

Continued from 02/26/18 no appearance. Court sets OSC re sanctions of \$500.00 on conservator for failure to file or appear and court sets OSC re suspension of powers for failure to file or appear.

THIS CASE SET FOR HEARING ON Post Move to New York

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

1. Court conducted review hearing on 01/08/18, wherein Court Investigator's report indicated conservatee and conservator moved to New York.
2. **Need** for Conservator to commence a conservatorship or its equivalent in the place of the new residence or return conservatee to California per Pr.C. §2352(d).
3. **Need** Post-Move Change of Address and Declaration per Pr.C. § 2352(e).

RECOMMENDATION:

Need to clear notes 2-3, then Court's discretion.

(cs)

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

DATE: 03/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS0900183

CASE NAME: CARRIE SCALA

SEE ALSO 11 13

HEARING:

Hearing Re: OSC RE SANCTIONS OF \$500.00 ON CONSERVATOR

COUNSEL:

JEAN HORAN (CP)...PRO/PER
CARRIE SCALA (CTP)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON OSC Re Sanctions of \$500.00 On Conservator

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

1. Matter set on 02/26/18 at post move to New York hearing wherein conservator and conservatee failed to appear. Court set OSC re sanctions of \$500.00 on conservator for failure file or appear.

RECOMMENDATION:

Court's discretion.

(cs)

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

DATE: 03/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS0900183

CASE NAME: CARRIE SCALA

SEE ALSO 11 12

HEARING:

Hearing Re: OSC RE SUSPENSION OF CONSERVATOR'S POWERS

COUNSEL:

JEAN HORAN (CP)...PRO/PER
CARRIE SCALA (CTP)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON OSC Re Suspension of Conservator's Powers

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

1. Matter set on 02/26/18 at post move to New York hearing wherein conservator and conservatee failed to appear. Court set OSC re suspension of powers on conservator. for failure to file or appear

RECOMMENDATION:

Court's discretion.

(cs)

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

DATE: 03/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500242

CASE NAME: DALILA DAVEEN DEBOSE

SEE ALSO 15

HEARING:

Hearing Re: STATUS OF BOND & BUDGET

COUNSEL:

AISHA L.J. DEBOSE	(CP)...
GWENDOLYN F BROWN	(CPE)...PRO/PER
DALILA DAVEEN DEBOSE	(CTE)...JENNIFER M DANIEL
LARRY G DEBOSE	(TP)...

XREF: CIPDS1700092 *IN RE DALILA DAVEEN DEBOSE*

GENERAL INFORMATION:

Continued from 12/11/17. Mr. Horspool informs the Court that the bond was filed on 10/26/17. He also states that they are working on the budget as there is a need to buy medical equipment.

THIS CASE SET FOR HEARING ON Status of Bond & Budget

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

1. Court granted Petition for Substituted Judgment to Establish Special Needs Trust with \$390,000.00 bond on 10/16/17.
2. Matter set on 09/11/17 for status of bond and budget plan.
3. Proof of bond filed 10/26/17.
4. **Need** status of budget plan.

RECOMMENDATION

Inquire status.

(cs/ww)

Future Hearing: 12/17/18: Accounting Review

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

DATE: 03/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500242

CASE NAME: DALILA DAVEEN DEBOSE

SEE ALSO 14

HEARING:

Accounting Review by ***

COUNSEL:

AISHA L.J. DEBOSE	(CP)...
GWENDOLYN F BROWN	(CPE)...PRO/PER
DALILA DAVEEN DEBOSE	(CTE)...JENNIFER M DANIEL
LARRY G DEBOSE	(TP)...

XREF: CIPDS1700092 *IN RE DALILA DAVEEN DEBOSE*

GENERAL INFORMATION

Continued from **02/01/17** and **04/05/17**.

Continued from **09/11/17**. Matter will be moot once special needs trust is established.

Continued from **10/16/17** for status of the conservatorship of the estate.

Continued from 12/11/17. Ms. Daniel makes an oral request to terminate the conservator of the estate as there are no funds in the estate. The Court grants the request to terminate the conservatorship of the estate. Jennifer Daniel to prepare order.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Aisha DeBose & Gwendolyn Brown, sister and mother, appointed conservators, person/estate on 11/25/15, no bond.
2. Final Inventory and Appraisal filed 10/25/16 indicating \$0.
3. **Need** accounting.
4. **Need** Order on request to terminate the conservatorship of the estate per minutes on 12/11/17.

RECOMMENDATION

Need to clear notes 3 & 4.

(lc/ww)

Future Hearing: 12/17/18: Accounting Review

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

DATE: 03/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1100212

CASE NAME: ARABELLA CORTNEY QUESADA

HEARING:

Hearing Re: TO ADDRESS REPORT FILED 2/28/18 BY CI

COUNSEL:

LAURA A QUESADA (CPE)...PRO/PER

ARABELLA CORTNEY QUESADA (CEP)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON To address Court Investigator's report filed 02/28/17

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

1. Matter set on Court's own motion on 03/06/18 after review of Court Investigator's report.
2. Conservator ordered to be personally present on 03/26/18 to address CI report.

RECOMMENDATION:

Court's discretion.

(cs)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PUBLIC GUARDIAN

DATE: 03/26/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS0800034

CASE NAME: JOHNNY MOORE

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

JOHNNY MOORE

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expired 04/11/16.

Continued from 06/26/18 at request of counsel to file accounting.

THIS CASE IS SET FOR HEARING ON Accounting Review by Public Guardian

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

1. Ex Parte Order that Conservator need not present Seventh Account entered 04/17/17; eighth account or waiver of account now due.

RECOMMENDATION:

Inquire status.

(nb/cs)

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

DATE: 03/26/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1200264

CASE NAME: LAVISTA EARLINE ROMERO

HEARING:

Accounting Review by ***

COUNSEL:

LEE ANN HITCHMAN	(CPE)...ERIC F BECKER
LAVISTA EARLINE ROMERO	(CTE/CEP)...HARTNELL LAW GROUP
SONDRA LAVISTA ROMERO	(PET)...CHARLES W STRICKLEN
SHANNON HARVEY	(PET)...PRO/PER
SHIRLEY HARVEY	(PET)...PRO/PER
SONDRA LAVISTA ROMERO	(PET)...CHARLES W STRICKLEN
PUBLIC GUARDIAN	(SC)...COUNTY COUNSEL
OC PUBLIC DEFENDER	(TP)...PRO/PER
BOND SERVICES OF CALIFORNIA	

GENERAL INFORMATION

Continued from 01/30/18 to be heard on Public Guardian calendar.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. 1st Accounting by PG, successor conservator, approved on 11/14/16.
2. **Need** 2nd account or waiver of account beginning with date of 11/01/15.

RECOMMENDATION:

Inquire status of accounting.

(nb/ww)

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

DATE: 03/26/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1300087

CASE NAME: CLOTHILDE MCCORD

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
CLOTHILDE MCCORD (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Conservatee passed away on 01/06/17.

Continued from 12/12/16 and 07/24/17 at request of counsel to file accounting.

THIS CASE IS SET FOR HEARING ON accounting review by Public Guardian

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

- 1 Order Settling First Account entered 12/15/14; second and final account now due to include pre and post death periods.
- 2 No accounting. Need same.

RECOMMENDATION:

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

(nb/cs)

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

DATE: 03/26/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1300116

CASE NAME: JEFFERY W BAKER

HEARING:

FIRST Account and Report of PUBLIC GUARDIAN and Petition for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
JEFFERY W BAKER (CEP)...HARTNELL LAW GROUP
SB CO. DEPT. OF CHILDREN & FAMILY SRVS (CPE)...COUNTY COUNSEL

GENERAL INFORMATION:

Letters expire: 10/10/18

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

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

1. Accounting period: 09/12/14-01/31/16
2. Assets on Hand \$1,6544.44 of which \$654.44 is cash and the rest in a burial trust.
3. Public Guardian requests fees totaling \$3,400.00 Approving and confirming \$600.00 will be deferred until such time as the conservatorship estate has sufficient funds for such purpose; approving and confirming \$2,800.00 which was previously collected by petitioner. Generally itemized.
4. County Counsel request fees in the amount of \$1,800.00. Approving and confirming and \$400.00 will be deferred until such time as the conservatorship estate has sufficient funds for such purpose; approving and confirming \$1,400.00 was previously collected by petitioner. Generally itemized.
5. Signatures by petitioner and counsel are not dated. [LF pg. 10] **JTD**
6. ~Proposed Order 08/29/17

RECOMMENDATION:

Court's discretion. If approved, set for next Accounting Review in 60 days as second account current is overdue.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1500045

CASE NAME: Donald Mundy

SEE ALSO 21

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
DONALD MUNDY (CEP)...KARIN E HORSPOOL

GENERAL INFORMATION

Continued from 06/05/17 at request of counsel to file accounting.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Public Guardian appointed Temporary Conservator of the estate on 09/21/15; appointed Temporary Conservator of the person on 03/16/16; and general appointment, person and estate on 09/12/16, no bond.
2. Need accounting or waiver of account.

RECOMMENDATION:

Inquire status.

(nb/cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/26/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1500045

CASE NAME: Donald Mundy

SEE ALSO 20

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

DONALD MUNDY

(CEP)...KARIN E HORSPOOL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Public Guardian appointed Temporary Conservator of the estate on 09/21/15; appointed Temporary Conservator of the person on 03/16/16; and general appointment, person and estate on 09/12/16, no bond.
2. Accounting review matter set on 03/27/17.
3. This accounting appears to be a duplicate setting. Court may wish to vacate matter as accounting review already set in this matter. See notes on previous matter #20.

