



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 03/28/18

The notes on the following pages were updated approximately three court days prior to the hearing to reflect newly-filed documents. Documents filed now after that update typically will not be reviewed except on the date of hearing at the judge's discretion.

Destruction of Filed Documents:

Shredding/destruction of all court documents filed and imaged before January 2011 will begin soon. All filed/imaged documents are shredded one year after filing pursuant to court policy. Any filed original documents not retrieved timely will be permanently lost. (Wills and codicils lodged into the will vault will not be affected.)

Contacting the Probate Examiners:

Probate Examiners' email address: ProbateNotes@sb-court.org

Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. Please do not email to notify that documents have been filed, to request a confirmation whether documents have been received, or to request the clearing of notes. No legal or procedural advice may be given by examiners in response to your email.

03/09/18lh; 03/23/18lh

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

CONSERVATORSHIP

DATE: 03/28/18 TIME: 8:30 DEPT: S35P

CASE#: CON PS1300262

CASE NAME: MTR OF LORRAIN LUCILLE STINGLEY

HEARING:

Hearing re Final Discharge

COUNSEL:

CATHIE STINGLEY

(CPE)...CHARISE L STEWART

TANNA STRAIN

(CPE)...CHARISE L STEWART

LORRAIN LUCILLE STINGLEY

(CEP/PCE)...

GENERAL INFORMATION

Continued from 02/14/18. If Ex Parte Petition for Final Discharge is signed before next hearing, the hearing will be vacated.

THIS CASE IS SET FOR HEARING ON Final Discharge of Conservator

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

1. Waiver of Account and Report of Cathie Stingley was approved on 02/08/17.
2. ~Ex Parte Petition for Final Discharge and Order: 03/19/18

RECOMMENDATION

None.

(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

DATE: 03/28/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1401023

CASE NAME: Dominic Juarez Special Needs Trust

HEARING:

Hearing Re: RECEIPTS/FINAL DISCHARGE

COUNSEL:

MASS MUTUAL TRUST COMPANY (PET)...PATRICK MCNALLY

SALVADOR JUAREZ (PET)...FULLERTON LEMANN SCHAEFER & DO

JAMIE JUAREZ (PET/CT)...PRO/PER

CRAIG E WILSON (PET)...CRAIG E WILSON

DOMINICK JUAREZ (REBECCA J THYNE)

NATALIE BLICKENSTAFF (JENNIFER M DANIEL)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Receipts/Final Discharge Re Jamie Juarez
(previous trustee)

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

1. Court approved Second and Final Account and Report of Co-Trustees, Jamie Juarez and Salvador Juarez on 03/22/17.
2. **Need** Ex Parte Petition for Final Discharge.

RECOMMENDATION

Inquire status.

(lh)

Future Hearing: 1/07/19: Accounting Review re 2nd Acct of Natalie Blickenstaff, successor trustee

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

DATE: 03/28/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500082

CASE NAME: MTR OF TERESA L FLECKENSTEIN

SEE ALSO 4 5 16

HEARING:

Hearing Re: OSC Re: Settlement

COUNSEL:

TIMOTHY WAYNE FLECKENSTEIN (PET)...BROCK, MARTIN & VOORHEES
TERESA L FLECKENSTEIN (DEC)...
KATHLEEN HEAD (DEF)...DAVID LIVINGSTONE TAUB
BRYAN M TURNER (DAVID LIVINGSTONE TAUB)

XREF: GARRS1300022 TANNER WAYNE FLECKENSTEIN

FAMRS1301184 KATHLEEN M HEAD -N- TIMOTHY W FLECKENSTEIN

GENERAL INFORMATION

Continued from **11/08/17**. Counsel requested to vacate trial date and reset motion re summary judgment. Notice to be given by David Livingstone Taub.

Continued from 01/10/18 at request of Counsel.

Continued from 02/28/18. Prior to hearing, Judicial Assistant received telephonic request for continuance to 03/28/18.

THIS CASE IS SET FOR HEARING ON OSC Re: Settlement

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

1. Matter set on 09/27/17, wherein, Counsel informed Court that all parties have come to a settlement. Attorney Voorhees informed Court that she will be filing a formal notice of settlement.

RECOMMENDATION

Inquire status of settlement.

(lh)

Future Hearings: 3/19/18-3/23/18: Court Trial

Superior Court of Calif, County of San Bernardino

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

DATE: 03/28/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500082

CASE NAME: MTR OF TERESA L FLECKENSTEIN

SEE ALSO 3 5 16

HEARING:

Hearing Re: Motion Re: Summary Judgment/Adjudication

COUNSEL:

TIMOTHY WAYNE FLECKENSTEIN (PET)...BROCK, MARTIN & VOORHEES
TERESA L FLECKENSTEIN (DEC)...
KATHLEEN HEAD (DEF)...DAVID LIVINGSTONE TAUB
BRYAN M TURNER (DAVID LIVINGSTONE TAUB)

XREF: GARRS1300022 TANNER WAYNE FLECKENSTEIN

FAMRS1301184 KATHLEEN M HEAD -N- TIMOTHY W FLECKENSTEIN

Currently under review by legal research.

(LR)

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

DATE: 03/28/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500082

CASE NAME: MTR OF TERESA L FLECKENSTEIN

SEE ALSO 3 4 16

HEARING:

Accounting Review

COUNSEL:

TIMOTHY WAYNE FLECKENSTEIN (PET)...BROCK, MARTIN & VOORHEES
TERESA L FLECKENSTEIN (DEC)...
KATHLEEN HEAD (DEF)...DAVID LIVINGSTONE TAUB
BRYAN M TURNER (DAVID LIVINGSTONE TAUB)

XREF: GARRS1300022 *TANNER WAYNE FLECKENSTEIN*

FAMRS1301184 *KATHLEEN M HEAD -N- TIMOTHY W FLECKENSTEIN*

GENERAL INFORMATION:

**Continued from 7/13/16, 09/21/16, 11/30/16, 02/01/17, 04/19/17, 06/28/17, 09/27/17
and 01/10/18.**

Continued from 02/28/18.

THIS CASE IS SET FOR HEARING ON Accounting/Status Review re Timothy
Fleckenstein

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

1. Letters of Administration issued to Timothy Fleckenstein, spouse, on 4/27/15,
\$20,000 bond.
2. **Need** final inventory & appraisal.
3. **Need** an accounting or status report.

RECOMMENDATION:

Need to clear notes 2-3.

(sa/lc/ww/lh)

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

DATE: 03/28/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600052

CASE NAME: RAYMOND STUART MORFORD

HEARING:

Accounting Review

COUNSEL:

WINDA GALE MORFORD (PET)...PRO/PER
RAYMOND STUART MORFORD (DEC)...

GENERAL INFORMATION

Continued from 12/06/17. Court set OSC re Surcharge of \$500 for FTA.

Continued from 01/17/18. Court took off OSC re surcharge. Accounting review was reset for 03/28/18. Court ordered Wanda Morford to be present on 03/28/18 and file declaration re estate by 4PM on 02/28/18.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Administration issued to Winda Morford on 09/27/16 with full authority and no bond.
2. Declaration by Winda Morford filed 02/28/18 indicates real property was lost to foreclosure on 01/05/17 with attached Trustee's Deed Upon Sale.
3. **Need** final Inventory and Appraisal with supporting financial statements per Local Rule 20-908.
4. **Need** final account and report.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 03/28/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600642

CASE NAME: MTR OF ERVHINS HURTADO

SEE ALSO 8

HEARING:

Hearing Re: OSC RE SANCTIONS \$500.00/SURCHARGE \$1,000.00

COUNSEL:

LISSET A CORDOVI (PET)...PRO/PER
ERVHINS HURTADO (DEC)...

GENERAL INFORMATION

Continued from 01/10/18. No appearance. Court set OSC sanctions of \$500 and surcharge in amount of \$1,000 on Lissett A Cordovi for failure to appear and file accounting. Citation issued to Lissett A. Cordovi.

THIS CASE IS SET FOR HEARING ON **OSC re Sanctions/Surcharge** and Accounting Review re Lisset Cordovi, administrator

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

1. Letters of Administration issued to Lisset Cordovi on 11/02/16 with full authority; no bond.
2. **Need** final Inventory and Appraisal with supporting financial statements per Local Rule 20-908.
3. No accounting or status report of administration. **Need** same.
4. **Need** return of citation with proof of personal service. **Proof of Unsuccessful Service filed 02/26/18.**
5. **Declaration of Lisset Cordovi, and attached letter from physician filed 03/07/18**

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/28/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600642

CASE NAME: MTR OF ERVHINS HURTADO

SEE ALSO 7

HEARING:

Accounting Review

COUNSEL:

LISSET A CORDOVI (PET)...PRO/PER
ERVHINS HURTADO (DEC)...

Waiver of Court Fees and Costs filed by LISSET A CORDOVI is GRANTED

See notes on prior matter #7.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/28/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600812

VACATED

CASE NAME: MTR OF JIMMY ROMERO

HEARING:

Accounting Review

COUNSEL:

HEATHER ROMERO (PET)...PRO/PER
JIMMY ROMERO (DEC)...
MICHAEL A ROMERO (PET)...BRYAN C. HARTNELL
STATE OF CALIFORNIA FRANCHISE TAX BOARD (TP)...PRO/PER

Status Report filed 03/20/18.

Future hearing date: 05/10/18 Status Report by Michael A. Romero

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

DATE: 03/28/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600941

CASE NAME: MTR OF KIM C WILLIAMS

HEARING:

PETITION FOR FINAL DISTRIBUTION Account and Report of ERIC J WILLIAMS and Petition for allowance of fees filed.

COUNSEL:

ERIC J WILLIAMS (PET)...LAW OFFICES OF HOWARD R HAWKIN
KIM C WILLIAMS (DEC)...

GENERAL INFORMATION:

Continued from 02/28/18 at request of Counsel to clear probate notes.

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution on Waiver of Final Account and for Attorney Fees by Eric J. Williams (administrator)

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

1. Assets on hand: \$66,499.76, cash
2. Statutory fees of \$6,832.53, each, requested by petitioner and attorney. Calculated.
3. Notice was given.
4. No proposed Order submitted. Submit after hearing.

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final discharge to include informal account re reserves for **03/06/19**.

(lh)

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

DATE: 03/28/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601112

CASE NAME: BILL RAYMOND JACOBS

HEARING:

Accounting Review

COUNSEL:

MARCELLO JACOBS	(PET)...HORSPPOOL & HORSPPOOL
BILL RAYMOND JACOBS	(DEC)...
JAMES L LEESTMA	(TP)...PRO/PER

XREF: PROPS1601154 *THE CLARENCE LAVON & AGNES MARGUERITE JACOBS FAMILY*

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Marcello Jacobs

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

1. Marcello Jacobs appointed administrator with full authority and \$20,000 bond, on 01/18/17.
2. Final Inventory and Appraisal filed 01/17/18; however, item #5 is incomplete.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/28/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601123

VACATED

CASE NAME: MTR OF LINDA MARIE SMITH

HEARING:

Accounting Review

COUNSEL:

CHANEEN SMITH	(PET)...PRO/PER
CARA SMITH	(PET)...PRO/PER
LINDA MARIE SMITH	(DEC)...
DEPT OF HEALTH CARE SERVICES	(TP)...PRO/PER

Final Account filed 03/06/18.

