



First Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 03/29/18

All corrections/supplements addressing these notes should be filed by 03/22/18. Later-filed documents might not be reviewed prior to the hearing and could result in a continuance of your case. Updates to these notes *typically* will be posted three court days prior to the hearing.

Destruction of Filed Documents:

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

Contacting the Probate Examiners:

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

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

DATE: 03/29/18 TIME: 8:30 DEPT: S35P

CASE#: PRO DS1000472

SEE ALSO 2

HEARING:

Hearing re Final Discharge

COUNSEL:

HOWARD WAYNE LIVINGSTON (DEC)...

MICHAEL LIVINGSTON (PET)...DAVID M LIVINGSTON

MICHAEL WAYNE LIVINGSTON (PET)...DAVID M LIVINGSTON

MICHAEL WAYNE LIVINGSTON (PET)...SLOVAK BARON EMPEY MURPHY

GENERAL INFORMATION

Continued from 12/15/16 at request of counsel to clear notes and file a further accounting.

Continued from 12/14/17. No appearance.

Continued from 02/15/18. Attorney Valerie Powers stated she filed a verified supplement and substitution of attorney. Status report to be filed.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of Michael Livingston, son, approved on 01/15/15. **Need** order that specifies taxes are paid, Creditors are noticed, property on hand *before distribution* and actual distribution.
 - a. Proposed order submitted with **supplement on 02/07/18 and 02/08/18**; however, it is **unclear why distribution was made, unequally, how the remaining distribution goes to trust as there is no will?** Additionally, the property on hand should be listed as **prior** to distribution. **Need** proper order.
 - b. No order shall refer to another document; must be complete in itself local rule 20-614(b).
2. Receipts filed.
3. Ex Parte Petition for Final Discharge and Order attached returned for corrections as note 1 has not yet cleared.

RECOMMENDATION

Need to clear notes 1&3.

(lc)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S35P

CASE#: PRO DS1000472

CASE NAME: HOWARD WAYNE LIVINGSTON

SEE ALSO 1

HEARING:

Hearing Re: FURTHER ACCOUNTING

COUNSEL:

HOWARD WAYNE LIVINGSTON (DEC)...
MICHAEL LIVINGSTON (PET)...DAVID M LIVINGSTON
MICHAEL WAYNE LIVINGSTON (PET)...DAVID M LIVINGSTON
MICHAEL WAYNE LIVINGSTON (PET)...SLOVAK BARON EMPEY

GENERAL INFORMATION

Continued from 12/14/17. No appearance.

Continued from 02/15/18. Attorney Valerie Powers stated she filed a verified supplement and substitution of attorney. Status report to be filed.

THIS CASE SET FOR HEARING ON Further Accounting.

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

1. On 12/15/16, Counsel Cheryl Houde indicated a further accounting will be filed.
2. Summary of some expenses attached; however, not a general accounting. JTD

RECOMMENDATION

Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S35P

CASE#: PRO DS1000611

CASE NAME: DAVID STEWART

SEE ALSO 4

HEARING:

Hearing Re: IF NOT FILED BY 1/16/18: SURCHARGE/SUSPENSION

COUNSEL:

BRYAN STEWART (PET)...PRO/PER
DAVID STEWART (DEC)...

GENERAL INFORMATION

OSC set on 08/24/17. Appearance by CourtCall. If accounting not filed by 01/16/18, surcharge of \$1,000 will be imposed.

Continued from 02/15/18. Bryan Stewart stated the accounting was returned for correction. Accounting or status report to be filed by 02/23/18 or powers may be suspended. Nothing new filed.

THIS CASE SET FOR HEARING ON **If not filed by 01/16/18:**

Surcharge/Suspension/Accounting review/Status.

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

1. Letters of Administration issued to Bryan Stewart on 04/06/11; full authority, no bond.
2. Previous status report approved on 09/17/14. **Need** order.
3. Most recent status report filed on 01/17/17 was taken off calendar after 2 continuances as the requested 3 months had past.
4. **Need** accounting or status report. Accounting returned for corrections on 01/16/18.

RECOMMENDATION

Inquire status of accounting and order.

(ww/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/29/18 TIME: 8:30 DEPT: S35P

CASE#: PRO DS1000611

CASE NAME: DAVID STEWART

SEE ALSO 3

HEARING:

Accounting Review by ***

COUNSEL:

BRYAN STEWART

(PET)...PRO/PER

DAVID STEWART

(DEC)...

See notes on matter 3.

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

DATE: 03/29/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600200

CASE NAME: CHRISTINE STROMER

HEARING: first & final Account and Report of GEORGIANN J STIVERS and
Petition for allowance of fees filed.

COUNSEL:

ARTHUR STROMER	(PET)...MICHAEL
CHRISTINE STROMER	(DEC)...
GEORGIANN J STIVERS	(PET)...POOLE & SHAFFERY, LLP
GUY A STIVERS	(PET)...POOLE & SHAFFERY, LLP

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by Georgiann and Guy Stivers, siblings.

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

1. Assets on hand \$106,252.43 in cash.
2. Executors waive statutory compensation.
3. Counsel seeks statutory fees of \$5,565.14. Ok.
4. Executors paid counsel fees of \$6,190.16 of which \$1,852.66 in costs prior to
administration [LFpg42]. Question authority to pay counsel without court authority?
Need verified supplement with points and authorities.
5. Executors seek a reserve of \$1,000.
6. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear note 4. If approved, set hearing on the filing of receipts and final discharge
for **04/04/19**.

(lc)

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

DATE: 03/29/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700282

CASE NAME: SUSAN WHITESIDE

HEARING:

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

COUNSEL:

MICHAEL WHITESIDE (PET)...CHARLES S ALTHOUSE
SUSAN WHITESIDE (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Michael Whiteside, brother/sole heir.

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

1. Assets on hand \$249,844.27 in cash.
2. Administrator is sole heir, waives accounting and statutory compensation.
3. Counsel seeks statutory fee of \$8,894.64. Ok.
4. ~Proposed Order: 1/08/18.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **04/04/19**.

(lc)

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

DATE: 03/29/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700833

CASE NAME: RAFAELA M LARA

HEARING:

Hearing Re: BOND REVIEW- CAN BE VACATED IF BOND FILED

COUNSEL:

JOHN DAVID MEDEL	(PET)...GEORGINA LEPE
RAFAELA M LARA	(DEC)...
VERONICA M NUNO	(OBJ)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Bond Review.

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

1. John Medel, nephew, appointed administrator on, full authority \$300,000 bond.
2. **Need** bond in order for letters to issue.

RECOMMENDATION

Inquire status of bond.

(lc)

Future Hearing: 05/02/19 *Accounting Review*.

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701102

Vacated

CASE NAME: ESTATE OF STEPHEN LEE GUGGISBERG

HEARING:

Hearing Re: BOND REVIEW- CAN BE VACATED IF BOND FILED

COUNSEL:

BRIAN R GUGGISBERG	(BRUNICK, MCELHANEY & KENNEDY
SCOTT SHOWLER	(PET)...FULLERTON LEMANN SCHAEFER
STEPHEN LEE GUGGISBERG	(DEC)..
TED A GUGGISBERG	(OBJ)...BRUNICK, MCELHANEY &

Bond filed and letters issued.

(lc)

Future Hearing:05/02/19 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800053

Vacated

CASE NAME: Lawrence Michael Rojas

HEARING:

Hearing Re: BOND REVIEW- CAN BE VACATED IF BOND IS FILED

COUNSEL:

LAWRENCE MICHAEL ROJAS (DEC)...
STEVEN R ROJAS (PET)...CHRISTOPHER L CARPENTER

Bond filed and letters issued.

(lc)

Future Hearing: 05/02/19 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800172

CASE NAME: MTR OF LYNDA LEBARON

HEARING:

Petition to determine succession to Real Property

COUNSEL:

IAN D KASSAB

LYNDA LEBARON

(PET)...ZACHARY R. HAGENBUCH

(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Ian Kassab, nephew/executor.

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

1. Petitioner, Ian Kassab, seeks 100% interest in decedent's interest in real property per terms of will. Petitioner appears to seek property as executor to distribute in Oregon probate; however, section 13 does not specifically state that is what is being sought. **Need** verified supplement.
2. No proposed order submitted.

RECOMMENDATION

Need to clear note 2.

(lc)

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

DATE: 03/29/18 TIME: 8:30 DEPT: S35P

CASE#: SC SS03061

CASE NAME: MTR OF MARY ROSE JALLAH

HEARING:

Accounting Review by ***

COUNSEL:

DANIEL G STUBBS (CPE)...HORSPOOL & HORSPOOL
MARY ROSE JALLAH (CEP)...FRANK J PRAINITO

GENERAL INFORMATION

Continued from 02/15/18. Additional time needed.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 7th Account for Daniel Stubbs, PPF, approved on 05/09/16.
2. **Need** 8th Account beginning with 02/01/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 03/29/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1601271

CASE NAME: SHERMAN LEE MITCHELL

HEARING:

Motion Re: Request to set aside dismissal Filed by Petitioner
SHERMAN LEE MITCHELL II

COUNSEL:

RHYAN MITCHELL	(PRO/PER
RIANNE MITCHELL	(OBJ)...
SHERMAN LEE MITCHELL	(DEC)...
SHERMAN LEE MITCHELL II	(PET)...PRO/PER

Currently under review by legal research.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800011

CASE NAME: IN RE THE TRUST OF RUBY N TOWNLEY

HEARING:

Petition for Breach of Fiduciary Duty by Trust and for Removal
of Trustee, Account and Appointment

COUNSEL:

RUBY K DE FALCO (PET)...PRISCILLA C SOLARIO ESQ
TRUST OF RUBY N TOWNLEY (TRU)...