RECOMMENDATION:

Court's discretion re note 3.

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1600044

CASE NAME: MTR OF ROMONEE AGUERRE

HEARING:

Petition for ORDER AUTHORIZING DONATING AND/OR DISTRIBUTION OF
PERSONAL PROPERTY

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
ROMONEE AGUERRE (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Order Authorizing Donating and/or
Distribution of Personal Property by Public Guardian

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

1. Petitioner has had the conservatee's 1965 mobile home located in Rialto reappraised in November 2016 and December 2017 resulting in a value of \$15,000.00.
2. No valid offers have been made for the purchase of the mobile home.
3. **Conservatee died on 12/27/17.**
4. Petitioner indicates that it would be in the best interest and to the advantage of the estate to donate or distribute all rights, title and interest of the mobile home to Amber Sachak, granddaughter and only surviving issue of conservatee.
5. Notice given.
6. Proposed Order: 12/18/17; however title does not match the petition as it indicates "abandonment" instead of "distribution". **JTD**

RECOMMENDATION

Court's discretion.

Future Hearing: 5/14/18 Accounting Review

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1600264

CASE NAME: CARMEN GREEN

SEEN ALSO 24

HEARING: Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of PUBLIC GUARDIAN

COUNSEL:

PUBLIC GUARDIAN (PET)...COUNTY COUNSEL
CARMEN GREEN (CPE)...

GENERAL INFORMATION

Order Appointing Public Guardian, Conservator of the person and estate entered 10/31/16,
no bond..

**Continued from 06/05/18 as Carmen Green, conservatee, has passed away. Court
relieves Jack Osborn as counsel for Carmen Green.**

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

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

1. **Conservatee passed away on 05/03/17.**
2. Notification of Conservatee's Rights filed. However, section 5 to proof of service is not dated. Question whether copy of order appointing conservator was also served? JTD.
3. Care Plan including a Determination of Conservatee's Appropriate Level of Care filed.
4. Final Inventory and Appraisal filed 06/06/17.
5. Need First and Final account to include pre and post death account periods.

RECOMMENDATION:

Inquire status.
(nb/cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/26/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1600264

CASE NAME: CARMEN GREEN

SEE ALSO 23

HEARING:

Accounting Review by Public Guardian

COUNSEL:

PUBLIC GUARDIAN

(PET)...COUNTY COUNSEL

CARMEN GREEN

(CPE)...

See notes on previous matter #23.

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

DATE: 03/26/18 TIME: 10:00 DEPT: S35P

CASE#: SC SS01293

CASE NAME: IN THE MATTER OF CHRISTINA Y ANTHONY

HEARING: SECOND Account and Report of PUBLIC GUARDIAN and Petition for allowance of fees filed.

COUNSEL:

CHRISTINA Y ANTHONY (CTP/CEP)...
CAROLE HILEMAN (CP)...PRO/PER
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Second Account current and Petition for Fees

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

1. Accounting period covers 7/30/13 – 07/31/16.
2. Assets on hand \$534.23 consisting of cash.
3. Public Guardian requests fees totaling \$5,088.00 pursuant to a new Court-approved fee schedule effective 07/01/14. For the period of 07/30/13 – 07/31/16. -Generally itemized. JTD.
4. County Counsel request fees totaling \$2,588.00 pursuant to a new Court-approved fee schedule effective 07/01/14. For the period of 07/30/13 to 07/31/16. Generally itemized. JTD.
5. Petitioner alleges there are insufficient funds to pay Court Investigator fees in the amount of \$1,350.00 and request to defer until such a time that there are sufficient funds.
6. ~Proposed Order: 10/03/17

RECOMMENDATION:

Court's discretion. If approved, Court may wish to set the next hearing re Accounting Review for **09/24/18** or a biennial Accounting Review for **09/23/19** per Pr.C.§2620(a).
(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 10:00 DEPT: S35P

CASE#: SLC SS02280

CASE NAME: MTR OF STEPHEN HEIN

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
STEPHEN HEIN	(CEP)...MARK J. FLORY
RUTH L HENRICKS	(STE)...HARTNELL, LISTER & MOORE

GENERAL INFORMATION

Letters expire 05/05/18.

Continued from 08/11/17. Court sets accounting period from 10/31/14 through 02/08/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. 1st and Final Account by PG approved on 04/14/08 and discharged on 05/08/08.
2. PG was reappointed on 10/31/14; a jury trial on 02/08/17 led to the petition for reestablishment being denied; then PG was appointed again on 05/05/17.
3. **Need** 1st and current account beginning with date of 10/31/14.

RECOMMENDATION:

Inquire status.

(lh/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 10:00 DEPT: S35P

CASE#: SLC SS02933

CASE NAME: MTR RE ANGELA LAVARRAS

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
ANGELA LAVARRAS (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expired 08/29/15.

Continued from 11/02/15, 03/21/16, 12/12/16, and 07/31/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present 7th account by PG approved on 12/10/14.
2. Conservatee died on 11/25/14.
3. **Need** 8th account and final accounting to include pre and post death accounting periods beginning with date of 08/29/14.

RECOMMENDATION:

Inquire status.

(dl/nb/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 10:00 DEPT: S35P

CASE#: SLC SS4153

CASE NAME: IN THE MATTER OF JOSEPH CAMP

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN
JOSEPH CAMP

(CPE)...COUNTY COUNSEL
(CEP/CEE)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Letters expire: 04/07/18

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present 18th Account entered 03/25/18 account or waiver of account now due.

RECOMMENDATION:

Inquire status.

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 10:00 DEPT: S35P

CASE#: SLC SS4221

CASE NAME: MTR OF SHIRLEY MC DONALD

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN
SHIRLEY MCDONALD

(CPE)...COUNTY COUNSEL
(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire: 01/19/19

THIS CASE IS SET FOR HEARING ON accounting review

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

1. Ex Parte Order that Conservator need not present 12th account by PG approved on 07/03/17.
2. **Need** 13th account or waiver of account beginning with 02/01/16.

RECOMMENDATION:

Inquire status of accounting.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 10:00 DEPT: S35P

CASE#: SLC SS9593

CASE NAME: IN THE MATTER OF DEBRA ANN SIKORA

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN
DEBRA ANN SIKORA

(CPE)...COUNTY COUNSEL
(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expired: 02/17/18

THIS CASE IS SET FOR HEARING ON accounting review

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

1. Ex parte petition to dispense with 3rd accounting by PG approved on 12/18/17.
2. Proof of service of 4th waiver of account filed 02/27/18; however, still **Need** 4th account or waiver of account beginning with 02/02/16.

RECOMMENDATION:

Inquire status of accounting.

(ww)

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: 03/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1100186

CASE NAME: MATTIE WEAVER

HEARING:

Accounting Review by ***

COUNSEL:

ROSS A. FOREMAN	(PET)...PRO/PER
MATTIE WEAVER	(DEC)...
REGINA D HOLT	(PET)...PRO/PER
SHARON FOREMAN	(PET/APP)...HORSPPOOL & HORSPPOOL
STANLEY FOREMAN	(PET/OBJ)...HORSPPOOL & HORSPPOOL
LYLE STOTELMYRE	(PET)...M DANIEL SAYLOR
JAMES B. CHURCH	(MARK J. ANDREW FLORY)
CARMEN J QUALLS	

XREF: CONPS0800284 *MATTIE LEE WEAVER*

CONDS1000220 *JOE EDWARD BUSH*

PROPS1400012 *JOE EDWARD BUSH*

GENERAL INFORMATION:

Continued since 8/8/13 and last on 2/3/15. Counsel to update court as to appeal. As to bond, court will dispense with requirement for bond as to Lyle Stotelmyre. If Lyle Stotelmyre locates cash in estate, counsel to request bond review.

On 8/4/15 court orders matter reset to 8/26/15 to be heard with related case PROPS1400012.

Continued from **08/26/15, 12/03/15, and reset on 05/25/16.**

Continued from **02/22/17 and 08/15/17.** Counsel advises Court matter is still in appeals.

Continued from **11/14/17.** Counsel states the appeal has been affirmed. Counsel to file a petition for distribution. Nothing new filed.

Continued from 02/13/18 at request of counsel to file accounting.

THIS CASE IS SET FOR HEARING ON Accounting Review (re; Lyle Stotelmyre).

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

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.

1. Letters of Administration issued to Lyle Stotelmyre on 05/31/12, full authority, \$20,000 bond.
2. Corrected I&A filed 3/12/13 by POA Stanley Foreman. However, need Final I&A by administrator, Lyle Stotelmyre with supporting account statements.
3. Need accounting.
4. Court to see confidential declaration filed 09/25/15.

RECOMMENDATION:

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

(vet/kra/vet/kra/vet/gls/cbr/vet/cbr/nb/lc/lh/nb/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500584

CASE NAME: MARY ELIZABETH HOLLOWAY

HEARING: Final Account and Report of PAULA D HOLLOWAY and Petition for allowance of fees filed.

