



First Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 04/05/18

All corrections/supplements addressing these notes should be filed by 03/29/18.

Later-filed documents might not be reviewed prior to the hearing and could result in a continuance of your case. Updates to these notes *typically* will be posted three court days prior to the hearing.

Destruction of Filed Documents:

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

Contacting the Probate Examiners:

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

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

DATE: 04/05/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1200861

CASE NAME: DELLA MARIE LEWIS

SEE ALSO 2, 3

HEARING: Hearing Re: OSC RE SANCTIONS OF \$1,500 ON CARLA JACKSON

COUNSEL:

BILLY DON JACKSON	(PET)...PRO/PER
CARLA JACKSON	(OBJ)...PRO/PER
DELLA MARIE LEWIS	(DEC)...
LARRY WAYNE JACKSON	(PRO/PER

GENERAL INFORMATION

Continued from **07/23/15**. Carla Jackson ordered to appear..

Continued from **09/03/15** and **12/3/15** for amended final I&A to be filed by 1/29/16.

On **3/2/16** Court set OSC for no appearance/filing. Attorney Inez Tinoco-Vaca checked in but was not present. Citation issued for Carla Jackson.

Continued from **5/4/16** Billy Jackson present. Carla Jackson was not served with citation and has not filed an accounting.. Atty Inez Tinoco-Vaca is not present as ordered. Billy Jackson states that he has not heard from his attorney. Court orders Attorney Inez Tinoco-Vaca to be present. If non-appearance by counsel, court will report to the California State Bar.

Continued from **6/22/16** Ms. Tinoco-Vaca informs the court that her client is planning on filing a petition to become successor administrator and is going to be filing a substitution of attorney to represent himself for further matters.

Continued from **11/16/16**. Billy Jackson, son/special co-administrator, to file account. If Billy Jackson intends to file a petition to Remove Carla Jackson as administrator is to file petition prior to next hearing; 03/08/17. Citation issue to Carla Jackson.

Continued from **03/08/17**. Billy Jackson informed the court that half-sister of Carla Jackson, Carmita Robinson, is deceased. Carla's supervisor at Fontana Kaiser is Ella Mae Harris. Citation issued to Carla Jackson. Carla reportedly is a home care nurse.

Continued from 05/24/17 Citation issued to Carla Jackson.

Continued from 09/27/17. No appearance. On Supplemental Petition for Probate for Billy Don Jackson Order to Show Cause hearing held. Court continues matter and re-issues Citation for Carla Jackson to personally appear at the next hearing. Citation issued to Carla Jackson who is cited and required to appear on 11/15/17 and show cause why sanctions shouldn't be imposed for FTA. Notice given by Judicial Assistant.

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.

Continued from 11/15/17. No appearance. Matter continued to 01/31/18.
OSC Continued from 01/31/18 and imposed sanctions of \$500. Additional OSC re Sanctions now of \$1,500 as to Carla. Citation issued to Carla Jackson.

THIS CASE IS SET FOR HEARING ON **OSC re Sanctions \$1,500** for FTA/FTF an accounting re Carla Jackson, granddaughter.

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

1. Letters of special administration issued to granddaughter **Carla Jackson** on 01/17/14, letters of special administration issued to Billy Jackson on 07/18/17, letters of general administration to **Carla Jackson** on 07/21/14 and letters of successor administration to **Billy Jackson** on 08/16/17.
2. Final Inventory and Appraisal filed. However, section 5 re property tax certificate is not complete. Need property tax certification.
3. **Need** accounting or status report.
4. Miscellaneous documents filed 3/29/16 by Billy Jackson special co-administrator.
5. Citation returned **unserved** for Carla Jackson on 12/28/16 and 09/26/17. Citation reissued. **Need** return of citation.

RECOMMENDATION

Court's discretion re OSC. Inquire status re accounting by Carla Jackson and citation.

(lc/sa/lc/ww/lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1200861

CASE NAME: DELLA MARIE LEWIS

SEE ALSO 1, 3

HEARING:

Accounting Review by ***

COUNSEL:

BILLY DON JACKSON	(PET)...PRO/PER
CARLA JACKSON	(OBJ)...PRO/PER
DELLA MARIE LEWIS	(DEC)...
LARRY WAYNE JACKSON	(PRO/PER

See notes on matter 3.

(lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1200861
CASE NAME: DELLA MARIE LEWIS

SEE ALSO 1, 2

HEARING: Amended First Account and Report of BILLY DON JACKSON and
Petition for allowance of fees filed.

COUNSEL:

BILLY DON JACKSON	(PET)...PRO/PER
CARLA JACKSON	(OBJ)...PRO/PER
DELLA MARIE LEWIS	(DEC)...
LARRY WAYNE JACKSON	(PRO/PER

Waiver of Court Fees and Costs filed by BILLY DON JACKSON is GRANTED: \$1936.43

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON **Amended** [01/26/18]1st Report and Account by Billy Jackson, son.

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

1. Letters of successor administration to **Billy Jackson** on 08/16/17.
2. Real property appears to have been sold during the time prior administrator served.
3. Accounting period 08/16/17 – current.
 - a. **Need** accounting by prior administrator from date of death 03/26/12 and/or amend accounting to begin at date of death.
 - b. **Need** actual ending date of accounting.
4. Final Inventory and Appraisal [10/15/14] incomplete as to tax certificate.
 - a. **Need** corrected Inventory and Appraisal or tax certificate information re real property.
5. Final Inventory and Appraisal filed 05/23/17 does not include balances for bank account and life insurance.
 - a. **Need** corrected Inventory and Appraisal with supporting bank statements and caption to include date of death.
 - b. Final Inventory and Appraisal attached to accounting; however, is not filed separately and statements do not cover date of death [03/26/12].
6. Report is not verified per Pr.C. § 1021. **Need** verification.
7. There is merely a short report **without a summary of account or schedules**. petitioner must file a final report of administration per Cal Rules of Ct §7.550 Pr. C. § 1064 and Pr. C. §10954(c)(1)

8. **Need** notice of hearing and proof of service.
9. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 3-8. If approved, set Accounting/Status Review for **04/11/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400692

CASE NAME: Janis Antoinette Moudy

HEARING:

Accounting Review by ***

COUNSEL:

DANA R MOUDY (PET)...ALEXANDER W WALLACE
JANIS ANTOINETTE MOUDY (DEC)...

GENERAL INFORMATION

Continued from 06/01/17, 09/07/17 and 12/07/17. Accounting to be filed by 03/01/18 and set for 04/05/18. If not filed by 03/01, then court will give next available date.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Dana Moudy, spouse, on 03/24/16; full authority, no bond.
2. Final Inventory and Appraisal filed 10/14/15; however, personal property such as vehicles and furnishings are to be appraised by probate referee. **Need** corrected final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

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

(lc/ww/lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501015

CASE NAME: WILLIAM BERNARD OFNER

HEARING: Accounting Review by ***

COUNSEL:

DANIEL CAUSEY (TP)...KENNETH L MORRIS
LINDA ATKINSON (PET)...JEFFREY S. COHEN
WILLIAM BERNARD OFNER (DEC)...

XREF: CONPS1500051 (William Ofner)

GENERAL INFORMATION

Continued from 05/03/17 and 05/25/17; final account to be filed by 9/01/17.

Continued from 12/14/17. Counsel stated that his client is having trouble with the Signature Medallion Guarantee with Compuserve and Ameri-Trade. Property has been sold and money held in blocked account and GAL is this matter is still owed. Order withdrawing funds of \$61,091.25 filed.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Linda Atkinson, PPF, on 08/09/16; full authority, \$25,000 bond.
2. **Need** final Inventory and Appraisal
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq. Clerk to notice bond company

(lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600423

CASE NAME: MTR OF JOYCE LOUISE MOORE

HEARING:

Probate status report filed.

COUNSEL:

JOYCE LOUISE MOORE (DEC)...
LIZA S MARTINEZ (PET)...PRO/PER

GENERAL INFORMATION

Continued from 12/07/17.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration Testamentary issued to Liza Martinez, daughter, on 06/28/16; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. Status report filed using a Los Angeles County form. Executor, who appears to be sole beneficiary, states no additional time is needed to close the estate. However, there is no Inventory and Appraisal, accounting or waiver of accounting with report filed. If executor wishes to waive accounting, executor must file a final report of administration per Cal Rules of Ct 7.550, Pr. C. § 1064 and Pr. C. §10954(c)(1). **Need** same.
4. No proposed order submitted.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600431

CASE NAME: MTR OF ROBERT HYATT

HEARING:

Accounting Review by ***

COUNSEL:

JOHN JAMES HYATT (PET)...PRO/PER
ROBERT HYATT (DEC)...

GENERAL INFORMATION

Continued from 09/07/17. Administrator is working on preparing real property for sale.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to John Hyatt, son, on 06/30/16, full authority, no bond.
2. Final Inventory and Appraisal filed 06/16/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(ww/lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700072

CASE NAME: THE KATHERINE SMITH FAMILY TRUST

HEARING:

First and Final Account and Report of HARVEY M PAYNE III and
Petition for allowance of fees filed.

COUNSEL:

HARVEY M PAYNE III	(PET)...PRO/PER
THE KATHERINE SMITH FAMILY TRU	(TRU)...
WILLIAM SMITH	(PET)...HARVEY M PAYNE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by William Smith, son.

