



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 04/19/18

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

DATE: 04/19/18 TIME: 8:30 DEPT: S35P

CASE#: CON PS1700331

CASE NAME: MTR OF FRANCES M THOMAS

SEE ALSO 2

HEARING: Hearing Re: Petition for Appointment of Conservator

COUNSEL:

FRANCES M THOMAS (CEP)...BRYAN C. HARTNELL
JAMES G THOMAS (OBJ)...MARIELLEN ROSS
SUSAN L THOMAS (CPE)...DAVID M GROSSMAN

XREF: PROPS1700973 (*Thomas Family Revocable Trust*)

GENERAL INFORMATION

Ex parte hearing 09/11/17 continued per stip, 10/19/17 hearing is advanced and continued.
Bryan Hartnell appointed for counsel.

Continued from 10/26/17 and 02/01/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Susan Thomas, daughter

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

1. Petitioner seeks bond of \$3,000,000. Suggested bond \$3,129,600.00 per bond calculation.
2. Petitioner seeks medical powers. Capacity Declaration filed 10/27/17.
3. **Need** report of appointed Counsel Hartnell.
4. **Need** Certificate of Completion of the Conservatorship Training Class.
5. Notice of Hearing filed 09/28/17; however, proof of service does not indicate a copy of petition was served with notice. **Need** proper service.
6. CI Report filed 09/20/17.
7. Return of Citation filed 10/03/17.
8. **Objection by James Thomas, son, filed 10/04/17. Supplement to objections filed 10/10/17.**
9. **Response filed by Susan Thomas on 10/19/17.**
10. ~Proposed Form Order: 09/01/17

RECOMMENDATION

Matter is contested. Need to clear notes 3-5. If approved, set hearing for Compliance Review for **11/29/18** for the filing of the required documents and hearing re Accounting Review for **06/27/19**. Any accounting to be filed 30 days in advance.

(lh/lc)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 8:30 DEPT: S35P

CASE#: CON PS1700331

CASE NAME: MTR OF FRANCES M THOMAS

SEE ALSO 1

HEARING:

Petition for Appointment of Temporary Conservator

COUNSEL:

FRANCES M THOMAS	(CEP)...BRYAN C. HARTNELL
JAMES G THOMAS	(OBJ)...MARIELLEN ROSS
SUSAN L THOMAS	(CPE)...DAVID M GROSSMAN

Temporary hearing – No notes – JTD *

(lc)

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: 04/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500672

CASE NAME: FLOYD MARTIN CAMPBELL

SEE ALSO 4, 5

HEARING:

Hearing Re: OSC RE SANCTIONS OF \$500.00

COUNSEL:

FLOYD MARTIN CAMPBELL (DEC)...
JOHN D CAMPBELL III (PET)...PRO/PER

GENERAL INFORMATION

OSC set on 03/15/18 when there was no appearance or accounting filed. \$500 Surcharge for Failure to File and \$500 Sanctions for failure to appear. Administrator to personally appear at next hearing.

THIS CASE SET FOR HEARING ON **OSC re Sanctions\$500/Surcharge \$500/Accounting review/Status.**

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

1. Letters Testamentary issued to John Campbell III, nephew, on 01/05/17; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

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

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 04/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500672

CASE NAME: FLOYD MARTIN CAMPBELL

SEE ALSO 3, 5

HEARING:

Hearing Re: OSC RE SURCHARGE OF \$500.00

COUNSEL:

FLOYD MARTIN CAMPBELL (DEC)...

JOHN D CAMPBELL III (PET)...PRO/PER

See notes on matter 3

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500672

CASE NAME: FLOYD MARTIN CAMPBELL

SEE ALSO 3, 4

HEARING:

Accounting Review by ***

COUNSEL:

FLOYD MARTIN CAMPBELL (DEC)...
JOHN D CAMPBELL III (PET)...PRO/PER

See notes on matter 3

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 04/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600432

Vacated

CASE NAME: MTR OF MICHELLE MEDINA

HEARING:

Hearing re Final Discharge

COUNSEL:

MICHELLE MEDINA

(DEC)...

RAYMOND REYES

(PET)...HORSPOOL & H ORSPOOL

Final discharge filed 03/19/18.

(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: 04/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600513

CASE NAME: MTR OF KATHE DENTMAN

SEE ALSO 6B

HEARING:

Hearing Re: OSC RE SANCTIONS OF \$500.00 ON COUNSEL

COUNSEL:

JOHNNIE DENTMAN

(PET)...LAW OFFICES OF ROBIN E PALEY A

KATHE DENTMAN

(DEC)...

GENERAL INFORMATION

Continued from 02/15/18. No appearance. Administrator or counsel to appear at next hearing.

OSC set on 03/22/18. Counsel's ability to appear via court call revoked. Sanctions set for failure to file and personally appear.

THIS CASE SET FOR HEARING ON **OSC re Sanctions of \$500/FTF/FTA/Accounting review/Status.**

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

1. Letters of Administration issued to Johnnie Dentman, step child, on 11/14/16; full authority, \$100,000 bond.
2. Final Inventory and Appraisal filed 09/05/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600513

CASE NAME: MTR OF KATHE DENTMAN

SEE ALSO 6A

HEARING:

Accounting Review by ***

COUNSEL:

JOHNNIE DENTMAN

KATHE DENTMAN

(PET)...LAW OFFICES OF ROBIN E PALEY A

(DEC)...

See notes on matter 6A

(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: 04/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600562

CASE NAME: MTR OF EDWARD GABRIEL LAMANNA

SEE ALSO 8, 9

HEARING:

Hearing Re: OSC RE SANCTIONS OF \$500.00

COUNSEL:

EDWARD GABRIEL LAMANNA (DEC)...
MARTIN RUIZ (PET)...PRO/PER

GENERAL INFORMATION

OSC set on 03/15/18 when there was no appearance or accounting filed. \$500 Surcharge for Failure to File and \$500 Sanctions for failure to appear. Administrator to personally appear at next hearing.

THIS CASE SET FOR HEARING ON **OSC re Sanctions\$500/Surcharge \$500/Accounting review/Status.**

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

1. Letters Testamentary issued to Martin Ruiz, friend/sole beneficiary, on 01/05/17; full authority, no bond.
2. Final Inventory and Appraisal filed 08/11/17.
3. **Need** accounting or status report.

RECOMMENDATION

Court's discretion re OSC. Inquire status of accounting.
(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600562

CASE NAME: MTR OF EDWARD GABRIEL LAMANNA

SEE ALSO 7, 9

HEARING:

Hearing Re: OSC RE SURCHARGE OF \$500.00

COUNSEL:

EDWARD GABRIEL LAMANNA (DEC)...
MARTIN RUIZ (PET)...PRO/PER

See notes on matter 7.

(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: 04/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600562

CASE NAME: MTR OF EDWARD GABRIEL LAMANNA

SEE ALSO 7, 8

HEARING:

Accounting Review by ***

COUNSEL:

EDWARD GABRIEL LAMANNA (DEC)...
MARTIN RUIZ (PET)...PRO/PER

See notes on matter 7.

(lc)

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

DATE: 04/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700582

CASE NAME: MTR OF WILLIAM ALLEN HOLMES
HEARING: First and final Account and Report of DAVID W MUSICK, WILLIAM J DAUP JR and Petition for allowance of fees filed.

COUNSEL:

DAVID W MUSICK	(PET)...THOMAS W DOMINICK
JOANNE BUXTON	(RES)...COPENBARGER & ASSOCIATES
SHERI AUTREY	(COPENBARGER & ASSOCIATES
WILLIAM ALLEN HOLMES	(DEC)...
WILLIAM J DAUP JR	(PET)...THOMAS W DOMINICK

XREF:PROPS1700680 (William A Holmes separate property trust)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by David Musick & William Daup, Jr., nephews.

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

1. Assets on hand \$115,031.13 in attorney trust account.
2. Executors are Trustees of Trust and waive accounting.
3. Executors [50% each] and Counsel seek statutory fees of \$4,450.93 each. Ok.
4. Inventory and Appraisal indicates cash settlement. **Need** copy of order CIVDS1611310 to support amount.
5. Executors seek a reserve of \$1,500.
6. ~Proposed Order: 02/14/18.

RECOMMENDATION

RFA subject to note 4. If approved, set hearing on the filing of receipts and final discharge for **04/25/19**.

(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: 04/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700681

CASE NAME: PATSY R FERGUSON

HEARING:

Waiver Account and Report of LEAH J LUPTAK and Petition for allowance of fees filed.

COUNSEL:

LEAH J LUPTAK (PET)...ELISABETH KEMPE-OLINGER
PATSY R FERGUSON (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Leah Luptak, daughter.