COUNSEL:

PAULA D HOLLOWAY	(PET)...SOU CHAN SMITH
MARY ELIZABETH HOLLOWAY	(DEC)...
FLORETTA A. PRUITT	(OBJ)...PRO/PER
DEPT OF HEALTH CARE SRVS	
CA VICTIM COMPENSATION BOARD	(PRO/PER)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON First and Final Account, Final Distribution and for Allowance of Fees, by executor, Paula D. Holloway, Executor/Petitioner

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

1. Accounting period 03/12/15 to 12/31/17
2. Assets on Hand \$251,518.01 consisting of cash
3. Bond of \$245,000. Suggest \$252,000.
4. Petitioner waives statutory fees.
5. Attorney requests statutory fees of \$10,360.00. Calculated.
6. It appears attorney has been reimbursed for costs of \$5,225.50, [Acct. 01/26/18, LFp.29], which includes reimbursement for postage in the amount of \$50. Per Local Rule 20-909 such fees are not allowed. JTD
7. Question: Exhibit I "Court Cost for Probate" indicate a total of \$5,225.50 for costs and \$1,390 received from Paula. Question as to the amount of total costs. **Need** clarification via verified supplement.
8. Petitioner indicates extra ordinary fees requested; however, fees not requested in report.
9. **Need** bank statement to support ending balance per local rule 20-908.
10. **Need** Notice of Hearing with proof of service to Department of Health Services and California Victim Compensation Board who requested special notice.
11. **Need** findings re character of estate per Local Rule 20-906.
12. Personal representatives seeks reserves of \$10,000. JTD
13. No proposed Order. Submit after hearing.

RECOMMENDATION

Need to clear notes 7 & 9-11, then Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **04/08/19**.

(cs)

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

DATE: 03/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600474

CASE NAME: MTR OF ROSEMARY MONTECINO DELGADO

HEARING: report and pet for distribution on first and final Account and Report of RICHARD CHARLES DELGADO and Petition for allowance of fees.

COUNSEL:

RICHARD CHARLES DELGADO (PET)...J DANA MITCHELLWEILER
ROSEMARY MONTECINO DELGADO (DEC)...

GENERAL INFORMATION

Order granted on 09/13/16. Letters issued 09/13/16.

THIS CASE SET FOR HEARING ON First and Final Account and Petition for Distribution and for Allowance of Fees, by executor, Richard Delgado, Petitioner

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

1. Final Inventory and Appraisal filed 01/26/18; however, financial statement indicating date of death balances as to Bank of America accounts ending in 5088 and 3078 not provided per Local Rule 20-908. **Need** same.
2. Accounting period 12/03/15 to 12/20/17.
3. Assets on Hand \$397,506.23 consisting of \$40,506.23 cash and real property.
4. **Need** bank statement to support ending balance per local rule 20-908 for Bank of America account ending in 3275.
5. Freedom Mortgage filed a creditor's claim of \$190,331.18 on 02/09/17. Petitioner rejected the full amount on 03/03/17. Freedom Mortgage has not initiated a civil lawsuit. Petitioner indicates he has communicated with Freedom Home Mortgage to assume decedent's mortgage under the Garn St. Germain Act. They have indicated the loan can be assumed after final distribution.
6. Petitioner waives Statutory fees.
7. Attorney requests statutory fees of \$10,954.87. Itemized
8. Petitioner requests attorney be reimbursement for costs advanced of \$1,502.95. Itemized. However, itemization provided, [Acct 01/26/18, LFP18] indicates a total of \$1,046.95 which should be \$1,502.95.
9. Petitioner indicates the only asset of the estate consisted of CD with Bank of America which was redeemed upon presentation of letters. Petitioner further indicates he was unaware that account opened by Bank of America was not interest bearing.

10.No reserves requested.

11.No Proposed Order. Submit after hearing.

RECOMMENDATION

Need to clear notes 1 & 4, then Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **04/08/19**.

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600776

CASE NAME: MTR OF EUGENE ALLEN RANSOM

SEE ALSO 5

HEARING: Re: Status of sale of property

COUNSEL:

ERICKA RANSOM	(PET)...DAVID SARAZEN
EUGENE ALLEN RANSOM	(DEC)...
TERESA RANSOM	(PET/OBJ)...MILES & HATCHER

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Status of Sale of Property

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

1. Matter set on 02/05/18, wherein, Court approved Order confirming sale of real property and directed proceeds to be placed in blocked account.. Appraised value of \$295,000; amount of bid \$295,000; Overbid \$315.000. Broker's commission 5%;
2. Need status of sale.

RECOMMENDATION:

Inquire status.

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600776

CASE NAME: MTR OF EUGENE ALLEN RANSOM

SEE ALSO 4

HEARING:

Probate status report filed.

COUNSEL:

ERICKA RANSOM	(PET)...DAVID SARAZEN
EUGENE ALLEN RANSOM	(DEC)...
TERESA RANSOM	(PET/OBJ)...MILES & HATCHER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report by Teresa Ransom (filed 01/29/18).

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 hearing to confirm sale of real property is pending. Also there are several vehicles and motorcycles belonging to decedent which still need to be sold.
2. Petitioner requests a continuance to July 2018.
3. Need Notice of Hearing and proof of service in accord with Pr.C. § 12201. Whenever a status report is filed without an accounting, notice must indicate a right to an accounting in accord with Pr.C. § 10950. This form of notice is mandatory.
4. No proposed order. Submit after hearing.

RECOMMENDATION:

Need to clear required notice. If approved, set next Accounting/Status Review for **07/30/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701305

CASE NAME: MTR OF WILBUR LEROY HEMMINGER

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

COUNSEL:

MARIE MAY HODGES (PET)...HUNSBERGER DUNN & ASSOC
WILBUR LEROY HEMMINGER (DEC)...

GENERAL INFORMATION:

Continued from 01/30/18 at request of Court. Petitioner ordered to be present

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full
authority under IAEA by Executrix, Marie M. Hodges ["Petitioner"-niece].

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

1. Non-resident Petitioner requests bond of \$211,000 to be fixed. Appears sufficient.
2. Section 6 [LF, p. 4] to petition is incomplete. Need verified supplement.
3. Need Proof of Holographic Instrument.
4. Need proof of publication.
5. Need Notice of Petition to Administer Estate with proof of service.
6. ~Proposed Form Letters 12/27/17.

RECOMMENDATION:

Need to clear notes 2-5, \$211,000 bond. If approved, set future hearing for
Accounting/Status Review on **06/03/19**. Any account to be filed 30 days in advance of
hearing. Note requirements of Local Rules.
(nb/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800025

CASE NAME: Paul Angle

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

COUNSEL:

LAURA PFEIFER (PET)...PRO/PER
PAUL ANGLE (DEC)...

GENERAL INFORMATION:

Continued from 02/13/18 at request of petitioner to clear notes.

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

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

1. Petitioner submits a type-written document dated 09/22/07 purportedly signed by decedent. It would appear to be a purported Will. However, the 09/22/07 document is not witnessed and thus, does not meet the requirements of Pr.C. §6110. Question the validity of the 09/22/07 document? Need verified supplement with points and authorities to prove the 09/22/07 document is a valid testamentary document.
2. Will waives bond. Estimated estate valued at \$76,000. However, petitioner is a non-resident and court has discretion to require bond per Pr. C. §8571. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). JTD.
3. Need proof of publication.
4. Need Notice of Petition to Administer Estate with proof of service.
5. No proposed order/letters.

RECOMMENDATION:

Need to clear notes 1, & 3-4, then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **06/03/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800146

CASE NAME: MTR OF DAISY CRUZ
HEARING: Spousal Property Petition hearing.

COUNSEL:

LUIS GODINA (PET)...PRO/PER
DAISY CRUZ (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by spouse, Luis Godina, Petitioner

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

1. Petitioner, Luis Godina, requests a determination of personal property passing to the surviving spouse as community property. Specifically, a 2013 Toyota Venza, Samsung note cell phone, purse and wallet, and all personal property of decedent. However, petitioner does not set forth facts sufficient to establish a community property interest in said property. When were petitioner and decedent married? How was the property interest acquired – with community funds, etc? **Need** verified supplement.
2. Section 1(a) to petition re determination of property passing to surviving spouse is not checked.
3. Section 1(b) to petition re confirmation of property belonging to surviving spouse checked, however, section 7(b) is not checked. **Need** verified supplement clarifying.
4. Section 5(b) to petition is incomplete as to whether decedent is survived by step or foster child. **Need** verified supplement.
5. Section 8 to petition is incomplete re whether a written agreement exists. **Need** same via verified supplement.
6. Section 9 to petition does not include relationship of person listed. **Need** same via verified supplement.
7. **Need** Notice of Hearing with proof of service to decedent's issue(s).
8. ~Proposed Form Order: 02/15/18

RECOMMENDATION:

Need to clear notes 1, 3-7, then Court's discretion.

(cs)

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

DATE: 03/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800160

CASE NAME: MTR OF JORDAN S FINKLER

HEARING: Petition to determine succession to Real Property

COUNSEL:

SIV E FINKLER (PET)...CUMMINS & WHITE LLP
JORDAN S FINKLER (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real and Personal Property (Estates \$150,000 or less), by spouse, Siv Finkler, Petitioner

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

- 1 Petitioner is decedent's spouse who alleges she is entitled to 100% of decedent's estate pursuant to his will. [LFpgs 5-12]. Specifically real property located in San Bernardino County.
- 2 Petitioner listed incorrect court address at caption. JTD
- 3 Section 4 of petition re decedent's residential status is incomplete. **Need** verified supplement.
- 4 Section 9 of petition is incomplete at subsections (3) or (4) re whether there is registered domestic partner; subsections (7) or (8) re whether there is issue of predeceased child. **Need** verified supplement.
- 5 Marcus Finkler, (son) is not listed in attachment 14 of petition. **Need** verified supplement.
- 6 No proposed form order. Submit after hearing.

