



## Second/Final Check

Superior Court of California  
County of San Bernardino  
Probate Department

### **Probate Notes for Calendar Date: 04/24/18**

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.

nb0405/0418

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: 04/24/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1300511

CASE NAME: RUTH ELLA JEFFERY

HEARING:

Accounting Review by \*\*\*

COUNSEL:

ELLA JACOBS

(GILBERT M GUTIERREZ

ELLA JACOBS

(PET)...PRO/PER

GUY JACOBS

(OBJ)...GILBERT M GUTIERREZ

JUDITH A SHUFORD

(PET)...KEITH S WALKER

RUTH ELLA JEFFERY

(DEC)...

#### GENERAL INFORMATION

Continued from **12/03/15**. Counsel reports property has sold. Notice to be given by Mr. Walker.

Continued from **02/16/16** at request of counsel to file status report. Nothing new filed.

Continued from **04/12/16** at request of counsel to clear notes. Counsel to file motion to enforce settlement agreement.

Continued from **06/06/16**. No appearances. Judith Shuford needs to file an accounting for the special administrator. Court orders Attorney Keith Walker and Judith Shuford to personally be present at the next hearing. Notice by Judicial Assistant.

Continued from **08/15/16, 10/17/16, 01/30/17** and **06/05/17** at request of counsel.

Matter set on **08/28/17 due to no appearances**. Counsel Keith S. Walker and Judith A. Shuford are ordered to appear at the next hearing. Notice by Judicial Assistant.

Continued from **10/02/17**. Case referred to Public Administrator.

**Continued from 12/12/17. Attorney Keith Walker is to file a declaration regarding accounting 30 days before the next hearing. The Court withdraws referral to Public Administrator. Nothing new filed.**

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Letters of Special Administration issued to Judith Shuford on 06/25/13.
2. It appears court is seeking an accounting from special administrator.

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

## RECOMMENDATION

Inquire status.

(lc/nb/dl/nb/ww/nb)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

-----  
DATE: 04/24/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1400931

CASE NAME: Larry Davis

**SEE ALSO 2A, 2B, 2C**

HEARING:

Motion Re: TO COMPEL PETITIONER TO ATTEND AND TESTIFY AT  
DEPOSITION Filed by Petitioner LAWRENCE DAVIS

COUNSEL:

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

Currently under review by Legal Research.  
(LR)

Future Hearing:

08/13/18 Petition to confirm property belongs 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

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

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

-----  
DATE: 04/24/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1400931

CASE NAME: Larry Davis

**SEE ALSO 2, 2B, 2C**

HEARING:

Hearing Re: OSC RE SURCHARGE OF \$2,500.00 ON BRENDA DAVIS

COUNSEL:

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

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re Surcharge of \$2,500 on Brenda Davis

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

1. Matter set at 04/12/18 hearing for failure to timely filed the final inventory and appraisal.
2. Brenda Davis to file and serve (with proof of service) a written explanation on declaration under penalty of perjury the reason(s) why she did not filed the final inventory and appraisal in a timely manner by 04/17/18.
3. Nothing new filed in this matter.

RECOMMENDATION:

Court's discretion.

(nb)

Future Hearing:

08/13/18 Petition to confirm property belongs 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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Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 04/24/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1400931

CASE NAME: Larry Davis

**SEE ALSO 2, 2A, 2C**

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

**Continued from 04/12/18 on courts motion.**

THIS CASE SET FOR HEARING ON Status Report. (filed 10/05/17)

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/nb)

Future Hearing:

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

08/13/18 Readiness calendar

09/10/18 thru 09/14/18 Court Trial

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

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

-----  
DATE: 04/24/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1400931

CASE NAME: Larry Davis

**SEE ALSO 2, 2A, 2B**

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 2B.

(lc/nb)

Future Hearing:

08/13/18 Petition to confirm property belongs 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

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

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DATE: 04/24/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1401093

CASE NAME: Virgil Buster Blackmon

HEARING:

Accounting Review by \*\*\*

COUNSEL:

CHRISTINA BLACKMON

(PET)...

STATE OF CALIFORNIA FRANCHISE

(TP )...PRO/PER

VIRGIE RENTIE

(PET)...HALLI B. HESTON

VIRGIL BUSTER BLACKMON

(DEC)...

**VACATE** – status report filed and set for 06/06/18.

(nb)



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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 04/24/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1500200

CASE NAME: KEVIN MAURICE BRELAND

**SEE ALSO 5**

HEARING:

Hearing Re: OSC RE SANCTIONS/SURCHARGE OF \$500.00

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV	(PRO/PER
JEANNE E KENNEDY	(TP )...CALDWELL, KENNEDY &
KEVIN MAURICE BRELAND	(DEC)...
NAKITA BRELAND	(PET)...TANYA L WILLIS
ROBERT JOHNSON	(PET)...ROSE C ROSADO

GENERAL INFORMATION:

**Continued from 10/24/17. Court orders that Tanya Willis to be personally present at next hearing of April 24, 2018 at 8:30am in department S35. Court sets OSC re sanctions/surcharge on Tanya Willis for failure to appear/failure to file accounting as court ordered. Court orders counsel to comply with local rules. Notice by Judicial Assistant.**

THIS CASE IS SET FOR HEARING ON **OSC re Sanctions/Surcharge of \$500.00** on Accounting Review

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

1. Letters of Administration issued 02/06/17, full authority, no bond.
2. Partial inventories and appraisals filed. **Need** final Inventory and Appraisal.
3. No accounting. **Need** same.

RECOMMENDATION:

Need to clear notes 2-3.

(nb)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 04/24/18      TIME: 8:30      DEPT: S35P  
-----

CASE#: PRO PS1500200

CASE NAME: KEVIN MAURICE BRELAND

**SEE ALSO 5**

HEARING:

Accounting Review by \*\*\*

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV	(PRO/PER
JEANNE E KENNEDY	(TP )...CALDWELL, KENNEDY &
KEVIN MAURICE BRELAND	(DEC)...
NAKITA BRELAND	(PET)...TANYA L WILLIS
ROBERT JOHNSON	(PET)...ROSE C ROSADO

See prior matter #5.

(nb)

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HONORABLE: STANFORD E. REICHERT

-----  
DATE: 04/24/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1500701

CASE NAME: FRANK PELLEGRINO JR

**SEE ALSO 7, 8, 9**

HEARING:

Hearing Re: PTN BY D. NEUHAUS FOR ORDER TERM INSOLV TRUST

COUNSEL:

DORIS NEUHAUS	(OBJ)...J PATRICK RAGAN
DORIS NEUHAUS	(PET)...J PATRICK RAGAN
FRANK PELLEGRINO	(PET)...PRO/PER
FRANK PELLEGRINO JR	(DEC)...
MARY LOUISE PELLEGRINO	(PET)...PRICE LAW FIRM, APC

**XREF: FAMSS1703685** (Mary L Pellegrino-n-Frank Pellegrino Jr)

Currently under review by Legal Research.

(LR)

Continued matter – notice not re-reviewed.

(nb)

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PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 04/24/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1500701

CASE NAME: FRANK PELLEGRINO JR

**SEE ALSO 6, 8, 9**

HEARING:

Hearing Re: VERIFIED PTN FOR JUDGMENT ON CREDITOR'S CLAIM

COUNSEL:

DORIS NEUHAUS	(OBJ)...J PATRICK RAGAN
DORIS NEUHAUS	(PET)...J PATRICK RAGAN
FRANK PELLEGRINO	(PET)...PRO/PER
FRANK PELLEGRINO JR	(DEC)...
MARY LOUISE PELLEGRINO	(PET)...PRICE LAW FIRM, APC

**XREF: FAMSS1703685** (Mary L Pellegrino-n-Frank Pellegrino Jr)

GENERAL INFORMATION

Matter set on 01/10/18 for issues conference to determine which issues will be addressed at contested hearing. Court set mediation date for 03/07/18; vacated trial dates and pretrial orders.

**Continued from 02/28/18. Off the record, court and counsel hold discussions re issues that may be addressed at a trial, if the trial is held. Counsel agree to continue these discussions on the date of March 27, 2018 at 1:30pm.**

THIS CASE IS SET FOR HEARING ON Petition [filed 07/25/17] for Judgment on Creditor's Claim by Mary Louise Pelligrino (former spouse of decedent)

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

1. Petitioner, Mary Lourise Pelligrino (former spouse of decedent), seeks enforcement of judgment against Respondent, Doris Neuhaus (successor trustee of Frank Paul Pelligrino Revocable Trust) for \$182,693 in child support arrearages accrued by decedent.
2. Petitioner, Mary Lourise Pelligrino, presented a creditor's claim on 08/16/16 setting forth matters on which action is based. Said claim was rejected by Respondent, Doris Neuhaus, on 05/01/17. [See petition, 07/25/17, LFpgs 20-33; 73].
3. Petitioner, Mary Pelligrino, alleges Respondent, Doris Neuhaus, as Trustee has violated her fiduciary duty owed to Petitioner as a potential creditor as

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Respondent has engaged in the improper transfer of trust assets to avoid payment of creditor's claim. Respondent continues to operate the business known as "Crazy Frank's Carpets" at a profit and has failed to render a true verified accounting. Petitioner Mary Pelligrino has requested a true and correct accounting to which Respondent Doris Neuhaus refuses to respond.

4. Petitioner Mary Pelligrino seeks instruction of the Court related to Respondent's actions as successor trustee of the Trust and Respondent's refusal to pay sum of \$182,693 in arrearages accrued by Decedent.
5. Petitioner seeks judicial determination of her rights and duties as a creditor, and declaration as to whether Respondent must pay sum of \$182,693.
6. **Need** Notice of Hearing and proof of service.
7. No proposed Order submitted.

#### RECOMMENDATION

Need notice, then Court's discretion.

(lh/nb)

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PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 04/24/18      TIME: 8:30      DEPT: S35P  
-----

CASE#: PRO PS1500701

CASE NAME: FRANK PELLEGRINO JR

**SEE ALSO 6, 7, 9**

HEARING:

Hearing Re: POST-MEDIATION STATUS

COUNSEL:

DORIS NEUHAUS	(OBJ)...J PATRICK RAGAN
DORIS NEUHAUS	(PET)...J PATRICK RAGAN
FRANK PELLEGRINO	(PET)...PRO/PER
FRANK PELLEGRINO JR	(DEC)...
MARY LOUISE PELLEGRINO	(PET)...PRICE LAW FIRM, APC

**XREF: FAMSS1703685** (Mary L Pellegrino-n-Frank Pellegrino Jr)

No notes – Status.

(nb)

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DATE: 04/24/18 TIME: 8:30 DEPT: S35P  
-----

CASE#: PRO PS1500701

CASE NAME: FRANK PELLEGRINO JR

**SEE ALSO 6, 7, 8**

HEARING:

Second Amended Account and Report of DORIS NEUHAUS and Petition  
for allowance of fees filed.

COUNSEL:

DORIS NEUHAUS	(OBJ)...J PATRICK RAGAN
DORIS NEUHAUS	(PET)...J PATRICK RAGAN
FRANK PELLEGRINO	(PET)...PRO/PER
FRANK PELLEGRINO JR	(DEC)...
MARY LOUISE PELLEGRINO	(PET)...PRICE LAW FIRM, APC

**XREF: FAMSS1703685** (Mary L Pellegrino-n-Frank Pellegrino Jr)

GENERAL INFORMATION

Continued from **08/30/17**. Court orders Doris Neuhaus to serve and file a complete accounting by 4:00pm on 12/11/17.

Continued from **01/10/18**. Register of actions reflects 2nd acct set 3/20/18

**Continued from 03/20/18 on courts motion. Matters currently set for March 27, 2018 are ordered to be heard on April 24, 2018 along with a post-mediation status hearing at 8:30am in Department S35. J Patrick Ragan to notify counsel of the change of the dates.**

THIS CASE SET FOR HEARING ON **Second Amended Trust Account** (12/11/17)  
and Report by Doris Neuhaus, Successor Trustee.

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

1. Accounting period 06/08/15 – 12/11/17.
2. Assets on Hand \$0.00.
3. Current bond of \$100,000.
4. Petition alleges that all vehicles set forth in the Trust Instrument were repossessed by lienholders and the mobile home was sold prior to Decedent's death. As such, these are not assets of the Trust subject to administration.