Currently under review by legal research.

Need notice of hearing and proof of service for children Richard Townley and Terry Townley; and issue of predeceased child; Justin Townley and Jessica Heatherington Pr.C.§ 17203(c)(1). Although they do not inherit, a courtesy notice should be filed as they are mentioned in trust.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: ~~PRO-PS1800178~~-TRUPS180041

CASE NAME: THE SUSAN LOUISE COOK REVOCABLE TRUST

HEARING:

Petition for to appoint successor trustee; confirm RP belongs to trust at settlors incapacity

COUNSEL:

DONNA COOK

(PET)...GAUDY LAW, INC

SUSAN LOUISE COOK REVOCABLE TR (TRU)...

THIS CASE WAS CHANGED FROM PROPS1800178 TO TRUPS1800041 AND MOVED TO S35P

Currently under review by legal research.

Petitioner appears to be sole beneficiary of trust.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 03/29/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1400100

CASE NAME: ANTONIO M CABRERA

HEARING: THIRD Account and Report of JOSE EDUARDO CABRERA and Petition for allowance of fees filed.

COUNSEL:

ANTONIO M CABRERA

(PET)...JENNIFER M DANIEL

JAIME R CABRERA

(CPE)...LAYNE A BARTHOLOMEW

JOSE EDUARDO CABRERA

(PET)...KAREN ZUBIATE-BEAUCHAMP

RICHARD CABRERA

(CPE)...LAYNE A BARTHOLOMEW

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 3rd Account Current and Petition for Allowance of Fees by Jose Cabrera Successor Trustee.

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

1. Accounting period 01/01/16 – 12/31/16.
2. Assets on hand \$3,195,094.79 of which \$61,794.79 is cash and remainder in real property/cars.
3. Trustee does not seek compensation.
4. Counsel seeks fees of \$10,245, plus fees of \$156, for 43.2 hours at \$100/350 per hour for paralegal and attorney services [Acct. 02/21LFpg67-71].
5. **Need** verified declaration that payment was received for the dates caregiver services provided by Heidi Agojo per local rule 20-1406(c).
6. Disbursements indicate 7 payments to Trustee and Eddie Cabrera of \$1,740 each which appear to be rental property maintenance [LFpg22,24,43]. **Need** verified supplement explaining payments.
7. Disbursements indicate Remodel on Monte Vista property \$7,500 [09/08/16], \$1,500 [10/20/16], \$1,000 [10/25/16] \$7,050 [11/04/16] and other charges all totaling over \$19,000. Does court wish to require further explanation? JTD
8. Current bond is \$583,000. Ok.
9. ~Proposed Order: 02/23/18.

RECOMMENDATION

Need to clear notes 5-6. If approved, set hearing on the next accounting review for **02/21/19** (if one year) or **02/20/20** (if two years). Accounting to be filed 30 days in advance.

(lc)

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

DATE: 03/29/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600371

CASE NAME: MTR OF DARNEL FIDEL MEJIA

SEE ALSO 16, 17, 18, 18A

HEARING: Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of SYLVAN P MEJIA

COUNSEL:

DARNEL FIDEL MEJIA (CEP)...
SYLVAN P MEJIA (CPE)...MEGAN I BRAUN

GENERAL INFORMATION

Continued from 11/02/17. Counsel indicated they intend to file a petition to Establish SNT.
Continued from 02/08/18. Petition for Sub. Judgment deadline 02/22/18; if not filed a \$500,000 bond will be set.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Sylvan Mejia, paternal uncle, appointed **limited** conservator of the person and estate on 03/30/17, no bond.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed 05/05/17.
3. Determination of Conservatee's Appropriate Level of Care form, Care Plan filed 05/26/17.
4. Partial and final Inventory and Appraisal filed.
 - a. Assets consist of \$473,552.23. Court may wish to revisit bond and/or blocked account. Petition for substituted judgment filed 02/20/18.

RECOMMENDATION

Court's discretion.

(lc)

Future Hearing: 06/07/18 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600371

CASE NAME: MTR OF DARNEL FIDEL MEJIA

SEE ALSO 15, 17, 18, 18A

HEARING:

Hearing Re: PLACEMENT REVIEW

COUNSEL:

SYLVAN P MEJIA (CPE)...MEGAN I BRAUN
DARNEL FIDEL MEJIA (CEP)...

GENERAL INFORMATION

Continued from 02/08/18.

THIS CASE SET FOR HEARING ON Placement Review.

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

1. Matter set at time of appointment on 03/30/17.

RECOMMENDATION

Court's discretion.

(lc)

Future Hearing: 06/07/18 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600371

CASE NAME: MTR OF DARNEL FIDEL MEJIA

SEE ALSO 15, 16, 18, 18A

HEARING:

Hearing Re: STATUS OF FILING OF SNT/SUBS JUDGMT

COUNSEL:

DARNEL FIDEL MEJIA (CEP)...
SYLVAN P MEJIA (CPE)...MEGAN I BRAUN

See matter 18A.

(lc)

Future Hearing: 06/07/18 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600371

CASE NAME: MTR OF DARNEL FIDEL MEJIA

SEE ALSO 15, 16, 17, 18A

HEARING:

Hearing Re: BOND OF \$500,000.00 IF SNT NOT FILED

COUNSEL:

DARNEL FIDEL MEJIA (CEP)...
SYLVAN P MEJIA (CPE)...MEGAN I BRAUN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Bond of \$500,000 if SNT not filed.

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

1. Matter set on 02/08/18 when court ordered Petition for Substituted Judgment to be filed by 02/22/18.
2. Petition filed on 02/20/18. See next matter.

RECOMMENDATION

None.

(lc)

Future Hearing: 06/07/18 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600371

CASE NAME: MTR OF DARNEL FIDEL MEJIA

SEE ALSO 15, 16, 17, 18

HEARING:

Petition for SUBSTITUTED JUDGMENT TO CREATE AND FUND IRREVOCABLE
SPECIAL NEEDS TRUST ETC

COUNSEL:

DARNEL FIDEL MEJIA (CEP)...
SYLVAN P MEJIA (CPE)...MEGAN I BRAUN

Currently under review by legal research.

Need notice of hearing and proof of service to all parties listed in petition under paragraph 7 per Pr.C.§ 2581[LFpg4] and Pr.C. §§3604(a)(2), 3602(f), and 3611(c); Department of Health Services, Director of State Hospitals and Director of Developmental Services.

(lc)

Future Hearing: 06/07/18 *Accounting Review*.

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

DATE: 03/29/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700211

CASE NAME: MTR OF MILDRED C HALL

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of JASON PAGE

COUNSEL:

JASON PAGE (CPE)...PRO/PER
MILDRED C HALL (CEP)...ROSE C ROSADO

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Jason Page, grandson, appointed conservator of the person and estate on 08/24/17, \$20,000 bond.
2. Notification of Conservatee's rights filed 07/27/17; however, was premature. **Need** proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights per Pr.C.§1830(c).
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5, local rule 20-1403.
5. Final Inventory and Appraisal filed 06/07/17; however, **need** appraised by probate referee.
6. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
7. Conservatorship estate holds interest in real property, **need** proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION

Need to clear notes 2-7.

(lc)

Future Hearing: 11/01/18 *Accounting Review*.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

Readiness Calendar

DATE: 03/29/18 TIME: 8:25 DEPT: S36P

CASE#: PRO PS1700126

CASE NAME: THE CHIOVARE LIVING TRUST DATED JUNE 14,2013

HEARING:

Readiness Calendar

COUNSEL:

CHRISTINE D SAWTELL	(PET)...WARD & WARD
FRANK LEMMO	(PRO/PER
FRANK LEMMO	(THOMAS W DOMINICK
JOSEPH A CHIOVARE	(PET)...WARD & WARD
MICHAEL V CHIOVARE	(PET)...WARD & WARD
STEVEN J CHIOVARE	(PET)...WARD & WARD
THE CHIOVARE LIVING TRUST DATE	(TRU)...
THERESA L CHIOVARE	(OBJ)...JAMES B CHURCH

Readiness – No notes – JTD

Future Hearing:

04/09/18 *Court Trial*

04/09/18 *Hearing re: Petition for removal of trustee*

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:29 DEPT: S36P

CASE#: CON PS1300026

CASE NAME: CHERI LYNN AUCOIN

HEARING:
Readiness Calendar

COUNSEL:

CHERI CLAYTON	(CP)...PRO/PER
CHERI LYNN AUCOIN	(CEP)...ROSE C ROSADO
DIRECTOR, DEPARTMENT OF DEVELO	(CP)...DEPARTMENT OF
PUBLIC GUARDIAN	(CP)...COUNTY COUNSEL

Readiness – No notes – JTD

Future Hearing:
04/09/18 *Court Trial*

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 03/29/18 TIME: 8:30 DEPT: S36P

CASE#: PRO DS1000096

CASE NAME: DICK HOFSTRA JR

HEARING:

Accounting Review by ***

COUNSEL:

DICK HOFSTRA JR

(DEC)...