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

1. Assets on hand \$293,069.59 of which \$28,069.59 in attorney/client Trust account.
2. Both beneficiaries waive accounting.
3. Executor waives statutory compensation.
4. Attorney seeks statutory fee of \$8,300.
5. Executor seeks a reserve of \$2,000.
6. During Special Administration, real property appears to have been refinanced on 08/24/17 in order to avoid foreclosure.
7. ~Proposed order 04/04/18.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **04/25/19**

(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: 04/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800221

CASE NAME: THOMAS L. BOUCHARD

HEARING:

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

COUNSEL:

ANGEL JUDKINS (PET)...PRO/PER
THOMAS L. BOUCHARD (DEC)...

GENERAL INFORMATION

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

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

1. Section why bond should be waived is incomplete nor is estate value stated in
section 3. Court for good cause could require bond per Pr.C. § 8481(b).
 - a. **Need** verified supplement re estate value and bond requirements.
 - b. **Need** bond waivers for sons Daniel and Timmy.
 - c. Bond waiver for Brian filed 04/04/18; however, image not available for review
on 04/16/18
2. **Need** proof of publication.
3. ~Proposed Form Order: 03/07/18.

RECOMMENDATION

Need to clear notes 1-2, Court's discretion re bond. If approved, set Accounting/Status
Review for **06/27/19**. Any accounting to be filed 30 days in advance local rule 20-901.
Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 04/19/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1700462

CASE NAME: THE STENERSON TRUST

HEARING:

Petition for APPOINTMENT OF SUCCESSOR TRUSTEE QUIET TITLE TO
REAL PROPERTY CANCELLATION OF DEEDS ETC

COUNSEL:

JAMES STENERSON (PET)...JAMES L HEYWOOD AND ASSOCIATES
THE STENERSON TRUST (TRU)...PRO/PER

Currently under review by legal research

(LR)

NOTICE:

1. Petition does not provide caption/code per Local rule 20-601
2. **Need** list of persons entitled to notice in accord with Pr.C. § 17201.
3. **Need** 30 days' notice once notes 1 & 2 are cleared.

(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: 04/19/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1700973

CASE NAME: THOMAS FAMILY REVOCABLE TRUST

SEE ALSO 15

HEARING:

Hearing Re: PETITION TO REMOVE TRUSTEE

COUNSEL:

JAMES G THOMAS	(PET)...MARIELLEN ROSS
SUSAN L THOMAS	(PET)...DAVID M GROSSMAN
THOMAS FAMILY REVOCABLE TRUST	(TRU)...PRO/PER

XREF: CONPS1700331 (*Frances M Thomas*)

Currently under review by legal research.

30 days' notice filed 03/20/18.

(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: 04/19/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1700973

CASE NAME: THOMAS FAMILY REVOCABLE TRUST

SEE ALSO 14

HEARING:

Hearing Re: PETITION FOR DISQUALIFICATION OF TRUSTEES, ETC

COUNSEL:

JAMES G THOMAS	(PET)...MARIELLEN ROSS
SUSAN L THOMAS	(PET)...DAVID M GROSSMAN
THOMAS FAMILY REVOCABLE TRUST	(TRU)...PRO/PER

XREF: CONPS1700331 (*Frances M Thomas*)

Currently under review by legal research.

30 days' notice filed by petitioner James Thomas.

(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: 04/19/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800031

CASE NAME: MTR OF THE TRUST OF EVELYN R McVAY

HEARING:

Petition for to Determine Trust Title and Correct Conveyance
Error

COUNSEL:

CHARLES DUWAIN SMITH (PET)...SELTERS & SELTERS
EVELYN R MCVAY (TRU)...

Currently under review by legal research.

30 days' notice filed along with consent.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 04/19/18 TIME: 9:30 DEPT: S35P

CASE#: CON DS1000281

CASE NAME: SHANIKA LISTER

HEARING:

Accounting Review by ***

COUNSEL:

BANK OF THE WEST	(RANDOLPH M SHARON
CARMELA C JOHNSON	(CP)...PRO/PER
CHRISTINA ERICKSON-TAUBE	(CP)...SHERRI L KASTILAHN
EDWARD B FISCHEL	(PET)...EDWARD B FISCHEL &
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SHANIKA A LISTER	(CEP)... EDWARD B FISCHEL
STAN MANDELL	(CPE)...LAMB MORRIS & LOBELLO
VICKI LISTER	(CP)...
VICKI LISTER	(CPE)...PRO/PER
VICKY LISTER	(CPE)...HARTNELL LAW GROUP
YO TASHI KO Y TUCKER	(PET)...BRYAN C HARTNELL

XREF: PROPS1700973 (*Vicki R Lister*)
CIVDS1309039 (*Hartnell-v-Lister*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 3rd Account for Stan Mandell, PPF, approved on 06/07/16.
2. **Need** 4th Account beginning with 02/01/17.

RECOMMENDATION

Inquire status of accounting.

(lc)

Future Hearing:

06/13/18 Hearing re: Further status of purchase of the house

06/13/18 Hearing re: Visitation

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

DATE: 04/19/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500332

CASE NAME: ANITA POIRIER
HEARING: Petition for Authority to Sale Personal Residence

COUNSEL:

ANITA POIRIER	(CEE)...DONNASUE ORTIZ
DIANE LEE GIEBNER	(CE)...GREGORY T ANNIGIAN
DIANE LEE GIEBNER	(CPE)...MARIVEL M ZIALCITA
GREGORY T ANNIGIAN	(PET)...GREGORY T ANNIGIAN
JOEL RYAN HOLT	(CP)...GREGORY T ANNIGIAN
JONI LOVEGROVE	(CPE)...MARIVEL M ZIALCITA

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Authority to Sell Conservatee's Residence Pr. C. § 2540(b).

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

1. Diane Giebner, daughter, appointed conservator of estate on 05/16/16 and successor person along with and Joni Lovegrove, grandmother, on 10/17/17.
2. Conservator is requesting to sell the Conservatee's residence located in Ontario. Conservator alleges that Conservatee requires care from a skilled nursing facility due to her degenerative dementia and will never be able to return to her residence. Conservatee's current income is approximately \$2,600 per month with expenses of \$5,500 per month.
3. Court may wish to require Court Investigator report per Pr.C.§2540. JTD
4. Court may wish to require report of counsel. JTD
5. Conservator alleges bond of \$300,000 would be sufficient.
6. ~Proposed order 03/09/18.

RECOMMENDATION

Court's discretion. If approved, set hearing re proof of bond in **60 days**.

(lc)

Future Hearing:05/23/18 Compliance review hearing 05/23/18 *Accounting Review*.

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

DATE: 04/19/18 TIME: 9:30 DEPT: S35P

CASE#: SC SS01241

CASE NAME: IN THE MATTER OF NATALIE ANN MORRIS

HEARING:

Accounting Review by ***

COUNSEL:

EMMA J. SAMUEL	(MOT)...PRO/PER
INLAND COUNTIES REGIONAL CENTE	(PET)...BRUNICK MCELHANEY &
INLAND COUNTIES REGIONAL CENTE	(PET)...STEVEN K BECKETT
MURIEL TUCKER	(CP)...RUDY AGUIRRE
NATALIE ANN MORRIS	(BEN)...
NATALIE ANN MORRIS	(CTP)...C L FARRELL
SPECIAL NEEDS TRUST OF NATALIE	(TRU)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 7th SNT Account for IRC Master Trust approved on 10/06/16.
2. **Need** 8th Account beginning with 02/01/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

MISC

DATE: 04/19/18 TIME: 1:30 DEPT: S35P

CASE#: CON PS1500161

CASE NAME: MTR OF ELVIRA ALBURJAS

VACATED

HEARING:

Hearing Re: COURT TRIAL (FOURTH DAY)

COUNSEL:

BEATRIZ TRAVERSO

(OBJ)...DAVID P COLELLA

BEATRIZ TRAVERSO

(PET)...PRO/PER

ELVIRA ALBURJAS

(CEP)...MATTHEW E SHEASBY

MARIA YOLANDA DENNY

(CPE)...JAMES A HAGAN

ROBERT DENNY

(CPE)...JAMES A HAGAN

Trial – No notes – JTD *

Future Hearing: 04/20/18 *Court Trial*

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

DATE: 04/19/18 TIME: 8:30 DEPT: S36P

CASE#: CON PS1100062

CASE NAME: *MF* LORIANNE M. DURAN.

HEARING:

Hearing Re: TRUSTEE OF SPECIAL NEEDS TRUST

COUNSEL:

ADAN JOHN M.D.	(MCNEIL, TROPP & BRAUN LLP
DESERT VALLEY HOSPITAL	(MCNEIL, TROPP & BRAUN LLP
DESERT VALLEY HOSPITAL	(QUINTAROS, PRIETO, WOOD &
DOUGLAS ZIPRICK MD	(MCNEIL TROPP & BRAUN LLP
ESTHER DURAN	(CPE)...PRO/PER
GARY DURAN	()...
JANET DURAN	(PET)...BANKS GARCIA & JANIS
JANET DURAN	(PLA)...KAMPF SCHIAVONE &
JENNIFER M DANIEL	(PET)...JENNIFER M DANIEL
JOHN ADAN MD	(MCNEIL TROPP & BRAUN LLP
LORIANNE DURAN	(PET)...KAMPF SCHIAVONE &
LORIANNE M. DURAN	(CEE)...JENNIFER M DANIEL
LORIANNE M. DURAN	(PET)...JEANNE E KENNEDY
RICHARD DURAN	()...
RONALD DURAN	()...
STEVEN DURAN	(CP)...DAVID E FOATE
STEVEN DURAN	(PET)...HORSPOOL & HORSPOOL

XREF: PROPS1300446 (*Esther Duran estate*)

Currently under review by legal research.

