



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 05/01/18

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.

nb0410 lc4/25

4/25 ww

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: 05/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO DS1000611

VACATED and reset onto 05/07/18 by Court on 03/29/18.

CASE NAME: DAVID STEWART

HEARING:

SUMMARY OF Account and Report of BRYAN STEWART and Petition for allowance of fees filed.

COUNSEL:

BRYAN STEWART (PET)...PRO/PER
DAVID STEWART (DEC)...

X-REF: CIVDS 903881

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Summary of Account and Petition for Fees by Personal Representative, Bryan Stewart ["Petitioner"].

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

1. Final Inventory and Appraisal filed on 05/04/12 has the following issues:
 - a. Not dated by petitioner;
 - b. Statement about the bond section is incomplete, not dated or signed by attorney;
 - c. Attachment 1 does not include any beginning cash assets;
 - d. Attachment 2 does not include real property or vehicle information.
 Need complete inventory.
2. Accounting period 06/17/11 to 03/04/18
3. Property on Hand at Beginning of Account Period differs from amount on final inventory and appraisal filed 05/04/12.
4. Assets on Hand \$22,403.59 consisting of cash.
5. Total Charges and Total Credits to Summary of Account do not match.
6. Losses on Sale – Schedule D does not include the loss of real property.
7. Need statement regarding notice to Director of Health Care Services. Alternatively, notice per Pr. C. § 9202(a).
8. Need statement regarding notice to California Victim and Compensation and Government Claims Board. Alternatively, notice per Pr. C. § 9202(b).
9. Need statement regarding notice to Franchise Tax Board. Alternatively, notice per Pr. C. § 9202(c) (1).

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

10. Need statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary (Pr. C. § 1064 (a) (4)). File verified supplement.
11. Please file verified supplement indicating if cash has been invested and maintained in an interest bearing account per Pr.C. §1064(a) (5).
12. Real property was lost during this accounting period. Question whether there were any surplus funds? Need copy of Trustee's Deed upon Sale.
13. Need proofs of service as to Notice of Proposed Action(s) re sale of vehicles.
14. Need findings re: characterization of property [ie. sole and separate property.
15. Need findings re: known creditors;
16. Need findings re: all taxes have been paid or reserve made for taxes.
17. Need proposed distribution.
18. Need omnibus clause.
19. Need prayer.
20. Need Notice of Hearing with proof of service.
21. This accounting does not appear to be a true and complete accounting. There is insufficient information and known defects that should preclude the Court from approving this accounting period.

RECOMMENDATION:

Need amended accounting that conforms to Pr. C. §1060 et seq. to be placed on a first check calendar no sooner than **07/05/19**. Any account to be filed 30 days before hearing date. 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

DATE: 05/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500932

VACATED

CASE NAME: MARY L. SEE AKA MARY LEOTA SEE

SEE ALSO 3, 4

HEARING:

Hearing re Final Discharge

COUNSEL:

MARY L. SEE

(DEC)...

MARY RENEE HOOVER

(PET)...TONY J TYRE

Final discharge filed on 04/02/18.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500932

VACATED

CASE NAME: MARY L. SEE AKA MARY LEOTA SEE

SEE ALSO 2, 4

HEARING:

Hearing Re: OSC RE SANCTIONS OF \$500.00 FOR FAILURE TO APPEAR

COUNSEL:

MARY L. SEE

(DEC)...

MARY RENEE HOOVER

(PET)...TONY J TYRE

Final discharge filed on 04/02/18.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500932

VACATED

CASE NAME: MARY L. SEE AKA MARY LEOTA SEE

SEE ALSO 2, 3

HEARING:

Hearing Re: OSC RE SURCHARGE OF \$500.00 FOR FAILURE TO FILE

COUNSEL:

MARY L. SEE

(DEC)...

MARY RENEE HOOVER

(PET)...TONY J TYRE

Final discharge filed on 04/02/18.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600731

VACATED

CASE NAME: MTR OF ROGER E BERG

HEARING:

Accounting Review by ***

COUNSEL:

PATRICIA M HOPKINS (PET)...STEPHEN P JANIS

ROGER E BERG (DEC)...

(ww)

Future hearing dates:05/24/18 First and Final Report of Administrator on Waiver of Account

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

DATE: 05/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600873

CASE NAME: MTR OF WILLIAM LESTER COX

HEARING:

Accounting Review by ***

COUNSEL:

MELODY AMBER COVERDELL (PET)...GAUDY LAW, INC
WILLIAM LESTER COX (DEC)...

GENERAL INFORMATION:

Continued from 12/19/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Testamentary issued to Melody Coverdell, daughter, on 10/25/16, full authority, no bond.
2. Final Inventory and Appraisal filed 04/28/17.
3. **Need** accounting or status report.

RECOMMENDATION:

Inquire status.

(nb/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800263

CASE NAME: Mtr of Sheila A Gipson

HEARING:

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

COUNSEL:

SHARON GRIFFIN (PET)...RICHARD F NEVINS
SHEILA A GIPSON (DEC)...

GENERAL INFORMATION:

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

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

1. Decedent was survived by Nathan La Mar Gipson, son who has higher priority than petitioner and holds a Durable Power of Attorney re Health Care [per death certificate affixed to petition, LF, p. 6]. **JTD**
2. Petitioner alleges all heirs waive bond, however, **need** bond waivers on mandatory judicial council form DE-142/DE-111 (A-3d) from Nathan Gipson and Lynette Gipson, children. Estimated estate valued at \$224,000. Suggest bond of \$224,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). **JTD**.
3. **Need** proof of publication.
4. **Need** Notice of Petition to Administer Estate with proof of service.
5. ~Proposed Form Order 03/19/18.

RECOMMENDATION:

Need to clear notes 3-4, \$224,000 bond. If approved, set future hearing for Accounting/Status Review on **07/09/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/ww)

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

DATE: 05/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800283

CASE NAME: PEGGY TURNER SHARPE

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL IAEA

COUNSEL:

PEGGY TURNER SHARPE (DEC)...
WAYNE SHARPE (PET)...STEPHANIE STELNICK

GENERAL INFORMATION:

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

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

1. Petitioner alleges he is sole heir and waives bond. However, petitioner is a non-resident and Court has discretion to require bond per Pr. C. §8571. Estimated estate valued at \$130,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). **JTD.**
2. **Need** proof of publication.
3. ~Proposed Form Order: 03/27/18.

RECOMMENDATION:

Need to clear note 2 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **07/09/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/ww)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/01/18 TIME: 8:30 DEPT: S35P

CASE#: SC SS03061

CASE NAME: MTR OF MARY ROSE JALLAH

HEARING:

EIGHTH Account and Report of DANIEL G STUBBS and Petition for allowance of fees filed.

COUNSEL:

DANIEL G STUBBS (CPE)...HORSPPOOL & HORSPPOOL
MARY ROSE JALLAH (CEP)...FRANK J PRAINITO

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of Account (Pr.C. §2628) by Conservator of the person and estate, Daniel G. Stubbs ["Petitioner"].

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

1. Accounting period 02/01/16 to 01/31/18
2. Assets on hand \$2,167.80 consisting of cash.
3. Petitioner indicates he is also the Trustee of Conservatee's Trust being administered in LA County, and will request compensation in the trust accounting.
4. Attorney requests fees of \$1,955.00. Billed at \$425/hour for 4.60 hours' attorney time. Itemized [LF, p. 9]. **JTD**
5. Petitioner petitions for waiver of accounting as a matter of law per Pr.C. §2628 on basis assets are less than \$15,000 and income was less than \$2,000 exclusive of public benefits.
6. Notice given.
7. ~Proposed Order 03/26/18

RECOMMENDATION:

RFA. If approved, Court to set the next hearing re Accounting Review for **03/26/19** or a biennial Accounting Review for **03/224/20** per Pr.C. §2620(a). Any account to be filed 30 days in advance of hearing. Note Local Rule requirements.
(nb/ww).

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

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500220

CASE NAME: MTR OF REYES GONZALES

SEE ALSO 10

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE ON CREDITOR'S CLAIM

COUNSEL:

CANDELARIO PARTIDA	(PET)...MOISES A AVILES
PUBLIC ADMINISTRATOR	(ADM)...CRAIG M PARKER
REYES GONZALES	(DEC)...
REYLENE GONZALES	(PET)...HARTNELL LAW GROUP

No Notes- Trial Setting Conference. JTD.

(ww)

Future hearing

09/26/18 Accounting review

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 05/01/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1500220

CASE NAME: MTR OF REYES GONZALES

SEE ALSO 9A

HEARING:

Motion Re: dismiss creditor's claim of Candelario Partida;
memorandum of points and auth Filed by Petitioner REYLENE
GONZALES

COUNSEL:

CANDELARIO PARTIDA	(PET)...MOISES A AVILES
PUBLIC ADMINISTRATOR	(ADM)...CRAIG M PARKER
REYES GONZALES	(DEC)...
REYLENE GONZALES	(PET)...HARTNELL LAW GROUP

Currently under review by Legal Research

LR

Future Hearing:

09/26/18 Accounting Review.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 05/01/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1400333

CASE NAME: JANE SLATON

HEARING:

Hearing re Final Discharge

COUNSEL:

CATHERINE C SAMPLE

(CPE)...HARTNELL LAW GROUP

JANE SLATON

(CEP)...PRO/PER

GENERAL INFORMATION:

Continued from 02/06/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. First and Final Account by Catherine Sample, daughter, approved on 01/31/17.
2. **Need** receipt(s) by Conservator, Attorney Hartnell and Personal Representative of Decedent's estate.
3. **Need** Ex-Parte Petition/Order for Final Discharge.

RECOMMENDATION:

Inquire status.

(nb/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/01/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700182

CASE NAME: Isela Cevallos

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of MARIA H PEREZ-DE RIOS

COUNSEL:

ISELA CEVALLOS

(CTP)...MITCHELL I ROTH

MARIA H PEREZ-DE RIOS

(PET)...PRO/PER

XREF: CONPS1700183 (Darlene Rios)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Maria H. Perez-De Rios, mother, appointed limited conservator of the person only on 09/26/17.
2. Notification of Conservatee's Rights filed 09/26/17; however, **need** Notice to siblings: Maria Rocio Cevallo, Jannett Perez-Rios, Darlene Rios, Abraham Perez and Hugio Perez.
3. Care Plan filed 09/28/17; however, affixed proof of service is not signed. **JTD**
4. Determination of Conservatee's Appropriate Level of Care filed 09/26/17; however, conservator Maria failed to date at signature line. **JTD**

RECOMMENDATION:

Need to clear note 2 then Court's discretion re: remaining notes.

(nb/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700420

CASE NAME: MTR OF STEPHANIE ALICIA ORTEGA

HEARING:

Hearing Re: CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

ARLENE M SWEET	(CP)...PRO/PER
EVELYN M JENSEN	(CP)...PRO/PER
ROSANNE DANFORD	(CP)...PRO/PER
STEPHANIE ALICIA ORTEGA	(CTP)...DONNASUE ORTIZ

GENERAL INFORMATION:

Order appointing Rosanne Danford (mother), Arlene M. Sween and Evely M. Jensen Limited Co-Conservators entered 06/24/10.

Continued from **01/16/18**. No appearance. Court orders conservator (and if they have counsel, the counsel for the conservator) to be personally present at 9:30am on March 20, 2018. Notice by Judicial Assistant.

Continued from 03/20/18. Attorney DonnaSue Ortiz appointed. Court requests IRC to prepare report to Court for hearing on 05/01/18. Printout given to Attorney Beckett for IRC as he is present in court. Court notes that an updated capacity declaration and court investigator report are not needed at this time.

THIS CASE IS SET FOR HEARING ON CMC re Transfer in from LA County.

