



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 04/12/18

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.

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: 04/12/18 TIME: 8:30 DEPT: S35P

CASE#: MPR MS00902

CASE NAME: ESTATE OF LARRY K. LAYMON

HEARING: SUPPLEMENTAL REGARDING DISTRTIBIUTION & WAIVER Account
and Report of LINDA G. WAUGH and Petition for allowance of fees filed.

COUNSEL:

LARRY K. LAYMON (DEC)...

LINDA G. WAUGH (PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by LINDA G.WAUGH is GRANTED

Fee waiver amount due \$310.00 \$40.00 for status report on 12/02/10 \$90.00 for status report on 02/13/15\$90.00 for status report on 07/16/15\$90.00 for status report on 09/22/15

GENERAL INFORMATION

Continued from 07/27/17. Larry Laymon Stated he objects. Objections to be filed by 08/24/17 or will be permanently waived.

Continued from 10/26/17. Larry Laymon's objections deemed waived as not filed by deadline. Any supplement to be filed by 02/01/18.

Continued from 03/01/18.

THIS CASE SET FOR HEARING ON Supplemental Regarding Distribution and Waiver of Account and Petition for Allowance of Fees by Linda Waugh.

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

1. Letters Testamentary issued **9/11/01** to Linda Waugh, roommate.
2. All heirs previously waived accountings.
3. It appears that petitioner is supplementing the already approved final distribution order with after discovered funds from asbestos litigation per Pr.C. § 11642(a). Petitioner still contends that litigation is still likely to come into the estate. On **2/5/08** Court allowed the estate to remain open for new litigation. Some receipts filed in 2009.
4. Order for Waiver of Account and **Final Distribution was granted on 10/2/06, order filed 12/31/16.** The estate consisted solely of a settlement from decedent's asbestos litigation. Apportionment of Settlement from asbestos litigation is divided 60% less attorney fees to the Executory of the Estate and 40% less attorney fees to the Wrongful Death Beneficiaries.
The Final Distribution of the Estate was approved as:
(15%) to Jeffery Scott Laymon,
(15%) to Virgil Brown Jr., Bankruptcy Trustee, re Larry Laymon's share
(30%) to La Viva June Harlen per assignment by Jesse Lee Laymon

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.

(15%) divided between Craig Laymon and Chris Laymon, issue of deceased son Jerry Lee Laymon.

(25%) to Linda G. Waugh

5. Petitioner states bank statements prior to 2007 are unavailable by the banking institution. JTD
6. Period stated is 02/27/16 – 09/07/16; however, period shall begin after order for final distribution approval date 10/02/16. **Need** corrected period.
7. It is unclear why some heirs were paid excess funds and petitioner is short \$8,522.09. **Need** verified supplement.
8. Payments of \$1,812.31 made to Jesse Laymon in an attempt to fix what petitioner believed to be an inaccuracy in “the order”. **Need** verified supplement explaining which order and under what authority did petitioner have to distribute differently than the court order.
9. Petitioner was allegedly in an accident and does not recall a payment to Jose Playo in the amount of \$650; however, believes it to be costs of estate through paralegal services.
10. No objections filed at time of review.

RECOMMENDATION

Need to clear notes 6-8. ***If estate to remain open***, set next Accounting review for **04/19/19**. ***If estate ready to close***, set hearing re final discharge for **04/19/19**.

(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: 04/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300441

Vacated

CASE NAME: THE SPECIAL NEEDS TRUST OF DANIEL E. CHARBONNEAU

HEARING:

Accounting Review by ***

COUNSEL:

INLAND COUNTIES REGIONAL CENTE (TEE)...STEVEN K BECKETT
INLAND COUNTIES REGIONALCENTER (PET)...STEVEN K BECKETT
J DAVID HORSPOOL (DAVID E FOATE
THE SPECIAL NEEDS TRUST OF DAN (TRU)...J. DAVID HORSPOOL

(lc)

Future hearing dates: 05/23/18 Final Account by IRC

Superior Court of Calif, County of San Bernardino

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

DATE: 04/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400931

CASE NAME: Larry Davis

SEE ALSO 4

HEARING: Probate status report filed.

COUNSEL:

BRENDA C DAVIS	(PET)...PRO/PER
LARRY DAVIS	(DEC)...
LAWRENCE DAVIS	(AARON F GARCIA
STATE OF CALIFORNIA FRANCHISE	(TP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status Report.

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

1. **Amended** Letters Testamentary issued to Brenda Davis, daughter on 02/20/18; full authority, no bond.
2. Executor seeks an additional 12 months to close to the estate in order to settle the Pr.C. § 850 petition.
3. Partial Inventory and Appraisal filed 06/16/16; however, **need** final Inventory and Appraisal.
4. No proposed order. Submit after hearing.

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)

Future Hearing:

04/24/18 Motion re: Compel petitioner to attend and etc.

08/13/18 Petition to confirm property belongs to etc.

08/13/18 Readiness calendar

09/10/18 *Court Trial* 09/11/18 *Court Trial* 09/12/18 *Court Trial* 09/13/18 *Court Trial*

09/14/18 *Court Trial*

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

DATE: 04/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400931

CASE NAME: Larry Davis

SEE ALSO 3

HEARING:

Probate status report filed.

COUNSEL:

BRENDA C DAVIS	(PET)...PRO/PER
LARRY DAVIS	(DEC)...
LAWRENCE DAVIS	(AARON F GARCIA
STATE OF CALIFORNIA FRANCHISE	(TP)...

See notes on matter 3.

(lc)

Future Hearing:

04/24/18 Motion re: Compel petitioner to attend and etc.

08/13/18 Petition to confirm property belongs to etc.

08/13/18 Readiness calendar

09/10/18 *Court Trial*

09/11/18 *Court Trial*

09/12/18 *Court Trial*

09/13/18 *Court Trial*

09/14/18 *Court Trial*

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

DATE: 04/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600482

CASE NAME: MTR OF JAMES A CLARK

HEARING:

Pet for settlement of first and final Account and Report of
STEVEN B SCHALLHORN and Petition for allowance of fees filed.

COUNSEL:

JAMES A CLARK (DEC)...
STEVEN B SCHALLHORN (PET)...DAVID GRIGOLLA

GENERAL INFORMATION

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

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

1. Assets on hand real property, vehicle and \$6,606.98 in cash.
2. Executor and counsel seek fees of \$13,072.13 each. Ok.
3. **Need** signature for counsel as counsel seeks fees.
4. **Need** actual schedules of receipts and assets on hand.
5. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 3-4. If approved, set hearing on the filing of receipts and final discharge for **04/19/19**.

(lc)

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

DATE: 04/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600983

CASE NAME: MTR OF NORMAN DELTON POOL

HEARING:

Accounting Review by ***

COUNSEL:

ANTHONY W HART (PET)...PRO/PER
NORMAN DENTON POOL (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 of Administration issued to Anthony Hart, attorney, on 02/02/17; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

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

DATE: 04/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700013

CASE NAME: SHIRLEEN DIETERICH

HEARING: Waiver of Account and Report of GEORGE S HURLBURT and Petition for allowance of fees filed.

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV (TP)...PRO/PER
GEORGE S HURLBURT (PET)...ELISABETH KEMPE-
SHIRLEEN L DIETERICH (DEC)...

GENERAL INFORMATION

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

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

1. Assets on hand \$80,903.10 in attorney trust account.
2. All heirs waive accounting.
3. As funds appear to have been deposited in IOTLA account without prior court approval, albeit minimal, interest was paid to the State bar.
4. Administrator distributed personal property per Pr.C.§§ 10520, 10581. Notice of proposed action per Pr.C.§ 10510 not filed; however, petitioner alleges each party would be noticed as to their own distributive share.
5. Administrator and counsel seeks statutory fees of \$5,485 each. Ok.
6. Counsel seeks extraordinary fees of \$2,665 for 8.2 hours at \$325 per hour. [01/31/18LFpg16-18] JTD
7. Administrator seeks reimbursement of costs totaling \$14,658.44. [01/31/18LFpg19-20].
8. Administrator seeks a reserve of \$2,000.
9. ~Proposed Order: 01/31/18.

RECOMMENDATION

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

(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: 04/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701281

CASE NAME: JOHN ALLEN SCHWARTZ

HEARING: Petition for LETTERS OF ADMINISTRATION WITH FULL IAEA

COUNSEL:

GREG SCHWARTZ (PET)...PRO/PER
JOHN ALLEN SCHWATRZ (DEC)...

GENERAL INFORMATION

Continued from 02/01/18 and 03/15/18.

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

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

1. All heirs waive bond. Net estate value is \$170,489 of which \$7,489. Court for good cause could require bond per Pr.C.§ 8481(b).
2. Bond waiver and notice submitted by Andrea Anderson; however, Andrea is not listed in section 8 of petition. Amended petition filed 03/26/18 to be heard 05/21 states Andrea is Step-daughter.
3. Section 3c is incomplete as to decedent's address. **Noted in amended petition.** **NOTE:** It appears petitioner filed an amended petition rather than a supplement. Does court wish to deem as supplement and vacated 05/21/18 hearing as there does not appear any substantive changes or different authority sought, but rather corrections to notes.
4. No proposed order.

RECOMMENDATION

Court's discretion re bond and whether to vacate 05/21/18 hearing. If approved, set Accounting/Status Review for **06/20/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Future Hearing:05/21/18 Hearing re: Amended petition for letters of admin

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

DATE: 04/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800022

CASE NAME: Rodney Steven Hair

HEARING:

Petition for determination that PP & RP be found to belong to the estate & that title to property be transfrd

COUNSEL:

RODNEY STEVEN HAIR (DEC)...
WILLIAM EDWARD BAUM (PET)...VOORHEES & RATZLAFF LAW

Currently under review by legal research.

Need notice of hearing and proof of personal service to Jaime and Danny Brown; proof of mailed service for Bill Baum and Chris Hair [if survived decedent]

Due diligence filed for Marla Gonzales on 03/16/18. JTD

Probate Code section 851 was amended [eff. Jan. 1, 2018] and contains a **new subdivision (c)** which requires the Notice of Hearing to include:

- (1) a description of the property, and for real property mandates the notice state the street address or, if none, a description of the property's location and assessor's parcel number;
- (2) a description of relief sought pursuant to Section 859 if applicable; and
- (3) a statement advising any interested person that he or she may file a response.

Petitioner or counsel may request a continuance to correct the Notice deficiency.

(lc)

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

DATE: 04/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800193

CASE NAME: MTR OF DORIS J WILEY

HEARING:

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

COUNSEL:

DORIS J WILEY (DEC)...
SONYA D WILEY (PET)...ROBERT A KRASNEY

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Sonya Wiley, daughter.

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

1. Will waives bond. Net estate value is \$197,000 of which \$27,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. Notice filed; however, **Need** Notice to Petition to Administer Estate and proof of service to daughter Kim Wiley.
3. The will conditionally incorporates decedent's Trust. **Need** a certification of trust that meets the requirements in Pr.C. § 18100.5 and additionally includes a list of Trust beneficiaries for notice purposes. Does Court also wish to require a copy of decedent's Trust? JTD
4. **Need** verified supplement indicating who is Successor Trustee of Trust.
5. **Need** proof of publication
6. ~Proposed Form Order: 03/01/18.