(LR)

Continued matter. Notice not re-reviewed.

(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: 04/1918 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300190

CASE NAME: NORMAN FRED AND RAMONA ROSE STREY FAMILY TRUST

SEE ALSO 1B

HEARING:

Hearing Re: Confirmation of Settlement

*****NOTE: NOTES CONTINUED BY CLERK'S OFFICE FROM [04/16/18]. NOTES WERE NOT RE-REVIEWED BY LEGAL RESEARCH*****

COUNSEL:

LYLE STREY	(PET)...GREGORY T ANNIGIAN
THE NORMAN FRED AND RAMONA ROSE STREY FAMILY TRUST (TRU)...	
DUAYNE DALE BLISS	(PET)...RICHARD G ANDERSON
TERRY STREY	(BEN)...ZUMBRUNN LAW CORPORATION
LYLE STREY	(PET)...GREGORY T ANNIGIAN
PAULA ANN KENT	(PET)...PRO/PER
LINDA M. ROGERS	(TEE)...PRO/PER

GENERAL INFORMATION

Continued from 02/26/18. Stipulation to be filed.

THIS CASE SET FOR HEARING ON Confirmation of Settlement

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

1. On 12/07/17 a stipulation was reached and read into the record.
2. **Need** written settlement and order submitted by Attorney Gregory Annigian.

RECOMMENDATION

Inquire status.

(ww)

Superior Court of Calif, County of San Bernardino

Page: 1B ADD ON

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

DATE: 04/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300190

CASE NAME: NORMAN FRED AND RAMONA ROSE STREY FAMILY TRUST

SEE ALSO 1A

*****NOTE: NOTES CONTINUED BY CLERK'S OFFICE FROM [04/16/18]. NOTES WERE NOT RE-REVIEWED BY LEGAL RESEARCH*****

HEARING:

FIRST FORMAL Account and Report of LYLE STREY and Petition for allowance of fees filed.

COUNSEL:

LYLE STREY	(PET)...GREGORY T ANNIGIAN
THE NORMAN FRED AND RAMONA ROSE STREY FAMILY TRUST (TRU)...	
DUAYNE DALE BLISS	(PET)...RICHARD G ANDERSON
TERRY STREY	(BEN)...ZUMBRUNN LAW CORPORATION
LYLE STREY	(PET)...GREGORY T ANNIGIAN
PAULA ANN KENT	(PET)...PRO/PER
LINDA M. ROGERS	(TEE)...PRO/PER

GENERAL INFORMATION:

Continued from **03/27/17, 06/05/17, 07/31/17** and **10/30/17**.

Continued from **12/07/17**. Settlement reached and read into the record.

Continued from 02/26/18. Stipulated settlement to be filed.

THIS CASE IS SET FOR HEARING ON **[Amended 07/31/17]** 1st Account by Successor Trustee, Lyle Strey.

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

1. Accounting period 07/15/15 to 12/07/16.
2. Assets on Hand \$130,843.00 consisting of cash.
3. Trustee does not request compensation.
4. Petition indicates Attorney Annigian has been paid \$14,170.00 [LF, p. 8 & 17] for fees and costs. Billed at \$360/hour for 37.40 hours' attorney time. Itemized [Supp. 07/31/17 LF pgs.7-13]. Does Court wish to ratify fees? JTD
5. Disbursements include items usually considered overhead or not normally allowed. However, petitioner is not seeking fees.

6. Bank statement covering 12/07/16 appears to be greater; \$147,778.50, than assets stated as \$130,843.00. [Supp. 10/27 LF pg. 25]. **Need** corrected accounting or reconciliation of statement.
7. **Objections filed by Duayne Dale Bliss on 02/23/17.**
8. No proposed order. Submit Order after Hearing.

RECOMMENDATION: Matter is contested.

Matter is contested. Need to clear note 6. If approved, set next hearing for Accounting Review **01/07/19**.

(nb/lc/ww)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **PROBATE**

DATE: 04/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300446
CASE NAME: ESTHER DURAN

SEE ALSO 3

HEARING: Hearing Re: PTN FOR ORDER DETERMINING TITLE AND
REQUESTING ETC

COUNSEL:

ESTHER DURAN	(DEC)...
JANET DURAN	(PET)...DAMIAN G GARCIA
LORIANNE M DURAN	(PET)...PRO/PER
STEVEN DURAN	(PET)...HORSPPOOL & HORSPPOOL
TOYOTA MOTOR CREDIT CORP	(TP)...SCOTT WELTMAN

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

XREF: CONPS1100062 (*Lorianne Duran*)

GENERAL INFORMATION:

Continued from 8/5/13, 8/6/13, 8/23/16, 4/30/14, 8/21/14, 11/14/14, 11/25/14, 2/11/15, 6/25/15, 11/19/15, 12/2/15, 4/4/16, 8/18/16, 08/22/16, 02/14/17, 03/16/17, 05/25/17, 08/10/17, 09/28/17, 10/26/17, 12/07/17, 12/21/17, 01/25/18 and 03/01/18. Settlement out for signature.

THIS CASE IS SET FOR HEARING ON Petition to Determine Title of real and personal property and a finding of a Breach of Fiduciary Duty and Elder Abuse by Steven Duran.

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

1. Petitioner, Steven Duran, appointed Special Administrator \$100,000 bond. Petitioner is one of six children and a beneficiary of the decedent's estate. Decedent died 2/11/13. Petitioner alleges that at all times described in the petition, the decedent was an "elder" as described in W&I§15610.27.
2. Petitioner alleges that the decedent held title to bank accounts containing proceeds from winnings and a settlement) and to 6 parcels of real property and that prior to her death, decedent was hospitalized for unknown reasons and on 7/29/12 decedent executed a Durable Power of Attorney, naming daughter, Janet Duran, as attorney in fact. Copy of POA attached (see LF pages 29-36).
3. Petitioner alleges that on 2/12/13 (one day after decedent's death) respondent, Janet Duran, through her power of attorney, recorded six Grant Deeds transferring the real property to decedent and her as joint tenants, and then on 5/10/13, Janet

Duran filed Affidavit of Death of Joint Tenant on each parcel. Copies of Deeds and Affidavits attached (see LF pages 37-58). Petitioner refers to the text of the POA that informs the agent that the property may not be transferred without adequate consideration. As the POA is terminated at death, it would appear that the Grant Deeds have created a cloud on title as they transfer title to a deceased person with a terminated POA.

4. Petitioner requests the property be transferred back to the estate. However, as the Grant Deeds were recorded after date of death of decedent creating a cloud on title, Court may wish to find the Grant Deeds and Affidavits of Joint Tenant as void.
5. Petitioner requests the Court find that Janet Duran exceeded her scope of authority, acted in bad faith, breached her fiduciary duty, and under Pr.C.§859 should be held liable for twice the value of the property in an amount to be determined.
6. Petitioner requests the Court find that prior to decedent's death, Janet Duran, fraudulently misappropriated funds from decedent's accounts, and under W&I§15657.5 for financial elder abuse be held liable for treble damages, punitive damages, prejudgment interest and costs.
7. Order on Stipulation to void and cancel four grant deeds approved on 01/15/14.
8. **Need** report of Ms. Michealis.
9. **Need** settlement.

RECOMMENDATION:

Need settlement and report.

(sa/lc/nb/lc/dl/lc/sa/nb/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300446

CASE NAME: ESTHER DURAN

SEE ALSO 2

HEARING:

Hearing Re: PTN FOR PROBATE OF WILL AND LTS TESTAMENTARY

COUNSEL:

ESTHER DURAN	(DEC)...
JANET DURAN	(PET)...DAMIAN G GARCIA
LORIANNE M DURAN	(PET)...PRO/PER
STEVEN DURAN	(PET)...HORSPOOL & HORSPOOL
TOYOTA MOTOR CREDIT CORP	(TP)...SCOTT WELTMAN

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

XREF: CONPS1100062 (Lorianne Duran)

GENERAL INFORMATION:

Order appointing Steven Duran as Special Administrator entered 06/03/13, \$100,000 bond required (see prior matter).

Continued from **7/11/13** and **8/22/13**.

On **8/6/13** Court denied an Ex-parte order on Motion to Set Aside Order filed by Janet Duran. Need order.

Continued from **8/26/13, 12/16/13, 1/9/14, 4/30/14 and 8/21/14**. New trial dates set.