Future hearing date: 04/30/18 – First Account and Report of Chaneen and Cara Smith

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

DATE: 03/28/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700481

CASE NAME: YU HSIN CHIEN

HEARING:

FIRST AND FINAL REPORT ON WAIVER OF Account and Report of HSIU
LIN CHIEN and Petition for allowance of fees filed.

COUNSEL:

HSIU LIN CHIEN (PET)...LAW OFFICES OF YVONNE HS U
YU HSIN CHIEN (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of First and Final Account and Report
and Petition for Fees and Final Distribution by Hsiu Lin Chien, (spouse/administrator)

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

1. Assets on hand: \$534,595.91, consisting of \$24,595.91 cash and remaining in real property.
2. Petitioner waives statutory fees.
3. Attorney requests statutory fees of **\$13,691.92** requested. Calculated.
4. Estate consists entirely of community property of petitioner and decedent. Petitioner proposes 100% distribution to herself as the surviving spouse. However, it appears petitioner is only entitled to 1/3 of the estate as decedent has two adult children who have not assigned interest. **Question how administrator is entitled to 100% distribution of estate? Need points and authorities to support request.**
5. **Need** bank/investment statements verifying date of death balances and final ending balance per Local Rule 20-908.
6. **Need** verified supplement indicating if cash has been invested and maintained in an interest bearing account. Pr. C. § 1064(a)(5).
7. Petitioner requests reserve of **\$10,000**. Note: if approved, need informal account for reserves per Local Rule 20-911 prior to filing ex parte petition for final discharge. **JTD**
8. Notice was given.
9. No proposed order submitted.

RECOMMENDATION:

Need to clear notes 4-6 then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge to include informal account re reserves for **04/03/19**.

(lh)

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

DATE: 03/28/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700491

CASE NAME: RICK HIEBERT

HEARING:

First and final Account and Report of KIMBERLY CATHERINE ANDREWS TOYER and Petition for allowance of fees filed.

COUNSEL:

KIMBERLY CATHERINE ANDREWS TOYER (PET)...MICHAEL C MADDUX
RICK HIEBERT (DEC)...
SURETEC INSURANCE COMPANY (TP)...

Waiver of Court Fees and Costs filed by KIMBERLY CATHERINE ANDREWS TOYER is GRANTED
TOTAL FEES WAIVED OT DATE \$1362.50

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Report of Administrator; Petition

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

1. Assets on hand: **\$158,043**, cash
2. Petitioner requests statutory fees of \$8,800 less \$5,000 for early distribution for a total of **\$3,800**.
3. Attorney request statutory fees of **\$8,800**. Calculated.
4. Attorney requests extraordinary fees of **\$7,800** for 24 hours at \$325/hour for attorney service re foreclosure, sale of real property, and unlawful detainer proceedings. Itemized. [Acct, 01/04/18, LFpg7]
5. Court approved preliminary distribution to Kimberly Toyer (spouse) for deposit and rent on alternate housing for \$5,000; payment to bond services for premium \$410, and payment to probate referee for \$325. However, disbursements are not indicated in Schedule B. **Need** clarification via verified supplement and amended schedules/summary of account. **Supp filed 03/19/18; however, it cannot be determined if account balances. Need proper Summary of Account to include Charges and Credits with revised Schedule B disbursements.**
6. **Supp 03/19/18** proposes 1/3 of the estate to be distributed to petitioner and remaining 2/3 to be divided in equal shares to decedent's issue: Julie Ann

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.

Hiebert; Jennifer Michele Hiebert, Dylan Fredrick Hiebert; and Cheyenne Janna Hiebert per Pr. C. §6401(c)(3)(A).

7. Court previously approved waiver of Court fees and costs totaling \$1,362.50. However, estate is of sufficient size to repay fees. Does Court wish to readdress issue? **Supp 03/19/18, petitioner will pay Court fees and costs totaling \$1,362.40 and submit revised proposed order.**
8. Notice was given.
9. Proposed order submitted 03/19/18 includes payment to Superior Court for \$1,362.50 twice. Need revised proposed order.

RECOMMENDATION:

Need to clear note #5 then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **04/03/19**.

(lh)

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

DATE: 03/28/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701182

CASE NAME: Theodore A Wright Jr

HEARING:

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

COUNSEL:

TAHIRA WRIGHT (PET)...MICHAEL C MADDUX
THEODORE A WRIGHT (DEC)...

GENERAL INFORMATION:

Continued from 01/10/18 and 02/28/18 at request of counsel to clear probate notes.

THIS CASE IS SET FOR HEARING ON THIS CASE IS SET FOR HEARING ON
Petition for Probate of Will, with Will Annexed, and for Letters of Administration with
full authority under IAEA by Tahira Wright (daughter)

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

1. Petition requests Court waive bond; however, bond waivers by beneficiaries, Zyana Wright and Addie W. Wright, have not been filed. Also, petitioner Tahira Wright is a non-resident in New Jersey. Suggested bond \$123,423.00. JTD.
2. **Need** Proof of Publication.
3. ~Proposed form Order: 11/27/17

RECOMMENDATION:

Need to clear note #2. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **06/05/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

Superior Court of Calif, County of San Bernardino
Page: 15A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 03/28/18 TIME: 8:30 DEPT: S35P

CASE#: SLC SS02417

CASE NAME: MTR OF JACKIE BIRDSALL

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
JACKIE BIRDSALL (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re 13th Acct by PG

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

1. Order on waiver of 12th account was entered 02/08/18 for account period ending 11/30/17.
2. It appears this matter was calendared in error by examiner as the 13th accounting is not due until 11/30/18. Suggest Court continue current hearing to **01/28/19**, or later Monday accounting.

RECOMMENDATION

Court to continue to **01/28/19** (if one year) or **01/27/20** (if two hears).

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/28/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1500082

CASE NAME: MTR OF TERESA L FLECKENSTEIN

SEE ALSO 3 4 5

HEARING:

Petition for DETERMINATION THAT PERSONAL PROPERTY AND REAL
PROPERTY BE FOUND BELONG TO THE ESTATE ETC

COUNSEL:

TIMOTHY WAYNE FLECKENSTEIN (PET)...BROCK, MARTIN & VOORHEES
TERESA L FLECKENSTEIN (DEC)...
KATHLEEN HEAD (DEF)...DAVID LIVINGSTONE TAUB
BRYAN M TURNER (DAVID LIVINGSTONE TAUB)

XREF: GARRS1300022 *TANNER WAYNE FLECKENSTEIN*

FAMRS1301184 *KATHLEEN M HEAD -N- TIMOTHY W FLECKENSTEIN*

GENERAL INFORMATION

Continued from **11/08/17**. Counsel requested to vacate trial date and reset motion re
summary judgment. Notice to be given by David Livingstone Taub.

Continued from 01/10/18 at request of Counsel.

Continued from 02/28/18.

THIS CASE IS SET FOR HEARING ON OSC Re: Settlement

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

1. Matter set on 09/27/17, wherein, Counsel informed Court that all parties have
come to a settlement. Attorney Voorhees informed Court that she will be filing a
formal notice of settlement.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 03/28/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1600282

CASE NAME: MTR OF JAMES JOSEPH PIPOLO

HEARING:

Motion Re: Ntc of mtn & mtn to be relieved as counsel filed by
Petitioner EVAN PIPOLO

COUNSEL:

EVAN PIPOLO (PET)...GREGORY L ZUMBRUNN
JAMES JOSEPH PIPOLO (DEC)...

GENERAL INFORMATION:

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

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

1. Petitioner, Gregory Zumbrunn, makes this motion to be relieved as counsel under Code of Civil Procedure section 284(2) instead of filing consent under section 284(1) due to a breakdown in communication making it unreasonable to continue representation. Zumbrunn Law Corporation has made several attempts to contact client through mail and telephone with no response to date.
2. ~Proposed Form Order: 01/10/18

RECOMMENDATION:

Court's discretion.

(lh)

Future Hearing: 6/27/18: Accounting Review

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIPS**

DATE: 03/28/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500195

CASE NAME: RUTH PISCIONERI

HEARING:

Petition for PAYMENT OF DEBTS INCURRED FOR NECESSARIES OF LIFE
AND LIVING EXPENSES OF CONSERVATEE

COUNSEL:

SEAN PISCIONERI	(PET/CPE)...PRO/PER
JOANNA AVERETT	(CPE)...MAUREEN MURATORE
COLLEEN J STEPHEN	(PCR)...KRISTINE BORGIA
RUTH E PISCIONERI	(PCE/CEP/CEE)...WALTER T. MOORE
WALTER T MOORE	(PET)...WALTER T. MOORE
COLLEEN STEPHEN	(PET)...FULLERTON LEMANN SCHAEFER & DO

GENERAL INFORMATION

Continued from 11/29/17 at request of Keith Walker. Notice to be given either by Keith Walker or the attorney representing Sean Piscioneri.

Continued from 02/14/18. Pro Tem Judge, Mitchell I. Roth, recuses himself from this matter. Notice to be given by Attorney Thomas Dominick.

THIS CASE IS SET FOR HEARING ON Petition for Payment of Debts Incurred for Necessaries of Life and Living Expenses by Sean Piscioneri (son/prior temporary conservator)

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

1. Petitioner Sean Piscioneri was appointed temporary conservator of the person on 09/16/15 thru 04/29/16.
2. Petitioner alleges he was the primary caregiver of conservatee from 08/01/15 through 05/20/16 and spent a minimum of 40 hours per week taking care of conservatee during this period.
3. Petitioner alleges on 08/01/15, conservatee fell at her home resulting in a broken hip. For a period of two weeks, petitioner solely provided 24-hour care to conservatee.
4. Petitioner seeks compensation of **\$58,080** for 1,936 hours at \$30/hour. **Need itemization of services via verified supplement.**

5. Petitioner seeks reimbursement of **\$1,800** of rent at \$600/month paid to trustee Collen Stephen. Petitioner contends he purchased a nearby home, but remained in conservatee's home as a live-in caregiver. **Need itemization of rent via verified supplement.**
6. Petitioner seeks reimbursement of groceries, sundries, and meals provided to conservatee at **\$2,200**, and for funeral expenses at **\$1,000**. **Need itemization of reimbursements via verified supplement.**
7. **Need** Notice of Hearing and Proof of Service as to Walter Moore.
8. No proposed order submitted.

RECOMMENDATION

Need to clear notes 4-7, then Court's discretion.

(lh)

Future Hearing: 6/18/18: Hearing Re: Final Discharge

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

DATE: 03/28/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600172

CASE NAME: MTR OF AURA E SEVILLA-VARGAS

SEE ALSO 20

HEARING:

Hearing Re: OSC RE DISMISSAL OF PETITION FOR ESTATE POWERS

COUNSEL:

MELISSA A JOHNSON (CP)...PRO/PER
AURA E SEVILLA-VARGAS (CTP)...