MARCELLA HOFSTRA

(PET)...ROBBINS & HOLDAWAY

PAMELA SUE DURANT

(TP)...JOHN T ANDERSON

GENERAL INFORMATION

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 Marcella Hofstra, spouse, on 05/20/10; full authority, \$200,000 bond.
2. Previous status report approved on 03/30/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400857
CASE NAME: Petra Amador Ramirez
HEARING: Hearing Re: STATUS REPORT

COUNSEL:

ELAINE TAPIA	(PET)...	SALLY ANNE COX
PETRA AMADOR RAMIREZ	(DEC)...	
RICHARD RAMIREZ	(OBJ)...	PRO/PER
RICHARD RAMIREZ	(PET)...	PRO/PER

XREF: CIVDS1610559 (*Richard Ramirez-v-Elaine Tapia et al*)
CIVDS1600795 (*Tapia vs Ramirez*)

GENERAL INFORMATION:

Continued from **11/21/16**. Matter set to trail CIVDS1610559 and CIVDS1600795.
Continued from **02/27/17**. Richard Ramirez advises court a motion for summary judgment was filed on related case CIVDS1610559 and is set for 05/16/17. This matter will be continued to be heard on that date. Notice waived.
Continued from **05/16/17 and 09/28/17**. Matter set for trial
Continued from 10/12/17 and 12/05/17; no appearance, case under submission.

THIS CASE IS SET FOR HEARING ON Status Report by Elaine Tapia, daughter.

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

1. Letters of administration issued to Elaine Tapia, daughter, on 05/22/15, full authority \$140,000 bond.
2. Administrator alleges the estate is not in a condition to be closed as there are numerous civil complaints being litigated that are preventing this administration from closing; however, does not specify the additional time in which to close the estate.
3. **Need** notice per Pr. C. § 12201(b) advising the recipients of the right to petition for an account.
4. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need notice. If approved, set next Accounting Review for **09/27/18**. Note requirements of Local Rules.
(nb/cs/lc/nb/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500245

CASE NAME: JOSEPH BROCK

HEARING:

Accounting Review by ***

COUNSEL:

JOSEPH BROCK (DEC)...
JOSEPH CAM BROCK (PET)...GARY H BLAYLOCK

GENERAL INFORMATION

Continued from 12/21/17.

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 Joseph Brock, son/sole heir, on 09/15/15; full authority, no bond.
2. Previous status report approved on
3. Final Inventory and Appraisal filed 02/24/17.
4. **Notice** of non-payment of Probate Referee fees of \$115 filed 02/09/18.
5. **Need** accounting or next status report.

RECOMMENDATION

Inquire status of accounting and payment to probate referee.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600395

CASE NAME: MTR OF STEPHEN OTTO STAFFORD

HEARING:

Final Account and Report of TOM STAFFORD and Petition for allowance of fees filed.

COUNSEL:

TOM STAFFORD (PET)...PRO/PER
STEPHEN OTTO STAFFORD (DEC)...

GENERAL INFORMATION

Continued from 02/01/18.

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Tom Stafford, son.

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

1. Executor is sole beneficiary, waives accounting and statutory compensation.
2. Assets on hand consist of \$46,362.41 in cash and 2013 Ford.
3. ~Proposed order 02/02/18.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **04/04/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600485

CASE NAME: MTR OF LOYOLA EDITH LANCE

HEARING:

Probate status report filed.

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV (TP)...PRO/PER	
HOWARD JAMES LANCE III	(PET)...JT LEGAL GROUP, APC
HOWARD JAMES LANCE JR	(PET)...JT LEGAL GROUP, APC
LOYOLA EDITH LANCE	(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status Report by **Howard Lance, III**.

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

1. Letters of Administration issued to **Howard Lance Jr**, brother, on 10/20/16; full authority, no bond. Howard passed away.
2. Letters of Successor Administration issued to **Howard Lance, III**, nephew, on 10/30/17; full authority \$20,000 bond.
3. **Need** final Inventory and Appraisal.
4. **NOTE:** Notice of non-payment of probate referee fees of \$230 not paid filed 01/30/18.
5. Administrator seeks an additional 4 months to close the estate in order to liquidate the real property.

RECOMMENDATION

Need to clear note 3. If approved, set Accounting/Status Review for **07/26/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600764

CASE NAME: JAMES ARTHUR BURDETTE

HEARING:

Pet for final distribution on waiver of Account and Report of
ELLA MAE BOUCHARD and Petition for allowance of fees filed.

COUNSEL:

ELLA MAE BOUCHARD (PET)...PRO/PER
JAMES ARTHUR BURDETTE (DEC)...

GENERAL INFORMATION

Continued from 02/08/18 to submit new order.

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Ella Bouchard, mother of sole heir.

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

1. Sole heir Jeremiah Burdette waives accounting.
2. Administrator waives statutory compensation.
3. Proposed Order: 11/14/17; however, real property on hand is not stated nor is statement re creditors satisfied. Submit new order.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **04/04/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700825

CASE NAME: CRYSTAL LAGUNAS-LARA

HEARING:

Hearing Re: Proof of Bond/Blocked Account

COUNSEL:

CYRSTAL LAGUNAS-LARA (MIN)...
LILIANA LARA (PET)...RUDY AGUIRRE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Proof of Bond/Blocked Account.

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

1. Matter set on 01/25/18 when court granted creation of SNT and appointed Albert Lagunas and Liliana Lara as Co-Trustees, \$66,000 bond with remainder in blocked account.
2. **Need** bond and Receipt and Acknowledgment for Proof of blocked account.

RECOMMENDATION

Inquire status of bond/blocked account.

(lc)

Future Hearing: 04/11/19 Accounting Review.

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700935

CASE NAME: MTR OF JAMES RALPH TOLLIVER

HEARING:

Hearing Re: STATUS OF ADMINISTRATION

COUNSEL:

DAVID SHERAK OF VOGT,RESNICK (PET)...VOGT,RESNICK & SHERAK, LLP
JAMES RALPH TOLLIVER (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status of Administration

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

1. Letters of Special Administration issued to David Sherak, named executor/creditor, 09/28/17.
2. No general petition for administration has been filed. Court to inquire whether any assets have been discovered.

RECOMMENDATION

Inquire status.

(lc)

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

DATE: 03/29/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701105

CASE NAME: Michael Edward Clayvon

SEE ALSO 12

HEARING: OSC re: Dismissal of Spousal Property petition filed by VERNA CLAYVON

COUNSEL:

MICHAEL EDWARD CLAYVON (DEC)...
VERNA CLAYVON (PET)...PRO/PER

GENERAL INFORMATION

OSC set on 02/01/18 when there was no appearance.

THIS CASE SET FOR HEARING ON **OSC re Dismissal on** Spousal Property Petition by Verna Clayvon.

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

1. Petitioner, Verna Clayvon, seeks court determine that decedent's half of community property located on **Pennsylvania St.** passes to petitioner without administration.
2. Section 7 b is also check regarding confirmation of petitioner's community property; however, section 1b is not check indicating same. **Need** verified supplement.
3. Petitioner states she and decedent were married on 04/19/86 and the property was acquired 07/02/1982; 4 years prior to marriage. However, the property is currently held in Trust [see LFpg35].
 - a. Question how this is the proper vehicle to administer trust property? **Need** verified supplement with points and authorities.
 - b. Question how 100% of the property can be given to petitioner as the will and Trust bequests 51% [LFpg11&20]? **Need** verified supplement with points and authorities.
4. Notice filed 01/26/18; however, **notice is not timely**, 13 days' notice [01/19/18].
5. ~Proposed Form Order: 11/03/17.

RECOMMENDATION

Court's discretion re OSC. Need to clear notes 2-4. Alternatively, court may wish to deny petition.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701105

CASE NAME: Michael Edward Clayvon

SEE ALSO 11

HEARING:

OSC re: Dismissal of Petition for Spousal Property filed by
VERNA CLAYVON

COUNSEL:

MICHAEL EDWARD CLAYVON (DEC)...
VERNA CLAYVON (PET)...PRO/PER

GENERAL INFORMATION

OSC set on 2/01/18 when there was no appearance.

THIS CASE SET FOR HEARING ON **OSC re Dismissal on** Spousal Property Petition by
Verna Clayvon.

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

1. Petitioner, Verna Clayvon, seeks court determine that decedent's half of community property located on **Blackstone St.** passes to petitioner without administration.
2. Petitioner states she and decedent were married on 04/19/86 and the property was acquired 06/11/05. However, the property is currently held in decedent's name solely [see LFpg11]. Date of acquisition occurred during marriage. Petitioner states decedent died intestate; however, the concurrent petition indicates a will and trust. **Need** verified supplement explaining how this petition is intestate when there appears to be a will in existence.
3. Notice filed 01/26/18; however, **notice is not timely**; 13 days' notice [01/19/18].
4. ~Proposed Form Order: 11/03/17.