Continued from 11/25/14, 2/11/15, 2/11/15, 6/25/15, 11/19/15, 12/2/15, 3/30/16, 04/04/16 08/22/16 02/14/17, 03/16/17, 05/25/17, 08/10/17, 09/28/17, 10/26/17, 12/21/17, 01/25/18 and 03/01/18. Settlement out for signature.

THIS CASE IS SET FOR HEARING ON

- Petition for Letters Testamentary with full authority under IAEA, by **Steven Duran**, son.
- Petition for Letters Testamentary with full authority under IAEA, by **Janet Duran**, daughter.

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

Petition by Steven Duran - son:

1. Petitioner, Steven Duran, requests admission of decedent's Will dated 7/6/93 only.

2. Petitioner is the third nominated executor. Will dated 7/6/93 nominates first Manuel Duran (now deceased) and second Janet Duran. Petitioner believes Janet Duran should not be appointed. Objections and competing petition filed by Janet Duran.
3. Will waives bond as to nominated executors. However, Court required \$100,000 bond for Special Administrator. JTD
4. **Objection filed by Janet Duran.**
5. Notice of Lis Pendens filed by Steven Duran on 03/30/15.

Petition by Janet Duran – daughter – second named executor:

6. Petitioner, Janet Duran, requests admission of decedent's Will dated 7/6/93 and holographic codicils dated 11/12/06 and 1/29/09.
7. Will waives bond. Estimated estate value is \$14,200. JTD
8. Decedent's will nominates Janet Duran as executor and the codicil of 1/29/09 restates/reconfirms the nomination.
9. **Objection to appointment and admission of purported codicils filed by Steven Duran.**
10. **Need** settlement.

RECOMMENDATION:

Need settlement. It appears Janet Duran has priority of appointment.

Court to determine bond. If approved, set hearing for Accounting/Status Review on **06/27/19**. Any accounting to be filed 30 days in advance. Note Local Rule requirements.

(sa/nb/gls/nb/lc/nb/lc/sa/dl/lc/sa/nb/lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1401074

CASE NAME: DOROTHY C PARSONS

HEARING: Hearing re Final Discharge

COUNSEL:

DOROTHY C PARSONS (DEC)...
TERRI L PARSONS (PET)...MATTHEW E SHEASBY
DAVID PARSONS (PET)...MATTHEW E SHEASBY

GENERAL INFORMATION

Continued from 03/08/18. Need additional time for receipts.

THIS CASE SET FOR HEARING ON Final Discharge re **Terri Parsons**.

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

1. Prior Administrator, **Terri Parsons**, passed away on 03/03/17. Final Distribution for Terri approved on 03/02/17. **David Parsons**, son, appointed successor administrator. It is unclear if Terri had issue.
2. Receipt for Advance Inheritance filed.
3. As to Successor administrator **David Parsons**, Court will **need** supplement and receipts/Pr.C.§ 13100 affidavits re Terri's estate [Terri's share is under \$150,000] as Terri passed away day after distribution was approved.
4. Court may wish to discharge **Terri Parsons** on the record; alternatively have counsel submit discharge on her behalf with recording information per Pr.C.§ 11753(b).
5. However, as to **David Parsons** [hearing 10/17/18] will **Need** Ex Parte Petition for Final Discharge and Order with recording information per Pr.C.§11753(b) as there was real property. Discharge order submitted returned for corrections [recording info, not dated, no declaration re note 3 etc.]

RECOMMENDATION

Inquire status of receipts and discharge order.

(lc)

Future hearing dates: 10/17/18 final discharge **David Parsons**

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

DATE: 04/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500025

CASE NAME: YOKE YING TAN

HEARING:

Probate status report filed.

COUNSEL:

JASON VIEGAS	(PET)...MITCHELL I ROTH
JONATHAN VIEGAS	(OBJ)...RICHARD W.S. PERSHING
YOKE YING TAN	(DEC)...

GENERAL INFORMATION:

Continued from 01/10/18. Counsel states the jewelry still needs to be appraised. A Stipulation and Order re the buy out to be submitted.

Continued from 03/12/18. Pro Tem unable to hear matter.

THIS CASE IS SET FOR HEARING ON Status Report.

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

1. Letters of Administration with full authority issued to Jason Viegas, son, 06/16/16, with \$218,000 bond.
2. Administrator seeks an additional 6 months to close the estate in order to receive final Inventory and Appraisal.
3. **Need** stipulation and order re buy out.
4. ~Proposed Order: 01/10/18

RECOMMENDATION:

Need stip and order. If approved, set next hearing for Accounting Review on **06/20/18**.
(lh/cs/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600846

CASE NAME: MTR OF RONALD LEE NELSON

HEARING:

Accounting Review by ***

COUNSEL:

JEFFREY A NELSON (PET)...D M DAVIS
RONALD LEE NELSON (DEC)...

GENERAL INFORMATION

Continued from 12/14/17 and 3/08/18. Counsel unable to attend.

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 Jeffrey Nelson, son, on 12/05/16; **limited** authority, no bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601031

CASE NAME: THE JORDAAN CLARKE SPECIAL NEEDS TRUST

HEARING:

Petition for authority to sell trust's real property subject to
report of sale etc

COUNSEL:

RICHARD HUNTINGTON	(PET)...MUSCARELLA &
THE JORDAAN CLARKE SPECIAL NE	(TRU)...
WELLS FARGO BANK	(PET)...MUSCARELLA &

Currently under review by legal research.

30 days' notice filed 02/23/18.

(lc)

Future Hearing:

06/05/18 Final Discharge

06/05/18 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700554

CASE NAME: Mary Hope Vasquez

HEARING:

FIRST AND FINAL Account and Report of TINA MARIE VASQUEZ and
Petition for allowance of fees filed.

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV (TP)...PRO/PER
MARY HOPE VASQUEZ (DEC)...
TINA MARIE VASQUEZ (PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by TINA MARIE VASQUEZ is GRANTED
Fee waiver amount due \$850.50

GENERAL INFORMATION

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

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

1. Assets on hand \$0.
2. Administrator waives statutory fees.
3. Property was sold at short sale with negative equity. Copy of escrow statement attached.
4. Department of Health Services filed a claim on 02/16/18. **Need** disposition of claim; although there does not appear to be any assets.
5. **Need** notice of hearing and proof of service including to Department of Health Services.
6. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 4-5. If approved, set hearing on the filing of receipts and final discharge for **04/25/19**.

(lc)

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

DATE: 04/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700675
CASE NAME: MARILYN LOUISE DELASHMUTT

SEE ALSO 8B

HEARING: Hearing Re: Ptn for Letters of Administration

COUNSEL:

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

GENERAL INFORMATION

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

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

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

Continued from 02/22/18, 02/26/18 and 04/05/18.

THIS CASE SET FOR HEARING ON.

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

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

Petitioner – 1 Dianna Thompson, daughter:

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

Petitioner - 2 Debra Ehrlich, daughter

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

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

RECOMMENDATION

Need to clear notes 4-6. Court's discretion re bond. If approved, set Accounting/Status Review for **06/27/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs/lh/nb/cs/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700675

CASE NAME: MARILYN LOUISE DELASHMUTT

SEE ALSO 8A

HEARING:

Hearing Re: Confirmation of Settltmt/Status of Estate

COUNSEL:

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

See notes on matter 8A.

(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: 04/19/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS0600014

Vacated

CASE NAME: MTR OF FELIX GARCIA

HEARING:

Accounting Review by ***

COUNSEL:

CHRISTINA ERICKSON-TAUBE	(CE)...SHERRI L KASTILAHN
CHRISTINA ERICKSON-TAUBE	(CPE)...SHERRI L KASTILAHN
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
FELIX GARCIA	(CEP)...DONNASUE ORTIZ
FELIX GARCIA	(CEP)...J. DAVID HORSPOOL

(lc)

Future hearing dates: 05/07/18 11th Account by Christina Erickson-Taube, PPF

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 04/19/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1200125

Vacated

CASE NAME: MARY CHARM KUTCH

HEARING:

Hearing re Final Discharge

COUNSEL:

JAMES KUTCH

(DINA I FARHAT, ESQ

JAMES KUTCH

(TP)...

MARK J ANDREW FLORY

(PET)...MARK J. ANDREW FLORY

MARY CHARM KUTCH

(CEP)...JAMES B CHURCH

ROBERT R KUTCH

(CPE)...HARTNELL LAW GROUP

Discharge filed 03/14/18.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1400336

CASE NAME: DAYNA ASHLEY COATES

HEARING:

Petition for REQUEST FOR ORDER RE MODIFICATION OF VISITATION OF
THE CONSERVATEE

COUNSEL:

CHARLES COATES	(CPE)...PRO/PER
CHARLES COATES	(OBJ)...
DAYNA ASHLEY COATES	(CTP)...MITCHELL I ROTH
TAMMY MARIE MILITELLO	(CP)...HASLAM & THORNE, LLP

XREF: FAMVS1201123 (Tammy M Coates-v-Charles Coates)

Visitation – No notes – JTD *

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600144

CASE NAME: MTR OF LETHA JOAN CANUP PHILLIPS

SEE ALSO 13

HEARING:

Accounting Review by ***

COUNSEL:

ARTHUR CHARLES EWING (CPE)...CHRISTINA FERRANTE
LETHA JOAN CANUP PHILLIPS (CEP)...MITCHELL I ROTH

GENERAL INFORMATION

Continued from 12/14/17 and 02/22/18. Accounting out for signature.