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

1. **Need** amended letters.
2. Last Capacity Declaration filed 04/30/10 in LA County.
3. Last CI Report filed 06/28/17 in LA County. .
4. Conservatee is developmentally disabled. **Need** report by counsel, Donna Sue Ortiz.
5. **Need** IRC report. Court to see Letter from IRC filed 04/03/18. **Continuance of 45 days' requested.**
6. **Need** a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355).
7. **Need** to file Post-Move Notice of Change of Address per Pr.C. §2352 and CRC 7.1013(c).

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8. Declaration by John L. Gordon indicates he is no longer conservatee's attorney; was discharged by LA Court; and will not be appearing at hearing.

RECOMMENDATION: Continue at least 45 days.'
Need to clear notes 1, 4-7 then Court's discretion.

(nb/ww)

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

DATE: 05/01/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700442

CASE NAME: MTR OF DUANE R SHIER

HEARING: Hearing Re: CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

DUANE R SHIER (CTP)...
DUANE SCOTT SHIER (CP)...JOHN R GRIJALVA

GENERAL INFORMATION:

Duane Scott Shier appointed Conservator of the Person on 01/10/17.

Continued from 01/23/18. Court notes it will not require new court Investigator report, capacity declaration; court will not require appointing counsel for Conservatee. Counsel to file notice of Conservatee's Rights, Amended Letters for San Bernardino County, and Post-Move Notice of Change of Address before next hearing date of March 20, 2018.

Continued from 03/20/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON CMC re Transfer-In from Los Angeles County.

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

1. Duane Shier was appointed as conservator of the person only, no bond, on 12/13/16 in LA County.
 - a. Amended letters reflecting San Bernardino County filed 04/16/18.
2. Post-move notice filed on 02/01/18.
3. Notice of Conservatee's Rights filed 02/01/18; however, the attached service list was not included. **Need** completed form with proof of service.
4. **Need** Statement of Care Plan in accord with Pr.C. §2352.5.
5. **Need** a Determination of Conservatee's Appropriate Level of Care per Pr.C. §2352.5 (form GC-355).
6. ~Proposed Form Letters 03/26/18.

RECOMMENDATION:

Need to clear notes 3-5.

(nb/ww)

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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

PA

DATE: 05/01/18 TIME: 10:00 DEPT: S35P

CASE#: BPR BS00400

CASE NAME: IN THE MTTR OF FRANCES MULLIGAN

HEARING:

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

COUNSEL:

DEBORAH SUSAN PRYOR	(PET)...
FRANCES CORRINE MULLIGAN	(DEC)...
JEANNE E KENNEDY	(PRO/PER
PUBLIC ADMINISTRATOR	(PET)...CRAIG M PARKER
STATE OF CALIFORNIA FRANCHISE	(ANY)...

GENERAL INFORMATION:

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

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

1. Accounting period 06/10/09 to 01/17/18.
2. Assets on Hand \$274,855.53 consisting of \$271,855.53 in cash and remaining in unimproved real property.
3. Statutory fees of \$8,607.40 requested. Calculated.
4. Notice given.
5. Petitioner requests authority to withhold the sum of \$5,000 as a reserve. JTD.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for final discharge on **05/07/19**.

(nb)

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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: 05/01/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1800025

CASE NAME: MTR OF GRACE Z HULTS

SEE ALSO 16A

HEARING:

Petition for appointment of successor conservator of the person
& estate

COUNSEL:

GRACE Z HULTS

(CEP)...SHERRI L KASTILAHN

JOLEAN MILLER TRUJILLO

(CPE)...PRO/PER

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

See next matter 16A

(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: 05/01/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1800025

CASE NAME: MTR OF GRACE Z HULTS

SEE ALSO 16

HEARING:

Hearing Re: PETITION FOR APPOINTMENT OF CONSERVATOR (PG)

COUNSEL:

GRACE Z HULTS	(CEP)...SHERRI L KASTILAHN
JOLEAN MILLER TRUJILLO	(CPE)...PRO/PER
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL

GENERAL INFORMATION

Public Guardian appointed Temporary Conservator of the person and estate on 03/01/18.

THIS CASE IS SET FOR HEARING ON

Petition #1: Petition for Appointment of Conservator person and estate by **Public Guardian.**

Petition #2: Petition for Appointment of Successor Conservatorship of person and estate, by **granddaughter, Jolean Miller Trujillo** ["Petitioner"].

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

Petition #1 by PG:

1. No bond- PG.
2. Petitioner seeks medical powers. Capacity Declaration filed 01/29/18.
3. Petitioner seeks dementia powers. Sherry Kastilahn appointed as counsel. **Need** report of Counsel.
4. Petitioner seeks Pr. C. § 2590 powers to sell real or personal property of the estate and proceeds to be used for Conservatee's care and personal needs.
5. Petitioner seeks additional order for the granting of powers under Pr.C. §2591 (c) (1)-(2). **JTD**
6. Petitioner seeks authority to deposit up to \$5000.00 into an Irrevocable Burial Trust and authority to purchase cemetery commodities. **JTD**
7. Petitioner seeks authority to abandon and/or donate personal property with a value of \$300.00 or less. **JTD**

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8. Court to see Declaration of Chanteil Guy filed 03/26/18 as it makes reference to a cross reference case UDBS1800429. Does Court wish for a Notice of Related Cases be filed? **JTD**
9. **Court to see Declaration/Opposition to Conservatorship filed by Josanna Howell on 03/23/18.**
 - a. **Petitioner failed to date at signature line. JTD**
 - b. **Declaration/Opposition is not verified by Josanna. Need verification per Pr.C. § 1021.**
 - c. **Clerk's office was informed at the time of filing by Josanna that it is not an opposition. No fee was taken and Josanna was not added as a party.**
10. **Need** return of citation
11. Notice of Hearing and proof of service filed 03/12/18; however, notice was not sent to Department of Behavioral Health per the List of Persons Entitled to Notice. **JTD.**
12. CI report filed 03/26/18
13. ~Proposed Form Order: 01/29/18

Petition #2 by Jolean:

14. Petitioner requests no bond be required as she is conservatee's granddaughter. Estimated value of estate \$118,000. Suggest bond of \$130,000 [includes recovery]. **JTD.**
15. Petitioner seeks Pr. C. § 2590 powers to sell real and/or personal property, including conservatee's primary residence and proceeds to be used for Conservatee's care and personal needs. Suggest Court require a separate petition after appointment with required showing per Pr. C. 2540 et seq. **JTD**
16. Petitioner seeks medical and dementia powers. Medical Capacity Declaration formerly filed on 01/29/18 by PG.
17. Certificate of Assignment gives petitioner's information instead of conservatee's. **Need** proper Certificate of Assignment.
18. **Need** Notification to Court of Address on Conservatorship form.
19. **Need** report of court appointed counsel, Sherri Kastilahn.
20. **Need** Court Investigator's Report.
21. Certificate of Completion re Conservatorship Class filed.
22. Notice of Hearing and proof of service filed on 03/26/18 does not include attachment as alleged. **Need** same.
23. **Objections filed by Josanna Howell on 04/23/18.**
24. ~Proposed Form Order/Letters 03/26/18.

RECOMMENDATION: Matter is contested. If continued, place on a Monday/PG calendar.

Petition #1 by PG:

Need Report of Counsel and to clear note 10 then Court's discretion re remaining notes.

Petition #2 by Jolean:

Need Report of Counsel, CI report and to clear notes 17, 18 & 22 then Court's discretion re bond

If approved, set hearing for Compliance Review for **12/03/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); Care Plan per Pr.C.§2352.5; Inventory & 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 **07/08/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(ww/nb/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/01/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS0800984

VACATED

CASE NAME: ELIZABETH LOOMIS

HEARING:

Hearing re Final Discharge

COUNSEL:

DANIEL K LOOMIS

(OBJ)...PRO/PER

ELIZABETH LOOMIS

(DEC)...

JACK B OSBORN

(PET)...MARK J. FLORY

PUBLIC ADMINISTRATOR

(PET)...CRAIG M PARKER

SEAN LOOMIS

(PET)...E JOAN NELMS

SEAN LOOMIS

(PET)...MARK J. FLORY

Final discharge filed 03/19/18.

(nb/ww)

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

DATE: 05/01/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1300031

CASE NAME: GILBERT F. BROOKS JR.

HEARING:

Accounting Review by ***

COUNSEL:

AIDA RUIZ	(BRIAN P TRELA
ANTHONY GALLEGOS	(BRIAN P TRELA
DIANE GALLEGOS	(BRIAN P TRELA
GILBERT F BROOKS JR	(DEC)...
MARIA GALLEGOS	(TP)...BRIAN P TRELA
PUBLIC ADMINISTRATOR	(PET)...CRAIG M PARKER

GENERAL INFORMATION

Continued from **03/25/14**. Counsel requested that matter be placed on the Public Administrator calendar at 10:00 a.m.

Continued from 05/27/14 and 06/02/15. Oral report given by Attorney Parker. Property is listed for sale.

Continued from 06/14/16. Oral report is given on the record by Attorney Parker. Property is currently in escrow. Matter continued at request of counsel.

Continued from 06/06/17, 08/15/17 and 01/09/18 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. Public Administrator was appointed on 01/22/13 to collect and sell property.
2. No status report or accounting has been filed.
3. There are Creditor's Claims filed in excess of \$1M without further action. Court to inquire if a formal probate is necessary.

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.

(cbr/vet/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: 05/01/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1300032

CASE NAME: GRACE EVANS

HEARING:

Accounting Review by ***

COUNSEL:

GRACE EVANS

PUBLIC ADMINISTRATOR

(DEC)...

(PET)...CRAIG M PARKER

GENERAL INFORMATION

Continued from **03/25/14**. Counsel requested that matter be placed on the Public Administrator calendar at 10:00 a.m.

Continued from 05/27/14 and 06/02/15. Oral report given by Attorney Craig Parker. Property listed but not yet sold.

Continued from 06/14/16. Oral report given by Attorney Craig Parker. Potential buyer has been found, but property has not been sold.

Continued from 06/06/17, 08/15/17 and 01/09/18 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. Public Administrator was appointed on 01/22/13 to collect and sell real property.
2. No status report or accounting has been filed.

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.

(cbr/vet/lh/nb)

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

DATE: 05/01/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1300300
CASE NAME: MILDRED SERRENA WHEELER
HEARING: Petition for Amended Distribution

COUNSEL:

BOBBIE BROOKS	(PET)...PRO/PER
DEMARRIO D BROOKS	(PET)...BRYAN C HARTNELL
DUANE P. BOOTH	(TP)...DUANE P BOOTH
EUGENIA WOODS	(PET)... GILBERT A DIAZ
MILDRED SERRENA WHEELER	(DEC)...
PUBLIC ADMINISTRATOR	(PET)...CRAIG M PARKER
THADDIS BROOKS	(PET)...HARTNELL LAW GROUP

Request for Waiver of Court Fees and Costs filed by BOBBIE BROOKS is GRANTED
Request for Waiver of Court Fees and Costs filed by THADDIS BROOKS is GRANTED

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Amended Distribution by Successor Administrator, Public Administrator ["Petitioner"].

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

1. The Order Settling the First and Final Account was entered on 12/04/17.
2. Petitioner indicates that subsequent to the entry of the Order Settling First and Final Account dated 12/04/17, Petitioner's Attorney received a telephone call stating that there was an error in the listing of the distribution in that Odrum Brooks was a predeceased Grandson of the decedent, not a son of the decedent.
3. Therefore, there should have only been a total of 3 shares to comprise the correct distribution of this estate. Corrected distribution included [LF, p, 3-4].
4. Petitioner requests distribution to be amended.
5. Notice of hearing and proof of service filed 02/14/18, however, **need** notice to John Brooks, son.
6. Proposed Order is not signed by opposing counsel as to form and content.

RECOMMENDATION:

Need to clear note 5 then Court's discretion.

(nb/ww)

Future Hearing: 09/11/18 Final Discharge

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1800284

CASE NAME: Jack Mallory

HEARING:

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

COUNSEL:

JACK MALLORY (DEC)...
S.B. COUNTY PUBLIC ADMINISTRAT (PET)...CRAIG M PARKER

GENERAL INFORMATION:

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. Declinations and Nomination of this petitioner affixed to petition [LF, pgs. 7-8].
2. No bond - PA
3. ~Proposed Form Order/Letters 03/27/18.