GENERAL INFORMATION

Continued from 12/27/17. Action came on for issued re conservatorship of estate. Court orders that on endorsement of Melissa A Johnson, Court orders any bank to accept for deposit any check payable to Melissa A Johnson or Aura E Sevilla-Vargas, or both Melissa A. Johnson and Aura E Sevilla-Vargas.

Continued from 02/07/18. No appearance. Court OSC re dismissal. If petitioner does not appear at OSC, Court will dismiss the petition.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator of the Estate by Melissa A. Johnson (daughter)

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

1. Petitioner, Melissa A. Johnson, was appointed conservator of the person on 06/08/17, and now seeks to be appointed as conservator of the estate.
2. Petitioner requests no bond. Estate qualifies for bond waiver under Pr. C. §2628 as current assets are \$579, cash. **Question if conservatee's income is solely public benefits; if so, is petitioner representative payee? Court to inquire**
3. Petitioner seeks all powers under Pr. C. §2590 to sell real/personal property, including personal residence, borrow money, purchase/improve real property, lease property, lend money, etc. **Question if conservatee owns real property? Court to inquire.**
4. ~Proposed Form Order: 11/15/17

RECOMMENDATION

Court's discretion. If approved, set hearing for Compliance Review for **10/31/18** for the filing of the required documents and hearing re Accounting Review for **06/05/19**. Any accounting to be filed 30 days in advance.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/28/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600172

CASE NAME: MTR OF AURA E SEVILLA-VARGAS

SEE ALSO 19

HEARING:

Petition for Appointment of Conservator

COUNSEL:

MELISSA A JOHNSON (CP)...PRO/PER
AURA E SEVILLA-VARGAS (CTP)...

See notes on prior matter #19.

(lh)

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

DATE: 03/28/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700141

CASE NAME: APRIL EDWARDS

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of DEBBIE EDWARDS

COUNSEL:

DEBBIE EDWARDS	(PET)...M DANIEL SAYLOR
JON RICHARDS	(CE)...THOMAS W DOMINICK
APRIL EDWARDS	(CEE)...DONNASUE ORTIZ

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

- 1 Jon Richards (friend) was appointed conservator of the estate, only, on 08/23/17.
- 2 Notification of Conservatee's Rights filed.
- 3 **Need** final Inventory & Appraisal per Pr.C. §2610.
- 4 **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
- 5 If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION:

Inquire status.

(lh)

Future Hearing: 11/07/18 Accounting Review

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

DATE: 03/28/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700231

CASE NAME: FERNANDO RANDOLPH AGUILAR

HEARING:
Petition for Appointment of Conservator

COUNSEL:

PEACHES MORENO (PET)...PRO/PER
FERNANDO RANDOLPH AGUILAR (CTP)...JAMES B CHURCH

GENERAL INFORMATION

Continued from **08/02/17**. James Church appointed counsel.

Continued from 10/04/17. Petitioner states maternal grandfather is deceased. Petitioner to bring with her to the next hearing date any and all documentation as to the civil lawsuit and funds received and placed in the attorney/client trust account on behalf of Fernando Randolph Aguilar.

Continued from 11/29/17.

Continued from 02/14/18. Counsel represents conservator's mother recently passed away and requests continuance.

THIS CASE SET FOR HEARING ON Petition for Appointment of **Limited** Conservator person only by Peaches Moreno, adoptive mother.

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

1. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Proposed conservatee is developmentally disabled. **Declaration and Report of Counsel Church filed 09/28/17.**
3. Proposed conservatee is developmentally disabled. **IRC report filed 10/04/17.**
4. Petitioner seeks civil rights not be limited without court order. JTD
5. Petitioner seeks funds of \$8,751.20 be placed into a blocked account at Bank of America re Special Needs Trust. **Need** verified supplement.
 - a. Question if there is an existing SNT? If so, does court wish to take jurisdiction over trust.
 - b. Question if petitioner is seeking to establish a SNT?

- c. Question the need for estate powers if there is a SNT in existence?
6. Powers under Pr.C. § 2590 et seq. are granted in the court's discretion. The court cannot properly exercise its discretion in the absence of a declaration indicating what specific powers are sought and why each power sought is actually needed. **Need** verified supplement
7. Petitioner seeks medical powers. **Need** Capacity Declaration.
8. Court Investigator report filed 07/27/17.
9. Certificate of Completion of the Conservatorship Training Class filed 08/03/17.
10. Return of Citation with proof of personal service filed 07/17/17.
11. ~Proposed Form Order: 06/20/17.

RECOMMENDATION

Need to clear notes 5-7. If approved, set hearing for Compliance Review for **10/31/18** for the filing of the required documents and hearing re Accounting Review for **06/05/19**. Any accounting to be filed 30 days in advance.

(lc/lh/lc/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/28/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700262

CASE NAME: MTR OF KATHRYN LEIGH DAVIS

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of CHERYL DAVIS

COUNSEL:

CHERYL DAVIS (CP)...PRO/PER
DAVID DAVIS (CP)...PRO/PER
KATHRYN LEIGH DAVID (CTP)...JEANNE E KENNEDY

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Cheryl Davis and David Davis (parents) were appointed limited co-conservators of the person on 08/23/17.
2. Proof of service of conservatee's rights filed. However, section 5 is not dated. Question if copy of Order for Conservatorship was served?
3. Determination of Conservatee's Appropriate Level of Care filed.
4. Care Plan filed.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 03/28/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800030

CASE NAME: MTR OF PATRICK RAMSEY

HEARING:

Petition for Appointment of Conservator

COUNSEL:

STEPHEN RAMSEY	(CP)...CHRISTOPHER A POULOS
MICHELLE RAMSEY	(CP)...CHRISTOPHER A POULOS
PATRICK RAMSEY	(CTP)...MARIVEL M ZIALCITA

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Stephen and Michelle Ramsey, parents

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

1. Proposed conservatee will not reach age of majority until 04/01/18. **JTD**
2. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, consent/withhold consent to marriage, limit right to contract, control social/sexual contacts, and make decisions re education. **JTD**
3. Petitioner seeks to limit all civil rights listed in note #1. **JTD**
4. Petitioner seeks medical powers. Capacity Declaration filed 02/13/18.
5. Proposed conservatee is developmentally disabled. **Need** appointment of counsel for report.
6. Proposed conservatee is developmentally disabled. **Need** IRC report.
7. **Need** Court Investigator report.
8. Proof of Completion of the Conservatorship Training Class from Patrick Ramsey filed 03/13/18.
9. Return of Citation filed 02/27/18.
10. Notice was given.
11. ~Proposed Form Order: 02/21/18

RECOMMENDATION

Need to clear notes #5-7. If approved, set hearing for Compliance Review for **10/31/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PUBLIC GUARDIAN**

DATE: 03/28/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1800025

VACATED

CASE NAME: MTR OF GRACE Z HULTS

HEARING:

Petition for Appointment of Conservator

COUNSEL:

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

GRACE Z HULTS

(CEP)...SHERRI L KASTILAHN

PUBLIC GUARDIAN

(PET)...COUNTY COUNSEL

Future hearing date: 04/02/18 – Petition for Conservatorship (PG)

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

DATE: 03/28/18 TIME: 10:00 DEPT: S35P

CASE#: SLC SS02917

CASE NAME: MTR RE VICTOR LEE MATSON

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN
VICTOR MATSON

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

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re 8th Acct by PG

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

1. Order on waiver of 7th account was entered 02/09/18 for account period ending 11/30/17.
2. It appears this matter was calendared in error by examiner as the 8th accounting is not due until 11/30/18. Suggest Court continue current hearing to **01/28/19**, or later Monday accounting.

RECOMMENDATION

Court to continue to **01/28/19** (if one year) or **01/27/20** (if two hears).

(lh)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **PROBATE**

DATE: 03/28/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1200854

CASE NAME: ALFRED CHARLES LAWRENCE

HEARING:

Hearing re Final Discharge

COUNSEL:

VALERIE LAWRENCE HANNIGAN

(PET)...BURLISON LAW GROUP

ALFRED CHARLES LAWRENCE

(DEC)...

WALTER T MOORE

(PET)...WALTER T. MOORE

NEIL PATRICK HIERS

(ANY)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge of Valerie Lawrence Hannigan, administrator/sole heir

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

1. Court approved Waiver of Account and Petition for Final Distribution and Fees on 11/08/17.
2. No receipts are required as administrator is the sole heir.
3. **Need** revised Ex Parte Petition for Final Discharge and Order. Court previously rejected on 03/16/18.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 03/28/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300360

CASE NAME: MATT REMFERT

HEARING:

First and final waiver of Account and Report of ELIJAH MARSHALL
and Petition for allowance of fees filed.

COUNSEL:

ELIJAH MARSHALL (PET)...LAW OFFICE OF KYLE A PATRICK,
ELIJAH MARSHALL (PET)...E JOAN NELMS
ELIJAH MARSHALL (PET)...RYAN GALLANT
MATT REMFERT (DEC).../
MARK J ANDREW FLORY (TP)...

GENERAL INFORMATION:

Continued from 02/07/18. Court orders Attorney Mark Flory to file his petition for XO's by 02/16/18, 3PM. Clerk's office is directed to calendar the matter on 03/28/18.

THIS CASE IS SET FOR HEARING ON Waiver of First and Final Account and Report of Executor, and Petition for Fees by Elijah Marshall, executor/sole beneficiary

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

1. Accounting period: 04/06/13 to 09/30/17
2. Assets on hand: \$172,009.77
3. Petitioner waives statutory compensation.
4. Petitioner initially hired law firm of Brown White & Osborn, LLP. On 02/07/17, petitioner substituted Counsel Kyle A Patrick, PC. Petitioner requests statutory attorneys' fees to be divided: *Law Office of Kyle Patrick to receive 60% totaling \$5,9779.49; Brown White & Osborn to receive 40% totaling \$3,986.32.* Calculated. Question if attorneys have a written fee agreement?
Need verified supplement.
5. Petitioner alleges the Partial #1 Inventory and Appraisal consisting of \$111,348.88, cash, were assets probated in Washington State and should be excluded from this California probate matter.
 - a. Does Court wish to deem Partial Inventory #2 filed 11/22/1, and Partial #3 as the Final Inventory and Appraisal? **JTD**

- b. **Need** bank/investment statements verifying date of death balances on Partial #3/final Inventory and Appraisal per Local Rule 20-908.
6. Petitioner alleges the estate holds six California State unpaid property accounts which are still pending payment from the State of California. Petitioner requests Court authorize petitioner to take possession of these payments, if any are made, after distribution as he is the sole beneficiary.
JTD.
7. Notice is complete.
8. No proposed order submitted. Submit after hearing.

RECOMMENDATION:

Need to clear notes 4-5, then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **02/13/19**.