THIS CASE SET FOR HEARING ON Accounting review re **Conservatorship**.

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

1. Arthur Ewing, son, appointed conservator of the person and estate on 10/06/16, \$20,000 bond.
2. Final Inventory and Appraisal filed 06/09/17.
3. **Need** accounting.

RECOMMENDATION

Inquire status of accounting.

(lc/lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600144

CASE NAME: MTR OF LETHA JOAN CANUP PHILLIPS

SEE ALSO 12

HEARING:

Accounting Review by ***

COUNSEL:

ARTHUR CHARLES EWING (CPE)...CHRISTINA FERRANTE
LETHA JOAN CANUP PHILLIPS (CEP)...MITCHELL I ROTH

GENERAL INFORMATION

Continued from 12/14/17 and 2/22/18. Accounting out for signature.

THIS CASE SET FOR HEARING ON Accounting review re **Trust**.

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

1. On 10/28/16 Court took jurisdiction over the trust. Arthur Ewing Trustee. All proceeds placed into a blocked account.
2. **Need** trust accounting.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 04/19/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700034

CASE NAME: CHRISTOPHER CORONEL

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ROSALVA L CORONEL

COUNSEL:

CHRISTOPHER CORONEL (CTP)...SANDY L. TURNER
ROSALVA L CORONEL (PET)...PRO/PER

GENERAL INFORMATION

Continued from 02/22/18 to give notice.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Rosalva Coronel, mother, appointed conservator of the person only on 07/20/17.
2. Notification of Conservatee's rights filed 07/28/17. However, proof of service does not indicate service of order or include all parties. **Need** to complete mailed service on
 - a. Conservatee.
 - b. sibling Noe Coronel.
 - c. Counsel Sandy Turner.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan in accord with Pr.C.§2352.5, local rule 20-1403 filed 07/28/17.

RECOMMENDATION

Need to clear note 2.

(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: 04/19/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800064

CASE NAME: MTR OF GREGORIO LOPEZ

SEE ALSO 16

HEARING:

Petition for Appointment of Temporary Conservator

COUNSEL:

GREGORIO LOPEZ (CEE)...JEANNE E KENNEDY
MARGARITA LOPEZ (CPE)...PRO/PER

Temporary hearing – No notes – JTD *

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

DATE: 04/19/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800064

CASE NAME: MTR OF GREGORIO LOPEZ

SEE ALSO 15

HEARING: Petition for Appointment of Conservator

COUNSEL:

GREGORIO LOPEZ (CEE)...JEANNE E KENNEDY
MARGARITA LOPEZ (CPE)...PRO/PER

GENERAL INFORMATION

Jeanne Kennedy appointed GAL on 03/15/18 temporary hearing.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Margarita Lopez, daughter

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

1. Petitioner seeks no bond on basis that cannot afford bond premium. However, this is not a basis for waiving bond. Petition reflects \$0 assets. Court to inquire need for estate powers.
2. Petitioner seeks medical powers. Capacity Declaration filed 03/08/18.
3. **Need** report of GAL Jeanne Kennedy.
4. **Need** list of required contacts (Local form SB-12224).
5. **Need** return of citation.
6. **Need** notice of hearing and proof of service.
7. Court Investigator report filed 04/09/18.
8. Certificate of completion of Conservatorship Training class filed 04/05/18.
9. ~Proposed Form Order: 03/08/18.

RECOMMENDATION

Need to clear notes 3-6. If approved, set hearing for Compliance Review for **11/29/18** for the filing of the required documents and hearing re Accounting Review for **06/27/19**. Any accounting to be filed 30 days in advance.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 1 ADD ON

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

Readiness Calendar

DATE: 04/19/18 TIME: 8:29 DEPT: S37P

CASE#: EAP PS1800029

CASE NAME: BOLDS V WILLIAMS

HEARING:

Readiness Calendar

COUNSEL:

DORIS BOLDS

(PP)...PRO/PER

MAKAI WILLIAMS

(RP)...PRO/PER

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

Readiness – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 04/19/18 TIME: 8:29 DEPT: S37P

CASE#: GAR SS1400549

CASE NAME: Paris G Flamenco

SEE ALSO 2, 3

HEARING:

Hearing Re: PTN TO MODIFY VISITATION ORDERS

COUNSEL:

ISABEL AYALA

(GP)...PRO/PER

JASMINE C FLAMENCO

(MOT)...PRO/PER

JOSE FLAMENCO

(PET)...PRO/PER

PARIS G FLAMENCO

(MIN)...PRO/PER

Visitation – No notes – JTD *

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 8:29 DEPT: S37P

CASE#: GAR SS1400549

CASE NAME: Paris G Flamenco

SEE ALSO 1A, 3

HEARING:

Hearing Re: APPLICATION FOR ORDER ENFORCING VISITATION

COUNSEL:

ISABEL AYALA	(GP)...PRO/PER
JASMINE C FLAMENCO	(MOT)...PRO/PER
JOSE FLAMENCO	(PET)...PRO/PER
PARIS G FLAMENCO	(MIN)...PRO/PER

Visitation – No notes – JTD *

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 04/19/18 TIME: 8:29 DEPT: S37P

CASE#: GAR SS1400549

CASE NAME: Paris G Flamenco

SEE ALSO 1A, 2

HEARING:

Readiness Calendar

COUNSEL:

ISABEL AYALA

(GP)...PRO/PER

JASMINE C FLAMENCO

(MOT)...PRO/PER

JOSE FLAMENCO

(PET)...PRO/PER

PARIS G FLAMENCO

(MIN)...PRO/PER

Readiness – No notes – JTD *

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

DATE: 04/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0700887

CASE NAME: LUIS ALBERTO SANCHEZ JR.

HEARING:
Hearing re Final Discharge

COUNSEL:

LUIS ALBERTO SANCHEZ JR (DEC)...
MARIA L DOERZAPF (PET)...SARAH E BREWSAUGH
MARIA L. DOERZAPF (PET)...CHARLIE D BARB

GENERAL INFORMATION

Continued from 12/22/16, 03/02/17 and 05/11/17. No appearances. Maria Doerzaph and/or counsel to appear at next hearing.

Continued from 07/13/17, 08/31/17, 11/20/17 and 02/01/18 to clear notes.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Court may wish to allow counsel to file substitution of attorney for prior counsel Charlie Barb, Counsel's deceased father.
2. Final account/distribution approved for Maria Doerzaph on 12/17/15. Order approved on 11/14/17.
3. **Need** Ex Parte Petition for Final Discharge and Order with recording information per Pr.C.§11753(b). **Rejected for corrections on 03/03/17 and 05/19/17.** Petitioner requested a **60 day** continuance on **10/25/17.**
4. No receipt required, petitioner is sole heir.

RECOMMENDATION

Need to clear note 3.

(lc)

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

DATE: 04/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1100351

CASE NAME: RICARDO CARDENAS SPECIAL NEEDS TRUST

HEARING: Petition for approval of sixth Account and Report of RICARDO CARDENAS SPECIAL NEEDS TRUST and Petition for allowance of fees filed.

COUNSEL:

RICARDO CARDENAS SPECIAL NEEDS (TRU)...
WELLS FARGO BANK (PET)...RANDOLPH M SHARON
WELLS FARGO BANK (PET)...SCOTT GROSSMAN

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 6th SNT Account Current, Petition to Purchase Vehicle and for Fees by Wells Fargo, Trustee.

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

1. Beneficiary is 13 years old.
2. Account period covers 11/01/15 – 10/31/17.
3. Assets on hand \$209,932.33 consisting of \$8,109.36 in cash and the balance in securities and vehicle.
4. Trustee seeks approval of fees in the amount of \$8,660.70 taken during the accounting period in accordance with Article 1, Section 3 of the Trust. Fee schedule [Acct. 02/21/18LFpg88-92]. JTD
5. Counsel seeks fees of \$3,000.00 reduced from approximately \$4,150. [Acct. 02/21/18LFpg9]. JTD
6. Counsel seeks reimbursement of \$230.00 for filing fees.
7. Trustee seeks to replace the 2011 Toyota Avalon which has approximately 100k miles. Trustee seeks authority to spend up to \$40,000 on purchase of replacement vehicle. Trust will remain as lienholder of vehicle. JTD
8. ~Proposed order: 02/21/18.