RECOMMENDATION:

RFA. No bond. If approved, set future hearing for Accounting Review on **07/09/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 8:30 DEPT: S36P

CASE#: CIV RS1400249

CASE NAME: MERCEDES MURRAY -V- DAVINA MICHELLE PATTERSON

HEARING: Hearing Re: OSC RE:DISMISSAL

COUNSEL:

ARROWHEAD CREDIT UNION (CC)...KNAPP, PETERSEN & 1
DAVINA MICHELLE PATTERSON (DEF)...PRO/PER
MERCEDES MURRAY AND MONICA MUR(PLA)...OSBORN/LAW

XREF: PROPS1300718 (David Lee Patterson)

GENERAL INFORMATION

Continued from 10/19/17 for dismissal to be filed.

Continued from 01/04/18 at request of Court to verify settlement. Oral report given by Mitchell Roth and Barbara Colino.

Continued from 02/21/18. Court and counsel confer on the record. Matter is continued as parties are awaiting signatures on settlement agreement. Richard Osborn and Blair Berkley are order to appear at next hearing.

Continued from 04/03/18. Court notes Attorneys Richard Osborn and Blair Berkley has failed to appear at today's hearing and did not contact the Court as to non-appearance. On February 21, 2018, Court ordered Attorneys Richard Osborn and Blair Berkley to appear at today's hearing. There being no appearance by either counsel, Court will ordered Bench warrant to be issued as to both, Attorneys Richard Osborn and Blair Berkley-- BAIL: \$5,000.00. Court will hold issuance of Bench Warrant and Bail until May 1st, 2018. Attorney Mitchell Roth to give notice. Pursuant to stipulation Court orders the April 18, 2018 hearing on related case PROPS1300718 VACATED.

THIS CASE SET FOR HEARING ON OSC re Dismissal

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

1. Matter set at settlement OSC on 08/24/17.
2. Counsel Roth to submit application for good faith. Order determining settlement of Plaintiffs to be in good faith filed 09/07/17.
3. Declaration by Mark Skapik filed 04/18/18 and for review in open access.
4. Declaration by Richard Osborn filed 04/18/18 and for review in open access.

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

RECOMMENDATION
Court's discretion re OSC.

(lc/lh/nb/ww)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 05/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1100294

CASE NAME: MARY ROBERTA BURDICK

HEARING:

Probate status report filed.

COUNSEL:

CRAIG GASTEIGER	(PET)...NOREEN T FONTAINE
EARL SPENCER BURDICK	(PET)...PRO/PER
MARY ROBERTA BURDICK	(DEC)...
ROBERTA ROSE BURDICK	(PET)... NOREEN T FONTAIN

X-REF: CIVDS 1518673

GENERAL INFORMATION:

Continued from 03/13/18. No appearances. Notice by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Status Report (filed 01/10/18) by Successor Personal Representative, Roberta Rose Burdick ["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 due to the pending civil action; future listing; and sale of the real property at issue.
2. Petitioner requests an additional 6 months to close the estate. Suggest 12 months.
3. **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.**

RECOMMENDATION:

Need proper notice. If approved, set next hearing for Accounting Review on **05/21/19**. Any account to be filed 30 days' before hearing date. 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: 05/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400760

CASE NAME: merlin factor

HEARING: Accounting and petition for distribution Account and Report of
CASSANDRA HUDSON and Petition for allowance of fees filed.

COUNSEL:

CASSANDRA HUDSON	(PET)...DALE K GALIPO
DALE K. GALIPO	(PET)...DALE K GALIPO
MERLIN FACTOR	(DEC)...

Amended accounting filed 04/10/18. Amended Accounting supersedes any accounting filed prior to 04/10/18; Cal Rules of Ct 7.3(3).

(lc)

Future hearing dates: **05/21/18** Amended accounting and Petition for Final Distribution by Cassandra Hudson

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1401134

CASE NAME: Celia A Ramirez

SEE ALSO 4, 5

HEARING:

Hearing Re: REMOVAL OF ADMINISTRATOR

COUNSEL:

CELIA A RAMIREZ	(DEC)...
DEPARTMENT OF HEALTH CARE SERV	(PRO/PER
ERIC B RAMIREZ	(PET)... LINDA ROBERTS-R
ESTHER M DAVID	(PET)...HARTNELL LAW GROUP
ESTHER M DAVID	(TP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Continued from **09/19/16 and 11/28/16**. Court orders an accounting to be filed 12/21/16. Court orders that all monies be placed into a blocked account. All temporary orders to remain.

Continued from **02/06/17 and 04/10/17**. Counsel represent all parties agree to the listing of property for sale. Counsel is to communicate regarding approval of sale.

Continued from 06/26/17 Proof of blocked account has not been filed. Copy of check and proof it was placed into blocked account must be filed by 06/28/17 or administrator will be removed.

Continued from 09/18/17 to hearing pending matters.

Continued from 10/12/17. An oral motion was made to reinstate Eric Ramirez.

Continued from 01/10/18, 01/31/18, 03/06/18, 03/08/18, 03/13/18 and 03/20/18.

Working on settlement. Notice to be given by Attorney George Theios.

THIS CASE SET FOR HEARING ON Petition for Removal of Administrator (Eric Ramirez) by Esther M. David, daughter Pr.C. §§ 850, 859, 8500, 8540.

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

1. Letters Testamentary issued to Eric Ramirez on 6/27/16, no bond. (Order appointing was granted 8/21/15.) Eric Ramirez suspended on 08/01/16 and Letters of Special Administration were issued to Esther David, daughter, \$20,000 bond.

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

2. Petitioner, Esther David, is seeking removal of executor Eric Ramirez. Petitioner alleges that Eric has wrongfully taken, concealed and disposed of property in the estate. Petitioner additionally cites Pr.C. § 859 that Eric be twice liable for assets taken. Grant deed attached to petition showing real property was transferred by Eric as executor to himself [LFpg8].
3. Waiver of Notice filed 11/14/16 by Sylvia Vizcarra, and Jose Juan Ramirez on 11/21/16.
4. Order Voiding Grant Deed 02/06/17.
5. Proof of blocked account filed on 08/22/17.
6. **Objections filed 11/21/16 by suspended administrator, Eric Ramirez.**
7. Declaration of Juan Ramirez in support of Objections by Eric Ramirez filed on 01/26/17.

RECOMMENDATION

Matter is contested.

(lc/nb/ww/lc/lh/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: 05/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1401134

CASE NAME: Celia A Ramirez

SEE ALSO 3, 5

HEARING:

Petition for PROBATE OF WILL AND FOR LETTERS OF ADMINISTRATION WITH
WILL ANNEXED

COUNSEL:

CELIA A RAMIREZ	(DEC)...
DEPARTMENT OF HEALTH CARE SERV	(PRO/PER
ERIC B RAMIREZ	(PET)... LINDA ROBERTS-R
ESTHER M DAVID	(PET)...HARTNELL LAW GROUP
ESTHER M DAVID	(TP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Continued from **11/28/16**.

Ex parte hearing on **01/11/17** for Authority to Administer under IAEA was heard and taken off calendar. Partial settlement was reached at mediation and parties agreed to sell the real property. Counsel to prepare order.

Continued from 02/06/17 and 04/10/17. The Court addresses probate note #2 on the record.

Continued from **06/26/17, 09/18/17, 10/18/17**.

Continued from **01/10/18** at request of parties and request for mediation to be set.

Continued from 01/31/18, 03/06/18, 03/08/18, 03/12/18 and 03/20/18. Notice to be given by Attorney George Theios.

THIS CASE SET FOR HEARING ON Petition for Probate, **Successor** Letters of Administration W/WA with Full Authority under IAEA **by Esther David, daughter.**

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

1. Temporary Letters issued 01/09/17 to petitioner Esther David, daughter.
2. Petitioner Esther David requests no bond and all proceeds of sale to be placed into blocked account. There does not appear to be personal property.
3. **Need** proof of publication.
4. Does Court wish to require the Order on partial settlement that was reached on 01/11/17?

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 for clarification of the notes only - no legal or procedural advice will be given.

5. ~Proposed Form Order: 07/27/16.

RECOMMENDATION

Need to clear note 3. Prior administrator needs to be removed prior to granting this petition. If approved, set Accounting/Status Review for **07/11/19**. Any account to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/nb/ww/lc/lh/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: 05/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1401134

CASE NAME: Celia A Ramirez

SEE ALSO 3, 4

HEARING:

Accounting Review by ***

COUNSEL:

CELIA A RAMIREZ	(DEC)...
DEPARTMENT OF HEALTH CARE SERV	(PRO/PER
ERIC B RAMIREZ	(PET)... LINDA ROBERTS-R
ESTHER M DAVID	(PET)...HARTNELL LAW GROUP
ESTHER M DAVID	(TP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Continued from **6/21/16** for Eric Ramirez, son, to appear.

On **8/1/16** Eric Ramirez, suspended and Esther David, daughter appointed Special Administrator with authority to file an 850 petition and marshal assets.

Continued from 08/31/16, 09/19/16, 11/28/16, 02/06/17, 04/10/17 and 06/26/17, 09/18/17, and 10/12/17.

Continued from 01/10/18, 01/31/18, 03/06/18, 03/08/17, 03/13/18 and 03/20/18. Parties working on a settlement. Notice to be given by Attorney George Theios.

THIS CASE IS SET FOR HEARING ON Accounting/Status Review (re Eric Ramirez)

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

1. Letters Testamentary issued to Eric Ramirez, son, on 6/27/16, no bond. (Order appointing was granted 8/21/15.) However, as Eric Ramirez , is now suspended and no I&A filed. Court may wish to inquire if any assets were marshaled thus requiring an accounting.
2. Partial Inventory and Appraisal filed 02/06/17 by Eric Ramirez. **Need** a final inventory & appraisal.
3. **Need** an accounting or status report.

RECOMMENDATION:

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

(nb/sa/lc/nb/ww/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 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: 05/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600385

CASE NAME: MTR OF DALAILA BEDOLLA

HEARING:

Hearing re Final Discharge

COUNSEL:

DALAILA BEDOLLA

(DEC)...

NICK BEDOLLA

(PET)... MICHAEL C MADDUX

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Final distribution of Nick Bedolla, son, approved on 07/11/17. Proposed Amended Order returned for corrections on 07/31/17; **need** corrected order.
 - a. **NOTE:** it appears accounting approved may have included heirs that would not inherit without assignments of interest, siblings Elvia and Edward. The supplement cleared note regarding mother only.
 - b. **Need** verified supplement regarding the distribution discrepancy in the accounting.
2. No receipts. **Need** same.
3. **Need** Ex-Parte Petition/Order for Final Discharge.

RECOMMENDATION:

Need to clear notes 1-3.

(nb/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600975

CASE NAME: MTR OF DEMETRICE CHARMAINE APPLEWHITE

HEARING:

Accounting Review by ***

COUNSEL:

DEMETRICE CHARMAINE APPLEWHITE (DEC)...
SHANIA L WARREN-BENNIKE (PET)...PRO/PER

GENERAL INFORMATION:

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

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

1. Letters Testamentary issued to Shania L. Warren-Bennike, daughter, on 02/21/17, full authority, no bond.
2. Final Inventory and Appraisal filed 04/16/18.
3. **Need** accounting or status report.

RECOMMENDATION:

Inquire status of accounting.
(nb/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700235
CASE NAME: CHARLES HENRY BERGENER
HEARING: First and Final Account and Report of JENNIFER LYNN BERGENER and
Petition for allowance of fees filed.

COUNSEL:

JENNIFER LYNN BERGENER (PET)...MERHAB ROBINSON, JACKSON &
CHARLES HENRY BERGENER (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by
Executrix, Jennifer L. Bergener ["Petitioner"].