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

1. Assets on hand \$68,507.90 in cash.
2. Administrator and counsel seek statutory fees of \$9,570 each. Ok.
3. Counsel reserves the right for extraordinary fees.
4. Administrator seeks a reserve of \$1,000.
5. Administrator seeks court confirm that fees and code violations allegedly created by heirs Kevin and Warren Smith totaling \$13,637.29, but for \$150 re Warren, be taken from their distribution equally. There was allegedly a UD action and a trash clean up etc. [Acct. 01/25LFpg11-13,29-44]. JTD
6. **Need** notice of hearing and proof of service
7. **Need** statements to support cash balance per local rule 20-908.
8. ~Proposed Order:

RECOMMENDATION

Need to clear notes 6-7. If approved, set hearing on the filing of receipts and final discharge for **04/11/19**.

(lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700083

CASE NAME: PATRICIA ANNETTE REDFERN

HEARING: Petition for remove Steven Redfern as the Administrator of the Estate of Patricia Annette Redfern

COUNSEL:

PATRICIA ANNETTE REDFERN	(DEC)...
STEVEN REDFERN	(PET)...PRO/PER
SUZETTE A WHITE	(PET)...PRO/PER
SUZETTE A WHITE	(TP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Removal of Administrator Steven Redfern Pr.C. § 8502(b)(c)(d) by Suzette White, daughter.

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

1. Letters of Administration issued to Steven Redfern, spouse, on 09/05/17; full authority \$65,000 bond.
2. Petitioner, Suzette, seeks removal of Steven on the basis that Steven allegedly has not complied with noticing creditors, specifically County Controller's Office for debt of \$371.59, a debt for HSN, impound fees of \$736.25. Additionally, cemetery plots valued at \$6,200 are allegedly not listed in Inventory and Appraisal.
3. **Need** proof of citation per Pr.C. § 8500(b).
4. **Need** notice of hearing and proof of service to other heirs John Allen and Lisa Windbigler; and bond company per Pr.C. § 1213.
5. No proposed order submitted.

RECOMMENDATION

Need to clear notes 3-4.

(lc)

Future Hearing: 10/09/18 *Accounting Review*.

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700991

CASE NAME: ROBERT ELLIS DUNLAP AKA ROBERT ELLIS DUNLAP III

HEARING:

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

COUNSEL:

RACHEL CAPATA (PET)...E. THOMAS CHAVEZ
ROBERT ELLIS DUNLAP (DEC)...

GENERAL INFORMATION:

Continued from 01/10/18 at request of Counsel. Counsel requests additional time to file petition for Letters of Special Administration. Petition to be filed by 4PM on 02/07/18. If filed by deadline, it is to be heard on 02/28/18.

Continued from 02/28/18 to be heard with amended petition.

THIS CASE IS SET FOR HEARING ON **Amended** [02/01/18]Petition for Probate of Will, for Letters of Administration WWA with **limited** IAEA authority by Rachel Capata, daughter

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

1. Petitioner seeks bond of \$50,000. Estimated net value of estate is \$320,000 of which \$50,000 is personal property. JTD
2. **Need** Amended Notice to Petition to Administer Estate and proof of service to include USC Film Archives.
3. Will is holographic. Proof of holographic instrument filed 10/04/17.
4. ~Proposed form Order: 10/04/17

RECOMMENDATION:

Need to clear note 2. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **06/13/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 04/05/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800011

CASE NAME: WILLIE CUNNINGHAM

SEE ALSO 12

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE

COUNSEL:

AGNES SHUMATE-CUNNINGHAM

WILLIE T CUNNINGHAM

(PET)...PRISCILLA C SOLARIO

(DEC)...

T.S.C. – No notes – JTD

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800011

CASE NAME: WILLIE CUNNINGHAM

SEE ALSO 11

HEARING: Spousal Property Petition hearing.

COUNSEL:

AGNES SHUMATE-CUNNINGHAM

(PET)...PRISCILLA C SOLARIO

WILLIE T CUNNINGHAM

(DEC)...

XREF FAMSS1700277 (*Agnes Shumate-Cunningham v Willie Cunningham*)

GENERAL INFORMATION

Continued from 02/08/18. Attorney Robert Schachter, who represents Arin Cunningham, Ida Campbell and Candice Brooks, appeared by CourtCall. Written objections to be filed by 03/08/18. If not filed, objections will be waived permanently.

THIS CASE SET FOR HEARING ON Spousal Property Petition by Agnes Shumate-Cunningham.

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

1. Petitioner seeks confirmation of her half of community property and determination that decedent's community property, specifically Wells Fargo Account, passes to petitioner without administration.
2. Petitioner and decedent were married 06/14/86 and real property was purchased with community funds. Property was reportedly held as joint tenants. Decedent was placed in assisted living early 2017. Petitioner filed for dissolution allegedly to avoid responsibility for payments for his care and decedent passed away 10/03/17, 9 months after dissolution was filed [01/13/17]. Dissolution does not appear to be finalized. Next hearing re status 03/13/20. **Supp 02/16:** Petitioner alleges that dissolution was filed on 01/13/17; however, was never completed. Therefore, it appears petitioner and decedent is still legally married.
3. No objections filed at time of review on 03/07/18.
4. ~Proposed Form Order: 01/05/18.

RECOMMENDATION

Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800162

CASE NAME: ELLEN M PEGG LIVING TRUST DATED 10/11/95

HEARING:

Petition for to appoint successor trustee & to determine
beneficiaries of trust property, etc s

COUNSEL:

ELLEN M PEGG LIVING TRUST (TRU)...
SANDRA KAY DELEON (PET)...SU P CHEAH

Currently under review by legal research.

Need 30 days' notice of hearing and proof of service for Lynn More; Dennis, Lawrence,
Mark and James Pegg.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 04/05/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1400303

CASE NAME: NATALIA E. MIRANDA ORTIZ

HEARING: Petition for Court confirmation and approval of contingency fee amount and for etc

COUNSEL:

JOHNA J. HAMMOND	(PET)... SCOTT J SHELDON
JOHNA L. HAMMOND	(CPE)...PRO/PER
NATALIA E. MIRANDA ORTIZ	(CEP)...MATTHEW E. SHEASBY
SCOTT J. SHELDON	(PET)... SCOTT J SHELDON

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Confirmation of Contingency Fee amount by Scott Sheldon, ESQ

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

1. Petitioner, Scott Shelden, was former counsel for Conservator.
2. Petitioner seeks court confirm contingency fee order approved on 03/16/16 [under this case number] and determine fees of \$59,700.60 shall be approved and a lien recorded against the real property of conservatee.
3. Petitioner reached a settlement in case **PROPS1400665** *Richard Phillip Ortiz*, son of Conservator, settlement filed in probate case on 04/05/17. 70% of real property and 30% in life estate
4. Administrator's deed was allegedly recorded by administrator Dina Stockton for estate of Richard Phillip Ortiz, as tenants in common. Dina Stockton also recorded life estate deed for remaining 30%.
5. Declaration filed 02/28/18 in support of fee amounts.
6. Petition is not verified per Pr.C. § 1021. **Need** verification.
7. ~Proposed Form Order: 02/28/18.

RECOMMENDATION

Need to clear note 6.

(lc)

Future Hearing: 06/14/18 *Accounting Review*.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

Readiness Calendar

DATE: 04/05/18 TIME: 8:29 DEPT: S36P

CASE#: MC MS00062

CASE NAME: IN THE MATTER OF ROY LEE PAYNE III

HEARING:

Readiness Calendar

COUNSEL:

JEANETTE PAYNE

(PET)...PRO/PER

ROY LEE PAYNE

(CTP)...MARK J. FLORY

Readiness – No notes – JTD

Future Hearing: 04/18/19 *Court Trial*

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: CIV DS1614969

CASE NAME: ARCINIEGA-V-RAMIREZ

HEARING:

Hearing Re: OSC status of settlement/1st installment payment

COUNSEL:

VIRGINIA TAPIA ARCINIEGA (PLA)...TETLEY LAW OFFICES
DEBRA JEANNE RAMIREZ (DEF)...LAW OFFICES OF JOHN SETLICH

JUDGE WELCH RECUSES HIMSELF FOR ALL PURPOSES

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC status of settlement/1st installment payment.

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

1. Matter set on 01/18/18 when settlement was reached. Settlement to be submitted and signed off by Virginia Arciniega.
2. **Need** settlement.

RECOMMENDATION

Inquire status of settlement.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: CIV DS1708950

CASE NAME: WALKER -v- COLLINS, ETAL

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE

COUNSEL:

KAYLA COLLINS	(PRO/PER
SANDY COLLINS	(DEF)...BROWN WHITE & OSBORN
TAMMY WALKER	(PLA)...YOLANDA FLORES-BURT
TANIA DUGGER	(PRO/PER

***CCP170.6 filed as to Judge STANFORD E. REICHERT, case
reassigned to Judge JAMES MICHAEL WELCH for all purposes.***

XREF: PROPS1501021(Ruby Beatrice Smith)

T.S.C. – No notes – JTD

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: PRO DS1000106

CASE NAME: MTR OF SIV LJUNGWE

HEARING:

Hearing re Final Discharge

COUNSEL:

ALEX R BORDEN	(PET)...BORDEN LAW OFFICE
ALEX R BORDEN	(PET)...PRO/PER
ANDERS L LJUNGWE	(BURKLEY & BRANDLIN LLP
MARILYN KRIEBEL	(PET)...KEENEY WAITE & STEVENS
NPR FOUNDATION, SAN DIEGO STAT	(TP)...LUCE HOWARD HAMILTON &
SIV H LJUNGWE	(DEC)...
SUZANNE C. DIMEFF	(PET)...DIMEFF LAW OFFICE LLP
SUZANNE COWAN DIMEFF	(PET)...LAW OFFICE OF KIRK MILLER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Alex Borden, form Administrator CTA, approved on 03/30/17; order filed 04/18/17.
2. **Need** receipt for Marilyn Kriebel, successor trustee.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of receipt and discharge order.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500064

Vacated

CASE NAME: Carolina Gutierrez Gonzales

HEARING:
Hearing re Final Discharge

COUNSEL:
CAROLINA GUTIERREZ GONZALES (DEC)...
PATRICK HERMAN GONZALES (PET)...PRO/PER

Final Discharge order approved and filed 02/27/18.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500796

Vacated

CASE NAME: LARRY JOHN WOODRUFF

HEARING:
Hearing re Final Discharge

COUNSEL:
LIAN WOODRUFF (PET)...SU P CHEAH
LARRY JOHN WOODRUFF (DEC)...