RECOMMENDATION:

Court's discretion. If approved, set hearing re next Accounting Review for **02/28/19**. Accounting to be filed 30 days in advance.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300297

CASE NAME: ELLIS ALFORD WESTMORELAND

HEARING:

Accounting Review by ***

COUNSEL:

DIANA JANE WESTMORELAND ABSOLO (OBJ)...PRO/PER
ELISA JILL WESTMORELAND COGBUR (B. PALMER RIEDE)..
ELLIS ALFORD WESTMORELAND (DEC)...
KEVIN JUDE WESTMORELAND (PRO/PER
PEGGY JOAN WESTMORELAND (PET)...GREGORY T ANNIGIAN

GENERAL INFORMATION

Continued from 01/17/18 for resolution/accounting to be filed. Accounting to be filed 30 days in advance.

THIS CASE IS SET FOR HEARING ON Accounting Review re Peggy Westmoreland, administrator

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

1. Letters of Administration issued to Peggy Westmoreland, daughter, on 02/18/14; full authority; no bond.
2. Status Report approved on 01/25/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lh/lc)

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

DATE: 04/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400479

CASE NAME: Richard Edson Holdaway

HEARING:

Accounting Review by ***

COUNSEL:

PATRICIA C EVERETT	(PET)...BRYAN C HARTNELL
RICHARD EDSON HOLDAWAY	(DEC)...
RICHARD EVERETT HOLDAWAY	(PET)...DIANE E ROBBINS

GENERAL INFORMATION

Continued from 02/01/18 to clear notes.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters Testamentary issued to Richard Holdaway, son, on 10/06/16; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

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

DATE: 04/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500558

CASE NAME: Michael Russel Milazzo

HEARING:
Probate status report filed.

COUNSEL:

ANDREA MILAZZO	(PET)...	GREGORY ANNIGIAN
MICHAEL RUSSEL MILAZZO	(DEC)...	
MILAZZO MINOR	(MIN)...	
STATE OF CALIFORNIA FRANCHISE	(TP)...	

GENERAL INFORMATION

Continued from 09/14/17 and 01/18/18. Corrected Inventory and Appraisal to be filed and proof of bond premium. Property was sold 01/17/18.

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of Administration issued to Andrea Milazzo, spouse, on 12/19/16; full authority, no bond.
2. Partial Inventory and Appraisals filed indicating. **Need** final Inventory and Appraisal.
3. Notice of Nonpayment of Bond Premium filed 08/28/17. **Need** proof of payment.
4. Franchise Tax Board has since requested special notice. **Need** notice.
5. Petitioner requests an additional year to close the estate in order to sell certain vehicles.
6. ~Proposed Order: 06/14/17.

RECOMMENDATION

Need to clear notes 2-4. If approved, set Accounting/Status Review for **12/20/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/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: 04/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600849

CASE NAME: WASSILCHALK TRUST DATED APRIL 30,1992

SEE ALSO 10

HEARING:

Petition for (FIRST AMENDED) PETITIN FOR ORDERS REGARDING TRUST
ESTATE ETC

COUNSEL:

KAREN WASSILCHALK	(PET)...VICTORIA P STAPLETON
KAREN WASSILCHALK	(TEE)...VICTORIA P STAPLETON
ROBERT J. SPITZ	(PET)...ROBERT J SPITZ
SUSAN WASSILCHALK	(PET)...PRISCILLA C SOLARIO ESQ
THE FAMILY REVOCABLE TRUST DAT	(TRU)...

Currently under review by legal research

(LR)

Continued matter. Notice not re-reviewed.

(lc)

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

DATE: 04/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600849

CASE NAME: WASSILCHALK TRUST DATED APRIL 30,1992

SEE ALSO 9

HEARING:

FIRST Account and Report of KAREN WASSILCHALK and Petition for allowance of fees filed.

COUNSEL:

KAREN WASSILCHALK	(PET)...VICTORIA P STAPLETON
KAREN WASSILCHALK	(TEE)...VICTORIA P STAPLETON
ROBERT J. SPITZ	(PET)...ROBERT J SPITZ
SUSAN WASSILCHALK	(PET)...PRISCILLA C SOLARIO ESQ
THE FAMILY REVOCABLE TRUST DAT	(TRU)...

GENERAL INFORMATION

Continued from 10/12/17. Counsel Spitz has subbed out of this case.

Continued from 01/25/18. Counsel reported there are 14 boxes of discovery that counsel Solario wants to review.

THIS CASE SET FOR HEARING ON 1st Account Current of Trustee Karen Wassilchalk.

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

1. Accounting period 11/13/08 – 05/31/17.
2. Assets on hand:
 - a. Trust A \$0.
 - b. Trust B \$217,331.16.
3. There were distributions of 21 Shares of stock to Susan, Eric, Denzel and Karen Wassilchalk, valued at \$1,081.71 each.

RECOMMENDATION

Court's discretion. ***If court retains jurisdiction of trust***, set next Accounting review for **08/23/18**.

(lc)

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

DATE: 04/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600899

CASE NAME: MTR OF ANTHONY HENRY MARTINEZ SR

HEARING:

Accounting Review by ***

COUNSEL:

ANTHONY HENRY MARTINEZ SR	(DEC)...
MARLO R MARTINEZ	(PET)...MICHAEL C MADDUX
STATE OF CALIFORNIA FRANCHISE	(TP)...PRO/PER

XREF: CIVDS1616871 (3442 Gray Street)

GENERAL INFORMATION

Continued from 01/25/18 for accounting to be filed.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Marlo Martinez, daughter, on 12/09/16; full authority, sale proceeds to be blocked.
2. Final Inventory and Appraisal filed 02/27/17.
3. Waivers of account filed; however, Petitioner must file a final report of administration per CRC 7.550, Pr. C. § 1064 and Pr. C. §10954(c)(1).
4. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 04/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601027
CASE NAME: MARIA ELENA FLORES GUERRERO
HEARING: First and final Account and Report of MARIN FLORES AVILA and
Petition for allowance of fees filed.

COUNSEL:

MARIA ELENA FLORES GUERRERO (DEC)...
MARIN FLORES AVILA (PET)...GEORGINA LEPE

Request for Waiver of Court Fees and Costs filed by MARIN FLORES AVILA is GRANTED
Fee waiver amount due \$955.50

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by Marin Avila, spouse.

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

1. Assets on hand \$14,119.07 in cash and \$260,000 in real property.
2. Administrator and Counsel seek statutory fees of \$9,500 each. Ok.
3. Administrator seeks to reimburse counsel \$1,995.50 which has a remaining balance of \$1,485.50. [Acct. 03/05LFpg6].
4. Administrator seeks a reserve of \$1,500.
5. Administrator reduced his 1/3rd share to 15% and increased the shares of the 3 children.
6. Administrator appears to have preliminary distributed \$3,000 to each heir, including himself with Notice of Proposed Action; Per Pr.C. § 10510; however, Pr.C. § 10520 allows if will distributes pecuniary interest, yet there is no will. There does not appear to be harm to the estate as to creditors; however, there is not sufficient **cash** to pay fees/costs.
7. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion. If approved, set hearing on the filing of receipts and final discharge for
04/25/19.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700597

CASE NAME: MAXINE DAVISON

HEARING:

FIRST AND FINAL Account and Report of TERRY LYNN DAVISON and
Petition for allowance of fees filed.

COUNSEL:

MAXINE DAVISON (DEC)...
TERRY LYNN DAVISON (PET)...GUAY P WILSON

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by Terry Davison, executor/son.

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

1. Assets on hand \$178,912.12 in cash.
2. Executor and counsel seek statutory fees of \$6,940 each. Ok.
3. Will distributes personal property to 2 beneficiaries of \$10,000 each. Interest accruals start on general pecuniary/monetary devise 1 yr after the date of death [1 yr was 10/06/17], Pr. C. § 12003. **Need** verified supplement re interest accrual, albeit di minimis.
4. Proposed order 03/02/18; however, need to clear interest note.

RECOMMENDATION

Need to clear note 3. If approved, set hearing on the filing of receipts and final discharge for **04/25/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700988

CASE NAME: CARL LEE MCDONALD

HEARING:

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

COUNSEL:

CARL LEE MCDONALD (DEC)...
KRISTINE PARADA (PET)...JAMES MERCER

GENERAL INFORMATION

Letters of special administration issued to Kristine Parada on 11/02/17.

Continued from 02/01/18. Supplement to be filed re monthly rent. Letters of Special Administration expired.

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

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

1. Will waives bond. Net estate value is \$719,000 of which \$19,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. Supplement filed 03/19/18 indicating real property generates \$6,000 a year in rents. Petitioner can no longer deposit these funds as the letters of special were not extended.
3. ~Proposed Form Order: 10/26/17.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **06/27/19**. 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: 04/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701087

CASE NAME: TROY INSKEEP SPECIAL NEEDS TRUST

SEE ALSO 15A

HEARING:

Hearing Re: ACCOUNTING REVIEW (LARRY HOOVER)

COUNSEL:

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

XREF: PROPS1300386 (*Mary Elizabeth Inskeep*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting Review for **Larry Hoover**.

