



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 04/02/18

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.

(03/21/18 & 03/28/18 ww) (03/15/18 cs)(03/28/18cs)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

DATE: 04/02/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400663

VACATED

CASE NAME: ERWIN B. KOWALSKI

HEARING:

Hearing Re: 1ST ACCOUNT CURRENT & REPORT

COUNSEL:

MICHAEL J. KOWALSKI

(PET)...PRO/PER

ERWIN B. KOWALSKI

(DEC)...

(ww)

Future hearing dates: 04/30/18 Second Amended First Account current

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 04/02/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500322

CASE NAME: HUMBERTO GARCIA, SR.

HEARING:

Petition for Injunction against Trustee from selling real property at Trustee's sale

COUNSEL:

HUMBERTO GARCIA, JR.	(PET)...PRO/PER
VALERIE GARCIA	(PET)...PRO/PER
HUMBERTO GARCIA, SR.	(DEC)...
KARIN E. HORSPOOL	(PET)...HORSPOOL & HORSPOOL

Currently under review by Legal Research.
(LR)

Need given.

Future Hearing: 12/06/18 Accounting Review

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

DATE: 04/02/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700093

CASE NAME: MTR OF VIRGINIA L ESPINOSA

HEARING:

First and Final Account and Report of CARRIE STRADELLA and
Petition for allowance of fees filed.

COUNSEL:

CARRIE STRADELLA	(PET)...MITCHELL I ROTH
VIRGINIA L ESPINOSA	(DEC)...
CARRIE STRADELLA	(PET)...RODRIGO LAW FIRM
CAROL LEE HYDER	(OBJ)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by
Carrie Stradella, granddaughter/executor

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

- 1 Assets on hand: \$311,761.62 in cash
- 2 Petitioner and Attorney request statutory fees of **\$9,804.93** each. Calculated.
- 3 Attorney request extraordinary fees of \$2,073.75. Itemized. [LF pgs. 28-29] **JTD**
- 4 Petitioner requests reimbursement for advanced costs in the amount of \$1,875 for attorney fees paid on behalf of the estate to litigate the will contest. Generally described. [LF pg. 6] **JTD**
- 5 Petitioner requests reimbursement of advanced costs in the amount of \$2,768.00; however, \$33.86 of the total is for certified mailing which is normally considered as overhead. Generally described. [LF pgs. 6 & 7]
 - a. **(Supp. 03/23/18 requests that the court approve reimbursement as it was for certified mailing and is not for ordinary postage). JTD**
- 6 Attorney requests reimbursement for advanced costs in the amount of \$51.00. Generally described. [LF pg. 7] **JTD**
- 7 Petitioner requests that Court approve payment of \$5,000 to Carol Lee Hyder prior to distribution to the beneficiaries under the will per settlement agreement filed on 08/22/17. [LF pg. 8] **JTD**
- 8 The total amount of receipts and the gain on sales within the summary of account on page 6 conflicts with that on page 12. There is a discrepancy of \$1,224.52

between the receipt amounts and \$400 between the gain on sales amounts. Need verified supplement. **(Supp. 03/23/18 indicates that there was a typographical error and that correct receipts amount is \$65,846.59 and gains amount is \$14,400.00) JTD**

- 9 Need verified supplement as to Schedule D Disbursements re: 09/19/17 "Customer withdrawal" as it does not indicate what it was for. **(Supp. 03/23/18 indicates that it was for the Edison bill.)**
- 10 Notice given.
- 11 Proposed Order: 03/23/18 line 7 should reflect "she" and fee base amount in line 25 for statutory calculations does not match amount in supplement.

RECOMMENDATION:

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

(ww)

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

DATE: 04/02/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700101

CASE NAME: MTR OF RANDY JOSEPH BAUER

HEARING:

First Account and Report of LAWRENCE A HEMPEN and Petition for allowance of fees filed.

COUNSEL:

LAWRENCE A HEMPEN (PET)...LAW OFFICES OF AMY GOSTANIAN,
RANDY JOSEPH BAUER (DEC)...
CALIFORNIA VICTIM COMPENSATION (TP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON First and Final Account and Petition for allowance of Fees, by PPF Lawrence Hempen [Petitioner/Administrator]

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

1. Assets on Hand \$302,789.11 consisting of cash.
2. **Need** bank statement to support date of death balances and ending balance per Local Rule 20-908.
3. **Need** copy of escrow statement per Local Rule 20-910.
4. Statutory fees in the amount of \$10,939.51 requested. Calculated.
5. Administrator requests extraordinary fees in the amount of \$1,250 in connection with assuming the role of real estate agent; selling the property; vacating tenants after property was sold, handling all taxation matters including communication with IRS. Billing at the rate of \$125.00 for 10 hours. Itemized [Acct. 01/17/18, LFp.26]. **JTD**
6. Attorney requests extraordinary fees of \$8,560.49 for services rendered in connection with the sale of real property, addressing taxes, addressing personal property taken by a beneficiary, and dealing with the restitution owing to Victim's Compensation Board. Billed at \$132-\$185 for paralegals for a total of 46.8 hours' and for reimbursement of costs of \$61.50. Itemized [LF, p. 32-44]. **JTD**.
 - a. **Need** paralegal language that meets the requirements of C.R.C. §7.703(e).
7. **Need** notice of First and Final Account and Report to Victim's Compensation Board who requested special notice.
8. **Need** statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary (Pr. C. § 1064 (a)(4)).

9. Petitioner requests to retain \$10,000 for reserves. JTD

10. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 2, 3, 6a & 8-9 Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **04/08/19**

(cs)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 04/02/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701001

CASE NAME: SOCORRO RODRIGUEZ

HEARING:

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

COUNSEL:

IRMA ROMERO-RODRIGUEZ (PET)...PRO/PER
SOCORRO RODRIGUEZ (DEC)...

GENERAL INFORMATION

Continued from 01/22/18.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Irma Romero-Rodriguez, daughter

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

1. All heirs waive bond. Net estate value consists of \$537,400.00 with \$37,400.00 in 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. Section 8 of petition does not include Irma Rodriguez (Petitioner) however it is clear that she is the daughter and petitioner. **JTD**
3. Section 8 of petition does not include Rosalba Barragan who signed a Waiver of Bond. **Need** verified supplement.
4. Notice of Hearing and Proof of Service filed 03/07/18; however, **Need** mandatory form, Notice to Petition to Administer Estate and proof of service.
5. ~Proposed Form Order: 10/05/17

RECOMMENDATION

Need to clear notes 3 & 4. Court's discretion re bond. If approved, set Accounting/Status Review for **06/10/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs/ww)

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 04/02/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701162

CASE NAME: RANDY JOE HEINRICHS

HEARING:

Petition for Letters of Administration w/full IAEA

COUNSEL:

JENNIPHER BALK	(PET)...MATTHEW M O'LEARY
RANDY JOE HEINRICHS	(DEC)...
TIFFANY ATKIN	(PET)...PRO/PER

GENERAL INFORMATION:

Continued from **12/26/17**. Tiffany Atkin states she objects to this petition. Complete, written objections to be served and filed by 01/23/18 or they will be waived permanently. Tiffany Atkin states she understands the court's admonishment re filing of objections by deadline and consequence for failure to comply. Court clarifies objections not to be in narrative form.

Continued from 02/13/18 The Court clears probate note 5 re regarding attachment 8 as to Tiffany Atkin as she is present in court today. Tiffany Atkin is ordered to clear the probate notes on the competing petition by 4:00pm on May 11, 2018. Failure to clear probate notes may result in the competing petition deemed waived. The Court continues this matter and sets a Trial Setting Conference on June 13, 2018 at 8:30am in department S35. Trial estimate is 1 full day or 2 half days.

THIS CASE IS SET FOR HEARING ON

Petition #1: Petition for Letters of Administration with full authority under IAEA by daughter, Jennipher Balk ["Petitioner"].

Petition #2: Petition for Letters of Administration with full authority under IAEA by step-daughter, Tiffany Atkin ["Petitioner"].

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

Petition # 1 by Jennipher:

1. Petitioner requests bond in the sum of \$255,000. Appears sufficient.
2. Section 5b does not indicate Decedent was survived by stepchild. **Need** verified supplement.

3. Attachment 8 does not include Tiffany. **Need** verified supplement.
4. ~Proposed Form Order/Letters 11/14/17.
5. **Objections with supporting documentation, filed by Tiffany Atkin, is not verified. Need verification [“signed under penalty of perjury under the laws of the State of California”].**

Petition #2 by Tiffany:

6. **Need** receipt for “lodging” of original, holographic will.
7. Purported will is holographic. **Need** typed copy of this document and Proof of Holographic Instrument.
8. The purported holographic will is not signed by decedent. Suggest Court to require points and authorities as to the validity of decedent’s purported Will as it was not signed by decedent or witnessed. JTD.
9. Petition indicates all beneficiaries waive bond on this estate valued at \$255,000. However, purported will does not include petitioner who is alleging to be a petitioner. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. §8481(b).
10. Section 8 to petition does not include Antonio Gonzalez named in the will. **Need** verified supplement.
11. Petition includes a copy of a trust questionnaire [LF, p.9] signed by decedent; an unsigned copy of a trust [LF, pgs. 20-31] reflecting decedent’s intent [LF, pgs. 23-24]; and indicating a will and trust documents were prepared [LF, p. 19].
12. Copy of unsigned, prepared will; powers of attorney (general and medical); declaration by daughter, Kimberly Heinrichs (Dunton) [LF, p. 57] declining to act as executor; supporting declarations in favor of petitioner; and copies of criminal history as to Jennipher, affixed to objections filed 01/23/18 [LF, pgs. 24-93].
13. **Need** proof of publication.
14. **Notice of Petition to Administer Estate with proof of service filed 03/21/18; however, section 4 re will is incomplete and does not include Antonio Gonzalez. Need proper notice and proof of service.**
15. **Status Report re real property filed by 03/23/18 by Tiffany Atkin.**
16. ~Proposed Form Order/Letters 01/23/18.

RECOMMENDATION:

Matter set for contested hearing. Suggest trail to 06/13/18.

Need to clear notes 2-3 & 5 and 6, 7, 10, & 13-14, then Court’s discretion. If approved, set future hearing for Accounting/Status Review on **06/10/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/cs)

Future Hearings: 6/13/18 Petition for Letters of Administration, Trial Setting Conference

Superior Court of Calif, County of San Bernardino
Page: 6A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 04/02/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800112

CASE NAME: MTR OF JOHN J LUCARIELLO

SEE ALSO 6B

HEARING:

Hearing Re: OSC RE DISMISSAL

COUNSEL:

JOHN LUCARIELLO (PET)...PRO/PER
JOHN J LUCARIELLO (DEC)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON OSC Re Dismissal of Petition for Letters of Administration w/WA W/Full Authority under IAEA by John Lucariello [Petitioner]

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

1. Court set the matter on 03/05/18 for no appearance. Court notes if petitioner does not appear and have all notes cleared matter to be dismissed at next hearing.

RECOMMENDATION:

Court's discretion.

(cs)

Superior Court of Calif, County of San Bernardino
Page: 6B add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 04/02/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800112

CASE NAME: MTR OF JOHN J LUCARIELLO

SEE ALSO 6A

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

COUNSEL:

JOHN LUCARIELLO (PET)...PRO/PER
JOHN J LUCARIELLO (DEC)...

GENERAL INFORMATION

Continued from 03/05/18. Court sets OSC re dismissal- court notes that if petitioner does not appear at next hearing, or have all probate notes cleared, court will dismiss petition at next hearing.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters of Administration with Will Annexed with Full Authority under IAEA by John David Lucariello, [son/Petitioner]

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

- 1. Notice to Petition to Administer Estate, Declination to Act as Executor filed 03/16/18; however, not in laserfiche at time of review.**
2. Will waives bond. The estate consists of \$400,000.00 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b).
3. This petition appears to be an ancillary estate as petitioner indicates that the original will was filled in Snohomish County Superior Court in Washington.
4. **Need** Declination to act by Michael John Lucariello, named successor executor.
5. **Need** Notice to Petition to Administer Estate and proof of service.
6. **Need** proof of publication.
7. No Form Order. Submit after hearing.

RECOMMENDATION

Need to clear notes 4-6. Court's discretion re bond. If approved, set Accounting/Status Review for **06/10/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/cs)

Superior Court of Calif, County of San Bernardino

Page: 7

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

DATE: 04/02/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800123

CASE NAME: MTR OF THOMAS HEDRICK CATLETT

HEARING:

Petition for Probate of Will and for Letters Testamentary with
Full Authorization to Administer IAEA

COUNSEL:

THOMAS A CATLETT (PET)...ALBREKTSON & SHUMATE, LLP
THOMAS HEDRICK CATLETT (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Thomas Catlett, son/executor

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

1. All heirs waive bond. The estate consists of \$203,000.00 of which \$3,000.00 is personal property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b).
2. ~Proposed Form Order: 02/07/18

RECOMMENDATION

RFA. Court's discretion re bond. If approved, set Accounting/Status Review for **06/10/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

Superior Court of Calif, County of San Bernardino
Page: 7A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 04/02/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800103

CASE NAME: MTR OF RICHARD A SCOLLON

HEARING:

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

COUNSEL:

RANDY DIEHL (PET)...LAW OFFICE OF MARY M. BADER
RICHARD A SCOLLON (DEC)...