(lh)

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

DATE: 03/28/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600478

CASE NAME: MONICA G WHITE LIVING TRUST

HEARING:

Order to Show Cause RE: Status of Settlement/Proof of Settlement

COUNSEL:

PATRICK WHITE	(PET)...DANIEL E KATZ
BRIAN WHITE	(PET)...DANIEL E KATZ
JEFFREY WHITE	(PET)...DANIEL E KATZ
KELLI ZIENOWICZ	(PET)...DANIEL E KATZ
THE MONICA G WHITE LIVING TRUST	(TRU)...PRO/PER
EVAN S WHITE	(OBJ)...ORLAND LAW GROUP
SEAN WYMAN	(ORLAND LAW GROUP)

GENERAL INFORMATION

Continued from 12/27/17 at request of Counsel. Counsel represents parties reached a settlement in November and requests continuance to allow additional time to provide a written settlement agreement under CCP §664.6 and to proceed with property sale.

THIS CASE IS SET FOR HEARING ON OSC Proof of Settlement

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

1. Matter set on 11/20/17, wherein, parties indicate they reached a settlement agreement and is out for signature to parties. All exhibits returned to parties this date with order to retain in trial condition until the expiration of appeal period.
2. **Need** proof of settlement agreement.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 03/28/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600674

CASE NAME: MTR OF DENNIS RONALD ALLRED

HEARING:

FIRST AND FINAL Account and Report of CAROL ALLRED and Petition
for allowance of fees

COUNSEL:

CAROL ALLRED (PET)...PETER M BOCHNEWICH
DENNIS RONALD ALLRED (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of First and Final Account and Report
and Petition for Fees and Final Distribution by Carol M. Allred, Administrator/sole
beneficiary

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

1. Assets on hand: \$184,723.16, cash
2. Petitioner and attorney request statutory fees of **\$6,541.69**,
each. Calculated.
3. Attorney requests extraordinary fees of **\$3,790.50** for 10.55 hours at
\$360/\$350 per hours for assistance with Medi-Bill interactions regarding an
injury settlement award received by decedent. Itemized. [Acct, 2/13/18,
LFpg43-44]. **JTD**
4. Decedent's issue, Ronald Allred and Cynthia Allred, assigned any and all
interest in the estate to petitioner. [Acct, 02/13/18, LFpgs18-26].
5. Petitioner is the sole beneficiary and waives accounting.
6. Notice is complete.
7. No proposed order submitted. Submit after hearing.

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final
discharge **04/03/19**.

(lh)

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

DATE: 03/28/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600744

CASE NAME: MTR OF ALICE L WALL

SEE ALSO 6, 6A

HEARING:

Hearing Re: Accounting Review (General Administration)

COUNSEL:

JENNIFER JUNE WALL WALSTEN (PET)...LUELLA G HAIRSTON

ALICE L WALL (DEC)...

BILL WALL (PET)...EDWARD G. OPERINI

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Jennifer June Wall Walsten (daughter/executor)

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

1. Jennifer June Wall Walsten was appointed executor on 11/30/16 with full authority; letters issued 01/10/17, and \$638,000 bond filed.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting and status report.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 03/28/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600744

CASE NAME: MTR OF ALICE L WALL

SEE ALSO 5, 6A

HEARING:

Amended FIRST AND FINAL Account and Report of Special Administrator
JENNIFER JUNE WALL WALSTEN and Petition for allowance of fees

COUNSEL:

JENNIFER JUNE WALL WALSTEN (PET)...LUELLA G HAIRSTON
ALICE L WALL (DEC)...
BILL WALL (PET)...EDWARD G. OPERINI

GENERAL INFORMATION

Continued from **03/30/17, 05/18/17 and 07/06/17** at request of counsel. The Court notes general letters testamentary were previously issued and therefore sets a Hearing Re: 1st accounting for general administrator on 3-29-18.

Continued from **10/17/17** Sisters are in negotiations/to file accounting.

Continued from 11/28/17 to complete accounting.

Continued from 01/22/18. Court advanced the 1st accounting hearing set for 03/29/18 and continued to 03/28/18. Notice to be given to Attorney Cheryl Houde.

THIS CASE SET FOR HEARING ON **Amended (07/10/17)** First and Final Account of **Special Administrator** by Jennifer June Wall Walsten, daughter.

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

1. Letters of special administration issued to June Wall Walsten on 10/28/16; general letters of testamentary issued 01/10/17; \$638,000 bond.
2. Accounting period 05/12/11 to 01/10/17.
3. Assets on hand \$505,252.73
4. Summary of account does not comply with Pr.C. § 1061. **Need** proper summary of account and schedules.
5. Partial and reappraisal for sale inventories filed 03/23/17. Final Inventory and Appraisal has yet to be filed.
6. Petition indicates a completed inventory has yet to be conducted as Petitioner has been unable to gain access to autos and the Bennet Avenue residence. However, Property on Hand [LF, pg. 3] includes subject real and personal

property. **As this account is for special administration, Petitioner should only account for assets she has actually marshalled.**

7. Petition makes reference to an attached "Exhibit A" in regards to funds and the statement of the estate account; however, one is not attached. [LF pg. 3] **Need same.**
8. No proposed order. Submit order after hearing.

RECOMMENDATION

Need proper accounting to be set on first check calendar no sooner than **05/10/18.**

(lc/nb/ww/lh)

Superior Court of Calif, County of San Bernardino

Page: 6A ADD-ON

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

DATE: 03/28/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600744

CASE NAME: MTR OF ALICE L WALL

SEE ALSO 5, 6

HEARING:

PETITION FOR STAY OF UNLAWFUL DETAINER; POSSESSION OF FAMILY
DWELLING AND EXEMPT PERSONAL PROPERTY

COUNSEL:

JENNIFER JUNE WALL WALSTEN (PET)...LUELLE G HAIRSTON
ALICE L WALL (DEC)...
BILL WALL (PET)...EDWARD G. OPERINI

Currently under review by legal research.

(LR)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/28/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600757

CASE NAME: MTR OF VERNON JEROME PETERSON

SEE ALSO 7A, 7B, 7C, 7D, 7E

HEARING:

Second Account and Report of KIMBERLY P TREBING and Petition for allowance of fees

COUNSEL:

KIMBERLY P TREBING	(PET)...GREGORY T ANNIGIAN
VERNON JEROME PETERSON	(DEC)...
RANDALL PETERSON	(PET)...VOORHEES LAW GROUP
LARRY PETERSON	(TP)...DAMIEN J SNOW
INHERITANCE FUNDING CO	(PRO/PER)
MICHAEL C MADDUX	(MICHAEL C MADDUX)
SURETEC INSURNACE COMPANY	
SHAWN PETERSON	(SCOTT K MAXWELL PROF)
TIMOTHY J MCELFIH	(FERRUZZO & FERRUZZO, LLP)
DUSTIN D SICHON	(FERRUZZO & FERRUZZO, LLP)

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

Waiver of Court Fees and Costs filed by KIMBERLY P TREBING is GRANTED
TOTAL FEES WAIVED TO DATE: \$990.00

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Second Account and Report and Petition for Allowance of Fees by Administrator, Kimberly P. Trebing

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

1. **Amended First Account of Special Administrator filed 06/20/17 has not been approved by Court. Need Order on Amended First Account of Special Administrator prior to approval of this "Second" Account and Report.** *Note: Hearing on amended first account set on 03/01/18 was previously vacated. However, no future hearing on calendar.*
2. Accounting period: 12/29/16 through 11/15/17
3. Partial #1 Inventory and Appraisal filed 02/20/18. **Need Final Inventory and Appraisal.**

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. Assets on hand: \$2,723,601.13, consisting of \$714,601.13 in cash and remaining in real property. However, petitioner alleges not all assets have been marshalled.
5. Petitioner requests partial payment of statutory fees of \$21,500.00. **Need verified supplement with calculation.**
6. Petitioner requests reimbursement for advanced costs in the amount of \$8,508.76 and \$1,054.57. **Need verified supplement with itemization.**
7. **Need** bank/investment statements supporting final ending balance per Local Rule 20-908.
8. Petitioner identifies expenses that were incurred and paid totaling \$1,275.05 for postage and \$542.56 for office expenses. **Need verified supplement itemizing expenses.**
9. **Need** property description to include complete legal description and assessor parcel numbers regarding real property.
10. **Need** statement of liabilities to include whether notice was given to creditors.
11. **Need** verified supplement which includes addresses of beneficiaries receiving real property.
12. **Need** findings re: sole and separate property.
13. **Need** verified supplement indicating if cash has been invested and maintained in an interest bearing account. Pr.C.§ 1064(a)(5).
14. **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.
15. **Need** statement regarding notice to Director of Health Care Services or notice per Pr. C. § 9202(a). **Need** verified supplement.
16. **Need** statement regarding notice to California Victim and Compensation and Government Claims Board or notice per Pr. C. § 9202(b). **Need** verified supplement.
17. **Need** statement regarding notice to Franchise Tax Board or notice per Pr. C. § 9202(c)(1).
18. **Need** Notice of Hearing and Proof of Service to include copy of accounting to parties with request for special notice.
19. No proposed order submitted.

RECOMMENDATION:

This accounting does not appear to be a true and complete accounting and should be deemed in the nature of a status report. There is insufficient information and known defects that should preclude the Court from approving this accounting period. **Need** an amended accounting and corrected I&As. Suggest Court continue to first check no earlier than **05/16/18**. Accounting to be filed 30 days in advance of next hearing per Local Rule 20-901.

Court to set hearing re Amended First Account and Report of Special Administrator to trail Second Account and Report.

Superior Court of Calif, County of San Bernardino

Page: 7A add-on

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 03/28/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600757

VACATED

CASE NAME: MTR OF VERNON JEROME PETERSON

SEE ALSO 7, 7B, 7C, 7D, 7E

HEARING:

Accounting Review

COUNSEL:

KIMBERLY P TREBING

(PET)...GREGORY T ANNIGIAN

VERNON JEROME PETERSON

(DEC)...

RANDALL PETERSON

(PET)...VOORHEES LAW GROUP

LARRY PETERSON

(TP)...DAMIEN J SNOW

INHERITANCE FUNDING CO

(PRO/PER)

MICHAEL C MADDUX

(MICHAEL C MADDUX)

SURETEC INSURNACE COMPANY

SHAWN PETERSON

(SCOTT K MAXWELL PROF)

TIMOTHY J MCELFIH

(FERRUZZO & FERRUZZO, LLP)

DUSTIN D SICHON

(FERRUZZO & FERRUZZO, LLP)

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

Waiver of Court Fees and Costs filed by KIMBERLY P TREBING is GRANTED

TOTAL FEES WAIVED TO DATE: \$990.00

Second Account and Report filed 02/14/18. See notes on prior matter #7.