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

1. Accounting period 01/29/17 to 01/16/18.
2. Assets on Hand \$116,750.04 consisting of \$111,750.04 in cash and remaining in personal property.
3. Current bond of \$110,000.
4. Statutory fees of \$7,746.37 requested. Calculated.
5. Petitioner requests reimbursement of costs advanced of \$3,320.43. Itemized [LF, p. 7].
 - a. Costs include law firm expenses of \$2,000. **Need** further clarification via verified supplement.
6. Attorney requests reimbursement of costs advanced of \$474.00. Itemized [LF, p. 8].
7. **Need** bank/financial statements to support date of death balances for Wells Fargo Bank Acct. No. 2641 and Wells Fargo Acct. XXX8533 per Local Rule 20-908.
8. Petitioner requests authority to withhold the sum of \$5,000 as a reserve. **JTD**.
9. Petitioner requests bond exoneration and discharge upon filing of receipts. However, exoneration of bond and discharge do not occur until entry of a final discharge order.
10. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 5a & 7 then Court's discretion. If approved, set next hearing for receipts and final discharge for **05/07/19**.

(nb)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700275

CASE NAME: HEDWIG BAUMER

HEARING:

Hearing Re: Amended Petition for Probate of Will

COUNSEL:

URSULA JIMISON	(PET)...FULLERTON LEMANN SCHAEFER
HEDWIG BAUMER	(DEC)...
COMERICA BANK & TRUST, NA	(OBJ)...THE LAW OFFICES OF SCOTTM

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Ursula Jimison, daughter.

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

1. Letters Testamentary issued to petitioner on 09/27/17, full authority no bond.
2. It is unclear why an amended petition has been filed as the only change appears to be Comerica Bank listed in relationship section; however, Comerica is a creditor.

RECOMMENDATION

Court may wish to deny petition and inquire reason for amended petition.

(lc)

Further hearings: 06/04/18 Petition for Trustee's Instructions 11/29/18 Accounting review

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700340

CASE NAME: MARIE ROGERS

HEARING:

First & Final Account and Report of JASON ROGERS and Petition
for allowance of fees filed.

COUNSEL:

JASON ROGERS (PET)...RICHARD
MARIE ROGERS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by
Administrator w/WA, Jason Rogers, ["Petitioner"-son].

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

1. Accounting period 12/29/16 to 02/20/18.
2. Assets on Hand \$349,596.95 consisting of cash.
3. Current \$50,000 bond.
4. Petitioner waives statutory compensation.
5. Attorney requests statutory fees of \$14,200. Calculated.
6. Attorney requests reimbursement of costs advanced of \$2,978.36. Itemized [LF, p. 14].
7. A Consent and Approval of this First and Final Account was signed by beneficiaries: Petitioner's brother, Wendall Rogers and the Petitioner's son, Noah Rogers. However, consents do not include consent to purchase the subject real property. **Need** same. Pr. C. §9881.
8. **Need** copy of escrow closing statement per Local Rule 20-910.
9. **Require** proper petition and noticed hearing per Pr. C. §9883 as Will does not authorize the purchase. Pr. C. §9882.
10. Petition indicates Petitioner has preliminarily received his interest in the estate in order to purchase the subject real property.
11. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 7-9 then Court's discretion. If approved, set next hearing for receipts and final discharge for **05/07/19**.

(nb)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700705

CASE NAME: MTR OF VIRGINIA COOPER

HEARING:

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

COUNSEL:

FELICE R WARREN (TP)...TREDWAY LUMSDAINE & DOYLE
RONALD P ANDERSON (PET)...CARLO AURE, ESQ
VIRGINIA COOPER (DEC)...

Address: 908 Calaveras Ave., Ontario, CA 91764

Appraised Value: \$300,000

Sale price: \$290,000

First overbid: \$305,000

Deposit: \$29,000

Commission: 6% = \$17,400

Additional bond: No current bond. **Suggest bond of \$250,000. JTD.**

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

Exposure to Market: Listed on MLS; and real estate websites.

Notice: Notice does not include buyer, Trinity Redevelopment Inc. or seller, Saunder Real Estate-Abraham Prattella. **Need proper service.**

Future Hearing: 10/31/18 Accounting Review.

No proposed order. Submit Order after 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 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: 05/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700915

CASE NAME: MTR OF SPERRY A MAXWELL

HEARING:

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

COUNSEL:

BEVERLY JEAN MAXWELL (PET)...PRO/PER
SPERRY A MAXWELL (DEC)...

GENERAL INFORMATION:

Continued from **12/12/17**. The petitioner states the decedent died at San Antonio Community Hospital in Upland, California. Kathleen and Cyndi are daughters and Troy is the son. Court clears these probate notes. Matter is continued for proper notice of petition to administer estate with proof of service.

Continued from **01/23/18** on Court's motion. Notice of Petition to Administer Estate must be on a judicial council form.

Continued from 03/20/18 for petitioner to seek legal advice regarding a spousal property petition.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by spouse Beverly J. Maxwell ["Petitioner"].

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

1. Petition indicates all heirs waive bond. Estimated estate valued at \$152,000. However, **need** Mandatory Waiver of Bond by petitioner. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
2. Section 8 does not include relationship to decedent for items 2-4. **Need** verified supplement.

RECOMMENDATION:

Need to clear notes 1-2 then Court's discretion re bond. If approved, set future hearing for Accounting on **05/28/19**. Any 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 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: 05/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800096

CASE NAME: ELAINE ANN BEAUCLAIR

HEARING:

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

COUNSEL:

ELAINE ANN BEAUCLAIR (DEC)...
RICHARD JACOBS (PET)...JOHN F WEBER

GENERAL INFORMATION:

Continued from 03/20/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA by Executor, Richard Jacobs ["Petitioner"].

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

1. Will is not self-proving. Proof of Subscribing Witness filed.
2. Will waives bond. Estimated estate valued at \$70,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
3. Notice filed 04/18/18 does not indicate seeking IAEA powers in section 5. **Need** corrected notice.
4. ~Proposed Form Order 01/31/18.

RECOMMENDATION:

Need to clear note 3, \$70,000 bond. If approved, set future hearing for Accounting/Status Review on **07/09/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)/lc

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

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800276

CASE NAME: MTR OF CARMEN RODRIGUEZ VERGARA

HEARING:

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

COUNSEL:

CARMEN RODRIGUEZ VERGARA (DEC)...
MARIA VERGARA SALE (PET)...NORIEL L FLORES

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Maria Vergara Sale, sister.

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

1. Section 3 appears incomplete as to asset calculation, however, appears to be \$180,719.
2. All heirs waive bond. Estimated estate valued at \$181,000.
3. Court to clarify and whether petitioner is permanent US resident.
4. Section 8 does not include heirs' relationship to decedent. **Need** verified supplement.
5. **Need** proof of publication.
6. **Need** Notice to Petition to Administer Estate and proof of service for Consulate of Philippines per Pr.C. 8113.
7. ~Proposed Form Order 03/23/18.

RECOMMENDATION:

Need to clear notes 4-6, Court's discretion re bond. If approved, set future hearing for Accounting Review on **07/09/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSRVATORSHIP**

DATE: 05/01/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600104

CASE NAME: IN THE MATTER OF COREY CAPECE

HEARING:

Accounting Review by ***

COUNSEL:

COREY CAPECE

(CTE)...

FRANK CAPECE

(PET)...MELINDA S. BELL

TERRI CAPECE

(PET)...MELINDA S. BELL

GENERAL INFORMATION

Continued from **09/05/17, 10/17/17 and 01/23/18** at request of counsel. Notice to be given by Attorney Melinda S. Bell.

Continued from 03/13/18 on Court's motion. No appearances. Attorney Melinda Bell and her client are ordered to be present at next hearing date. Notice by Judicial Assistant.

THIS CASE SET FOR HEARING ON Accounting Review.

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

1. Frank and Terri Capece, (parents) appointed conservators of the estate of Corey Capece on 07/19/16, limited conservatorship, no bond.
2. **Need** 1st Account beginning 07/19/17.

RECOMMENDATION

Inquire status of accounting. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(cs/lh/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: 05/01/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700214

CASE NAME: DANIELLE JEAN LENOBLE

HEARING:

Hearing Re: Proof of Bond (SNT)

COUNSEL:

DANIELLE JEAN LENOBLE	(CEE)...MITCHELL I ROTH
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SHERYL LENOBLE	(PET)...GARY HARRISON

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Proof of Bond (SNT)

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

1. Order Approving SNT entered on 01/30/18 ordered a bond in the amount of \$212,300.00 be posted. **Need** same.
2. Register of Actions indicates a bond of \$20,000 (image unavailable) was filed on 04/10/17. Insufficient.

RECOMMENDATION:

Need to clear note 1.

(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: 05/01/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700244

CASE NAME: MTR OF BERTHA BOYD

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ERNEST HAYES

COUNSEL:

BERTHA BOYD (CTP)...LENITA A SKORETZ
ERNEST HAYES (CP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Ernest Hayes appointed Conservator of the person on 09/26/17.
2. **Need** proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's Rights per Pr.C. §1830(c).
3. **Need** Statement of Care Plan in accord with Pr.C. §2352.5.
4. **Need** a Determination of Conservatee's Appropriate Level of Care per Pr.C. §2352.5 (form GC-355).

RECOMMENDATION:

Need to clear notes 2-4.

(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: 05/01/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800034
CASE NAME: MTR OF KRISTOFER M CABALLERO
HEARING: Petition for Appointment of Conservator

COUNSEL:

DEE ANN RICK (CP)...PRO/PER
KRISTOFER M CABALLERO (CTP)...MITCHELL I ROTH

GENERAL INFORMATION:

Continued from 03/13/18 to clear notes. Father does not object to conservatorship. Attorney Mitchell I. Roth appointed.

THIS CASE IS SET FOR HEARING ON Petition for Limited Conservatorship, person only, by Dee Ann Rick, mother.

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

1. Proposed conservatee is developmentally disabled. Report of Counsel Roth filed 04/17/18.
2. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
3. Petitioner seeks civil rights not be limited without court order. JTD
4. Citation returned served.
5. Court Investigator Report filed 03/07/18
6. Inland Regional Center Report filed 03/06/18.
7. Certificate of Completion re Conservatorship Class filed.
8. ~Proposed Form Order 02/26/18

RECOMMENDATION:

Court's discretion. If approved, set hearing for Compliance Review for **12/04/18** 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/lc)

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

DATE: 05/01/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800035

CASE NAME: Jose David Orozco Gonzalez
HEARING:
Petition for Appointment of Conservator

COUNSEL:

JOSE DAVID OROZCO GONZALEZ (CTP)...WALTER T. MOORE
LAURA R OROZCO GONZALEZ (CP)...

GENERAL INFORMATION

Continued from 03/13/18. Attorney Walter T. Moore appointed.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person by mother, Laure R Orozco Gonzalez ["Petitioner"].

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

1. No bond – person only.
2. Petitioner seeks medical powers. **Need** Medical Capacity declaration.
3. Court Investigator's Report filed.
4. Citation returned served.
5. **Need** report by court-appointed counsel, Attorney Walter T. Moore.
6. Section 7b to capacity declaration is blank but is initialed. Court to determine if sufficient. **JTD.**
7. **Certificate of Completion re Conservatorship Class filed.**
8. Proof of Service to notice filed on 03/13/18, Sections 4a and 4b are incomplete. **Need** proper service.
9. ~Proposed Form Order 02/06/18.

RECOMMENDATION:

Need to clear notes 2, 5 & 8 then Court's discretion re: note 6. If approved, set hearing for Compliance Review for **12/04/18** 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: TARA REILLY

PROBATE

DATE: 05/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1100870

CASE NAME: THE SPECIAL NEEDS TRUST OF SIRAI DEL RIO

HEARING:

Sixth Account and Report of INLAND COUNTIES REGIONAL CENTER,
INC. and Petition for allowance of fees filed.