Final Discharge order approved and filed 02/21/18.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1501021

CASE NAME: RUBY BEATRICE SMITH

HEARING:

Petition for TERMINATION OF FURTHER PROCEEDING AND FOR
DISCHARGE

COUNSEL:

RUBY BEATRICE SMITH (DEC)...
SANDY RENEE COLLINS (PET)...MARK J. ANDREW FLORY
TAMMY MARLENE WALKER (PET)...YOLANDA FLORES-BURT

XREF: CIVDS1708950 (Walker-v-Collins, etal)

GENERAL INFORMATION

Continued from 09/07/17 and 02/08/18.

THIS CASE SET FOR HEARING ON Petition to Terminate Further Proceedings Pr.C. §
12251 by Sandy Collins.

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

1. Letters Testamentary issued to Sandy Collins, daughter, on 03/02/16; full authority no bond.
2. Petitioner seeks termination of the estate on the basis that all of decedent's property has been discovered to be held in the revocable trust, held in joint tenancy or had a pay on death beneficiary.
3. Waiver of the probate referee is permitted by Pr.C. § 8903, for good cause shown.
4. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1501184

CASE NAME: MTR OF BARBARA L WHITTEN

HEARING:

Accounting Review by ***

COUNSEL:

BARBARA L WHITTEN (DEC)...
MONTE PRESCHER (PET)...BANKS GARCIA & JANIS

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Monte Prescher, son on 01/26/17; full authority, no bond.
2. Final Inventory and Appraisal filed 08/24/17.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear note 3.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600714

CASE NAME: THE MESSINA LIVING TRUST DATED JULY 21,2015

SEE ALSO 10

HEARING:

Petition for TO COMPEL TRUSTEES TO ACCOUNT, REQUEST TO BOND
TRUSTEES PENDING HEARING

COUNSEL:

CRAIG MESSINA	(PET)...LAW OFFICE OF BOICE &
DEBORAH MESSINA	(PET)...PRO/PER
KEVIN MESSINA	(RES)...LAW OFFICE OF BOICE &
LOUIS MESSINA	(PET)...KARIANN VORHEES
THE MESSINA LIVING TRUST DATED	(TRU)...

Currently under review by legal research

Continued matter. Notice not re-reviewed.

(lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600714

CASE NAME: THE MESSINA LIVING TRUST DATED JULY 21,2015

SEE ALSO 9

HEARING: FIRST SUMMARY Account and Report of KEVIN MESSINA, CRAIG MESSINA and Petition for allowance of fees filed.

COUNSEL:

CRAIG MESSINA	(PET)...LAW OFFICE OF BOICE &
KEVIN MESSINA	(RES)...LAW OFFICE OF BOICE &
THE MESSINA LIVING TRUST DATED	(TRU)...

GENERAL INFORMATION:

Continued from **12/05/16, 01/25/17, 04/5/17 and 6/08/17**. Attorney Bruce Boice to notify the probate referee Bud Garvin that he was appointed and get the Inventory and Appraisal completed. Court ordered this to be done by 06/15/17.

Continued from **07/20/17**. Powers for current trustee suspended with exception to get Inventory and Appraisal completed. **Deborah Messina appointed interim successor trustee**. Counsel to submit order.

Continued from **08/31/17 and 09/14/17 to trail 11/02/17 hearing**.

Continued from **11/02/17 and 02/15/18 to resubmit stip and order**.

THIS CASE IS SET FOR HEARING ON 1st Account Current and Petition for Fees by Successor, Co-Trustees, Kevin Messina and Craig Messina.

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

1. Accounting period reflected as 10/07/15 to 08/31/16.
2. Assets on Hand \$601,637.55 consisting of \$1,137.55 in cash and remaining in carry value for real and personal property.
3. Final Inventory and Appraisal filed 10/04/16; however, now does not match accounting beginning balance and will change ending value of assets. **Need** updated summary of account.
4. **Need** copies of bank/financial statement(s) per Local Rule 20-908.
5. **Need** Notice of Hearing with proof of service.
6. ~Proposed Order: 01/24/18.

RECOMMENDATION:

Need to clear notes 3-5. Trust does not appear to continue under court supervision.
(nb/lc/ww/lc/lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600746

CASE NAME: DOLORES B BULLARD

HEARING:

Accounting Review by ***

COUNSEL:

DIANA RENEE MINTERS (PET)...THOMAS M ALEXANDER
DOLORES B BULLARD (DEC)...

XREF: PROPS1700113 (*The Dolores B Bullard trust, dated September 6, 2006*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Testamentary issued to Diana Minters, daughter, on 02/15/17; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601014

CASE NAME: MTR OF REBECCA PORTILLO

HEARING:

First Account and Report of YOLANDA VALDEZ and Petition for allowance of fees filed.

COUNSEL:

CALIFORNIA VICTIM COMPENSATION	(TP)...
REBECCA PORTILLO	(DEC)...
YOLANDA VALDEZ	(PET)...MEDEIROS & ASSOCIATES

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 1st Account Current by Yolanda Valdez, daughter

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

1. Accounting period 06/17/16 – 01/08/18.
2. Assets on hand \$239,753.48 in cash, real property and vehicle.
3. There appears to be a current liability with a Civil Judgment. **Need** notice of related case.
4. **Need** statements to support supplemental Inventory and Appraisal and ending cash balance per local rule 20-908.
5. **Need** notice of hearing and proof of service, including to Victim's Compensation Board who requested special notice.
6. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 3-5. If approved, set Accounting/Status Review for **04/11/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601056

CASE NAME: MTR OF AMELIA E SMITH

HEARING:

Accounting Review by ***

COUNSEL:

AMELIA E SMITH (DEC)...
NATALIE BECK FRIERSON (PET)...MYERS & D'ANGELO

GENERAL INFORMATION

Continued from 02/22/18. No appearance. Counsel and administrator to be present.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Testamentary issued to Natalie Frierson, niece, on 12/15/16; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.
4. Letter from Sean Smith submitted on 12/19/17. Sean appears to be objecting as no accounting has been filed, yet references the trust. The letter appears to be exparte communication and court may wish to direct Sean Smith to file proper objections.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601174

CASE NAME: THE EDWARD LEE ROSENBERRY REVOCABLE LIVING TRUST

HEARING:

Petition for Order Directing Trustee to Pay Costs of the
Representation for Beneficiaries

COUNSEL:

THE EDWARD LEE ROSENBERRY REVO(TRU)...
WILLIAM LEE ROSENBERRY (PET)...HARTNELL LAW GROUP

XREF PROPS1700299 (Edward Lee Rosenberry) ***PROPS1700454*** (Rosenberry Trust
Administrative Trust) ***PROPS1700455*** (Rosenberry Trust *Sub-Trust FBO*)
CONDS1000118 (Edward Lee Rosenberry)

Currently under review by legal research.

Notice filed on 03/01/18; however, court address is 351 N Arrowhead.

(lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601258

CASE NAME: JAKE VELASQUEZ SPECIAL NEEDS TRUST

HEARING:

Accounting Review by ***

COUNSEL:

MALIA VELASQUEZ	(MIN)...BRYAN C. HARTNELL
RACHEL VELASQUEZ	(PET)...BALABAN & SPIELBERGER,
ROBERT SCHNIEDERS	(PET)...RODNUSKY & ASSOCIATES
THE JAKE VELASQUEZ SPECIAL NEE	(TRU)...RODNUSKY & ASSOCIATES

XREF: CIVDS1505163 (Velasquez vs General Motors)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Creation of SNT approved on 02/21/17. Robert Schnieders appointed Trustee with \$2,510,000 bond.
2. **Need** 1st Account.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700116
CASE NAME: BETTY JEAN CLAY CHIRRICK
HEARING: First and final Account and Report of MARK CHIRRICK and Petition
for allowance of fees filed.

COUNSEL:

BETTY JEAN CLAY CHIRRICK (DEC)...
MARK CHIRRICK (PET)...MCCLELLAN & WILSON

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by Mark Chirrick, son.