RECOMMENDATION:

Need to clear notes 3-5, and proper service then Court's discretion.

(cs)

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

DATE: 03/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800176

CASE NAME: MTR OF ROBERT W DYE

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

COUNSEL:

GERALD D DYE (PET)...TYLER & BURSCH, LLP
ROBERT W DYE (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition of Lost Will and for Letters Testamentary with full IAEA authority, by son, Gerald Dye, named executor, ["Petitioner"].

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

1. Declaration re lost will filed. Petitioner alleges original will was taken to decedent's two banks to gain access and control of the decedent's accounts prior to his death. During those visits the banks made copies of the estate planning documents and it appears petitioner was given copies back of the documents rather than the original. Petitioner returned to both banks and neither bank was able to produce the original will. He was advised by at least one of the banks that, once documents are scanned, the documents are usually destroyed.
2. Petition indicates the original of the will has been lost and attaches a photocopy. When a will is lost and was last in the testator's possession, it is presumed that the testator destroyed the will with the intent to revoke it. Pr. C. § 6124. This presumption affects the burden of producing evidence and unless petitioner can overcome the presumption, no valid will exists. Does Court wish to find the requirements met and probate the lost will? JTD
3. Will waives bond. Net estate value \$295,000. The court may for good cause require that a bond be given, either before or after issuance of letters. (Prob. Code §8481(b))
4. Need proof of publication.
5. ~Proposed Form Order: 02/22/18

RECOMMENDATION:

Need to clear note 4. Court's discretion re bond and note 2. If approved, set Accounting/Status Review for **06/03/19**. Any accounting to be filed 30 days in advance per Local Rule 20-901. Note requirements of Local Rule.

(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

CONSERVATORSHIPS

DATE: 03/26/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1100050

CASE NAME: THOMAS C. ETIE

SEE ALSO 12

HEARING:

OSC re: Transfer to Riverside County filed by WILLIAM F.
CROSTHWAITE

COUNSEL:

WILLIAM F. CROSTHWAITE	(CPE)...J WILEY JONES
WILLIAM F CROSTHWAITE	(PET)...JASON S. SHEINBERG
THOMAS C ETIE	(CPE/CEE)...HORSPOOL & HORSPOOL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON OSC re: Transfer to Riverside County filed by
WILLIAM F. CROSTHWAITE

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

1. Matter set on 02/05/18 for Transfer to Riverside County as conservatee has
relocated to Riverside County as of last October.

RECOMMENDATION

Court's discretion

(cs)

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

DATE: 03/26/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1100050

CASE NAME: THOMAS C. ETIE

SEE ALSO 11

HEARING: Fifth Account and Report of WILLIAM F. CROSTHWAITE and Petition for allowance of fees filed.

COUNSEL:

WILLIAM F. CROSTHWAITE	(CPE)...J WILEY JONES
WILLIAM F CROSTHWAITE	(PET)...JASON S. SHEINBERG
THOMAS C ETIE	(CPE/CEE)...HORSPOOL & HORSPOOL

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Fifth **Conservatorship** Account and Fourth **Trust** Account; and Petition for Fees by William Crosthwaite, conservator/trustee

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

1. **Need** Order on 4th accounting.
2. Accounting period: 08/01/15-07/31/17
3. Assets on hand: \$0 in the conservatorship. \$518,832.71 in the trust estate
4. Additional bond of \$27,420.36 for total bond of \$497,420.36 per 10/17/16 minute order has not been filed; however, new bond in the amount of \$560,308.00 is indicated. Appears sufficient. **JTD**
5. Petitioner requests fees in the amount of \$3,760.00 for 74.20 hours at \$50.00/hour; however, amount should be **\$3,710.00** (74.20 x 50= 3,710.00). Itemized. [LF, pgs. 163-188]. **JTD**
6. Petitioner requests fees of \$450.00 for 2015 tax preparation and \$500 for 2016 tax preparation. Generally described. Invoices are attached. [LF pgs. 190-192] **JTD**
7. Petitioner requests fee of \$2,000.00 for preparation of the trust accounting. Itemized. No itemization provided. Invoice attached. [LF pg. 194] **JTD**
8. Former Attorney Sollertis requests fees in the amount of \$765.90. Billed at various rates of \$200/425 per hour of paralegal and attorneys for 3.2 hours which includes \$155.90 in costs advanced. Itemized. [LF, pgs.196-202]. **JTD**
 - a. As there is no filing fee for a substitution of attorney form the Court may wish to disallow the request for \$69.90 of the requested fee. **JTD**
 - b. Rate of \$200.00/hr for paralegal fees is over the community standard of \$150.00. **JTD**

9. Current Attorney J. Wiley Jones requests fees in the discounted amount of \$2,235.00. Billed at 7.3 hrs at \$325.00/hr for \$1,800.00 plus \$435.00 costs advanced. Itemized. [LF, pgs. 204-206]. **JTD**
10. **Need** residential facility statements.
11. Notice of hearing filed 01/08/18; however, notice has incorrect hearing date of 01/16/18. **Need** corrected notice.
12. Petitioner indicates that conservatee now resides in Riverside as the VA refused to pay room and board at his previous facility. Does Court wish to transfer the matter to Riverside County? [LF pgs. 3-4]. **JTD**
13. No proposed order. Submit order after hearing.

RECOMMENDATION:

Need to clear notes 1, 10 & 11 then Court's discretion re remaining notes. If approved, Court to set Accounting Review hearing on **02/11/19**.

(ww/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1200254

CASE NAME: VINCENT PASTORELLE

HEARING: Petition for Termination of Limited Conservatorship of the Person

COUNSEL:

INLAND COUNTIES REG CNTR (CP)...STEVEN K BECKETT
VINCENT PASTORELLE (CTP)...

XREF: FELJS1403008 *IN THE MATTER OF VINCENT PASTORELL*
FELSS1300593 *IN THE MATTER OF VINCENT PASTORELL*

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Terminate Conservatorship, of the person only, by Inland Regional Center, Conservator.

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

1. Inland Regional Center was appointed conservator, of the person only, on 11/29/12. Letters issued 12/03/12.
2. Inland Regional Center seeks termination of the conservatorship indicating that on 01/10/17 conservatee was placed into the community at West Anaheim Medical Center because his current facility, Fairview Developmental Center, did not have access to a ventilator which conservatee required.
3. Petitioner alleges conservatorship is no longer required as conservatee's placement is going well and there have been no significant issues.
4. Notice given.
5. ~Proposed order: 02/13/18

RECOMMENDATION

Court's discretion.

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300058

CASE NAME: ***MF MTR OF ANTHONY GALINDO***.

HEARING:

Motion Re: Set Aside Attorney Fee Order Filed by Petitioner
ANTHONY GALINDO

COUNSEL:

ANTHONY GALINDO	(PET/CEP)...HARTNELL LAW GROUP
ISMARY DIAZ-GALINDO	(CPE)...HORSPOOL & HORSPOOL
TAMORA SUE GALINDO	(PET)...JACK B. OSBORN
ANTHONY GALINDO	(OBJ)...SHERRI L KASTILAHN

XREF: CIVDS1405052 GALINDO -V- ADAN, ET AL

Currently under review by Legal Research.
(LR)

(CS)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300204

CASE NAME: Carly Suzanne Peralta

HEARING: RE CONSERVATORSHIP Account and Report of DEBRA LEE
ESPINOZA and Petition for allowance of fees filed.

COUNSEL:

DEBRA LEE ESPINOZA (CP/CPE)...PRO/PER
CARLY SUZANNE PERALTA (DEC)...
CARLY SUZANNE PERALTA (CEP/CEE)...JENNIFER M DANIEL

Waiver of Court Fees and Costs filed by DEBRA LEE ESPINOZA is GRANTED
Fee waiver amount due \$465.00 for filing petition for appointment etc. on 08/08/13

GENERAL INFORMATION:

Continued from 09/05/17, 10/31/17, 12/12/17 and 01/30/18. Counsel to assist conservator with clearing notes.

THIS CASE IS SET FOR HEARING ON First and Current Account by Conservator of the Person and Trustee of SNT, Debra Lee Espinoza ["Petitioner"-mother].

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

1. A copy of Special Needs Trust [SNT] is attached to Supp. filed 03/25/18 [LFp4-11].
2. Accounting period covers 01/01/16 to 12/31/16. However, Special Needs Trust order was entered on 03/25/16.
3. Assets on Hand \$283,834.25 consisting of \$3,777.88 in cash, vehicle with carry value of \$36,000 and remaining in securities.
4. Current bond of \$323,000. Suggest bond of \$373,000 (includes recovery costs). JTD.
5. Compensation or reimbursement is not requested.
6. Need further clarification re disbursements via verified supplement. Supp. filed 03/05/18 indicates as follows:
 - a. Coach in the amount of \$685.80. Large durable utility bag purchased to fit Carly's wheelchair.
 - b. Sunglass Hut for \$432.00. While on vacation Carly required glasses and durable frame sunglasses where purchased.
 - c. Nation's Recovery-collection Ethan Allen for \$4,788.46. This was a debt of Carly prior to becoming ill. Trustee believed the estate would be liable and paid the

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.

bill without conferring with counsel. Petition requests the court ratify this decision and alleges that further expenses will be conferred with counsel prior to payment. JTD

- d. Hyatt Resort for \$4,552.76. Carly requested to stay at the Hyatt during a trip to a therapeutic treatment with her caregiver.
- e. In Branch cash withdrawals totaling \$3,000. Monies were used for travel, therapeutic and miscellaneous expenses; however, trustee did not retain any receipts for this cash. Trustee alleges that all cash was used for Carly's needs while traveling. Further trustee understands that she is not to use cash in the future, and if cash is necessary she will retain receipts for the use any cash.