(lh)

Superior Court of Calif, County of San Bernardino
Page: 7B add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 03/28/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600757

CASE NAME: MTR OF VERNON JEROME PETERSON
SEE ALSO 7, 7A, 7C, 7D, 7E
HEARING:
Hearing Re: LETTERS OF ADMINISTRATION (SUCCESSOR)

COUNSEL:

KIMBERLY P TREBING	(PET)...GREGORY T ANNIGIAN
VERNON JEROME PETERSON	(DEC)...
RANDALL PETERSON	(PET)...VOORHEES LAW GROUP
LARRY PETERSON	(TP)...DAMIEN J SNOW
INHERITANCE FUNDING CO	(PRO/PER)
MICHAEL C MADDUX	(MICHAEL C MADDUX)
SURETEC INSURNACE COMPANY	
SHAWN PETERSON	(SCOTT K MAXWELL PROF)
TIMOTHY J MCELFIH	(FERRUZZO & FERRUZZO, LLP)
DUSTIN D SICHON	(FERRUZZO & FERRUZZO, LLP)

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

GENERAL INFORMATION

Mitchell Roth appointed Special administrator on 11/15/17, bond \$300,000.

Continued from 12/20/17.

Continued from 03/01/18 by Court to be heard with 2nd Account and Report of Kimberly Trebing.

THIS CASE SET FOR HEARING ON Petition for Letters of **Successor** Administrator with **limited** authority under IAEA by Shawn Peterson, son, for Mitchell Roth.

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

1. Letters of Special Administration issued to Kimberly Trebing on 09/07/16 and general Administration on 12/29/16; limited authority \$250,000 bond. Powers suspended on 11/15/17; Letters of Special Administration issue to Mitchell Roth on 11/30/17, \$300,00 bond.
2. Petitioner requests bond of \$250,000 (present bond in estate), for monies to be held in estate account and used for the orderly administration of the estate with

- all other assets/receipts to be placed into a blocked account. Estate consists of \$3,269,200 with \$957,200 in personal property. JTD
3. Randall and Peterson Patterson, sons, nominate Mitchell Roth.
 4. **Objections filed 12/12/17 by Kimberly Trebing. Need proof of service.**
 5. ~Proposed Form Order: 11/09/17

RECOMMENDATION

Need proof of service of objections. Court's discretion re bond. Matter is contested. If approved, set Accounting/Status Review for **05/09/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.
(cs/lc)

Superior Court of Calif, County of San Bernardino
Page: 7C add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 03/28/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600757

CASE NAME: MTR OF VERNON JEROME PETERSON
SEE ALSO 7, 7A, 7B, 7D, 7E

HEARING:
Hearing Re: TRIAL SETTING CONFERENCE

COUNSEL:

KIMBERLY P TREBING	(PET)...GREGORY T ANNIGIAN
VERNON JEROME PETERSON	(DEC)...
RANDALL PETERSON	(PET)...VOORHEES LAW GROUP
LARRY PETERSON	(TP)...DAMIEN J SNOW
INHERITANCE FUNDING CO	(PRO/PER)
MICHAEL C MADDUX	(MICHAEL C MADDUX)
SURETEC INSURNACE COMPANY	
SHAWN PETERSON	(SCOTT K MAXWELL PROF)
TIMOTHY J MCELFIH	(FERRUZZO & FERRUZZO, LLP)
DUSTIN D SICHON	(FERRUZZO & FERRUZZO, LLP)

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

Waiver of Court Fees and Costs filed by KIMBERLY P TREBING is GRANTED
TOTAL FEES WAIVED TO DATE: \$990.00

TSC—no notes—JTD

Superior Court of Calif, County of San Bernardino
Page: 7D add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 03/28/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600757

CASE NAME: MTR OF VERNON JEROME PETERSON
SEE ALSO 7, 7A, 7B, 7C, 7E

HEARING:

Motion Re: Application for order of immediate removal of personal representative
Filed by Petitioner SHAWN PETERSON

COUNSEL:

KIMBERLY P TREBING	(PET)...GREGORY T ANNIGIAN
VERNON JEROME PETERSON	(DEC)...
RANDALL PETERSON	(PET)...VOORHEES LAW GROUP
LARRY PETERSON	(TP)...DAMIEN J SNOW
INHERITANCE FUNDING CO	(PRO/PER)
MICHAEL C MADDUX	(MICHAEL C MADDUX)
SURETEC INSURNACE COMPANY	
SHAWN PETERSON	(SCOTT K MAXWELL PROF)
TIMOTHY J MCELFISH	(FERRUZZO & FERRUZZO, LLP)
DUSTIN D SICHON	(FERRUZZO & FERRUZZO, LLP)

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

Waiver of Court Fees and Costs filed by KIMBERLY P TREBING is GRANTED
TOTAL FEES WAIVED TO DATE: \$990.00

Currently under review by legal research.

(LR)

Superior Court of Calif, County of San Bernardino
Page: 7E add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 03/28/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600757

CASE NAME: MTR OF VERNON JEROME PETERSON
SEE ALSO 7, 7A, 7B, 7C, 7D

HEARING:

Petition for REMOVAL OF ADMINISTRATOR AND REVOCATION LETTERS OF
ADMINISTRATION; SURCHARGE AND REMOVAL ETC

COUNSEL:

KIMBERLY P TREBING	(PET)...GREGORY T ANNIGIAN
VERNON JEROME PETERSON	(DEC)...
RANDALL PETERSON	(PET)...VOORHEES LAW GROUP
LARRY PETERSON	(TP)...DAMIEN J SNOW
INHERITANCE FUNDING CO	(PRO/PER)
MICHAEL C MADDUX	(MICHAEL C MADDUX)
SURETEC INSURNACE COMPANY	
SHAWN PETERSON	(SCOTT K MAXWELL PROF)
TIMOTHY J MCELFISH	(FERRUZZO & FERRUZZO, LLP)
DUSTIN D SICHON	(FERRUZZO & FERRUZZO, LLP)

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

GENERAL INFORMATION

Continued from 05/31/17. I&A to be filed by 06/30/17 and accounting by 08/31/17.
Discovery has not yet begun.

Continued from 09/27/17. Mr. Annigan reports parties have met and conferred and
are attempting settlement. He further reports his is waiting for the inventory and
appraisal. Notice to be given by Mr. Annigan.

Continued from 11/15/17 and 12/20/17.

**Continued from 03/01/18 at request of Court to be heard with 2nd Account and
Report of Kimberly Trebing.**

THIS CASE SET FOR HEARING ON Petition for Removal of Administrator and
Revocation of Letters Pr.C. § 8503A, Surcharge for Breach or in the Alternative,
appointment of independent Pr.C. § 16000 and Petition for Allowance of Fees by
Randall Peterson, son.

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 Special Administration issued to Kimberly Trebing on 09/07/16 and general Administration on 12/29/16; limited authority \$250,000 bond.
2. Petitioner seeks removal of administrator Kimberly Trebing. Petitioner alleges that Kimberly has not taken any action relating to the decedent's rental property insurance. Petitioner further alleges that grounds for removal are based on wasted or mismanagement of estate. Rental property have reportedly past due utilities etc.
3. **Supp 09/25/17** contains further allegations as to improper accounting, property used for executor's benefit, unaccounted property, neglect, etc. However, no supporting documentation has been filed.
4. **Supp 11/07/17** asserts administrator continues to waste and mismanage estate; four properties remain unsold; administrator is incapable of properly executing duties and is now on her 5th attorney, and continues to defy court orders by failing to provide account statements every 60 days. Petitioners request a third-party administrator.
5. **Objection filed by Kimberly Trebing on 05/23/17 and 02/14/18.**
6. Bonding company has been noticed.

RECOMMENDATION

Court's discretion.

(lc/lh/lc/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/28/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600826

CASE NAME: MTR OF LUCY M ESTRADA

HEARING:

Accounting Review by Paul Estrada

COUNSEL:

PAUL ESTRADA (PET)...LAW OFFICE OF DAVID T EGLI
LUCY M ESTRADA (DEC)...

GENERAL INFORMATION

Continued from 12/14/17 to file an accounting.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Paul Estrada, son, on 10/06/16; full authority, no bond.
2. **Final** Inventory and Appraisal filed.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear note #3.

(lc/lh)

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

DATE: 03/28/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600865

CASE NAME: MTR OF DAVID ALLEN DUNCAN

HEARING:

First and final Account and Report of PAUL DUNCAN and Petition
for allowance of fees filed.

COUNSEL:

PAUL DUNCAN (PET)...KYLE A PATRICK
DAVID ALLEN DUNCAN (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of First and Final Account and Report
of Administrator and Petition for Final Distribution and Payment of Fees by Paul
Duncan

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

1. Assets on hand: **\$2,710,940.48**, consisting of \$1,050,440.13 in cash and
remaining in real property.
2. Attorney requests statutory fees of **\$39,677.63**. Calculated.
3. Petitioner made preliminary distributions of \$384,898.94, each, to Paul
Duncan and Heather Ponce pursuant to Court order approved on 07/03/17.
Receipts filed.
4. Both heirs waive account.
5. Petitioner requests reserve of \$1,400.
6. Proposed order submitted 02/16/18 is missing addresses of heirs receiving
real property.

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final
discharge for **04/03/19**.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

CONSERVATORSHIPS

DATE: 03/28/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS0900216

VACATED

CASE NAME: *MASTER FILE* JOSEPH LEE CASTODIO

HEARING:

Accounting Review by Cheryl Castodio and Ernest L. Castodio Jr

COUNSEL:

CHERYL CASTODIO

(CPE)...JOELLE LEE A. NICHOL

JOSEPH LEE CASTODIO

(CEP)...

CHERYL CASTODIO

(CPE)...ROBERTA L. TAYLOR & ASSOC

CHERYL CASTODIO

(CPE)...DAVID & TURNER

AMERICAN CONTRACTORS INDEMNITY (TP)...PRO/PER

Fifth Account Current filed 03/21/18.

Future hearing date: 04/25/18 Fifth Account and Report of Cheryl Castodio, et al

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

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

DATE: 03/28/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1200292

CASE NAME: ANNIE LEE GRAHAM

HEARING:

Hearing re Final Discharge

COUNSEL:

WILLIE ALLEN GRAHAM	(CPE)...PRO/PER
ANNIE LEE GRAHAM	(CEP)...
WALTER T MOORE	(PET)...
JUDIE GRAHAM MORRISON	(CPE)...PRO/PER
JETHRO GRAHAM	(OBJ)...PRO/PER
CHARLENE HOOPER	(CHRISTOPHER NELSON)
HELEN LAMAR	(CHRISTOPHER NELSON)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Court approved final account of conservator Judie Morrison on 05/12/17. Court ordered funds remaining in the conservatorship to be disbursed to conservator as fees. **Need Order approving first and final account. Note requirements in Local Rule 20-614 regarding probate orders.**
2. **Need** receipt of Judie Morrison.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Need Order approving first and final account.

Inquire status of receipt and Ex Parte Petition for Final Discharge.