RECOMMENDATION

Need to clear notes 2-5. If approved, set Accounting/Status Review for **06/20/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 04/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800202

CASE NAME: MTR OF MARCIA CLAUDIA BERRY

HEARING:

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

COUNSEL:

KNELON MARLOW (PET)... DIANE BUTLER
MARCIA CLAUDIA BERRY (DEC)...

GENERAL INFORMATION

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

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

1. Petitioner is sole heir and waives bond. Net estate value is \$270,000 in real property. Court for good cause could require bond per Pr.C. § 8481(b).
2. **Need** proof of publication.
3. ~Proposed Form Order: 02/16/18.

RECOMMENDATION

RFA subject to note 2, Court's discretion re bond. If approved, set Accounting/Status Review for **06/20/19**. 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: STANFORD E. REICHERT **TRUSTS AND MOTIONS**

DATE: 04/12/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1700931

CASE NAME: IN RE: THE CLARK FAMILY TRUST

HEARING:

Petition for COMPEL RELEASE OF TRUST INFORMATION, TO COMPEL
DISTRIBUTION OF TRUST ASSETS

COUNSEL:

DECEDENT'S TRUST	(TRU)...
JANIE HEINRICH	(PET)...MIRAU, EDWARDS, CANNON &
KAREN ELLSTROM	(PET)...MIRAU, EDWARDS, CANNON &
SURVIVOR'S TRUST	(TRU)...
THE CLARK FAMILY TRUST, DATED	(TRU)...
THOMAS M CLARK	(RES)...
TIMOTHY D CLARK	()...

Currently under review by legal research.

Notice filed.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 04/12/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600173

CASE NAME: MTR OF DULCE MARIA MONTES DE OCA

HEARING:

Accounting Review by ***

COUNSEL:

DULCE J MONTES DE OCA	(CPE)...LAYNE A BARTHOLOMEW
DULCE MARIA MONTES DE OCA	(CEE)...CRAIG M PARKER
DULCE MARIA MONTES DE OCA	(PRO/PER
ELIZABETH SCAFUTO	(CPE)...LAYNE A BARTHOLOMEW
SURETEC INSURANCE COMPANY ()...

Pr.C. § 2628 waiver sent to dept for signature. Clerk's office to set next accounting review for 03/21/19.

(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: 04/12/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600372

CASE NAME: MTR OF JACLYN RAE BONDS

SEE ALSO 14

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of HUGO J SOLTERO

COUNSEL:

HUGO J SOLTERO (CPE)...MEGAN I BRAUN
JACLYN RAE BONDS (CEP)...

GENERAL INFORMATION

Continued from 09/07/17 to file compliance items.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Hugo Soltero, son, appointed conservator of the person and estate on 02/02/17 \$30,000 bond.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed on 03/21/17.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan in accord with Pr.C.§2352.5 filed 03/27/17.
4. Final Inventory & Appraisal filed on 06/30/17.
5. Proof of recordation of letters filed per Pr.C.§2313 on 11/20/17.

RECOMMENDATION

None.

(ww/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/12/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600372

CASE NAME: MTR OF JACLYN RAE BONDS

SEE ALSO 13

HEARING:

Accounting Review by ***

COUNSEL:

HUGO J SOLTERO (CPE)...MEGAN I BRAUN
JACLYN RAE BONDS (CEP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Hugo Soltero, son, appointed conservator of the person and estate on 02/02/17 \$30,000 bond.
2. Final Inventory & Appraisal filed on 06/30/17.
3. **Need** 1st Account.

RECOMMENDATION

Inquire status.

(lc)

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

DATE: 04/12/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700283

CASE NAME: MTR OF ROBERT D KEEGAN III

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of DARLEEN KEEGAN

COUNSEL:

DARLEEN KEEGAN	(CP)...JOSEPH P FOLEY
ROBERT D KEEGAN JR	(CP)...JOSEPH P FOLEY
ROBERT D KEEGAN III	(CTP)...DONNASUE ORTIZ

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Darleen and Robert Keegan, Jr., parents, appointed **limited** conservator of the person only on 09/07/17.
2. Notification of Conservatee's rights filed 09/12/17.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan in accord filed 10/16/17.

RECOMMENDATION

None.

(lc)

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

DATE: 04/12/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800051

CASE NAME: MTR OF ROGER SELLERS

HEARING:

Petition for Appointment of Conservator

COUNSEL:

JANICE ROLLER (CPE)...RICHARD G ANDERSON
ROGER SELLERS (CEP)...

GENERAL INFORMATION

Janice Roller appointed Temporary conservator on 03/08/18, person and estate \$20,000 bond.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Janice Roller, spouse.

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

1. Power of attorney attached to petition. Petitioner is nominated is POA [LFpg17]. Court may wish to revoke at appointment. JTD
2. Petitioner seeks no bond; however, does not state a reason. Personal property amount is unknown at this time. **Need** verified supplement.
3. Petitioner seeks medical powers. Capacity Declaration and attachment filed 02/16/18. However, Capacity Declaration is not dated or initialed at section 7b. **Need** form dated and initialed.
4. **Need** Court Investigator report.
5. Certificate of completion of Conservatorship Training class filed 03/23/18.
6. Citation returned served.
7. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 2-4. If approved, set hearing for Compliance Review for **11/15/18** for the filing of the required documents and hearing re Accounting Review for **06/20/19**. Any 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: STANFORD E. REICHERT

MISC

DATE: 04/12/18 TIME: 1:30 DEPT: S35P

CASE#: SPR SS06802

CASE NAME: EST OF MARY JANE WILSON

SEE ALSO 18

HEARING:

Hearing Re: Court Trial

COUNSEL:

MARY JANE WILSON	(DEC)...
PATRICIA J O'NEIL	(PET)...HARTNELL LAW GROUP
PATRICIA J O'NEIL	(PET)...MARTIN E KELLER
RICHARD DONELLA	(TP)...PRO/PER
WILLIAM F O'NEIL	(PET)...MARTIN E KELLER

Trial – No notes – JTD

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

DATE: 04/12/18 TIME: 1:30 DEPT: S35P

CASE#: SPR SS06802

CASE NAME: EST OF MARY JANE WILSON

SEE ALSO 17

HEARING: Hearing Re: TO DETERMINE TITLE ADN FOR SURCHARGE ETC.

COUNSEL:

MARY JANE WILSON (DEC)...
PATRICIA J O'NEIL (PET)...HARTNELL LAW GROUP
RICHARD DONELLA (TP)...PRO/PER
WILLIAM F O'NEIL (PET)...MARTIN E KELLER

GENERAL INFORMATION

Continued from 02/16/17. Objections to be filed by 03/9/17. Matter is set contested with one week time estimate – 09/28/17. Counsel to exchange exhibits.

Continued from 09/28/17 and 01/25/18. Notice cleared.

THIS CASE SET FOR HEARING ON Petition to Determine Title and for Surcharge by Patricia O'Neil, Successor Administrator CTA.

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

1. Petitioner, Patricia, is acting successor Administrator.
2. Petitioner seeks an order against Martin Keller, former counsel, transferring title and interest to property that reportedly belongs to the estate.
3. Petitioner seeks court recognize that Martin Keller is constructive trustee of the real property sale proceeds and allow petitioner to execute any and all documents necessary for transfer.
4. Petitioner seeks an order for damages finding that Martin Keller has wrongfully taken, concealed or disposed or property that is liable for twice the value of the property taken according to proof Pr.C. § 859. Only partial distribution of the estate funds has been made and records have not been fully forthcoming. The remaining funds have **not** been distributed to petitioner or Hartnell Law Group; \$377,895.36 was initial amount. Petitioner believes that the account is empty and petitioner has contacted the San Bernardino County Police Dept. to file a complaint for embezzlement.
5. ~Proposed Order: 12/05/16.

RECOMMENDATION

Set for evidentiary hearing.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 1 ADD ON

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

DATE: 04/12/18 TIME: 8:29 DEPT: S36P

CASE#: CON PS1500086

CASE NAME: CARLOS ORENDAIN

SEE ALSO 1A, 1B, 1C, 1D

HEARING: Hearing Re: Ptn for Conservatorship of the Person Only

COUNSEL:

ASCENCION ISALDO DIAZ	(TP)...PRO/PER
CARLOS ORENDAIN	(PCE)...MITCHELL I ROTH
CHRISTINA ERICKSON-TAUBE	(CE)...SHERRI L KASTILAHN
KENIA ORENDAYN ISALDO	(PET)...RICHARD M MOSS
MARIA ORENDAIN ISAIDO	(PCR)...PRO/PER
SAMUEL BRAMBILA	(PRO/PER

GENERAL INFORMATION:

Continued from **6/23/15**. Court Investigator notified that there are competing petitions and requests report to address both petitions.

Continued from **8/6/15** at request of counsel. Notice to be given by Krishna Malhotra.

Continued from **9/29/15**.

On 10/2/15 **Christina Taube-Erikson appointed temporary conservator of estate** and successor GAL in Worker's Compensation Appeals Board action.

Continued from **1/25/16** Court notes that there are several competing petitions. All temporary orders to remain in full force and effect.

Continued from **6/7/16** at request of counsel.

Continued from 06/22/16. Court appoints Christina Erickson-Taube as temporary conservator of person; counsel to submit for signature revised/amended order and letters showing temporary conservator of person and estate.

Continued from **10/25/16** pending outcome of motion to be relieved.

Continued from **12/06/16 and 12/12/16**. Matter is continued for Kenia Orendayn Isaldo to file an accounting. Accounting to be filed by 01-27-17. Notice to be given by Attorney Mitchell Roth.

Continued from **02/27/17**. Court orders that Kenia Orendayn Isaldo file her accounting prior to the next hearing. If the accounting has not been filed court will strike her petition and surcharge her for the full amount of the monies received for caregiver services. All temporary orders to remain in full force and effect until 04/24/17.

Continued from **04/24/17**. Court finds: All future payments from medical compensation are to be given to Christina Erickson-Taube. Mitchell Roth prepared order regarding funds. Kenia Orendayn Isaldo and counsel Richard Moss are ordered to appear at the next hearing. Accounting is to be filed no later than 5-19-17. No account filed.

Continued from **06/19/17 and 08/07/17 and 10/23/17** Maria Orendain withdraws per petition as to the estate. Petition for conservatorship by Kenia Orendayn Isaldo is withdrawn per agreement of counsel.

Continued from 12/04/17, 01/29/18 and 03/13/18. Matter set for trial.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship 022717.