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5. The accounting does not appear to properly comply with Pr.C. §16063 and Pr.C. §1060 et. seq.
  - a. Need a proper summary of account and additional accounting schedules under Pr.C. § 1063 [liabilities etc].
  - b. Beginning assets do not coincide with any assets listed in the report [Acct. 05/10/17 LFpg3].
6. **Need** Notice of Hearing and proof of service.
7. **Objections and response filed by Mary Pellegrino on 06/29/17.** Proof of Service filed 08/21/17.
8. **Response to Objections filed by Doris Newhaus on 12/11/17.**
9. **Points & Authorities in Response to Objections by Mary Louise Peligrino to First Amended Report filed 12/11/17.**
10. **Objections filed by Mary Louise Pellegrino on 01/03/18.**
11. **Objections and Response to Second Amended Accounting with p's & a's in support filed 02/28/18 by Mary Louise Pellegrino.**

#### RECOMMENDATION

Need amended accounting to be set on first check calendar no sooner than **06/28/18**. Summary of Account does not balance. In addition, charges and credits do not appear to be properly presented per Pr. C. § 1061(b). It cannot be determined whether or not this accounting balances. Need to file proper accounting to comply with Pr.C. §1060. (lc/lh/nb)



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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 04/24/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1500810

CASE NAME: MTR OF MILDRED B SHAW

HEARING:

First and Final Account and Report of CHERYL TRAYLOR and  
Petition for allowance of fees filed.

COUNSEL:

CHERYL TRAYLOR (PET)...DENISE ADIGUN  
MILDRED B SHAW (DEC)...

Request for Waiver of Court Fees and Costs filed by CHERYL TRAYLOR is GRANTED  
\$465.00 for petition for letters of admin on 11/12/15  
\$465.00 for petition for first and final on 02/20/18

GENERAL INFORMATION:

Cheryl Traylor appointed Special Administrator on 11/19/15 to handle matters related  
to the real property owned by the decedent and communicate with the mortgage  
company.

General appointment on 12/02/15 to administer estate, full authority, no bond.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees  
by Administrator, Cheryl Traylor ["Petitioner"].

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

1. Need final Inventory and Appraisal with supporting bank/financial statements to support date of death and closing balances per Local Rule 20-908.
2. Attorney declaration [LF, p. 7] indicates petition is not verified by administrator as a new moving address was not provided to counsel. JTD.
3. Need Summary of Account and supporting schedules.
4. Assets on Hand \$0.00. Real property was foreclosed on 04/24/17. Trustee's Deed Upon Sale affixed [LF, pgs. 8-9].
5. Petition alleges all heirs have waived interest in the property except Cheryl Traylor. Need same via verified supplement.
6. Need findings re: sole and separate property via verified supplement.
7. Need statement regarding notice to Franchise Tax Board or notice per Pr. C. § 9202(c)(1).

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8. Prayer requests authorization and direction to transfer the title of the timeshares into Petitioner's name. Need status of same via verified supplement.
9. Need Notice of Hearing with proof of service.
10. No proposed order. Submit Order after Hearing.

**RECOMMENDATION:**

Need amended accounting to be placed on first check calendar no sooner than **06/26/18**. 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.  
(nb)

Future Hearing:

09/25/18 Hearing re: OSC re: Surcharge of 5,000.00

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PROBATE/CONSERVATORSHIP CALENDAR

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DATE: 04/24/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1501151

CASE NAME: ROY AND PATRICIA HILL LIVING TRUST

**SEE ALSO 12, 13, 14**

HEARING:

Hearing Re: MOTION RE ENTRY OF JUDGMENT

COUNSEL:

EARL BATES

(FULLERTON LEMANN SCHAEFER &

ROY HILL

(PET)...MICHAEL L ABERNATHY

TAWNYA BATES

(OBJ)...FULLERTON LEMANN SCHAEFER

THE ROY & PATRICIA HILL

(TRU)...PRO/PER

TRACY J HILL

(PET)...BENJAMIN HAMPTON

Currently under review by Legal Research.

(LR)

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DATE: 04/24/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1501151

CASE NAME: ROY AND PATRICIA HILL LIVING TRUST  
**SEE ALSO 11, 13, 14**

HEARING:

Hearing Re: OSC RE DISMISSAL OF PET FOR ORDERS, ETC

COUNSEL:

EARL BATES	(FULLERTON LEMANN SCHAEFER &
ROY HILL	(PET)...MICHAEL L ABERNATHY
TAWNYA BATES	(OBJ)...FULLERTON LEMANN SCHAEFER
THE ROY & PATRICIA HILL	(TRU)...PRO/PER
TRACY J HILL	(PET)...BENJAMIN HAMPTON

GENERAL INFORMATION:

**Continued from 10/03/17** at request of counsel.

**Continued from 11/07/17, 12/13/17 and 12/14/17.** Counsel represents all parties are still working together and making some progress towards settlement.

**Continued from 01/16/18 at request of counsel.**

THIS CASE IS SET FOR HEARING ON **OSC re Dismissal** of Petition for Orders Cancelling Deed and Directing Conveyance of Real and Personal Property.

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

1. Matter set at 08/29/17 hearing upon information that parties have reached an agreement. **Settlement [LF, p. 8] affixed to declaration filed on 04/10/18.**
2. **Attorney Schaeffer requests fees of \$24,183.25.** Billed at \$200-\$375/hour for 66.1 hours' attorney time and \$110/hour for 23.95 hours' paralegal time. Itemized [see decl. filed 04/10/18, LF, pgs. 28-42]. **JTD.**
  - a. P's and A's in support of attorney fees filed 04/10/18.
3. If there is no appearance at the OSC re: Dismissal, the petition for orders cancelling deed and directing conveyance of real and personal property etc. will be dismissed with prejudice.

RECOMMENDATION:

Court's discretion

(nb/lh/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](mailto: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: 04/24/18      TIME: 8:30      DEPT: S35P  
-----

CASE#: PRO PS1501151

CASE NAME: ROY AND PATRICIA HILL LIVING TRUST

**SEE ALSO 11, 12, 14**

HEARING:

Hearing Re: PETITION FOR ORDERS CANCELLING DEED, ETC

COUNSEL:

EARL BATES

ROY HILL

TAWNYA BATES

THE ROY & PATRICIA HILL

TRACY J HILL

(FULLERTON LEMANN SCHAEFER &

(PET)...MICHAEL L ABERNATHY

(OBJ)...FULLERTON LEMANN SCHAEFER

(TRU)...PRO/PER

(PET)...BENJAMIN HAMPTON

See notes on prior matter #12.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 04/24/18      TIME: 8:30      DEPT: S35P  
-----

CASE#: PRO PS1501151

CASE NAME: ROY AND PATRICIA HILL LIVING TRUST

**SEE ALSO 11, 12, 13**

HEARING:

Hearing Re: MOTION RE ORDER APPOINTING RECEIVER TO, ETC

COUNSEL:

EARL BATES

(FULLERTON LEMANN SCHAEFER &

ROY HILL

(PET)...MICHAEL L ABERNATHY

TAWNYA BATES

(OBJ)...FULLERTON LEMANN SCHAEFER

THE ROY & PATRICIA HILL

(TRU)...PRO/PER

TRACY J HILL

(PET)...BENJAMIN HAMPTON

Currently under review by Legal Research.

(LR)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 04/24/18      TIME: 8:30      DEPT: S35P  
-----

CASE#: PRO PS1601110

CASE NAME: IN RE: THE HENRY R ZAHNER 1992 TRUST

**SEE ALSO 16, 24, 25**

HEARING:

Hearing Re: PTN FILED JULY 12, 2016/ RESP FILED 1/9/17

COUNSEL:

CYRUS CLARKE VAN DEVENTER

(PET)...STEVE ALDACO

CYRUS CLARKE VAN DEVENTER

(RES)...STEVE ALDACO

MARY DE AVILAN

(PET)...WRIGHT KIM DOUGLAS, ALC

THE HENRY R ZAHNER 1992 TRUST

(TRU)...

THE MARY DE AVILAN, TRUSTEE OF

(TRU)...

Currently under review by legal research  
(LR)

Continued matter. Notice not re-reviewed

Future Hearing:

05/23/18 Mediation settlement conference

07/12/18 Readiness calendar

08/06/18 Court Trial

**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](mailto: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: 04/24/18      TIME: 8:30      DEPT: S35P  
-----

CASE#: PRO PS1601110

CASE NAME: IN RE: THE HENRY R ZAHNER 1992 TRUST

**SEE ALSO 15, 24, 25**

HEARING:

Hearing Re: OSC RE SURCHARGE OF \$1,500.00 ON C. VAN DEVENTER

COUNSEL:

CYRUS CLARKE VAN DEVENTER

(PET)...STEVE ALDACO

CYRUS CLARKE VAN DEVENTER

(RES)...STEVE ALDACO

MARY DE AVILAN

(PET)...WRIGHT KIM DOUGLAS, ALC

THE HENRY R ZAHNER 1992 TRUST

(TRU)...

THE MARY DE AVILAN, TRUSTEE OF

(TRU)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re Surcharge of \$1,500 on C. Van Deventer.

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

1. Matter set at hearing on 03/06/18, for failure to file as ordered by the court. Court sets final deadline for the filing of the account for 03/26/18.
2. Court notes that if Cyrus Clarke Van Deventer fails to filed by deadline of 03/26/18, a surcharge of \$1,500.00 will be imposed.
3. Court notes that if the accounting is filed by the deadline, the clerks' office is to set the accounting for 04/24/18.

RECOMMENDATION:

Court's discretion.

(nb)

Future Hearing:

05/23/18 Mediation settlement conference

07/12/18 Readiness calendar

08/06/18 Court Trial

**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](mailto: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: 04/24/18      TIME: 8:30      DEPT: S35P  
-----

CASE#: PRO PS1601212

CASE NAME: JOSEPH ANTHONY SANCHEZ

HEARING:

Accounting Review by \*\*\*

COUNSEL:

JOSEPH ANTHONY SANCHEZ      (DEC)...

SHYAN SANCHEZ      (PET)...JOHN F WEBER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Administration issued to Shyan Sanchez, full authority, \$40,000 bond.
2. Need final Inventory and Appraisal with supporting bank/financial statements per Local Rule 20-908.
1. No accounting. Need same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino  
Page: 17A ADD ON  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

-----  
DATE: 04/24/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700331

CASE NAME: MTR OF LARRY LYNN ROEWERT

## HEARING IS MOVED FROM 04/26/18 S35P CALENDAR

HEARING: Waiver of Account and Report of KIMBERLY K FALES and Petition for allowance of fees filed.

### COUNSEL:

KIMBERLY K FALES (PET)...CURTIS R AIJALA  
LARRY LYNN ROEWERT (DEC)...

Request for Waiver of Court Fees and Costs filed by Kimberly FALES granted \$930.00

### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Kimberly Fales, niece.

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

1. Assets on hand not stated. **Need** actual assets on hand.
2. All heirs waive accounting.
3. Executor seeks statutory compensation of \$2,500 as agreed upon.
4. Counsel seeks statutory fees of \$14,419. **Need** to clear note 7 in order to determine. It appears that the calculation should be \$12,597.24 if the life insurance of \$182,129.26 never entered the estate.
5. Executor seeks reimbursement of costs totaling \$1,680.11 [Acct. 02/16LFpg8-9].
6. Final Inventory and Appraisal indicates incorrect date of death of 06/15/17. Value is to be date of death 02/06/17.
  - a. **Need** corrected Inventory and Appraisal with supporting date of death bank statements per local rule 20-908.
7. Preliminary distribution was made by insurance company directly to beneficiaries. **Need** verified supplement and/or corrected Inventory and Appraisal and statutory fee calculation as it does not appear this was an estate asset.
8. Proof of service filed; however, **need** notice of hearing.
9. Proposed order submitted 02/16/18; however, not reviewed as notes are not cleared.

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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

## RECOMMENDATION

Need to clear notes 1 & 4-8. If approved, set hearing on the filing of receipts and final discharge for **05/02/19**.

(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](mailto: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: 04/24/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700862

CASE NAME: ROOSEVELT DAVID

HEARING:

Hearing Re: PETITION FOR LETTERS OF ADMINISTRATION

COUNSEL:

CHANNEL GLASPIE (PET)...PRO/PER  
ROOSEVELT DAVID (DEC)...

#### GENERAL INFORMATION

Ex parte orders denied on **12/19/17**. Court authorizes the petitioner to make her appearances for court via court call. Court vacates the OSC re dismissal that is set for January 8, 2018 and resets the hearing on the petition for letters of administration to February 20, 2018 at 8:30am in department S35.