(lh)

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

DATE: 03/28/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300145
CASE NAME: **MASTERFILE** PRIMO GILBERT GALLEGOS

HEARING:
Petition to Accept Reymundo Rios' Resgination

COUNSEL:

MELINDA S RIOS	(CP)...PRO/PER
REYMUENDO S RIOS	(PCR)...PRO/PER
PRIMO GILBERT GALLEGOS	(CTP)...
GILBERT R LOPEZ	(CPE)...PRO/PER

GENERAL INFORMATION

On 08/07/13, Court appointed Melinda S. Rios (mother) and Remundo S. Rio (mother's spouse) as limited co-conservators of the person of Primo Gilbert Gallegos. **On 01/31/18**, Court suspended powers of Reymundo Rios and found Melinda Rios is deceased. Gilbert R. Lopez was appointed Temporary Conservator of the person and estate. Order to be submitted. Gilbert R. Lopez to file a petition to remove Reymundo Rios as conservator.

THIS CASE IS SET FOR HEARING ON Petition to Accept Reymundo Rios' Resignation by Gilbert R. Lopez (uncle/temporary successor conservator)

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

1. Petitioner, Gilbert R. Lopez, seeks Court to accept the resignation of conservator, Reymundo Rios.
2. Petitioner alleges it is in conservatee's best interest for Reymundo Rios to be removed as conservator due to Mr. Rios and Melinda Rios' divorce in October, 2015, and also due to Mr. Rios' current health issues.
3. Resignation of Reymundo Rios filed 02/13/18.
4. **Need** Notice of Hearing and proof of mailed service as to Reymundo Rios.
5. Proposed order submitted 02/13/18 does not comply with Local Rule 20-614(c) and (d). It is insufficient to merely present relief sought in petition. Need at least 3 lines of content.

RECOMMENDATION

Need to clear note #4.

(lh)

Future Hearings: 5/09/18 Hearing Re: Status, Petition for Appointment of Conservator

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

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

DATE: 03/28/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600032

CASE NAME: JACQUELINE BEARCE

HEARING:

Conservatorship Compliance Review Hearing on SUPPLEMENTAL
PETITION FOR CONSERVATORSHIP of SHERI L KASTILAHN

COUNSEL:

ROBERT L BEARCE	(PCR)...PRO/PER
SHERI L KASTILAHN	(PET)...SHERRI L KASTILAHN
KATHLEEN BEARCE CLARKE	(CPE)...PRO/PER
JACQUELINE BEARCE	(CEE)...PRO/PER

GENERAL INFORMATION

Continued from 11/08/17 to clear probate notes.

Continued from 01/24/18. No appearance for Attorney Kastilahn to be present. Court indicates no further research is necessary; however, Counsel needs to be present for hearing.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Kathleen Bearce appointed successor conservator of the person and estate on 04/05/17, \$80,000 bond.
2. Notice of Death of Conservatee filed 11/08/17 indicates conservatee Jacqueline Bearce passed away on 09/28/17.
3. Declaration by Sherri Kastilahn, appointed counsel, filed 10/04/17. Prior conservator, Robert Bearce (spouse), indicates all assets are community property. **Question need for estate powers? Does Court wish to require a petition to terminate nunc pro tunc as a remedy? JTD.**
4. If not, need pre-death and post-death accountings per Pr. C. §2620; final Inventory and Appraisal; and proof of service Inventory and Appraisal including Instructions for Objections per Pr. C. §2610.

RECOMMENDATION

Need to clear notes 3-4.

(lh)

Future Hearing: 6/13/18 Accounting Review

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

DATE: 03/28/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600136

CASE NAME: STEPHANIE CORTEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of JUAN PAEZ CORTEZ

COUNSEL:

JUAN PAEZ CORTEZ (CPE)...PRO/PER
STEPHANIE PAEZ CORTEZ (CEE)...MITCHELL I ROTH

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Juan Coretez, father, appointed Conservator of the person on 08/21/17.
2. Notification of Conservatee's rights filed 08/23/17.
3. **Need** a Determination of Conservatee's Appropriate Level of Care per Pr.C.§ 2352.5 (form GC-355).
4. **Need** Care Plan in accord with Pr. C. §2352.5.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 03/28/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600345

CASE NAME: LEIF SANCHEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ERIC SANCHEZ

COUNSEL:

ERIC SANCHEZ (PET)...WILLIAM M NASSAR & ASSOCIATES
LEIF SANCHEZ (CEE)...JENNIFER M DANIEL

GENERAL INFORMATION

Continued from 12/18/17 and 01/29/18 to file required documents.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Eric Sanchez, father, appointed conservator of the person only on 05/22/17.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed 02/06/18.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 filed 12/12/17; however, date of appointment in section 1 is incomplete. **JTD**
4. Care Plan filed 08/30/17.

RECOMMENDATION

Court's discretion re note 3.

(ww/lh)

Future Hearing: 10/29/18 Accounting Review

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

DATE: 03/28/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600355

CASE NAME: MTR OF WESLEY IDOWU

HEARING:

Petition for Appointment of Conservator

COUNSEL:

WESLEY MONDAY-IDOWU (CP/CTP)...JOSHUA M BASKIN
HARRIET IDOWU (CP)...JOSHUA M BASKIN

GENERAL INFORMATION

Ex parte orders entered on 12/19/16 appointing Wesley Monday-Idowu and Harriet Idowu temporary co-conservators of the person and estate. The temporary conservatorship of the estate is for limited scope of overseeing criminal proceedings. Counsel for petitioners to file an amendment to general petition. No bond is required. Continued from **01/23/17**. Temporary orders remain in full force and effect until 04/10/17.

Continued from **04/10/17**. The Court clears probate note #5 on the record. Counsel requests oral amendment to person only on the petition. The Court grants counsel's oral request to amend the petition for person only and not estate. Notice waived.

Continued from 07/31/17 The temporary conservatee is still in custody and currently being housed at Patton State Hospital.

Continued from 12/18/17. Proposed conservatee is still being house at Patton on PC1368. Temporary letters to continue in full force and effect until 03/28/18.

Notice waived.

THIS CASE IS SET FOR HEARING ON **AMENDED** Petition for Appointment of Conservator of the **person only**, by Wesley Monday-Idowu and Harriet Idowu, parents

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

1. Proposed conservatee is incarcerated and was deemed mentally incompetent to assist in his defense, (petition 01/20/17, LF, pg.6). Conservatee had hearing on 01/13/17 for placement under County Mental Health. See x-ref matters.
2. Petitioner seeks medical powers. **Need** Capacity Declaration.
3. Petitioner seeks orders relating to capacity under Pr. C. §1873 or 1901; however, **need** attachment 1e specifying orders, facts and reasons.
4. Report of No Report by Court Investigator filed 01/12/17. **Need** CI report.

5. Return of Citation and proof of mailed service filed 03/21/17.
6. Certificates of Completion of the Conservatorship Training Classes filed 03/02/17.
7. Report by Temporary GAL, Mitchell Roth, filed 01/11/17, 04/05/17 and **01/04/18**.
8. ~Proposed Form Order: 12/07/16

RECOMMENDATION

Need clear notes 2-4. If approved, set hearing for Compliance Review for **10/31/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5, and hearing re Accounting Review for **06/05/19**. Any accounting to be filed 30 days in advance.

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

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

DATE: 03/28/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700164

CASE NAME: LORELEI SVEUM

HEARING:
Petition for Attorney's Fees

COUNSEL:

GARY SVEUM	(CPE)...JAMES B CHURCH
LORELEI SVEUM	(CEP)...MARK J. ANDREW FLORY
MARK J ANDREW FLORY	(PET)...MARK J. ANDREW FLORY

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees by Mark Flory

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

1. Petitioner, Mark J. Andrew Flory, was appointed Counsel for Lorelei Sveum, on 05/11/17.
2. Petitioner requests fees of \$2,768.50 for 11.40 hours at \$350/\$105 for attorney/paralegal services, plus an anticipated 1.5 hours attorney time and 1.5 hours paralegal time \$682.50 for a total fee of **\$3,454.22**. Itemized. [Petition, 02/27/18, LFpgs8-10]. **JTD**
 - a. **Note:** itemization includes reimbursement of \$3.22 for postage; however, postage is generally not allowable as it is considered overhead per Local Rule 20-1406(d). **JTD**
3. Notice was given.
4. ~Proposed Order: 02/27/18 includes postage reimbursement.

RECOMMENDATION

Court's discretion.

(lh)

Future Hearing: 10/9/18 Accounting Review

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

DATE: 03/28/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700176

CASE NAME: ANDREW RAMIREZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of JOSE L RAMIREZ

COUNSEL:

JOSE L RAMIREZ	(PET)...PRO/PER
YOLANDA RAMIREZ	(PET)...PRO/PER
ANDREW RAMIREZ	(CTP)...WALTER T. MOORE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Jose L. Ramirez and Yolanda Ramirez (parents) were appointed co-conservators of the person of Andrew Ramirez on 08/22/17.
2. **Need** Notification of Conservatee's rights per Pr. C. §1830(c).
3. **Need** a Determination of Conservatee's Appropriate Level of Care per Pr.C.§ 2352.5 (form GC-355).
4. **Need** Care Plan in accord with Pr. C. §2352.5.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 03/28/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700265

CASE NAME: MTR OF PEGGY ANN CHRISTIAN

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of PAUL EDWARD CHRISTIAN

COUNSEL:

PAUL EDWARD CHRISTIAN (CPE)...SKOUSEN LAW
PEGGY ANN CHRISTIAN (CEP)...WALTER T. MOORE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

- 1 Paul Edward Christian (son) was appointed conservator of the person and estate of Peggy Ann Christian on 08/23/17; \$77,500 bond filed 09/07/17.
- 2 **Need** Notification of Conservatee's Rights with proof of service and copy of the Order for Conservatorship with per Pr.C. §1830(c).
- 3 **Need** Care Plan in accord with Pr.C.§2352.5.
- 4 **Need** a Determination of Conservatee's Appropriate Level of Care per Pr.C.§ 2352.5 (form GC-355).
- 5 **Need** final Inventory & Appraisal per Pr.C. §2610.
- 6 **Need** Proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
- 7 If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION:

Inquire status.

(lh)

Future Hearing: 10/31/18 Accounting Review

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

DATE: 03/28/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800044

CASE NAME: ROMAN OCHOA CHAVEZ

HEARING:

Petition for Appointment of Conservator

COUNSEL:

MANUEL CHAVEZ (PET)...PRO/PER
AMADA CHAVEZ (PET)...PRO/PER
ROMAN OCHOA CHAVEZ (CEE)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Manuel and Amada Chavez, parents

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

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract, and make decisions re education. JTD
2. Civil and legal rights not to be limited without a Court order.
3. Petitioner seeks medical powers. Capacity Declaration filed 02/16/18 is incomplete at item #4b as to whether proposed conservatee is a continuing patient under treatment. **Need** completed form.
4. Proposed conservatee is developmentally disabled. **Need** report from appointed Counsel Rose C. Rosado.
5. Proposed conservatee is developmentally disabled. Need IRC report. **IRC letter dated 03/14/18 requesting 45-day continuance. Suggest Court continue to 05/02/18 or later Wednesday calendar. JTD**
6. **CI Report filed 03/20/18.**
7. **Need** Certificate of Completion of the Conservatorship Training Class.
8. **Need** return of Citation.
9. **Need** notice of hearing and proof of service to all 2nd degree relatives, and include 30 days' notice to Inland Regional Center.
10. ~Proposed Form Order: 02/16/18

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

RECOMMENDATION Court to trail to 05/02/18 or later Wednesday calendar.