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

1. Assets on hand \$116,994.58 in cash.
2. Administrator and counsel seek statutory fees of \$12,000 each. Ok
3. Administrator seeks fees, yet does not call them extraordinary fees, of \$16,800 for 840 hours at \$20 per hour in relations to cleanup of real property. Generally stated [Acct.02/13 LFpg7]. Court may wish to inquire whether general statutory compensation has been earned. Estate has been open 12 months re *Walker's Estate* (1963) 221 Cal. App. 2d 792 JTD
4. Administrator seeks reimbursement of costs totaling \$18,745.95. [Acct.02/13 LFpg7].
5. Objections to NOPA filed 02/13/18; however, section re consent [page2] is completed and signed. Consent by Cydney is not dated. **Need** proper consents.
6. **Need** closing escrow statement per local rule 20-910.
7. **Need** statements to support cash balance per local rule 20-908.
8. **Need** notice of hearing and proof of service
9. ~Proposed Order: 02/13/18, preapproved subject to fee request.

RECOMMENDATION

Need to clear notes 5-8. If approved, set hearing on the filing of receipts and final discharge for **04/11/19**.

(lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700675

CASE NAME: MARILYN LOUISE DELASHMUTT

SEE ALSO 18

HEARING: Hearing Re: Ptn for Letters of Administration

COUNSEL:

DEBORAH EHRLICH	(OBJ)...C BENJAMIN GRAFF
DEBORAH EHRLICH	(PET)...C BENJAMIN GRAFF
DIANNA L THOMPSON	(PET)...CHRISTOPHER G JENSEN
MARILYN LOUISE DELASHMUTT	(DEC)...

GENERAL INFORMATION

Continued from 09/05/17. Deborah Ehrlich objects and will be retaining Counsel and filing written objections.

Continued from 11/28/17. Matter set for trial.

Letters of special administration issued to W.A. Hlavaty on 12/21/17; bond deferred at this time.

Continued from 02/22/18 and 02/26/18. Matter is settled.

THIS CASE SET FOR HEARING ON .

- Petition - 1: Petition for Letters of Administration with full authority under IAEA by ***Dianna Thompson, daughter***
- Petition - 2: **Amended** [10/16/17] Petition for Letters of Administration with full authority under IAEA by ***Debra Ehrlich, daughter***

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

Petitioner – 1 Dianna Thompson, daughter:

1. All heirs waive bond. Net estate value \$591,264 with \$9,000 in personal property. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(c). JTD
2. No proposed order submitted.

Petitioner - 2 Debra Ehrlich, daughter

3. It appears that petitioner Debra is also “Deborah”. Court to clarify.
4. All heirs allegedly waive bond. However, **need** waiver for Dianna Thompson. Alternatively, suggest bond in the amount of \$598,000.
5. **Need** proof of publication.
6. **Need** Notice of Petition to Administer Estate with proof of service.

7. Several Declarations filed in support of petitioner Debra 12/07/17.
8. **Supplement in opposition filed by Christopher Jensen on 02/20/18; however, merely states someone has been driving estate vehicle and Deborah Thompson allegedly has had possession of the keys.**
9. No proposed order submitted.

RECOMMENDATION

Need to clear notes 4-6. Court's discretion re bond. If approved, set Accounting/Status Review for **06/13/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs/lh/nb/cs/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700675

CASE NAME: MARILYN LOUISE DELASHMUTT

SEE ALSO 17

HEARING:

Hearing Re: Confirmation of Settltmt/Status of Estate

COUNSEL:

DEBORAH EHRLICH

(OBJ)...C BENJAMIN GRAFF

DEBORAH EHRLICH

(PET)...C BENJAMIN GRAFF

DIANNA L THOMPSON

(PET)...CHRISTOPHER G JENSEN

MARILYN LOUISE DELASHMUTT

(DEC)...

No notes – JTD

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

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800054

CASE NAME: MTR OF DIANE CECLIA NILAND

HEARING:

Petition to determine succession to Real Property

COUNSEL:

DANIAL BRYAN HALLUM (PET)...SCOTT M SHIELDS
DIANE CECELIA NILAND (DEC)...

GENERAL INFORMATION

Continued from 02/22/18.

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real and Personal Property by Danial Hallum, son.

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

1. Petitioner seeks 100% interest in real and personal property per terms of will. However, no **personal property** is listed on Inventory and Appraisal. **Need** verified supplement and/or corrected Inventory and Appraisal.
2. ~Proposed Form Order: 01/16/18.

RECOMMENDATION

Need to clear note 1.

(lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800165

CASE NAME: EVA CAMPO-VERDE

HEARING:

Petition for Probate of Lost Will and for Letters Testamentary

COUNSEL:

EVA CAMPO-VERDE (DEC)...
JOLENE GRACE DIANE QUESADA (PET)...M. BRIAN CULLEN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate of **Lost Will**, Letters Testamentary with Full Authority under IAEA Jolene Quesada, daughter.

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

1. Declaration filed 02/21/18 re lost will. Petitioner alleges that prior to decedent's death, decedent gave petitioner a copy of the will whereas petitioner thought was original will. When a will is lost, and was last in the testator's possession, it is presumed that the testator destroyed the will with the intent to revoke it Pr.C. § 6124. This presumption affects the burden of producing evidence and unless petitioner can overcome the presumption, no valid will exists. JTD if sufficient.
2. Petitioner alleges Will waives bond; however, does not appear to be a bond reference in Will. Net estate value is \$145,000 in real property. **Need** bond waivers by Jose and Jessica Campo-Verde.
3. **Need** proof of publication
4. **Need** Notice to Petition to Administer Estate and proof of service.
5. ~Proposed Form Order: 02/21/18.

RECOMMENDATION

Need to clear notes 2-4, Court's discretion re bond. If approved, set Accounting/Status Review for **06/13/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S36P

CASE#: VPR VS002864

CASE NAME: ESTATE OF ERNEST MAYFIELD

HEARING:

Accounting Review by ***

COUNSEL:

AMERICAN CONTRACTORS INDEMNITY (LANAK & HANNA	
BOND SERVICES OF CALIFORNIA	(PET)...PRO/PER
CAROL L KUNDERT	(PET)...GARY E. MUNGER
CAROL L KUNDERT	(PET)...PRO/PER
DERRICK MAYFIELD	(PET)...JOHN GUY
DERRICK MAYFIELD	(PET)...RANDALL & ASSOCIATES
ERNEST ANTHONY MAYFIELD	(DEC)...
NINA KAYE MAYFIELD	(PET)... C L FARRELL PC
PUBLIC ADMINISTRATOR	(PET)...CRAIG M PARKER
RICHARD A CHERRY	(TP)...PRO/PER
YVETTE MAYFIELD	(PET)...RANDALL & ASSOCIATES

GENERAL INFORMATION

Continued from 11/30/17 and 02/08/18.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of **Successor** Administration issued to Nina Kaye Mayfield, spouse, on 09/22/16; full authority, funds in blocked account.
2. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **TRUSTS AND MOTIONS**

DATE: 04/05/18 TIME: 8:35 DEPT: S36P

CASE#: TRU PS1800004

CASE NAME: THE TRUST OF PATRICIA L GILBREATH

HEARING:

Petition for order confirming trust assets

COUNSEL:

ERIC PEDERSEN

(PET)...BRUNICK, MCELHANEY &

SAMANTHA KING

(PET)...BRUNICK, MCELHANEY & P

THE TRUST OF PATRICIA L GILBRE

(TRU)...

Currently under review by legal research.

Notice filed 02/14/18 with description of property and statement advising person they may file a response Pr.C. § 851(c)(1), 851(c)(3) [2018 AB 308, Maienschein].

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 04/05/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600145

CASE NAME: MTR OF BETTY MAY CAVENAUGH

HEARING:

Accounting Review by ***

COUNSEL:

BETTY MAY CAVENAUGH	(CEP)...
COLLEEN ANN CAVENAUGH	(CPE)...SHERRI L KASTILAHN
DEPARTMENT OF AGING AND ADULT	(TP)...COUNTY COUNSEL
KATHY BREITENBACH	(PCR)...PRO/PER
PATRICK M CAVENAUGH	(PET)...PRO/PER
SURETEC INSURANCE COMPANY	()...

XREF: CONPS1600146 (Patrick Richard Cavanaugh, spouse)

GENERAL INFORMATION

Continued from 11/30/17 and 02/22/18.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Colleen Cavanaugh, daughter, appointed Conservator on 06/12/17; person and estate, \$300,000 bond.
2. Final Inventory and Appraisal filed.
3. **Need** first and final accounting as conservatee passed away 07/22/17.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600146

CASE NAME: MTR OF PATRICK RICHARD CAVENAUGH

SEE ALSO 25, 26, 27

HEARING:

Hearing Re: SANCTIONS AS TO PARTRICK M. CAVENAUGH

COUNSEL:

COLLEEN ANN CAVENAUGH	(CPE)...SHERRI L KASTILAHN
COLLEEN CAVENAUGH	(DINA I FARHAT
KARIN HORSPOOL	(PET)...PRO/PER
KATHY BREITENBACH	(PCR)...PRO/PER
PATRICK M CAVENAUGH	(OBJ)...PRO/PER
PATRICK M CAVENAUGH	(PET)...GUY A BOVEE
PATRICK RICHARD CAVENAUGH	(CEP)...

XREF: CONPS1600145 (*Betty May Cavanaugh-spouse*)

GENERAL INFORMATION

Continued from 02/08/18.

THIS CASE SET FOR HEARING ON Sanctions as to Patrick Cavanaugh, son.