**Continued from 02/20/18. No appearance. Court orders that petitioner be personally present in court on 04/24/18. Notice by Judicial Assistant.**

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

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

1. Petitioner is non-resident and court has discretion to require bond per Pr.C. §8571. Estate valued at \$282,000.00 of which \$2,000.00 is personal property.
2. Petitioner indicates all heirs waive bond; however, section 5(a) is incomplete at (1) or (2) re whether there is a spouse; (3) or (4) whether there is a registered domestic partner; section (7) or (8) whether there is issue of predeceased child. Need verified supplement clarifying.
3. Section 2(b) of Petition requests that petitioner be appointed executor; however, section 3(f) indicates decedent died intestate. Section 3(g) also indicates petitioner is a nominee of person entitled to letters; however, there is no attachment. Need verified supplement clarifying whether seeking Letters of Administration, or if there is a will and seeking Letters Testamentary.
4. Need Notice to Petition to Administer Estate and proof of service.

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

5. Need proof of publication.
6. ~Proposed Form Order: 08/29/17

#### RECOMMENDATION

Need to clear notes 2 - 5. Court's discretion re bond. If approved, set Accounting/Status Review for **07/01/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.  
(cs/nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 04/24/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1701222

CASE NAME: ESTATE OF VONDRA L. DAY

HEARING:

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

COUNSEL:

THOMAS H DAY JR

(PET)...D M DAVIS

VONDRA L DAY

(DEC)...

GENERAL INFORMATION:

**Continued from 01/23/18 and 03/13/18 at request of petitioner. Court notifies counsel that it is in receipt of request of continuance by Tyler Day- court provides counsel the address of the person named, Tyler Day**

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA by son and named Executor, Thomas H. Day, Jr. ["Petitioner"].

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

1. Proof of publication filed. However, hearing date is incorrect. **Need** proper publication.
2. Will waives bond. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
3. ~Proposed Form Order/Letters 12/01/17.

RECOMMENDATION:

Need to clear note 1. If approved, set future hearing for Accounting/Status Review on **07/02/19**. Any account to be filed 30 days in advance. Note requirements of Local Rules.

(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](mailto: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

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DATE: 04/24/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1701223

CASE NAME: ESTATE OF EUSTAQUIO RAMIREZ

HEARING:

Spousal Property Petition hearing.

COUNSEL:

EUSTAQUIO V RAMIREZ (DEC)...  
SILVIA ORTEGA GONZALEZ (PET)...PRO/PER

GENERAL INFORMATION:

**Continued from 01/23/18 and 03/13/18 at request of petitioner. Petitioner to prepare supplement & file it by 4pm April 10, 2018.**

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Silvia Ortega Gonzalez ["Petitioner"].

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

1. Section 7b to petition [LF, p.3] is marked. However, Section 1b is not. Question whether petitioner also seeks confirmation of properties? **Supp. (04/10/18) indicates petitioner also seeks confirmation of properties.**
2. Petitioner requests a determination **and confirmation** of property passing to the surviving spouse as community property. Specifically, real property located in Barstow and Hesperia in San Bernardino County. Petitioner indicates parties were married on 07/20/89 [copy of marriage license, LF, p6, to petition] and property interests were acquired with community funds. Copies of Exhibits B and C are not affixed as alleged. **Supp. (04/10/18) affixes deed [LF, p. 7] to Hesperia Property, only.**
3. Attachments 7a & 7b [LF, pgs. 10-11] reflect petitioner is seeking a 50% interest in real properties. Suggest Court require vesting documents. **Supp. (04/10/18) affixes deed [LF, p. 7] to Hesperia Property, only.**
4. Decedent died intestate with 2 issues who would also share a two-thirds distribution in the estate per Pr.C. §6401 if the real property is separate property of decedent. However, notarized Affidavits by issues have been filed on 12/05/17 **and affixed to supp. filed 04/10/18**, in favor of petitioner.
5. ~Proposed Form Order 12/05/17.

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

RECOMMENDATION:  
Court's discretion.  
(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](mailto: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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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 04/24/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800071

CASE NAME: Estate of Elizabeth J Peters

**SEE ALSO 21**

HEARING:

Petition to determine succession to Real Property

COUNSEL:

CONNIE J ANDERSON	(OBJ)...PRO/PER
ELIZABETH J PETERS	(DEC)...
NANCY CATHERINE O'SHEA-SZCZEPA	(PET)...PRO/PER
VICTOR BRUCE MASON	(PET)...PRO/PER

GENERAL INFORMATION:

**Continued from 02/20/18 at request of counsel. Objections have been filed by Connie Jo Anderson- Reply to objections to be served & filed by April 3, 2018. All parties ordered to return to court on April 24, 2018 at 8:30am in department S35.**

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real and Personal Property (Estates \$150,000 or less) by issues Nancy Catherine O'Shea-Szczepa and Victor Bruce Mason ["Petitioners"].

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

1. Petitioners request a determination that decedent's real and personal property located in San Bernardino County, pass to petitioners without administration. Petitioners are decedent's children and equal beneficiaries in decedent's will. Petitioner attaches a copy of decedent's will [LF, p. 6].
2. **Objections filed by Connie J. Anderson allege substantial additional property is not included in the Inventory and Appraisal; and indicates some of the real and personal property are decedent's pre-deceased spouse's separate property.**
3. **Response to Objections filed 04/03/18 by petitioners.**
4. ~Proposed Form Order 01/24/18.

RECOMMENDATION:

Set for contested hearing.

(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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

**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](mailto: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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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 04/24/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800152

CASE NAME: MTR OF VALETA McCOY NUTT

HEARING:

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

COUNSEL:

BEVERLY N MITCHELL (PET)...CHRISTOPHER A SCHUMATE  
VALETA MCCOY NUTT (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA by daughter, Beverly N. Mitchell ["Petitioner"- second named executor].

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

1. Will waives bond. Estimated estate valued at \$1,200,000.00. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).

RECOMMENDATION:

RFA subject to Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **07/02/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(nb)

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: 04/24/18 TIME: 8:35 DEPT: S35P  
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CASE#: PRO PS1601110

CASE NAME: IN RE: THE HENRY R ZAHNER 1992 TRUST

**SEE ALSO 15, 16, 25**

HEARING:

Petition to approve first Account and Report of MARY DE AVILAN  
and Petition for allowance of fees filed.

COUNSEL:

CYRUS CLARKE VAN DEVENTER	(PET)...STEVE ALDACO
CYRUS CLARKE VAN DEVENTER	(RES)...STEVE ALDACO
MARY DE AVILAN	(PET)...WRIGHT KIM DOUGLAS, ALC
THE HENRY R ZAHNER 1992 TRUST	(TRU)...
THE MARY DE AVILAN, TRUSTEE OF	(TRU)...

GENERAL INFORMATION:

**Continued from 03/06/18.**

THIS CASE IS SET FOR HEARING ON Petition to Approve First Reconstructed Account for Former Successor Trustee Marjorie Van Deventer-Zahner (now deceased) and/or De Facto Trustee Cyress Van Deventer, by Successor Trustee, Mary De Avilan ["Petitioner"].

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

1. Reconstructed accounting period 04/07/09 to 03/18/15 [5.9 years].
2. Assets on hand at beginning of account \$1,161,910.18 consisting of \$157,074.45 in cash and remaining in real and personal property.
3. Assets on hand at end of account \$632,648.07.
4. Rental Income [LF, pgs. 24-25] reflect missing rental payments.
5. Other Receipts [LF, p.25] include unknown deposits totaling \$10,025.00.
6. Rental Expenses [LF, pgs. 28-29] reflect payments for property taxes in arrears and late taxes.
7. Utilities [LF, p30] do not specify as to which property.
8. Total Disbursements not thought to be trust related total \$330,998.31.

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

9. Accounting period 03/19/15 to 12/31/15.
10. Assets on Hand at beginning of account \$632,648.07 consisting of (\$20,489.39) in cash and remaining in real and personal property.
11. Assets on Hand at end of account \$468,673.27 consisting of \$457,263.27 in cash and remaining in personal property.
12. Petitioner reserves her right to seek trustee's fees.
13. Petitioner paid attorneys' fees and costs totaling \$18,085.57 as authorized by the trust.
14. Petitioner requests the reconstructed account, denoting the actions of Marjorie Van Deventer and Cyrus Van Deventer as Trustee and *de facto* Trustee for the period 04/07/09 to 03/18/15 be disapproved and shall be considered evidence in support of the relief requested in the pending Section 850 Petition. JTD.
15. No proposed order. Submit Order after Hearing.

**RECOMMENDATION:**

Court's discretion. If approved set next hearing for Accounting Review in **60 days**.  
(nb)

**Future Hearing:**

05/23/18 Mediation settlement conference

07/12/18 Readiness calendar

08/06/18 Court Trial

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 04/24/18      TIME: 8:35      DEPT: S35P  
-----

CASE#: PRO PS1601110

CASE NAME: IN RE: THE HENRY R ZAHNER 1992 TRUST

**SEE ALSO 15, 16, 24**

HEARING:

First Account and Report of CYRUS CLARKE VAN DEVENTER and  
Petition for allowance of fees filed.

COUNSEL:

CYRUS CLARKE VAN DEVENTER	(PET)...STEVE ALDACO
CYRUS CLARKE VAN DEVENTER	(RES)...STEVE ALDACO
MARY DE AVILAN	(PET)...WRIGHT KIM DOUGLAS, ALC
THE HENRY R ZAHNER 1992 TRUST	(TRU)...
THE MARY DE AVILAN, TRUSTEE OF	(TRU)...

GENERAL INFORMATION:

**Continued from 03/06/18.**

THIS CASE IS SET FOR HEARING ON Petition to Approve First Reconstructed Account for Former Successor Trustee (Marjorie Van Deventer-Zahner now deceased) by Respondent and Trustee, Cyrus Clarke Van Deventer ["Petitioner"-stepson to deceased former trustee Marjorie].

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

1. Petition indicates there is a case in Riverside County, Case Number MCP1500599, wherein, Mary de Avilan was appointed administrator of Marjorie's Estate.
2. Accounting period 04/07/09 to 12/31/15 [6.8 years].
3. Petitioner alleges as he did not have access to the Trust while his step-mother was Trustee, and because he only dealt with rehabilitation of the Properties, he only has receipts provided in Exhibit C [LF, pgs. 39-213]. Petitioner indicates he is currently gathering additional information on the Marjorie S. Van Deventer Trust and shall provide an accounting thereof as soon as possible.
4. Need Notice of Hearing with proof of service to Mary Louise Zahner (Settlor's daughter); Robert L. Zahner (Settlor's son); Tufts University, School of Dental Medicine; and counsel for Mary de Avilan.

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

5. This accounting does not appear to be a true and complete accounting of the trust 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.
6. **Objections filed by Mary de Avilan on 03/02/18.**
7. No proposed order. Submit Order after Hearing.

RECOMMENDATION: Matter is contested.

Require notice then need proper accounting to be set on first check calendar no sooner than **06/26/18**. Any account to be filed 30 days' before hearing. Note requirements of Local Rules.

(nb)

Future Hearing:

05/23/18 Mediation settlement conference

07/12/18 Readiness calendar

08/06/18 Court Trial



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: 04/24/18      TIME: 9:30      DEPT: S35P  
-----

CASE#: CON PS0700301

CASE NAME: CELESTINO MARTINEZ

HEARING:

Hearing re Final Discharge

COUNSEL:

BRUCE HITCHMAN	(CPE)...ERIC F BECKER
CELESTINO MARTINEZ	(CEP)...NOREEN T FONTAINE
CELESTINO MARTINEZ	(CEP)...PRO/PER
JAMES E MARTINEZ	(CPE)...E. JOAN NELMS
JAMES E MARTINEZ	(CPE)... INDU SRIVASTAV
JEANNIE E MARTINEZ	(CPE)...PRO/PER
JOHN A MARTINEZ	(CPE)...E. JOAN NELMS
JOHN A MARTINEZ	(CPE)... INDU SRIVASTAV
LEE ANN HITCHMAN	(CPE)...ERIC F BECKER
NOREEN T FONTAINE	(PET)...NOREEN T FONTAINE

**CCP170.6 filed as to CYNTHIA LUDVIGSEN**

**XREF: PROPS0801041** (Celestino Martinez trust)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Order Settling Second and Final Account entered 04/18/17.
2. Need receipts.
3. Need Ex-Parte Petition/Order for Final Discharge.

RECOMMENDATION:

Inquire status.

(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](mailto: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: 04/24/18 TIME: 9:30 DEPT: S35P  
-----

CASE#: CON PS1500203

CASE NAME: OSCAR J HAALAND JR

HEARING:

SECOND AND FINAL Account and Report of ALICE EVANS and Petition for allowance of fees filed.