7. CI Report filed 01/23/18

RECOMMENDATION:

Court's discretion re bond. If approved, set next hearing for Accounting Review on **06/03/19**. Any account to be filed 30 days' before hearing. Note requirements of Local Rules.

(nb/cs)

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

DATE: 03/26/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600094

CASE NAME: MTR OF CHARLES J KOSKY

SEE ALSO 17

HEARING:

Accounting Review by ***

COUNSEL:

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

XREF: CONPS1600095 MTR OF MADELYN M KOSKY

XREF: CONPS1600095 (Madelyn M Kosky spouse)

GENERAL INFORMATION

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

Continued from 02/22/18 to be heard with accounting in related case.

THIS CASE SET FOR HEARING ON Accounting review.

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

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

RECOMMENDATION

Inquire status of accounting.

(lc/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600095

CASE NAME: MTR OF MADELYN M KOSKY

HEARING:

First Account and Report of JOANNA AVERETT and Petition for allowance of fees filed.

COUNSEL:

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

XREF: CONPS1600094 *MTR OF CHARLES J KOSKY*

Currently under review by examiner.
(cs)

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

DATE: 03/26/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700256

CASE NAME: ANTHONY VICENCIO

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of EDUVIGES VICENCIO

COUNSEL:

EDUVIGES VICENCIO (CP)...PRO/PER
ANTHONY VINCENCIO (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Eduviges Vicencio appointed conservator of the person on 08/21/17.
2. Determination of Conservatee's Appropriate Level of Care form GC-355 filed 02/15/18.
3. Notification of Conservatee's rights per Pr.C.§1830(c) filed 02/01/18; however, section 5 is incomplete as to service of order. **Need** completed notice.
4. **Need** Care Plan in accord with Pr.C.§2352.5.

RECOMMENDATION:

Need to clear notes 3-4. Inquire Status
(cs)

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

DATE: 03/26/18 TIME: 1:30 DEPT: S36P

CASE#: RC RS00137

CASE NAME: CONSERVATORSHIP OF SANDI LYNN DREW

SEE ALSO 20

HEARING: Re: PTN FOR CONSERVATORSHIP

COUNSEL:

SANDI LYNN DREW	(PET/PCE)...ROSE C ROSADO
DAVID C RENO	(SC)...PHYLLIS M GALLAGHER
DEBBIE SUE DREW	(PCR)...PRO/PER
DIANA BRIDGES	(PCR)...PRO/PER
SUSAN TWELLMAN	(PET)...PRO/PER

GENERAL INFORMATION

Continued from **3/22/16**. Attorney Rose C Rosado is appointed for conservatee.

Continued from 6/15/16 Temporary orders granted to David Reno, person only. Powers of Clark Reno suspended. Visitation orders made.

Continued from **08/24/16**. Petition by Debbie Drew and Diana Bridges was withdrawn in April. A new petition must be filed.

Continued from **11/09/16**. Competing petition to be served by 11/10/16 end of business day. Debbie Drew ordered to be present and Diana Bridges ordered to be available telephonically for mediation.

Continued from **02/22/17**. Ms. Twellman has withdrawn her request; court confirmed.

Tentative decision re David Reno's petition. Court ordered No contact with Debbie Drew at this time. Exparte re 733 expert may be filed. Proposed conservatee should see her psychiatrist prior to next hearing. Temporary Conservator to arrange therapy if needed.

Continued from **04/06/17**. Diana Bridges announced she is not ready for trial and is not getting her telephonic visits as ordered. Parties are admonished, she needs to have visitation as ordered. Court will consider changing placement if facility does not cooperate. Calls to be answered even if Ms. Drew does not want to talk to her. Skype or Facetime ok. Exparte to be filed if calls continue to be denied.

Continued from **08/03/17**. Debbie Drew withdrew her requests as co-Conservator. Settlement negotiations unsuccessful.

Continued from 10/02/17. Matter is contested; court trial requested.

Continued from 12/12/17

THIS CASE IS SET FOR HEARING ON

- Petition for Successor Limited Conservatorship, person only, by conservator to appoint first cousin, **David Reno**.

- Petition for Successor Limited Conservatorship, person only, by sister, ***Debbie Drew and Diana Bridges.***

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-
Petitioner 1 – David Reno, 1st Cousin

1. Clark Reno (uncle) appointed Limited Conservator of the Person and Estate on 4/1/97. Nomination by conservatee, affixed to petition [LF, p. 15].
2. Capacity Declaration filed 3/16/16.
3. Petitioner is requesting powers re residence, confidential records, marriage, contract, social/sexual relationships/education and medical. JTD
4. Petitioner requests powers re habilitation, treatment, training, medical etc. JTD
5. Petitioner requests civil rights not be limited without court order. JTD
6. Certificate of Completion re Conservatorship Class filed 3/29/16
7. Court Investigator Report filed 3/15/16 and 4/12/16.
8. IRC report filed 6/14/16.
9. Report of counsel, Rose Rosado, filed 4/14/16, 6/8/16; and 11/02/16.
10. ~Proposed form order: 4/19/16

Petitioners 2 - ~~Debbie Drew and Diana Bridges, sisters~~

11. Petitioners seek medical powers. **Need** updated Capacity Declaration.
12. Notice of hearing filed 11/9/16; however, proof of service is incomplete as to date at signature of server. **JTD**
13. Conservatee is developmentally disabled. Report of counsel filed 11/02/16.
14. Proposed conservatee is developmentally disabled. IRC report filed 06/14/16
15. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
16. Petitioner seeks civil rights not be limited without court order. JTD
17. Certificate of Completion of the Conservatorship Training Class for Diana filed 04/07/16.
18. Certificate of Completion of the Conservatorship Training Class filed 12/15/16.
19. Special report filed 04/12/16.
20. Declarations by Carlynn Turner, Brittany Drew, Debbie Drew, and Diana Bridges filed 01/26/17.
21. **Objections by conservatee filed on 11/30/16.**
22. Letter from psychiatrist study filed 01/11/17 and report from psychiatrist filed 11/02/17 by Rose Rosado.
23. Proposed order for request for dismissal submitted on 03/28/17 by *Debbie Drew only* and returned for corrections on 04/07/17. Court may wish to inquire if a corrected form will be re-submitted.
24. Court to see request to “Postpone Trial” by Diana filed 10/26/17.
25. Court to see confidential letter filed 07/21/17.
26. ~Proposed Form Order: 10/03/16

RECOMMENDATION:

Need to clear notes 11, matter is contested. If approved, set hearing for Compliances Review for 10/29/18 for the filing of the following: proof of service of order with Notification of Conservatee’s rights per Pr.C. § 1830(c); and Level of Care and Care Plan per Pr.C. §2352.5. (/sa/lc/lh/lc/ww/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 1:30 DEPT: S36P

CASE#: RC RS00137

CASE NAME: CONSERVATORSHIP OF SANDI LYNN DREW

SEE ALSO 19

HEARING: Petition for LIMITED SUCCESSOR CONSERVATORSHIP OF THE
PERSON

COUNSEL:

SANDI LYNN DREW	(PET/PCE)...ROSE C ROSADO
DAVID C RENO	(SC)...PHYLLIS M GALLAGHER
DEBBIE SUE DREW	(PCR)...PRO/PER
DIANA BRIDGES	(PCR)...PRO/PER
SUSAN TWELLMAN	(PET)...PRO/PER

Waiver of Court Fees and Costs filed by SANDI LYNN DREW is GRANTED

See notes on previous matter #19.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 03/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0600080

CASE NAME: DONALD H ROSE

HEARING:

THIRD Account and Report of LYLE STOTELMYRE and Petition for allowance of fees filed.

COUNSEL:

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

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

Waiver of Court Fees and Costs filed by DAMON T ROSE

XREF: PROPS0900631 DONALD H. ROSE

GENERAL INFORMATION:

Trust beneficiary, Damon T. Rose, passed away on 06/26/17.

Continued from 01/16/18. For Judge Reilly to be present.

THIS CASE IS SET FOR HEARING ON Third Account Current by Trustee/PPF, Lyle Stotelmyre ["Petitioner"] and Petition for Fees.

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

1. Accounting period: 07/08/15 to 07/10/17.
2. Assets on Hand \$1,302,806.41 consisting of \$52,806.41 in cash and remaining in real and personal property.
3. No current bond. Suggest bond in the amount of \$1,576,000.00. 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.