- Petition 1 – for Conservatorship, person only, by **Maria Orendain Isaldo** (sister)
- ~~Petition 2 – for Conservatorship, person and estate, by **Kenia Orendain** (sister)-~~
Withdrawn
- Petition 3 – for Conservatorship, person and estate, by **Christina Erickson-Taube** (PPF)

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

Petitioner 1 – Maria Orendain Isaldo, sister

1. Matter transferred from Los Angeles County. Per LA minute order dated 12/04/14, it does not appear temporary or general orders were made.
2. Capacity Declaration filed 10/6/15 supporting request.
3. Certificate of Completion re Conservatorship Class filed 07/08/16.
4. Court Investigator report filed on 7/22/15 as to petitioners Maria and Kenia.
5. **Objections filed by former competing petitioner Kenia on 06/19/15.**
6. **Petition filed by Kenia Orendayn Isaldo on 06/16/16; however, withdrawn per agreement of counsel on 10/23/17.**
7. Supplemental Report by Counsel, Mitchell Roth, filed 05/09/17 and **03/08/18.**

Petitioner 3 – Christina Erickson-Taube, PPF/ temporary conservator of the person

8. Petitioner requests bond, but does not state an amount. Current bond of \$100,000 posted as to the Temporary Conservatorship. Estimated estate value is \$38,222. Based on estate value and cost of recover, Court may wish to require bond of \$43,000.
9. Medical powers sought. Capacity Declaration filed 10/6/15. Updated Capacity Declaration filed 09/29/16 and filed 11/14/16.
10. **Need** return of Citation for this petitioner.
11. CI report as to petitioner Christina Erickson-Taube filed 07/28/16.
12. Consents to act filed 10/23/14 by mother, Ascencion Isaldo Diaz, and brother-in-law, Samuel Brambila.
13. Report of Los Angeles Counsel filed 12/04/14. Report by Attorney Roth filed 8/6/15, 9/24/15, 1/12/16 and supplemental Report filed 08/03/16.
14. **Objections filed by Kenia Orendayn Isaldo on 06/16/16**

RECOMMENDATION:

Matter is contested. Need to clear note 10. If approved, set hearing for Compliance Review for **11/15/18** for the filing of the required documents and hearing re Accounting Review for **06/20/19**. Any accounting to be filed 30 days in advance.

(vet/lc/vet/abs/ds/nb/sa/nb/ww/nb)

Future Hearing:

04/23/18 Hearing re: Petition for conservatorship of the person only

04/23/18 Hearing re: Petition for conservatorship of the person and estate

04/23/18 Hearing re: Kenia Orendayn's account and report

04/23/18 Hearing re: Trial setting conference

04/23/18 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 1A ADD ON

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

DATE: 04/12/18 TIME: 8:29 DEPT: S36P

CASE#: CON PS1500086

CASE NAME: CARLOS ORENDAIN

SEE ALSO 1, 1B, 1C, 1D

HEARING:

Hearing Re: PTN FOR CONSERVATORSHIP OF THE PERSON AND ESTATE

COUNSEL:

ASCENCION ISALDO DIAZ	(TP)...PRO/PER
CARLOS ORENDAIN	(PCE)...MITCHELL I ROTH
CHRISTINA ERICKSON-TAUBE	(CE)...SHERRI L KASTILAHN
KENIA ORENDAYN ISALDO	(PET)...RICHARD M MOSS
MARIA ORENDAIN ISAIDO	(PCR)...PRO/PER
SAMUEL BRAMBILA	(PRO/PER

See notes on matter 1.

(lc)

Future Hearing:

04/23/18 Hearing re: Petition for conservatorship of the person only
04/23/18 Hearing re: Petition for conservatorship of the person and estate
04/23/18 Hearing re: Kenia Orendayn's account and report
04/23/18 Hearing re: Trial setting conference
04/23/18 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 1B ADD ON

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

DATE: 04/12/18 TIME: 8:29 DEPT: S36P

CASE#: CON PS1500086

CASE NAME: CARLOS ORENDAIN

SEE ALSO 1, 1A, 1C, 1D

HEARING: Hearing Re: Kenia Orendayn's Account and Report/Petition

COUNSEL:

KENIA ORENDAYN ISALDO (PET)...RICHARD M MOSS
MARIA ORENDAIN ISAIDO (PCR)...PRO/PER
SAMUEL BRAMBILA (PRO/PER)

GENERAL INFORMATION:

Continued from **08/07/17**. Court orders proper accounting to be filed.

Continued from 10/23/17, 12/04/17, 01/29/18 and 03/13/18. Matter set for trial.

THIS CASE IS SET FOR HEARING ON Accounting and Report of Proposed Conservator, Kenia Orendain, sister.

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

1. No inventory and appraisal. However, order or letters have not issued as to this petitioner.
2. Accounting period 12/28/12 to 12/24/15 (3 years).
3. Assets on Hand \$0.00.
4. No request for compensation or fees.
5. Petitioner requests reimbursement of costs advanced of \$43,508. **Need** itemization.
6. Summary of Account [LF, pg. 6] – Total Charges and Total Credits do not match. **Need** amended summary and affected schedules.
7. Attachment A – Receipts [LF, p19-20] reflects temporary and permanent disability payments. However, a total is not given.
8. Schedule C – Disbursements [LF, p18] does not include dates or check no's.
9. **Need** Notice of Hearing and proof of service.
10. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

This accounting does not appear to be a true and complete accounting and should be deemed in the nature of a status report. There is insufficient information and known defects that should preclude the Court from approving this accounting period.

(nb/ww/nb)

Future Hearing:

04/23/18 Hearing re: Petition for conservatorship of the person only

04/23/18 Hearing re: Petition for conservatorship of the person and estate

04/23/18 Hearing re: Kenia Orendayn's account and report

04/23/18 Hearing re: Trial setting conference

04/23/18 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 1C ADD ON

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

DATE: 04/12/18 TIME: 8:29 DEPT: S36P

CASE#: CON PS1500086

CASE NAME: CARLOS ORENDAIN

SEE ALSO 1, 1A, 1B, 1D

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE ON SURCHARGE

COUNSEL:

ASCENCION ISALDO DIAZ	(TP)...PRO/PER
CARLOS ORENDAIN	(PCE)...MITCHELL I ROTH
CHRISTINA ERICKSON-TAUBE	(CE)...SHERRI L KASTILAHN
KENIA ORENDAYN ISALDO	(PET)...RICHARD M MOSS
MARIA ORENDAIN ISAIDO	(PCR)...PRO/PER
SAMUEL BRAMBILA	(PRO/PER

T.S.C. – No notes – JTD

(lc)

Future Hearing:

04/23/18 Hearing re: Petition for conservatorship of the person only
04/23/18 Hearing re: Petition for conservatorship of the person and estate
04/23/18 Hearing re: Kenia Orendayn's account and report
04/23/18 Hearing re: Trial setting conference
04/23/18 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 1D ADD ON

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 04/12/18 TIME: 8:29 DEPT: S36P

CASE#: CON PS1500086

CASE NAME: CARLOS ORENDAIN

SEE ALSO 1, 1A, 1B, 1C

HEARING:

Readiness Calendar

COUNSEL:

ASCENCION ISALDO DIAZ	(TP)...PRO/PER
CARLOS ORENDAIN	(PCE)...MITCHELL I ROTH
CHRISTINA ERICKSON-TAUBE	(CE)...SHERRI L KASTILAHN
KENIA ORENDAYN ISALDO	(PET)...RICHARD M MOSS
MARIA ORENDAIN ISAIDO	(PCR)...PRO/PER
SAMUEL BRAMBILA	(PRO/PER

Readiness – No notes – JTD

(lc)

Future Hearing:

04/23/18 Hearing re: Petition for conservatorship of the person only

04/23/18 Hearing re: Petition for conservatorship of the person and estate

04/23/18 Hearing re: Kenia Orendayn's account and report

04/23/18 Hearing re: Trial setting conference

04/23/18 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 1E

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 04/12/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700905

CASE NAME: MTR OF ETHEL RYAN

HEARING:

Petition to determine succession to Real Property

COUNSEL:

ETHEL RYAN

(DEC)...

ROBERT RYAN

(PET)...GAUDY LAW, INC

GENERAL INFORMATION

Continued from 12/07/17. Parties Audrey Herren, Deborah Philips and Kathy Ryan object to will.

Continued from 01/18/18 and 03/01/18 for objections to be filed.

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Robert Ryan, son.

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

1. Petitioner seeks 100% interest in decedent's interest in real property per terms of the will.
2. No written objections filed at time of review.
3. ~Proposed Form Order: 11/28/17.

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: 04/12/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701216

CASE NAME: THE RAUL RICK CORTEZ 2005 TRUST

HEARING:

Petition for Determine the Existence of a Trust and for
Instructions

COUNSEL:

JEANNIE CORTEZ (PET)...ANDERSON & LEBLANC,
THE RAUL RICK CORTEZ 2005 TRUS (TRU)...

Currently under review by legal research.

Notice filed 12/20/17.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 04/12/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800104

Vacated

CASE NAME: MTR OF SANDRA JEAN ARHART

HEARING:

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

COUNSEL:

RODNEY LEYVA CRUTCHLEY (PET)...PRO/PER
SANDRA JEAN ARHART (DEC)...

(lc)

Future hearing dates: 05/21/18 Status of Filing of Inventory and Appraisal
05/21/18 Petition for Letters of Administration

Superior Court of Calif, County of San Bernardino

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

DATE: 04/12/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800194

CASE NAME: MTR OF RICHARD N HAUBERT

HEARING:

Petition for Probate of Will and for Letters Testamentary w/
Full Auth to Administer under IAEA

COUNSEL:

JUDY K MCCAUGHAN (PET)...ELISABETH KEMPE-OLINGER
RICHARD N HAUBERT (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Judy McCaughan, friend/beneficiary.

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

1. Will waives bond. Net estate value is \$356,300 of which \$26,300 is personal property.
2. ~Proposed Form Order: 03/01/18.

RECOMMENDATION

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

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/12/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800196

CASE NAME: MTR OF RACHAEL KAY BLACK

HEARING:

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

COUNSEL:

RACHAEL KAY BLACK (DEC)...
TALITHA COX (PET)...JENNIFER L FIELD

XREF: PROPS1800197 (Vernon William Black, spouse)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with ***limited*** authority under IAEA by Talitha Cox, child.

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

1. All heirs waive bond. Net estate value is \$225,000 of which \$25,000 is personal property.
2. ~Proposed Form Order:03/01/18.

RECOMMENDATION

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

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/12/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800197

CASE NAME: MTR OF VERNON WILLIAM BLACK

HEARING:

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

COUNSEL:

TALITHA COX (PET)...JENNIFER L FIELD
VERNON WILLIAM BLACK (DEC)...

XREF: PROPS1800196 (Rachael Kay Black, spouse)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with ***limited*** authority under IAEA by Talitha Cox, child.

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

1. All heirs waive bond. Net estate value is \$225,000 of which \$25,000 is personal property.
2. ~Proposed Form Order: 03/01/18.

RECOMMENDATION

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

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/12/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800205

CASE NAME: ALTON WOOTEN

HEARING:

Petition for LETTERS OF ADMINISTRATION W/ FULL IAEA

COUNSEL:

ALTON WOOTEN (DEC)...
QUEEN WOOTEN (PET)...PRO/PER

GENERAL INFORMATION

Letters of special administration issued 03/06/18.

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

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

1. All heirs waive bond. Net estate value is negative equity of -\$101,951. **Need** bond waivers by children Barbara, Arthur and Marcus.
2. **Need** Proof of publication; filed on **03/16/18**; however, image not available in Laserfiche at time of review on 04/09/18.
3. ~Proposed Form Order: 03/02/18.

RECOMMENDATION

Need to clear notes 1-2. If approved, set Accounting/Status Review for **06/20/19**. 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
Page: 7A Add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 04/12/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700395

CASE NAME: MARSHA K GARCIA
HEARING: WAIVER Account and Report of NICHOLE M GARCIA, SYNTHIA K GARCIA and Petition for allowance of fees filed.