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

1. Matter set on 12/14/17 after counsel conferred on the record.

RECOMMENDATION

Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600146

CASE NAME: MTR OF PATRICK RICHARD CAVENAUGH
SEE ALSO 24, 26, 27

HEARING:

Hearing Re: Status on Enforceability of Settlement

COUNSEL:

COLLEEN ANN CAVENAUGH	(CPE)...SHERRI L KASTILAHN
COLLEEN CAVENAUGH	(DINA I FARHAT
KARIN HORSPOOL	(PET)...PRO/PER
KATHY BREITENBACH	(PCR)...PRO/PER
PATRICK M CAVENAUGH	(OBJ)...PRO/PER
PATRICK M CAVENAUGH	(PET)...GUY A BOVEE
PATRICK RICHARD CAVENAUGH	(CEP)...

GENERAL INFORMATION

Continued from 02/08/18. Patrick Cavanaugh to appear on 04/15/18. Patrivik's ability to appear via CourtCall revoked.

THIS CASE SET FOR HEARING ON Status of Enforceability of Settlement.

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

1. Matter set on 12/14/17 after counsel conferred on the record.

RECOMMENDATION

Inquire status of settlement.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600146

CASE NAME: MTR OF PATRICK RICHARD CAVENAUGH

SEE ALSO 24, 25, 27

HEARING:

Hearing Re: VISITATION

COUNSEL:

COLLEEN ANN CAVENAUGH	(CPE)...SHERRI L KASTILAHN
COLLEEN CAVENAUGH	(DINA I FARHAT
KARIN HORSPOOL	(PET)...PRO/PER
KATHY BREITENBACH	(PCR)...PRO/PER
PATRICK M CAVENAUGH	(OBJ)...PRO/PER
PATRICK M CAVENAUGH	(PET)...GUY A BOVEE
PATRICK RICHARD CAVENAUGH	(CEP)...

Visitation – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600146

CASE NAME: MTR OF PATRICK RICHARD CAVENAUGH

SEE ALSO 24, 25, 26

HEARING: Hearing Re: OSC RE CONTEMPT FOR FAILURE TO COMPLY, ETC

COUNSEL:

COLLEEN ANN CAVENAUGH (CPE)...SHERRI L KASTILAHN
COLLEEN CAVENAUGH (DINA I FARHAT
KARIN HORSPOOL (PET)...PRO/PER
KATHY BREITENBACH (PCR)...PRO/PER
PATRICK M CAVENAUGH (PET)...GUY A BOVEE
PATRICK RICHARD CAVENAUGH (CEP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC re Contempt for Failure to Comply.

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

1. OSC set on 02/08/18 for Patrick Cavanaugh's failure to comply with settlement. Briefing schedule set as to the OSC re contempt for failure to comply. Response to be filed by 4pm march 2, 2018 and reply by 4pm march 23, 2018. Colleen Ann Cavanaugh ordered to have the sole responsibility to supervise the property of 12670 Seventh Avenue, Victorville, ca 92392. Patrick Cavanaugh (and/or his agents) to be enjoined from accessing the property of 12670 Seventh Avenue, Victorville, and/or removing items from. Property Order after hearing may be left at law Enforcement agencies for enforcement of this Order (regarding the property located at 12670 Seventh Avenue, Victorville, ca 92392).

RECOMMENDATION

Court's discretion re OSC.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

Readiness Calendar

DATE: 04/05/18 TIME: 8:29 DEPT: S37P

CASE#: CON PS1700287

CASE NAME: LINDA YVONNE IBARRA

HEARING:

Readiness Calendar

COUNSEL:

ADA IBARRA

(CP)...PRO/PER

LINDA YVONNE IBARRA

(CTP)...JENNIFER M DANIEL

PABLO IBARRA

(CP)...PRO/PER

Readiness – No notes – JTD

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:29 DEPT: S37P

CASE#: GAR PS1700329

CASE NAME: DONYA SMITH ET AL

HEARING:
Readiness Calendar

COUNSEL:

DONYA SMITH	(MIN)...
MICHAEL SMITH	(FAT)...PRO/PER
SUSAN D WATKINS	(GP)...PRO/PER
TRINITY S BETTIS	(MIN)...

Readiness – No notes – JTD

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0800559

CASE NAME: MTR OF LUCY ALDERETE TAFOYA

HEARING:

Hearing Re: FINAL ACCOUNTING/PLAN OF DISTRIBUTION

COUNSEL:

DEBRA ESQUIVEL

(BEN)...PRO/PER

LUCY ALDERETE TAFOYA

(DEC)...

TARCILA LUCERO

(PET)...PRO/PER

GENERAL INFORMATION

Continued from 01/18/18. No appearance, petitioner's car would not start.

THIS CASE SET FOR HEARING ON Settlement and Request for Waiver by Debra Esquivel, daughter.

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

1. Tarcila Lucero was removed as Executor on 06/09/15. Successor Letters Testamentary issued to Debra Esquivel, daughter, on 06/10/15; full authority, no bond. Court to note that Decedent died 05/24/08 and the probate was originally filed 06/18/08.
2. Executor submits a settlement with receipts attached. A personal representative **may only preliminary distribute personal property per Pr.C. § 10520; if it is** pecuniary per terms of a will under \$10,000 and/or personal property under \$50,000.
3. Attorney John Weber appears to have been paid \$1,500; however, there does not appear to be an order authorizing payment.
4. Petitioner **must file** a final report of administration per CRC 7.550, Pr. C. § 1064 and Pr. C. §10954(c)(1).
5. Proposed Order submitted; however, need proper accounting/report.

RECOMMENDATION

Need proper report and waiver. If approved, set hearing on the filing of receipts and final discharge for **04/11/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0801057

CASE NAME: MICHAEL J MCGOOKIN

HEARING:

Accounting Review by ***

COUNSEL:

BONNIE L FISKE (PET)...CHARTER CALIBORNE HUGHES
MICHAEL J MCGOOKIN (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters Testamentary issued to Bonnie Fiske , executor, on 01/15/09, full authority no bond. Bond of \$1.3M ordered on 01/18/18, posted 02/01/18. bond.
2. Partial Inventory and Appraisals filed. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300408

CASE NAME: MTR OF THOMAS WILSON ROLAND

SEE ALSO 6

HEARING:

Hearing re Final Discharge

COUNSEL:

SUZANNE BARNUM

THOMAS WILSON ROLAND

(PET)...ROBERT A KRASNEY

(DEC)...

See notes on matter 6.

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300408

CASE NAME: MTR OF THOMAS WILSON ROLAND

SEE ALSO 5

HEARING:

Hearing Re: Surcharge of \$239,000

COUNSEL:

SUZANNE BARNUM (PET)...ROBERT A KRASNEY
THOMAS WILSON ROLAND (DEC)...

GENERAL INFORMATION:

Continued from 07/14/16, 09/22/16, 12/08/16, 02/23/17 (No appearance) 07/20/17, 10/19/17 [personal representative illness].

OSC set on 01/18/18; however, no one ordered to appear. Sole beneficiary has not recorded title to documents.

THIS CASE IS SET FOR HEARING ON re **Surcharge for \$239,000**/Final Discharge

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

1. First and Final Account of Suzanne Barnum approved 03/10/15.
2. **Need** receipt from Suzanne Barnum, as Successor Trustee.
3. **Need** Ex-parte Petition/Order for Final Discharge with county recording information per Pr.C.§11753(b)..

RECOMMENDATION:

Court's discretion re surcharge. Inquire status of receipt and discharge order.

(lc/ww/lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400587

CASE NAME: MTR OF JAMES EDWARD O'LEARY

HEARING:

Probate status report filed.

COUNSEL:

DEPT. OF HEALTH CARE SERVICES	(PRO/PER
JAMES EDWARD O'LEARY	(DEC)...
JOBEY O'LEARY	(TP)...PRISCILLA C SOLARIO
THOMAS EDWARD O'LEAR	(PET)...HARTNELL LAW GROUP

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of administration issued to Thomas Edward O'lear, son, on 09/09/14, full authority \$20,000 bond.
2. Final Inventory and Appraisal filed 11/23/15. However, section 3 indicates only a portion of estate assets. Court to inquire.
3. Administrator seeks an additional year to close the estate in order to deal with the City of Highland regarding a lien on the real property; which petitioner intends to sell.
4. **Need** notice of hearing and proof of service.
5. ~Proposed Order: 02/06/18.

RECOMMENDATION

Need notice. If approved, set Accounting/Status Review for **04/11/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500429

CASE NAME: LOUIS VALVERDE

HEARING:

Probate status report filed.

COUNSEL:

LOUIS VALVERDE (DEC)...
MERCY A GALBAN (PET)...HORSPPOOL & HORSPPOOL

GENERAL INFORMATION

Continued from 01/26/17, 07/20/17 and 01/18/18.

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of Administration issued to Mercy Galban, daughter, on 06/22/15; full authority, \$20,000 bond.
2. Petitioner requests an additional six months to close the estate in order to clear up title issues.
3. Notice filed 11/15/16; however, **need** notice of hearing and proof of service per Pr. C. § 12201(b) advising the recipients of the right to petition for an account.
4. ~Proposed Order: 11/10/16.

RECOMMENDATION

Need proper notice. If approved, set Accounting/Status Review for **06/28/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/ww/lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500838
CASE NAME: MICHAEL EDWARD FRY
HEARING: FIRST AND FINAL Account and Report of CHESTER EDWARD FRY
and Petition for allowance of fees filed.