GENERAL INFORMATION

Continued from 03/05/18 at request of counsel to clear probate notes.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Randy Diehl, executor/trustee/Petitioner

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

1. Will waives bond. The estate consists of \$567,000.00 of which \$79,000.00 is personal property. Petitioner is a non-resident and the court may require bond if the proposed personal representative resides outside California per Pr. C. § 8571. Court also has discretion to require bond per Pr.C. § 8481(b).
2. The will conditionally incorporates decedent's Trust. Copy of trust filed 02/01/18.
3. **Need** proof of publication.
4. ~Proposed Form Order: 02/01/18

RECOMMENDATION

Need to clear notes 3. Court's discretion re bond. If approved, set Accounting/Status Review for **06/10/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/cs)

Superior Court of Calif, County of San Bernardino

Page: 8

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 04/02/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800171

CASE NAME: CATHERINE HAMPTON

HEARING:

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

COUNSEL:

DAWN P HAMPTON (PET)...LAW OFFICES OF LAYNE A BARTHOL

CATHERINE P HAMPTON (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Dawn Hampton, daughter/Petitioner

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

1. Petitioner seeks \$585,000 bond. Sufficient. Estate consists of \$585,000.
2. **Proof of publication filed.**
3. ~Proposed Form Order: 02/22/18

RECOMMENDATION:

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **06/10/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs)

Superior Court of Calif, County of San Bernardino
Page: 8A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 04/02/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700071

CASE NAME: KATHLEEN ANN FORTIER

HEARING: First and Final Account and Report of JASON ANDREW FORTIER and
Petition for allowance of fees filed.

COUNSEL:
JASON ANDREW FORTIER (PET)...PRICE LAW FIRM, APC
KATHLEEN ANN FORTIER (DEC)...

GENERAL INFORMATION:
Continued from 03/12/18.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by
Jason Fortier, son/executor

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

1. Assets on hand: \$481,839.61 in cash and investments
2. Petitioner and Attorney request statutory fees of \$12,963.74.00. Calculated. **JTD**
3. Attorney request extraordinary fees of \$270.00 for 1.8 hours of service at \$150.00 for paralegal time to sell the real property. Itemized. [LF pg. 22] **JTD**
4. Charges and Credits of summary of account do not match. Does Court wish to deem deficiency of \$321.20 as de minimis? [LF pg. 13] **(Supp. 03/16/18 Corrected summary provided at LF pg. 8)**
5. Report indicates that the bank statement is filed concurrently under a confidential cover but none was provided. Need bank/investment statements verifying date of death balances per Local Rule 20-908. **(Supp. 03/16/18. Statement provided at LF pg. 17 with date of 04/11/17 which petitioner indicates that the date is when the information was given to them. Petitioner could not find any statements with the actual date of death at residence and EdwardJones would not provide the information.) JTD**
6. Need copy of escrow closing statement for sale of real property per Local Rule 20-910. **(Supp. 03/16/18 includes a 4 page "Closing Disclosure" at LF pgs. 19-22. Does Court wish to accept or still require the closing statement?) JTD**
7. Petitioner requests a reserve of \$2,000.00 for closing expenses. **JTD**
8. Notice given.
9. Proposed Order: 03/16/18 need statements re: notice per Pr.C. § 9202.

RECOMMENDATION:

Court's discretion. If approved, Court to set hearing on filing of receipts and final discharge for **03/18/19**.

(ww)

Superior Court of Calif, County of San Bernardino

Page: 9

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 04/02/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800181

CASE NAME: ROLANDO VITERBO ARAYA AKA ROLAND V. ARAYA ET AL

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

COUNSEL:

ROLAND OCTAVIO ARAYA (PET)...DAVID D. MORIEL

ROLANDO VITERBO ARAYA (DEC)...

GENERAL INFORMATION

Letters of special administration issued to Roland Octavio Araya on 03/15/18, no bond.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Limited Authority under IAEA by Roland Octavio Araya, son

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

1. \$6,000 bond is being requested. Appears sufficient as decedent allegedly has no personal property and only limited IAEA powers are being requested. Net value of the estate consists of \$119,631.00 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b).
2. Duties and liabilities form has the attorneys' office address and phone number address on page 2. **Need** corrected form with the address and contact information for the petitioner.
3. **Need** proof of publication
4. ~Proposed Form Order: 02/23/18

RECOMMENDATION

Need to clear notes 2 & 3 then Court's discretion re bond. If approved, set Accounting/Status Review **06/10/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

Superior Court of Calif, County of San Bernardino
Page: 9A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 04/02/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500153

CASE NAME: RAYMOND H. NICKERSON JR. AKA RAY NICKERSON

SEE ALSO 9B

HEARING:

Hearing re Final Discharge

COUNSEL:

SUZANNE A. SWAIN	(OBJ)...CALDWELL, KENNEDY & PORTER
RAYMOND H. NICKERSON JR.	(DEC)...
BARBARA A SHULTS	(PET)...JIMMY PHILIP METTIAS

GENERAL INFORMATION:

Continued from 03/05/18. No appearance. Court order counsel, Jimmy Mettias to be personally present in court. OSC re sanctions of \$1,000 for failure to appear/failure to file set for 04/02/18.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of Barbara Shults, friend, approved on 02/27/17.
2. Receipts filed by Danny Shults and Barbara Shults filed 06/17/16; however, receipt contains wrong case number. **Need** corrected receipt.
3. **Need** receipts from Suzanne Swain.
4. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status.

(ww/cs)

Superior Court of Calif, County of San Bernardino
Page: 9B add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 04/02/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500153

CASE NAME: RAYMOND H. NICKERSON JR. AKA RAY NICKERSON

SEE ALSO 9A

HEARING:

Hearing Re: OSC RE SANCTIONS ON COUNSEL- \$1,000.00

COUNSEL:

SUZANNE A. SWAIN	(OBJ)...CALDWELL, KENNEDY & PORTER
RAYMOND H. NICKERSON JR.	(DEC)...
BARBARA A SHULTS	(PET)...JIMMY PHILIP METTIAS

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON OSC re Sanctions on Counsel of \$1,000

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

1. Court set matter on 03/05/18 wherein counsel, Jimmy Mettias, failed to appear at hearing for final discharge. Counsel was ordered to appear on 04/02/18 and OSC re sanctions of \$1,000 for failure to appear/failure to file was set.

RECOMMENDATION:

Court's discretion.

(cs)

Superior Court of Calif, County of San Bernardino

Page: 10

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS0800037

CASE NAME: WAUNETA C. JONES

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN
WAUNETA C JONES

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

GENERAL INFORMATION

Conservatee passed away on 11/11/17

Continued from 08/07/17 at request of counsel

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Settling Fourth Account granted on 01/25/16.
2. Need fifth and final account for pre and post-death accounting periods per Pr. C. §2620.

RECOMMENDATION:

Inquire status.

(nb/cs)

Superior Court of Calif, County of San Bernardino

Page: 11

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

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS0900178

CASE NAME: PAUL ESTABROOK

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN
PAUL ESTABROOK

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

GENERAL INFORMATION

Letters expired 02/21/15.

Continued from 11/16/15, 06/06/16, 02/27/17 and 10/23/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON accounting review

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

1. 3rd Account by PG approved on 04/06/15.
2. **Need** 4th accounting beginning with date of 11/21/14.
 - a. Does Court wish for the accounting to be a 4th and final as conservatorship was terminated on 02/21/15 by operation of law and a Petition to reestablish has not been filed since? **JTD**

RECOMMENDATION:

Inquire state. Court's discretion re: note 2a. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(sa/dl/nb/lh/ww)

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

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1100252

CASE NAME: PAUL JEFFERSON

VACATED

HEARING: Petition for Payment of Attorney Fees and Costs Advanced to Court

COUNSEL:

SONDRA JEFFERSON	(CPE)...CHO, SHEASBY, CHUNG & IGNACIO
PAUL JEFFERSON	(CEP)...SANDY TURNER/MITCHELL ROTH
MATTHEW E SHAESBY	(PET)...MATTHEW E SHEASBY
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
ANITA PETTI	(CPE)...LAW OFFICE OF MARY M. BADER
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SHIRLEY M JEFFERSON	(CP)...CHRISTINA FERRANTE
DEMETRIUS JEFFERSON	(CE)...CHRISTINA FERRANTE
UTILITY MANUFATURING	(OBJ)...
ROBERT R. SHIRI	(ROBERT R SHIRI)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for fees and compensation

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

- 1 Petitioner, Mitchell Roth, was appointed on 03/26/14. Petitioner alleges that services have been rendered for which counsel has not been compensated for the period 01/02/15 – 02/10/18.
- 2 Attorney requests fees of \$34,468.00. Billed at \$300/hour for attorney time and reimbursement of court costs of \$298. Itemized [LF,p.10-42].
- 3 Petitioner requests a Court order directing San Bernardino Public Guardian pay these fees from the Worker's Compensation settlement of \$93,000 rather than the County.
- 4 Notice given
- 5 ~Proposed Order:02/21/18

RECOMMENDATION:

Court's discretion.

(CS)

Future hearings:

05/31/19 Hearing Re: Conservatorship Investigator Review re: CI Annual Review Due

07/30/18 Hearing Re: Amended Itemized Accounting and Request etc
05/21/18 Hearing Re: OSC Re Sanctions of \$500.00 on Shirley Jefferson
05/21/18 Hearing Re: Request For Reimbursement By Shirley Jefferson
05/21/18 Hearing Re: Request To Terminate Conservatorship of Person
05/21/18 Hearing Re: PTN Payment of Attorney Fees and Costs
05/21/18 Hearing Re: Status Of Social Security/C'torship of Person05/21/18 Hearing Re:

Superior Court of Calif, County of San Bernardino

Page: 13

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

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1200114

CASE NAME: MABLE LUCILLE BROWN

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN-CONSERVATOR
MABLE BROWN

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

GENERAL INFORMATION

Continued from 06/19/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. 2nd Account by PG approved on 06/22/15.
2. Conservatee died on 07/03/15.
3. **Need** 3rd and final account to include pre and post-date account periods beginning with date of 08/10/13.

RECOMMENDATION:

Inquire status.

(nb/ww)

Superior Court of Calif, County of San Bernardino

Page: 14

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

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1200227

CASE NAME: JOHN JAIME

HEARING:

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

COUNSEL:

PUBLIC GUARDIAN
JOHN JAIME

(CPE)...COUNTY COUNSEL
(CEP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1st account current and petition for fees by Public Guardian

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

1. Accounting period covers 12/03/13-12/31/16
2. Assets on hand \$2,195.33 consisting of cash and pre-need burial trust.
3. Public Guardian request fees of \$6,149. Generally itemized.
4. County Counsel request fees of \$3,149. Generally itemized.
5. ~Proposed order: 10/05/17

RECOMMENDATION:

Court's discretion. If approved, Court may wish to set the next hearing re Accounting Review for **04/08/19** or a biennial Accounting Review for **04/06/20** per Pr.C. §2620(a).
(cs)

Superior Court of Calif, County of San Bernardino

Page: 15

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

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1200326

CASE NAME: JOZSEF ALFOLDI

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
SHERRI L KASTILAHN	(PET)...SHERRI L KASTILAHN
JOZSEF ALFOLDI	(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Continued from 01/30/17 and 10/23/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. 2nd and current account by PG approved on 05/23/16.
2. Conservatee died 06/20/14.
3. **Need** 3rd and final account to include and post death account periods beginning with date of 05/30/15.

RECOMMENDATION:

Inquire status.

(nb/ww)

Superior Court of Calif, County of San Bernardino

Page: 16

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

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1400084

CASE NAME: Larry D. Lucas

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN
LARRY D LUCAS

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

GENERAL INFORMATION

Court terminated LPS Conservatorship on 01/29/16.

Continued from 08/07/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Settling First Account granted 06/20/16; second and final account now due for period 06/03/15 to 01/29/16.

RECOMMENDATION:

Inquire status.

(nb/cs)

Superior Court of Calif, County of San Bernardino

Page: 17

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

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1400092

CASE NAME: ALAN D JOHNSON

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
ALAN D JOHNSON (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expired: 04/29/17.

Continued from 08/28/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. 1st account by PG approved on 08/29/16 for period 04/04/14 to 05/19/15.
2. Conservatee passed away on 12/16/16.
3. **Need** 2nd and Final Account to include pre-death and post-death accounting periods per Pr. C. §2620 beginning with date of 05/20/15.