RECOMMENDATION

Court's discretion re OSC. Need to clear notes 2-3.

(lc)

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

DATE: 03/29/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701286

CASE NAME: MAX ROSENFELD AKA MAX ROSENFELD

HEARING:

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

COUNSEL:

MARIA ROSENFELD (PET)...JAMES L HEYWOOD AND
MAX ROSENFELD (DEC)...
VOLKSWAGEN GROUP OF AMERICA IN (OBJ)...HERZFELD & RUBIN

GENERAL INFORMATION

Continued from 02/08/18. Notice and publication cleared on record.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Maria Rosenfield, spouse.

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

1. All heirs waive bond. Net estate value is \$109,247 of which \$5,000 is personal
property.
 - a. **Need** bond waivers by all surviving siblings Donna, Donny, Larry, Marty and
Jerry Rosenfeld. Siblings are heirs per Pr.C. § 6401(c)(2)(B).
2. Section 8 lists Kenny Rosenfeld as deceased. Question how Kenny was related
and whether Kenny left issue? **Need** verified supplement.
3. **Objections filed by Volkswagen Group of America on 01/31/18 alleging there
are heirs not listed; Angel Cardoso, Maria and Jacqueline Cruz. There are no
children or step children listed in section 8 of petition.**
4. ~Proposed Form Order: 12/21/17

RECOMMENDATION

Need to clear notes 1-2, matter is contested. If approved, set Accounting/Status Review
for **06/06/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note
requirements of local rule 20-908.

(lc)

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

DATE: 03/29/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800175

CASE NAME: MTR OF GREGORY SCOTT POUNDS

HEARING:

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

COUNSEL:

GREGORY SCOTT POUNDS	(DEC)...
LINDA POUNDS	(PET)...EDWARD J MILLER
WILLIAM POUNDS	(PET)...EDWARD J MILLER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by William and Linda Pounds, parents.

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

1. Petitioners are sole heirs and waive bond. Net estate value is \$355,000 of which \$100k is personal property.
2. Court to clarify if there was a registered domestic partner as section 5(3)(4) is incomplete.
3. **Need** proof of publication.
4. ~Proposed Form Order: 02/22/18

RECOMMENDATION

Need to clear notes 2-3, Court's discretion re bond. If approved, set Accounting/Status Review for **06/06/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 03/29/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS0900260

CASE NAME: GREGORY MICHAEL CONTRERAS

HEARING:

Hearing Re: STATUS ON DISSOLUTION PETITION

COUNSEL:

CARRIE L CONTRERAS

(CPE)...PRO/PER

GRAGORY MICHAEL CONTRERAS

(PET)...E JOAN NELMS

GREGORY MICHAEL CONTRERAS

(CEP)...JACK B OSBORN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status on Dissolution Petition.

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

1. Court set matter on its own motion after review of 02/14/18 Court Investigator report.
2. Notice of dissolution filed 10/13/17.

RECOMMENDATION

Inquire status.

(lc)

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

DATE: 03/29/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1200150
CASE NAME: MTR OF DOLORES DELGADILLO
HEARING: Hearing re Final Discharge

COUNSEL:

D. HERSHEL WILSON	(PET)...
DAVID HERMAN	(CPE)...
DOLORES DELGADILLO	(CEP)...HARTNELL LAW GROUP
PEARL WARDLOW	(CPE)...KELLY L PEXTON
PEARL WARDLOW	(OBJ)...KELLY L. PEXTON, ESQ
U.S. SPECIALTY INSURANCE COMP	(LANAK & HANNA

GENERAL INFORMATION

Continued from 10/06/16 and 12/15/16. Court orally amended 2nd account that the vehicle can be distributed to Pearl Wardlow as she is sole heir.

Continued from 02/09/17. Second account approved as amended. Counsel to submit order after hearing.

OSC set on 04/20/17 when there was no appearance. Attorney Kelly Pexton to personally be present.

OSC continued from 05/25/17. Court imposed sanctions of \$500; as Attorney Kelly Pexton failed to appear/comply. Attorney Pexton and Pearl Wardlow to appear.

Continued from 07/27/17 OSC vacated, 11/09/17 and 01/11/18. Corrected order signed.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. 2nd and Final Account of Pearl Wardlow was granted on 10/06/15; Court orally amended 2nd account that the vehicle can be distributed to Pearl Wardlow as she is sole heir. Order approved 01/11/18.
2. No receipts needed as Pearl Wardlow is sole heir.
3. **Need** Ex Parte Petition for Final Discharge and Order with **county recording** information per Pr.C.§11753(b).

RECOMMENDATION

Inquire status of discharge order.

(lc/ww/lc)

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

DATE: 03/29/18 TIME: 9:30 DEPT: S36P

CASE#: SC SS01214

CASE NAME: IN THE MATTER OF JULIE FORRESTER

HEARING:

Accounting Review by ***

COUNSEL:

CHRISTINA ERICKSON-TAUBE	(CPE)...	SHERRI L KASTILAHN
JAMES B CHURCH	(PET)...	E JOAN NELMS
JULIE FORRESTER	(CEP)...	JAMES B CHURCH
MELODIE Z SCOTT	(CPE)...	BRYAN C. HARTNELL
MICHAEL J GILL	(TP)...	MICHAEL J. G ILL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 8th Account for Christina Erickson Taube, PPF, approved on 08/17/17.
2. **Need** 9th Account beginning with 12/01/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 03/29/18 TIME: 9:30 DEPT: S36P

CASE#: SC SS7445

CASE NAME: IN THE MTTR OF PAUL O WINTERS

HEARING:

Accounting Review by ***

COUNSEL:

CHRISTIE DAVIDSON	(CE)...HORSPOOL & HORSPOOL
CHRISTIE DAVIDSON	(CPE)...HORSPOOL & HORSPOOL
JAMES B CHURCH	(PET)...JAMES B CHURCH
MELODIE Z SCOTT	(CE)...E JOAN NELMS
MELODIE Z SCOTT	(CPE)...E JOAN NELMS
PAUL O WINTERS	(CEP)...JAMES B CHURCH & ASSOCIATES
PAUL O WINTERS	(CEP)...MARK J. ANDREW FLORY

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 8th Account for Christie Davidson, PPF, approved on 04/26/17
2. **Need** 9th Account beginning with 01/01/17.

RECOMMENDATION

Inquire status of accounting.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

Readiness Calendar

DATE: 03/29/18 TIME: 8:29 DEPT: S37P

CASE#: CON PS1700169

CASE NAME: DEREK J. BARWICK

SEE ALSO 2

HEARING: Hearing Re: PETITION FOR APPOINTMENT OF CONSERVATOR

COUNSEL:

DENNIS BARWICK

(PET)... MATTHEW SHEASBY

DEREK JUSTIN BARWICK

(CEE)... CANDICE A GARCIA-RODRIGO

PAMELA L BARWICK

(PET)... HARTNELL LAW GROUP

GENERAL INFORMATION

Pamela Barwick appointed temporary conservator on 05/11/17.

Continued from **06/20/17**. Father requesting to be co-conservator. Father advised to file a petition or speak with Counsel and have an amended petition filed. Court does not require an IRC report and will allow Counsel to decide which type of conservatorship requested.

Continued from 08/08/17. Father's competing petition filed. Referred to Court Investigator. The Court requests IRC provide a supplemental report regarding father's request for conservatorship. The Court deems competing petitions to be objections to the other petition. The Court recommends parents use OurFamilyWizard to exchange information regarding proposed conservatee. Matter continued to trail competing petition.

Continued from 09/12/17 and 10/18/17. Mediation was unsuccessful.

Continued from 12/06/17 to clear probate notes. Court notes and accepts the report of appointed Counsel, Candice Garcia-Rodrigo, for petitioner 2 as the information need for petition 2 was included in the report filed 07/24/17 for petition 1.

Continued from 02/14/18. Court cleared all notes on competing petition.