COUNSEL:

CHESTER EDWARD FRY	(PET)...JASON L GAUDY,
COLIN FRY	(PALERMO, BARBARO, CHININ &
DANIKA FRY	(TP)...PALERMO, BARBARO, CHININ & PIT
MICHAEL EDWARD FRY	(DEC)...

XREF PROPS1701092 (Michel Fry Trust)

GENERAL INFORMATION

Continued from 01/18/18. Need notice of related case; filed 01/25/18.

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Chester Fry, father/executor/Trustee.

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

1. Assets on hand \$2,110,814.57 of which \$2,055,814.57 is cash.
2. Executor and attorney seek statutory fees of \$46,117.29 each. Ok.
3. Counsel has received \$8,267.50 in legal fees of which \$7,500 was retainer which will be deducted from counsel's share of statutory fees above; leaving a balance owed of \$38,617.29.
4. The accounting does not balance by -\$9,848.93. Executor and counsel state they are unable to balance. The amount of the estate is less than .5% of the estate.
JTD
5. Executor seeks a reserve of \$5,000.
6. Executor made preliminary distributions totaling \$85,500 and additional \$60,000, totaling \$115,500. A personal representative **may only** preliminary distribute personal property per Pr.C. § 10520; if it is pecuniary per terms of a will under \$10,000 and/or personal property under \$50,000. However, the estate does not appear to have suffered harm.
7. Executor states that in exchange for Creditor's Claim filed on his behalf, executor took possession of 2013 Ford F-150 [\$18,500 value] to offset balance due of sale agreement between himself and decedent. Executor alleges that he and decedent entered into an agreement re construction business on 10/3/12. Executor carried a note of \$40,000 at 6% for 40 months. At the time of decedent's death, no payments had been made and executor waived all post-death interest. Entire balance owed is

calculated as \$46,408. Therefore, executor took possession of the vehicle to offset the debt.

- a. Claim for remaining \$27,908 was allegedly not timely and denied by court per declaration filed by counsel [Acct. 09/26/17LFpg39-40].
 - b. It does not appear Notice of Proposed Action or Court authority was given regarding transfer per Pr.C. §§ 10501(a)(6), 10517. JTD
8. **Need** bank statements to support Inventory and Appraisal date of death balance [08/09/15] per local rule 20-908.
 9. **Objections filed by Danika and Colin Fry, children, on 01/11/18.**
 10. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear note 8. Matter is contested. If approved, set hearing on the filing of receipts and final discharge for **04/11/19**.

(lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500897

CASE NAME: the Mitchell Family Trust

SEE ALSO 26, 27

HEARING:

Second Account and Report of KEITH MITCHELL and Petition for allowance of fees filed.

COUNSEL:

CHERIE KEITH	(OBJ)...RICHARD L BARRETT
CHERIE KEITH	(PET)...RICHARD L BARRETT
KEITH MITCHELL	(PET)...DIANE E ROBBINS
MITCHELL FAMILY TRUST	(TRU)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 2nd Account Current and Report of Trustee, Keith Mitchell.

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

1. Accounting period 01/01/16 – 12/08/17.
2. Assets on hand \$607,613.37: cash of \$54,612.37 and remainder in real property.
3. Receipts indicate a \$50,000 loan from Trustee to the Trust. [1/26LFpg35]. However, there does not appear to be any schedule for liabilities. **Need** same.
4. **Need** statements to support cash balance per local rule 20-908.
5. Fees of \$22,311.87 were paid to counsel on 04/14/17. Allowed per Section G(17) of Trust.
6. Partial distribution was made to Carol, surviving spouse, totaling \$75,000.
7. ~Proposed Order: 01/16/18.

RECOMMENDATION

Need to clear notes 3-4. *If court retains jurisdiction of trust*, set Accounting/Status Review for **02/21/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501070

CASE NAME: Richard I Sampson

HEARING:

Final Report, Waiver of Account and Report of WILLIAM SAMPSON
and Petition for allowance of fees filed.

COUNSEL:

WILLIAM SAMPSON (PET)...PARRY & PFAU
RICHARD L SAMPSON (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by William Sampson, brother.

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

1. Assets on hand \$168,153.98 in cash and personal property.
2. Administrator is sole heir, waives accounting and statutory compensation.
3. Counsel seeks statutory fees of \$6,999.52.
4. Fees are calculated with a gain, as this is a waiver, **need** supporting schedules per Cal Rules of Ct 7.705(b)(6).
5. Counsel seeks extraordinary fees of \$2,250 for 7.5 hours at \$300 per hour. [Acct.01/22/18 LFpg7]. **Need** itemization per local rule 20-904.
6. ~Proposed Order: 02/05/18

RECOMMENDATION

RFA subject to notes 4-5. If approved, set hearing on the filing of receipts and final discharge for **04/11/19**.

(lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600449

CASE NAME: CLIFFORD WILLIAM SWARTZ

HEARING: FIRST AND FINAL Account and Report of JAMES W SWARTZ and
Petition for allowance of fees filed.

COUNSEL:

CLIFFORD WILLIAM SWARTZ (DEC)...
JAMES W SWARTZ (PET)...HOWARD S BORENSTEIN

GENERAL INFORMATION

Continued from 01/18/18. Supplement filed 01/11/18 to be reviewed.

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by James Swartz, son.

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

1. Assets on hand \$70,000 in real property.
2. Executor is sole beneficiary, waives accounting and statutory compensation.
3. Attorney agrees to not receive statutory fees of \$2,800. Attorney accepts executor's oral promise to pay fees.
4. Attorney seeks extraordinary fees of \$2,047.50 for 12.6 hours at \$325 per hour; discounted from \$4,095. [Acct. 09/25/17LFpg23]. Attorney accepts executor's oral promise to pay fees.
5. Attorney seeks reimbursement of costs totaling \$1,750. [Acct. 09/25/17LFpg5]. Attorney agrees to be reimbursed once the real property is sold or refinanced.
6. Executor initially arranged a loan to pay the property taxes; however, was unable to pay the loan back. Therefore, executor has executed a promissory note and the Deed of Trust will be recorded with the County Recorder's office. **Need** proof of recordation of Deed of Trust.
7. ~Proposed Order: 01/11/18.

RECOMMENDATION

Need to clear note 6. If approved, set hearing on the filing of receipts and final discharge for **04/11/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600490

CASE NAME: MTR OF ANDREW AND GLADYS MORROW TRUST

SEE ALSO 14, 15, 16, 17

HEARING:

Hearing Re: TSC/FAIR MARKET RENT

COUNSEL:

ANDREW MORROW SR AND GLADYS MO (TRU)...	
EDWARD MORROW	(PET)...BRIAN CULLEN
HOWARD MORROW	(PET)...PRO/PER
LINDA F WRIGHT-SANDERS	(OBJ)...MARK STEPHEN SMITH
LINDA F WRIGHT-SANDERS	(PET)...MARK STEPHEN SMITH

XREF: UDFS1501472 (*Morrow-v-Morrow*)

T.S.C. – Fair Market Rent – No notes – JTD

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600490

CASE NAME: MTR OF ANDREW AND GLADYS MORROW TRUST

SEE ALSO 13, 15, 16, 17

HEARING:

Hearing Re: APPLICATION FOR ORDER STAYING ENFORCEMENT

COUNSEL:

ANDREW MORROW SR AND GLADYS MO (TRU)...

EDWARD MORROW

(PET)...BRIAN CULLEN

HOWARD MORROW

(PET)...PRO/PER

LINDA F WRIGHT-SANDERS

(OBJ)...MARK STEPHEN SMITH

LINDA F WRIGHT-SANDERS

(PET)...MARK STEPHEN SMITH

XREF: UDFS1501472 (*Morrow-v-Morrow*)

No notes – JTD

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600490

CASE NAME: MTR OF ANDREW AND GLADYS MORROW TRUST

SEE ALSO 13, 14, 16, 17

HEARING:

Hearing Re: ADMISSION OF RFA'S

COUNSEL:

ANDREW MORROW SR AND GLADYS MO (TRU)...	
EDWARD MORROW	(PET)...BRIAN CULLEN
HOWARD MORROW	(PET)...PRO/PER
LINDA F WRIGHT-SANDERS	(OBJ)...MARK STEPHEN SMITH
LINDA F WRIGHT-SANDERS	(PET)...MARK STEPHEN SMITH

XREF: UDFS1501472 (*Morrow-v-Morrow*)

No notes – JTD

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600490

CASE NAME: MTR OF ANDREW AND GLADYS MORROW TRUST

SEE ALSO 13, 14, 15, 17

HEARING:

Hearing Re: PETITION FOR HEGGSTEAD

COUNSEL:

ANDREW MORROW SR AND GLADYS MO (TRU)...	
EDWARD MORROW	(PET)...BRIAN CULLEN
HOWARD MORROW	(PET)...PRO/PER
LINDA F WRIGHT-SANDERS	(OBJ)...MARK STEPHEN SMITH
LINDA F WRIGHT-SANDERS	(PET)...MARK STEPHEN SMITH

XREF: UDFS1501472 (*Morrow-v-Morrow*)

Currently under review by legal research.

(LR)

Continued matter. Notice not re-reviewed.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600490

CASE NAME: MTR OF ANDREW AND GLADYS MORROW TRUST

SEE ALSO 13, 14, 15, 16

HEARING:

Motion Re: DEMURRER TO HEGGSTEAD PETITION

COUNSEL:

ANDREW MORROW SR AND GLADYS MO (TRU)...