RECOMMENDATION:

Inquire status.

(lh/ww)

Superior Court of Calif, County of San Bernardino

Page: 18

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

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1400352

CASE NAME: JULIANA CEBALLOS

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN
JULIANA CEBALLOS

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

GENERAL INFORMATION:

Letters expired 02/05/17.

Continued from 06/19/17, 08/21/17 and 12/04/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Appointing PG as Temporary Conservator of the person and estate granted 12/16/14; order on general appointment granted 02/06/15.
2. Need first and final account.

RECOMMENDATION:

Inquire status. When documents are not filed as ordered, court may set a hearing in accord with Pr.C. §2655.

(nb/cs)

Superior Court of Calif, County of San Bernardino

Page: 19

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

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1500244

CASE NAME: MTR OF ANDREA CAMPOS

HEARING:

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

COUNSEL:

PUBLIC GUARDIAN
ANDREA CAMPOS

(CP/CPE)...COUNTY COUNSEL
(CP/PCE)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Letters expired: 10/16/17

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

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

1. Accounting period: 09/04/15-07/31/16
2. Assets on Hand \$50.60.
3. Public Guardian requests compensation in the amount of \$2,200.00, deferred until such time as the conservatorship estate has sufficient funds for such purpose.
4. County Counsel request fees in the amount of \$1,100.00 deferred until such time as the conservatorship estate has sufficient funds for such purpose.
5. Signature by Petitioner and Counsel are not dated. [LF pg. 9} **JTD**
6. Notice given.
7. ~Proposed Order 08/29/17

RECOMMENDATION:

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

(ww)

Future hearing dates: 05/11/18 Court Trial

Superior Court of Calif, County of San Bernardino

Page: 20

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

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1500298

CASE NAME: MTR OF LUCAS BERNARDINO HEATHERTON

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
LUCAS BERNARDINO HEATHERTON (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Conservatorship terminated on 03/30/17.

Continued from 09/11/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Appointing Conservator granted 01/15/16; first and final account now due.

RECOMMENDATION:

Inquire status.

(nb/cs)

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

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1700276

CASE NAME: MTR OF DAVID VIETH

HEARING:
Petition for Appointment of Conservator

COUNSEL:
MATTHEW E SHEASBY (PET)...MATTHEW E SHEASBY
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
DAVID VIETH (CEP)...

XREF: PROPS1200239 *MTR OF RALPH E VIETH TRUST*

GENERAL INFORMATION

Continued from **09/11/17 and 10/23/17.**

Continued from **12/04/17.** Court orders Layne Bartholomew to be present at next hearing date

Continued from 02/26/18. Matter is continued for James Church to be present at next hearing. Court notes that Layne Bartholomew is not needed at this time for any future hearing on this case. Court orders James Church to be present in S35 at 10:00am on April 2, 2018.

THIS CASE IS SET FOR HEARING ON Petition for appointment of Conservatorship of person and estate by Matthew Sheasby (GAL) to appoint PG

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

1. No bond - PG.
2. Petitioner requests dementia powers. Report of appointed Counsel Janet Latourette filed 10/19/17.
3. Petitioner seeks medical and dementia powers. Capacity Declaration filed 03/20/18.
4. Citation returned served.
5. CI report filed 09/06/17.
6. ~Proposed form Order: 07/18/17

RECOMMENDATION:

Court's discretion. If approved, set hearing for Compliance Review for **11/05/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per

Pr.C.§1830(c); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr.C.§2313.

Set hearing re Accounting Review for **06/10/19**. Any accounting to be filed 30 days in advance.

(lh/ww/cs/ww)

Superior Court of Calif, County of San Bernardino

Page: 22

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

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1700353

CASE NAME: CHIEKO TERRY

SEE ALSO 23

HEARING:

Hearing Re: OSC RE SUSPENSION/TERMINATION OF POWERS

COUNSEL:

KATHLEEN STALLINGS (PET)...PRO/PER
CHIEKO TERRY (CEE)...E JOAN NELMS

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON OSC Re Suspension/Termination of Powers re temporary conservator Kathleen Stallings.

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

1. Matter set on Court's own motion on 02/26/17 during appointment of conservator hearing. Deadline for responses set by 03/16/18. Court ordered that if the response is not filed by the deadline, it will be deemed waived.
2. **Response to Suspension/Termination of the Power of Temporary Conservatorship filed 03/16/18 by Kathleen Stallings.**
3. Declaration filed 02/20/18 by Kathleen Stalling in response to objection by proposed conservatee. **Need notice to proposed conservatee Chieko Terry.**

RECOMMENDATION:

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

(cs)

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

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1700353

CASE NAME: CHIEKO TERRY

SEE ALSO 22

HEARING:

Petition for Appointment of Conservator

COUNSEL:

KATHLEEN STALLINGS (PET)...PRO/PER
CHIEKO TERRY (CEE)...E JOAN NELMS

GENERAL INFORMATION

Kathleen Stalling appointed temporary Conservator on 10/05/17, person only. Matter referred to APS and Redlands PD due to allegations that proposed conservatee carries with her a knife and cane that is wrapped with barbed wire. Referral if necessary for 5150 eval/hold. Karin Horspool appointed GAL.

Continued from **11/16/17**. Joan Nelms appointed counsel. Need reports of counsel by next hearing.

Continued from **02/01/18**. Matter referred to PG at request of GAL Karin Horspool.

Continued from 02/26/18 OSC re suspension/termination of powers of temporary conservator set. OSC response deadline set for 03/16/18. If not filed by deadline, it will be deemed waived. Court orders that Michael Terry, Sandra Leoni and Kathleen Stallings meet with Edwin Lemus after this proceeding.

THIS CASE SET FOR HEARING ON OSC re Petition for Appointment of Conservator, person only, by Kathleen Stalling, daughter.

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

1. Supplement filed on 01/17/18 alleging that counsel Nelms and proposed conservatee have not yet met, Redland's Police Dept has not acted according to Court's wishes and conservatee's son Michael Terry had a recent Wel. Inst. Code § 5150 hold on 12/13/17.
2. Petitioner seeks Pr.C. § 2351-2358 powers and indicates she may be available to serve in the capacity over her finances.
3. Petitioner seeks medical powers. **Need** Capacity Declaration.
4. List of required contacts (Local form SB-12224) does not include grandchildren Tabatha and Terry. **Need** completed form.
5. Citation served 11/07/17; however, **need** full 15 days' notice.

6. Notice filed 09/28/17; however, missing parties. **Need** notice of hearing and proof of service for:
 - a. Children- David, Walter, Daniel and Diane Terry
 - b. Grandchildren- Zachary, Tim, Tabatha and Terry.
 - c. Veteran's Administration.
7. **Need** report of GAL Karin Horspool.
8. **Need** report of Counsel Nelms.
9. Declaration filed regarding benefits of proposed conservatee on 11/07/17.
10. Confidential medical records filed 10/27/17.
11. Court Investigator report filed 11/08/17.
12. Certificate of Completion of the Conservatorship Training Class filed 09/29/17.
13. Court to see Declaration by Kathleen Stallings filed 01/29/18
14. **Objections in the form of a Declaration by proposed conservatee Chieko filed 02/01/18. No proof of service provided. JTD**
15. Declaration filed 02/20/18 by Kathleen Stalling in response to objection by proposed conservatee. **Need notice to proposed conservatee Chieko Terry.**
16. **Proof of personal service attached to Declaration of Kathleen Stallings as to Department of Veterans, David Terry, Walter Terry, Daniel Terry, Zachary Leoni, Tabatha Terry, Diane Terry, Terry Terry, and John Terry; however, unclear as to the items served as there is no notice attached. . Need complete proof of service including Notice of Hearing [form GC-020].**
17. ~Proposed Form Order: 09/28/17.

RECOMMENDATION

Matter is contested. Need Reports by GAL Horspool and Counsel Nelm and to clear notes 3-8, and 15-16. If approved, set hearing for Compliance Review for **11/05/18** 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/ww/cs)

Superior Court of Calif, County of San Bernardino

Page: 24

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

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1800025

CASE NAME: MTR OF GRACE Z HULTS

HEARING:

Hearing Re: PETITION FOR APPOINTMENT OF CONSERVATOR (PG)

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
GRACE Z HULTS (CEP)...SHERRI L KASTILAHN

GENERAL INFORMATION

PG appointed as temporary conservator of the person and estate on 03/01/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Public Guardian.

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

1. No bond- PG.
2. Petitioner seeks medical powers. Capacity Declaration filed 01/29/18.
3. Petitioner seeks dementia powers. Sherry Kastilahn appointed as counsel. **Need** report of Counsel.
4. Petitioner seeks Pr. C. § 2590 powers to sell real or personal property of the estate and proceeds to be used for Conservatee's care and personal needs.
5. Petitioner seeks additional order for the granting of powers under Pr.C. § 2591 (c)(1)-(2). **JTD**
6. Petitioner seeks authority to deposit up to \$5000.00 into an Irrevocable Burial Trust and authority to purchase cemetery commodities. **JTD**
7. Petitioner seeks authority to abandon and/or donate personal property with a value of \$300.00 or less. **JTD**
8. Court to see Declaration of Chanteil Guy filed 03/26/18 as it makes reference to a cross reference case UDBS1800429. Does Court wish for a Notice of Related Cases be filed? **JTD**
9. **Court to see Declaration/Opposition to Conservatorship filed by Josanna Howell on 03/23/18.**
 - a. **Petitioner failed to date at signature line. JTD**
 - b. **Declaration/Opposition is not verified by Josanna. Need verification per Pr.C. § 1021.**

c. Clerk's office was informed at the time of filing by Josanna that it is not an opposition. No fee was taken and Josanna was not added as a party.

10. **Need** return of citation

11. Notice of Hearing and proof of service filed 03/12/18; however, notice was not sent to Department of Behavioral Health per the List of Persons Entitled to Notice. **JTD.**

12. CI report filed 03/26/18

13. ~Proposed Form Order: 01/29/18

RECOMMENDATION

Need Report of Counsel and to clear note 10 then Court's discretion re remaining notes. Court may wish to trail matter to **05/01/18** to be heard with competing petition. If approved, set hearing for Compliance Review for **11/05/18** 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; Inventory & Appraisal, and Proof of Service if I&A and Instructions for Objection per Pr.C. § 2610; recordation of letters if applicable per Pr.C. § 2313.

Set hearing re Accounting Review for **06/10/19**. Any accounting to be filed 30 days in advance.

(ww)

Future hearing dates: 05/01/18 Petition for appointment of successor conservator of the person & estate **by Jolean Miller-Trujillo, granddaughter**

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

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1200239

CASE NAME: MTR OF RALPH E VIETH TRUST

HEARING:

Hearing Re: Status

COUNSEL:

TERESA MARSCH	(PET)...JAMES B CHURCH
RALPH E VIETH TRUST	(TRU)...
MARTHA L GAGLIARDI	(PET)...PRO/PER
DAVID VIETH	(PET)...MATTHEW E SHEASBY
STACY VIETH	(PET)...MATTHEW E SHEASBY
MATTHEW E SHEASBY	(PET)...MATTHEW E SHEASBY
DONALD VIETH	(OBJ)...HARTNELL LAW GROUP

XREF: PROPS1700199 *MTR OF STACY A VIETH*

GENERAL INFORMATION

Continued from **10/27/16**. Mr. Sheasby to contact the Veteran's Administration to determine if benefits are being paid and to collect any benefits on David Veith's behalf. Court vacates previous order that SNT be created on behalf of Stacy Vieth. Mr. Ordered to contact the title company on the San Jacinto property in question and determine how best to lift the cloud on the property. A separate recordable order clearing title to be filed and property/assets to be put into Stacy Vieth's estate instead of a SNT. SNT needs to be filed as to David Vieth only. Public Guardian requested to be appointed Conservator of David Vieth.

Continued from **01/05/17**. Status Report and five orders transferring real property signed. Petition for conservatorship of David Vieth requesting appointment of Public Guardian to be filed. Public Guardian to appear re possible appointment.

Continued from **03/16/17**. Counsel reported that a probate action has been filed as to Stacy Vieth and set for 05/03/17. Counsel were unsure of a conservatorship action re David Vieth; court determined not filed.

Continued from **07/05/17**. Court appoints the PG to represent David Vieth. Court orders the PG to appear at the next hearing.

Continued from **08/21/17** on Court's motion for all counsel to be present and trail CONPS1700276. Notice to be given by Mr. Sheasby.

Continued from **09/11/17** and **10/23/17**.

Continued from **12/04/17**. Court orders Layne Bartholomew to be present at next hearing date of February 26, 2018.

Continued from 02/26/18 Court notes Layne Bartholomew is not required to be present for future hearings on this case. Court orders James Church to be present 04/02/18.

THIS CASE SET FOR HEARING ON Status.