THIS CASE SET FOR HEARING ON

Petition - 1: Petition for Appointment of Conservator person and estate by ***Pamela Barwick (mother)***

Petition - 2: Petition for Appointment of Conservator person and estate by ***Dennis Barwick (father)***

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

Petitioner 1- Pamela Barwick; mother:

1. Petitioner requests no bond as proposed conservatee has no assets or income. Question need for estate powers.

2. Proposed conservatee is developmentally disabled. It appears a petition for Limited Conservatorship may be appropriate.
3. Report of appointed counsel Candice Garcia-Rodrigo, filed 07/24/17.
4. Court Investigator report filed 01/31/18.
5. IRC report filed 06/15/17 07/20/17.
6. Petitioner seeks medical powers. Capacity Declaration filed 05/05/17.
7. Certificate of Completion of the Conservatorship Training Class filed 06/01/17.
8. Return of Citation filed 05/25/17.
9. ~Proposed Form Order: 05/05/17
10. **Objection filed by Dennis Barwick on 07/31/17.**
11. **Court deems competing petition by father as Objection.**

Petitioner 2 -Dennis Barwick; father:

12. Petitioner requests no bond as proposed conservatee has no assets or income. Question need for estate powers? Court to inquire.
13. Proposed conservatee is developmentally disabled. Report of Counsel Garcia-Rodrigo filed 07/24/17
14. Petitioner requests medical powers. Capacity Declaration filed by Pamela. Court cleared on record.
15. CI Report of No Report filed 09/12/17. Special CI Report filed 01/31/18.
16. Proof of Completion re Conservatorship Class filed 02/01/18.
17. IRC Report filed 08/31/17.
18. ~Proposed Form Order/Letters 08/07/17.
19. **Court deems competing petition by mother as Objection.**

RECOMMENDATION:

Matter is contested. If approved, set hearing for Compliance Review for **11/01/18** for the filing of the required documents and hearing re Accounting Review for **06/06/19**. Any accounting to be filed 30 days in advance of review date. Note requirements of Local Rules 20.901 and 20.908.

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

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:29 DEPT: S37P

CASE#: CON PS1700169

CASE NAME: DEREK J. BARWICK

SEE ALSO 1

HEARING:

Readiness Calendar

COUNSEL:

DENNIS BARWICK

DEREK JUSTIN BARWICK

PAMELA L BARWICK

(PET)... MATTHEW SHEASBY

(CEE)...CANDICE A GARCIA-RODRIGO

(PET)...HARTNELL LAW GROUP

Readiness – No notes – JTD

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO DS1000887

CASE NAME: EBRAHIM NADER KHALILI

HEARING: PETITION FOR FINAL DISTRIBUTION AND WAIVER OF Account and Report of ILIONA O. KHALILI and Petition for allowance of fees filed.

COUNSEL:

CAL-EARTH, INC	(PET)...KEYSTONE LAW GROUP
CALIFORNIA INSTITUTE OF EARTH	(PET)...SHAWN S KERENDIAN
DASTAN KHALILI	(PET)...KERENDIAN & ASSOCIATES
DASTAN KHALILI	(PET)...KEYSTONE LAW GROUP
EBRAHIM NADER KHALILI	(DEC)...
ILIONA O. KHALILI	(PET)...MICHAEL F CREAMER
SHEEFTAH KHALILI	(PET)...SHAWN S KERENDIAN
SHEEFTEH KHALILI	(RES)...KEYSTONE LAW GROUP

GENERAL INFORMATION

Continued from 12/28/17.

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Iliona Khalili, spouse.

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

1. Petitioner is sole beneficiary per settlement agreement filed 09/29/15.
2. No statutory fee requests made.
3. **Need** Information required in report on waiver of account per and statements re status of property (i.e.: separate, community), taxes, notice per CRC§7.550 Pr.C.§§ 10954, 9202, proposed distribution and prayer per Pr.C.§1064.
4. Petition is not verified per Pr.C. § 1021. **Need** same.
5. **Need** notice of hearing and proof of service to prior special administrator Dastan Khalili and Counsel Shawn Kerendian.
6. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 3-5. If approved, set hearing on the filing of receipts and final discharge for **04/04/19**.

(lc)

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1200388
CASE NAME: AMETHYST FABIAN SPECIAL NEEDS TRUST
HEARING: PETITION FOR APPROVAL OF FIFTH Account and Report of CITIZENS
BUSINESS BANK and Petition for allowance of fees filed.

COUNSEL:

AMETHYST FABIAN SPECIAL NEEDS (TRU)...
CITIZENS BUSINESS BANK (PET)...RANDOLPH M SHARON
CITIZENS BUSINESS BANK (TEE)...RANDOLPH M SHARON

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 5th SNT Account Current, Petition for Modification of Residence and Petition for Fees by Citizens Business Bank, Trustee.

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

1. Accounting period 06/01/16 – 10/31/17.
2. Assets on hand \$462,976.17 consisting of \$24,452.81 in cash; remainder in mutual funds, personal and real property.
3. Trustee requests ratification of fees paid in the amount of \$12,728.16 based on an annual market value fee of 1.5% [LFpg44-47]. JTD.
4. Attorney requests a flat fee of \$3,300.00 and reimbursement for filing fees of \$230.00. Billed at \$450/hour for 8 or more hour attorney time. Generally Itemized [LF, p10]. JTD
5. Beneficiary lives with mother who is primary care giver.
6. Trustee seeks instructions on whether Trust should pay for some or all repairs to the real property owned by the Trust \$16,321 - \$37,700, up to \$30,000; however, itemized as follows. Estimates [LFpg49-57]
 - a. Carpet \$3,395 - \$6,326
 - b. Hardwood floors \$9,000 - \$18,000
 - c. Kitchen sink/countertops \$3,257 - \$10,500
 - d. Solar panels \$20,000 - \$25,000
 - e. Patio cover \$5,321 - \$17,000
 - f. Paint \$2,000
 - g. Windows \$10,426 - \$13,950
7. No bond – corporate fiduciary.
8. **Need** notice of hearing and proof of service.
9. No proposed order. Submit after hearing.

RECOMMENDATION:

Need to clear note 8, Court's discretion re: fees and modifications. If approved, Court to set the next hearing re Accounting Review for **01/17/19**. Account to be filed 30 days' in advance.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300080

CASE NAME: GLENNON ZEHRT LIVING TRUST

SEE ALSO 6, 7

HEARING:

Hearing Re: RECEIPT OF SETTLEMENT/TRIAL SETTING CONF

COUNSEL:

GERI ZEHRT

GLNNON ZEHRT LIVING TRUST

CARLA ZEHRT

(PET)...PRO/PER

(TRU)...

(OBJ)...RALPH K HEKM AN

No notes – JTD

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300080

CASE NAME: GLENNON ZEHRT LIVING TRUST

SEE ALSO 5, 7

HEARING: Hearing Re: Petition for DETERMINING THE EXISTENCE OF TRUST

COUNSEL:

GERI ZEHRT (PET)...PRO/PER
GLNNON ZEHRT LIVING TRUST (TRU)...
CARLA ZEHRT (OBJ)...RALPH K HEKM AN

GENERAL INFORMATION

On 2/5/13, the court suspended the powers of Carla Zehrt except as to the power to close escrow. The court further ordered the escrow proceeds to be placed in Atty Linda Roberts-Ross' trust account

Continued from **3/27/13, 5/1/13, 8/7/13, 9/25/13, 10/30/13, 12/18/13, 4/21/14, 6/18/14, 8/20/14, 9/24/14, 11/24/14 and 5/18/15** at request of counsel. Court Trial vacated 4/23/15 and hearing re status of mediation also before the court 5/18/15.

Continued from **06/22/15** at request of counsel. Counsel state they believe case is settled. Notice waived.

Continued from **10/13/15 and 11/17/15** at request of counsel.

Continued from **01/07/16** Court notes that on 02/05/13, Carla Zehrt powers were suspended except as to the power to close escrow and ordered the escrow proceeds to be placed in attorney Linda Roberts-Ross' trust account. Court orders today that the funds in Linda Roberts-Ross' trust account be turned over to Ralph Hekman, to be placed in Ralph Hekman's trust account.

Continued from 3/1/16, 5/18/16, 08/01/16, 10/13/16, 12/15/16, 03/09/17, 05/25/17, 07/27/17, 10/26/17 and 12/28/17 to file settlement agreement and substitutions of attorney, including for Hartnell's firm.

THIS CASE IS SET FOR HEARING ON Petition Determining Existence of Trust to remove Trustee based upon Breach of Fiduciary Duties, to Compel Trustee to Report to Beneficiaries and for Damages Resulting from Trustee's Breach

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

1. Petitioner, Geri Zehrt McCann, is a beneficiary under the Glennon Zehrt Living Trust dated 9/26/12. Petitioner believes that the principal administration of the Trust was Riverside County, California. The trustor died on 10/27/12 and since no Notice of

Trust Administration was ever sent to petitioner after trustor's death as required under Pr.C. 16061, this petition is timely.