COUNSEL:

INLAND COUNTIES REGIONAL CENTE (PET)...LAYNE A BARTHOLOMEW
THE SPECIAL NEEDS TRUST OF SIR (TRU)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Sixth Account Current and Report of IRC
[“Petitioner”] and Petition for Approval of Trustee’s Fees and for Attorney’s Fees.

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

1. Accounting covers 01/01/16 – 12/31/17.
2. Assets on hand: \$213,684.47 (\$161,684.47 in cash held in a pooled investment fund and remainder in a 2015 Dodge Caravan).
3. Current bond of \$256,000. Petitioner requests bond be increased by \$23,000 to \$269,000. Appears sufficient. **JTD.**
4. Petitioner requests ratification of trustee fees already taken by Master Trust of California in the amount of \$5,351.55 pursuant to their fee schedule dated 02/14/12 [LF, p. 52]. **JTD.**
5. Petitioner requests authority to allow Master Trust to continue taking its annual fee according to its fee schedule dated 06/13/17 [LF, p. 55]. **JTD**
6. Attorney requests fees of \$880.00. Billed at \$250/hour for 1.60 hours’ attorney time and \$100/hour for 4.8 hours paralegal time. Itemized [LF pgs., 46-47]. **JTD.**
7. Petitioner requests authorization to amend the Trust to add the following provisions as a new Article Nine of the Trust; “State” to include “States and Territories,” “Medi-Cal” includes “Medicaid,” additional Notice Requirements. And Services by more than One State. **JTD.**
8. ~Proposed Order: 03/15/18

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

RECOMMENDATION

Court's discretion. If approved, set hearing on the next accounting review for **02/26/19** (if one year) or **02/25/20** (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: TARA REILLY

DATE: 05/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500198

CASE NAME: MTR OF FELIX GALLEGOS

SEE ALSO 3

HEARING:

Hearing re Final Discharge

COUNSEL:

FELIX GALLEGOS

(DEC)...

JAMES GUTIERREZ

(PET)...PRO/PER

See notes on next matter # 3.

(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: 05/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500198

CASE NAME: MTR OF FELIX GALLEGOS

SEE ALSO 2

HEARING:

Hearing Re: OSC RE SURCHARGE/RECEIPTS FOR DISTRIBUTION

COUNSEL:

FELIX GALLEGOS (DEC)...
JAMES GUTIERREZ (PET)...PRO/PER

GENERAL INFORMATION

Continued from 01/18/17, 04/05/17, 06/07/17 and 07/19/17. No appearances. James Gutierrez to appear if receipts/discharge not filed.

Continued from 09/13/17 and 11/08/17 at request of Court for petitioner to be present. Court notes that James Gutierrez was ordered to reimburse estate for \$4,848.78 in the Order approving final accounting. Court set OSC re surcharge.

Continued from 02/21/18 on Courts motion. James Gutierrez states he has not reimbursed the estate the \$4,848.75 as previously ordered, but is working on it. Court grants Mr. Gutierrez's request to appear by court call for next hearing. Counsel for Suretec Insurance Company gave notice.

THIS CASE SET FOR HEARING ON **OSC Re Surcharge/** Final Discharge.

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

1. Final account/distribution of James Gutierrez approved on 01/13/16. Proposed order does not match minute order. **Need order.**
2. Return of Citation with proof of personal service as to James Gutierrez filed 01/23/18.
3. **Need Ex Parte Petition for Final Discharge and Order *once note 1 is cleared.***
4. **Response to OSC re: Failure to file final discharge and receipts filed.**

RECOMMENDATION

Inquire status of orders. When a final discharge order is not filed as ordered, court may set a hearing in accord with C.C.P. §§ 128 & 1209.

(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 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: TARA REILLY

DATE: 05/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500848

CASE NAME: SANJIV BARSE SPECIAL NEEDS TRUST

HEARING:

PETITION FOR APPROVAL OF FOURTH ACCOUNT and Report of
CITIZENS BUSINESS BANK and Petition for allowance of fees filed.

COUNSEL:

SANJIV BARSE SPECIAL NEEDS TRU	(TRU)...
CITIZENS BUSINESS BANK	(PET)...RANDOLPH M SHARON
CITIZENS BUSINESS BANK	(TEE)...RANDOLPH M SHARON

X-REF: RIP 1400803

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Fourth Account Current and Petition for Fees by
Trustee, Citizens Business Bank ["Petitioner"] re SNT; and Medicare Set Aside Fund.

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

1. Account period 03/01/17 to 01/31/18.
2. SNT assets on hand \$712,852.15 consisting of \$32,895.19 in cash and the balance in mutual funds.
3. Medicare Set-Aside assets on hand \$75,910.22 consisting of \$3,548.40 in cash and the balance in money market & mutual funds.
4. No bonds – corporate fiduciary.
5. Petitioner requests confirmation of fees paid in the amount of \$10,598.22 per court approved fee schedule. Itemized [LF, pgs. 37 & 59-62]. **JTD.**
6. Attorney requests fees of \$3,195.00 and costs of \$230.00. Billed at \$450/hour for 8.3 hours attorney time. Itemized [LF, p. 9]. **JTD.**
7. ~Proposed order 03/06/18

RECOMMENDATION

Court's discretion. If approved, set hearing re next Accounting Review for **03/26/19**.
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 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: TARA REILLY

DATE: 05/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600059

CASE NAME: DOUGLAS WALTER BECKER

HEARING:

Hearing re Final Discharge

COUNSEL:

DOUGLAS WALTER BECKER (DEC)...

JEANANNE MCCANN BECKER (PET)...COPENBARGER &

VACATE – final discharge order signed and entered on 07/31/17.
(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600728

CASE NAME: MTR OF CHARLES NEIL LITTLEWOOD

HEARING:
Probate status report

COUNSEL:
CHARLES NEIL LITTLEWOOD (DEC)...
SHELLEY LITTLEWOOD (PET)...PRO/PER
STATE OF CALIFORNIA FRANCHISE (TP)...

X-REF: CIVDS 1712439

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report by Administrator, Shelley Littlewood ["Petitioner"]

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

1. **Need** final Inventory and Appraisal with supporting bank/financial statements.
2. Petitioner alleges the estate is not in a condition to be closed as petitioner is named as a defendant, both individually and as administrator of this estate, in an interpleader lawsuit currently pending in the U.S. District for the Central District of California. That litigation involves money which Decedent had deposited into the attorney-client trust account of Donald Haslam, and over which many people claim an interest.
3. Petitioner requests an additional 12 months to close the estate.
4. ~Proposed Order 03/20/18.

RECOMMENDATION:

Need to clear notes 1 then Court's discretion. If approved, set next hearing for Accounting Review for **05/07/19**.

(nb/lh)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600948

CASE NAME: CHIRSTOPHER ORTEGA

HEARING:

First and final Account and Report of MELLISSA ORTEGA and
Petition for allowance of fees filed.

COUNSEL:

CHRISTOPHER ORTEGA (DEC)...
MELLISSA ORTEGA (PET)...ELIZABETH APODACA

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account; Petition for Fees; Petition for Termination of Further Proceedings; and Discharge of Personal Representative by Attorney Elizabeth Apodaca ["Petitioner"] on behalf of Administrator, Melissa Ortega.

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

1. Final Inventory and Appraisal affixed to accounting [LF, p.] is not dated or signed by Melissa Ortega as counsel alleges she has been unable to locate Ms. Ortega [see decl. affixed to petition LF, p. 13-14]. Suggest the separate filing of the final inventory and appraisal. **JTD.**
2. Petition is not verified by personal representative. **JTD.**
3. Assets on Hand \$0.00. The real property of the Estate was sold, via an arms-length agreement, to avoid foreclosure and all proceeds were used to pay the lienholder.
4. Current bond of \$29,000.
5. Petitioner waives statutory compensation as there are no assets in the estate.
6. Attorney requests statutory fees of \$2,760.00 for which, the purchaser of the property in the Estate, Andrade Financial, has agreed to for as a condition of the sale. Calculated.
7. Petitioner request and order terminating proceeding and discharge of Petitioner as the personal representative of the Estate. However, as this is an estate with a loss, termination and discharge do not occur until entry of a final discharge order.
8. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for final discharge on **05/07/19**.

(nb)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601168

CASE NAME: ROBERT V BANDURRAGA & ARMIDA M BANDURRAGA TRUST

SEE ALSO 9

HEARING:

Hearing Re: RECEIPT OF SETTLEMENT

COUNSEL:

JAMES M BANDURRAGA (PET)...MICHAEL C MADDUX
MARY IRENE LEON (OBJ)...BANKS GARCIA & JANIS
ROBERT & ARMIDA BANDURRAGA REC (TRU)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Receipt of Settlement.

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

1. Matter set at 02/27/18 hearing, wherein, the Court ordered that the settlement agreement beginning with the drafted will be ready within 10 days. Need same.
2. Notice waived.

RECOMMENDATION:

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

DATE: 05/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601168

CASE NAME: ROBERT V BANDURRAGA & ARMIDA M BANDURRAGA TRUST

SEE ALSO 8

HEARING:

Petition for ORDERS: REMOVING MARY IRENE LEON AS TRUSTEE ETC

COUNSEL:

JAMES M BANDURRAGA

(PET)...MICHAEL C MADDUX

MARY IRENE LEON

(OBJ)...BANKS GARCIA & JANIS

ROBERT & ARMIDA BANDURRAGA REC (TRU)...

Currently under review by Legal Research.

(LR)

Continued matter – notice not re-reviewed.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700748

CASE NAME: LELAND EUGENE WALKER

HEARING:

Report on waiver of account & Pet. for etc Account and Report of
LELAND C WALKER and Petition for allowance of fees filed.

COUNSEL:

LELAND C WALKER

(PET)...JEANNE M FITZGERALD

LELAND EUGENE WALKER

(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of
Account and for Fees by Administrator, Leland C, Walker ["Petitioner"].

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

1. Sole heir waives accounting.
2. Accounting period 05/18/17 to 01/31/18.
3. Assets on Hand \$192,7333 consisting of cash.
4. Petitioner waives statutory compensation.
5. Attorney requests statutory fees of \$5,825.76. Calculated.
6. No proposed order. Submit Order after Hearing.

RECOMMENDATION

RFA. If approved, set next hearing for final discharge for **05/07/19**.
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700977

CASE NAME: MICKEY LOUISE DICKERSON

HEARING:

Hearing Re: Posting of Bond and Issuance of Letters

COUNSEL:

MICKEY LOUISE DICKERSON (DEC)...
ROBERT RAY CRISP III (PET)...TANYA L WILLIS

VACATE – bond and letters filed.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800179

CASE NAME: ROBERT LEE EICHSTEDT

HEARING:

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

COUNSEL:

RANDOLPH ERIC BAUMANN (PET)...MICHAEL C MADDUX
ROBERT LEE EICHSTEDT (DEC)...
TANNER CROSSLAND-BARRY (PET)...E. MARIE HENNING

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by nephew, Randolph E. Baumanns ["Petitioner"].

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

1. Declinations and Nomination of this petitioner, by Decedent's siblings, affixed to petition.
2. Section 3d to petition, as to character and estimated value of the estate, is "TBD." The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). Does Court wish to require a minimum bond of \$20,000 until the estate's value can be determined? **JTD.**
3. All heirs waive bond. However, **need** Mandatory Waivers of Bond by Heir or Beneficiary, form DE-142/DE-111, by sibling, Constancio Belmonte.
4. **Need** proof of publication.
5. Section 4 to notice filed on 03/26/18 requests the decedent's will be admitted. **Need** proper notice.
6. Objections filed by Randolph E. Baumanns to the Validity of the Last Will and Testament of Decedent. Notice filed 04/23/18 is incorrect. **Need summons issued and set for hearing per Pr. C. §8250.**
7. **Note: Court may wish to trail matter to be heard with competing petition to determine succession to real property by Tanner Crossland-Barry on 05/24/18. JTD**
8. No proposed order/letters.