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

1. Melodie Scott was prior trustee; however, filed declaration stating that no assets were ever marshaled.
2. Martha Gagliardi was appointed Trustee of the SNT. All monies to be placed into blocked account with exception of \$7,500.
3. Layne Bartholomew to prepare/create SNT.
4. Petition for Probate filed re Stacy Vieth PROPS1700199.

RECOMMENDATION

Inquire status.

(lc/nb/ww/cs)

Superior Court of Calif, County of San Bernardino

Page: 26

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

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: SC SS01095

CASE NAME: IN THE MATTER OF PEDRO CALIXTO CLAVELO OLIVE

HEARING:

Accounting Review by ***

COUNSEL:

PEDRO CALIXT OLIVE	(CEP)...
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
BERTHA CLAVELO OLIVE	(CPE)...PRO/PER

GENERAL INFORMATION

Continued from 10/03/16 and 03/27/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON accounting review

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

1. 13th account by PG approved on 02/24/14.
2. **Need** 14th accounting beginning with date of 08/07/13.

RECOMMENDATION:

Inquire status. When documents are not filed as ordered, court may set a hearing in accord with Pr.C. §2655.

(lc/nb/cs/ww)

Superior Court of Calif, County of San Bernardino

Page: 27

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

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: SLC SS01997

CASE NAME: MTR OF KENNETH WANGELINE

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
KEN WANGELINE (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expired 01/02/16

Court terminated LPS conservatorship on 12/18/15.

Continued from 03/07/16, 12/12/16 and 08/07/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Waiving Eighth Account granted 03/09/15 for period ending 12/23/14.
2. Ninth and final account now due for the period 12/24/14 – 12/18/15.

RECOMMENDATION

Court's discretion. When documents are not filed as ordered, court may set a hearing in accord with Pr.C. §2655.

(dl/nb/cs)

Superior Court of Calif, County of San Bernardino
Page: 27 add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: SC SS03123

CASE NAME: MTR OF MIRIAM Y. GIRON

HEARING:

Hearing Re: APPOINTMENT OF PUBLIC GUARDIAN AS SUCCESSOR C'TOR

COUNSEL:

JAZMIN K. GIRON	(CP)...PRO/PER
MIRIAM Y. GIRON	(CTP/CEE)...SHERRI L KASTILAHN
MARIA G GIRON	(CP)...

GENERAL INFORMATION:

Court notes IRC does not need to appear at next hearing date. Clerk's office to notify Public Guardian of referral and expedite a copy of file to PG.

THIS CASE SET FOR HEARING ON Appointment of Public Guardian as Successor C'tor

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

1. Matter set on 03/21/18 wherein Court removed Jazmin Giron and Maria Giron as Co-Conservators and referred matter to Public Guardian for appointment as successor conservator of Miriam Giron.
2. Copy of entire file placed in PG's
3. Need Petition for Successor Appointment.

RECOMMENDATION:

Inquire status

(cs)

Superior Court of Calif, County of San Bernardino

Page: 28 add-on

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1500357

CASE NAME: MTR OF MADELINE PRATKO

HEARING: Petition for Request for Court Order Authorizing Sale of Conservatee's
Personal Residence

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
MADELINE M. PRATKO TRUST (TRU)...
MADELINE MARY PRATKO (CEE)...SANDY L. TURNER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Request for Court Order Authorizing
Sale of Conservatee's Personal Residence by Public Guardian.

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

- 2 Petitioner, Public Guardian, proposes to sell the Conservatee's former personal residence, improved real property located at 1338 North El Dorado Avenue, Ontario, CA.
- 3 Petitioner alleges that the sale is necessary in order to provide funds to pay ongoing expenses related to the care of the Conservatee.
- 4 Conservatee no longer wishes to live in the residence and does not objects to the sale of the property.
- 5 **Need** final Inventory and Appraisal.
- 6 Notice of hearing filed 03/22/18; however, only 11 days' notice given. **Need** proper notice.
- 7 Petitioner prays for an Order authorizing Petitioner to sell the conservatee's aforementioned former residence.
- 8 ~Proposed Order

RECOMMENDATION:

Need to clear notes 4-5, then Court's discretion.

(cs)

Future Hearings:

06/18/18 OSC Re: Receipt of Appraisal/Status of MLS

06/18/18 Status of Sale of Real Property

11/05/18 Accounting Review

Superior Court of Calif, County of San Bernardino
Page: 29 add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1600079

CASE NAME: DAVID T HUANG

SEE ALSO 30

HEARING: Re: OSC RE STATUS OF SALE OF HOUSE

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
DAVID T HUANG (CEP)...SANDY L. TURNER

XREF: CONPS1600080 GERALDINE HUANG

GENERAL INFORMATION

Continued from 11/13/17. Court reviews the listing.

Continued from 01/29/18. Court ordered that the listing agent of the property to be personally present. Ramona Verduzco to give notice to listing agent.

Continued from 03/05/18. Counsel agree to the following re sale of the home: PG and their realtor, Myrna Scorza, to prepare counter offer in writing at \$207,000 cash offer -as is- and a copy of the original offer and the counter offer to be provided to all counsel by 03/06/18. The deadline offer for the original offer (Figueroa's) is 03/20/18. In the event that the proposed buyers (the Figueroa's) do not agree to the counter offer, public guardian to arrange for two estimates each on the issue of mold and roof to be provided to all counsel and the court by 03/26/18 (estimates by licensed contractors). Court finds that all counsel are present and indicates that if the willing cash buyer accepts the counter offer, no petition for confirmation of sale of real property will be needed.

THIS CASE SET FOR HEARING ON OSC re Status of House.

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

1. OSC set on 10/30/17 in regards to listing of house for sale.
2. Ms. Stringfellow is to be personally present if house has not been listed for sale.
3. Per 11/13/17 Court reviewed the listing.

RECOMMENDATION

Court's discretion re OSC.

(ww)

Future Hearing: 4/30/18: Accounting Review

Superior Court of Calif, County of San Bernardino
Page: 30 add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1600080

CASE NAME: GERALDINE HUANG

SEE ALSO 29

HEARING:
OSC RE STATUS OF SALE OF HOUSE

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
GERALDINE HUANG	(CEP)...MITCHELL I ROTH
GERALDINE HUANG	(PET)...SHERRI L KASTILAHN
ARCHANGEL ESTATE PLANNING	(TP)...ARCHANGEL ESTATE PLANNING

XREF: CONPS1600079 DAVID T HUANG

GENERAL INFORMATION

Continued from **11/13/17**. Court reviews the listing.

Continued from **01/29/18**. Court ordered that the listing agent of the property to be personally present. Ramona Verduzco to give notice to listing agent.

Continued from 03/05/18. Counsel agree to the following orders of the court regarding the sale of the home. Court orders that the Public Guardian and their realtor, Myrna Scorza, to prepare in writing the counter offer of the property at \$207,000.00 cash offer- as is- and a copy of the original offer, and the counter offer to be provided to all counsel by 4pm March 6, 2018. The noted response deadline of the offer is 4pm March 20, 2018 of the original offer- Figueroas. In the event that the proposed buyers- the Figueroas- do not agree to the counter offer, Public Guardian to arrange for two estimates each on the issue of mold and roof to be provided to all counsel and the court by 4pm March 26, 2018 (estimates by licensed contractors). Court finds that all counsel are present and indicates that if the willing cash buyer accepts the counter offer, no petition for confirmation of sale of real property will be needed.

THIS CASE SET FOR HEARING ON OSC re Status of House.

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

1. OSC set on 10/30/17 in status of listing of house for sale and orders Ms. Stringfellow to be personally present in court on 11/13/17 if she has not listed the house for sale.
2. Per 11/13/17 Court reviewed the listing.

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

3. On 01/29/18 Court ordered that the listing agent be present at next hearing.
4. All parties present on 03/05/18. See minutes from 03/05/18 hearing above.

RECOMMENDATION

Court's discretion re OSC.

(CS/WW)

Future Hearing: 4/30/18 Accounting Review

Superior Court of Calif, County of San Bernardino
Page: 31 add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1700434

CASE NAME: Sue Han

SEE ALSO 32

HEARING: Petition for Appointment of Conservator

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
SUE HAN (CEP)...SANDRA TURNER

GENERAL INFORMATION

Public guardian appointed temporary conservator on 12/11/17.

Continued from **03/12/18**. Court clears note re duties & liabilities- Court does not require Public Guardian to file duties & liabilities form. Court sets hearing for trial setting conference.

Continued from 03/19/18. Trial set. Court orders that personal appearance of counsel is required for the readiness hearing. Court orders that transportation to be arranged for Sue Han to attend trial at 9:30am on April 13, 2018.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator, of the person and estate, by Public Guardian, Petitioner

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

1. No bond – Public Guardian.
2. Petitioner seeks Pr. C. § 2590 powers to sell real or personal property of the estate and proceeds to be used for Conservatee’s care and personal needs.
3. Petitioner seeks authority to deposit up to \$5000 in an irrevocable burial trust and purchase cemetery commodities. Also seeks authority to abandon and/or donate personal property with value of \$300 or less; as a sale would be a burden on the estate.
4. Petitioner seeks medical powers. Capacity Declaration filed 11/29/17.
5. Citation with proof of service filed 12/07/17.
6. Petitioner seeks dementia powers. Report of Court appointed counsel, Sandy Turner filed 03/05/18.
7. Court Investigator report filed 02/28/18.
8. ~Proposed Form Order: 11/29/17.

RECOMMENDATION

Court's discretion. If approved, set hearing for Compliance Review for **11/05/18** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); Care Plan per Pr.C.§2352.5; Inventory and Appraisal, and Proof of service of I & A Instructions for Objection per Pr.C. §2610; and recordation of letters, if applicable, per Pr.C. § 2313.

Set hearing re Accounting Review for **06/03/19**. Any accounting to be filed 30 days in advance.

(cs/ww)

Future Hearing: 4/13/18 Court Trial

Superior Court of Calif, County of San Bernardino
Page: 32 add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 04/02/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1700434

CASE NAME: Sue Han

SEE ALSO 31

HEARING: Readiness Calendar

	COUNSEL:	
PUBLIC GUARDIAN		(CPE)...COUNTY COUNSEL
SUE HAN		(CEP)...SANDRA TURNER

No Notes-Readiness. JTD.

(ww)

Future Hearing: 4/13/18 Court Trial

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CIVIL**

DATE: 04/02/18 TIME: 8:30 DEPT: S36P

CASE#: CIV DS1722299

CASE NAME: BENNER -V- FEINSTEIN

SEE ALSO 7

HEARING:

Hearing Re: STATUS

COUNSEL:

ALLEN BENNER (PLA)...SCHOMER LAW GROUP, APC

KENNETH S. FEINSTEIN (DEF)...FULLERTON LEMANN SCHAEFER & DO

PROPS1700626 *FEINSTEIN FAMILY TRUST*

No Notes- Status. JTD

(ww)

Future hearing dates: 05/10/18 Trial Setting Conference

Superior Court of Calif, County of San Bernardino

Page: 2

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **PROBATE**

DATE: 04/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400852

CASE NAME: RICHARD GERARD NELSON

HEARING:

Hearing Re: First Account and Distribution

COUNSEL:

DEBBIE A. NELSON	(PET)...EDWARDS-SWIFT & ASSOCIATES
RICHARD GERARD NELSON	(DEC)...
RICHARD A NELSON	(MIN)...
CAMRYN NICOLE NELSON	(MIN)...
CAMRYN NICOLE NELSON	(APP)...SHEASBY AND ASSOCIATES
CRYSTAL MACK	(OBJ)...JAMES B CHURCH
DEBBIE A. NELSON	(VOORHEES & RATZLAFF LAW GROUP)
SURETEC INSURANCE CO	(PRO/PER)

Waiver of Court Fees and Costs filed by CAMRYN NICOLE NELSON is GRANTED

GENERAL INFORMATION:

Continued from **04/26/16, 12/21/16 and 03/01/17**. Matter contested and set for trial.

Continued from **06/29/17**.

Continued from **07/05/17**. Court advances and hears Motion Re: Bifurcate the Trial Issue previously set on 08/14/17 to today's date. Arguments heard regarding Motion to Bifurcate. The Court grants Motion to Bifurcate. The first phase will be heard on 07/11/17 at 1:30pm. Counsel is informed trial will begin on 07/11/17 at 1:30pm. Discovery motion will be addressed at next hearing.

Continued from **07/11/17**. Court authorizes preliminary distribution for petitioner and attorney in amount of \$6,880.65. Counsel to prepare order on preliminary distribution.

Continued from **08/29/17**.

Continued from **10/17/17**. Objections filed. Matter stayed until status of appeal.

At hearing on 02/20/18. The appeal has been dismissed. The court places back on calendar the account and distribution that was filed prior.

THIS CASE IS SET FOR HEARING ON First and Final Waiver of Account; Petition for Determination of Property Passing to Surviving Spouse and for Confirmation of Property belonging to Surviving Spouse; and Petition for Fees.