COUNSEL:
MARSHA K GARCIA (DEC)...
NICHOLE M GARCIA (PET)...ELISABETH KEMPE-OLINGER
SYNTHIA K GARCIA (PET)...ELISABETH KEMPE-OLINGER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Nichole and Synthia Garcia, daughters.

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

1. Assets on hand \$341,084.63; real property and \$31,084.63 in attorney trust account.
2. All heirs waive accounting.
3. Administrators waive statutory compensation.
4. Counsel seeks statutory fees of \$10,006.88. Ok.
5. Administrators seek reimbursement of costs totaling \$2,000; \$1,000 each or retainer costs.
6. Administrators seek a reserve of \$2,000.
7. Notice of proposed action for preliminary distribution of personal property required per Pr.C. §§ 10520, 10581; however, petitioner believes it was not necessary due to agreement.
8. ~Proposed Order: 03/01/18.

RECOMMENDATION

RFA subject to note 7. If approved, set hearing on the filing of receipts and final discharge for **04/19/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 04/12/18 TIME: 8:30 DEPT: S36P

CASE#: TRU PS1800005

CASE NAME: MTR OF JAMES L & LOUISE R GORIN TRUST

HEARING:

Petition for VERIFIED PETITION FOR INSTRUCTIONS OF THE COURT AS
TO ETC

COUNSEL:

JAMES L & LOUISE R GORIN TRUST

(TRU)...

PENELOPE GUTTMAN

(PET)...PRICE LAW FIRM, APC

Currently under review by legal research.

(LR)

Notice filed 03/02/18.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 04/12/18 TIME: 9:30 DEPT: S36P

CASE#: CON DS1000134

CASE NAME: MTR OF JONATHAN HARDT

HEARING:

Hearing re Final Discharge

COUNSEL:

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

JONATHAN HARDT (CEP)...

LENORE ROTH (CE)...E JOAN NELMS

LENORE ROTH (CE)...JACK B OSBORN

LENORE ROTH (CPE)...JACK B. OSBORN

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 Lenore Roth, sister, approved on 04/04/17. **Need** order.
2. **Need** receipt for Florence Robb and/or her power of attorney Janet McMillan.
3. **Need** Ex Parte Petition for Final Discharge and Order once note 1 is cured.

RECOMMENDATION

Need to clear notes 1-3.

(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: 04/12/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1100219

CASE NAME: IN MATTER RE ADELLIA FAUSTORILLA

HEARING:

Hearing Re: CONCERNS RE CI REPORT

COUNSEL:

ADELLIA FAUSTORILLA (CPE)...DUANE P BOOTH
IVY FAUSTORILLA (CP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Concerns re Court Investigator Report.

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

1. Matter set after review of Court Investigator memo/reports filed 02/23/18.

RECOMMENDATION

Court's discretion.

(lc)

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

DATE: 04/12/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300175

CASE NAME: Margaret Mary Dyer

SEE ALSO 12, 13

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

DIANE HUSSEY	(PRO/PER
KARL F SCHMIDT	(CPE)...PRO/PER
MARGARET MARY DYER	(CEP)...
MICHAEL A DYER	(CPE)...PRO/PER
SHIRLEY R EARL	(PET)...FULLERTON LEMANN SCHAEFER
SHIRLEY R. EARL	(OBJ)...FULLERTON LEMANN SCHAEFER

GENERAL INFORMATION:

Continued from 12/05/17 and 01/30/18. Trial requested.

THIS CASE IS SET FOR HEARING ON Inventory and Appraisal

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

1. Matter set at 10/24/17, wherein, an Inventory and Appraisal was to be filed. **Need same.**
2. **Objections to Inventory and Appraisal of Conservator filed by Karl F. Schmidt and Diane Hussey. Supplemental Objections to Inventory and Appraisal filed 12/05/17.**
3. **Response to Objections by Temporary Conservator, Shirley R. Earl, on 01/22/18.**

RECOMMENDATION:

Court's discretion.

(nb)

Future Hearing:

04/25/18 Hearing re: Inventory and appraisal

04/25/18 *Court Trial*

04/25/18 *Second and final 8account*

Superior Court of Calif, County of San Bernardino

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

DATE: 04/12/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300175

CASE NAME: Margaret Mary Dyer

SEE ALSO 11, 13

HEARING:

SECOND AND FINAL Account and Report of SHIRLEY R. EARL and
Petition for allowance of fees filed.

COUNSEL:

DIANE HUSSEY	(PRO/PER
KARL F SCHMIDT	(CPE)...PRO/PER
MARGARET MARY DYER	(CEP)...
MICHAEL A DYER	(CPE)...PRO/PER
SHIRLEY R EARL	(PET)...FULLERTON LEMANN SCHAEFER
SHIRLEY R. EARL	(OBJ)...FULLERTON LEMANN SCHAEFER

GENERAL INFORMATION:

Conservatee passed away on 11/10/16.

Continued from **09/12/17 and 10/24/17**. Matter is contested/I & A to be filed. Objections to be filed by 11/14/17. Notice given by Attorney David Colella.

Continued from 12/28/17. Court orders objections to the accounting be filed forthwith.

Continued from 01/30/18. Trial requested.

THIS CASE IS SET FOR HEARING ON Second and Final Account and Petition for Fees by Temporary Conservator, Shirley R. Earl ["Petitioner"].

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

1. Accounting period 11/01/14 to 12/31/16.
2. Assets on Hand \$275,409.58 consisting of \$271,409.58 in cash and \$4,000 in personal property.
3. Conservator seeks compensation of \$27,615.00 for the period 05/17/13 to 12/26/16. Billed at \$35/hour for 789 hours. Itemized [LF, pgs. 27- 33 & **supp. filed 10/03/17**]. JTD.
4. Attorney requests fees and costs of \$85,778.51 for period 10/02/13 to 07/26/17. Billed at \$200-\$350/hour for 330.55 hours' attorney time and \$95-\$110/hour for

171.65 hours' paralegal time. Itemized [LF, pgs. 34- 79 & **supp. filed 10/03/17**]. JTD.

5. Disbursements – Schedule C [LF, p. 25] includes miscellaneous expense reimbursement to Petitioner in the amount of \$2,300. **Supp. (10/03/17) indicates expense was for extraordinary travel expenses from Iowa to California for purposes of overseeing and managing the sale of Conservatee's residence in Highland, CA. Itemized [see supp. filed 10/03/17, LF, p. 20 & 22]. JTD.**
6. Disbursements – Schedule C [LF, p. 25] includes reimbursement to Petitioner for travel expenses that are not itemized, in the amount of \$276.80, that are normally not allowed when fees are being requested. **Supp. (10/03/17) indicates expense was for extraordinary travel expenses from Iowa to California for purposes of overseeing and managing the sale of Conservatee's residence in Highland, CA. Itemized [see supp. filed 10/03/17, LF, p. 20 & 22]. JTD.**
7. Petitioner requests exoneration of bond and discharge upon filing of receipts. However, bond will not be exonerated until entry of final discharge order.
8. Petitioner seeks to distribute assets to Trustee of Trust; however, question under what authority, as there does not appear to be a substituted judgment and the assets exceed \$150,000; therefore, cannot distribute per Pr.C. § 13100? **Need verified supplement with corrected distribution and/or points and authorities.**
9. **Objections by Karl F. Schmidt and Diane Hussey affixed to Supplemental Objections to Inventory and Appraisal filed 12/05/17 [LF, pgs. 12-25]. Suggest Court require the separate filing of same.**
10. **Response to Objections by Temporary Conservator, Shirley R. Earl, on 01/22/18.**
11. Proposed Order: 01/22/18; however, not reviewed.

RECOMMENDATION:

Need to clear note 8 then set for contested hearing. If approved, set next hearing for receipts and final discharge for **04/17/19**.

(nb/lc/nb)

Future Hearing:

04/25/18 Hearing re: Inventory and appraisal

04/25/18 *Court Trial*

04/25/18 *Second and final 8account*

Superior Court of Calif, County of San Bernardino

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

DATE: 04/12/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300175

CASE NAME: Margaret Mary Dyer

SEE ALSO 11, 12

HEARING:
Readiness Calendar

COUNSEL:

DIANE HUSSEY	(PRO/PER
KARL F SCHMIDT	(CPE)...PRO/PER
MARGARET MARY DYER	(CEP)...
MICHAEL A DYER	(CPE)...PRO/PER
SHIRLEY R EARL	(PET)...FULLERTON LEMANN SCHAEFER
SHIRLEY R. EARL	(OBJ)...FULLERTON LEMANN SCHAEFER

Readiness – No notes – JTD

(lc)

Future Hearing:
04/25/18 Hearing re: Inventory and appraisal
04/25/18 *Court Trial*
04/25/18 *Second and final 8account*

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

DATE: 04/12/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700014

CASE NAME: TRINITY PRYOR

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of AMANDA PRYOR

COUNSEL:

AMANDA PRYOR (PET)...PRO/PER
TRINITY PRYOR (CEE)...WALTER T. MOORE

GENERAL INFORMATION

Continued from 03/08/18. Petitioner unable to attend.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Amanda Pryor, mother, appointed conservator of the person only on 10/05/17.
Need letters.
2. **Need** proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights per Pr.C.§1830(c).
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5, local rule 20-1403.

RECOMMENDATION

Need to clear notes 1-4.

(lc)

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

DATE: 04/12/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700124

CASE NAME: MTR OF CHARLES RAYMOND SMITH

HEARING: Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of TIFFANY ANN SMITH

COUNSEL:

CHARLES RAYMOND SMITH (CEP)...WALTER T. MOORE
TIFFANY ANN SMITH (CPE)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Tiffany Smith, grandson's spouse, appointed conservator of the person and estate on 09/12/17, no bond. It does not appear that there was proper notice given at initial appointment. **Need** proof notice was ordinally filed. Alternatively, court may wish to vacate order/letters.
2. **Need** proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights per Pr.C.§1830(c).
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5, local rule 20-1403.
5. **Need** final Inventory & Appraisal per Pr.C.§2610.
6. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
7. **If** the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION

Need to clear notes 1-7.
(lc)

Future Hearing: 11/15/18 *Accounting Review*.

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

DATE: 04/12/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700184

CASE NAME: KEVIN MAJID LOPEZ

HEARING: Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ANA B RODRIGUEZ

COUNSEL:

ANA B RODRIGUEZ (PET)...PRO/PER
KEVIN MAJID LOPEZ (CTP)...MITCHELL I ROTH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Ana Rodriguez, mother appointed **limited** conservator of the person only on 09/07/17.
2. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan filed 10/24/17.
3. **Need** proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights per Pr.C.§1830(c) for
 - a. Maternal grandparents Antonio Rodriguez and Maria Ortiz.
 - b. Paternal grandmother Maria Ramos.
4. **Need** final Inventory & Appraisal per Pr.C.§2610.
5. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
6. **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 notes 3-6.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

Readiness Calendar

DATE: 04/12/18 TIME: 8:29 DEPT: S37P

CASE#: CON PS1700189

CASE NAME: VIRGINIA QUEVEDO

SEE ALSO 2, 3

HEARING: Petition for APPOINTMENT OF CONSERVATOR OF THE PERSON
AND ESTATE

COUNSEL:

AMAY GUILLEN

(CPE)...LENITA A SKORETZ

FRANK GUILLEN

(CPE)...LENITA A SKORETZ

MICHELLE T MAYFIELD

(PET)...CHRISTIAN U ANYIAM

VIRGINIA QUEVEDO

(CEE)...J. DAVID HORSPOOL

GENERAL INFORMATION

Temporary orders denied 05/30/17. Court makes interim orders that no one is to discuss facts in this case nor give documents to Virginia Quevedo. No visitation ordered until further notice. Attorney David Horspool appointed counsel.