EDWARD MORROW

(PET)...BRIAN CULLEN

HOWARD MORROW

(PET)...PRO/PER

LINDA F WRIGHT-SANDERS

(OBJ)...MARK STEPHEN SMITH

LINDA F WRIGHT-SANDERS

(PET)...MARK STEPHEN SMITH

XREF: UDFS1501472 (*Morrow-v-Morrow*)

No notes – JTD

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600718

CASE NAME: MTR OF BARBARA JEAN GREEN

HEARING: First and final Account and Report of ALEXANDRIA LAJETTA GREEN
and Petition for allowance of fees filed.

COUNSEL:

ALEXANDRIA LAJETTA GREEN (PET)...PRO/PER
BARBARA JEAN GREEN (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by Alexandria Green, daughter.

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

1. Assets on hand \$335,182.69 cash and personal property.
2. Executor seeks statutory compensation of \$10,772.91; however, executor is sole residual beneficiary of will.
3. Executor seeks reimbursement of costs totaling \$811 [Acct. 01/25LFpg5].
4. Report states no Creditor's Claims have been filed; however, there are two claims; Bank of America \$2,839.06 [08/26/16] and American Express \$516.43 [08/09/16]. **Need** disposition of claims.
5. **Need** statements to support Inventory and Appraisal cash balance per local rule 20-908.
6. **Need** notice of hearing and proof of service to persons named in will with specific bequests [whether made or not].
7. ~Proposed Order: 01/30/18.

RECOMMENDATION

Need to clear notes 4-6. If approved, set hearing on the filing of receipts and final discharge for **04/11/19**.

(lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700419
CASE NAME: MTR OF MERLIN POLK

SEE ALSO 20

HEARING: Petition for LETTERS OF ADMINISTRATION W/LIMITED IAEA *

COUNSEL:

LOIS MEEK	(PET)...USHER LAW GROUP, PC
MERLIN POLK	(DEC)...
ROBERT POLK	(OBJ)...HEDTKE LAW GROUP
ROBERT POLK	(PET)...HEDTKE LAW GROUP

GENERAL INFORMATION

Continued from 07/19/17. Written objections to be filed by Attorney Neil Hedtke for father, brother and sister of decedent. Court tentative to grant petition by Lois Meek.

Continued from 10/04/17. Lois Meek to make full Inventory and Appraisal to prepare home as a rental. Court may require proof of relationship of decedent. Letters of special administration issue to Lois Meek on 10/25/17.

Continued from 01/18/18. Date of death 01/30/17.

THIS CASE SET FOR HEARING ON

- Petition for Letters of Administration with limited authority under IAEA by **Lois Meek, Niece**
- Petition for Letters of Administration with full authority under IAEA by **Robert Polk, half-brother**

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

Petitioner 1 – Lois Meek, niece.

1. Petitioner seeks bond of \$20,000. Appears ok as limited authority is sought. Petitioner is a non-resident. Court for good cause require that a bond per Pr.C. §8571.
2. Supplement filed 07/13/17 indicates that Lois Meek is sole heir. Court may wish to question if Lois Meek is the sole heir as Attorney Neil Hedtke appeared on behalf of father, half-brother and sister of decedent. **See next note.**
3. **Need** notice to father, brother and sister of decedent. No names were provided.
4. Declaration filed regarding actions taken by Lois as Special Administrator filed 12/07/17.
5. **Objections filed by Robert Polk on 09/27/17. Inventory and Appraisal has been requested, locks changed etc.**

6. ~Proposed Form Order: 06/22/17

Petitioner 2 – Robert Polk, half-brother

7. Petitioner seeks bond of \$231,000. Ok.
8. Birth Certificate for Robert filed 10/24/17.
9. Proposed Form Order: 09/27/17; however, indicates “executor”. There is no will.

RECOMMENDATION

Need to clear note 3. If approved, set Accounting/Status Review for **04/11/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/ww/lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700419

CASE NAME: MTR OF MERLIN POLK

SEE ALSO 19

HEARING:

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

COUNSEL:

LOIS MEEK	(PET)...USHER LAW GROUP, PC
MERLIN POLK	(DEC)...
ROBERT POLK	(OBJ)...HEDTKE LAW GROUP
ROBERT POLK	(PET)...HEDTKE LAW GROUP

See notes on matter 19.

(lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700928

CASE NAME: JUDITH DIANE FINNICUM

HEARING:

Petition to determine succession to Real Property

COUNSEL:

AMANDA ANDREW	(PET)...SAMI MARTINEZ
ANDREW DAVIS	(PET)...SAMI MARTINEZ
BREA MARSH	(PET)...SAMI MARTINEZ
GORDON DAVIS	(PET)...SAMI MARTINEZ
JUDITH DIANE FINNICUM	(DEC)...

GENERAL INFORMATION

Continued from 01/11/18. Supplement re mom to be filed. Death certificate if possible.

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real and Personal Property by Gordon Davis, Amanda Andrew, Brea Marsh and Andrew Davis; brother, nieces and nephew.

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

1. Petitioners seek 100% interest in decedent's 100% interest in real and personal property per terms of will.
 - a. Gordon to receive 100% interest in real property.
 - b. Amanda, Brea and Andrew to share jewelry 1/3rd each.
2. Counsel intends to appear by CourtCall.
3. Death certificate filed for mother Freda Davis on 01/29/18.
4. ~Proposed Form Order: 09/15/17.

RECOMMENDATION

RFA.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700929

CASE NAME: THE MARY JO SOHOVICH INTER VIVOS TRUST

HEARING:

Petition for ORDER COMPELLING TRUSTEE TO ACCOUNT REMOVING
THE TRUSTEE AND APPTING SUCCESSOR TRUSTEE

COUNSEL:

DENISE KIMBERLIN	(OBJ)...ESTELLE & KENNEDY
DONNA SOHOVICH	(PET)...GAUDY LAW, INC
MICHELE SOHOVICH	(PET)...GAUDY LAW, INC
THE MARY JO SOHOVICH INTER VIV	(TRU)...

Currently under review by legal research.

Respondent Denise Sohovich present at last hearing.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701087

CASE NAME: TROY INSKEEP SPECIAL NEEDS TRUST

HEARING:
Hearing Re: FILING OF COPY OF TRUST

COUNSEL:

PUBLIC GUARDIAN	(PET)...COUNTY COUNSEL
THE TROY INSKEEP SPECIAL NEEDS	(TRU)...
TROY INSKEEP	(PET)...MARY M BADER

XREF: PROPS1300386 (*Mary Elizabeth Inskeep*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Filing Copy of Trust.

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

1. Matter set on 01/11/18 when court ordered a copy of SNT as soon as possible.
2. Troy Inskeep SNT filed 02/01/18.

RECOMMENDATION

None. As this appears to be a Public Guardian matter, future hearings shall be set on Monday calendar.

(lc)

Future hearing dates: 04/19/18 Accounting review **Larry Hoover**
03/18/19 Accounting review **Public Guardian**

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800177

CASE NAME: RITA ANN BELTRAN

HEARING:

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

COUNSEL:

JOANN A AUSTIN (PET)...LAW OFFICE OF HOWARD S BORENST
RITA ANN BELTRAN (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Joann Austin, daughter.

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

1. **Need** Notice to Petition to Administer Estate and proof of service.
2. All heirs waive bond. Net estate value is \$235,000 in real property. Court for good
cause could require bond per Pr.C. § 8481(b). **Need** bond waiver on mandatory
judicial council forms.
3. **Need** proof of publication.
4. All heirs nominate petitioner.
5. ~Proposed Form Order: 02/22/18

RECOMMENDATION

Need to clear notes 1-3, Court's discretion re bond. If approved, set Accounting/Status
Review for **06/13/19**. Any accounting to be filed 30 days in advance local rule 20-901.
Note requirements of local rule 20-908.

(lc)

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

DATE: 04/05/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800188

CASE NAME: LORIN DYRR

HEARING:

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

COUNSEL:

DIANA KRISTEN DYRR (PET)...JOSEPH R BROWN
LORIN DYRR (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Diana Dyrr, daughter.

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

1. All heirs waive bond. Net estate value is \$322,000 of which \$72,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. Petitioner is nominated by remaining heir.
3. **Need** Notice to Petition to Administer Estate and proof of service.
4. **Need** proof of publication.
5. ~Proposed Form Order: 02/27/18.

RECOMMENDATION

Need to clear notes 3-4, Court's discretion re bond. If approved, set Accounting/Status Review for **06/13/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 04/05/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1500897

CASE NAME: the Mitchell Family Trust

SEE ALSO 10, 27

HEARING:

Petition for /TO COMPEL REMOVAL OF TRUSTEE;FOR APPOINTMENT OF
SUCCESSOR TRUSTEE ETC

COUNSEL:

CHERIE KEITH

(OBJ)...RICHARD L BARRETT

CHERIE KEITH

(PET)...RICHARD L BARRETT

KEITH MITCHELL

(PET)...DIANE E ROBBINS

MITCHELL FAMILY TRUST

(TRU)...

Currently under review by legal research.

(LR)

Continued matter. Notice not re-reviewed.

Superior Court of Calif, County of San Bernardino

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

DATE: 04/05/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1500897

CASE NAME: the Mitchell Family Trust

SEE ALSO 10, 26

HEARING:

Petition for to Recover Trust Assets, to Impose Constructive Trust, to Impress
Equitable Lien etc

COUNSEL:

CHERIE KEITH	(OBJ)...RICHARD L BARRETT
CHERIE KEITH	(PET)...RICHARD L BARRETT
KEITH MITCHELL	(PET)...DIANE E ROBBINS
MITCHELL FAMILY TRUST	(TRU)...