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

1. Petitioner alleges she is the sole heir, as estate consists solely of community property assets, and waives account. Order Allowing Election to Administer Community Property under Pr. C. § 13502 granted 09/03/15.
2. Former Attorney, Thaddeus Culpepper, waives statutory compensation.
3. Statutory fees of \$8,600.82 requested of which \$6,880.65 has been paid per order on 08/02/17; therefore. Remaining balance of fees due is **\$1,720.17** per Supplement filed 02/13/18. Calculated.
4. **Attorneys Voorhees & Ratzlaff** Law Group, LLP's requests a total of **\$12,849.00** in extraordinary fees. \$12,780.00 for 46.20 hours on contested nature of this matter at \$275/300 per hour of attorney time and \$69.00 for 0.60 hours at \$115.00/hour of paralegal time. Itemized. [Supp. 02/13/18 LF pgs. 7-13] **JTD**
5. **Attorney Edwards-Swift** requests a total extraordinary fee of **\$28,702.00** for 143 hours on the contested nature of this matter at \$450/hour for attorney time and \$150/hour of paralegal time respectively. Itemized in supplement. [Supp. 02/13/18 LF pgs. 16-32] **Note:** Pages 33-47 are duplicative. **JTD**
6. **Attorney Edwards-Swift** requests reimbursement for advanced costs in the amount of **\$1,087.99**; however, supplement totals advanced fees at \$1,087.69. Court may wish to clarify correct amount. Itemized in supplement. **JTD**
 - a. **(Supp. 02/13/18) The itemization for the date of 02/17/17 includes charges for postage, long distance and cell phone charges; and an administrative set up fee bulked in with litigation costs of \$200.00 & \$300.00. Does Court wish to allow these fees as they appear to be part of overhead per Local Rule 20-909. JTD**
7. Attorney Donna Smiedt requests a total extraordinary fee of \$2,943.75 for 12 hours on the contested nature of this matter at \$300/hour attorney time and \$126/hour of paralegal time respectively. Itemized in supplement. (Supp. 02/13/18 LF pgs. 48-50] **JTD**
 - a. **Need** qualifications of paralegals that meet the requirements of CRC 7.703(e)(1)(c) which requires a showing of completion of mandatory continuing education per Business & Professions Code 6450(d). **Need** verified supplement.
8. Petitioner requests that the property of this estate is property passing to the surviving spouse and belongs to the surviving spouse and that her ownership is confirmed. All property that is determined to be property passing to the surviving spouse shall be distributed wholly to petitioner, Debbie Nelson, as community property to which she is entitled.
9. Petitioner requests authority to distribute any assets determined to be the Community Property of decedent, not now known but late discovered to Debbie A, Nelson; and authority to distribute any assets determined to be the Separate Property of decedent, not now known but later discovered, to be distributed pursuant to the laws if intestate succession without further Order of this Court.
10. Three Creditor's Claims rejected on 09/15/16 and 90 days have passed since the rejection. Other claims filed were not acted upon; however, appear to be deemed as rejected.

11. Notice of withdrawal of Attorney of Record filed by Attorney Pamela Edwards-Swift; however, **Need** either a Substitution of Attorney or a Motion to be Relieved as Counsel filed.
12. **Objections filed 04/14/16 and amended objection on 04/15/16 by GAL, Matthew Sheasby, requesting the Court sustain Objections until a full and fair determination of the nature and extent of the Decedent's community property and separate property interests can be discerned.**
13. **Objection by GAL Matthew Sheasby to Administrator's Misstatement of Court Orders filed 01/12/18,**
14. **Objections filed 04/29/16 by GAL, Noreen T. Fontaine for Richard A. Nelson.**
15. **Objections filed by Crystal Mack, creditor, on 08/15/16.**
16. **Objections by Debbie Nelson to GAL Sheasby proposed "Order on Objection to file April 4, 2016" filed 11/09/17.**
17. **Request for Judicial Notice filed 07/07/17.**

RECOMMENDATION:

Matter is contested. Need to clear notes 7 & 11 then Court's discretion re remaining notes. If approved, set next hearing for receipts and final discharge for **04/08/19**.

(nb/lc/lh/nb/ww)

Superior Court of Calif, County of San Bernardino

Page: 3

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 04/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500184

VACATED

CASE NAME: MTR WILLIE C NORWOOD

HEARING:

Accounting Review by ***

COUNSEL:

YVONNE DANTZLER

(PET)...PRO/PER

WILLIE C NORWOOD

(DEC)...

(ww)

Future hearing dates:

09/24/18 Summary Account and Report of YVONNE DANTZLER and Petition for allowance of fees

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 04/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500345

CASE NAME: RON JAMES SCARONE

HEARING:

Hearing Re: AMENDED STATUS REPORT OF ADMINISTRATION

COUNSEL:

DAVID M SCARONE	(PET)...PRO/PER
RON JAMES SCARONE	(DEC)...
STEPHEN SCARONE	(PET)...ALLARD SMITH
JEFF SCARONE	(RES)...CKB VIENNA, LLP

GENERAL INFORMATION:

Per 02/21/18 minute order- Parties are instructed to file the stipulated settlement agreement with the Court.

THIS CASE IS SET FOR HEARING ON **[Amended 02/16/18]** Status Report of Administration

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

1. Letters of Administration issued to David Scarone, son, on 02/23/16 with full authority, \$20,000 bond.
2. Petitioner requests clarification if an accounting review is required and indicates that petitioner may possibly waive accounting review if not applicable as estate is "insolvent. **JTD**
3. Petitioner does not indicate how long till the estate will be in a condition to close.
4. A settlement was reached on 10/04/17 with Stephen Scarone and a settlement with Jeffrey Scarone is pending appropriate agreement of terms in "Wording and Language" of the settlement agreement.
 - a. **Need** signed agreement between petitioner and Stephen Scarone.
5. Petitioner is requesting statutory commissions of \$4,616.30; however, calculation is incorrect as amount should be \$4,462.93 and the final accounting has not been filed. **JTD**
6. Petitioner is requesting "extraordinary expenses/fees/other administrative expenses/costs" in the amount of \$4,660.00 as it took time and numerous costs

paid out of personal funds due to the estate being liquidated and no funds existed; however, the itemization has the following deficiencies: [LF pgs. 3 & 23-24]

- a. Several charges for stamps, miscellaneous copies, postage and mailing are included and are generally considered as overheard per Local Rule 20-909. **JTD**
 - b. Petitioner is requesting payment for travel, mileage, gas which generally cannot be requests unless the petitioner waives their statutory commissions per Local Rule 20-909. **JTD**
 - c. Fee request appears to be premature as the final accounting has not been filed. **JTD**
7. Petitioner requests direction from the Court to define a timeframe for when the accurate interest payments are due. [LF. pg. 12]
 8. Petitioner requests the Court to include as an addendum to the Settlement/Release Agreement to calculate the accrued interest. [LF. pages 12 & 18]
 9. Petitioner request that his "Changes" in Exhibit A1[LF pgs. 7-9] be incorporated into the settlement agreement and that the Court direct over the conflicts existing over "Wording/Language" [LF pg.18]
 10. **Need** response by David Scarone to Declaration of Richard Kennedy filed 12/27/17 per minutes on 01/03/18.
 11. **Need** Notice of Hearing and proof of service in accord with Pr.C. § 12201. Whenever a status report is filed without an accounting, notice must indicate a right to an accounting in accord with Pr.C. § 10950. **This form of notice is mandatory.**
 12. **Notice of Non-payment of Bond Premium filed by Suretec Insurance Company on 03/27/18.**
 13. No proposed order.

RECOMMENDATION:

Need to clear notes 4, 10 & 11. Court's discretion re: remaining notes. If approved, set next hearing for Accounting Review on **04/08/19** or if Court waives the need for an accounting then Court to set Final Discharge hearing for **04/08/19**.

(ww)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 04/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600625

CASE NAME: MTR OF SELMA L ROBERTSON

HEARING:

Probate status report filed.

COUNSEL:

ROSEMARY R MARTIN (PET)...PRO/PER
SELMA L ROBERTSON (DEC)...

THIS CASE IS SET FOR HEARING ON Status Report.

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

1. Letters of Testamentary issued to Rosemary Martin, daughter/executor, on 12/02/16; full authority, \$20,000.00 bond.
2. Petitioner requests an additional 6 months to close the estate.
3. Estate is not in a condition to close due to the need for preparing the Petition for Final Distribution on Waiver of Accounting.
4. Final Inventory and Appraisal filed 03/06/18.
5. Notice of Hearing and proof of service filed 03/23/18; however, only 12 days' notice given. **JTD**
6. No proposed order.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for Accounting Review for **10/08/18**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(ww)

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

DATE: 04/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600814
CASE NAME: LAWRENCE CORNELL

HEARING: Report on Waiver of Account and Report of EARL CORNELL and
Petition for allowance of fees filed.

COUNSEL:

EARL CORNELL (PET)...WILLIAM M NASSAR & ASSOCIATES
LAWRENCE CORNELL (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of
Account and for Fees by Earl Cornell, brother/administrator.

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

1. Assets on Hand are not indicated. Court may wish to clarify if the fee base of
\$195,000 is the total of assets on hand, or in alternative, need verified supplement.
[LF pg. 5] **JTD**
2. Petitioner waives statutory compensation.
3. Attorney requests statutory fees of \$5,900.00. Calculated.'
4. Consent to Notice of Proposed Action to sell real property filed 08/17/17; however,
no Notice of Proposed Action or proof of service has been filed. **JTD**.
5. Petitioner requests authority to withhold \$2,000.00 as a reserve for closing costs.
JTD
6. **Need** bank statement verifying assets on hand at end of accounting period per
Local Rule 20-908.
7. **Need** copy of escrow closing statement for sale of real property per Local Rule 20-
910.
8. Notice of Hearing and proof of service filed 03/12/18; however 4.b as to the place of
mailing is incomplete. **JTD**.
9. Proposed Order: 02/20/18, assets on hand are missing, need statement re: notice
per Pr.C. § 9202 and creditors.

RECOMMENDATION

Need to clear notes 6 & 7 then Court's discretion re: remaining notes. If approved, set
hearing re receipts and final discharge for **04/08/19**.

(ww)

Superior Court of Calif, County of San Bernardino

Page: 7

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

DATE: 04/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700626

CASE NAME: FEINSTEIN FAMILY TRUST,ORIGINALLY EST 04/23/1990

SEE ALSO 1

HEARING:

Petition for 1)DECLARE THE LAST AMENDMENT TO THE FEINSTEIN TRUST VOID FOR LACK OF CAPACITY ETC

COUNSEL:

ALLEN R BENNER (PET)...SCHOMER LAW GROUP, APC
FEINSTEIN FAMILY TRUST (TRU)...
KENNETH S FEINSTEIN (OBJ)...FULLERTON LEMANN SCHAEFER & DO

XREF: CIVDS1722299 BENNER -V- FEINSTEIN

Currently under review by Legal Research.
(LR)

Continued matter. Notice was initially given for hearing on 10/16/17 and waived per 10/16/17 and 12/04/17.

(ww)

Superior Court of Calif, County of San Bernardino

Page: 8

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

DATE: 04/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700954

CASE NAME: MARY ANN FRANCIS BREEN

HEARING:

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

COUNSEL:

SARAH RAINES (PET)...PRO/PER
MARY ANN FRANCIS BREEN (DEC)...

GENERAL INFORMATION:

Sarah Raines appointed as temporary administrator, no bond, limited IAEA on 10/03/17..
All temporary orders to remain in full force and effect.

Continued from 01/02/18 at request of petitioner to clear notes.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by nominee Sarah Raines ["Petitioner"].

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

1. Net value of the estate consists of \$97,000.00 in real property.
2. Nominations of this petitioner; assignments and bond waivers by all issue affixed to petition [LF, pgs. 6-17]. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b)
3. Petitioner is not listed in section 8 of the petition; however, it is clear that petitioner is the nominee. **JTD**
4. Court may wish to inquire if Trevor Neale, assignee, is related to decedent as he shares the same last name as Georgia Neal, daughter. **JTD**
5. **Need** proof of publication.
6. **Need** Notice of Petition to Administer Estate with proof of service to include assignee, Trevor Neale.
7. ~Proposed Form Order: 09/26/17

RECOMMENDATION:

Need to clear notes 5 & 6 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **06/10/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(nb/ww)

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

Superior Court of Calif, County of San Bernardino

Page: 9

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

DATE: 04/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800185

CASE NAME: MTR OF DONALD EUGENE HARRINGTON

HEARING:

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

COUNSEL:

TASHA JOY HARRINGTON (PET)...RICHARD S PRICE
DONALD EUGENE HARRINGTON (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Tasha Joy Harrington, spouse

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

1. Net value of the estate consists of \$113,000.00 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b).
2. Petitioner alleges to be sole heir as surviving spouse and waives bond; however, per the Election by Surviving Spouse filed 02/27/18 it appears that decedent had separate property. **Need** bond waivers on mandatory judicial council form DE-142/DE-111 (A-3d) by surviving issues, Donald Jr, Donnisha and Darlisa, as they would be entitled to 1/3 of the decedent's separate property per Pr.C. § 6401.
3. ~Proposed Form Order: 02/27/18

RECOMMENDATION

Need to clear note 2. Court's discretion re bond. If approved, set Accounting/Status Review **06/10/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

Superior Court of Calif, County of San Bernardino

Page: 10

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

DATE: 04/02/18 TIME: 8:30 DEPT: S36P

CASE#: TRU PS1800014

CASE NAME: The Mc Dermott Family Trust dated 10/23/1998

HEARING:

Petition for determination of trust assets

COUNSEL:

DAVID F MCDERMOTT (PET)...ROQUEMORE PRINGLE & MOORE
THE MC DERMOTT FAMILY TRUST (TRU)...