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

RECOMMENDATION:

Need to clear notes 3-6 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **07/09/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/lh)

Future Hearing: **05/24/18** **Petition to determine succession to real property per will by Tanner Crossland-Barry**

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

DATE: 05/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800287

CASE NAME: MTR OF KENNETH A COLOMBERO

HEARING:

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

COUNSEL:

KATHI GUSSIN (PET)...AMY FENELLI CIFTCIKARA
KENNETH A COLOMBERO (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA by sister, Kathi A. Gussin ["Petitioner"-named executor].

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

1. Will waives bond. Estimated estate valued at \$640,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). **JTD**
2. The will conditionally incorporates decedent's Trust. Certification of Trust filed 04/23/18; however, per new Local Rule 20-1502, the Court **needs** a copy of Trust filed. Copy may be filed confidentially.
3. ~Proposed Form Order/Letters: 03/27/18.

RECOMMENDATION:

Need to clear note 2 then Court's discretion re: bond. If approved, set future hearing for Accounting Review on **07/09/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 05/01/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1700217

CASE NAME: MTR OF LIVING TRUST OF MARIE LEMMONS

SEE ALSO 15, 15A

HEARING:

Hearing Re: RECEIPT OF SETTLEMENT AGREEMENT

COUNSEL:

HOLDEN BOEHM	(PET)...KEYSTONE LAW GROUP
LIVING TRUST OF MARIE LEMMONS	(TRU)...
NICOLAS BOEHM	(PET)...KEYSTONE LAW GROUP
SHAANA BOEHM	(PET)...KEYSTONE LAW GROUP
WILLIAM BOEHM	(TP)...DAVID J HORSPOOL

XREF: PROPS1700631 (Marie Lemmons living trust, dated June 2012)

GENERAL INFORMATION:

Continued from 02/27/18 at request of counsel. Refining settlement terms/settlement agreement to be filed.

THIS CASE IS SET FOR HEARING ON Receipt of Settlement Agreement

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

1. Matter set at 02/05/18 hearing, wherein, Counsel reported matters have settled and written settlement agreement being prepared. The Court orders if all parties have not signed settlement agreement prior to next hearing, they need to be present in court. (May appear via Court Call.)
2. Need settlement agreement.

RECOMMENDATION:

Court's discretion

(nb)

Future Hearing:

05/11/18 Petition to determine the validity etc.

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/01/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1700217

CASE NAME: MTR OF LIVING TRUST OF MARIE LEMMONS

SEE ALSO 14, 15A

HEARING:

Motion Re: motion for summary adjudication of petitioner's first cause of action Filed by Petitioner HOLDEN BOEHM, SHAANA BOEHM, NICOLAS BOEHM

COUNSEL:

HOLDEN BOEHM	(PET)...KEYSTONE LAW GROUP
LIVING TRUST OF MARIE LEMMONS	(TRU)...
NICOLAS BOEHM	(PET)...KEYSTONE LAW GROUP
SHAANA BOEHM	(PET)...KEYSTONE LAW GROUP
WILLIAM BOEHM	(TP)...DAVID J HORSPOOL

XREF: PROPS1700631 (Marie Lemmons living trust, dated June 2012)

Currently under review by Legal Research.
(LR)

Future Hearing:
05/11/18 Petition to determine the validity etc.

Superior Court of Calif, County of San Bernardino

Page: 15A ADD ON

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

DATE: 05/01/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1700217

CASE NAME: MTR OF LIVING TRUST OF MARIE LEMMONS

SEE ALSO 14, 15

HEARING:

Petition for TO DETERMINE THE VALIDITY OF THE PURPORTED LIVING
TRUST OF MARIE LEMMONS ETC

COUNSEL:

HOLDEN BOEHM (PET)...KEYSTONE LAW GROUP
SHAANA BOEHM (PET)...KEYSTONE LAW GROUP
NICOLAS BOEHM (PET)...KEYSTONE LAW GROUP
LIVING TRUST OF MARIE LEMMONS (TRU)...
WILLIAM BOEHM (TP)...DAVID J HORSPOOL

Currently under review by Legal Research.
(LR)

Continued matter – notice not re-reviewed.
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/01/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1700631

CASE NAME: MARIE LEMMONS LIVING TRUST, DATED JUNE 2012

HEARING:

Hearing Re: PETITION TO APPOINT CHRISTIE DAVIDSON ADAMS

COUNSEL:

HOLDEN BOEHM	(PET)...KEYSTONE LAW GROUP
MARIE LEMMONS LIVING TRUST, DAT	(TRU)...
NICOLAS BOEHM	(PET)...KEYSTONE LAW GROUP
SHAANA BOEHM	(PET)...KEYSTONE LAW GROUP
WILLIAM BOEHM	(OBJ)...HORSPPOOL & H ORSPOOL

XREF: PROPS1700217 (Living trust of Marie Lemmons)

Currently under review by Legal Research.
(LR)

Continued matter – notice not re-reviewed.
(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 9:30 DEPT: S37P

CASE#: CIF DS1700106

CASE NAME: MEDINA VS AYALA

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

KELLY MEDINA	(PP)...PRO/PER
KELLY MEDINA	(PP)...CRAIG M PARKER
MITCHELL MEDINA	(PET)...PRO/PER
ROBERT AYALA	(RP)...PRO/PER
TAMERA AYALA	(PRO/PER

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

Proof of service as to Tamara Ayala filed 02/28/18.

Proof of service of Order after Hearing as to Robert Ayala entered 03/19/18.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 18

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

DATE: 05/01/18 TIME: 9:30 DEPT: S37P

CASE#: CIF DS1700118

CASE NAME: BOBRINK -V- BARELA

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

HOLLIE SUE BARELA (RES)... LAUREN LAUNDIS
TED BERNARD BOBRINK (PET)...PRO/PER

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

Need Notice of Hearing with proof of personal service on Respondent, Hollie Sue Barela.
(cs/nb)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 05/01/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0700245

CASE NAME: CLARA M MALOOLY

HEARING: Sixth and Final Account and Report of MICHAEL F MALOOLY and
Petition for allowance of fees filed.

COUNSEL:

CLARA M MALOOLY	(CEP)...WALTER T. MOORE
CLARA MALOOLY	(CEP)...WALTER T. MOORE
CLARA MALOOLY	(DEC)...
JACK B OSBORN	(PET)...JACK B OSBORN
MARJORIA K. HANNA	(PET)...DONNASUE ORTIZ
MICHAEL F MALOOLY	(CPE)...LAYNE A BARTHOLOMEW
WALTER T MOORE	(PET)...WALTER T. MOORE

GENERAL INFORMATION:

Conservatee passed away on 10/10/16.

THIS CASE IS SET FOR HEARING ON Sixth and Final Account of Conservatorship and Sixth Account Current of the Trust; Petition for Termination of Conservatorship; for Final Distribution of Trust; and for Termination of Court Supervision of Trust; and Petition for Fees by Conservator of the Estate and Trustee, Michael F. Malolly ["Petitioner"]..

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

Michael Malooly was appointed conservator of the estate only on 8/19/08 and successor trustee of conservatee's Living Trust on 8/27/08. (Marjorie Hanna was appointed conservator of the person only on 8/19/08.)

Conservatorship:

1. Accounting period 01/01/16 – 10/10/16 [pre-death] & 10/11/16 to 11/11/17 [post-death].
2. Assets on hand \$37,211.63 consisting of \$916.35 in cash and balance in personal property consisting of mutual funds and 2 cemetery plots.
3. Attorney Smith Ortiz requests fees of \$8,340.00 as conservator of the person, to be paid from the Trust. Billed at \$375/hour for 18.95 hours' attorney time and \$125/hour for 6.15 hours' paralegal time. Itemized [LF, pgs. 198-201]. **JTD.**
4. Current bond is \$97,000.
5. Disbursements – Schedule 1c11[LF, p. 36] need further clarification via verified supplement as to the following:

- a. Transfer to trust in the amount of \$8,000. **(Supp. 04/25/18 indicates that transfers from the trust to the conservatorship were made to pay for conservatee's residential facility, Parent Care Management fees and medications. As conservatee passed the excess amount of \$8,000 was transferred back into the trust as it was no longer needed for the conservatorship estate.) JTD**
 - b. Withdrawal – IRA Death Distributions to Trust in the amount of \$20,000. **(Supp. 04/25/18 indicates the distribution is from the conservatee's retirement account and was incorrectly described as a death distribution.) JTD**
6. During this accounting period, petitioner paid to Carolyn Michaelis for caregiver expenses totaling \$4,364.00 & \$1,115.50. Need verified declaration for acknowledgment of receipt of fees per Local Rule 20-1406(c). **(Supp. 04/25/18 copies of invoices for payments made to Parent Care Management are attached.) JTD**
 7. Petitioner requests authority from this court to terminate the conservatorship and transfer remaining assets to The Clara Malooly Living Trust. **JTD.**

Trust:

8. Accounting period 01/01/16 – 10/10/16 [pre-death] & 10/11/17 to 11/11/17 [post-death] [LF, pgs. 91 et seq.].
9. Assets on hand \$142,193.45 consisting of \$52,054.25 in cash and balance in real and personal property and investment accounts.
10. Current bond is \$252,000.
11. Pursuant to the order on the fourth account authorizing continual annual payments to petitioner on account, petitioner made two payments in the amount of \$5,000 during this accounting period for trustee fees.
12. Attorney Bartholomew requests fees of \$9,348.00 for the period 01/16 to 03/19/18. Billed at \$300/hour for 15.4 hours' attorney time and \$120/hour for 39.4 hours' paralegal time. Itemized [LF, pgs. 184-190]. **JTD.**
13. Petitioner indicates that pursuant to a Stipulation re Preliminary Distribution from the Clara Malooly Living Trust, petitioner made preliminary distributions to the three beneficiaries of the Trust, Michael M. Malooly, Marjorie K. Hanna and Thomas M. Malooly in the amount of \$610,000 each. Se stipulation filed 03/21/18.
14. Petitioner requests authority to distribute the remaining assets of the Trust, after payment of expenses, to Michael F. Malooly, Marjorie K. Hanna and Thomas M. Malooly in equal shares as per order of this Court on 08/27/08. **JTD.**
15. Petitioner requests the Court terminate supervision of the Trust.
16. Petitioner requests authority to reserve the amount of \$5,000 as a reserve. **JTD.**
17. Notice given.
18. ~Proposed order 03/21/18

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge for **05/07/19.**

(nb/ww)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/01/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0900098

CASE NAME: OSCAR HUANTES

SEE ALSO 21, 22

HEARING:

Petition for Attorneys' Fees

COUNSEL:

ANITA HUANTES	(CP)...JAMES B CHURCH
ANITA HUANTES	(CPE)...JAMES B CHURCH
ANITA HUANTES	(CPE)...MARK J ANDREW FLORY
BOND SERVICES OF CALIFORNIA LL	(TP)...
CITIZENS BUSINESS BANK	(PET)...BARRY & BARRY
JUAN HUANTES	(CPE)...MICHAEL ROOFIAN AND
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
MITCHELL I. ROTH	(PET)...PRO/PER
OSCAR HUANTES	(CEP)...LENITA A SKORETZ

CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN, case reassigned to Judge JAMES MICHAEL WELCH for all purposes.

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Fees and Compensation by Court-Appointed Attorney Lenita A. Skoretz ["Petitioner"].

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

- 1 Petitioner was appointed on 06/04/09. Petitioner alleges that services have been rendered for which counsel has not been compensated.
- 2 Attorney requests fees of \$12,625.00 for the period 03/11/14 to 03/09/18 [exceeds 2 years]. Billed at \$300-\$350/hour for 38 hours' attorney time. Itemized [LF, pgs. 5-9]. JTD.
- 3 Attorney requests reimbursement of costs advanced of \$560. Itemized.
- 4 Petitioner requests the Court authorize and direct the Trustee of the Oscar Huantes Trust to pay requested sum to Petitioner.
- 5 ~Proposed Order 03/14/18.

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

RECOMMENDATION:

Court's discretion.