4. Trustee requests compensation of \$18,425.50. Billed at rates not exceeding \$125/hour for services rendered. Itemized [LF, pgs. 18-38]. **JTD.**
5. Attorney requests fees of \$19,981.00. Billed at \$375/hour for 48 hours' attorney time and \$140/hour for 14.15 hours' paralegal time. Itemized [LF, pgs. 40-50]. **JTD.**
6. Disbursements – Schedule C [LF, p. 11] includes postage totaling \$27.30 which is normally considered overhead. Does Court wish to reduce fee request by same? **JTD.**
7. Notice given.
8. Proposed Order 09/21/17 does not include bond.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for Fourth and Final Account in **60 days.**

(nb/ww)

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

DATE: 03/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300277

CASE NAME: DANIEL HAROLD WEINLAND

HEARING:
Hearing Re: AMENDED ACCOUNTING

COUNSEL:

DIANE B HAMBURGER (PET)...PRO/PER
DANIEL HAROLD WEINLAND (DEC)...

GENERAL INFORMATION

Continued from **02/11/16, 04/04/16, 06/06/16, 08/15/16, 11/14/16 and 01/09/17**. The Court authorizes the clerk's office to reissue current letters with today's date.

Continued from **06/26/17** on court's motion to clear notes and provide statement that includes equity at the time of foreclosure.

Continued form 09/18/17 at request of Court to clear probate notes.

THIS CASE SET FOR HEARING ON **[AMENDED 03/30/17]** Accounting of Blocked Account, and Petition for Settlement thereof, by Administrator Diane B. Hamburger ["Petitioner"].

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

1. Accounting period 07/08/13 to 03/15/17.
2. Accounting is not titled as being a final account nor is there a request for final distribution but petitioner indicates that the estate is solvent and that all duties required have been performed. Court to inquire if accounting is meant to be a final? [LF pg. 3] **JTD**
3. Assets on Hand \$21,528.08 in cash.
4. Petitioner does not request compensation at this time.
5. Petitioner must file a final report of administration per Pr.C. §1064 and Pr.C. §10954(c)(1). **Supplement filed 12/11/17 is incomplete as to the following:**
 - a. Summary schedule does not reflect correct assets on hand at beginning of account. **Need** same.
 - b. **Need** schedule of gains/losses per Pr.C. §1060-§1064 et seq.
 - c. **Need** distribution per Pr.C. §1063(f)/Local Rule 20-907.
 - d. **Need** findings re: all taxes have been paid, or reserve made for taxes.
 - e. **Need** findings re: known creditors per CRC 7.403

- f. **Need** findings re character of estate: sole and separate property, per Local Rule 320-906.
 - g. **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.
 - h. **Need** statement regarding if cash has been invested and maintained in an interest bearing account. Pr.C.§ 1064(a)(5).
 - i. **Need** statement regarding notice to Franchise Tax Board or proof of service of the same Pr. C. § 9202(c)(1).
 - j. **Need** statement of compliance with Pr.C.§9202(b) re notice to the California Victim Compensation Board.
 - k. **Need** statement of compliance with Pr.C.§9202 re notice to Director of Health Services per local rule 20-907(e).
 - l. **Need** notice to creditors Pr.C. §9050/9054.
6. Corrected Final Inventory and Appraisal filed 11/07/17; however, date of death indicated as 02/12/12 differs from petition's date of death 02/03/12. **(Supp. 12/11/17 clarifies that date of death is 02/12/12 and not 02/03/12)**
7. **Need** bank statement to support ending balance per local rule 20-908.
8. Notice of Hearing filed 12/11/17 indicates "Supplement to address probate notes" instead of hearing title of accounting. **JTD**
9. Proposed Order 12/11/17, however, is missing statements re: taxes/debts

RECOMMENDATION

Need to clear notes 5 & 7. Court's discretion. If accounting is actually a status report then Court to set Accounting Review hearing on **07/16/18**. **If** approved as a final accounting, set hearing on the filing of receipts and final discharge for **04/08/19**

(lc/dl/dl/nb/cs/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500038

CASE NAME: MTR OF EPHRAIM J LINCOLN

HEARING:

Hearing re Final Discharge

COUNSEL:

SANDRA SIMMONS	(PET)...PRISCILLA C SOLARIO
EPHRAIM J LINCOLN	(DEC)...
JOSHUA LINCOLN	(MIN)...PRO/PER
DIMITRI LINCOLN	(TP)...THOMAS W DOMINICK

GENERAL INFORMATION:

Continued from 01/16/18 No appearance. Sandra Simmons and/or Priscilla Solario is ordered to be present at next hearing. Counsel is ordered to be prepared to address letter from Minnesota attorney at next hearing.

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. First and Final Account by Sandra Simmons, spouse, approved on 03/14/17.
2. Receipt by Dimitri Lincoln filed 06/12/17.
3. **Need** receipt from Joshua Lincoln.
4. **Need** Ex-parte Petition/Order for Final Discharge with recording information per Pr.C.§11753(b)..

RECOMMENDATION:

Inquire status.

(nb/ww)

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

DATE: 03/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501098

CASE NAME: GILBERTO ACUNA

HEARING:

Probate status report filed.

COUNSEL:

OLIVIA ACUNA DE VASQUEZ (PET)...FRED HANASSA B
GILBERTO ACUNA (DEC)...HORSPOOL & HORSPOOL

THIS CASE IS SET FOR HEARING ON Status Report.

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

1. **Note:** Status report filed 01/09/18 and set this date appears to be for GARSS1500518 as the case name is Jesse Delgadillo and Olivia is the appointed guardian. The cases are currently unrelated; however, Jesse is the surviving issue of decedent Gilberto. Does Court wish for the cases to be related? **JTD**
2. Court may wish to inquire if case number on status report was an error and if this report should be in GARSS1500518? If so, Court may wish for a copy of this status report be entered into the guardianship matter and removed from this case. **JTD**
3. Petitioner indicates the following:
 - a. There are no assets currently to manage for minor as there is a pending wrongful death action in Fresno under case number 15CECG03738.
 - b. On 03/13/17 that defendant Otoniel Ramirez filed a Chapter 7 bankruptcy.
 - c. A Petition for approval of a compromise claim with be filed in Fresno Superior Court as per agreement with defendant Hyundai Translead.
 - d. Once the above civil action is dismissed; the only potential claim to administer will be the Uninsured Workers Compensation claim which has not been resolved yet.
4. Petitioner does not give an estimate as to when the guardianship matter will be able to close; however, guardianships are active until the minor turns 18 or if terminating by petition or by the Court.
5. **Need** verification signed by the personal representative/guardian per Pr.C. § 1021.
6. **Need** Notice of Hearing and proof of service.
7. **Note:** There is currently a status report for the probate matter set for hearing on 03/22/18.
8. Proposed Order: No proposed order.

RECOMMENDATION:

Need to clear notes 5 & 6 and Court's discretion re notes 1 & 2. **If** Court finds that the status report is in the correct case, set next hearing for Accounting Review for **04/08/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(ww)

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

DATE: 03/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600038

CASE NAME: ESTATE OF ELDON C HALL

HEARING:

Second and final Account and Report of VICKIE R BLACK and
Petition for allowance of fees filed.

COUNSEL:

VICKIE R BLACK (PET)...MARY E MULLIN
ELDON C HALL (DEC)...

GENERAL INFORMATION:

Continued from 01/16/18. Supplement filed 1/11/18 not yet on Laserfiche. Counsel is advised paralegal billing at \$190 will not be approved by the Court.

THIS CASE IS SET FOR HEARING ON Second and Final Account and Petition for Fees by Administrator, Vicki R. Black ["Petitioner"].

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

1. Assets on Hand \$200,693.43 consisting of \$198,193.43 in cash and remaining in real property.
2. Statutory fees of \$7,549.82 requested. Calculated.
3. Attorney requests extraordinary fees of **\$5,482.50** for services rendered in connection with the sale of real property. Billed at \$300/hour for 13.30 hours' attorney time and **\$150/hour** for 9.95 hours paralegal time. Itemized [LF, pgs. 33-36]. **(Supp. 02/13/18 reduced paralegal hourly amount from \$190 to \$150. New itemization is attached as LF pgs. 11-14) JTD**
4. Petitioner requests authority to withhold the sum of \$3,000 for closing costs. **JTD**
5. Disbursements – Schedule D [LF, pgs. 21-22] reflects various "reimbursements" to petitioner that are not specific. Need verified supplement. **(Supp. 01/11/18 Petitioner indicates that she has reimbursed herself for costs advanced in the amount of \$27,054.21 without court approval. An itemization of the fees is attached as LF. pgs. 6-8) JTD**
6. Allowance of Creditor's Claim by Personal Representative entered 04/22/16. Question whether petitioner has been compensated? Need verified supplement. **(Supp. 01/11/18 indicates that Judge Ludvigsen signed the allowance for reimbursement of funeral expenses on 04/22/16 but that the approval/rejection**

section was not completed on their copy; however, the original in the court file has the section completed. Petitioner indicates that she has not reimbursed herself.)

- a. Petitioner is allowed to reimburse herself for the \$4,348.60 in funeral costs as original is completed, approved and signed by the Judge.
7. Need financial statements to support date of death balance per Local Rule 20-908. **(Supp. 01/11/18 Petitioner indicates that no financial statement was found in decedent's possessions for the date of death balance. A Prudential Financial, Inc. Common Stock Historical Prices & Data printout is included to show a value of \$77.15 at the time of death as LF pg. 18.) JTD**
8. ~Proposed Order: 02/13/18

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge for **04/08/19**.