Currently under review by legal research.

(LR)

NOTICE: Notice filed 01/29/18; however, description of property and statement advising persons they may file a response Pr.C. § 851(c)(1), 851(c)(3) [2018 AB 308, Maienschein] is not indicated.

All beneficiaries signed consent and waiver of bond.

(lc/ww)

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

DATE: 04/02/18 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1700540

CASE NAME: THE SPECIAL NEEDS TRUST OF JUDITH ARCA DUMAS

HEARING:

Second Account and Report of INLAND COUNTIES REGIONALCENTER,
INC. and Petition for allowance of fees filed.

COUNSEL:

INLAND COUNTIES REG CNTR (PET)...LAYNE A BARTHOLOMEW
SPECIAL NEEDS TRUST OF JUDITH ARCA DUMAS (TRU)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 2nd Account and Report of IRC and Petition for Approval of Trustee's Fees and for Attorney's Fees; Ratification and Approval of Payment of Trustee Fees; Increase of Bond; and Petition to Amend Trust to Include "Medicaid" Language.

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

1. Accounting period: 11/01/16-10/31/17
2. Assets on hand: \$278,611.03 in cash.
3. Current bond is \$290,000.00. Petitioner requests that bond be increased to \$307,000.00. Increased bond appears that it would be adequate. **JTD**
4. Report of beneficiary filed separately.
5. Petitioner requests approval of trustee fees already taken by Master Trust of California in the amount of \$5,521.60. [LF pg. 26] Billed at \$1,250 for the first \$50,000; 2% of the next \$250,000; 1.65% of the next \$450,000, 1.50% of the next \$250,000 and 1.25% on the balance over \$1,000,000. Services generally itemized. **JTD**
6. Petitioner requests authority to allow Master Trust to continue taking its annual fee according to its 2017 fee schedule in quarterly payments. **JTD**
7. Attorney requests fees of \$1,320.00 for 3.7 hours of paralegal and 3.8 hours of attorney services at \$100.00/250.00 per hour respectively. Itemized [LF pgs. 42 & 43].
8. Petitioner requests to amend the trust to add provisions regarding "Medicaid" language as a new Article Nine of the trust. **JTD**. [LF pgs. 56-84]
9. Notice is complete.
10. ~Proposed Order: 02/22/18

RECOMMENDATION

Court's discretion. If approved, set hearing on the next accounting review for **12/03/18** (if one year) or **12/02/19** (if two years). Accounting to be filed 30 days in advance.

(ww)

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

DATE: 04/02/18 TIME: 8:35 DEPT: S36P

CASE#: TRU PS1800040

CASE NAME: RIVAS FAMILY TRUST 02/14/2004

HEARING:

Petition for TO DETERMINE THE EXISTENCE AND VALIDITY OF THE RIVAS
FAMILY TRUST, AND TO CONFIRM TRUSTEE ETC

COUNSEL:

FERNANDO E RIVAS (PET)...THE BOUTIQUE LAW GROUP
THE RIVAS FAMILY TRUST (TRU)...

Currently under review by Legal Research

LR

NOTICE:

Notice of hearing and proof of service filed 03/09/18; however, less than 30 days' notice provided and notice must contain full description of the subject property ; a description of relief and from whom it is against if Pr.C. § 859 is being pursued; and a statement advising persons whom have interest in said property that they may file a response to the petition. **Need** corrected notice.

(ww)

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

DATE: 04/02/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500305

CASE NAME: MTR OF BUDDY LEE SAILOR

HEARING:

FIRST Account and Report of THERESA L PRINCE and Petition for allowance of fees filed.

COUNSEL:

THERESA L PRINCE (CPE)...DAVID M GROSSMAN
BUDDY LEE SAILOR (CEP)...WALTER T. MOORE

XREF: FAMSS1509076 JANICE SAILOR -N- BUDDY LEE SAILOR

GENERAL INFORMATION:

Continued from **06/20/17** for notes to be cleared. The Court notes that this case will not be transferred to Orange County until the related family law matter is resolved completely. Continued from **09/12/17** A final I & A cannot be filed due to pending family law matter. - Attorney Grossman to file a supplement - also requesting partial fees. Attorney Walter Moore to file a petition for fees also to be heard the same day.

Continued from **11/07/17** and **12/05/17**.

Continued from 02/20/18 for resolution of family law matter.

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Fees by Conservator of the Person and Estate, Theresa L. Prince (daughter).

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

1. Accounting period 12/16/15 TO 12/15/16. However, account period should begin on **11/10/15. JTD**
2. Petitioner has not used mandatory Summary of Account (GC-400/405). Court may wish to direct petitioner to use mandatory form(s) on future accountings.
3. Assets on Hand \$590,853.45 consisting of \$226,735.76 in cash and remaining in real and personal property.
4. Current bond of \$562,000. Insufficient. Suggest bond of \$650,000 (includes recovery). **JTD.**
5. Partial Inventories 1 & 2 indicates estate is includes community property interests that are unknown until the outcome of the related Family Law Case. Need complete, final inventory and appraisal. **Supp. 08/14/17 indicates a final inventory**

and appraisal cannot be filed until settlement from the Family Court in the related matter.

6. Petitioner does not request compensation.
7. Attorney requests fees of \$11,146.00 for 22.3 hours' attorney time billed at \$350/hour and 25.7 hours' paralegal time billed at \$130/hour. **Itemized [see supp. 08/14/17, LF, pgs. 7-8]. JTD.**
8. Attorney requests reimbursement of costs advanced of \$465.00.
9. Value is not given; purportedly unknown or not valued by Probate Referee for a business known as Integrity Design Group or Orange County Container Group LLC Profit Sharing. Question the status of these assets? **Supplement 08/14/17 indicates these assets are currently being valued as part of the community assets by the Family Court and will be inventoried upon valuation and division of the community property.**
10. **Need** bank/investment statements verifying date of death and ending balances per Local Rule 20-908 for US Bank Acct. XXX4068 and Boeing Investment Plan. Also, Assets on Hand at End of Account Period US Bank Acct. XXX4068.
11. **Schedule E- Assets on Hand at End of Account Period [Acctg. 04/20/17-LF, p25] does not include Chase Checking Acct. XXX2508 or Savings Acct. XXX6083 affixed to supp. filed 08/14/17 [LF, p73]. Need** amended Schedule E and affected schedules via verified supplement.
12. **Need** proof of service to Notice of Proposed Action re sale of real property.
13. During the accounting period, petitioner paid Julia Chavez and Francesca Kelium for caregiving expenses of \$3,532.55. **Supp. (08/14/17) affixes weekly time cards. Need** verified declaration for acknowledgment of receipt of fees per Local Rule 20-1406(c).
14. Conservatee resides in Fountain Valley, CA which is located in Orange County. Suggest transfer. If so, Court to set control date. **JTD.**
15. Proposed Order: 04/20/17 does not comply with Local Rule 20-614.

RECOMMENDATION:

Need to clear notes, \$650,000 bond. If approved, set next hearing for Accounting Review on first check calendar no sooner than **05/07/18**.

(nb/ww)

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

DATE: 04/02/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600365

CASE NAME: MTR OF TEODORICO LAWENKO

HEARING:

Accounting Review by ***

COUNSEL:

ZOLITA LAWENKO (CPE)...PRO/PER
TEODORICO LAWENKO (CEE)...

GENERAL INFORMATION

On **03/27/18** at Conservatorship Compliance Review hearing Counsel represents parties now live in Jurupa Valley. - Court orders matter transferred to Riverside County; Court waives transfer fees. Court requests that Riverside County waives their transfer fees. Walter Moore is relieved as counsel of record for Teodorico Lawenko.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Zolita Lawenko, spouse was appointed as conservator of the person and estate on 02/10/17, no bond.
2. Notice of change of address for conservatee filed 03/14/18 reflecting an address in Jurupa Valley in Riverside County.
3. Court may wish to see CI Special Report filed 03/14/18.
4. **Need** 1st Account beginning with date of 02/10/17.

RECOMMENDATION

Inquire status of accounting.

(ww)

Future hearing dates: 08/14/18 Hearing Re: Confirmation of Transfer

Superior Court of Calif, County of San Bernardino

Page: 15

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

DATE: 04/02/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700135

CASE NAME: MTR REGINALD SHALESKI

SEE ALSO 16

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of CAROLE D JARICH

COUNSEL:

CAROLE D JARICH	(CPE)...JENNIFER M DANIEL
REGINALD SHALESKI	(CEP)...EDWARD B FISCHER
NATALIE BLICKENSTAFF	(CE)...JENNIFER M DANIEL
LISA ANNE METZGER	(TP)...WILLIAM J BRUNICK

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Carole Jarich, sister, appointed conservator of the person only on 08/28/17, no bond.
2. Notification of Conservatee's rights per Pr.C.§1830(c), Care Plan in accord with Pr.C.§2352.5 filed 03/27/18.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 filed 03/27/18 but is not in Laserfische for review. **JTD**

RECOMMENDATION

Court's discretion.

(ww)

Future Hearing: 11/05/18: Accounting Review **by Natalie Blickenstaff**

Superior Court of Calif, County of San Bernardino

Page: 16

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

DATE: 04/02/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700135

CASE NAME: MTR REGINALD SHALESKI

SEE ALSO 15

HEARING:

Petition for Fee for Court-Appointed Attorney for
Conservatee/Beneficiary

COUNSEL:

CAROLE D JARICH	(CPE)...JENNIFER M DANIEL
REGINALD SHALESKI	(CEP)...EDWARD B FISCHEL
NATALIE BLICKENSTAFF	(CE)...JENNIFER M DANIEL
LISA ANNE METZGER	(TP)...WILLIAM J BRUNICK

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees Pr.C. § 1470, 1471
2356.5(f)(1) by Edward Fischel.

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

1. Petitioner, Edward Fischel, was appointed counsel on 04/20/17.
2. Petitioner requests fees of \$13,212.75 for 43.45 hours at \$395.00 per hour for paralegal and attorney services. Itemized [Pet. 02/08/18 LF pgs. 7-11].
3. Notice is complete.
4. ~Proposed Order: 02/08/18

RECOMMENDATION

Court's discretion.

(ww)

Future Hearing: 11/05/18: Accounting Review

Superior Court of Calif, County of San Bernardino

Page: 17

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

DATE: 04/02/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700140

CASE NAME: MTR OF JOSE MANUEL GARCIA SOTO

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of MARICELA GARCIA

COUNSEL:

MARICELA GARCIA (CP)...PRO/PER
JOSE MANUEL GARCIA SOTO (CTP)...JEANNE KENNEDY

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Maricela Garcia, mother, appointed limited conservator of the person only on 08/28/17, no bond.
2. Notification of Conservatee's rights, Determination of Conservatee's Appropriate Level of Care form, Care Plan filed 02/28/18.

RECOMMENDATION

None.

(ww)

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

DATE: 04/02/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800004

CASE NAME: MTR OF CAROL ANN HARRIS

HEARING:

Petition for Appointment of Conservator

COUNSEL:

RAY STANLEY SIMON (CPE)...PRO/PER
CAROL ANN HARRIS (CEP)...CANDICE A GARCIA-RODRIGO

GENERAL INFORMATION

Ray Simon, brother, appointed as Temporary Conservator of the person and estate on 10/30/18, \$110,000.00 bond.

Continued from 02/20/18. Walter Moore is appointed as guardian ad litem for proposed conservatee.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person and estate by brother, Ray S. Simon ["Petitioner"].

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

1. Temporary bond of \$110,000.00 posted 03/21/18. Petitioner requests no bond be set. Estimated estate valued at \$250,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). **JTD.**
2. Petitioner seeks Pr. C. § 2590 powers to sell real and/or personal property, including conservatee's primary residence and proceeds to be used for Conservatee's care and personal needs. Suggest Court require a separate petition after appointment with required showing per Pr.C. § 2540 et seq. **JTD**
3. Petitioner seeks medical powers. Capacity Declaration filed on 01/09/18.
4. Petitioner requests dementia powers. Report of Counsel, Candice Garcia-Rodrigo filed 01/29/18.
5. CI report filed on 02/07/18.
6. Citation returned served on 02/0/18.
7. Certificate of Completion re Conservatorship Class filed 02/01/18.
8. Temporary order allows the Petitioner to relocate conservatee to Long Beach, CA in Los Angeles County. Suggest transfer to Los Angeles County. If approved, Court to set control date.