COUNSEL:

ALICE EVANS

(CPE)...PATRICIA A LOBELLO

MITCHELL I. ROTH

(PET)...MITCHELL I ROTH

OSCAR J. HAALAND JR

(CEP)...MITCHELL I ROTH

**XREF: CONPS1500202** (Ruby B Haaland-wife)

GENERAL INFORMATION:

Conservatee died on 11/01/17.

THIS CASE IS SET FOR HEARING ON Second and Final Account; Petition for Fees; for Delivery of Assets to Surviving Spouse pursuant to Pr. C. §13100; and for Termination of Conservatorship due to Death of Conservatee by Conservator of the Person and Estate, Alice Evans ["Petitioner"]. [Pr. C. §§2620(a). 2640, 2642]

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

1. Accounting period 01/01/17 to 11/01/17 & 11/02/17 to 12/31/17 [pre & post death]. Does Court wish to require the accounting to be brought current? **JTD.**
2. Assets on Hand \$140,171.13 consisting of cash.
3. Current bond of \$237,000.
4. Conservatee waives compensation.
5. Attorney requests fees of \$4,260.00. Billed at \$375/hour for 7.80 hours' attorney time and \$150/hour for 8.90 hours' paralegal time. Itemized [LF, pgs. 43-44]. **JTD.**
6. Petitioner has paid Jenny Sanner for bookkeeping services totaling \$740.00. **JTD.** Does Court wish to reduce counsel's fees by the amount of bookkeeping fees? **JTD.**
7. Petitioner has paid Marcia Gonzales for Case Provider services during this accounting period. **Need** verified declaration as to verify dates of service, performance of services and that payment has been received per Local Rule 20-1406(c).

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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

8. **Need** bank statement to support ending balance for Oscar's Individual Account XXX9171 via verified supplement.
9. Petitioner requests the court order delivery of the conservatorship assets to Alice Evans, Conservator for Ruby O. Haaland, via a Pr. C. §13100 Petition [LF, p. 46] and that she execute a receipt for delivery of assets to be filed in this proceeding.
10. Petitioner requests court terminate the conservatorship of the person and estate due to the death of the conservatee. However, conservatorship of the person terminated per operation of law upon conservatee's death but the court retains jurisdiction over the conservatorship of the estate until accounting is approved and a final discharge order is entered.
11. Proposed Order 03/14/18 terminates the conservatorship of the person and estate.

**RECOMMENDATION:**

Need to clear notes 7-8 then Court's discretion re: notes 1 & 5-6. If approved, set next hearing for receipts and final discharge for **04/30/19**.

(nb)

Superior Court of Calif, County of San Bernardino

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

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DATE: 04/24/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700161

CASE NAME: ERICA LOERA

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of MARGARITA C LOERA

COUNSEL:

ANGELICA LOERA	(PET)...RODRIGO LAW FIRM
ERICA LOERA	(CEE)...
JOSE LOERA	(PET)...RODRIGO LAW FIRM
MARGARITA C LOERA	(PET)...RODRIGO LAW FIRM

**X-REF: CONPS 1700162**

GENERAL INFORMATION

Margarita C. Loera, Angelica Loera and Jose Loera appointed Limited Co-Conservators of the person on 10/31/17.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Notification of Conservatee's Rights; Care Plan including a Determination of Conservatee's Appropriate Level of Care filed.

RECOMMENDATION:

None.

(nb)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 04/24/18 TIME: 9:30 DEPT: S35P  
-----

CASE#: CON PS1700162

CASE NAME: CECILIA LOREA

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of MARGARITA C LOREA

COUNSEL:

ANGELICA LOREA	(PET)...RODRIGO LAW FIRM
CECILIA LOREA	(CEE)...
JOSE LOREA	(PET)...RODRIGO LAW FIRM
MARGARITA C LOREA	(PET)...RODRIGO LAW FIRM

**X-REF: CONPS 1700161**

GENERAL INFORMATION

Margarita C. Loera, Angelica Loera and Jose Loera appointed Limited Co-Conservators of the person on 10/31/17.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Notification of Conservatee's Rights; Care Plan including a Determination of Conservatee's Appropriate Level of Care filed.

RECOMMENDATION:

None.

(nb)

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

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DATE: 04/24/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1800002

CASE NAME: Lorena Camacho

HEARING:  
Petition for Appointment of Conservator

COUNSEL:

ALICIA CAMACHO (CP )...  
ARMANDO CAMACHO (CP )...  
LORENA CAMACHO (CTP)...CHO, SHEASBY,CHUNG & IGNACIO

GENERAL INFORMATION:

**Continued from 02/13/18. The Court is in receipt of the report of Court Appointed Attorney Mathew Sheasby filed this morning. The Court advises Alicia and Armando Camacho the Court Investigator attempted to meet them and has been unable to do so. Alicia Camacho represents she thought the person calling to schedule an interview was from Matthew Sheasby's Law Firm. Counsel is directed to assist petitioners with clearing the probate notes. Notice waived.**

THIS CASE IS SET FOR HEARING ON Petition for Limited Conservatorship, person only, by parents, Armando and Alicia Camacho ["Petitioners"].

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

1. No bond – person only.
2. Proposed conservatee is developmentally disabled. **Report by court-appointed counsel Mathew Sheasby, filed.**
3. **Need** Medical Capacity Declaration.
4. Petitioners request Pr. C. § 2351.5 powers to secure habilitation or treatment, training, education, medical, psychological services, social and vocational opportunities, authority to fix the residence/dwelling of the proposed limited conservatee; authority to access all confidential records, paper, documents, reports and other information regarding the proposed limited conservatee, including those in the possession of the Regional Center, authority to control the right of the proposed limited conservatee to contract, authority to make and consent to all medical decisions for the proposed limited conservatee.

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

5. Proposed limited conservatee's civil and legal rights are not to be limited without a court order.
6. Citation returned SERVED.
7. **Ci Report filed.**
8. **Inland Regional Center Report filed.**
9. Certificates of Completion re Conservatorship Class filed.
10. ~Proposed Form Order/Letters 01/03/18.

RECOMMENDATION:

Need to clear note 3. If approved, set hearing for Compliance Review for **11/27/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**PA**

-----  
DATE: 04/24/18      TIME: 10:00      DEPT: S35P  
-----

CASE#: PRO PS1100635

CASE NAME: ROLAND W HALL, SR

**SEE ALSO 32**

HEARING:

Hearing Re: ACCOUNTING OF MR. LEWELLYN RE PRACTICE OF R. HALL

COUNSEL:

BANK OF AMERICA-CA9-702-03-93

(TP )...PRO/PER

LARRY D LEWELLYN

(PET)...LARRY D LEWELLYN, ESQ

MILDRED I HALL

(PET)...GEORGE HOLLOWAY

ROLAND W HALL SR

(DEC)...

SAN BERNARDINO COUNTY PUBLIC A

(SA )...CRAIG M PARKER

**GENERAL INFORMATION:**

Continued from **06/20/17**. Court directs accounting to be filed by 4 PM on 10/30/17. Continued from **11/28/17** at request of counsel. Oral report given by Larry Lewellyn re case TP003396 from Los Angeles. Court sets filing deadline for 4pm December 19, 2017 for the accounting of Larry Lewellyn- court also sets OSC re Sanctions of \$500 on Larry Lewellyn if the deadline is missed- OSC is set for January 30, 2018. Court indicates that it will impose sanctions on Larry Lewellyn if deadline is missed- Larry Lewellyn states he understands this order.

**Continued from 01/30/18. Court orders Larry D Lewellyn to file final inventory and appraisal by 4pm March 13, 2018; Court notes that if Larry D Lewellyn fails to file the final inventory and appraisal by 4pm March 13, 2018, the court will impose surcharge of \$500.00 on Larry D Lewellyn payable to the estate. Court orders Larry D Lewellyn to file formal account (which is to include status of unlawful detainer (with case number and any dates set) by 4pm March 13, 2018. Court notes that if Larry D Lewellyn fails to file the formal accounting by 4pm March 13, 2018, the court will impose surcharge of \$500 on Larry D Lewellyn payable to the estate. Court orders Larry D Lewellyn to be personally present in court on April 24, 2018 at 10:00am in Department S35. Notice by Judicial Assistant. Nothing new filed as of the review of this matter.**

THIS CASE IS SET FOR HEARING ON Accounting by Mr. Lewellyn re Practice of R. Hall

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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.



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

1. Matter set at 03/14/17 hearing on court's motion.
2. Declaration of Larry D. Lewellyn requests more time to file either a detailed status report or an account current.
3. Purported Accounting filed on 12/19/17 affixes a status report [LF, pgs. 13-15] and indicates petitioner will supplement this generic accounting report to provide the court with information ordinarily required to be filed with a probate accounting, within the next 2-3 weeks.

RECOMMENDATION:

Court's discretion. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq.

(nb)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 04/24/18 TIME: 10:00 DEPT: S35P  
-----

CASE#: PRO PS1100635

CASE NAME: ROLAND W HALL, SR

**SEE ALSO 31**

HEARING:

Probate status report filed.

COUNSEL:

BANK OF AMERICA-CA9-702-03-93	(TP )...PRO/PER
LARRY D LEWELLYN	(PET)...LARRY D LEWELLYN, ESQ
MILDRED I HALL	(PET)...GEORGE HOLLOWAY
ROLAND W HALL SR	(DEC)...
SAN BERNARDINO COUNTY PUBLIC A	(SA )...CRAIG M PARKER

GENERAL INFORMATION:

Continued from **02/19/15 and 02/11/16**. Referred to the Public Administrator for possible successor appointment.

Continued from **04/05/16 and 06/21/16**. The court orders Mr. Holloway to file a status report or accounting before the next hearing and to be personally present. Notice given by Craig Parker.

Continued from **09/20/16**. Counsel indicates that the administrator, Mildred Hall, has passed away. Court vacates date set for probate status report of October 13, 2016 and resets it for November 22, 2016. Account to be filed by counsel by October 22, 2016.

Continued from **11/22/16**. Court orders that Larry Lewellyn is to file with the court an accounting from the date of death to the present as well as a status report and is to provide these reports to Craig Parker (for public administrator) and George Holloway. Citation issued as to: Larry Lewellyn. **Court appoints the Public Administrator as the Successor Administrator with will annexed.**

No bond is required. No accounting or status report by Larry Lewellyn.

**Continued from 03/14/17, 06/20/17, 10/28/17 and 01/30/18.**

THIS CASE IS SET FOR HEARING ON Status Report (filed 09/01/16) by former counsel, George Holloway, to deceased Executrix.

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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

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

1. Larry Lewellyn appointed to be the Practice Administer on 09/15/11. Letters Testamentary issued to Mildred Hall on 12/06/11; full authority no bond.
2. Need final Inventory and Appraisal.
3. Status Report filed 09/01/16 indicates the estate cannot be closed until there are sufficient funds to pay for fees and costs; until all funds due to this estate are collected; and the Court Appointed Practice Administrator files a final report and accounting.
4. Counsel Holloway requests to be formally dismissed as counsel for Executrix, Mildred I. Hall. Does Court wish counsel to prepare a first and final account on behalf of deceased executrix? JTD.
5. Counsel does not request a specific time in which to close estate. Suggest one year. JTD.
6. Need Notice of Hearing and proof of service in accord with Pr.C. § 12201. Whenever a status report is filed without an accounting, notice must indicate a right to an accounting in accord with Pr.C. § 10950. **This form of notice is mandatory.**
7. Proof of Service as to Citation filed.

RECOMMENDATION:

Require proper notice and final I&A, then Court's discretion. If approved, set next hearing for **12/06/18**. Account to be filed 30 days' before hearing. Note requirements of Local Rules.

Set Accounting Review (as to PA) on **06/26/18**.  
(lc/nb/lh/nb)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 04/24/18 TIME: 10:00 DEPT: S35P  
-----

CASE#: PRO PS1500981

CASE NAME: EILEEN T. ALLEN

HEARING:

Accounting Review by \*\*\*

COUNSEL:

EILEEN T ALLEN (DEC)...  
VALERIE MINSTER (PET)...PRO/PER

#### GENERAL INFORMATION

Continued from **12/14/17**. There being no appearance, the Court suspends the powers of the administrator, Valerie Minster and refers matter Public Administrator. Notice by Judicial Assistant.

**Continued from 02/06/18. No appearance. Notice by Judicial Assistant.**

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 Valerie Minster, daughter, on 07/07/16; full authority, no bond.
2. **Need** final Inventory and Appraisal
3. **Need** accounting or status report.

#### RECOMMENDATION

Need to clear notes 2-3. No bonding company to notice.