Need to clear notes 3-9. If approved, set hearing for Compliance Review for **10/31/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 03/28/18 TIME: 8:30 DEPT: S37P

CASE#: PRO DS1100109

CASE NAME: MARIAN SYMENS

HEARING:

Hearing re Final Discharge

COUNSEL:

JAMES P SYMENS

(PET)...BROWN WHITE & OSBORN

MARIAN SYMENS

(DEC)...

GENERAL INFORMATION

Continued from **05/17/17, 07/19/17 and 09/13/17.**

Continued from 11/08/17 for supplement to be filed. Notice to be given by Mr. Flory.

Continued from 01/24/18. Final Order that was filed was incorrect. Corrected order with declaration explaining order to be filed. Court reviewed file and determined the Court signed the Order submitted at time of hearing on final account on 05/11/16, reviewed by legal research. The order requests distribution of interest of Rebecca Shettle and Diana Ruth to the estates; however, it appears administrator intended to distribute directly to heirs, yet failed to file 13100 affidavits for either estate. Counsel ordered to submit affidavits before Court will sign an order for distribution directly to estates.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of James Symens approved on 05/11/16.
2. **Need 13100 affidavits re Rebecca Shettle and Diana Ruth estates.**
3. **Need Ex Parte Petition for Final Discharge and Order resubmitted.**

RECOMMENDATION

Need to clear notes 2-3.

(lc/lh)

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

DATE: 03/28/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400418

CASE NAME: MTR OF JOHN ROBLES

HEARING:

Probate status report filed.

COUNSEL:

NORA R PEREZ	(PET)...TREVOR D MARTIN
JOHN ROBLES	(DEC)...
HELEN IBARRA	(TP)...PRO/PER
JOBEY O'LEARY	(PRISCILLA C SOLARIO)

GENERAL INFORMATION:

Continued from 01/24/18 for notice to be filed.

THIS CASE IS SET FOR HEARING ON Status Report of Administration

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

1. Letters Testamentary issued to Nora Perez on 07/03/14.
2. Petitioner alleges the estate is not in a condition to be closed as real and personal property is still being determined by the executor. A complete Inventory and Appraisal will be filed shortly hereafter.
3. Petitioner requests an additional 12 months to close the estate.
4. Notice was given.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for Accounting Review on **10/03/18**.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/28/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400938

VACATED

CASE NAME: THOMAS EDMUND KNOX

HEARING:

Accounting Review

COUNSEL:

JAMES W MCLAUGHLIN Jr (PET)...PRO/PER

THOMAS EDMUND KNOX (DEC)...

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

First and Final Account filed 03/20/18.

Future hearing date: 05/07/18 First and Final Account of James W. McLaughlin, Jr.

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

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

DATE: 03/28/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600539

CASE NAME: THURMAN DODD SR

SEE ALSO 5

HEARING:

Motion Re: Require Bond, Petition to Administer Inventory and Appraisal, Remove Administrator Filed By Petitioner Victoria Marie Dodd

COUNSEL:

ELIZABETH SNEED	(PET)...ZACHARY R HAGENBUCH
THURMAN DODD SR	(DEC)...
VICTORIA MARIE DODD	(PET)...PRO/PER

GENERAL INFORMATION

Continued from 02/07/18. Counsel was just retained. Substitution of attorney will be filed. Counsel reports Inventory and Appraisal was filed 10/23/17. Petitioner reports she believes the value of the estate is incorrect in that the only value reported is a \$20,000 victim award from the District Attorney as father was the victim of real estate fraud. Petitioner to make a detailed list of property not accounted for and speak with Counsel.

THIS CASE IS SET FOR HEARING ON Motion to Require Bond, Compel Accounting, and Remove Administrator by Victoria M. Dodd (daughter/heir)

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

1. Victoria M. Dodd (decedent's daughter) seeks to withdraw her waiver of bond and requests Court to require bond; to compel administrator to file an Inventory and Appraisal and/or formal accounting; and requests Court to remove administrator.
2. The caption of Motion does not reference applicable Probate Code and/or other statutory authority authorizing relief per Local Rule 20-601. **JTD**
3. The motion does not comply with CRC 3.1112 as to format, elements of motion, and papers in support of motion. Does Court wish to require an amended petition with points and authorities in support of relief per CRC 3.1112? **JTD**
4. Notice of Hearing and proof of service as to Elizabeth Sneed, administrator was not filed; however, Counsel for Elizabeth Sneed appeared on 02/07/18.
5. **Corrected Final Inventory and Appraisal filed 03/02/18 reflects \$10,638.18, cash .**

6. **First Account Current by Elizabeth Sneed filed 03/02/18.**
7. No proposed order submitted.

RECOMMENDATION
Court's discretion.

(lh)

Future hearing date: 04/23/18 First Account Current and Report of Elizabeth Sneed

Superior Court of Calif, County of San Bernardino

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

DATE: 03/28/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600539

VACATED

CASE NAME: THURMAN DODD SR

SEE ALSO 4

HEARING:

Accounting Review

COUNSEL:

ELIZABETH SNEED	(PET)...ZACHARY R HAGENBUCH
THURMAN DODD SR	(DEC)...
VICTORIA MARIE DODD	(PET)...PRO/PER

Waiver of Court Fees and Costs filed by VICTORIA MARIE DODD is GRANTED

First Account Current and Report of Administrator filed 03/02/18.

Future hearing date: 04/23/18 First Account Current by Elizabeth Sneed

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

DATE: 03/28/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600608

CASE NAME: CREIG ALLEN SCHMALTZ

SEE ALSO 7

HEARING:

Order to Show Cause RE: SANCTIONS FOR FTA & FILE ACCOUNTING

COUNSEL:

SHELLEY LORENE SCHMALTZ (PET)...PRO/PER
CREIG ALLEN SCHMALTZ (DEC)...

GENERAL INFORMATION

Continued from 01/08/18. No appearance. OSC set re sanctions for FTA and file accounting.

THIS CASE SET FOR HEARING ON **OSC re Sanction for FTA/Accounting**
Review/Status re

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

1. Letters of Administration issued to Shelley Schmaltz, spouse, on 10/31/16 full authority, no bond.
2. Final Inventory and Appraisal filed 03/20/18.
3. **Need** accounting or status report.

RECOMMENDATION:

Court's discretion re OSC.

Inquire status

(cs/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/28/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600608

CASE NAME: CREIG ALLEN SCHMALTZ

SEE ALSO 6

HEARING:

Accounting Review of Shelley Schmaltz

COUNSEL:

SHELLEY LORENE SCHMALTZ

(PET)...PRO/PER

CREIG ALLEN SCHMALTZ

(DEC)...

See notes on prior page #6.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/28/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600728

VACATED

CASE NAME: MTR OF CHARLES NEIL LITTLEWOOD

HEARING:

Accounting Review

COUNSEL:

SHELLEY LITTLEWOOD (PET)...PRO/PER

CHARLES NEIL LITTLEWOOD (DEC)...

STATE OF CALIFORNIA FRANCHISE TAX BOARD (TP)...

Status Report by Shelley Littlewood filed on 03/13/18.

(lh)

Future hearing date: 05/01/18 Status Report by Shelley Littlewood

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

DATE: 03/28/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600767

CASE NAME: LENA L MOSSUTO

HEARING:

Accounting Review of Carol Howard

COUNSEL:

CAROL A HOWARD (PET)...TAYLOR, SIMONSON & WINTER LLP
LENA L MOSSUTO (DEC)...
SURETEC INSURANCE (TP)...

GENERAL INFORMATION

Continued from 01/08/18 at request of Counsel. Oral report given by Counsel Emadi.

THIS CASE SET FOR HEARING ON Accounting Review/Status

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

1. Letters Testamentary issued to Carol Howard, named executrix, on 11/28/16 full authority, \$75,000 bond
2. Final Inventory and Appraisal filed 03/17/17 and 03/13/18.
3. **Need** accounting or status report.

RECOMMENDATION:

Inquire status

(cs/lh)

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

DATE: 03/28/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601098

CASE NAME: MTR OF HUMBERTO GARCIA CANO

HEARING:

Accounting Review

COUNSEL:

ROSA CANO	(PET)...PAUL HORN
HUMBERTO GARCIA CANO	(DEC)...
MARIA ELENA KOWALEWSKI	(TP)...PRO/PER
ROSA MARIA VALENZUELA	(PRO/PER)
BEATRIZ KAC	(PRO/PER)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re: Rosa Cano,
administrator

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

1. Rosa Cano was appointed administrator on 01/18/17, Letters issued 02/28/17 with full powers; bond filed same date.
2. Final Inventory and Appraisal filed 09/13/17.
3. **Need** accounting and status report.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 03/28/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700317

CASE NAME: MTR OF JIMMY ROMERO PADILLA JR

HEARING:

First & Final Account and Report of FITA PADILLA and Petition
for allowance of fees filed.

COUNSEL:

FITA PADILLA (PET)...TORI J FREEBORN
JIMMY ROMERO PADILLA JR (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Report of
Executor and Petition for Fees and Final Distribution by Fita Padilla, Executor

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

1. Assets on hand: \$172,743.34, cash
2. Attorney and petitioner requests statutory fees **\$6,856.50**, each. Calculated.
3. Attorney requests reimbursement for advanced costs in the amount of **\$2,213.96** for filing fees, certified copies, bond premiums and publication. Itemized. [Acct, 01/03/18, LFpg7].
4. Patricia Willenborg advanced costs of **\$3,871.56** to estate prior to sale of house for utilities, insurance, gardener and was allegedly reimbursed. Itemized [Acct, 01/03/18, LFpg18]. **Need** verified supplement with receipt from Patricia Willenborg.
5. Petitioner alleges decedent kept \$10,000 cash in his home which petitioner and decedent's son, Freddy Padilla, were informed of. Two days after decedent's death, Freddy Padilla collected the cash to pay for decedent's cremation for \$808 and \$1,780 to Richard Hiromoto for caregiver services prior to decedent's death. [The remaining \$7,412 in cash was allegedly stolen from decedent's house while Freddy Padilla's was out one night which was never recovered, and is therefore reported as a loss in the accounting.
 - a. **Need** receipts for cremation and caregiver.
6. Petitioner requests reserve of \$2,000. Note: if approved, need informal account for reserves per Local Rule 20-911 prior to filing ex parte petition for final discharge. **JTD**

7. Notice was given.
8. No proposed order submitted.

RECOMMENDATION:

Need to clear notes #4-5, then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge to include informal account re reserves for **06/05/19**.

(lh)

/// sup filed 03/05/18.

Superior Court of Calif, County of San Bernardino

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

DATE: 03/28/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701249

CASE NAME: THE GRETA L. TOLIVER TRUST DATED 11/30/1995

HEARING:

Petition for Confirmation of Trust ownership of personal property

COUNSEL:

THE GRETA L. TOLIVER TRUST (TRU)...
LINDA LEW HEWISH (TEE)...PRO/PER

Waiver of Court Fees and Costs filed by LINDA LEW HEWISH is GRANTED

Currently under review by legal research.