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

1. Larry Hoover accepted appointment as Trustee on 03/02/17 and signed resignation on 07/25/17. Public Guardian appointed temporary Successor Trustee on 12/11/17.
2. **Need** accounting by **Larry Hoover**.

RECOMMENDATION

Inquire status of accounting.

(lc)

Future Hearing:

03/18/19 Hearing re: *Accounting Review* **Public Guardian**

Superior Court of Calif, County of San Bernardino

Page: 15A ADD ON

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

DATE: 04/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701087

CASE NAME: TROY INSKEEP SPECIAL NEEDS TRUST

SEE ALSO 15

HEARING:

Hearing Re: FILING OF COPY OF TRUST

COUNSEL:

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

XREF: PROPS1300386 (*Mary Elizabeth Inskeep*)

GENERAL INFORMATION

Continued from 04/05/18. Taken off calendar as trust has been filed. Counsel Carey-Wilson has beneficiary unable to contact Counsel Bader re the funds from the sale of home.

THIS CASE SET FOR HEARING ON Filing Copy of Trust.

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

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

RECOMMENDATION

Court's discretion. As this appears to be a **Public Guardian** matter, **future hearings shall be set on Monday calendar.**

(lc)

Future hearing dates: 03/18/19 Accounting review **Public**

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

DATE: 04/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800009

CASE NAME: MELODIE ANN HAND

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

COUNSEL:

COLEEN MCDUGALL (PET)...J. DANA MITCHELLWEILER
MONICA HAND (OBJ)...WADE LAW OFFICES, APC
NICOLE HAND (PET)...J. DANA MITCHELLWEILER

GENERAL INFORMATION

Continued from 02/01/18. Monica Hand to file written objections/competing petition by 03/19/18.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Nicole Hand and Coleen McDougall, daughters/Co-Trustees.

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

1. Will waives bond. Net estate value is \$100,000 in personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. The will conditionally incorporates decedent's Trust. Copy of trust filed 04/11/18.
3. **Objections filed by Monica Hand, daughter, on 03/15/18.**
4. ~Proposed Form Order: 01/04/18

RECOMMENDATION

Matter is contested. If approved, set Accounting/Status Review for **06/27/19** 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: 04/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800228

CASE NAME: MARIE T. HERNANDEZ AKA MARIE HERNANDEZ ETC

HEARING:

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

COUNSEL:

MARIE T. HERNANDEZ (DEC)...
VERONICA VALADEZ-ARREZOLA (PET)...ELISABETH KEMPE-OLINGER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Veronica Valadez-Arrezola, niece.

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

1. Will waives bond. Net estate value is \$256,500 of which \$6,500 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. Notice to Petition to Administer Estate and proof of service filed 04/04/18; however, department is incorrectly stated as S3. **Need** corrected notice.
3. Proof of publication filed 04/04/18; however, department is incorrectly stated as S3. **Need** corrected publication.
4. ~Proposed Form Order: 03/08/18.

RECOMMENDATION

Need to clear notes 2-3, Court's discretion re bond. If approved, set Accounting/Status Review for **06/27/19**. 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: 04/19/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1601107

CASE NAME: JACK E BIRKINSHAW TRUST OF 2009,DATED MARCH 12,200

SEE ALSO 19, 20

HEARING:

Hearing Re: RECEIPT OF SETTLEMENT/DISMISSAL

COUNSEL:

ERLINDA CAMERON

(PET)...ROBERT F SCHAUER

ISRAEL GARCIA

(OBJ)...SERGIO A WHITE

JACK E BIRKINSHAW TRUST OF 200

(TRU)...

XREF: CIVDS1413193 (*Cameron-v-Garcia et al*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Receipt of Settlement/Dismissal.

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

1. Matter set on 01/25/18 T.S.C. when notice of settlement was filed 01/22/18. A dismissal should be filed.

RECOMMENDATION

Inquire status.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1601107

CASE NAME: JACK E BIRKINSHAW TRUST OF 2009,DATED MARCH 12,200
SEE ALSO 18, 20

HEARING:
Hearing Re: OSC RE: SANCTIONS

COUNSEL:

ERLINDA CAMERON	(PET)...ROBERT F SCHAUER
ISRAEL GARCIA	(OBJ)...SERGIO A WHITE
JACK E BIRKINSHAW TRUST OF 200	(TRU)...

XREF: CIVDS1413193 (*Cameron-v-Garcia et al*)

GENERAL INFORMATION

Continued from 01/25/18. Settlement reached, dismissal should be filed.

THIS CASE SET FOR HEARING ON OSC re Sanctions.

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

1. OSC set on 11/16/17 when petitioners failed to appear and file proper service.
Service to include Crystal Garcia and Wells Fargo Bank.

RECOMMENDATION

Court's discretion re OSC.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1601107

CASE NAME: JACK E BIRKINSHAW TRUST OF 2009,DATED MARCH 12,200
SEE ALSO 18, 19

HEARING:

Petition for AN ORDER TO CONFIRM VALIDITY OF TRUST TO
CONFIRM ASSESTS OF TRUST ETC

COUNSEL:

ERLINDA CAMERON	(PET)...ROBERT F SCHAUER
ISRAEL GARCIA	(OBJ)...SERGIO A WHITE
JACK E BIRKINSHAW TRUST OF 200	(TRU)...

XREF: CIVDS1413193 (*Cameron-v-Garcia et al*)

Currently under review by Legal Research.

(LR)

Continued matter. Notice not re-reviewed.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 8:35 DEPT: S37P

CASE#: TRU PS1800037

CASE NAME: HUMPHREYS REVOCABLE LIVING TRUST

HEARING:
Petition for Order Confirming Trust Assets

COUNSEL:
HUMPHREYS REVOCABLE LIVING TRU (TRU)...
THOMAS JOE HUMPHREYS (PET)...DONNASUE ORTIZ

Currently under review by legal research.

(LR)

Notice filed on 03/03/18; however, **need** proper notice as Pr.C. § 851 has changed.

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)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 04/19/18 TIME: 9:30 DEPT: S37P

CASE#: CON DS1000197

CASE NAME: CAMILLE A. DALISAY

HEARING:

Hearing Re: CONFIRMATION OF TRANSFER

COUNSEL:

ALFRED DALISAY	(PET)...JOSEPH P FOLEY
CAMILLE A. DALISAY	(CEE)...
LUCILLE DALISAY	(PET)...JOSEPH P FOLEY

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Confirmation of Transfer to Riverside.

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

1. Conservators, Alfred and Lucille Dalisay/parents and Conservatee now live in Indio; Riverside County. Matter transferred on 02/08/18.
2. **Need** receipt and acknowledgement re transfer with Riverside case number.

RECOMMENDATION

Inquire status of receipt.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0800028

Vacated

CASE NAME: MTR OF TERRY R LACOSTE

HEARING:

Accounting Review by ***

COUNSEL:

CHRISTINA ERICKSON-TAUBE	(CE)...ALEX R BORDEN
CHRISTINA ERICKSON-TAUBE	(CPE)...ALEX R BORDEN
EDWARD IRVING	(PRO/PER
JACK B. OSBORN	(PET)...JACK B OSBORN
MELODIE Z SCOTT	(TP)...PRO/PER
TERRY R LACOSTE	(CEP)...WALTER T MOORE

CCP170.6 filed as to CYNTHIA LUDVIGSEN

(lc)

Future hearing dates: 10th Account for Christina Erickson-Taube, PPF.

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

DATE: 04/19/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400317

CASE NAME: MTR OF KNUD ANDERSEN

SEE ALSO 25

HEARING:

Petition for attorney fees by court appointed counsel

COUNSEL:

JENS ANDERSEN	(CPE)...MATTHEW E SHEASBY
KNUD ANDERSEN	(CEP)...E JOAN NELMS
KNUD ANDERSEN	(PET)...JAMES B CHURCH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney fees.

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

1. Petitioner, James Church on behalf of Joan Nelms, was appointed counsel on 11/12/14.
2. Petitioner seeks fees of \$14,566.25 for 51.55 hours at \$100/375 per hour for paralegal and attorney services.
3. ~Proposed Order: 03/08/18.

RECOMMENDATION

Court's discretion.

(lc)

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

DATE: 04/19/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400317
CASE NAME: MTR OF KNUD ANDERSEN

SEE ALSO 24

HEARING: FIRST Account and Report of JENS ANDERSEN and Petition for allowance of fees filed.

COUNSEL:

JENS ANDERSEN	(CPE)...MATTHEW E SHEASBY
KNUD ANDERSEN	(CEP)...E JOAN NELMS
KNUD ANDERSEN	(PET)...JAMES B CHURCH

GENERAL INFORMATION

Continued from 02/23/17, 05/11/17, 08/24/17, 10/26/17 and 01/25/18 to clear notes.

THIS CASE SET FOR HEARING ON 1st Account Current and Petition for Allowance of Fees by Jens Andersen, son.