9. Walter Moore appointed as GAL. **Need** GAL report.
10. ~Proposed Form Order: 01/25/18.

RECOMMENDATION:

Need Report of Counsel, GAL report and then Court's discretion re bond and transfer. If approved, set hearing for Compliance Review for **11/05/18** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr.C.§2313.

Set hearing re Accounting Review for **06/10/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/ww)

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

DATE: 04/02/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800006

CASE NAME: TERRY CORTEZ

HEARING:
Petition for Appointment of Conservator

COUNSEL:
RAYMOND CORTEZ (PET)...PRO/PER
TERRY CORTEZ (CTP)...MITCHELL I ROTH

GENERAL INFORMATION

Raymond Cortez, son, appointed as Temporary Conservator of the person only on 01/22/18, no bond. Counsel represents that Ms. Cortez consents to conservatorship.

Continued from 02/20/18.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person by son, Raymond Cortez ["Petitioner"].

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

1. No bond – person only.
2. Petition has the following issues:
 - a. Section 1d requests 2590 powers;
 - b. Section 1g does not request medical powers;
 - c. Section 1h re dementia is incomplete;
 - d. Section 11 does not include petitioner or indicate relationships of those listed.Does Court wish to require an amended petition or verified supplement? **JTD.**
3. Petitioner seeks medical powers. **Need** Medical Capacity Declaration with Dementia Attachments GC-313 & GC-335A.
4. Petitioner does not request dementia powers although temporary petition indicates conservatee has dementia. Report of Counsel, Mitchell I. Roth, filed on 02/20/18.
5. List of Required Contact Information is missing all relatives within the second degree as listed in the petition. **Need** completed form.
6. CI report filed 02/13/18.
7. Certificate of Completion re Conservatorship Class filed 02/01/18.
8. **Need** return of Citation.
9. **Need** Notice of Hearing and proof of service to all relatives within the 2nd degree.
10. ~Proposed Form Order: 01/05/18.

RECOMMENDATION:

Need to clear notes 3, 5, 8 & 9. If approved, set hearing for Compliance Review for **11/05/18** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(nb/ww)

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

DATE: 04/02/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800046

CASE NAME: GARLAN WILSON

HEARING:

Petition for Appointment of Conservator

COUNSEL:

ADDIE WILSON (PET)...MAREND M GARRETT
GARLAN WILSON (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Addie Ramsey, mother

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

1. No bond- person only
1. Petitioner seeks medical powers. Capacity Declaration filed 03/01/18; however, section 7b is not initialed. **JTD**.
2. Proposed conservatee is developmentally disabled. Sherry Kastilahn appointed as counsel. **Need** Report of counsel Sherri Kastilahn,
3. Proposed conservatee is developmentally disabled. **Need** IRC report.
4. Petitioners request Pr. C. § 2351.5 powers to make decisions regarding education; authority to fix the residence/dwelling; authority to access confidential records/documents/reports & other info regarding the proposed conservatee, including those in the possession of the Regional Center, authority to control the right of conservatee to contract; authority to make & consent to medical decisions for the conservatee; authority to consent or withhold consent to marriage or entrance into a registered domestic partnership.
 - a. The right to control his own social and sexual contacts and relationships,
5. Petitioner seeks civil rights not be limited without court order. **JTD**
6. **Need** Notification of Court of Conservatorship Address. (Local form SB-14522)
7. Return of citation with proof of service filed 03/01/18..
8. **Need** Certificate of Completion of the Conservatorship Training Class.

9. Notice of Hearing and proof of service filed 03/01/18; however, it is not indicated that a copy of the petition was served on siblings- Amanda, Paul, Obie; and as to the IRC. **JTD**
10. CI report filed 03/28/18.
11. ~Proposed Form Order: 02/23/18

RECOMMENDATION

Need Report of Counsel, IRC report, and to clear notes 6 & 8. If approved, set hearing for Compliance Review for **11/05/18** 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.

(ww)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **PROBATE**

DATE: 04/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1200839

CASE NAME: FREDRICK C. LUTJENS

HEARING:

Hearing Re: STATUS REPORT

COUNSEL:

CLAYLE J KRUGER
FREDRICK C LUTJENS

(PET)...BRYAN C HARTNELL
(DEC)...

GENERAL INFORMATION:

Continued from 10/02/17 at request of counsel. Notice of hearing to be given.

THIS CASE IS SET FOR HEARING ON Status Report by Administrator of Estate, Clayle J. Kruger (filed 03/27/17)

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

1. Petitioner alleges the estate is not in a condition to be closed as the real property, located in Lucerne Valley, CA, is listed for sale but no suitable offers have been obtained.
2. Petitioner requests an additional 12 months to close the estate.
3. Notice given.
- 4.

RECOMMENDATION:

Require notice then Court's discretion. If approved, set next hearing for Accounting Review on **05/28/18**.

(nb/lh/cs)

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 04/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600107

CASE NAME: MTR OF KATHRYN LUCILLE KAME

HEARING:

Accounting Review by ***

COUNSEL:

CALIFORNIA JAY MCKAY (PET)...HARTNELL LAW GROUP
KATHRYN LUCILLE KAME (DEC)...

Waiver of Court Fees and Costs filed by CALIFORNIA JAY MCKAY is GRANTED

GENERAL INFORMATION:

Continued from **06/26/17 and 09/18**

Continued from 12/04/17. Hearing continued at request of Counsel. The Court orders inventory and appraisal be filed by 1/2/18 and accounting be filed by 3/2/18.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters Testamentary issued to California McKay, daughter/executor on 05/12/16, full authority, \$20,000 bond.
2. **Need** Final Inventory and Appraisal.
3. **Need** Accounting or status report.

RECOMMENDATION:

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

(nb/ww/cs)

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 04/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600249

CASE NAME: JOSE R CASTILLO

HEARING:

Report Sale and Petition for Order Confirming Sale of Real Property.

COUNSEL:

MARTHA CHAVEZ ACEVEDO	(PET)...MADRID LAW FIRM
JOSE R CASTILLO	(DEC)...
AIDA E RODRIGUEZ	(OBJ)...LAW OFFICES OF JAMES A HAGAN
CASSANDRA CASTILLO	(LAW OFFICES OF JAMES A HAGAN)

GENERAL INFORMATION:

Address: 11372 Pipeline Avenue, Pomona, CA 91766

Appraised Value: \$405,000

Sale price: \$305,000

First overbid: \$320,750

Deposit: \$30,500

Commission: 6% (\$18,300)

Additional bond: Current bond set at \$30,000 suggest bond increase of \$79,000 for total bond of \$109,000 to reflect personal property. Additionally, Petitioner requests proceeds from the sale of the real property be deposited in a blocked account. . JTD

Reason for Sale: Necessary to pay debts, expenses of administration and taxes.

Exposure to Market: Property was marketed extensively through different marketing channels including CRMLS through Remax where it was listed in Trulia.com, Raltor.com, Zillow.com Homes.com, and Redfin.com and in listing agent's personal website www.ManyCarrillo.com as well as social media.

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.

Notice: Need notice of proposed action as to buyers (Enrique Gutierrez and Anna Rodriguez) and Administrator (Martha Acevedo).

Proof of publication completed and proof of posting filed.

Future Hearing:5/23/18 Accounting Review

~Proposed Form Order: 02/06/18

(CS)

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

DATE: 04/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600668

CASE NAME: JOSEPH RANYAK
HEARING: Petition for final distribution on wavier of Account and Report
of MARTHA RANYAK and Petition for allowance of fees filed.

COUNSEL:

MARTHA RANYAK (PET)...MITCHELL I ROTH
JOSEPH RANYAK (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Final Distribution on Wavier of
accounting and Petition for allowance of Fees, by Administrator, Martha Ranyak
[Petitioner].

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

1. **Supplement filed 03/22/18; however, not in laserfiche at time of review.**
2. Assets on Hand \$11,049.74 of cash.
3. Bond of \$301,000.
4. Petitioner is entitled to statutory fees of \$8,020; however, due to lack of liquid funds,
administrator requests a discounted sum of \$1,832.24.
5. Attorney requests statutory fees of \$8,020.00. Calculated. However, prayer requests
fees in the amount of \$5,800. Questions if attorney is discounting fees down to
\$5,8000. Court to clarify.
6. Attorney requests reimbursement of costs advanced of \$1,197.50. Itemized [LFp.23].
7. **Need** schedule of receipts, gains and losses per C.R.C 7.550(b).
8. **Need** statement regarding all taxes paid.
9. **Need** statement regarding family or affiliate relationship between the fiduciary and
any agent hired by the fiduciary (Pr. C. § 1064 (a)(4)).
10. Notice of Hearing with proof of service filed 01/22/18; however, notice contains wrong
hearing time. JTD
11. No reserves requested.
12. ~ Proposed Order: 01/22/18

RECOMMENDATION

Need to clear notes 6-8, then Court's discretion. If approved, set hearing on the filing of
receipts and final discharge for **04/08/19**.

(cs)

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

DATE: 04/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601029

CASE NAME: MTR OF KAREN LYNN HALL

HEARING:

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

COUNSEL:

KEENAN MICHAEL HALL (PET)...DUANE P BOOTH
KAREN LYNN HALL (DEC)...
DANIELLE CHERISE HALL (OBJ)...PRO/PER

Currently under review by Legal Research. (LR)

GENERAL INFORMATION:

Continued from 01/23/18 at request of Court to clear probate notes 6-8.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by
Executor, Keenan M. Hall ["Petitioner"].

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

1. Accounting period 09/18/16 to 07/31/17.
2. Assets on Hand **\$698,249.33 of which \$24,604.33 in cash and remaining in real and personal property.**
3. Current bond of \$20,000.
4. Petitioner waives statutory compensation.
5. Attorney requests statutory fees of \$17,344.99. Calculated.
6. Attorney requests extraordinary fees of \$3,000 in connection with the reply to the Objection of the validity of the 2016 Codicil by objector/heir Danielle Hall.
7. Petition includes an Allstate Policy, Schools First Credit Union Account, all paychecks, STRS proceeds/contributions, all retirement and Social Security benefits in decedent's name that were not included on the I & A's. **Supp. filed 01/19/18, alleges only assets passing through probate are the real property located in Chino Hills, 2016 Nissan which was returned to the lender, and 2 bank accounts.**
8. Petitioner requests authority to withhold \$5,000 as a reserve. JTD.

9. Objection filed 01/22/18 by Danielle Hall, daughter re validity of alleged holographic will of Karen Hall.

10. Reply filed 03/12/18 by Keenan Hall, Administrator.

11. Proposed Order 01/12/18 reflects a balance that differs from amount in supplemental filed 01/12/15; does not include description of the assets on hand; need address of beneficiary receiving real property; no omnibus clause;

RECOMMENDATION:

Need to clear note 6-8 then Court's discretion. If approved, set next hearing for final discharge for **01/29/19**.

(nb/cs)

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 04/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601097

CASE NAME: MTR OF CARROLL MCKINNEY

HEARING:

Accounting Review by ***

COUNSEL:

GREG ROSEVINK
CARROLL MCKINNEY

(PET)...JOSEPHINE A RICH
(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status by Greg Rosevink.

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

1. Letters of Administration issued to Greg Rosevink, son, on 01/25/17; **full** authority, \$25,000 bond.
2. Final Inventory and Appraisal filed 02/08/18; however **need** bank statements in support of date of death balances for all accounts per Local Rule 20-908.
3. Need accounting or status report.

RECOMMENDATION

Inquire status

(cs)

Superior Court of Calif, County of San Bernardino

Page: 7

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

DATE: 04/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601249

CASE NAME: MTR OF DEE SHCNEPF-EWING

SEE ALSO 8 9

HEARING:

Hearing Re: PETITION FOR SPECIFIC PERFORMANCE OR CONTRACT

COUNSEL:

ANGELA LANDIN	(PET)...DIANA J CARLONI
DEE SHCNEPF-EWING	(DEC)...
BO RAMOS	(MIN)...PRO/PER
OZEL DEVELOPERS, INC	(PET)...THOMPSON & COLEGATE
ABRAHAM TEKIN	(CC)...THOMPSON & COLEGATE
SURETEC INSURANCE COMPANY (TP)...	

Future Hearing: 7/19/18 Accounting Review

Currently under review by Legal Research.