2. Petitioner alleges no copy of the Trust has been provided as required. Petitioner requests that this court make a determination of the existence of Glennon's Trust.
3. Petitioner asserts that the current Successor Trustee of the Trust, Carla Zehrt, has breached her fiduciary duties to the beneficiaries of the trust by the following acts/omissions:
 - a. Glennon's California Beach Club Timeshare is not being paid and is at a risk of loss.
 - b. Glennon's other California Beach Club Timeshare for October, 2012, was only paid on 1/11/13. Petitioner asserts there were sufficient funds to pay this obligation in a timely manner.
 - c. The Silver Lakes Vacation Club timeshare is likewise at risk if this estate is not properly administered.
 - d. The trustee has failed and refused to do what is necessary, to obtain death benefits owed to the estate from the California State Teacher's Retirement System (estimated value \$6,000).
 - e. The trustee has refused to reimburse petitioner for costs paid related to the memorial service for decedent which petitioner is informed and believes that is directed to be paid per terms of the trust.
 - f. Petitioner believes the trustee has refused to share information regarding the extent, nature and character of the trust estate assets despite requests by petitioner.
 - g. Petitioner alleges that the decedent intended his personal accounts to be included in the corpus of the trust, but instead, the trustee used coercion and/or undue influence on the decedent/trustor to leave those accounts to respondent as a joint tenant.
 - h. Petitioner is informed and believes that the trustee has received a post-death social security check which she has not returned and/or has converted to her own personal use.
 - i. Petitioner alleges the trustee set herself up to be paid \$1,500/month pre-death to provide "help" to the trustor, Glennon, which petitioner believes was not necessary and which was not needed as Glennon could manage himself very well with the exception of transportation.
 - j. Petitioner asserts Respondent was self-dealing from Glennon's accounts
 - k. Petitioner alleges trustee has failed to obtain death benefits owed to the estate from CALSTRS.
 - l. The trustee has refused to reimburse petitioner for costs paid related to the memorial service for decedent, as well as refused to share information regarding the character of the Trust estate assets.
 - m. Petitioner believes that the trustee has received post-death social security checks which she has not returned and/or has converted to her own personal use. In addition, petitioner believes the trustee set herself up to be paid the sum of \$1,500/month from the time she moved in to "help" Glennon during the last few months of his life. Petitioner contends this held was not needed.

4. Petitioner alleges Glennon's mobile home located in Yucaipa, CA has been sold and escrow scheduled to close 2/4/13, with the gross proceeds to be distributed (approx.. \$22,000) to the trustee/respondent. Petitioner requests an injunctive order to prevent the sale proceeds from being distributed, wasted, and absconded with or being otherwise controlled by the trustee/respondent. Petitioner believes that she will suffer irreparable harm should the court not impose the requested mandatory injunction. Petitioner requests that the escrow company either be ordered to hold the funds or that such funds be held in trust by petitioner's attorney.
5. Petitioner requests that Carla Zehrt be removed as trustee of the Trust and that petitioner be substituted in her place and to provide an accounting.
6. Petitioner seeks damages for any breach of the Trustee's breach of fiduciary duty.
7. **Objections files by Carla Zehrt stating it's unnecessary and wasteful to change control of the estate at this time. Substitution of Attorney filed 4/3/14 making objector in pro per.**
8. Order Directing Linda Roberts to Transfer Sale Proceeds of Mobile Home to Ralph Hekman, to be placed in Ralph Hekman's trust account entered 3/1/16.

RECOMMENDATION:

Need settlement agreement and substitutions of attorney.

(gls/sa/ds/gls/sa/gls/nb/lc/sa/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300080

CASE NAME: GLENNON ZEHRT LIVING TRUST

SEE ALSO 5, 6

HEARING:

OSC re: Dismissal

COUNSEL:

GERI ZEHRT	(PET)...PRO/PER
GLNNON ZEHRT LIVING TRUST	(TRU)...
CARLA ZEHRT	(OBJ)...RALPH K HEKM AN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC re Dismissal.

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

1. OSC set on 12/28/17 settlement hearing.

RECOMMENDATION

Court's discretion re OSC.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 8

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300467

CASE NAME: THE JANE GILL THOMPSON SEPARATE PROPERTY TRUST

SEE ALSO 9

HEARING:

Hearing Re: Status on completion of CPA report

COUNSEL:

EMORY D'AQUILA	(PET)...DAVID LIVINGSTONE TAUB
EMORY D'AQUILA	(RES)...DAVID LIVINGSTONE TAUB
MILES THOMPSON	(PET)...PRO/PER
OSCAR EMMETT THOMPSON	(PET)...JACK B OSBORN
THE JANE GILL THOMPSON SEPARA	(TRU)...

Status – No notes – JTD *

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300467

CASE NAME: THE JANE GILL THOMPSON SEPARATE PROPERTY TRUST

SEE ALSO 8

HEARING: First Current Account and Report of EMORY D'AQUILA and Petition for allowance of fees filed.

COUNSEL:

EMORY D'AQUILA	(PET)...DAVID LIVINGSTONE TAUB
MILES THOMPSON	(PET)...PRO/PER
OSCAR EMMETT THOMPSON	(PET)...JACK B OSBORN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 1st Trust Account and Report by Emory D'Aquila, grandson/Trustee.

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

1. Trustee, Emory, was suspended on 08/10/17. Miles Thompson is current Successor Trustee of Jane Thompson Separate Property Trust.
2. Accounting period 04/04/13– 08/03/17.
3. Trustor died on 01/01/13. Question why accounting does not begin at death? **Need** verified supplement and/or amended accounting.
4. Assets on hand \$310,518.89 of which \$518.89 is cash and remainder in real property.
5. Trustee fees are not sought.
6. Counsel David Taub was paid \$5,016 for legal services during accounting period.
7. Disbursements indicate 3 NSF fees totaling \$102 [lfpg16]. Court to inquire as to Mr. D'Aquila's fiduciary duty.
8. Disbursements indicate \$416 for DMV, \$776 unknown payee and Misc. expense of \$404.95 on 03/17/14, 09/25/14 and 08/03/15; respectively [lfpg17]. Court to inquire.
9. **Need** statements to support cash balance per local rule 20-908.
10. **Need** notice of hearing and proof of service.
11. ~Proposed Order: 01/16/18.

RECOMMENDATION

Need to clear notes 3, 9-10. **If** trust is to remain court supervised, need accounting review set for Miles Thompson [successor] for **10/18/18**.

(lc)

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1401139
CASE NAME: MARY E DRAZ
HEARING: First and Final Account and Report of RHONA S KAUFFMAN and
Petition for allowance of fees filed.

COUNSEL:

AUCTION-CA FINANCIAL SERVICES	(PRO/PER
CRYSTAL MORGAN	()...
MARY E DRAZ	(DEC)...
RHONA S KAUFFMAN	(PET)...JULIA E BURT

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Rona Kauffman, friend.

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

1. Assets on hand \$164,365.52 in cash and shares/stock.
2. Administrator and counsel seek statutory fees of \$8,041.05 each. Ok.
3. Counsel seeks extraordinary fees of \$6,905.50 for 28.15 hours at \$175/395 per hour for paralegal and attorney services in relation to petition for instructions etc. Court to determine reasonableness of paralegal rate. [Acct. 01/12LFpg37-41].
4. Petition to create Pet Trust approved on 09/09/16. Rebecca Fearing is pet guardian. Distributions of \$14,587.46 have been made to the Trust and administrator seeks interim distributions be approved. JTD
5. Disbursements indicate firearm transfers [LFpg11&26]. Firearms must be sold/exchanged at a dealer. Not clear whether administrator has complied with Penal Code §§ 27875 and/or 27920 for the alleged firearm transfers. **Need** verified supplement.
6. **Need** closing escrow statement per local rule 20-910.
7. **Need** statements to support Inventory and Appraisal and ending account cash balance per local rule 20-908.
8. Proposed Order: 01/12/18; however, need statement re creditors and taxes are paid.

RECOMMENDATION

Need to clear notes 5-8. If approved, set hearing on the filing of receipts and final discharge for **04/04/19**

(lc)

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500577
CASE NAME: MICHAEL L GURULE

SEE ALSO 12

HEARING: Petition for ORDR DETERMINING INTEREST IN PROPERTY &
DIRECTING TRANSFER TO REAL PROPERTY ETC

COUNSEL:

CALIFORNIA VICTIM COMPENSATION	(TP)...PRO/PER
GREGORIA PERALTA	(PET)...MARK J. ANDREW FLORY
MICHAEL L GURULE	(DEC)...
PAUL MCINTOSH	(PET)...JAMES B CHURCH

GENERAL INFORMATION

Continued from **07/07/16**. Attorney Church to file written objections.

Continued from 10/11/16 by stipulation. Written objections to be filed today.

Continued from 01/10/17, 03/01/17, 04/27/17, 06/29/17, 10/05/17 and 12/28/17.

Settlement to be filed. Notice to be given to Victim's Compensation Board.

THIS CASE SET FOR HEARING ON Petition for order Determining Interest in Property and Directing Transfer of Real and Personal property Pr.C. § 850 by Gregoria Peralta.

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

1. Petitioner, Gregoria Peralta, alleged that she is the surviving girlfriend of decedent.
2. Petitioner requests an order determining that petitioner is entitled real property located at 827 Herald St., Redlands, CA and 1415 Orange St., Redlands, CA. She also seeks the same order regarding the decedent's 2003 Ford Focus and 1957 Ford Fairlane.
3. Petitioner alleges that at the time of death, decedent was holder of title to the real property that petitioner has an interest in. Petitioner alleges that she and the decedent shared income and expenses as a family unit. Although they were not married, they lived as a married couple would. They made mutual promises to care for each other for the rest of their lives.
4. Petitioner alleges that based on her belief that she jointly owned the aforementioned property; she contributed her income to its maintenance.
5. Petitioner contends that she had an enforceable oral property agreement under *Marvin v. Marvin* (1976)18 Cal.3d 660. Petitioner contends that a Marvin support agreement is enforceable against the estate. *Byrne v Laura* (1997) 52 Cal.App.4th 1054, 1064 ("A Marvin agreement is enforceable against an estate when one of the

parties to the agreement dies...”). See also Estate of Fincher (1981) 119 Cal.App.3d 343, 348-350.