(LR)

Need Notice of Hearing and Proof of Service as to Bobby Toliver and the heirs of Edward Toliver estate.

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

DATE: 03/28/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800109

CASE NAME: MTR OF MARION THOMAS TONGATE

HEARING:

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

COUNSEL:

SHARON ABUGHAZALEH (PET)...MARK E CARRILLO
MARION THOMAS TONGATE (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with
Full Authority under IAEA by Sharon Abughazaleh, Petitioner/daughter

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

1. Will waives bond. Net estate value \$561,000 with \$36,000 personal property.
The court may for good cause require that a bond be given, either before or
after issuance of letters. (Prob. Code, § 8481(b)).
2. **Need** verified supplement listing all of decedent's aka's. Will indicates an aka;
however, petition does not include aka.
3. **Need** Proof of Subscribing Witness (form DE-131). Witnesses do not attest will
was not signed under duress, and did not sign under penalty of perjury.
4. **Need** Notice to Petition to Administer Estate and proof of service.
5. No proposed Form Order/Letters. Submit after hearing.

RECOMMENDATION

Need to clear notes 2-4, Court's discretion re bond If approved, set Accounting/Status
Review for **06/05/19**. Any accounting to be filed 30 days in advance local rule 20-901.
Note requirements of local rule 20-908.

(cs/lh)

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

DATE: 03/28/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800189

CASE NAME: MTR OF CLARA GIPSON JEFFERSON

HEARING:

Petition to determine succession to Real Property

COUNSEL:

EDDIE JEFFERSON II (PET)...PRO/PER
CLARA GIPSON JEFFERSON (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Eddie Jefferson II (son)

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

1. Petitioner seeks 100% interest in decedent's 100% interest in real property per intestate succession.
2. Waivers of Interest were signed by all other intestate heirs; however, not as to notice.
3. **Need** Notice of Hearing and proof of service as to decedent's issue: Shantell Jefferson-Alexander; Kimberly Ann Jefferson; Leola Jefferson; Nikia Jefferson-Palacios. **Notice with proof of service filed 03/20/18; however, only 12 days notice given. Need proper service.**
4. ~Proposed Form Order: 02/15/18

RECOMMENDATION

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

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/28/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1600127

CASE NAME: GWENDOLYN V MOSLEY

HEARING:

Motion Re: Repayment against administrator etc Filed by
Petitioner SURETEC INSURANCE COMAPNY

COUNSEL:

REGINALD D JONES	(PET)...	ROMBOUD S RAHMANIAN
GEWNDOLYN V MOSLEY	(DEC)...	
SHASHAUNA SZCZECZOWICZ ESQ	(TP)...	

Currently under review by legal research.

(LR)

Future Hearing: 10/01/18 Hearing Re: Final Discharge

Superior Court of Calif, County of San Bernardino

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

DATE: 03/28/18 TIME: 8:35 DEPT: S37P

CASE#: TRU PS1800008

CASE NAME: MTR OF JESSALYN VARGAS

HEARING:

Petition for authority to create a statutory minors trust

COUNSEL:

ERICA VARGAS (PET)...RODNUSKY & ASSOCIATES
JESSALYN VARGAS TRUST (TRU)...

Currently under review by legal research.

(LR)

Notice was given.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/28/18 TIME: 8:35 DEPT: S37P

CASE#: TRU PS1800009

CASE NAME: MTR OF JOE MICHAEL SALINAS

HEARING:

Petition for authority to create a statutory minors trust

COUNSEL:

ERICA VARGAS (PET)...RODNUSKY & ASSOCIATES
JOES MICHAEL SALINAS (TRU)...

Currently under review by legal research.

(LR)

Notice was given.

(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIPS

DATE: 03/28/18 TIME: 9:30 DEPT: S37P

CASE#: CON DS1000115

CASE NAME: MTR OF THOMAS SLOTA

HEARING:

Second Account and Report of LEANNA SLOTA and Petition for allowance of fees filed.

COUNSEL:

LEANNA SLOTA	(CP)...CALDWELL, KENNEDY & PORTER, A.
THOMAS HENRY SLOTA	(CTP/CEP)...EDWARD B FISCHER
BRIDGET PEEL	(CP/TEE)...JEANNE E KENNEDY

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Second Account Current of Successor Trustee and Petition for Fees by Leanna Slota

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

1. Account period covers 9/24/15 to 09/23/17.
2. Asset on hand **\$76,663.12** in cash.
3. Petitioner waives compensation; however, requests reimbursement of **\$990.70** for meals, souvenirs, parking, gas, furnishings for benefit of conservatee. Itemized. [Acct, 02/20/18, LFpg22]. **JTD**
4. Attorney requests fees of **\$4,267.50** billed for a total of 23.15 hours fir attorney services at \$300/250 per hour and paralegal services at \$150/\$125 per hour. Itemized. [Acct, 02/20/18, LFpgs9-11]. **JTD**
5. Petitioner requests Court approve the purchase of two Disneyland Annual Passes at \$678.00 for herself and Conservatee to be paid from Special Needs Trust for the Conservatee's enjoyment and stress relief. **JTD**
6. Current bond: \$104,000. Petitioner requests bond reduction to \$72,000. Calculated [Acct, 02/20/18, LFpg39] **JTD**
7. ~Proposed order: 02/20/18

RECOMMENDATION:

If approved, set hearing re next Accounting Review for **12/05/18** (if one year) or **12/04/20** (if two years). Accounting to be filed 30 days in advance.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/28/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700039

CASE NAME: MTR OF TOMASA DE CASAS

HEARING:

Petition for attys fees by Jeanne Kennedy

COUNSEL:

MARIA DE CASAS	(CPE)...SHEASBY AND ASSOCIATES
TOMASA DE CASAS	(CEP)...JEANNE E. KENNEDY (GAL)
MIGUELITO DECASAS	(PET)...DUANE P BOOTH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees and Request to be Relieved as Guardian Ad Litem by Jeanne Kennedy (GAL)

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

1. Petitioner, Jeanne E. Kennedy was appointed Guardian Ad Litem on 03/08/18 for conservatee, Tomasa De Casas.
2. Petitioner requests fees of **\$13,252.50** for 55.6 hours at \$350/\$300/\$275/\$150 per hour for attorney/paralegal services rendered from 03/09/17 to date. Itemized. [Petition, 02/20/18, LFpgs7-11]. **JTD**
3. Notice was given.
4. ~Proposed Order: 02/20/18

RECOMMENDATION

Court's discretion.

(lh)

Future Hearings: 5/02/18 Accounting Review (Conservatorship), Accounting Review (Trust)
7/11/18 Conservatorship Compliance Review Hearing
1/17/19 Accounting Review (Conservatorship), Accounting Review (Trust)

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

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

DATE: 03/28/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700090

CASE NAME: CAROLINA MEJIA

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of YOLANDA R MEJIA

COUNSEL:

YOLANDA R MEJIA (CP)...PRO/PER
CAROLINA MEJIA (CTP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Yolanda R. Mejia (mother) appointed limited conservator of the person on 08/23/17.
2. **Need** Notification of Conservatee's rights per Pr. C. §1830(c).
3. **Need** a Determination of Conservatee's Appropriate Level of Care per Pr.C.§ 2352.5 (form GC-355).
4. **Need** Care Plan in accord with Pr. C. §2352.5.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 03/28/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700272

CASE NAME: MTR OF LLOYD H DODD, JR

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of LLOYD H DODD

COUNSEL:

LLOYD H DODD III	(CPE/APP)...HORSPOOL & HORSPOOL
CONSUELO C DODD	(CPE/RES)...PRO/PER
LLOYD H DODD JR	(CEP)...MITCHELL I ROTH
CHRISTINA ERICKSON TAUBE	(CPE)...RODRIGO LAW FIRM
SURETEC INSURANCE CO	(PRO/PER)
CHRISTINA ERICKSON TAUBE	(RODRIGO LAW FIRM)

XREF: CIFDS1700018 DODD V. RICHARDSON

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

- 1 Christina Erickson Taube appointed conservator of the person and estate of Lloyd H. Dodd, Jr., on 09/20/17; \$300,000 bond filed 09/26/17.
- 2 Notification of Conservatee's Rights with proof of service filed 10/04/17.
- 3 Care Plan filed 12/18/17.
- 4 Determination of Conservatee's Appropriate Level of Care filed 12/18/17.
- 5 Proof of recordation of letters filed 12/19/17.
- 6 **Need** final Inventory & Appraisal per Pr.C. §2610.
- 7 **Need** Proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C. §2610.

RECOMMENDATION:

Inquire status.

(lh)

Future Hearing: 10/31/18 Accounting Review

Superior Court of Calif, County of San Bernardino
Page: 21A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 03/28/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800090

CASE NAME: SALATHIEL ROSS JACKSON

HEARING:
Petition for Appointment of Temporary Conservator

COUNSEL:
IRIS JACKSON (CP)...PRO/PER
SALATHIEL ROSS JACKSON (CTP)...JEANNE KENNEDY

Future Hearing: 5/03/18 Petition for Appointment of Conservator

Temporary—no notes-JTD

Superior Court of Calif, County of San Bernardino

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

DATE: 03/28/18 TIME: 9:30 DEPT: S37P

CASE#: RC RS737

CASE NAME: IN THE MTTR OF LAWRENCE W BRASHEAR

HEARING:

Hearing Re: OSC Re: TRANSFER TO LOS ANGELES COUNTY

COUNSEL:

LINDA J MALNATI (PET)...JACOBY & MEYERS
LAWRENCE W BRASHEAR (PCE)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON OSC Re: TRANSFER TO LOS ANGELES COUNTY

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

1. Matter set on 01/22/18 upon Court review of CI Report and request for transfer filed 01/03/18.

RECOMMENDATION

Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino
Page: 22A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 03/28/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800090

CASE NAME: SALATHIEL ROSS JACKSON

HEARING:
Petition for Appointment of Temporary Conservator

COUNSEL:
IRIS JACKSON (CP)...PRO/PER
SALATHIEL ROSS JACKSON (CTP)...
JEANNE KENNEDY (GAL)...

Temporary conservatorship--no notes—JTD

Future Hearing: 5/03/18 Petition for Appointment of Conservator

Superior Court of Calif, County of San Bernardino
Page: 23 add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 03/28/18 TIME: 9:30 DEPT: S37P

CASE#: EAP PS1800027

CASE NAME: MITCHELL VS LLEWELYN

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

SUSAN EILEEN MITCHELL (PP)...PRO/PER
HEIDE LLEWELYN (RP)...

Notice:

Proof of unsuccessful service filed 03/12/18 as to respondent, Heide Llewelyn.
Declaration regarding re Ex Parte Notice alleges Heide Llewelyn is hospitalized at
Arrowhead Regional Medical Center. **Need proper notice and proof of service.**