Continued from 07/11/17. Counsel's report filed in Courtroom. Michelle Mayfield appointed temporary conservator of the person and estate; \$347,000 bond. Powers of attorney to make healthcare decisions and of the estate are suspended pending further order. Objections and competing petition will be filed by Amay Guillen. Court has no objection to conservatee being in a non-secured facility but orders that conservatee remain in her current placement pending further order of the Court. Court makes visitation orders. Court appointed E Joan Nelms as Guardian Ad Litem for Virginia Quevedo.

Continued from 08/29/17. Per request of Counsel, hearing on 09/5/17 advanced and continued to 10/04/17.

Continued from 10/04/17. Dr. Sawicky's report filed in Courtroom. Court orders Michelle Mayfield to arrange an evaluation of Virginia Quevedo by a geriatric psychiatrist as soon as possible. She is to notify Amay and Frank Guillen who will be making evaluation. Psychiatrist and counsel to be given a copy of Dr. Sawicky's report. Parties may review report in Counsel's office but may not release any information provided in report. Matter continued for Counsel to review Dr. Sawicky's report. No one is to discuss issues in this case with Virginia Quevedo, or else it may negatively impact their positions in this matter. Court makes visitation orders.

Continued from 12/06/17. Court denied Dee Konczal's request to take Virginia Quevedo to lunch. Counsel represent the appointing with geriatric psychiatrist is scheduled for 12/12/17 in San Bernardino with Dr. Kikani. As to *petition 1 – required bond \$382,000*. As to *petition 2 – required bond \$550,000*. Court admonishes all parties that Virginia Quevedo is not to leave the facility in company of petitioners. Conservatee's friends may take her

out of the facility as long as they are not joined by petitioners, or a petitioner from each side must attend as well. Conservatee's friends are not to discuss any litigation matters. Referred to Court Investigator for investigation and report. *Court orders a CI report regarding petition 2.*

Continued from 02/28/18. Conservatee appeared. Citations waived. No parties to have visitation without a party on competing petition present. Conservatee not to be removed from residence wither competing party present. If medical emergency, temporary Conservator may be with conservatee without competing party, but at end of emergency she is not to visit without competing party present. A party may be present at conservatee's 92nd birthday party without a competing party as long as a representative from GAL's office is present. GAL requests party be at residence of conservatee. Parties may Skype/Facetime with conservatee. Conservatee objects to visitation orders as structured. GAL to facilitate the parties receiving a copy of psychiatrist's report subject to Counsel to be provided with a copy of the psychiatrist's report. The parties may review the report in Counsel's office. They may not have a copy of the report outside of Counsel's office and they may not speak with anyone outside Counsel's office about the report. Trial requested. Parties urged to meet and confer re settlement.

THIS CASE SET FOR HEARING ON

- **Amended** Petition - 1 for Appointment of Conservator person and estate by **Michelle Mayfield**, friend/caregiver.
- Petition - 2 for Appointment of Conservator of person and estate by **Amay and Frank Guillen**, granddaughter and son.

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

Petitioner 1 - Michelle Mayfield, friend/caregiver.

1. Court will require bond of \$382,000.
2. It appears petitioner now seeks appointment as conservator of the **person only.** **Need Notice to reflect amended petition to all relatives within the 2nd degree.**
3. Petitioner seeks medical powers. Capacity Declaration filed 07/14/17 is not dated at signature. **Need** dated Capacity Declaration.
4. Petition is incomplete at item 9b and 9d re medical treatment. **Need** verified supplement. Alternatively, court to clarify on record.
5. **Need** report of E. Joan Nelms, GAL.
6. Report of Counsel Horspool filed 07/11/17.
7. CI Report filed 07/07/17. Supplemental CI report filed 09/19/17.
8. Proof of Completion of Conservatorship Training Class filed 07/17/17.
9. Court suspended Power of Attorney and Healthcare Directive as to agent Amay Guillen.
10. ~Proposed Form Order: 05/19/17

Petitioners 2 - Amay and Frank Guillen, granddaughter and son.

11. Court will require bond of \$550,000.

12. Petitioners seek orders re powers under Pr. C. §2590 to: alter, improve, replace and rebuild property of the estate; requests court approval to clear, repair, and replace items in conservatee's home to preserve character and livability. JTD
13. Petitioners seek medical powers. Capacity Declaration filed 09/15/17.
14. Petitioners seek dementia powers. JTD
15. Supplemental Information filed 10/03/17.
16. Proof of Completion of Conservatorship Training Class filed.
17. CI Report filed 02/21/18.
18. ~Proposed Form Order: 08/29/17

RECOMMENDATION

Need to clear notes 2-5. If approved, set hearing for Compliance Review for **11/15/18** for the filing of the required documents and hearing re Accounting Review for **06/20/19**. Any account 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: TARA REILLY

DATE: 04/12/18 TIME: 8:29 DEPT: S37P

CASE#: CON PS1700189

CASE NAME: VIRGINIA QUEVEDO

SEE ALSO 1, 3

HEARING:

Petition for Appointment of Conservator

COUNSEL:

AMAY GUILLEN	(CPE)...LENITA A SKORETZ
FRANK GUILLEN	(CPE)...LENITA A SKORETZ
MICHELLE T MAYFIELD	(PET)...CHRISTIAN U ANYIAM
VIRGINIA QUEVEDO	(CEE)...J. DAVID HORSPOOL

See notes on matter 1.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/12/18 TIME: 8:29 DEPT: S37P

CASE#: CON PS1700189

CASE NAME: VIRGINIA QUEVEDO

SEE ALSO 1, 2

HEARING:
Readiness Calendar

COUNSEL:

AMAY GUILLEN	(CPE)...LENITA A SKORETZ
FRANK GUILLEN	(CPE)...LENITA A SKORETZ
MICHELLE T MAYFIELD	(PET)...CHRISTIAN U ANYIAM
VIRGINIA QUEVEDO	(CEE)...J. DAVID HORSPOOL

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: 04/12/18 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1400470

CASE NAME: Forrest E Spitler, Jr Living Trust

HEARING:
Readiness Calendar

COUNSEL:	
FORREST E SPITLER, JR LIVING T	(TRU)...
KATHERINE WALDRON	(PET)...PRO/PER
MARK ST JOHN	(PET)...GEORGE S THEIOS
MARK ST. JOHN	(OBJ)...GEORGE S THEIOS

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: 04/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0900337

CASE NAME: ISAAC PRUDHOLME S.N. TRUST

SEE ALSO 6, 7

HEARING: Hearing Re: PAYMENT OF BURIAL PLOT

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV ()...
ISSAC PRUDHOLME SPECIAL NEEDS (TRU)...
KATIE HERNANDEZ (PET)...HARTNELL LAW GROUP
LOS ANGELES COUNTY PUBLIC GUAR ()...
MELODIE SCOTT (TEE)...SHERRI L KASTILAHN
RICKY PRUDHOLME (PET)...PRO/PER

XREF: SCVSS19171 (*Bennett, et al-v-Holliday*)

GENERAL INFORMATION:

Continued from **09/12/17** on court's motion for proof of payment.

Continued **from 10/31/17**. The Court notes that section 4.8 of the trust puts the estate in the 1st and 2nd place for distribution. Ricky Prudholme has still been unable to get proof of payment for burial plot/expenses. Matter continued once again for proof of payment to be submitted to the Court. Once proof of payment has been submitted, the Court intends to grant this request

Continued from 11/28/17 at request of counsel for Ricky Prudholme to be present.

Notice to be given by Mr. Hartnell.

Continued from 01/09/18. Mr. Prudholme to file receipts and proof of payment.

THIS CASE IS SET FOR HEARING ON Payment of Burial Plot.

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

1. Matter set at 07/03/17 hearing, wherein, Tamsen Bennett was ordered to provide the Trust with proof of payment made for the burial plot of Issac Prudholme. Once proof of payment is provided, the Trust will reimburse Ms. Bennett her 1/2 of the costs related to the plot or her 1/2 of the costs related to the plot or portion of the plot for Issac Prudholme. **Need** same.

RECOMMENDATION:

Beed receipt/proof of payment.

(nb)

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

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

DATE: 04/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0900337

CASE NAME: ISAAC PRUDHOLME S.N. TRUST

SEE ALSO 5, 7

HEARING:

Petition for MOTIONS TO COURT

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV ()...
ISSAC PRUDHOLME SPECIAL NEEDS (TRU)...
KATIE HERNANDEZ (PET)...HARTNELL LAW GROUP
LOS ANGELES COUNTY PUBLIC GUAR ()...
MELODIE SCOTT (TEE)...SHERRI L KASTILAHN
RICKY PRUDHOLME (PET)...PRO/PER

XREF: SCVSS19171 (*Bennett, et al-v-Holliday*)

GENERAL INFORMATION:

Continued from 09/12/17 at request of Ricky Prudholme, for private audit of 5th accounting. Audit documents to be provided by 01/09/18. Ms. Bennett and Mr. Prudholme are to contact Montecito and give their consent for Mr. Hartnell to speak with them regarding the funeral expenses.

Continued from 01/09/18.

THIS CASE IS SET FOR HEARING ON Petitions to Court by decedent's father, Ricky Prudholme ["Petitioner"].

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

1. Petition appears to be Objections to requests past, present and future fees and alleges fraud, embezzlement and money laundering by Katie Hernandez as payment to the mortuary.
2. **Need** proof of service.

RECOMMENDATION:

Set for contested hearing.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0900337

CASE NAME: ISAAC PRUDHOLME S.N. TRUST

SEE ALSO 5, 6

HEARING:

Petition for TRANSFER OF DECEASED SNT FUND OF \$150,000.00

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV ()...
ISSAC PRUDHOLME SPECIAL NEEDS (TRU)...
KATIE HERNANDEZ (PET)...HARTNELL LAW GROUP
LOS ANGELES COUNTY PUBLIC GUAR ()...
MELODIE SCOTT (TEE)...SHERRI L KASTILAHN
RICKY PRUDHOLME (PET)...PRO/PER

XREF: SCVSS19171 (*Bennett, et al-v-Holliday*)

Currently under review by Legal Research.
(LR)

Notice:

Need Notice of Hearing with proof of service to Tamsen Bennet; Melodie Z. Scott; Sherri L. Kastilahn; Katie Hernandez; Hartnell Law Group; North Los Angeles County Inland Regional Center; Dept, of Health Services for Special Needs Trusts.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1100589

CASE NAME: ESTATE OF FRANCES ABAHAZI

HEARING:

Hearing re Final Discharge

COUNSEL:

BRYAN C HARTNELL ESQ (TP)...HARTNELL LAW GROUP
FRANCES ABAHAZI (DEC)...
GLENN BAUER (PET)...JACK B. OSBORN

GENERAL INFORMATION

Continued from 05/19/16, 07/14/16, 01/05/17, 03/23/17, 07/20/17 and 11/16/17.