(lc/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 04/24/18      TIME: 10:00      DEPT: S35P  
-----

CASE#: PRO PS1800235

CASE NAME: TAYLOR C. GEE AKA TAYLOR CRAVEN GEE

HEARING:

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

COUNSEL:

PUBLIC ADMINISTRATOR      (PET)...CRAIG M PARKER

TAYLOR C. GEE                      (DEC)...

GENERAL INFORMATION:

Letters of Special Administration issued to PA on 03/30/18, no bond.

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

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

- 1 No bond – exempt government agency.
- 2 ~Proposed Form Order/Letters 03/13/18

RECOMMENDATION:

RFA. If approved, set future hearing for Accounting/Status Review on **07/02/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**PROBATE**

-----  
DATE: 04/24/18      TIME: 8:30      DEPT: S36P  
-----

CASE#: PRO PS1400386

CASE NAME: William Arthur Lee

**SEE ALSO 2**

HEARING:

First and Final Account and Report of PUBLIC ADMINISTRATOR and  
Petition for allowance of fees filed.

COUNSEL:

CHRISTIAN DYMALLY-LEE	(PET)...VARNER & BRANDT
ENID ALLEN	(PET)...LINDA ROSE FESSLER
JOYCE LEE WEEKS	(OBJ)...LINDA ROSE FESSLER
PUBLIC ADMINISTRATOR	(PET)...CRAIG M PARKER
WILLIAM ARTHUR LEE	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account; Petition for Fees by  
Successor Special Administrator, Public Administrator ["Petitioner"]; and for  
Distribution to Successor Administrator.

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

1. Accounting period 04/18/14 to 01/23/18.
2. Assets on Hand \$525,677.77 consisting of \$498,277.77 in cash and remaining  
in personal property.
3. Petitioner requests that he be allowed 90% of statutory fees of \$14,423.17.  
Calculated. JTD.
4. Petitioner requests extraordinary fees of \$1,440.00 for services rendered in  
connection with the sale of 3 real properties. Billed at \$60/hour for a total of 24  
hours' time. Generally described [LF, pgs. 32-34]. JTD.
5. Attorney requests that he be allowed 90% of statutory fees of \$14,423.17.  
Calculated. JTD.
6. Attorney requests extraordinary fees of \$2,940.00 for services rendered in  
connection with the sale of real properties. Billed at \$350/hour for a total of 8.4  
hours' time. Itemized [LF, p. 36]. JTD.

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

7. Losses – Schedule E [LF, p. 22] in the amount of \$53,049.39 [per order entered 01/09/15] consisting of cash assets that were to be turned over to the PA by prior Special Administrator, Christian Dymally-Lee, were never delivered to PA. Does Court wish to set an OSC re Surcharge as to Christian Dymally-Lee?  
JTD.
8. Petitioner proposed to make distribution of the Estate to the sole intestate heir, Christian Dymally-Lee, who is also the Successor Administrator of the Estate
9. ~Proposed Order 03/05/18.

**RECOMMENDATION:**

Court's discretion. If approved, set next hearing for receipt and final discharge for

**04/30/19.**

(nb)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 04/24/18 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1400386

CASE NAME: William Arthur Lee

**SEE ALSO 1**

HEARING:

Probate status report filed.

COUNSEL:

CHRISTIAN DYMALLY-LEE	(PET)...VARNER & BRANDT
ENID ALLEN	(PET)...LINDA ROSE FESSLER
JOYCE LEE WEEKS	(OBJ)...LINDA ROSE FESSLER
PUBLIC ADMINISTRATOR	(PET)...CRAIG M PARKER
WILLIAM ARTHUR LEE	(DEC)...

GENERAL INFORMATION:

**Continued from 03/05/18 at request of parties for both matters to be heard on the same day.**

THIS CASE IS SET FOR HEARING ON Status Report.

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

1. Letters of Special Administration issued to Christian on 08/06/14, \$50,000 bond. Second Amended Letters of Special Administration issued to Christian on 01/21/15, \$100,000 bond. Third Amended Order for Letters of Special Administration to Christian entered 05/11/15, \$100,000 bond (no letters). Order Removing Special Administrator Christian entered 02/08/16 (PA appointed Special Administrator). PA was replaced with Christian after trial on 02/06/17. Letters of Administration issued to Christian Dymally-Lee, son, on 05/25/17; full authority, \$100,000 bond.
2. First and Final Account by Christian as special administrator approved on 04/18/17.
3. Petitioner requests an additional 9 months to close the estate.
4. Estate is not in a condition to close as petitioner is waiting for the PA to file an accounting for period beginning 03/30/16. Funds from PA will not be delivered to the petitioner until the accounting is approved.
5. Petitioner will be able to move forward with the necessary actions to close the estate once the funds are received.

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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.



6. No proposed order. Submit order after hearing.

**RECOMMENDATION:**

Court's discretion. If approved, set next hearing for Accounting Review for **12/10/18**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(ww/nb)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 04/24/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1500005

CASE NAME: MTR OF RUTH MARIE SHERWOOD

HEARING:

Probate status report filed.

COUNSEL:

JENNIFER M SHERWOOD (PET)...FULLERTON LEMANN SCHAEFER &  
RUTH MARIE SHERWOOD (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report by Executor, Jennifer M. Sherwood ["Petitioner"].

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

1. Petitioner alleges the estate is not in a condition to be closed as petitioner has received notice from taxing authorities that substantial taxes are due as a result of a taxable distribution made in the year of decedent's death.
2. Petitioner requests an additional 12 months to resolve tax matters and close the estate.
3. Proposed Form Order 02/28/18 includes incorrect date for future hearing.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for **03/26/19**.

(nb)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 04/24/18 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1600735

CASE NAME: MTR OF NUNCIO JOSEPH BONELLI

HEARING:

Accounting Review by \*\*\*

COUNSEL:

JOSEPH BONELLI	(PET)...MICHAEL C MADDUX
LIVE WELL FINANCIAL, INC	(TP )...MCCARTHY & HOLTHUS LLP
NUNCIO JOSEPH BONELLI	(DEC)...
PUBLIC ADMINISTRATOR	(CRAIG M PARKER

GENERAL INFORMATION

**Continued from 03/01/18 at request of counsel.**

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Joseph Bonelli, son, on 12/19/16; full authority, no bond. Joseph *removed* on 03/07/17.
2. Letters of **successor** administration issued to Public Administrator on 03/16/17.
3. Final Inventory and Appraisal filed 11/01/16.
4. **Need** accounting or status report.
5. **Declaration by Joseph Bonelli alleges the only asset of the estate was sold at auction on 03/08/17.**

RECOMMENDATION

Inquire status of accounting by **Joseph Bonelli**.

(lc/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 04/24/18      TIME: 8:30      DEPT: S36P  
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CASE#: PRO PS1600944

CASE NAME: MTR OF TIMOTHY JERSCHEID

HEARING:

Probate status report filed.

COUNSEL:

PHYLLIS JERSCHEID                      (PET)...FARHAT & ASSOCIATES

TIMOTHY JERSCHEID                      (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report by Personal Representative, Phyllis Jerscheid ["Petitioner"].

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

1. Petitioner alleges the estate is not in a condition to be closed as they are awaiting the completion of the accounting portion of the First and Final Account.
2. Petitioner requests an additional 3 months to close the estate.
3. Need proper verification.
4. Need Notice of Hearing and proof of service in accord with Pr.C. § 12201. Whenever a status report is filed without an accounting, notice must indicate a right to an accounting in accord with Pr.C. § 10950. **This form of notice is mandatory.**
5. ~Proposed Order 03/13/18

RECOMMENDATION:

Need to clear notes 3-4 then Court's discretion. If approved, set next hearing for **07/24/18.**

(nb)

Superior Court of Calif, County of San Bernardino  
Page: 6  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 04/24/18 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1700636

CASE NAME: MICHAEL PATTON

HEARING:

First and Final Account and Report of ROBERT T PATTON and  
Petition for allowance of fees filed.

COUNSEL:

MICHAEL PATTON	(DEC)...
MICHAEL PATTON	(PET)...JEFFREY T SCHOENHERR
ROBERT T PATTON	(PET)...JEFFREY T SCHOENHERR

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of Account and for Fees by Personal Representative, Robert T. Patton ["Petitioner"-brother].

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

1. **Need** waiver by petitioner, Robert T. Patton.
2. Accounting period 06/16/17 to 02/28/18.
3. Assets on Hand \$527,801.65 consisting of cash.
4. Petitioner waives statutory compensation.
5. Attorney requests statutory fees of \$15,080.34. Calculated.
6. There appears to be minor heirs/assignees. Does Court wish to appoint GAL or Guardian of the Estate? **JTD.**
7. Petitioner requests authority to withhold the sum of \$15,000 as a reserve. **JTD.**
8. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear note 1 then Court's discretion. If approved, set next hearing for receipts and final discharge for **04/30/19**.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 04/24/18      TIME: 8:30      DEPT: S36P  
-----

CASE#: PRO PS1701174

CASE NAME: THE GERALDINE R HENDON TRUST

HEARING:

Petition for Determine the Existence of a Trust; to Compel the  
Trustee to Provide a Copy of Terms

COUNSEL:

KEVIN TODD HENDON

THE GERALDINE R HENDON TRUST

(PET)...RICHARD G ANDERSON

(TRU)...

Currently under review by Legal Research.  
(LR)

Notice given.  
(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](mailto: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: JAMES MICHAEL WELCH

-----  
DATE: 04/24/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1800250

CASE NAME: AMY C LITTLETON

HEARING:

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

COUNSEL:

AMY C LITTLETON (DEC)...  
MARK A LITTLETON SR (PET)...LAW OFFICE OF ROGER VON KAESBO

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full  
authority under IAEA by son, Mark A. Littleton, Sr. ["Petitioner"].

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

- 1 Will waives bond. Estimated estate valued at \$400,000. The Court may for  
good cause require that a bond be given, either before or after issuance of  
letters. Pr. C. § 8481(b).
2. Proof of publication filed.
3. ~Proposed Order 03/15/18.

RECOMMENDATION:

Court's discretion re: bond. If approved, set future hearing for Accounting Review on  
**07/02/19**. Any account to be filed 30 days in advance of hearing. Note requirements of  
Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 04/24/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1800266

CASE NAME: MTR OF ROBERT S RODDICK

HEARING:

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

COUNSEL:

MARY GHAN (PET)...PALMIERI TYLER WIENER WILHELM  
ROBERT S RODDICK (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by sister, Mary Ghan ["Petitioner"].

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

1. Petitioner requests bond of \$650,000 be fixed. Appears sufficient. JTD.
2. ~Proposed Form Order/Letters 03/20/18.

RECOMMENDATION:

RFA, \$650,000 bond. If approved, set future hearing for Accounting Review on **07/02/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(nb)



Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 04/24/18      TIME: 8:30      DEPT: S36P  
-----

CASE#: SPR SS04825

CASE NAME: ESTATE OF RUBY ANN NOLEN

**SEE ALSO 10**

HEARING:

Petition for LETTERS OF SUCCESSOR ADMINISTRATION

COUNSEL:

RUBY ANN NOLEN	(DEC)...
SANDRA THOMAS STELL	(PET)...C. L. FARRELL
VERNA GRASSO	(PET)...C.L. FARRELL

#### GENERAL INFORMATION

**Continued from 04/26/17, 07/25/17, 09/19/17, 12/19/17 and 02/20/18 at request of counsel.**

THIS CASE SET FOR HEARING ON Petition for Letters of **Successor** Administration with full authority under IAEA by Sandra Thomas Stell, great niece.

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

1. Letters of Administration with Will Annexed issued to Verna Grasso, paternal grandniece on 8/23/02, with funds held in blocked account in lieu of bond. Verna passed away on **12/29/16**.
2. As the will has already been admitted to probate, it appears to be a petition for successor administrator.
3. Petitioner requests bond of \$20,000; however, cash and real property appear to be valued at \$42,020. Court to require bond of \$42,020.
4. Notice to Petition to Administer Estate and proof of service filed 04/05/17. However, need Due Diligence Declarations as to heirs with unknown whereabouts.
5. Notice of Death of Administrator filed 04/05/17; need proof of service.
6. Proof of Publication filed 04/17/17 is not verified. Need amended Proof of Publication.
7. ~Proposed Form Order: 03/07/17.

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

## RECOMMENDATION

Need to clear notes 4-6 then Court's discretion re bond. If approved, set Accounting/Status Review for **05/02/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/lh/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](mailto: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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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 04/24/18      TIME: 8:30      DEPT: S36P  
-----

CASE#: SPR SS04825

CASE NAME: ESTATE OF RUBY ANN NOLEN

**SEE ALSO 9**

HEARING:

SIXTH Account and Report of VERNA GRASSO and Petition for allowance of fees filed.