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

1. **Conservatee passed away on 08/15/17.**
2. Accounting period 11/20/14 – 05/31/16.
3. Assets on hand \$753,882.74 of which \$150,228.65 is cash.
4. Attorney requests fees of \$16,101.85 or 37.17 hours at \$300 an hour, which includes \$4,154.45 for dissolution. Itemized [Sup.12/12 LFpg4-31]. JTD
5. Beginning balance does not match Inventory and Appraisal values. **Need** corrected accounting or Inventory and Appraisals.
6. Inventory and Appraisals filed do not have full legal descriptions. **Need** same.
7. **Need** bank statement that covers 05/31/16. Last statement appears to be 05/23/16 [Con.12/12 LFpg215]. **Supp 02/02/18:** There is Allegedly a hold on the bank account.
8. Disbursements indicate \$315 in overdraft charges [Acct.12/12 LFpg16-17]. Question why the overdraft fees and why petitioner should not be liable? **Supp02/02:** Conservator alleges he made deposits of his own money to cover overdraft fees.
9. Disbursements indicate several credit card payments, one of which is \$8,715.81 to Bank of America [Acct.12/12 LFpg16-17]. **Supp 02/02:** Conservator states cards were paid off and now closed.

10. Conservator completed the Saticoy Property transaction whereby a 1st Deed of Trust was secured for \$450,000, which conservatee received monthly interest. Conservatee was also paid a lump sum of \$208,794.88.
11. Current bond is \$507,000.
12. ~Proposed Order: 12/12/16.

RECOMMENDATION

Need to clear notes 5-7. If approved, set hearing on the next accounting review for final pre and post death accounting **06/21/18**. Accounting to be filed 30 days in advance.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 04/19/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1500253

Vacated

CASE NAME: John K. Groff, Sr.

HEARING:

Hearing re Final Discharge

COUNSEL:

JOHN K. GROFF Jr

(PET)...ZUMBRUNN LAW CORPORATION

JOHN K. GROFF Sr.

(CEP)...MITCHELL I ROTH

LARRY E HOOVER

(CPE)...SU P CHEAH

Final Discharge filed 05/17/17.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700088

CASE NAME: FELIX MENDOZA

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of GUADALUPE MOYA ZAMARRIPA

COUNSEL:

FELIX MENDOZA (CTP)...WALTER T. MOORE
GUADALUPE MOYA ZAMARRIPA (CP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Guadalupe Zamarripa, granddaughter, appointed conservator of the person only on 09/14/17.
2. **Need** proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights per Pr.C.§1830(c).
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5, local rule 20-1403.

RECOMMENDATION

Need to clear notes 2-4.

(lc)

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

DATE: 04/19/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700398

CASE NAME: MTR OF SEAN PATRICK CHUA NUNEZ

HEARING:
PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

NIGEL KENNETH CHUA NUNEZ (CP)...PRO/PER
SEAN PATRICK CHUA NUNEZ (CTP)...JAMES B CHURCH

GENERAL INFORMATION

Continued from 01/25/18. No appearance. James Church appointed counsel. IRC to provide report.

THIS CASE SET FOR HEARING ON Case Management Conference.

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

1. Nigel Nunez and Christina Chua, brother and mother appointed **limited** conservator, person only, on 02/02/15 in Los Angeles County. Matter transferred to San Bernardino on 10/12/17.
2. **Need** amended letters to reflect this county.
3. **Need** post move notice per CRC 7.1063(c) including notice to Eastern Los Angeles Regional Center and IRC.
4. **Need** IRC report.
5. **Need** report of Counsel James Church.
6. Court Investigator report filed 01/23/18.

RECOMMENDATION

Need to clear notes 2-5.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/19/18 TIME: 9:30 DEPT: S37P

CASE#: EAP PS1800038

CASE NAME: THOMPSON VS TAYLOR

HEARING:

Hearing Re: Elder Abuse Restraining Order

COUNSEL:

HAROLD TAYLOR (RP)...
SAMUEL THOMPSON (PP)...PRO/PER

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

TRO granted on 03/29/18. **Need** notice to respondent Harold Taylor.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

MISC

DATE: 04/19/18 TIME: 1:30 DEPT: S37P

CASE#: CON PS1400238

CASE NAME: Randall Alton Gonzales

SEE ALSO 30

HEARING:

Hearing Re: DEFAULT PROVEUP/PTN FOR GOOD FAITH SETTLEMENT

COUNSEL:

JP MORGAN CHASE BANK, N.A. ()...
RANDALL ALTON GONZALES (CEP)...SHEASBY AND ASSOCIATES
RANDALL ALTON GONZALES (PET)...WALTER T. MOORE
TERI SUE GONZALES . (CPE)...
TERI SUI MCKINNEY (RES)...

Currently under review by legal research.

(LR)

(lc)

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

DATE: 04/19/18 TIME: 1:30 DEPT: S37P

CASE#: CON PS1400238

CASE NAME: Randall Alton Gonzales

SEE ALSO 29

HEARING: Accounting Review by ***

COUNSEL:

JP MORGAN CHASE BANK, N.A. ()...
RANDALL ALTON GONZALES (CEP)...SHEASBY AND ASSOCIATES
RANDALL ALTON GONZALES (PET)...WALTER T. MOORE
TERI SUE GONZALES . (CPE)...
TERI SUI MCKINNEY (RES)...

Request for Waiver of Court Fees and Costs filed by TERI SUE GONZALES . is GRANTED

GENERAL INFORMATION:

Continued from **04/04/16, 06/03/16 and 06/14/16**. Conservator's counsel is subbing out as an accounting has not yet been filed. Court ordered additional bond of \$10,500 for SNT. All funds in SNT to be frozen. Accounting re SNT to be filed by 07/22/16.

Continued from **08/22/16**. No appearance. **Matter referred to Public Guardian**. Citation issued to Teri Sue Gonzales

Continued from **09/26/16**. The Court orders Teri Gonzales suspended as conservator. The Court orders Diana Boley to be physically present at next hearing. The Court cites Teri Sue Gonzales to be present at next hearing. Notice by Judicial Assistant

Continued from **12/19/16**. Due to prior failure to appear and file accountings in this matter, Teri Sue Gonzales is hereby suspended as conservator of the person and estate of Randall Alton Gonzales. She is also suspended as the trustee of the special needs trust for Randall Alton Gonzales. Counsel, for conservator, objects to the suspension. Shashauna Szczechowicz will notify all banks of the suspension of Teri Sue Gonzales. Court appoints the public guardian as conservator of the estate only. It is further noted by the court that a bond is not required in this matter as there is already a bond in place for the Special Needs Trust. Citation issued as to Teri Sue Gonzales.

Continued from **03/27/17**. Counsel report all funds are missing. The \$75,000 from the blocked account and the \$45,000 from the interest bearing account. Counsel for the surety confirms that although the bond premium has not been paid the surety is still liable. Public guardian is to have their 850 petition filed by 7/17/17. TERI SUE GONZALES is cited to appear (this is the third time) at next hearing, should she not appear a bench warrant will issue. Citation issued to : Teri Sue Gonzalez.

Continued from **07/17/17**. Court questions the validity of the Order placing funds in blocked account. Once petition for surcharge is filed, the surety company will not object and pay the amount of the surcharge upon receipt of the order. The surety company is to

be given notice of any and all upcoming hearings. The Public Guardian filed an ex parte petition requesting appointment of Matthew Sheasby as Guardian Ad Litem. Court appoints Matthew Sheasby as Guardian Ad Litem for Randall Alton Gonzales. Continued from **10/02/17** at request of counsel. Notice to be given by Matthew Sheasby. Continued from **10/10/17** at request of counsel for JP Morgan to respond to law suit. Continued from **12/11/17** **Mr. Sheasby gives oral report to Court. He reports an 850 petition has been filed. He further reports a settlement has been reached with JP Morgan Chase and a petition for good faith settlement will filed. Matter continued for conservator to be served by publication. Mr. Moore reports his client has no objection to getting money from Chase, but does not want his sister to be penalized. Continued from 03/05/18 to trail other hearing set/settlement may be waiver of accounting.**

THIS CASE SET FOR HEARING ON Accounting Review re SNT/conservatorship.

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

1. Teri Sue McKinley appointed conservator of person and estate on 10/02/14, no bond.
2. SNT established on 05/29/15 appointing Teri Sue McKinley Trustee \$50,000 bond, with additional \$10,500 ordered 07/18/16 which does not appear to be posted.
3. 1st waiver of account for conservatorship granted 06/09/15 for period ending 03/30/15.
4. Notice of Non-Payment of Bond premium filed 03/14/17.
5. **Need** accounting for SNT.
6. **Need** Second Account/waiver for Conservatorship.
7. **Need** notice to bond company.
8. Due Diligence filed 12/27/17 as to Teri Sue Gonzales as citation was not served.
9. Notice of Death of, former attorney Diana Boley for Conservator/Trustee, filed 10/27/16.
10. Suretec Insurance Company's Report of Subpoena to Chase Bank re SNT Account filed 03/22/17.

RECOMMENDATION:

Inquire status of accountings and notice.

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