Counsel recently located his client and discovered there is an error in that monies should be in hand are missing. Counsel attempting to track down error. Glenn Bauer to be present at next hearing is all funds are not found, accounted for and/or in hand to pay claim and Children's Village.

Continued from 01/25/18. Glen Bauer is ill and out of state. Final distribution order vacated. Personal representative was given incorrect information re unclaimed funds. Need status report.

THIS CASE SET FOR HEARING ON Final Discharge

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

1. Final distribution for Glen Bauer approved on 08/18/15. **Vacated on 01/25/18.**
2. ~~Need receipts from Children's Village and Bryan Hartnell.~~
3. ~~Amended creditor's claim filed on 04/18/17 by Bryan Hartnell. The claim has not been paid as ordered in the 08/18/15 Order re First and Final Accounting.~~
4. ~~Need Ex Parte Petition for Final Discharge and Order.~~
5. **Need** status report.

RECOMMENDATION

Need status report.

(lc/ww/lc)

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

DATE: 04/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1100838

CASE NAME: AIDAN JAMES BURCHIT SPECIAL NEEDS TRUST

HEARING:

Accounting Review by ***

COUNSEL:

AIDAN JAMES BURCHIT	(MIN)...DONNASUE ORTIZ
AIDAN JAMES BURCHIT SPECIAL NE	(TRU)...
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
MIDLAND STATES BANK	(PET)...MELINDA S BELL
MIDLAND STATES BANK	(STE)...MELINDA S BELL
SECURANT BANK & TRUST	(PET)...SUSAN A KATZEN
THE AIDAN JAMES BURCHIT SPECIA	(TRU)...

GENERAL INFORMATION

Continued from 01/11/18 to file accounting.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 3rd SNT Account for Midland States Bank, approved on 06/01/17.
2. **Need** 4th Account beginning with 11/01/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 04/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500999

CASE NAME: ARMANDO YBARRA CARDOZA

HEARING:

Accounting Review by ***

COUNSEL:

ADRIAN GARCIA CORDOZA	(OBJ)...PRO/PER
ANGELA POSADAS	(PET)...
ARMANDO YBARRA CARDOZA	(DEC)...
CECELIA MACIAS	(PET)...PRO/PER
MATTHEW ALDEN	(PET)...
PATRICIA ROQUE	(PET)...LENITA A SKORETZ

GENERAL INFORMATION

Continued from 07/20/17, 11/16/17 and 01/25/18. Sole heir is disabled and conservatorship of estate will be filed. Mark Flory appointed GAL for Angela Posadas. Counsel Skoretz will file a petition for conservatorship with notice of related case and declaration that court wants Mark Flory appointed GAL in conservatorship.

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 Patricia Roque, mother of sole heir Angela Posadas, on 05/18/16; full authority, no bond.
2. Partial Inventory and Appraisal filed on 08/10/16. Final Inventory and Appraisal filed 01/24/18.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(ww/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501189

CASE NAME: INGEBURG ELISABETH GOETZ

HEARING:

Accounting Review by ***

COUNSEL:

FRIEDJOF SCHWARZ	(OBJ)...HOLGER SIEGWART
HOLGER SIEGWART	(PET)...SIEGWART GERMAN AMERICAN
INGEBURG ELISABETH GOETZ	(DEC)...
MELODIE Z SCOTT	(HARTNELL LAW GROUP
MELODIE Z SCOTT	(PET)...RYAN J GALLANT

XREF: PROPS1300322 (*Ingeburg Goetz*) **CONPS1400211** (*Ingeburg Elisabeth Goetz*)

GENERAL INFORMATION:

Continued from 01/25/18. Melodie Scott to turn over balance of monies.

THIS CASE IS SET FOR HEARING ON Accounting Review/Status.

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

1. Letters of general administration issued to **Holder Siegwart**, nominee, on 07/27/16; full authority, \$601,500 bond.
2. **Need** accounting or status report.

RECOMMENDATION:

Inquire status of accounting.
(lc)

Future hearing dates: 12/06/18 Final Discharge re **Melodie Scott**

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

DATE: 04/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600900

CASE NAME: PALMIRA N PASCUA

HEARING: Accounting Review by ***

COUNSEL:

NANCY A LOPEZ (PET)...PRO/PER
PALMIRA N PASCUA (DEC)...

GENERAL INFORMATION

Continued from 01/25/18. There has been another death in the family/to list property. \$27,000 in cash to be placed in a blocked account prior to 04/12/18 hearing or court will consider removal and appointing Public Administrator.

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 Nancy Lopez, daughter, on 11/17/16; full authority; any sale proceeds to be placed into blocked account.
2. Final Inventory and Appraisal filed.
 - a. **Need** copy of Wells Fargo statement per local rule 20-908.
 - b. Section 5 is incomplete as to property tax certificate. **Need** property tax certificate.
3. **Need** accounting or status report.
4. **Need** proof of blocked account for \$27,000 requested. Petitioner appears to have distributed to the heirs; \$5,679.29 each. See next note.
5. **NOTE:** Receipts for distributions filed 04/06/18 along with request **not** to appoint Public Administrator; however, no accounting/distribution has been filed/approved. *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. **There is no will.***

RECOMMENDATION

Need to clear notes 2-4.

(lc)

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

DATE: 04/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600977

CASE NAME: CYNTHIA MAYORAL

HEARING:

First and Final Account and Report of DENNIS SHOGREN and
Petition for allowance of fees filed.

COUNSEL:

CYNTHIA MAYORAL (DEC)...
DENNIS SHOGREN (PET)...JAMES B CHURCH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by Dennis Shogren, CPA.

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

1. Assets on hand \$314,178.50 in cash.
2. Administrator and counsel seek statutory fees of \$11,233.88 each. Ok.
3. Administrator seeks reimbursement of costs totaling \$2,010. [Acct. 02/01LFpg5].
4. Counsel seeks reimbursement of costs totaling \$1,590.50. [Acct. 02/01LFpg24].
5. Counsel states that the funds were deposited into the attorney client trust account to avoid expenses. As funds appear to have been deposited in IOTLA account without prior court approval, question if interest is paid to estate per Pr.C.§ 9652? **Need** verified supplement.
6. **Need** statement/ledger to support cash balance per local rule 20-908.
7. **Need** closing escrow statement per local rule 20-910.
8. Administrator seeks a reserve of \$3,000.
9. ~Proposed Order: 02/01/18.

RECOMMENDATION

Need to clear notes 5-7. If approved, set hearing on the filing of receipts and final
discharge for **04/19/19**.

(lc)

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

DATE: 04/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701209

CASE NAME: MICHAEL E. GREENBERG

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

COUNSEL:

MICHAEL E. GREENBERG (DEC)...
RISA CHAIN (PET)...PRO/PER

GENERAL INFORMATION

Continued from 01/18/18. Copy of will to be brought to courtroom and it was determined off the record that there are two signatures on the will. Risa Chain appointed as special administrator to access Chase bank account to secure and maintain real property; limited powers \$150,000 bond. Bond will be ordered of \$406,000

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Risa Chain, sister.

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

1. No order or bond posted re special administration; however, petitioner **now** elects not be seek appointment as special.
2. Will and all beneficiaries waive bond. Net estate value is \$405,700 of which \$251,500 is personal property. However, petitioner is a New York resident. Bond of \$406,000 required.
3. All heirs waive notice.
4. ~Proposed Form Order: 11/21/17.

RECOMMENDATION

RFA subject to \$406,000 bond. If approved, set Accounting/Status Review for **06/20/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701248

CASE NAME: MATTER OF VICTOR JOSEPH REYNOLDS

SEE ALSO 16

HEARING:

Petition to determine succession to Real Property

COUNSEL:

PATRICIA L REYNOLDS-DICKSON (PET)...JULIA E BURT
VICTOR JOSEPH REYNOLDS (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON **Amended [01/31/18]** Petition to Determine Succession to Real Property by Patricia Reynolds-Dickson, Trustee.

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

1. Petitioner is executor of estate of spouse Jerry Reynolds [PROPS1700604] and Trustee of Trust.
2. Petitioner seeks 100% interest in decedent's 50% interest in real and personal property per terms of will. Petition indicates property is community; however, petitioner appears to have chosen not to file spousal property petition.
3. ~Proposed Form Order: 01/31/18.

RECOMMENDATION

Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 16

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

DATE: 04/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701248

CASE NAME: MATTER OF VICTOR JOSEPH REYNOLDS

SEE ALSO 15

HEARING:

Petition to determine succession to Real Property

COUNSEL:

PATRICIA L REYNOLDS-DICKSON (PET)...JULIA E BURT
VICTOR JOSEPH REYNOLDS (DEC)...

See notes on matter 15.

(lc)

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

DATE: 04/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800168

CASE NAME: BARBARA ALMY

HEARING:

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

COUNSEL:

BARBARA ALMY (DEC)...
MARK C ALMY (PET)...JAMES B CHURCH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Mark Almy, son.

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

1. Will and all beneficiaries waive bond. Net estate value is \$1,706,500 (incorrectly totaled as \$1,481,500) of which \$250,000 is real property. Court for good cause could require bond per Pr.C. § 8481(b).
2. ~Proposed Form Order: 02/21/18

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **06/20/19**. 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: 04/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800208

CASE NAME: MTR OF BERT EUGENE WELLBAUM

HEARING:

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

COUNSEL:

BERT EUGENE WELLBAUM (DEC)...
STEVEN MICHAEL WELLBAUM (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Steven Wellbaum, son.

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

1. Will waives bond. Net estate value is \$266,000 of which \$70,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. **Need** Notice to Petition to Administer Estate and proof of service. **Filed on 04/05/18**; however, image not available at time of review on **04/09/18**.
3. **Need** proof of publication. **Filed on 04/05/18**; however, image not available at time of review on 04/09/18.
4. ~Proposed Form Order: 03/05/18.

RECOMMENDATION

Need to clear notes 2-3, Court's discretion re bond. If approved, set Accounting/Status Review for **06/20/19**. 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: 04/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800227

CASE NAME: MTR OF WILLIE ALANDA BELL

HEARING:

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

COUNSEL:

SHERRIAN JOHNSON-FERGUSON (PET)...PRO/PER
WILLIE ALANDA BELL (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Sherrian Johnson-Ferguson, nominee.

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

1. Petitioner is nominated by sole heir; mother Robbie Bell.
2. Sole heir waives bond. Net estate value is \$89,838 of which \$5,000 is personal
property. Court for good cause could require bond per Pr.C. § 8481(b).
3. **Need** proof of publication.
4. ~Proposed Form Order: 03/08/18.

RECOMMENDATION

Need to clear note 3, Court's discretion re bond. If approved, set Accounting/Status
Review for **06/20/19**. 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: 04/12/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1700957

CASE NAME: THE MARY C BENART SEPARATE PROPERTY TRUST

HEARING:

Hearing Re: PET TO DET PERSONS ENTITLED TO DISTRIBUTION

COUNSEL:

CHARLES SHORE

(PET)...JAMES L HEYWOOD AND

THE MARY C BENART SEPARATE PRO (TRU)...

Currently under review by legal research.