(nb/ww)

RECOMMENDATION:

Need to clear notes 5-7 then Court's discretion. If approved, set next hearing for receipts and final discharge for **01/22/19**.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600057

CASE NAME: CASSIE C SHARP TRUST

SEE ALSO 6A, 6B, 6C

HEARING:

Motion Re: Disqualify Thomas Dominick as counsel of record for
Petitioner Filed by Respondent IRIS ROBERTSON, GARY N ROBERTSON

COUNSEL:

DARCY CLOUTIER-FERNALD (PET)...FULLERTON LEMANN SCHAEFER & DO
THE CASSIE C SHARP TRUST (TRU)...PRO/PER
IRIS ROBERTSON (OBJ)...JACK B. OSBORN
GARY N ROBERTSON (BROWN WHITE & OSBORN)

Currently under review by Legal Research

LR

(ww)

Superior Court of Calif, County of San Bernardino

Page: 6A

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 03/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600057

CASE NAME: CASSIE C SHARP TRUST

SEE ALSO 6, 6B, 6C

HEARING: Status of Mediation

COUNSEL:

DARCY CLOUTIER-FERNALD (PET)...FULLERTON LEMANN SCHAEFER & DO
THE CASSIE C SHARP TRUST (TRU)...PRO/PER
IRIS ROBERTSON (OBJ)...JACK B. OSBORN
GARY N ROBERTSON (BROWN WHITE & OSBORN)

No Notes-Status. JTD.

(ww)

Superior Court of Calif, County of San Bernardino

Page: 6B

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 03/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600057

CASE NAME: CASSIE C SHARP TRUST

SEE ALSO 6, 6A, 6C

HEARING: Trial Setting Conference

COUNSEL:

DARCY CLOUTIER-FERNALD (PET)...FULLERTON LEMANN SCHAEFER & DO

THE CASSIE C SHARP TRUST (TRU)...PRO/PER

IRIS ROBERTSON (OBJ)...JACK B. OSBORN

GARY N ROBERTSON (BROWN WHITE & OSBORN)

Trial Setting Conference- No notes- JTD

(ww)

Superior Court of Calif, County of San Bernardino

Page: 6C

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

DATE: 03/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600057

CASE NAME: CASSIE C SHARP TRUST

SEE ALSO 6, 6A, 6B

HEARING: Petition for TO DETERMINE INVALIDITY OF TRUST

COUNSEL:

DARCY CLOUTIER-FERNALD (PET)...FULLERTON LEMANN SCHAEFER & DO
THE CASSIE C SHARP TRUST (TRU)...PRO/PER
IRIS ROBERTSON (OBJ)...JACK B. OSBORN
GARY N ROBERTSON (BROWN WHITE & OSBORN)

Currently under review by legal research.

(LR)

Continued matter. Notice not re-reviewed.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601270

CASE NAME: HELENE MC COY

HEARING:

Petition for final distribution on wvr of Account and Report of
KENNETH WENZSELL and Petition for allowance of fees filed.

COUNSEL:

KENNETH WENZSELL (PET)...PRO/PER
HELENE MCCOY (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of
Account and for Fees by Kenneth Wenzzell, son

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

1. All heirs waive accounting and approve of Petitioner being awarded \$7,400.00 from sale of house plus expenses. **See note 3.**
2. Amount of assets on Hand not provided; however, Real property at 2357 Cedar Street, San Bernardino, CA 92404 is \$185,000.00 per Final Inventory and Appraisal. Does Court wish for a verified supplement **JTD**
3. Petitioner waives statutory compensation but indicates that he will receive \$7,400 out of the sale of the real property plus expenses. [LF pg. 6.] **JTD**
4. **Need** proposed distribution to indicate percentages/amount of the real property that each heir will receive in report of administrator and prayer per Pr.C.§1064.
5. Notice of hearing filed 02/08/18; however section 4b as to place of mailing is incomplete. **JTD**
6. No proposed order.

RECOMMENDATION

Court's discretion. If approved, set hearing re receipts and final discharge for
04/08/19.

(ww)

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

DATE: 03/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700039

CASE NAME: ARTURO BARRIOS

HEARING:

FIRST AND FINAL Account and Report of CHRISTOPHER LEE BARRIOS
and Petition for allowance of fees filed.

COUNSEL:

CHRISTOPHER LEE BARRIOS	(PET)...PAUL HORN
ARTURO BARRIOS	(DEC)...
SURETEC INSURANCE COMPANY	(TP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 9th Account and Report of IRC and Petition for
Approval of Trustee's Fees and for Attorney's Fees

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

1. Accounting covers period: **01/01/17-12/31/17**
2. Assets on hand: \$144,835.13 in cash.
3. Current bond is \$163,000.00. Appears adequate. **JTD**
4. Report of beneficiary filed separately on 02/06/18.
5. Petitioner requests approval of trustee fees already taken by Master Trust of California in the amount of \$2,210.72. Billed at \$1,250 for the first \$50,000; 2% of the next \$250,000; 1.65% of the next \$450,000, 1.50% of the next \$250,000 and 1.25% on the balance over \$1,000,000. Services generally itemized. **JTD**
6. Petitioner requests authority to allow Master Trust to continue taking its annual fee according to its 2017 fee schedule in quarterly payments. **JTD**
7. Attorney requests fees of \$1,120.00 for 5.70 hours of paralegal and 2.20 hours of attorney services at \$100/250 respectively per hour. Itemization in Declaration separately filed on 02/06/18. **JTD**
8. Notice of Hearing filed on 02/15/18; however, the hearing date is incorrect. **Need** corrected notice.
9. Proposed Order: 02/06/18; however accounting period of 01/17/17-12/31/18 is incorrect. **JTD**

RECOMMENDATION

Need to clear note 8 then Court's discretion. If approved, set hearing on the next accounting review for **04/08/19** (if one year) or **03/30/20** (if two years). Accounting to be filed 30 days in advance.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700397

CASE NAME: RICHARD MELVIN STEVENSON

HEARING:

Settlement of Waiver of First and Final Account and Report of
CHRISTOPHER P WENZEL and Petition for allowance of fees filed.

COUNSEL:

CHRISTOPHER P WENZEL (PET)...JIM L. DAVIS
RICHARD MELVIN STEVENSON (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of
Account and for Fees by Christopher Wenzel, friend

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

1. Petitioner is trustee and sole beneficiary and waives accounting.
2. Assets on Hand \$239,727.37 in cash
3. Attorney request statutory fee of \$8,360.00. Calculated.
4. Petitioner requests statutory fee of \$8,360.00; however, it is not mentioned in the prayer. Court may wish to clarify; or in alternative, need verified supplement. [LF pgs. 7 & 9] **JTD**
5. Attorney and petitioner waive any extraordinary fees that would be due.
6. **Need** bank statement to support end date of accounting.
7. Notice given.
8. No proposed order.

RECOMMENDATION

Need to clear note 6 then Court's discretion. If approved, set hearing re receipts and final discharge for **04/08/19**.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700938

CASE NAME: JIMMY AND DAISY MALORNI REVOC. FAMILY TRUST

HEARING:

Hearing Re: PETITION FOR ORDER CONFIRMING SUCCESSOR TRUSTEE

COUNSEL:

VINCENT JUNIOR MALORNI (PET)...LAW OFFICES OF EDWARD S.INOUYE
JIMMY AND DAISY MALORNI REVOCABLE TRUST (TRU)...

Currently under review by Legal Research

LR

NOTICE:

Waivers of Notice filed 01/16/18 by both non-petitioning beneficiaries Pat Pasquale Malorni and Ann Antonetti Fehmie; therefore no notice is required.

(ww)

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

DATE: 03/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700949

CASE NAME: MTR OF RONALD J ZWOLINSKI

HEARING:

Spousal Property Petition hearing.

COUNSEL:

GINA ZWOLINSKI (PET)...DENNIS M SANDOVAL
RONALD ZWOLINSKI (DEC)...

GENERAL INFORMATION:

Continued from 01/22/18 Supplement addressing when the property was acquired and transmuted and whether there are any other owners. Supplement to be filed that there is no exhibit A and B. The Court accepts notice as filed.

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Gina Zwolinski

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

5. Petitioner requests determination and confirmation of the community property interest in decedent's shares of ownership in Carob Properties, LLC; SCZ, LLC; Schumacher and Hoadley Company; and River City Testing which were acquired prior to the signing of a Spousal Property Agreement which purportedly transmuted assets to community property per Spousal Agreement, [LF p. 6-11]. Does court wish a copy of buy sell agreements? **JTD**
6. Petitioner alleges all assets pass to petitioner under terms of trust and pour-over will, [LF p. 12-64].
7. Spousal property agreement indicates transmutation of assets pertains to property listed in Exhibit A and B. However, exhibits are not attached. **Need** same via verified supplement.
8. **Need** Schedule of Community Property Assets to trust.
9. Notice is complete.
10. ~Proposed Form Order: 10/02/17

RECOMMENDATION:

Need to clear notes 3 & 4, then Court's discretion

(cs/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1600209

CASE NAME: JAMES GILBERT FURIOS

SEE ALSO 13 14

HEARING:

Hearing Re: PTN TO DISTRIBUTE ON WVR OF ACCTG AND RPT

COUNSEL:

SHARON M ROSENBERG	(PET)...JEFF W. LEBLANC
JAMES GILBERT FURIOS	(DEC)...
SUZANNE M GRAVES	(PET)...SUZANNE M GRAVES
ONEWEST BANK N.A	(TP)...ANDERSON, MCPHARLIN & CONNE

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

DATE: 03/26/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1600209

CASE NAME: JAMES GILBERT FURIOS

SEE ALSO 12 14

HEARING:

Motion Re: MOTION TO BE RELIEVED AS COUNSEL Filed by Petitioner
SHARON M ROSENBERG

COUNSEL:

SHARON M ROSENBERG	(PET)...JEFF W. LEBLANC
JAMES GILBERT FURIOS	(DEC)...
SUZANNE M GRAVES	(PET)...SUZANNE M GRAVES
ONEWEST BANK N.A	(TP)...ANDERSON, MCPHARLIN & CONNE

GENERAL INFORMATION

Continued from 12/18/17.