(nb)

Future Hearing:

05/07/18 Third Account and Report of Citizens Business Bank

05/07/18 Fourth Account and Report of Citizens Business Bank

06/20/18 Accounting Review (Anita Huantes)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/01/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0900098

CASE NAME: OSCAR HUANTES

SEE ALSO 20, 22

HEARING:

Accounting Review by ***

COUNSEL:

ANITA HUANTES	(CP)...JAMES B CHURCH
ANITA HUANTES	(CPE)...JAMES B CHURCH
ANITA HUANTES	(CPE)...MARK J ANDREW FLORY
BOND SERVICES OF CALIFORNIA LL	(TP)...
CITIZENS BUSINESS BANK	(PET)...BARRY & BARRY
JUAN HUANTES	(CPE)...MICHAEL ROOFIAN AND
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
MITCHELL I. ROTH	(PET)...PRO/PER
OSCAR HUANTES	(CEP)...LENITA A SKORETZ

CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN, case reassigned to Judge JAMES MICHAEL WELCH for all purposes.

VACATE - Third Account Current by Trustee of Medicare Trust filed and set for 05/07/18.

(nb)

Future Hearing:

06/20/18 Accounting Review (Anita Huantes)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0900098

CASE NAME: OSCAR HUANTES

SEE ALSO 20, 21

HEARING:

Accounting Review by ***

COUNSEL:

ANITA HUANTES	(CP)...JAMES B CHURCH
ANITA HUANTES	(CPE)...JAMES B CHURCH
ANITA HUANTES	(CPE)...MARK J ANDREW FLORY
BOND SERVICES OF CALIFORNIA LL	(TP)...
CITIZENS BUSINESS BANK	(PET)...BARRY & BARRY
JUAN HUANTES	(CPE)...MICHAEL ROOFIAN AND
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
MITCHELL I. ROTH	(PET)...PRO/PER
OSCAR HUANTES	(CEP)...LENITA A SKORETZ

CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN, case reassigned to Judge JAMES MICHAEL WELCH for all purposes.

VACATE - Third Account Current by Trustee of SNT filed and set for 05/07/18.
(nb)

Future Hearing:

06/20/18 Herding re: Accounting Review (Anita Huantes)

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

DATE: 05/01/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1100080

CASE NAME: CECELIA ANN MATTHESIUS

HEARING:

Petition for (Third) attorney's fees and costs etc

COUNSEL:

ANN E STAUB	(APP)...BANDY & BANDY
ANN E. STAUB	(CPE)...ROBERT J SPITZ
ANNE E STAUB	(BANDY & BANDY
ANNE E STAUB	(CPE)...THOMAS E BANDY
CECELIA ANN MATTHESIUS	(CEP)...DONNASUE ORTIZ
CECELIA ANN MATTHESIUS	(CEP)...PRO/PER
CECILIA ANN MATHESIUS	(CP)...PRO/PER
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
PAULA EADE	(OBJ)...PRO/PER
PAULA EADE	(SC)...PRO/PER
US SPECIALITY INSURANCE COMPAN	(PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Fees and Compensation by Court-Appointed Attorney Donnasue Smith Ortiz ["Petitioner"].

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

1. Petitioner was appointed on 04/26/11. Petitioner alleges that services have been rendered for which counsel has not been compensated for the period 12/29/15 to 01/22/18..
2. Attorney requests fees of \$36,029.50. Billed at \$395/hour for 89.60 hours' attorney time and \$125/hour for 5.10 hours' paralegal time. Itemized [LF, pgs. 7-11]. JTD.
3. Attorney requests reimbursement of costs advanced of \$777.16 incurred for the court-approved Florida visit while conservatee was in Florida. Itemized [LF, pgs. 3 & 13]. JTD.
4. Petitioner requests the Court direct and order Conservator, Anne E. Staub, to pay requested sum to petitioner.
5. ~Proposed Order 03/20/18

RECOMMENDATION:
Court's discretion.
(nb)

Future Hearing:
01/07/19 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 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: 05/01/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1300069

CASE NAME: ERIK GRADY

HEARING:

TENTH Account and Report of ARTHUR A CAPPILLA and Petition for allowance of fees filed.

COUNSEL:

AMERICAN CONTRACTORS INDEMNITY (TP)...PRO/PER	
ARTHUR A CAPPILLA	(CPE)...BARBARA E BOWERSOCK
ARTHUR A CAPPILLA	(CPE)...JOHN D MICKUS
ERIK GRADY	(CEP)...BERNITA S BORGES
US DEPT OF VETERANS AFFAIRS RO	(ALAN K ACHEN

GENERAL INFORMATION

Continued from **12/04/17** at request of court for counsel to appear. Notice by Judicial Assistant.

Continued from 02/27/18. The Court approves petitioner's and attorney's fees as requested and the increase of bond to \$141,000.00. Mr. Mickus may file an interim order pending next hearing. The Court requests supplement be filed addressing issues on Schedule C as follows: what/why a citation payment to Patricia Gaudy and the County in the amounts of \$200 and \$1,000, who is VET, why a storage fee of \$120 a month, who is Michael Marker, how was monthly rent of \$1,550 determined, who else pays utilities, if there is a drug problem why a monthly allowance of \$1,000. (SEE REPORTER'S TRANSCRIPT FOR FURTHER DETAILS.)

THIS CASE IS SET FOR HEARING ON Tenth Account Current and Petition for Fees by Arthur Cappilla, PPF

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

1. Accounting covers 08/01/15 to 07/31/17.
2. Assets on hand: \$72,888.65 in cash.
3. Petitioner requests fees of \$6,647.50, of which \$3,450.00 has been paid. The fee request is based on 21 hours for case management work at \$85/hour and 38.90 for conservator work at \$125/hour. Itemized [LF, pgs. 27- 29]. JTD.
4. Petitioner was authorized per Order dated 11/09/15 to pay himself periodic compensation for services at the rate of \$150/month. Petitioner requests continual

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

periodic compensation at the rate of \$150/month, not to exceed 26 months, commencing 08/01/17. JTD.

5. Current bond set at \$126,000.00. Petitioner requests bond increase of \$15,000.00, total of \$141,000.00. Appears adequate.
6. Attorney requests fees of \$2,590.00. Billed at \$350/hour for 6.8 hours' attorney time and \$105/hour for 2 hours' paralegal time. Itemized [LF, p 31- 32]. JTD.
7. **Supplement filed 04/19/18 in response to minute order on 2/27/18. The term vet is shorthand for "Veteran" and all payments in Schedule C are for conservatee. Payments of two citations received by conservatee regarding abatement of nuisance of property have been paid. Conservatee is a collector and in 2015 requested a small storage space to store valuable property; conservatee wishes to keep the rental storage. Michael Marker is a case manager for petitioner; payments made to Mr. Marker are reimbursement of out-of-pocket expenses, with exception of transportation expenses incurred . Conservatee's residence is a rental owned by conservatee's mother, Patricia, who sets the rent. Conservatee resides alone and pays utilities. At beginning of account, conservatee received \$1,000/month for personal expenses, and Patricia (mother) gave him an additional \$300 for groceries. Due to substance abuse, petitioner asked mother not to give any money. Erik receives \$233/week for groceries, sundries, and personal expenses; conservatee is doing better with no recent problems with hoarding or substance abuse.**
8. Notice given, no objections.
9. No proposed Order. Submit after hearing.

RECOMMENDATION:

Court's discretion re fees and bond. If approved, set hearing on the next accounting review for **03/04/19** (if one year) or **03/02/20** (if two years). Accounting to be filed 30 days' in advance.

(cs/nb/lh)

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

DATE: 05/01/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400077

CASE NAME: EDWARD FRANK SANTILLI

HEARING:

First Account and Report of ANITA SANTILLI and Petition for allowance of fees

COUNSEL:

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

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Fees by Successor Conservator of the Person and Estate and Successor Trustee, Anita Santilli ["Petitioner"-daughter].

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

Conservatorship:

1. Accounting period 04/20/16 to 12/31/17.
2. Assets on Hand **re Conservatorship** \$39,214.98 consisting of cash.
3. The Summary of Account does not include cash assets on hand at end of prior account period of \$5,511.66. Need corrected summary and affected schedules via verified supplement. **(Supp. 04/24/18 indicates that petitioner was appointed as successor conservator was did not have any cash assets in her possession initially. She only received \$3,027.98 from the prior conservators during the period of accounting. The remaining \$2,483.73 was not received until the end and will be reflected in the next accounting. There is a shortfall of \$258.68 that was never received from the prior conservator which is believed to be de minimus and that a corrected summary is not needed.) JTD**
4. Petitioner waives compensation.

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

5. Attorney requests fees of \$22,547.50 for conservatorship services. Billed at \$325-\$395/hour for 58.40 hours' attorney time. Itemized [LF, pgs. 37-45]. **JTD.**
6. Petitioner requests authority to provide the Conservatee with a monthly allowance of \$200.00 and that no further accounting of those funds be required once they are paid to Conservatee. **JTD.**
7. Report by court-appointed Attorney Mitchell I. Roth filed 03/27/18.
8. Receipts – Schedule A reflects rental income from trust assets. Need corrected account. **(Supp. 04/24/18 indicates that the trust is a “grantor type” trust and that all income from the trust is used for the benefit of the Conservatee. The work would be doubled if it would show a receipt in the trust accounting, then disbursement in the trust accounting and finally a receipt in the conservatorship accounting. Petitioner indicates that all funds have been properly accounted for.) JTD**
9. Disbursements – Schedule C includes towing charges to R & R Towing. Need further clarification. **(Supp. 04/24/18 indicates that 2 vehicles had to be towed as they were blocking the garage door to the conservatee’s “man cave” and was a safety issue. Neither of the vehicles had wheels so a tow truck was necessary.) JTD**
10. Petitioner paid her mother, Maria Santillii, the sum of \$27,508.00 during the period of this account for board and care while the Conservatee lived in her home and for caregiving services after the Conservatee was moved back into his own home. **JTD**
11. Need residential facility statements and/or written verification of rent per Pr.C. §2620(c)(4). **(Supp. 04/24/18 indicates that conservatee was first residing with Rolando Dixon. Amount of \$527.83 was paid to him and the receipt has been filed. Receipt by Rolando Dizon filed separate from the supplement on 04/24/18 re: receipt of \$547.83 for room/board and care services and reimbursement for prescription costs for the first week of May, 2016.) JTD**
12. Petitioner has paid Maria Santillii and Visiting Angels for caregiving services during this accounting period. Need verified declarations to verify dates of service, performance of services and that payment has been received per Local Rule 20-1406(c).
 - a. **Receipts from Visiting Angels files under a separate filing on 04/24/18. JTD**
 - b. **Receipt of sum of \$27,508.00 by Maria Santilli for caregiving services in addition to room and board services filed 04/24/18; however, no description verifying dates of service and performance of services was provided. JTD**
13. Petitioner states the rental income from Trust assets are reflected in the Conservatorship Estate as Petitioner uses those funds to pay for the Conservatee’s living expenses and indicates that in the future, Petitioner will be filing one accounting. Need separate accountings, that do not comingle conservatorship and trust assets; that reflects disbursements used from trust estate to be reflected on a disbursement schedule included in the trust accounting. **(Supp. 04/24/18 indicates that the income of the trust is paid towards the care of the conservatee. The prior conservator/trustee “commingled” the accountings and no objection**

was made. If the Court wants separate accountings going forward, Petitioner will comply.) JTD

Trust:

14. Accounting period 04/20/16 to 12/31/17.
15. Assets on Hand **re Trust** \$605,100.74 consisting of \$5,100.94 in cash and remaining in real property.
16. The Summary of Account does not include cash assets on hand at end of prior account period of \$600.40. Need corrected summary and affected schedules via verified supplement. **(Supp. 04/24/18 indicates that petitioner had \$0 on the date of appointment. A receipt was filed on 02/13/18 showing receipt of \$610.46 from the prior conservator/trustee. The difference is presumed to be de minimus and that a corrected summary is not needed.) JTD**
17. Petitioner waives compensation.
18. Attorney requests fees of \$18,001.00. Billed at \$350-395/hour for 45.80 hour attorney time. Itemized [LF, pgs. 47-51] less payment received of \$7,191.34 for a balance due of \$33,357.16. **JTD.**
19. Disbursements – Schedule C includes medical expenses that should be included in conservatorship accounting. Need same. **(Supp. 04/24/18 indicates that this note seems to contradict note 13 above as the payment was made from the trust so it was properly shows as a trust disbursement.) JTD**
20. Confidential copy of Inter Vivos Trust of Edward Santilli filed 04/23/18.