Currently under review by legal research.

(LR)

Continued matter. Notice not re-reviewed.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 04/05/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400077

CASE NAME: EDWARD FRANK SANTILLI

SEE ALSO 29

HEARING:

Hearing re Final Discharge

COUNSEL:

ANITA SANTILLI	(CPE)...HORSPOOL & H ORSPOOL
CHRISTINA ERICKSON-TAUBE	(PET)...SHERRI L KASTILAHN
EDWARD FRANK SANTILLI	(CEE)...MITCHELL I ROTH
EDWARD FRANK SANTILLI	(DEC)...
J DAVID HORSPOOL	(HORSPOOL & HORSPOOL
LILIANA SANTILLA	(PET)...HORSPOOL & HORSPOOL
NATALIE ANN BLICKENSTAFF	(CPE)...
ROSEMARY HERNANDEZ-ENNIS	(SC)...HORSPOOL & HORSPOOL

Ex Parte Petition for Final Discharge and Order sent to department on 03/07/18.

(lc)

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

DATE: 04/05/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400077

CASE NAME: EDWARD FRANK SANTILLI

SEE ALSO 28

HEARING:

Accounting Review by ***

COUNSEL:

ANITA SANTILLI	(CPE)...HORSPPOOL & H ORSPOOL
CHRISTINA ERICKSON-TAUBE	(PET)...SHERRI L KASTILAHN
EDWARD FRANK SANTILLI	(CEE)...MITCHELL I ROTH
EDWARD FRANK SANTILLI	(DEC)...
J DAVID HORSPPOOL	(HORSPPOOL & HORSPPOOL
LILIANA SANTILLA	(PET)...HORSPPOOL & HORSPPOOL
NATALIE ANN BLICKENSTAFF	(CPE)...
ROSEMARY HERNANDEZ-ENNIS	(SC)...HORSPPOOL & HORSPPOOL

GENERAL INFORMATION

Continued from 06/28/17, 09/06/17 and 01/11/18.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Anita Santilli appointed successor conservator of the person and estate on 04/20/16, \$60,000 bond.
2. Inventory and Appraisal filed by previous Conservator Christina Erickson Taube on 09/23/14.
3. **Need** accounting.

RECOMMENDATION

Inquire status of accounting.

((lc/lh/lc/lh/lc/lh/ww/lc)

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

DATE: 04/05/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1500328
CASE NAME: NORMA PIMENTEL
HEARING: Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of THE NORMA L PIMENTEL LIVING TRUST

COUNSEL:

NORMA PIMENTEL	(CEE)...DONNASUE ORTIZ
SYLVIA PIMENTEL	(PET)...GREGORY T ANNIGIAN
THE NORMA L PIMENTEL LIVING TR	(PET)...JONATHAN LACOUR
VERONICA TREJO	(BANKS GARCIA & JANIS

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN
XREF: PROPS1501107 (The Norma L Pimentel Living Trust)

GENERAL INFORMATION

Continued from 04/27/17. Counsel's report filed in court. Court is advised counsel have been served with the informal accounting in court this morning.

Continued from 05/10/17, 07/12/17, 09/14/17, 11/09/17 and 01/11/18 to clear notes.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. On 09/20/16, Stip filed that **Veronica Trejo** will be **successor Trustee**; \$180,000 bond. **Sylvia Pimentel** was appointed **Conservator of person only** and **Veronica** was also appointed Conservator of **estate only** \$20,000 bond, posted 11/28/16.
2. Determination of Level of Care filed 07/12/17.
3. Notification of Conservatee's rights filed 07/12/17.
4. Care plan filed 11/09/17.
5. Final Inventory and Appraisal filed 01/10/18 indicating assets held in trust.
6. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
7. **If** the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION

Need to clear note 6.

(lc/lh/lc/lh/lc)

Future Hearing: 06/20/18 *Accounting Review.*

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

DATE: 04/05/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700437

CASE NAME: MTR OF SUSANA M. AGUILERA

HEARING:
Petition for Appointment of Conservator

COUNSEL:

JUAN AGUILERA (CP)...PRO/PER
LUZ AGUILERA (CP)...PRO/PER
SUSANA M AGUILERA (CTP)...CRAIG M PARKER

GENERAL INFORMATION

Continued from 01/11/18. Craig Parker appointed counsel. Notice untimely.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Juan and Luz Aguilera, parents.

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

1. Petitioners seek powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Petitioners seek civil rights not be limited without court order. JTD
3. Petitioners seek medical powers. Capacity Declaration filed 01/09/18.
4. Proposed conservatee is developmentally disabled. **Need** report of Counsel Parker.
5. Proposed conservatee is developmentally disabled. **Need** IRC report.
6. Citation returned served.
7. Certificates of Completion of the Conservatorship Training Class filed 01/11/18.
8. Court Investigator report filed 12/14/17.
9. ~Proposed Form Order: 11/29/17.

RECOMMENDATION

Need to clear notes 4-5. If approved, set hearing for Compliance Review for **11/08/18** 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)

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

DATE: 04/05/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700438
CASE NAME: MTR OF DAVID R HAMILTON JR
HEARING: Petition for Appointment of Conservator

COUNSEL:

DAVID R HAMILTON JR (CTP)...JAMES B CHURCH
DAVID R HAMILTON SR (CP)...PRO/PER

GENERAL INFORMATION

Continued from 01/11/18. James Church appointed counsel. Counsel to explain notice and clearing of notes to petitioner.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by David Hamilton, father.

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

1. Petitioner seeks limited conservatorship; however, section 5 states proposed conservatee is not developmentally disabled. Court to inquire as it appears that section may be incorrect.
2. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
3. Petitioner seeks civil rights not be limited without court order. JTD
4. Petitioner seeks medical powers. Capacity Declaration filed 11/30/17.
5. List of required contacts does not state any grandparents. Court to inquire.
6. Proposed conservatee is developmentally disabled. **Need** Report of Counsel Church.
7. Proposed conservatee is developmentally disabled. **Need** IRC report.
8. Citation served; however, proof of service is not dated and is untimely as 7 days' notice given. **Need** proper service.
9. Court Investigator report filed 01/10/18.
10. Request to excuse notice filed as to half-brother Timothy on 01/12/18. JTD
11. Certificate of Completion of the Conservatorship Training Class filed 12/26/170
12. ~Proposed Form Order: 11/30/17.

RECOMMENDATION

Need to clear notes 6-8. If approved, set hearing for Compliance Review for **11/08/18** 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)

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

DATE: 04/05/18 TIME: 9:30 DEPT: S37P

CASE#: SC SS7258

CASE NAME: IN THE MATTER OF JIMMY LEE HOLLEY

HEARING: EIGHTH Account and Report of CHRISTINA ERICKSON-TAUBE and
Petition for allowance of fees filed.

COUNSEL:

CHRISTINA ERICKSON-TAUBE	(CPE)...SHERRI L KASTILAHN
JIMMY LEE HOLLEY	(CEP)...LENITA A SKORETZ
LENITA A SKORETZ	(PET)...LENITA A SKORETZ
MELODIE Z SCOTT	(CPE)...MICHAEL J. G ILL
MELODIE Z SCOTT	(TP)...PRO/PER

GENERAL INFORMATION:

Continued from 10/19/17. Bond reduced to \$55,000. Need summary of fees at reduced rates as discussed. Sherri Kastilahn' s fees approved.
Continued from 01/11/18 to clear notes.

THIS CASE IS SET FOR HEARING ON 8th Account Current and Petition for Fees by
Christina Erickson Taube, PPF.

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

1. Accounting covers 07/01/16 – 06/30/17.
2. Assets on hand: \$4,165.33 (cash of \$565.33 and preneed burial plan).
3. Current of \$98,000 bond. Petitioner seeks reduction to \$66,000. Appears ok.
4. Conservator requests fees of \$8,921.60 billed at \$65/115 per hour; hours not totaled. Itemized [Lf pgs. 20-30]. **Need** summary/total of hours with fees reduced.
5. Supplement filed **01/11/18** explaining the importance of Conservator to take phone calls etc.
6. Attorney requests fees of \$4,585 for 13.1 hours at \$350 per hour. Itemized [LF, pgs. 31-33]. JTD.
7. ~Proposed Order: 09/18/17.

RECOMMENDATION:

Need to clear note 4. If approved, set hearing on the next accounting review for **10/04/18** (if one year) or **10/03/19** (if two years). Accounting to be filed 30 days' in advance.
(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

MISC.

DATE: 04/05/18 TIME: 1:30 DEPT: S37P

CASE#: PRO PS1700054

CASE NAME: MTR OF THE ANTONINA DARAFEEV LIVING TRUST

HEARING:

Mediation Settlement Conference

COUNSEL:

GEORGE DARAFEEV

(PET)...SUZANNE M REHMANI

MICHAEL DARAFEEV

(OBJ)...RAYMOND G ROBINSON

PAUL DARAFEEV

(PET)...SUZANNE M REHMANI

THE ANTONINA DARAFEEV LIVING T

(TRU)...

W.A. HLAVATY

(PET)...THOMPSON & COLEGATE

Mediation Settlement Conference – No notes – JTD

Future Hearing:

04/24/18 Petition for (Ex Parte) to compel interim trustee etc.

05/31/18 *Accounting Review*.