THIS CASE SET FOR HEARING ON Motion to be Relieved as Counsel by Petitioner,
Sharon M. Rosenberg

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

1. Petitioner, Jeff W. Leblanc, seeks to be removed as counsel for Sharon M. Rosenberg, Executor. Petitioner alleges that he has repeatedly requested documentation and information to complete the accounting in this matter, but the client has been unwilling or unable to comply with requests and has been non-responsive to counsel's attempt to communicate.
2. Notice of Hearing and proof of service filed 12/22/17; however, it does not indicate that the proposed order was served. **Need** compliance with Rules of Court, rule 3.1362(d), including service of Notice of Motion, Declaration and Proposed Order.
3. ~Proposed Form Order: 08/31/17.

RECOMMENDATION

Need to clear notes 2, then Court's discretion.

(cs/ww)

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

DATE: 03/26/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1600209

CASE NAME: JAMES GILBERT FURIOS

SEE ALSO 12 13

HEARING:

Petition for PAYMENT OF JUDGEMENT OR CREDITOR CLAIMS

COUNSEL:

SHARON M ROSENBERG	(PET)...JEFF W. LEBLANC
JAMES GILBERT FURIOS	(DEC)...
SUZANNE M GRAVES	(PET)...SUZANNE M GRAVES
ONEWEST BANK N.A	(TP)...ANDERSON, MCPHARLIN & CONNE

GENERAL INFORMATION:

Continued from 12/18/17 for special notice to One West Bank. The Court orders any objections be filed and served at least 15 days prior to next hearing. The Court refers matter to Legal Research for review. Hearing set 3/19/18 is advanced and continued to be heard with these hearings.

***Currently under review by Legal Research
(LR)***

THIS CASE SET FOR HEARING ON Payment Of Judgement Or Creditor Claims

1. Petitioner is seeking payment on a Judgment against James and Rose Furois for work done in 2013. On 11/04/16 a Creditor's Claim and Request for Special Notice was filed as soon as petitioner learned that a probate had been opened.
2. The Judgment was awarded on 02/08/17 as a result of a dispute between Sharon Rosenberg acting in her capacity as agent under power of attorney for her parents and the Law Offices of Suzanne Graves, Inc.
3. On 02/13/17 a copy of the Notice of Entry of Judgment and Judgment was served on administrator and a corrected Creditor's Claim along with a copy of the Judgment was served on Sharon Rosenberg and her attorney Jeff W. LeBlanc.
4. Petitioner alleges Administrator was notified on many occasions that she was a creditor and failed to give notice of Administration within the probate code time constraints per Pr.C. §9051
5. Petitioner requests an order finding Sharon Rosenberg personally liable to the Law Offices of Suzanne Graves for her failure to give notice of Administration pursuant to Pr.C. § 9053(b).

6. The judgment is against the personal representative in her representative capacity. Therefore, the judgment itself conclusively establishes the validity of the claim for the amount of the judgment according to Pr.C. § 9301.
7. Petitioner is seeking a total of \$9,734.95 which consists of \$9,269.95 Judgment; \$435 costs to file this petition; and \$30 court reported fee for the hearing on this petition.
8. Requests an order determining liability of the personal representative for her willful failure to serve the Law Offices of Suzanne M. Graves, Inc. with the Notice of Administration of estate and allowing surcharge of the bond in the instance that Sharon Rosenberg fails to pay the Judgment or Creditor's Claim by the close of probate.
9. Need notice to Onewest Bank who requested special notice.
10. **Objections filed 11/16/17 by Sharon Rosenberg.**
11. **Objections filed 12/08/17 by SureTec. Matter referred to Legal Research.**
12. No proposed order. Submit after hearing.

RECOMMENDATION:

Need to clear notes, then Court's discretion.

(cs)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIPS

DATE: 03/26/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0800089

CASE NAME: MARCIA F HAMMOND

HEARING:

Accounting Review by ***

COUNSEL:

BARRY HAMMOND

(CPE/CP)...PRO/PER

MARCIA F HAMMOND

(CEP)...

GENERAL INFORMATION

Continued from **09/12/17** at request of Petitioner. Accounting to be filed by 12/12/17.
Nothing new filed.

Continued from 01/16/18. Conservator reports Marcia Hammond passed away 09/12/17. Notice of death to be filed with the court. The Court orders a final account from 5/1/15 to current be filed with the Court. The Court urges conservatee to consult with counsel.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Second Account for Barry Hammond, son, approved on 03/21/17 for period ending 04/30/15.
 - a. **Need** Order Settling Second Account.
2. Conservatee passed away on 09/12/17.
3. **Need** Notice of Conservatee's Death filed.
4. **Need** final accounting beginning with date of 05/01/15.

RECOMMENDATION

Inquire status.

(cs/nb/ww)

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

DATE: 03/26/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1100128

CASE NAME: ANDREA RENEE MATHIS

HEARING:
Hearing Re: SPECIAL REPORT

COUNSEL:
DIEDRA MATHIS (CP)...PRO/PER
ANDREA RENEE MATHIS (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Special Report

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

1. Hearing set by Court on 01/11/18 after review of the Special Report by the Court Investigator that was filed on 01/04/18.
2. Matter referred to the Public Guardian to attempt to locate conservatee/conservator.
3. **Need** Report by Public Guardian.

RECOMMENDATION

Inquire status.

(ww)

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

DATE: 03/26/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400129

CASE NAME: Gregory Jess Atoigue Maratita

HEARING:

Hearing Re: TEXAS CONSERVATORSHIP

COUNSEL:

AVELINA A MARATITA (CP)...PRO/PER
GREGORY JESS T MARATITA (CP)...PRO/PER
GREGORY JESS ATOIGUE MARATITA (CTP)...

GENERAL INFORMATION:

Continued from 01/16/18. No appearance. Avelina and Gregory Maratita are ordered to present either personally or via CourtCall at next hearing to show/discuss Texas Conservatorship.

THIS CASE IS SET FOR HEARING ON Texas Conservatorship

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

1. Matter set on Court's motion after receipt and review of CI report filed 10/26/17 to determine whether a conservatorship has been established in Texas.
2. Conservators ordered to appear at hearing and may appear via CourtCall.
3. **Need** to file Post-Move Notice of Change of Address per Pr.C. §2352 and CRC 7.1013(c).

RECOMMENDATION:

Need to clear note 3 then Court's discretion.

(nb/ww)

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

DATE: 03/26/18 TIME: 9:30 DEPT: S37P

CASE#: SC SS02217

CASE NAME: MTR OF MICHAEL BUTLER

HEARING:

Ninth Account and Report of INLAND COUNTIES REGIONAL CENTR INC
and Petition for allowance of fees filed.

COUNSEL:

INLAND COUNTIES REG CNTR (CE/TEE)...STEVEN K BECKETT
MICHAEL BUTLER (CEP/CTE)...ROBERT S WORLEY

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 9th Account and Report of IRC and Petition for
Approval of Trustee's Fees and for Attorney's Fees

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

10. Order on 8th Account was signed per the minutes of 03/20/17 but has not been filed.
Need Order located and filed.
11. Accounting covers period: **01/01/17-12/31/17**
12. Assets on hand: \$144,835.13 in cash.
13. Current bond is \$163,000.00. Appears adequate. **JTD**
14. Report of beneficiary filed separately on 02/06/18.
15. Petitioner requests approval of trustee fees already taken by Master Trust of California in the amount of \$2,210.72. Billed at \$1,250 for the first \$50,000; 2% of the next \$250,000; 1.65% of the next \$450,000, 1.50% of the next \$250,000 and 1.25% on the balance over \$1,000,000. Services generally itemized. **JTD**
16. Petitioner requests authority to allow Master Trust to continue taking its annual fee according to its 2017 fee schedule in quarterly payments. **JTD**
17. Attorney requests fees of \$1,120.00 for 5.70 hours of paralegal and 2.20 hours of attorney services at \$100/250 respectively per hour. Itemization in Declaration separately filed on 02/06/18. **JTD**
18. Notice of Hearing filed on 02/15/18; however, the hearing date is incorrect. **Need** corrected notice.
19. Proposed Order: 02/06/18; however accounting period of 01/17/17-12/31/18 is incorrect. **JTD**

RECOMMENDATION

Need to clear note 9 then Court's discretion. If approved, set hearing on the next accounting review for **04/08/19** (if one year) or **03/30/20** (if two years). Accounting to be filed 30 days in advance.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

ELDER ABUSE

DATE: 03/26/18 TIME: 9:30 DEPT: S37P

CASE#: EAP PS1800007

CASE NAME: LUCERO -V- LUCERO

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

CYNTHIA GONZALEZ

(PET)...PRO/PER

JUDITH LUCERO

(PP)...PRO/PER

LILIAN LUCERO

(RP)...

Notice to Lilian Lucero, respondent, filed on 01/17/18.

(ww)