(LR)

(CS)

Superior Court of Calif, County of San Bernardino

Page: 8

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

DATE: 04/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601249

CASE NAME: MTR OF DEE SHCNEPF-EWING

SEE ALSO 7 9

HEARING:

Hearing Re: PET FOR DECLARATORY RELIEF OR BREACH OF CONTRACT

COUNSEL:

ANGELA LANDIN	(PET)...DIANA J CARLONI
DEE SHCNEPF-EWING	(DEC)...
BO RAMOS	(MIN)...PRO/PER
OZEL DEVELOPERS, INC	(PET)...THOMPSON & COLEGATE
ABRAHAM TEKIN	(CC)...THOMPSON & COLEGATE
SURETEC INSURANCE COMPANY (TP)...	

Currently under review by Legal Research.

(LR)

(CS)

Future Hearing: 7/19/18 Accounting Review

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

DATE: 04/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601249

CASE NAME: MTR OF DEE SHCNEPF-EWING

SEE ALSO 7 8

HEARING: Petition for enforcement of creditor's claims and for attorneys fees and costs of suit

COUNSEL:

ANGELA LANDIN	(PET)...DIANA J CARLONI
DEE SHCNEPF-EWING	(DEC)...
BO RAMOS	(MIN)...PRO/PER
OZEL DEVELOPERS, INC	(PET)...THOMPSON & COLEGATE
ABRAHAM TEKIN	(CC)...THOMPSON & COLEGATE
SURETEC INSURANCE COMPANY (TP)...	

GENERAL INFORMATION:

Letters issued 06/20/17 to Angela Landin, Administrator/Executrix

THIS CASE SET FOR HEARING ON Petition for Enforcement of Creditor's Claims and for Attorney's fees and costs of suit, by Abraham Tekin

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

1. Petition, Abraham Tekin authorized representative for Ozel Developer, Inc. seeks to enforce creditor's claims filed against the estate on 09/27/17 which were rejected on 10/19/17 by the estate administrator, Angela Landin.
2. Creditor's claim in the amount of \$41,202.40 is based on custom jewelry for decedent. Itemized. [LF,p.6-21].
3. Creditor's claim in the amount of \$2,096.98 is based on expenses paid as part of a real estate sales agreement. Petitioner is agreeable to having expenses deemed part of the deposit of the sale, if Respondent agrees to fulfill the contract. Itemized. [LF.pgs. 23-28].
4. Petitioner further seeks reimbursement of court costs and litigation expenses for the costs of suit per Pr.C. §9354.
5. Notice given.

RECOMMENDATION:

Court's discretion.

(cs)

Future Hearing: 7/19/18 Accounting Review

Superior Court of Calif, County of San Bernardino

Page: 10

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

DATE: 04/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700418

CASE NAME: MTR OF CAROLYN ELLIS

SEE ALSO 12

HEARING:

Hearing Re: OSC RE: SURCHARGE AGAINST JAMES HEPLER

COUNSEL:

CHRISTINA RICKORDS	(PET)...VOORHEES LAW GROUP
CAROLYN ELLIS	(DEC)...
JAMES HEPLER	(BEN)...
LILY GRANFIELD	(PET)...ROBINSON-LEGAL

GENERAL INFORMATION:

Continued from 01/22/18 for trustee to determine if there was a double payment to Mr. Hepler and collect reimbursement if necessary.

THIS CASE SET FOR HEARING ON OSC RE: Surcharge Against James Hepler

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

1. Matter set on 10/23/17 wherein Court suspended the powers of James Hepler as Trustee. Court set OSC re surcharge of \$500.00 for Mr. Hepler's continued failure to follow the Court's orders.

RECOMMENDATION:

Court's discretion.

(cs)/

Future Hearings: 5/02/18 Hearing Re: Failure to Turn Over Documents
6/27/18 Hearing Re: Final Accounting (Christina Rickords)

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

DATE: 04/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701218

CASE NAME: MTR OF AUDREY THERESA STRANSKY

HEARING:

Petition to determine succession to Real Property

COUNSEL:

JOEL STRANSKY (PET)...ELDER LAW SERVICES
AUDREY THERESA STRANSKY (DEC)...

GENERAL INFORMATION:

Continued from 01/23/18 at request of court for copy of the vesting documents to be filed.

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real Property (Estates \$150,000 or less) by son, Joel Stransky ["Petitioner"].

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

1. Petitioner requests a determination that decedent's real property located in San Bernardino County pass to petitioner without administration. Petitioner is decedent's issue and purported only heir.
2. Copy of grant deed filed 02/28/18.
3. ~Proposed Form Order 11/30/17.

RECOMMENDATION:

Court's discretion.

(nb/cs)

Superior Court of Calif, County of San Bernardino

Page: 12

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

DATE: 04/02/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1700418

CASE NAME: MTR OF CAROLYN ELLIS

SEE ALSO 10

HEARING:

Hearing Re: STATUS REPORT

COUNSEL:

CHRISTINA RICKORDS	(PET)...VOORHEES LAW GROUP
CAROLYN ELLIS	(DEC)...
JAMES HEPLER	(BEN)...
LILY GRANFIELD	(PET)...ROBINSON-LEGAL

Future Hearings: 5/02/18 Hearing Re: Failure to Turn Over Documents
6/27/18 Hearing Re: Final Accounting (Christina Rickords)

No notes – Status. JTD

Superior Court of Calif, County of San Bernardino

Page: 13

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

DATE: 04/02/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1700490

CASE NAME: MTR OF 2010 MOSER FAMILY TRUST

SEE ALSO 14

HEARING:

Petition for (VERIFIED) TO INVALIDATE PUERPORTED FIRST AMENDMENT
VASED ON UNDUE INFLUENCE ETC

COUNSEL:

ETHEN BOYD MOSER	(PET)...BETTY AUTON-BECK
2010 MOSER FAMILY TRUST	(TRU)...
PATRICIA SIMPSON	(OBJ)...FELIX M MARTIN

Currently under review by Legal Research.
(LR)

Notice given.
(cs)

Superior Court of Calif, County of San Bernardino

Page: 14

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

DATE: 04/02/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1700490

CASE NAME: MTR OF 2010 MOSER FAMILY TRUST

SEE ALSO 13

HEARING:

Trial Setting Conference

COUNSEL:

ETHEN BOYD MOSER	(PET)...BETTY AUTON-BECK
2010 MOSER FAMILY TRUST	(TRU)...
PATRICIA SIMPSON	(OBJ)...FELIX M MARTIN

No note – TSC. JTD

(cs)

Superior Court of Calif, County of San Bernardino

Page: 15

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

DATE: 04/02/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1700834

CASE NAME: THE GILBERT H BRIONES LIVING TRUST

HEARING:

Petition for DETERMINE VALIDITY OF PURPORTED TRUST; SUSPEND AND REMOVE TRUSTEE; FOR OTHER RELIEF

COUNSEL:

ROBERT BRIONES	(PET)...GILBERT A DIAZ
GILBERT H BRIONES LIVING TRUST	(TRU)...
VALERIE MARLENE BRIONES	(RES)...GAUDY LAW
ESTATE OF GILBERT GONZALES BRIONES	
KRISTY BRIONES	(GAUDY LAW, INC)

Waiver of Court Fees and Costs filed by ROBERT BRIONES is GRANTED

Currently under review by Legal Research.
(LR)

Notice:

Notice of hearing filed 03/20/18 as to Rita Hernandez and Sammy Guerra; however, only 13 days' notice given. Need proper notice and proof of service with at least 30 days' notice.

(ww/nb/cs)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIPS

DATE: 04/02/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700158

CASE NAME: KEILA BOTHI

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of AMERICA BOTHI

COUNSEL:

AMERICA BOTHI

(PET)...PRO/PER

KEILA BOTHI

(CEE)...SANDY L. TURNER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. America Bothi, appointed limited conservator of the person only on 08/28/17.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed 03/05/18.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 filed 03/05/18; however, item 4(a)(b) is incomplete. **Need** completed form.
4. **Need** Care Plan in accord with Pr.C.§2352.5.

RECOMMENDATION

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

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

DATE: 04/02/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700268

CASE NAME: MTR OF JUAN ANTHONY LOPEZ JR

HEARING: Petition for Appointment of Conservator

COUNSEL:

CAROLINA CRUZ (CP)...PRO/PER
JUAN A LOPEZ SR (CP)...PRO/PER
JUAN ANTHONY LOPEZ JR (CTP)...WALTER T. MOORE

GENERAL INFORMATION

Continued from **08/21/17**. Court finds conservatee is not developmentally disabled. Return of Citation waived due to proposed conservatee's appearance/ Court questions whether an LPS conservatorship would be appropriate. Court appoints Walter Moore as guardian ad litem for Juan Anthony Lopez, Jr.

Continued from **10/30/17** at request of counsel. Conservatee has an appointment on 11/03/17 with IRC to attempt to get services. An amended petition for limited may be filed.

Continued from 01/22/18 Counsel reports that his client did not qualify for IRC assistance and that they will be proceeding on a general conservatorship.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Carolina Cruz (sister) and Juan Lopez, Sr. [father/Petitioner]

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

1. **Need** Notice of Hearing and Proof of Service.
2. **Need** report Walter Moore, GAL.
3. Petitioner request medical powers; Capacity Declaration filed 10/25/17.
4. It appears an LPS conservatorship may be appropriate. [See petition, LFpg6, 11-12]. JTD.
5. Court Investigator report filed.
6. Proof of Completion of the Conservatorship Training Class filed.
7. ~Proposed Form Order: 07/07/17

RECOMMENDATION

Need to clear notes 1-2. If approved, set hearing for Compliance Review for **11/05/18** 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/nb/lh/cs)

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

DATE: 04/02/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800048

CASE NAME: MTR OF CORAL CORPUS JIMENEZ

HEARING: Petition for Appointment of Conservator

COUNSEL:

JOSE DE JESUS CORPUS GONZALES (CP)...PRO/PER
CORAL CORPUS JIMENEZ (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator, of the person only, by Jose Gonzalez, father/Petitioner

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

1. Person only- no bond.
2. 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
3. Petitioner seeks powers re habilitation, treatment, training, medical etc. JTD
4. Petitioner seeks civil rights be limited without court order. JTD
- 5. Petitioner seeks medical powers. Capacity Declaration filed 03/16/18.**
6. Proposed conservatee is developmentally disabled. **Need** report of Melvin Friedland, court appointed counsel.
7. Proposed conservatee is developmentally disabled. **Need** IRC report.
8. **Need** List of Required Contacts (Local form SB-12224).
9. **Need** Confidential Screening (form GC-314).
10. **Need** Certificate of Completion of the Conservatorship Training Class.
- 11. Citation with proof of service filed 03/16/18.**
- 12. Due Diligence Declaration filed 03/19/18 filed as to unknown maternal grandmother; however, sections 4b-5 are incomplete. JTD**
- 13. Due Diligence Declaration filed 03/19/18 as to Carlota Jimenez (mother). JTD**
14. Section 11 of petition is does not list paternal grandparents and maternal grandfather. **Need** clarification as to their status.
15. **Need** notice of hearing and proof of service to paternal grandparents, maternal grandfather and include 30-day notice to Inland Regional Center.
- 16. Court Investigator reports filed 03/26/18.**
17. ~Proposed Form Order: 02/27/18

RECOMMENDATION:

Need to clear notes 6-10 and 14-5. If approved, set hearing for Compliance Review for **11/05/18** 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.
(cs)

Superior Court of Calif, County of San Bernardino

Page: 19

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

DATE: 04/02/18 TIME: 9:30 DEPT: S37P

CASE#: SLC SS8948

CASE NAME: IN THE MATTER OF DIANA GARBANI

VACATED

HEARING:

Hearing re Final Discharge

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
DIANA GARBANI (CEP)...HARTNELL LAW GROUP
CHRISTINA ERICKSON-TAUBE (SC/CPE/PCR)...SHERRI L KASTILAHN
PECHANGA BAND OF LUISENO MISSION INDIANS (TP)...JAMES COHEN

Matter vacated.

Future Hearing: 11/28/18 Accounting Review

Superior Court of Calif, County of San Bernardino

Page: 20

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

DATE: 04/02/18 TIME: 9:30 DEPT: S37P

CASE#: VC VS00407

CASE NAME: CONSERVATORSHIP OF JENNIFER BYRD

HEARING:

Hearing Re: NOTICE OF NO REPORT BY COURT INVESTIGATOR

COUNSEL:

MARIA WARDA	(CP)...PRO/PER
ROBERT WELLMAN	(CP)...PRO/PER
JENNIFER BRYD	(CTP/CEE)...MITCHELL I ROTH

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Notice of no Report by Court Investigator

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

1. Matter set on 01/26/18 wherein court received notice of no report by Court Investigator filed 01/10/18. Court appoints Mitchell Roth as counsel for conservatee and orders conservators to begin conservatorship proceedings in Colorado.
2. Need report of Mitchell Roth, court appointed counsel.

RECOMMENDATION:

Need to report, then Court's discretion.

(cs)