COUNSEL:

RUBY ANN NOLEN	(DEC)...
SANDRA THOMAS STELL	(PET)...C. L. FARRELL
VERNA GRASSO	(PET)...C.L. FARRELL

GENERAL INFORMATION:

Administrator Verna Grasso died on 12/29/16.

**Continued from 07/25/17, 09/19/17, 12/19/17 and 02/20/18 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Sixth and Final Account and Petition for Fees by Attorneys for Petitioner C.L. Farrell and as former Attorneys for the late Verna Grasso, Deceased Administrator.

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

1. Accounting period 10/12/15 to 02/28/17.
2. Assets on Hand \$45,260.36 consisting of \$40,255.40 in cash and remaining in a ½ interest in unimproved real property.
3. Compensation is not requested.
4. Reimbursement for costs is not requested.
5. Petitioner requests an Order Authorizing the Estate to Abandon its Undivided one-half tenancy in common interest in the unimproved, vacant lot located in Newberry Springs, CA, having a 01/26/16 reappraised value of \$2,000 due to its demonstrated unmarketability, to conserve the Estate cash assets and enable the Estate assets to be distributed to its heirs at law and for the Estate to be brought to a close. Consents are not affixed as alleged. **Need same by all Nolen Estate Heirs.**
6. Need Notice of Hearing with proof of service.

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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

7. Petitioner requests Attorney Farrell be authorized and directed to issue Final Distribution checks to the Nolen Heirs from the unblocked Community Bank Nolen Heirs Checking Account.
8. Petitioner requests an order authorizing and directing her to retain the sum of \$5,000 in the Community Bank Nolen Heirs Checking Account for closing costs.
9. No proposed order. Submit Order after Hearing.

**RECOMMENDATION:**

Need to clear notes 5-6 then Court's discretion. If approved, set next hearing for receipts and final discharge for **05/02/19**.

(nb)

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: 04/24/18      TIME: 8:30      DEPT: S36P  
-----

CASE#: TRU PS1800015

CASE NAME: THE DAMRON FAMILY TRUST DATED 1/11/2002

HEARING:

Petition for Modify Trust

COUNSEL:

SUNNY DAMRON

THE DAMRON FAMILY TRUST DATED

(TEE)...MOORE & ASSOCIATES, PLC

(TRU)...

Currently under review by Legal Research.

(LR)

Notice given.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 04/24/18      TIME: 8:35      DEPT: S36P  
-----

CASE#: TRU PS1800035

CASE NAME: WILLUMSUN REVOCABLE TRUST

HEARING:

Petition for an Order to Confirm Validity of Trust; And To  
Confirm Assets to Revocable Trust

COUNSEL:

TIINA WILLUMSUN  
WILLUMSUN REVOCABLE TRUST

(PET)...WILLIAM M NASSAR &  
(TRU)...PRO/PER

Currently under review by Legal Research.  
(LR)

Notice complete.  
(nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 04/24/18      TIME: 8:35      DEPT: S36P  
-----

CASE#: TRU PS1800050

CASE NAME: JEAN F. JOHNSON REVOCABLE TRUST U/D/T ETC

HEARING:

Petition for Invalidate trust based on undue influence and  
incapacity

COUNSEL:

ERICA DURAN

(PET)...DAVID D JONES

JEAN F. JOHNSON RECOVABLE TRUS (TRU)...

Currently under review by Legal Research.  
(LR)

Notice:

Need Notice of Hearing with proof of service to successor trustee Melanie Woods,  
Robert E. Plough and Debbie Peterson Johnson.  
(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](mailto: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: JAMES MICHAEL WELCH **CONSERVATORSHIPS**

-----  
DATE: 04/24/18      TIME: 9:30      DEPT: S36P  
-----

CASE#: CON DS1000106

CASE NAME: WILLIAM NELSON

HEARING:

Accounting Review by \*\*\*

COUNSEL:

INLAND COUNTIES REGIONAL CEN	(CE )...LAYNE A BARTHOLOMEW
INLAND COUNTIES REGIONAL CEN	(CPE)...LAYNE A BARTHOLOMEW
INLAND COUNTIES REGIONAL CEN	(TEE)...LAYNE A BARTHOLOMEW
KARIN E HORSPOOL	(PET)...
SPECIAL NEEDS TRUST OF WILLIAM	(TRU)...
WILLIAM NELSON	(CTE)...KARIN E HORSPOOL
WILLIAM NELSON	(TRU)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review by Trustee of SNT, IRC.

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

1. Order Settling Third Account entered 06/21/16; fourth account now due beginning 03/01/16.
2. No accounting or waiver of account. Need same.

RECOMMENDATION:

Inquire status.

(nb)



Superior Court of Calif, County of San Bernardino  
Page: 14A      ADD ON  
CIVPRO                      San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 04/24/18      TIME: 9:30      DEPT: S36P  
-----

CASE#: CON DS1000244

CASE NAME: JOSE RIGOBERTO SILVA

HEARING:  
Hearing Re: CI REPORT

COUNSEL:  
RIGOBERTO SILVA                      (CP )...PRO/PER  
JOSE RIGOBERTO SILVA              (CTP)...MITCHELL I ROTH

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON CI Report

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

1. Matter set on Courts motion upon receipt and review of CI Report filed 04/03/18.
2. Court re-appoints Attorney Mitchell I Roth as attorney for conservatee. **Need** report.
3. Notice by Judicial Assistant.

RECOMMENDATION:

Need report by court-appointed counsel then Court's discretion.  
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 04/24/18      TIME: 9:30      DEPT: S36P  
-----

CASE#: CON PS0900186

CASE NAME: RYAN GEIB

HEARING:

Accounting Review by \*\*\*

COUNSEL:

DIRK GEIB

(CE)...LENITA A SKORETZ

DIRK GEIB

(CPE)...LENITA A SKORETZ

RYAN GEIB

(CEP)...JACK B OSBORN

RYAN GEIB

(CEP)...PRO/PER

GENERAL INFORMATION:

**Continued from 02/27/18 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Accounting Review by Conservator of the Person and Estate, Dirk Geib (father).

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

1. Order Settling Sixth Account entered 08/29/17; seventh account now due.
2. No accounting or waiver of account. Need same.

RECOMMENDATION:

Inquire status.

(nb)

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

-----  
DATE: 04/24/18 TIME: 9:30 DEPT: S36P  
-----

CASE#: CON PS1300174

CASE NAME: Maria Elena Verdugo

HEARING:

Third Account and Report of ROSEANN TRUJILLO and Petition for allowance of fees filed.

COUNSEL:

MARIA ELENA VERDUGO (CTE)...MATTHEW E SHEASBY  
MARIA ELENA VERDUGO (CTE)...PRO/PER  
ROSEANN TRUJILLO (CE)...PRO/PER

GENERAL INFORMATION:

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

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

1. Accounting period 12/01/16 to 11/30/17.
2. Assets on Hand \$418,857.00 consisting of \$28,594 in cash and remaining in real and personal property.
3. Petitioner requests monthly compensation of \$150/month for the care of conservatee and management of her estate. **JTD.**
4. Petition indicates the Conservatee's home is in need of urgent home repairs for her health and safety. Petitioner requests the court authorize the renovation of the conservatee's residence to include: mold abatement, roof repair, kitchen cabinets and kitchen countertops, replace the bathroom shower and sink water fixtures; and replace the carpet. However, an estimated amount for proposed renovations is not included. Suggest Court require estimates for proposed renovations and a maximum amount allowed for same. **JTD.**
5. Petitioner indicates the "executors" of Conservatee's Trust are her parents, Rogelio M. Chavez, Sr. and Maria E. Chavez, who are both deceased. Petitioner requests authorization from the court to appoint two "executors" for the Maria E. Verdugo Trust. Question whether the Trust is funded and whether the Trust includes provisions for a Successor Trustee? **Need** verified supplement.

6. Proposed Order 03/16/18; Caption is incorrect; account period is incorrect; monthly compensation is incorrect; assets on hand are incorrect and includes items not prayed for.

**RECOMMENDATION:**

Need to clear note 5 then Court's discretion. If approved, set hearing on the next accounting review for **01/29/19** (if one year) or **01/28/20** (if two years). Account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 04/24/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1700295

CASE NAME: MTR OF BILLIE HARGROVE BROWN

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of GREGORY L BROWN

COUNSEL:

GREGORY L BROWN (CPE)...MCCLELLAN & WILSON  
BILLIE HARGROVE BROWN (CEP)...JAMES B CHURCH

GENERAL INFORMATION

Gregory L. Brown appointed conservator of the person and estate on 09/09/17,  
\$244,200 bond.

THIS CASE IS SET FOR HEARING ON Inventory & Appraisal/Compliance Review

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

- 1 Notification of Conservatee's Rights filed. However, Section 5 to Proof of Mailing is incomplete. Question whether a conformed copy of the Order Appointing Probate Conservator was attached to notice? JTD.
- 2 Need Statement of Care Plan in accord with Pr.C. §2352.5.
- 3 Need a Determination of Conservatee's Appropriate Level of Care per Pr.C. §2352.5 (form GC-355).
- 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:

Inquire status.

(nb)

Future Hearing:

11/27/18 Accounting Review.

**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](mailto: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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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 04/24/18      TIME: 9:30      DEPT: S36P  
-----

CASE#: CON PS1800085

CASE NAME: MTR OF COOKIE GILESPIE

**VACATED**

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CLAUDIA MCKEE

(CPE)...PRO/PER

COOKIE GILESPIE

(CEE)...

Superior Court of Calif, County of San Bernardino  
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CIVPRO San Bernardino District  
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HONORABLE: JAMES MICHAEL WELCH

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DATE: 04/24/18 TIME: 9:30 DEPT: S36P  
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CASE#: RC RS00260

CASE NAME: DOMINIQUE BEASLEY

HEARING:  
Hearing Re: CI Report

COUNSEL:  
DOMINIQUE BEASLEY (PCE)...BRYAN C. HARTNELL  
RONALD L BEASLEY (PET)...MALCOLM S MACMILLAN

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON CI Report

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

1. Matter set on Courts motion upon receipt and review of CI Report filed 04/04/18.
2. Court appoints Attorney Bryan Hartnell as attorney for conservatee. **Need** report.
3. Notice by Judicial Assistant.

RECOMMENDATION:

Need report by court-appointed counsel then Court's discretion.  
(nb)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 04/24/18 TIME: 9:30 DEPT: S36P  
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CASE#: RG RS445

CASE NAME: THOMAS RAY ERWIN, JR

HEARING:

Hearing Re: CI REPORT (APPT OF SUCCESSOR)

COUNSEL:

RUTH A ERWIN	(GP )...ALLARD, SHELTON & OCONNOR
THOMAS RAY ERWIN	(GP )...ALLARD, SHELTON & OCONNOR
THOMAS RAY ERWIN JR	(MIN)...WALTER T. MOORE

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON CI Report

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

1. Matter set on Courts motion upon receipt and review of Special CI Report filed 03/20/18.
2. Court appoints Attorney Walter Moore as attorney for conservatee. **Need** report.
3. Notice by Judicial Assistant.

RECOMMENDATION:

Need report by court-appointed counsel then Court's discretion.

(nb)



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

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DATE: 04/24/18 TIME: 9:30 DEPT: S36P  
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CASE#: SC SS02814

CASE NAME: MTR OF TIFFANY MCDOWELL

HEARING:

Hearing Re: CONCERNS FROM THE CI REPORT

COUNSEL:

L'TANYA M NEWMAN (CPE)...PRO/PER  
TIFFANY MCDOWELL (CEP)...MITCHELL I ROTH

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON CI Report

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

1. Matter set on Courts motion upon receipt and review of CI Report.
2. Court re-appoints Attorney Mitchell I Roth as attorney for conservatee. **Need** report.
3. Notice by Judicial Assistant.

RECOMMENDATION:

Need report by court-appointed counsel then Court's discretion.  
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**PROBATE**

-----  
DATE: 04/24/18      TIME: 8:30      DEPT: S37P  
-----

CASE#: PRO PS1400937

CASE NAME: Donald B. Evans II

**SEE ALSO 2, 3**

HEARING:

Hearing Re: OSC RE SURCHARGE

COUNSEL:

DANIEL R MORTENSEN	(DANIEL R. MORTENSEN
DENISE WILLIAMS	(TP )...PRO/PER
DONALD B EVANS II	(DEC)...
DONALD B EVANS III	(PET)...PRO/PER
JESSE L EVANS	(PET)...PRO/PER
JOHN W EVANS	(PET)...PRO/PER
S.B COUNTY PUBLIC ADMINISTRATO	(PET)...CRAIG M PARKER

#### GENERAL INFORMATION

Continued from **09/14/17 and 11/14/17** for Donald Evans III to be present.