6. **Objections filed 10/11/16 by Personal Representative/Objector, Paul McIntosh.**
7. **Need** settlement agreement.

RECOMMENDATION

Need settlement.

(lc/oc/nb/lc)

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500577
CASE NAME: MICHAEL L GURULE

SEE ALSO 11

HEARING: FIRST Account and Report of PAUL MCINTOSH and Petition for allowance of fees filed.

COUNSEL:

CALIFORNIA VICTIM COMPENSATION	(TP)...PRO/PER
GREGORIA PERALTA	(PET)...MARK J. ANDREW FLORY
MICHAEL L GURULE	(DEC)...
PAUL MCINTOSH	(PET)...JAMES B CHURCH

GENERAL INFORMATION

Continued from 04/27/17, 06/29/17 and 12/28/17. Need Settlement agreement and notice to Victim's Compensation Board.

THIS CASE SET FOR HEARING ON 1st Account Current and Petition for its Settlement by Paul McIntosh, son-in-law.

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

1. Accounting period 05/09/15 – 10/31/16.
2. Assets on hand \$115,044.96.
3. Personal representative requests an additional 6 months to close the estate.
4. Proposed Order: 02/10/17; however, need accounting period and assets on hand. Submit order after hearing.
5. Declaration filed by Victim's Compensation Board indicating Robin Gurule, son/heir, owes \$9,976.86. It appears that this amount would be against Robin's distribution at the time of final account/distribution.
6. **Need** notice of hearing and proof of service to Victim Compensation Board who requested special notice.
7. **Need** settlement agreement.

RECOMMENDATION

Need notice and settlement. If approved, set Accounting/Status Review for **05/31/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600319

CASE NAME: ESATE OF GILDA JOAN DONCHE

HEARING:

Accounting Review by ***

COUNSEL:

BRUCE BRAZEAU (PET)...ROBERT G PETROVICH
GILDA JOAN DONCHE (DEC)...
VICTIM COMPE NSATION AND GOVER (TP)...

GENERAL INFORMATION

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 Bruce Brazeau, brother, on 05/27/16; **limited** authority, \$493,000 bond, additional bond of \$130,000 posted 01/05/18.
2. Previous status report approved on 09/28/17.
3. **Need** accounting or next status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600387

CASE NAME: MTR OF MARK G H EAGLETON

SEE ALSO 15

HEARING:

Hearing Re: FILING OF INVENTORY AND APPRAISAL

COUNSEL:

ABIGAIL EAGLETON	(PET)...DIANA J CARLONI
MARK G H EAGLETON	(DEC)...
SUMMIT	(TP)...THOMAS W DOMINICK

XREF CIVDS1700232 (*Summit Valley V Eagleton*) & **CIVDS1700233** (*Sycip V Eagleton*)

GENERAL INFORMATION

Continued from 08/24/17 and 10/19/17. Inventory and Appraisal hearing set, if filed, matter may go off calendar.

Continued from 02/22/18.

THIS CASE SET FOR HEARING ON Inventory and Appraisal/Accounting review/Status.

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

1. Letters of Testamentary issued to Abigail Eagleton, spouse, on 06/16/16, limited authority, no bond.
2. Partial Inventory and Appraisal filed 12/11/17. **Need** final Inventory and Appraisal
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear note 2 & 3.

(ww/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600387

CASE NAME: MTR OF MARK G H EAGLETON

SEE ALSO 14

HEARING:

Accounting Review by ***

COUNSEL:

ABIGAIL EAGLETON (PET)...DIANA J CARLONI
MARK G H EAGLETON (DEC)...
SUMMIT (TP)...THOMAS W DOMINICK

ABIGAIL EAGLETON (PET)...DIANA J CARLONI
MARK G H EAGLETON (DEC)...
SUMMIT (TP)...THOMAS W DOMINICK

XREF: CIVDS1700232 (Summitt Valley-v-Eagleton) **CIVDS1700233** (SYCIP-v-Eagleton)

See notes on matter 14.

(lc)

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600569

CASE NAME: MTR OF LILLIAN R FARRIS

SEE ALSO 17

HEARING: Petition for appointment of Successor Personal Representative
and issuance of letters of admin. w/w/annexed

COUNSEL:

BENJAMIN D FARRIS	(PET)...	FULLERTON LEMANN SCHAEFER & DO
LILLIAN R FARRIS	(DEC)...	
MARY ELLA FARRIS	(PET)...	FULLERTON LEMANN SCHAEFER & DO

GENERAL INFORMATION

Continued from 12/28/17.

THIS CASE SET FOR HEARING ON Petition for Appointment of Successor Personal representative and Issuance of Letters of Administration WWA by Benjamin Farris, son/successor Trustee.

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

1. Letters Testamentary issued to Mary Farris, executor, on 08/22/16; full authority, no bond. Mary passed away on 10/26/17. Letters of special administration issued to petitioner Benjamin Farris on 12/01/17.
2. All heirs waive bond and nominate petitioner.
3. Petition is not on mandatory judicial council form. Petition and notice for successor must be made in same matter as initial appointment; except for publication. See Rutters Group 14:508.1 and CEB § 7.102. **Need** same.
4. ~Proposed Form Order: 12/22/17.

RECOMMENDATION

Need to clear note 3. If approved, set Accounting/Status Review for **06/06/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600569

CASE NAME: MTR OF LILLIAN R FARRIS

SEE ALSO 16

HEARING:

Accounting Review by ***

COUNSEL:

BENJAMIN D FARRIS	(PET)...FULLERTON LEMANN SCHAEFER & DO
LILLIAN R FARRIS	(DEC)...
MARY ELLA FARRIS	(PET)...FULLERTON LEMANN SCHAEFER & DO

GENERAL INFORMATION

Continued from 10/04/17 and 12/28/17.

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 Mary Farris, executor, on 08/22/16; full authority, no bond. Mary died on 10/26/17.
2. Final Inventory and Appraisal filed 12/28/17.
3. **Need** accounting or status report. Court may wish to require counsel to file accounting for deceased executor per Pr.C. § 10953(c).
4. Timely filed Creditor's Claim filed by petitioner on 11/28/16 re funeral expenses does not appear to have been forwarded to the examiners for review. **Need** allowance or rejection form in order to preapprove.

RECOMMENDATION

Inquire status of accounting.

(lc/lh/lc)

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601248

CASE NAME: Larry Lavant Bonnie

HEARING:
Petition for First Preliminary Distribution

COUNSEL:
INHERITANCE FUNDING COMPANY, I (TP)...PRO/PER
LARRY LAVANT BONINE (DEC)...
LAURIE A. WHELAN (PET)...JENNIFER M DANIEL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Preliminary Distribution by Laurie Whelan, nominee.

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

1. Letters of administration issued to Laurie Whelan, nominee, on 05/02/17; full authority \$187,000 bond.
2. Administrator appears to seek court confirm heir Larry Bonine's assignment of interest of \$36,700 filed 01/24/18; however, it is not clear as if Inheritance funding is paid within 6 months there may be a discount of \$10,000 [from \$36,700 to \$26,000]. Assignment was signed on 12/20/17. Question exactly what administrator is seeking as there is no actual prayer? **Need** verified supplement.
3. Administrator does not specify code section in caption of petition per local rule 20-601. **Need** verified supplement.
4. Final Inventory and Appraisal filed 06/28/17; \$512,852.29 of which \$302,352.29 is cash.
5. No proposed order. Submit order after hearing.

RECOMMENDATION

Need to clear notes 2-3.
(lc)

Future Hearing: 07/10/18 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701169

CASE NAME: ESTATE OF SCOTT REITZ

HEARING:

Petition for CONFIRM OWNERSHIP OF LIFE INSURANCE POLICY PROCEEDS

COUNSEL:

KRISTY JAYE VAUGHT-REITZ (OBJ)...PRO/PER
LINDA REITZ-DOUGHTY (PET)...BARULICH DUGONI LAW GROUP, INC
SCOTT REITZ (DEC)...

Currently under review by legal research.

Parties appeared at last hearing.

(lc)

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701187
CASE NAME: MTR OF LLOYD LESTER BRYANT
HEARING: Hearing re: Petition for Letters of Admin. W/ Full Authority
under IAEA.

COUNSEL:

LARRY BRYANT (PET)...PRO/PER
LLOYD LESTER BRYANT (DEC)...

GENERAL INFORMATION

Continued from 01/08/18 to clear notes.