(LR)

Notice filed 10/18/17 and 03/13/18. However, court address is incorrectly stated as 351 N Arrowhead. JTD if parties shall be re-noticed with correct address.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/12/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1701267

Vacated

CASE NAME: WARREN ROSCELL STOCKTON

SEE ALSO 22, 23

HEARING:

Hearing Re: PTN FOR LETTERS OF ADMIN W/FULL AUTHORITY

COUNSEL:

MARIA CELIA STOCKTON	(PET)...ILIANA MADRIGAL
SALEA NELSON	(OBJ)...
WARREN ROSCELL STOCKTON	(DEC)...
WARREN STOCKTON JR	(PET)... JOHN R RAMOS

(lc)

Future hearing dates: 05/14/18 ***Amended*** Petition for Probate Letters Testamentary

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

DATE: 04/12/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1701267

CASE NAME: WARREN ROSCELL STOCKTON

SEE ALSO 21, 23

HEARING: Petition for SPOUSAL PROPERTY

COUNSEL:

MARIA CELIA STOCKTON	(PET)...ILIANA MADRIGAL
SALEA NELSON	(OBJ)...
WARREN ROSCELL STOCKTON	(DEC)...
WARREN STOCKTON JR	(PET)... JOHN R RAMOS

GENERAL INFORMATION

Continued from 03/07/18 to trail other matters.

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Maria Stockton, spouse.

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

1. Petitioner seeks determination of decedent's property passing to the surviving spouse without administration.
2. Petitioner alleges she and decedent were married on 04/12/1984. On or about 06/05/02, decedent and petitioner purchased the real property on Palomino Court, in Victorville, with title held as "husband and wife as community property;" however, the deed failed to state "with rights of survivorship."
3. Decedent's separate property, which is part of probate estate, includes real property at 1600 W. 50th Street, Los Angeles, and 2 unimproved lots in Modoc County, California. Petitioner alleges community funds were used to purchase real properties, and requests 50% interest in real property to pass to her as surviving spouse. **Supp 03/07/18:** Petitioner alleges she is not actually seeking decedent's Los Angeles and Modoc properties; merely community property in Victorville. Court to clarify.
4. ~Proposed form order: 01/30/18

RECOMMENDATION:

Court to clarify note 3.

(lh/lc)

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

DATE: 04/12/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1701267

CASE NAME: WARREN ROSCELL STOCKTON

SEE ALSO 21, 22

HEARING:

Petition for QUIET TITLE PETITION PURSUANT TO PROBATE CODE 850
BREACH OF CONTRACT

COUNSEL:

MARIA CELIA STOCKTON	(PET)...ILIANA MADRIGAL
SALEA NELSON	(OBJ)...
WARREN ROSCELL STOCKTON	(DEC)...
WARREN STOCKTON JR	(PET)... JOHN R RAMOS

Currently under review by legal research.

Need notice of hearing and proof of service for all heirs, Maria Stockton spouse, and children Gary Stockton and Salea Nelson.

Probate Code section 851 was amended [eff. Jan. 1, 2018] and contains a **new subdivision (c)** which requires the Notice of Hearing to include:
(1) a description of the property, and for real property mandates the notice state the street address or, if none, a description of the property's location and assessor's parcel number;
(2) a description of relief sought pursuant to Section 859 if applicable; and
(3) a statement advising any interested person that he or she may file a response.
Petitioner or counsel may request a continuance to correct the Notice deficiency.

(lc)

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

DATE: 04/12/18 TIME: 8:35 DEPT: S37P

CASE#: SPR SS03958

CASE NAME: MTR OF THE BAILY ANN MCNEIL SPECIAL NEEDS TRST

HEARING: first Account and Report of KIRK HOFFMAN and Petition for allowance of fees filed.

COUNSEL:

BAILEY ANN MCNEIL S.N. TRUST D	(TRU)...
BAILY ANN MCNEIL	(MIN)...JUDITH RUNYON
KIRK HOFFMAN	(PET)...M DANIEL SAYLOR

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 1st SNT Account Current for Kirk Hoffman, Successor Trustee.

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

1. Accounting period 11/26/16 – 11/30/17.
2. Assets on hand \$75,780.59 in cash.
3. Trustee seeks fees of \$3,837.50 for 30.7 hours at \$125 per hour. [Acct. 02/13LFpg11-16]. JTD
4. Counsel seeks fees of \$3,654.75, including costs of \$86, for 45.45 hours at \$125/375 per hour for paralegal and attorney services. [Acct. 02/13LFpg 18-20]. JTD
5. Report of GAL Mitchell Roth filed 02/22/18. Does court wish to vacate 06/11/18 hearing? JTD
6. Trustee seeks authorization to provide caregiver Karen Key in continuing \$450 monthly allowance to spend on transportation, medical incidentals and unreimbursed care. JTD
7. Personal property [bed] worth \$1,398 previously listed Diane Harkison's final accounting does not appear to be listed in this accounting. **Need** amended accounting or verified supplement explaining.
8. Trustee seeks a bond increase of \$5,000 from \$95,000 to \$100,000.
9. ~Proposed Order: 02/13/18.

RECOMMENDATION

Need to clear note 7. If approved, set Accounting/Status Review for **02/28/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Future Hearing:
06/11/18 Hearing re: Guardian ad litem's report
07/02/18 Final Discharge

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 04/12/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0800199

CASE NAME: JAMES TIMOTHY CLAYTON

HEARING:

Accounting Review by ***

COUNSEL:

BRENDA L CLAYTON	(CPE)...PRO/PER
CHRISTINA ERICKSON-TAUBE	(CPE)...SHERRI L KASTILAHN
JAMES TIMOTHY CLAYTON	(CEP)...ROBERTA L TAYLOR
ROBERTA L TAYLOR	(PET)...ROBERTA L. TAYLOR &

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 2nd Account for Christina Erickson Taube, PPF, approved on 05/10/17.
2. **Need** 3rd Account beginning with 02/01/17.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 04/12/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0800290

CASE NAME: ANASTASIA J. MOORE

HEARING:

Accounting Review by ***

COUNSEL:

ANASTASIA J MOORE (CTE)...
INLAND COUNTIES REGIONAL CENTE (CE)...STEVEN K BECKETT

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 2nd Master Trust Account for IRC approved on 10/24/16.
2. Declaration re waiver of Account per Ca. Rule of Ct. § 7.903(d) for period 02/01/16-1/31/18.
3. ~Proposed order 03/15/18.

RECOMMENDATION

Court's discretion. If approved, Set next accounting review for **02/21/20**.

(lc)

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

DATE: 04/12/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0900101
CASE NAME: JOSE EMMANUEL MACIAS
HEARING: Hearing Re: COURT INVESTIGATOR REPORT

COUNSEL:

ARTURO ROMERO (CP)...PRO/PER
JOSE EMMANUEL MACIAS (CTP)...BRYAN C. HARTNELL
MARIA E ROMERO (CP)...PRO/PER

GENERAL INFORMATION:

Continued from **10/1/14 and 12/10/14** for Nevada conservatorship to be filed.
Continued from 01/28/15, 03/05/15, 04/30/15, 06/25/15, 08/06/15 and 09/17/15. Counsel has been unable to contract their client. Counsel given copy of Court Investigator report from 08/20/14 and advised that no further Court Investigator report is being prepared.

Citations issued for Maria and Arturo Romero.

Continued from 12/10/15. Parties confirmed that they moved to Las Vegas. Parties to establish conservatorship in Nevada in order that this California action be dismissed. If Nevada conservatorship is in place prior to next hearing, an ExParte terminating conservatorship will be filed and hearing taken off calendar.

Continued from **12/08/16 and 02/23/17**. Citation issued for Arturo and Maria Romero to be present or bench warrants will be issued.

Continued from **05/11/17**. This matter may be transferred to Clark County. Counsel to contact conservators and arrange to clear notes and transfer matter.

Continued from 09/14/17. Citations issued for Arturo and Maria Romero to be present at next hearing. Should they fail to appear bench warrants will be issued.

Continued from 01/09/18. Referred to Court Investigator.

THIS CASE IS SET FOR HEARING ON re Court Investigator's report

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

1. The Court set this matter on its own motion after receipt/review of the Notice of No Court Investigator's report filed 8/20/14.
2. **Need** proof of Nevada conservatorship.
3. **Need** return of citations sent on 02/23/17 for Arturo and Maria Romero.
4. Due diligence filed 12/21/17 as to non-service of citation for Arturo.
5. Court Investigator report filed 02/15/18.

RECOMMENDATION

Need to clear notes 2-3.

(gls/vet/lc/cs/nb/lc)

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

DATE: 04/12/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1100117
CASE NAME: GLORIA M FILANDA
HEARING: Fifth and final Account and Report of DANIEL L HYNES and
Petition for allowance of fees filed.

COUNSEL:

DANIEL L HYNES (CPE)...LAWRENCE E CLARK
GILDA C MEDEIROS (CPE)...LAWRENCE E CLARK
GLORIA M FILANDA (CEP)...

GENERAL INFORMATION

Continued from 01/18/18. Counsel needs details of time spent by Conservator and Jonnie Hynes on behalf of conservatee. Need details as to expenditure of \$1,500 of engagement and wedding gifts for Alan Filanda. Conservatee has passed away and notice of death to be filed. Need final accounting filed within 120 days.

THIS CASE SET FOR HEARING ON 5th and Final Accounting by Daniel Hynes, nephew.

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

1. Accounting period 12/31/15 – 03/31/17.
2. Assets on hand \$87,828.45 of which \$86,628.45 is cash.
3. Accounting does not balance by \$89.18. Does court wish to deem as de minimis?
JTD
4. Report prays for second account current to be settled; however, this is 5th and Final.
5. Conservator seeks fees of \$10,400 for 520 hours at \$20 per hour. It appears each day is exactly 1.142 hours with same entry [Acct. 11/29/17LFpg12-26]. JTD
6. Attorney seeks fees of \$2,900 for 5 hours at \$200/350 an hour for paralegal and attorney services. **Need** actual itemization.
7. Conservator seeks caregiver Jonnie Hynes be paid \$117,240 for 7816 hours at \$15 per hour. Court to inquire as it appears that would be an avg of 120 hours a week/521 hours per month for 15 months. It appears each day is 16-24 hours with same entry type [Acct. 11/29/17LFpg28-45]. **Need** details per court.
8. Disbursements indicate other caregivers paid. As this is a third-party payment, **need** signed verifications from Danna Avendano, Senior helpers and Lori Segura for services she performed, the date of service and a receipt for payment per local rule 20-1406(c).
9. Disbursements indicate engagement gift to Alan Filanda of \$1,000 and later \$500 wedding gift. As the estate income does not appear to match gift, court to inquire

- as to the appearance of excessive gift. [LFpg52&55] **Need** verified supplement with details.
10. Disbursements indicate \$2,000 to Jonni Hynes for partial payment of credit cards for supplies etc. and \$9,346.51 for funeral home expenses on credit. Does court wish to require copies of statements for supplies? [LFpg56] JTD **see next note.**
 11. Conservator appears to seek termination of conservatorship. **Need** verified supplement and/or amended accounting and report as to the following:
 - a. Disbursements indicate funeral expenses; however, contradicts report and Court Investigator has not been notified.
 - b. Conservatee has passed away need post and pre death accountings per Pr. C. § 2620(b).
 - c. Termination is not listed in caption.
 - d. There is no proposed distribution of the assets on hand.
 12. **Need** notice of death of conservatee.
 13. Receipts for Social Security income stop at 11/03/16. Question where the remaining payments are as accounting ends 03/31/17? **Need** verified supplement/amended accounting.
 14. **Need** financial statements per local rule 20-1404(c) and Pr. C. § 2620(c).
 15. **Need** statement re family or affiliate relationship between the fiduciary and any agent hired by the fiduciary Pr. C. § 1064(a)(4).
 16. Amount of bond not stated; however, it appears current bond appears to be \$371,000.
 17. No proposed order. Submit after hearing.