**Continued from 01/24/18. Donald Evans III re-cited to appear.**

THIS CASE SET FOR HEARING ON OSC re Surcharge.

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

1. OSC set on 06/15/17 when Donald Evans III failed to appear and file an accounting.
2. **Need** return of citation for Donald Evans III.
3. **Declarations of Due Diligence and Proofs of Unsuccessful Service filed 01/12/18, 02/16/18, 02/23/18 & 04/05/18.**

#### RECOMMENDATION

Need return of Citation. Court's discretion re OSC.

(lc/nb/lh/nb)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 04/24/18 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1400937

CASE NAME: Donald B. Evans II

**SEE ALSO 1, 3**

HEARING:

Hearing Re: PTN FOR REMOVAL OF REPRESENTATIVE OF ESTATE

COUNSEL:

DANIEL R MORTENSEN	(DANIEL R. MORTENSEN
DENISE WILLIAMS	(TP )...PRO/PER
DONALD B EVANS II	(DEC)...
DONALD B EVANS III	(PET)...PRO/PER
JESSE L EVANS	(PET)...PRO/PER
JOHN W EVANS	(PET)...PRO/PER
S.B COUNTY PUBLIC ADMINISTRATO	(PET)...CRAIG M PARKER

GENERAL INFORMATION

Continued from 09/28/16 as objections were recently filed.

Continued from 12/15/16. Donald Evans ordered to prepare an accounting which will include exactly why the home was foreclosed upon. Bond ordered of \$100,000.

On 04/13/17 Donald Evans III was suspended as representative of the estate immediately. **Public Administrator appointed.** Clerk's Office to notify Public Administrator. The Court ordered Donald Evans III file an accounting by 5/15/17. If accounting not filed, the court will surcharge Donald Evans III in an amount to be determined. The Court advises John Evans to file an ex parte

Continued from **06/15/17**. Donald Evans III cited to appear. Should he fail to appear, bench warrant may be issued. Public Administrator to be present at next hearing and to file order and letters as successor.

Continued from **09/14/17**.

Continued from **11/14/17**. Donald Evans III is cited to appear at next hearing. Should he fail to appear, a bench warrant may be issued for his arrest. Court notes that part of this petition is moot as Donald Evans III has been removed as personal representative of the estate and the public administrator has been appointed. Court grants request that Donald Evans III be ordered to turn all receipts/documents/accounts of the estate to the Public Administrator and that he be ordered to file an Inventory and Appraisal and an accounting. Court reserves on the issues of surcharge, reimbursement of costs and attorney fees, reimbursement of embezzled funds, and an independent audit.

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

Court confirms appointment of Public Administrator as successor administrator. Order signed this date.

**Continued from 01/24/18. Donald Evans III re-cited to appear.**

THIS CASE SET FOR HEARING ON Petition for Removal of Representative of the Estate of Donald Blynn Evans II Per Pr.C. §§ 8500-8502 by John Evans and Jesse Evans.

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

1. The Decedent, Donald Blynn Evans II, died on July 11, 2014. Donald Blynn Evans III was appointed as Personal Representative of the Estate by this Court on December 11, 2014.
2. Petitioners John W. Evans and Jesse L. Evans allege the following acts and breach of duties by the appointed Personal Representative:
  - a. use of Estate funds and accounts for personal purposes and failing to make productive certain assets of the Estate that could be used to generate income, specifically, rents.
  - b. embezzlement of monies belonging to the Estate such as purchases of television sets, household items, personal stereo equipment and other purely personal items.
  - c. mismanagement of the *res* of the Estate by amongst other things failing to pay the mortgage and expenses related to the residence.
  - d. defraud the Estate by false representations.
  - e. failure to provide reasonable information or accountings.
3. Petitioners request and order:
  - a. for an order immediately suspending the powers of the Personal Representative in whole or part.
  - b. in the alternative to suspension of powers, that the Court order the imposition of a surety or bond sufficient to cover any potential losses already occasioned by the wrongful conduct of the Personal Representative as alleged.
  - c. for the removal of the Personal Representative at the earliest possible opportunity.
  - d. for appointment of a duly qualified Personal Representative or Public Administrator in the stead of the now acting Representative.
  - e. for a surcharge.
  - f. for costs.
  - g. for attorney's fees.
  - h. for an order requiring all embezzled funds to be immediately returned to the Estate.
  - i. for an order requiring the Personal Representative to turn over all receipts records, documents, writing or other data relating to the assets or management of the Estate during the time since the Decedent's death.
  - j. for an immediate and current inventory of all property or property interests of the Estate.
  - k. for an immediate accounting.

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

- l. for an order requiring an independent audit of the activities of the Personal Representative.
    - m. for any and all other relief as the Court may deem appropriate to make the Estate whole for any losses caused to the Estate by the actions of the Personal Representative.
4. Petitioners served the Personal Representative with a citation to appear at the 9/28/16 hearing.
5. **Objections filed by Donald Evans III on 09/27/16. Donald alleges that the house is *not* in foreclosure, the Inventory and Appraisal is filed [10/20/15] and that removal is inappropriate.**
6. **Declaration of No Assets filed by Public Administrator on 12/19/17** alleges real property was sold at trustee sale with no excess proceeds; bank accounts were closed by beneficiary listed on accounts, and whereabouts of personal property is unknown. Trustee Deed attached. [Dec 12/19/17, LFpg3-4].
  - a. **Need** petition to terminate for lack of assets per Pr.C. § 12251.
7. No proposed order. Submit after hearing.
8. **Need** return of citation for Donald Evans III.

RECOMMENDATION:

**Need** return of citation re Donald Evans III. See notes on matter #1.  
Matter is contested. No bonding company to notice.

(bc/lc/nb/lh/nb)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 04/24/18 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1400937

CASE NAME: Donald B. Evans II

**SEE ALSO 1, 2**

HEARING:

Accounting Review by \*\*\*

COUNSEL:

DANIEL R MORTENSEN	(DANIEL R. MORTENSEN
DENISE WILLIAMS	(TP )...PRO/PER
DONALD B EVANS II	(DEC)...
DONALD B EVANS III	(PET)...PRO/PER
JESSE L EVANS	(PET)...PRO/PER
JOHN W EVANS	(PET)...PRO/PER
S.B COUNTY PUBLIC ADMINISTRATO	(PET)...CRAIG M PARKER

GENERAL INFORMATION:

Continued from 7/19/16, 09/28/16 and 12/15/16. Donald Evans ordered to prepare an accounting which will include exactly why the home was foreclosed upon. Bond ordered of \$100,000.

Continued from **04/13/17 and 06/15/17**. Donald Evans III cited to appear. Should he fail to appear, bench warrant may be issued.

Continued from **09/14/17** at request of Craig Parker. Notice by Judicial Assistant.

Continued from **11/14/17** for Donald Evans III to be present.

**Continued from 01/24/18. Citation to Donald Evans III not returned. Matter continued for citation to be reissued. Citation issued to: DONALD EVANS III who is cited and required to appear on 04/24/18.**

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

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

1. Letters of Administration issued 12/11/14 vacated due to error. Letters of Administration re-issued to Donald Evans III, son, on 11/30/15, full authority, no bond. Bond of \$100,000 ordered on 12/15/16.
2. Declaration of no assets by Public Administrator filed 12/19/17. **Need** petition to terminate for lack of assets per Pr. C. §12251.
3. **Need** accounting or status report.

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

4. **Need** bond.
5. **Need** return of citation for Donald Evans III. **See notes on matter #1.**
6. Notice of Proposed Action filed on 9/9/16. **Objection to NOPA by John Evans filed 9/21/16.**

**RECOMMENDATION:**

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

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

Superior Court of Calif, County of San Bernardino

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

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DATE: 04/24/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1500269

CASE NAME: MTR OF ALVARO ARMANDO ALDERETE

HEARING:

Accounting Review by \*\*\*

COUNSEL:

ALVARO ARMANDO ALDERETE (DEC)...  
JAMES ALDERETE (PET)...FULLERTON LEMANN SCHAEFER

GENERAL INFORMATION:

**Continued from 10/31/17. Counsel gives an oral status report to the Court.  
The status of the estate is essentially the same as in the last status report except  
that the quiet title action is almost complete.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Approving Status Report entered 11/22/16; **accounting now due.**

RECOMMENDATION:

Inquire status.

(nb)



Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 04/24/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1601189

CASE NAME: MTR OF MELODY CHRISTINA RUSH

HEARING:

Accounting Review by \*\*\*

COUNSEL:

ANDREW LUIS MARTINEZ	(PET)...RYAN J GALLANT
MELODY CHRISTINA RUSH	(DEC)...
STATE OF CALIFORNIA FRANCHISE	(TP)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Administration issued to Andrew L. Martinez, full authority, no bond.
2. Need final Inventory and Appraisal.
3. No accounting or status report. Need same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

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HONORABLE: TARA REILLY

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DATE: 04/24/18      TIME: 8:30      DEPT: S37P  
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CASE#: PRO PS1800070

CASE NAME: GARY EUGENE LEEDHAM

HEARING:

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

COUNSEL:

GARY EUGENE LEEDHAM      (DEC)...  
THOMAS E SHIRTCLIFF      (PET)...PRO/PER

#### GENERAL INFORMATION

**Continued from 02/26/18 on Courts motion.**

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

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

1. Will allegedly waives bond. The estate consists of \$200,000.00 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b).
2. **Need** copy of will as one was not attached to the petition.
3. ~Proposed Form Order: 01/24/18

#### RECOMMENDATION

Need to clear note 2 then Courts discretion re bond. If approved, set Accounting/Status Review for **05/06/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/nb)

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DATE: 04/24/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1800186

CASE NAME: JAMES E DAMRON

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary W/Full Authority under IAEA.

COUNSEL:

JAMES E DAMRON (DEC)...  
SUNNY L DAMRON (PET)...KEVIN J MOORE

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA by spouse, Sunny L. Damron ["Petitioner"-named executor].

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

1. Will waives bond. Estimated estate valued at \$1,206,127.00. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). JTD.
2. 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
3. Notice does not include Frank Schnitz included in Will. Need proper service.

RECOMMENDATION:

Need to clear notes 2-3 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **07/02/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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DATE: 04/24/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1800229

CASE NAME: MTR OF MONTE HOWARD LEE

HEARING:

Spousal Property Petition hearing.

COUNSEL:

MONTE HOWARD LEE (DEC)...  
TERESITA LEE (PET)...MICHAEL C MADDUX

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Teresita Lee ["Petitioner"].

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

1. Section 7b was marked instead of Section 7a. **Need** verified supplement.
2. Petitioner requests a determination of property passing to the surviving spouse as community property. Specifically, real property at Hesperia in San Bernardino County. However, petitioner confirms in her declaration, filed on 03/09/18 that the subject property was purchased by decedent before their marriage on 04/10/89.
3. Petitioner indicates decedent was an only child; there are no known next of kin; and alleges property taxes were paid through community funds. However, while the property is the decedent's separate property, Pr. C.§6401(c)(1) indicates that the entire intestate share goes to the surviving spouse if the decedent did not leave any issue, parent, brother, sister or issue of a deceased brother or sister.
4. ~Proposed Form Order 03/09/18.

RECOMMENDATION:

Need verified supplement then Court's discretion.

(nb)



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DATE: 04/24/18 TIME: 8:30 DEPT: S37P  
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CASE#: TRU PS1800049

CASE NAME: THE JOYCE A SMEJKAL TRUST

HEARING:

Petition for to confirm transfer of assets into revocable living trust

COUNSEL:

DANIEL E SMEJKAL (PET)...GLEASON LAW OFFICES  
THE JOYCE A SMEJKAL TRUST (TRU)...

Currently under review by Legal Research.  
(LR)

Notice:

Need notice of Hearing with proof of service to Lori A. Perry, Jason J. Smejkal, Jessica L. Heck, Chelsea M. Smejkal, Ashley Smejkal, Michelle A. Perry, and Nicole Perry.

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.

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 04/24/18      TIME: 8:35      DEPT: S37P  
-----

CASE#: TRU PS1800057

CASE NAME: JANELL W BAXTER REVOCABLE TRUST

HEARING:

Petition for Instructions and for an Order Determining to Whom Property Shall Pass

COUNSEL:

JANELL WITHROW BAXTER REVOCABL (TRU)...