THIS CASE SET FOR HEARING ON Petition for Probate of **Lost Will**, Letters
Testamentary with Full Authority under IAEA by Larry Bryant, son

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

1. Petition indicates the will of decedent was completed in 1984. The original was held by Law Offices of Etchason, Davidson, and Liesch which no longer exists and attorney has died. Petitioner has no idea where the original will is. When a will is lost and was last in the testator's possession, it is presumed that the testator destroyed the will with the intent to revoke it. Pr. C. § 6124. This presumption affects the burden of producing evidence and unless petitioner can overcome the presumption, no valid will exists. Does Court wish to find the requirements met and probate the lost will? JTD.
2. Will waives bond. Estate value is \$237,845.00 in personal property. Court for good cause could require bond per Pr.C. § 8481(b).
3. Notice of Petition to Administer Estate with proof of service filed 11/30/17 & 01/19/18 **is incomplete as to section 4** as to will being admitted for probate. **Need** corrected notice.
4. **Need** proof of publication.
5. ~Proposed Form Order: 11/28/17

RECOMMENDATION

Need to clear notes 3-4. Court's discretion re bond. If approved, set Accounting/Status Review for **06/06/19**. 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

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701228

CASE NAME: The Ruby L Staton Living Trust

HEARING:

Petition for order determining trust's title to real proper
ty and for order directing personal rep

COUNSEL:

DEBORA L STANTON (PET)...PRISCILLA C SOLARIO ESQ
THE RUBY L STATON LIVING TRUST (TRU)...

Currently under review by Legal Research.
(LR)

Notice given.
(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800178

CASE NAME: THE SUSAN LOUISE COOK REVOCABLE TRUST

HEARING:

Petition for To appoint successor trustee; confirm RP belongs to
trust at settlors incapacity

COUNSEL:

DONNA COOK (PET)...GAUDY LAW, INC
SUSAN LOUISE COOK REVOCABLE TR (TRU)...

THIS CASE WAS PREVIOUSLY FILED AS PROPS1800178

NEW CASE IS TRUPS1800041 **AND SET IN S35P**

(lc)

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

DATE: 03/29/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800187

CASE NAME: SANDRA LEE MOORE

HEARING:

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

COUNSEL:

JOHN CARL MOORE (PET)...PRO/PER
SANDRA LEE MOORE (DEC)...

GENERAL INFORMATION

/// special administration on 03/09/18.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by John Moore, son.

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

1. **Need** Notice to Petition to Administer Estate and proof of service.
2. All heirs waive bond. Net estate value is negative equity of -\$42,714.18; no assets
allegedly remain in estate. Court for good cause could require bond per Pr.C. §
8481(b).
 - a. **Need** bond waivers for remaining children: Jaye, Ross, Lorrie and Brian.
3. **Need** proof of publication.
4. ~Proposed Form Order: 02/27/18.

RECOMMENDATION

Need to clear notes 1-3. If approved, set Accounting/Status Review for **06/06/19**. Any
accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule
20-908.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 03/29/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1600488

CASE NAME: MTR OF MATTHEW JON GARCIA

HEARING:

Motion Re: To Be Relieved as Counsel Motion Filed by Petitioner
EVAN L GINSBURG ESQ

COUNSEL:

ADRIANA RENEE GARCIA (PET)...LAW OFFICE OF MIRANDA C FRANKS
ESTHER MORRIS (OBJ)...EVAN L GINSBURG
ESTHER MORRIS (PET)...EVAN L GINSBURG
EVAN L GINSBURG ESQ (PET)...EVAN L GINSBURG
MATTHEW JON GARCIA (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Motion to be Relieved as counsel by Evan Ginsburg.

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

1. Counsel seeks to be removed as counsel for Esther Morris, executor, due to irreconcilable differences.
2. **Need** proof of service for Ester Morris and bond company per Pr.C.§ 1213.
3. ~Proposed form order: 01/18/18.

RECOMMENDATION

Need to clear note 2.

(lc)

Future Hearing: 11/07/18 *Accounting Review*.

Superior Court of Calif, County of San Bernardino

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

DATE: 03/29/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1701128

CASE NAME: MTR OF ANDREW LARA-VASQUEZ

HEARING:

Petition for to Establish & Fund a SNT for Andrew Lara-Vasquez
for payment of atty's fees & costs

COUNSEL:

ANDREW LARA-VASQUEZ (INC)...
ERNESTO VASQUEZ (PET)...DENNIS M. SANDOVAL, A PROFESSI
ROSALINDA LARA (PET)...DENNIS M. SANDOVAL, A PROFESSI

Currently under review by legal research.

30 days' notice filed.

(lc)

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

DATE: 03/29/18 TIME: 9:30 DEPT: S37P

CASE#: BC BS00014

CASE NAME: STEPHEN MACUTE

HEARING:

~~NINTH Account and Report of CHRISTINA ERICKSON-TAUBE and
Petition for allowance of fees filed.~~ Accounting review

COUNSEL:

AMERICAN CONTRACTORS INDEMNITY (PRO/PER	
CHRISTINA ERICKSON-TAUBE	(CEP)...ALEX R BORDEN
MELODIE Z SCOTT	(PRO/PER
MELVIN L. FRIEDLAND	(PET)...MELVIN L FRIEDLAND
SANTOS MACUTE	(PET)...PRO/PER
STEPHEN T MACUTE	(CEP)... MELVIN L FRIEDLAND
WESTERN SURETY COMPANY	(TP)...ANDERSON, MCPHARLIN &

CCP170.6 filed as to CYNTHIA LUDVIGSEN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 9th Account for Christina Erickson Taube, PPF, approved on 04/26/17
2. **Need** 10th Account beginning with 01/01/17.

RECOMMENDATION

Inquire status of accounting.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 03/29/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600048

CASE NAME: DOUGLAS HAROLD EATON

HEARING:

Hearing Re: RETURN TO CALIFORNIA

COUNSEL:

DOUGLAS HAROLD EATON

(CEE)...JAMES B CHURCH

WILLIAM R FOLKMAR

(PET)...PRO/PER

GENERAL INFORMATION

Continued from 12/14/17. Citation issued.

On 01/09/18, bench warrant and citation recalled. William Folkmar to file accounting. Order to be filed by James Church.

THIS CASE SET FOR HEARING ON Return to California.

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

1. William Folkmar appointed temporary Conservator on 3/9/16.
2. Matter set on 11/22/17 when counsel reported that APS in Illinois has been contacted and reported conservatee is safe. Douglas Eaton ordered to be returned to California.
3. William Folkmar suspended as temporary guardian and cited. Bench warrant to be issued if William fails to appear.
4. **Need** accounting per court.

RECOMMENDATION

Inquire status of accounting.

(lc)

Future Hearing: 04/12/18 Petition for appointment of conservator

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

DATE: 03/29/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600378

CASE NAME: JEREMY GLEN BRAUKER

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of GAIL ANNETTE BRAUKER

COUNSEL:

GAIL ANNETTE BRAUKER	(PET)...PRO/PER
GLEN ARTHUR BRAUKER	(PET)...PRO/PER
JEREMY GLEN BRAUKER	(CTP)...SHERRI L KASTILAHN

GENERAL INFORMATION

Continued from 12/28/17. No appearance. Conservators and counsel Sherri Kastilahn to be present at next hearing.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Gail & Glen Brauker, parents, appointed conservators of the person only on 05/25/17.
2. Notification of Conservatee's rights filed 07/14/17. However, proof of service does not indicate copy of order filed [section 5]. **Need** corrected proof of service.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan filed 07/14/17

RECOMMENDATION

Need to clear note 2.

(lc)

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

DATE: 03/29/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700099

CASE NAME: Savannah Amber Kirk

HEARING:

Conservatorship Compliance Review Hearing on SUPPLEMENTAL
PETITION FOR CONSERVATORSHIP of MIRIANNE KIRK

COUNSEL:

EUGENE KIRK	(PET)...PRO/PER
MIRIANNE KIRK	(PET)...PRO/PER
SAVANNAH AMBER KIRK	(CEP)...LENITA A SKORETZ

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Mirianne and Eugene Kirk, parents, appointed conservator of the person only on 08/24/17.
2. **Need** proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights per Pr.C.§1830(c).
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5, local rule 20-1403.

RECOMMENDATION

Need to clear notes 2-4.

(lc)

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

DATE: 03/29/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800028
CASE NAME: LANCE R. W. WEAVER
HEARING: Petition for Appointment of Conservator

COUNSEL:

CAROLYN G. WEAVER (CP)...SHEELA A. STARK
LANCE R. W. WEAVER (CTP)...
LUBY R. WEAVER (CP)...SHEELA A STARK

GENERAL INFORMATION

Sandy Turner appointed counsel 02/02/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Carolyn and Luby Weaver, parents

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

1. Petitioners seek powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Petitioners seek civil rights not be limited without court order. JTD
3. Petitioners seek medical powers. Two Capacity Declarations filed 01/31/18.
4. List of required contacts filed; however, did not list the living paternal grandparents and maternal grandfather. Petitioner alleges they are estranged and/or abusive. Does court wish to require updated contact list as they are entitled to notice? JTD
5. Proposed conservatee is developmentally disabled. **Need** report of Counsel Sandy Turner.
6. Proposed conservatee is developmentally disabled. **Need** IRC report.
7. **Need** return of citation.
8. **Need** notice of hearing and proof of service including 30 days' notice to IRC per Pr.C. § 1822(e).
9. **Need** Court Investigator report.
10. Certificate of completion of Conservatorship Training class filed 02/20/18
11. ~Proposed Form Order: 01/31/18

RECOMMENDATION

Need to clear notes 4-9. If approved, set hearing for Compliance Review for **11/01/18** 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.

(lc)