RECOMMENDATION

Need amended accounting, re notes 6-15. If approved, set hearing on the filing of receipts and final discharge for **04/19/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/12/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400278

Vacated

CASE NAME: Megan Egley

HEARING:
Hearing Re: CONFIRMATION OF TRANSFER

COUNSEL:

JENNIFER D. BROCK	(CP)...PRO/PER
LOUISE G. EGLEY	(CP)...PRO/PER
MEGAN EGLEY	(CTP)...
RONALD S. EGLEY	(CP)...PRO/PER

Receipt of acknowledgement from Riverside County filed; case no. PRIN1400002.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/12/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1500167

Vacated

CASE NAME: RANDY LEE BRIGGS

SEE ALSO 31

HEARING:

Hearing Re: ACCOUNTING REVIEW (CONSERVATORSHIP)

COUNSEL:

BRUCE HITCHMAN	(PCR)...PRO/PER
BRUCE HITCHMAN	(PET)...WILLIAM M NASSAR
CHRISTIE B LAPIANA	(PET)...TREDWAY LUMSDAINE & DOYLE
E JOAN NELMS	(PET)...PRO/PER
LEE ANN HITCHMAN	(PCR)...PRO/PER
LEE ANN HITCHMAN	(PET)...WILLIAM M NASSAR
RANDY LEE BRIGGS	(CEP)...

(lc)

Future hearing dates: 05/03/18 2nd Account Current by Lee Ann and Bruce Hitchman

Superior Court of Calif, County of San Bernardino

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

DATE: 04/12/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1500167

Vacated

CASE NAME: RANDY LEE BRIGGS

SEE ALSO 30

HEARING:

Hearing Re: ACCOUNTING REVIEW (SNT)

COUNSEL:

BRUCE HITCHMAN	(PCR)...PRO/PER
BRUCE HITCHMAN	(PET)...WILLIAM M NASSAR
CHRISTIE B LAPIANA	(PET)...TREDWAY LUMSDAINE & DOYLE
E JOAN NELMS	(PET)...PRO/PER
LEE ANN HITCHMAN	(PCR)...PRO/PER
LEE ANN HITCHMAN	(PET)...WILLIAM M NASSAR
RANDY LEE BRIGGS	(CEP)...

(lc)

Future hearing dates: 05/03/18 2nd Account Current by Lee Ann and Bruce Hitchman

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

DATE: 04/12/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600048
CASE NAME: DOUGLAS HAROLD EATON
HEARING: Petition for Appointment of Conservator

COUNSEL:

WILLIAM R FOLKMAR (PET)...PRO/PER
DOUGLAS HAROLD EATON (CEE)...JAMES B CHURCH

GENERAL INFORMATION

William Folkmar appointed temporary Conservator on 3/9/16. Court authorized credit union to release \$5,000 to William to pay bills, caregiver, and residence. Attorney James Church appointed for proposed conservatee.

On **3/14/16**, court lifted restriction that temporary conservator not access more than \$5,000. William Folkmar is authorized to obtain statements/records from annuity but cannot accept annuity payments. Court suspended certain powers of attorney and advanced healthcare directives dated 11/11/5, 1/21/15, and 10/30/15.

Continued from **4/18/16, 6/29/16, 7/25/16.**

Continued from **10/05/16.** Return of Citation is waived by proposed conservatee's appearance this date. Further appearance by conservatee is waived.

Continued from **01/25/17.** Temporary Conservator was to provide amended order per 03/14/16 minute order. Citation issued to William Folkmar. Bench warrant may be issued.

Continued from **04/19/17** Petitioner is advised he needs approval of Court to remove conservatee from state. Court grants petitioner's request to take conservatee to Illinois.

The Court orders petitioner to file for conservatorship/guardianship there within 72 hours of returning to Illinois. They will return on 4/28/17. Petitioner is further ordered to serve a copy of Illinois petition on Mr. Church within a week of the filing. Mr. Church will file an ex parte requesting conservatee's return to California if Illinois petition not timely filed. Court recommends petitioner speak to counsel in Illinois for assistance

Continued from 06/21/17 Conservator has not contacted Counsel as ordered. Counsel advised to contact APS in Illinois. The Court orders the conservatee, DOUGLAS HAROLD EATON, be returned to California within 24 hours. The Court orders letters of temporary conservatorship suspended pending further order of the court. WILLIAM R FOLKMAR is cited to appear. Should he fail to appear a bench warrant may be issued. Mr.Church to prepare order after hearing.

Continued from **10/04/17.** Bill Folkmar reported he is working on guardianship in Illinois but due to the number of issues he is juggling, the guardianship is not complete. Court advises Bill Folkmar that temporary conservatorship of Douglas Eaton was terminated due to Bill Folkmar's non-compliance with the Court. Court orders Bill Folkmar to file and serve proof

of Illinois action by 11/10/17. Should proof not be filed as directed, Court will order Douglas Eaton to be returned to California within 48 hours and will notify Illinois equivalent of Adult Protective Services.

Continued from 11/22/17. Counsel reports APS in Illinois has been contacted and reports conservatee is safe and well taken care of. They have no concerns. Bill Folkmar telephoned the court attendant this morning stating requested documents were filed over two weeks. Counsel reports he also was told the documents are available, but when he offered to have documents sent to his office Mr. Folkmar did not respond. The Court orders Douglas Eaton to be returned to the State of California by 12/14/17. The Court orders counsel to file order confirming suspension of Bill Folkmar's letters and serve order on Mr. Folkmar and CALPERS/Pension fund. Bill Folkmar is cited to be present at next hearing. Should he fail to appear, a bench warrant will be issued for his arrest. Notice by Judicial Assistant.

Continued from 01/09/18. Citation and Bench warrant recalled as to William Folkmar. Counsel Church to file and order requiring William Folkmar to file accounting.

THIS CASE IS SET FOR HEARING ON Petition for conservatorship, person and estate, by cousin, William Flokmar.

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

1. Petitioner seeks no bond. No attachment 1C is provided and the estimated value of the estate at Section 3e(2) is not completed. **Need** verified supplement.
2. Petitioner requests medical powers. **Need** capacity declaration.
3. Petitioner requests dementia powers (meds only).
 - a. Petitioner completed Section 1b of dementia attachment to petition but not Section 4 (both re meds). Does court wish to require clarification of dementia meds request?
 - b. **Need** dementia attachment to medical capacity declaration.
4. **Need** notice of hearing with proof of service.
5. Certificate of Completion of the Conservatorship Training Class filed 04/19/17.
6. Court Investigator report filed 4/5/16.
7. Report of counsel, James Church, filed 3/11/16; supplemental report filed 01/24/17.
8. Order suspending temporary conservator of person and estate filed 06/22/17.
- 9. Proof of Illinois guardianship filed 11/15/17.**
10. ~Proposed form order and letters 3/14/16.

RECOMMENDATION

Need to clear notes 1-4. If approved, set hearing for Compliance Review for **11/15/18** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5 and Inventory & Appraisal with notice. Set hearing re: Accounting Review for **06/20/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rule.

(ds/sa/nb/sa/lc/lh/lc/ww/lh/nb)

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

DATE: 04/12/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600348

CASE NAME: RAMON LOREDO III

HEARING:

Petition for ORDER TERMINATING CONSERVATORSHIP OF THE PERSON

COUNSEL:

BONNIE LOREDO	(PET)...PRO/PER
RAMON LOREDO III	(CTP)...LISA FISHER
WALTER T MOORE	(PET)...WALTER T. MOORE

GENERAL INFORMATION

Continued from 10/19/17 IRC case worker to file a report. Walter Moore to notice IRC. Bonnie and Ramon Loredó III to be present.

Continued from 01/18/18. Interpreter will not be needed for next hearing. Court is waiting solely for IRC report.

THIS CASE SET FOR HEARING ON Petition to Terminate Conservatorship by Appointed Counsel Walter Moore.

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

1. Petitioner, Counsel Moore, is seeking termination on behalf of conservatee Ramon Loredó III.
2. Petitioner alleges that conservatee is high functioning and has no apparent mental impairment.
3. **Need** IRC report.
4. Capacity Declaration filed 09/18/17.
5. ~Proposed Order: 09/18/17.

RECOMMENDATION

Need IRC report.

(lc)

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

DATE: 04/12/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700419

CASE NAME: MTR OF JACQUELINE MENDOZA

HEARING:
Petition for Appointment of Conservator

COUNSEL:
JACQUELINE MENDOZA (CTP)...E. JOAN NELMS
SALLIE MENDOZA (CP)...PRO/PER

GENERAL INFORMATION

**Continued from 01/11/18. Conservatee's presence excused for future hearings.
Joan Nelms appointed counsel on 01/03/18.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Sallie Mendoza, mother.

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

1. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks medical powers. Capacity Declaration filed 01/02/18.
4. Proposed conservatee is developmentally disabled. **Need** report of Counsel Nelms.
5. Proposed conservatee is developmentally disabled. IRC report filed 01/08/18.
6. Court Investigator report filed 01/09/18.
7. Certificate of Completion of the Conservatorship Training Class filed 12/21/17.
8. Citation returned served.
9. ~Proposed Form Order: 11/14/17.

RECOMMENDATION

Need report of counsel. If approved, set hearing for Compliance Review for **11/15/18** 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)

Superior Court of Calif, County of San Bernardino

Page: 35

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

DATE: 04/12/18 TIME: 9:30 DEPT: S37P

CASE#: SG SS6888

CASE NAME: IN THE MATTER OF KATHLEEN S ALMY

ANOTHER HEARING IS SCHEDULED IN S37G – SAME DAY

HEARING: Petition for Appointment of successor conservator of the person
& estate

COUNSEL:

BARBARA C ALMY	(CPE)...JAMES B CHURCH
KATHLEEN S ALMY	(CEP)...
MARK C ALMY	(CPE)...JAMES B CHURCH
SOUTHERN CALIFORNIA BONDING SE	(TP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of **Successor** Conservator person and estate by Mark Almy, brother.

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

1. **Barbara Almy, mother, appointed Conservator on 10/03/75. Conservator died on 02/21/18. All Forms in original conservatorship appear to be outdated.**
2. Petitioner is nominated by sister.
3. Petitioner seeks no bond as estate consists of public benefits Pr.C. § 2323.
4. Report of Counsel Church filed 02/23/18.
5. Petitioner seeks medical powers. Does court wish to require Capacity Declaration?
JTD
6. Certificate of Completion of the Conservatorship Training Class filed 04/02/18.
7. **Need** updated Confidential Supplemental form GC-312. **Filed 04/05/18**; however, not available in LF at time of review on 04/09/18.
8. **Need** Court Investigator report.
9. ~Proposed Form Order: 02/21/18

RECOMMENDATION

Need to clear notes 7-8. If approved, set hearing for Compliance Review for **11/15/18** for the filing of the required documents and hearing re Accounting Review for **06/20/19**. Any accounting to be filed 30 days in advance.

(lc)