JANNAMARIE RUTH DELORENZO                      (PET)...CHRISTOPHER A SHUMATE

Currently under review by Legal Research.  
(LR)

Notice given.  
(nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

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HONORABLE: TARA REILLY

-----  
DATE: 04/24/18      TIME: 8:35      DEPT: S37P  
-----

CASE#: PRO PS1700017

CASE NAME: ERNEST ALLEN BECKSTROM

**SEE ALSO 12, 13, 14**

HEARING:

Motion Re: To Compel Further Responses to Special  
Interrogatories etc Filed by Petitioner KURT BECKSTROM

COUNSEL:

ERNEST ALLEN BECKSTROM      (DEC)...

JAMES F BAKER                      (PET)...BANKS GARCIA & JANIS

KURT BECKSTROM                      (PET)...ROBERT J SPITZ

Request for Waiver of Court Fees and Costs filed by KURT BECKSTROM is GRANTED

Currently under review by Legal Research.  
(LR)

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**



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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

-----  
DATE: 04/24/18      TIME: 8:35      DEPT: S37P  
-----

CASE#: PRO PS1700017

CASE NAME: ERNEST ALLEN BECKSTROM

**SEE ALSO 11, 13, 14**

HEARING:

Motion Re: Compel Further Responses to Form Interrogatories, Set  
One, etc Filed by Petitioner KURT BECKSTROM

COUNSEL:

ERNEST ALLEN BECKSTROM      (DEC)...

JAMES F BAKER      (PET)...BANKS GARCIA & JANIS

KURT BECKSTROM      (PET)...ROBERT J SPITZ

Request for Waiver of Court Fees and Costs filed by KURT BECKSTROM is GRANTED

Currently under review by Legal Research.  
(LR)

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DATE: 04/24/18 TIME: 8:35 DEPT: S37P  
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CASE#: PRO PS1700017

CASE NAME: ERNEST ALLEN BECKSTROM  
**SEE ALSO 11, 12, 14**

HEARING:

Motion Re: Compel Further Responses to Request for Production of Documents etc Filed by Petitioner KURT BECKSTROM

COUNSEL:

ERNEST ALLEN BECKSTROM (DEC)...  
JAMES F BAKER (PET)...BANKS GARCIA & JANIS  
KURT BECKSTROM (PET)...ROBERT J SPITZ

Request for Waiver of Court Fees and Costs filed by KURT BECKSTROM is GRANTED

Currently under review by Legal Research.  
(LR)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

-----  
DATE: 04/24/18      TIME: 8:35      DEPT: S37P  
-----

CASE#: PRO PS1700017

CASE NAME: ERNEST ALLEN BECKSTROM

**SEE ALSO 11, 12, 13**

HEARING:

Motion Re: Compel Further Responses to Request for Production of Documents etc Filed by Petitioner KURT BECKSTROM

COUNSEL:

ERNEST ALLEN BECKSTROM      (DEC)...

JAMES F BAKER      (PET)...BANKS GARCIA & JANIS

KURT BECKSTROM      (PET)...ROBERT J SPITZ

Request for Waiver of Court Fees and Costs filed by KURT BECKSTROM is GRANTED

Currently under review by Legal Research.  
(LR)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 04/24/18      TIME: 8:35      DEPT: S37P  
-----

CASE#: PRO PS1700054

CASE NAME: MTR OF THE ANTONINA DARAFEEV LIVING TRUST

HEARING:

Petition for (Ex Parte) to Compel Interim Trustee to Distribute  
Darafeev Properties

COUNSEL:

GEORGE DARAFEEV	(PET)...SUZANNE M REHMANI
MICHAEL DARAFEEV	(OBJ)...RAYMOND G ROBINSON
PAUL DARAFEEV	(PET)...SUZANNE M REHMANI
THE ANTONINA DARAFEEV LIVING T	(TRU)...
W.A. HLAVATY	(PET)...THOMPSON & COLEGATE

Currently under review by Legal Research.  
(LR)

Notice given.  
(nb)

Future Hearing:  
05/31/18 Accounting Review.

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

-----  
DATE: 04/24/18      TIME: 8:35      DEPT: S37P  
-----

CASE#: PRO PS1701009

CASE NAME: MTR OF EMMETT D WATTS REVOCABLE TRUST

HEARING:

Petition for ORDER DESIGNATING REAL PROPERTY TO BE AN ASSET  
OF THE LIVING TRUST

COUNSEL:

DEBORAH LYNN REYNOLDS

(PET)...ELDER LAW CENTER

DENISE LEE WATTS

(PET)...ELDER LAW CENTER

THE EMMETT D WATTS REVOCABLE T (TRU)...

Currently under review by Legal Research.

(LR)

Notice of Hearing filed 04/17/18 does not give 30 days' notice. **Need** proper service.

(nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

## CONSERVATORSHIPS

-----  
DATE: 04/24/18      TIME: 9:30      DEPT: S37P  
-----

CASE#: CON PS1100265

CASE NAME: KATIE M GREEN

HEARING:

Accounting Review by \*\*\*

COUNSEL:

CHRISTINA ERICKSON-TAUBE	(PET)...SHERRI L KASTILAHN
KATIE M GREEN	(CEP)...MITCHELL I ROTH
KELLIE N BOCANEGRA	(OBJ)...BANKS GARCIA & JANIS
MARLA M GREEN	(CPE)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review by Successor Trustee, Christina Erickson-Taube.

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

1. Order Settling Third Account entered 05/30/17; fourth account now due.
2. No accounting. Need same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

-----  
DATE: 04/24/18      TIME: 9:30      DEPT: S37P  
-----

CASE#: CON PS1300339

CASE NAME: THOMAS W. MAHONEY

HEARING:

Petition for Order granting instructions re: executing  
settlement agreement & mutual release

COUNSEL:

LAURA L. HARRIS	(CPE)...CRAIG M PARKER
MARK J ANDREW FLORY	(PET)...MARK J. ANDREW FLORY
PATSY MAHONEY	(OBJ)...PRO/PER
THOMAS M MAHONEY	(LAWRENCE R. BYNUM
THOMAS M MAHONEY	(WILLIAM DEAKTOR
THOMAS W. MAHONEY	(CEP)...BROWN WHITE & OSBORN
THOMAS W. MAHONEY	(CEP)...MARK J. FLORY

Request for Waiver of Court Fees and Costs filed by THOMAS M MAHONEY is GRANTED

Currently under review by Legal Research.  
(LR)

**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](mailto: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: 04/24/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700057

CASE NAME: LESSIE THOMAS PHILPOT

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of ALICE FAYE PHILPOT

COUNSEL:

ALICE FAYE PHILPOT	(PET)...PRO/PER
EARNEST BURNES SR	(OBJ)...PRO/PER
LESSIE THOMAS PHILPOT	(CTP)...WALTER T. MOORE

GENERAL INFORMATION

Order Appointing Alice F. Philpot, Conservator of the Person and Estate, entered  
07/18/17, no bond.

**Continued from 02/20/18 on Courts motion.**

THIS CASE IS SET FOR HEARING ON Inventory & Appraisal/Compliance Review

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

- 1 Notification of Conservatee's rights filed.
- 2 Care Plan filed.
- 3 Need Determination of Conservatee's Appropriate Level of Care per  
Pr.C.§2352.5 (form GC-355).
- 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:

Inquire status.

(nb)

Future Hearing:

09/25/18 Accounting Review.



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HONORABLE: TARA REILLY

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DATE: 04/24/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700170

CASE NAME: ALEXA BIANCA RODRIGUEZ MARTINEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of OLGA SOLIS

COUNSEL:

ALEXA BIANCA RODRIGUEZ MARTINE (CTP)...SANDRA TURNER  
OLGA SOLIS (CP)...PRO/PER

GENERAL INFORMATION

Olga Solis appointed Limited Conservator of the Person on 10/31/17.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Notification of Conservatee's Rights and Care Plan filed.
2. Need a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355).

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino  
Page: 20A ADD ON  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: TARA REILLY

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DATE: 04/24/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700349

CASE NAME: ROBERT IRA LARKIN

HEARING:  
Hearing Re: ATTORNEY CONFLICT

COUNSEL:  
JUANITA LANDRY (PET)...PRO/PER  
ROBERT IRA LARKIN (CEE)...EDWARD B FISCHEL

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON CI Report

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

1. Matter set on Courts motion. It has come to the Court's attention that there may be a conflict of counsel in this matter, the Court sets a hearing to discuss possible conflict, relieving of counsel and appointment of new counsel for conservatee.
2. Notice by Judicial Assistant.

RECOMMENDATION:

Court's discretion.

(nb)

FUTURE HEARING DATES:

06/26/18 Petition for appointment for conservatorship person and estate

06/26/19 Petition for appointment of conservator

Superior Court of Calif, County of San Bernardino

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

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DATE: 04/24/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1800070

CASE NAME: NAPOLEON BELENO BANEZ

HEARING:

Petition for Appointment of Conservator

COUNSEL:

HELEN BANEZ (PET)...EDWARD B FISCHER &  
NAPOLEON BELENO BANEZ (CTP)...  
YOLANDA LEE (CPE)...

#### GENERAL INFORMATION

Helen Banez appointed temporary conservator of the person and estate on 03/16/18, \$30,000 bond.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person and estate by sisters, Helen Banez and Yolanda Lee ["Petitioners"].

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

- 1 Section 11 to petition does not include purported husband or his attorney.  
**Need** verified supplement.
- 2 Petitioner requests bond be fixed at \$30,000 and monies over \$30,000 to be placed in a blocked account. If approved, **need** bond as to general conservatorship. JTD.
- 3 Petitioner seeks medical powers. Need Medical Capacity Declaration.
- 4 **Need** Duties of Conservatorship Form by Helen Banez.
- 5 **Need** Notification to Court of Address on Conservatorship Form.
- 6 **Need** Court Investigator's Report.
- 7 Citation returned served.
- 8 **Need** Certificates of Completion re Conservatorship Class.
- 9 **Objections by husband, Richard Wood, filed 04/10/18.**
- 10 No proposed order 04/17/18.

RECOMMENDATION: Matter is contested.

Need to clear notes then Court's discretion re: bond and blocked account.

If approved, set hearing for Compliance Review for **11/27/18** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

Pr.C.§1830(c); a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr.C.§2313.

Set hearing re Accounting Review for **07/02/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rule.

(nb)

Superior Court of Calif, County of San Bernardino  
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CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: TARA REILLY

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DATE: 04/24/18 TIME: 9:30 DEPT: S37P  
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CASE#: RC RS00170

CASE NAME: IN THE MATTER OF TIMOTHY ERIC JOHNSON

HEARING:

SEVENTH Account and Report of DONALD JOHNSON, JESSIE JOHNSON and  
Petition for allowance of fees filed.

COUNSEL:

DONALD JOHNSON	(CPE)...CHARLES S ALTHOUSE
JESSIE JOHNSON	(CPE)...CHARLES S ALTHOUSE
TIMOTHY ERIC JOHNSON	(CEP)...
TIMOTHY ERICJOHNSON LITIGATION	(TRU)...

GENERAL INFORMATION

Continued from **11/28/17** at request of counsel. Notice by Mr. Althouse.

THIS CASE IS SET FOR HEARING ON Sixth Account Current of Trustees (SNT),  
Donald P. Johnson and Jessie L. Johnson (parents); and Petition for Fees.

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Accounting covers 03/01/15 to 02/28/17.
2. Assets on hand: \$133,372.86 (cash of \$122,488.97 and \$10,883.89 in the carry value of an annuity and two life insurance policies.).
3. Current bond of \$215,000. Petitioner requests bond be increased by \$35,143 for a total bond of \$250,243.00. Appears sufficient. JTD.
4. Petitioner waives compensation.
5. Attorney requests fees of \$2,360.00. Billed at \$295/hour for 8 hours' attorney time. Itemized [LF, p.50]. JTD.
6. Need residential facility statements **and/or written verification of rent** per Pr.C. §2620(c)(5).
7. Last CI report filed 10/01/14. **Need** updated CI Report.
8. Petition indicates the principal place of administration of this trust is Lake Elsinore and Conservatee now resides in Riverside County. Does Court wish to transfer matter to Riverside County? If so, Court to set control date. **JTD.**
9. **Supp. (04/10/18)** with Exhibit "A" [LF, p.5] that is an explanation of the items requested by the Court.

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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

10. Proposed Form Order 08/25/17 does not indicate petitioners waive compensation.

**RECOMMENDATION:**

Need to clear notes 6-7 then Court's discretion re fees; bond; and transfer. If approved, set next accounting review for **04/24/18** (if one year) or **04/2319** (if two years). Account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**