RECOMMENDATION:

Court's discretion. If approved set next Accounting Review on **04/30/19.**

(nb/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700148

CASE NAME: MTR OF MICHELLE HERNANDEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of JUAN A HERNANDEZ

COUNSEL:

JUAN A HERNANDEZ	(CPE)...YESIKA M FIGUEROA
MARIA I HERNANDEZ	(CPE)...YESIKA M FIGUEROA
MICHELLE HERNANDEZ	(CEP)...MARK J. FLORY

GENERAL INFORMATION

Juan and Maria Hernandez appointed Limited Co-Conservators of the Person on 09/26/17.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Need Order and Letters.
2. Need proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's Rights per Pr.C. §1830(c).
3. Need Statement of Care Plan in accord with Pr.C. §2352.5.
4. 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

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/01/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700289

CASE NAME: MTR OF JUNE M FULLER

HEARING:

Hearing Re: POSSIBLE ORDER FOR BOND

COUNSEL:

JUNE M FULLER

NATALIE BLICKENSTAFF

W A HLAVATY

(CTP)...SANDY L. TURNER

(CPE)...JENNIFER M DANIEL

(CP)...REYNOLDS, JENSEN, SWAN &

X-REF: PROPS 1700404 (Fuller Family Trust)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Possible Order for Bond.

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

1. Matter set at 02/27/18 hearing, wherein, it was noted that a bond of \$300,000 has been posted in PROPS 1700404.
2. Notice of Taking Possession or Control of an Asset of Conservatee filed 02/27/18 indicates estate includes assets totaling \$138,235.85. Suggest minimum bond of \$153,000 [includes recovery]. JTD.

RECOMMENDATION:

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

DATE: 05/01/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700309

CASE NAME: ZEFERINA S VALDEZ

SEE ALSO 29

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CIRA VALDEZ	(PET)...ROSA MARQUEZ
HERIBERTO O SANTANA	(PET)...ROSA MARQUEZ
ORLATA M. M. SANTANA	(PET)...ROSA MARQUEZ
TERESA VALDEZ C	(CP)...PRO/PER
ZEFERINA S VALDEZ	(CTP)...EDWARD B FISCHEL

GENERAL INFORMATION

Ex parte orders granted on 08/23/17. Teresa Valdez appointed Temporary Conservator of the person and estate of Zeferina Valdez. Petitioner may move Zeferina Valdez to her home only pending further order of the Court. Zeferina Valdez is not to be removed from the state of California without further order of the Court. Attorney Edward Fischel appointed for Zeferina Valdez. Notice given by Judicial Assistant.

Continued from 10/02/17 to clear notes. Court advises all parties written objections are to be filed with the Court prior to next hearing. No Oral objections will be accepted.

Continued from 12/04/17. The Court waives return of citation as conservatee was present at the last hearing. Ms. Marquez reports competing petition/objections will be filed. The Court urges family members to speak together to attempt resolution for the benefit of conservatee.

Continued from 02/27/18. Petition for conservatorship by Cira Valdez is withdrawn. Ms. Marquez reports a new competing petition will be filed by Heriberto and Orlatta Santana. The Court confirms dementia powers are being requested by Teresa Valdez so the dementia attachment is appropriate. Referred to Court Investigator for investigation and report. Mr. Fischel to file a new report regarding competing petitions once competing petition is filed.

THIS CASE SET FOR HEARING ON

Petition #1: Petition for Appointment of Conservator person only by Teresa Valdez
(daughter)

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

Petition #2: Petition for Appointment of Conservator, person only, by son and spouse, Heriberto O. Santana and Orlatta M. Santana [“Petitioners”].

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

Petition #1 by Teresa:

1. Dementia orders are not requested in petition; however, dementia attachment is included [petition, 08/16/17, LFpg10]. Need verified supplement clarifying if requesting dementia orders; if so, need completed dementia attachment. **Supp. filed 10/18/17 indicates Dementia involuntary medication powers are not necessarily requested and involuntary placement powers are not requested; however, Exhibit B indicates requesting special orders re dementia, [LF, p. 8].**
2. Petitioner seeks medical powers. **Capacity Declaration filed 10/18/17 is incomplete** as follows: item 3 re who is completing form. On Capacity Declaration Attachment (form GC-335) filed 08/23/17 item #9b administration of dementia medications, #9b (2) description of mental deficit, and #9b(5) reasons conservatee would benefit from prescribed psychotropic medication; form is not dated at signature on page 1. **Need** completed form.
3. **Need** List of required contacts (Local form SB-12224) including all the information for Teresa Valdez, Guadalupe Gonzales, and Antonia Valdez. **Proof of mailing attached to Supp. filed 10/18/17, [LF p. 13-15] is insufficient**
4. See Confidential Screening form filed 08/16/17.
5. Certificate of Completion of the Conservatorship Training Class filed.
6. Report of Counsel Edward Fischel filed 09/22/17.
7. Court Investigator report filed 09/12/17.
8. Notice of Hearing and Proof of Mailing filed 10/10/17 has page 2 of the Notice of Conservatee’s Rights form. **Need** notice of hearing and proper proof of service.
9. **Need** return of Citation.
10. ~Proposed Form Order: 08/16/17

Petition #2 by Heriberto and Orlatta:

11. Conservatee’s residence is in Riverside County. Court to inquire.
12. Petition is not signed or dated by Attorney Marquez. **JTD**
13. No bond – person only.
14. Section 3a (1) (2) re: jurisdictional facts are incomplete. **Need** verified supplement.
15. Petitioner seeks medical and dementia powers. Medical Capacity declaration previously filed on 08/23/17.
16. Certificate of Completion of the Conservatorship Training Class by Orlatta and Heriberto filed.
17. Report by court appointed counsel, Ed Fischel filed 04/17/18.
18. CI report filed 04/23/18.
19. Citation and proof of service filed 04/26/18.
20. **Need** Notice of Hearing and proof of service.
21. ~Proposed Form Order/Letters 02/28/18.

RECOMMENDATION

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

Need to clear notes 2, 3,8,9,14, and 20 then set for contested hearing. If approved, set hearing for Compliance Review for **12/05/18** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5

(lh/nb/cs/nb/ww)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/01/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700309

CASE NAME: ZEFERINA S VALDEZ

SEE ALSO 28

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CIRA VALDEZ

(PET)...ROSA MARQUEZ

HERIBERTO O SANTANA

(PET)...ROSA MARQUEZ

ORLATA M. M. SANTANA

(PET)...ROSA MARQUEZ

TERESA VALDEZ C

(CP)...PRO/PER

ZEFERINA S VALDEZ

(CTP)...EDWARD B FISCHER

See prior matter #28.

(nb)

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

DATE: 05/01/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700397

CASE NAME: Brandon Alvarado

HEARING:
Petition for Appointment of Conservator

COUNSEL:
BRANDON ALVARADO (CTP)...CANDICE A. GARCIA-RODRIGO
DALIA MONTOYA (CP)...PRO/PER

GENERAL INFORMATION

Continued from **12/04/17** on Courts motion. Notice by Judicial Assistant.

Continued from 02/27/18. Petitioner is advised the Court requires a current capacity declaration and the Court suggests conservatee be taken to his regular doctor to complete capacity declaration. Petitioner is further advised that capacity declaration is all the Court is waiting for prior to granting petition.

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

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

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract, and consent to all medical decisions. JTD
2. Petitioner seeks powers re habilitation, treatment, training, medical etc. JTD
3. Petitioner seeks civil and legal rights to be limited. JTD
4. Petitioner seeks medical powers. **Capacity Declaration filed.**
5. Citation returned served.
6. Proposed conservatee is developmentally disabled. Report of court appointed counsel, Candice Garcia-Rodrigo, filed.
7. Proposed conservatee is developmentally disabled. IRC report filed.
8. Court Investigator report filed.
9. Section 3(f) of petition is not completed; however, attachment 3(f)(2) is attached. JTD
10. Certificate of Completion of the Conservatorship Training Class filed 11/02/17.
11. ~Proposed Form Order: 10/27/17

RECOMMENDATION

Court's discretion. If approved, set hearing for Compliance Review for **12/03/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.
(cs/nb)

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

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

DATE: 05/01/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800009

CASE NAME: MTR OF KELLY ANN MEDINA

HEARING:

Petition for Appointment of Conservator

COUNSEL:

KELLY LYNN MEDINA (CTP)...WALTER T. MOORE
MITCHELL J MEDINA (CP)...PRO/PER

GENERAL INFORMATION

Continued from 02/21/18 on Court's motion for status of Santa Clara case being transferred here. Court notes for the record San Bernardino County will waive transfer fees if Santa Clara is transferred to our County, and requests Santa Clara to also waive their transfer fees if our case is transferred to Santa Clara. Court deems this Petition as a Petition for Successor Conservator.

THIS CASE SET FOR HEARING ON Petition for Appointment of *Successor* Limited Conservator person only by Mitchell Medina, father

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

1. Petitioner seeks civil rights not be limited without court order.
2. Petitioner seeks medical powers. **Capacity Declaration filed.**
3. Proposed conservatee is allegedly developmentally disabled due to a brain injury sustained in a car accident by which proposed conservatee now has a mental capacity of 18 years of age.
 - a. **Report of court-appointed counsel, Craig Parker, filed.**
 - b. **IRC Letter filed.**
4. **Certificate of Completion of the Conservatorship Training Class filed.**
5. List of Required Contact is missing stepfather, Robert Ayla. **Need** completed form.
6. Notice of Hearing and Proof of Service filed 01/10/18 did not include at least 30 days' notice; however, letter from IRC filed 3/27/18. **JTD**
7. CI Report filed 02/15/18.
8. Return of Citation filed 02/9/18.
9. ~Proposed Form Order: 01/10/18

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

RECOMMENDATION

Need to clear note #5. If approved, set hearing for Compliance Review for **12/05/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh/nb)

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

DATE: 05/01/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800089

CASE NAME: MTR OF ROBERTA MARTHA ANTHONY
HEARING:
Petition for Appointment of Conservator

COUNSEL:

RICHARD ANTHONY (CPE)...PRO/PER
ROBERTA MARTHA ANTHONY (CEE)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person and estate by spouse, Richard Anthony ["Petitioner"].

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

1. Petitioner requests bond not be required because proposed conservator is the spouse of proposed conservatee and estate consists of community assets and debts. Estimated value of the estate is \$380,000. **JTD**
2. Petitioner seeks medical powers. Medical Capacity declaration filed.
3. Petitioner requests dementia powers; **need** appointment of counsel.
4. CI report filed 04/20/18.
5. Citation returned served.
6. **Need** Certificate of Completion re Conservatorship Class.
7. Notice of Hearing and proof of service filed 04/10/18.
8. ~Proposed Form Order/Letters 03/19/18.

RECOMMENDATION:

Court to appoint counsel then need to clear note 6. If approved, set hearing for Compliance Review for **12/04/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr.C.§2313.

Set hearing re Accounting Review for **07/09/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.
(nb/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/01/18 TIME: 9:30 DEPT: S37P

CASE#: VG VS69

CASE NAME: IN THE MATTER OF GARY EDWARD BRAUN

SEE ALSO 34

HEARING:

Hearing Re: NEED FOR SUCCESSOR CONSERVATOR

COUNSEL:

DANIEL BRAUN

(CP)...PRO/PER

GARY EDWARD BRAUN

(PCE)...SHERRI L KASTILAHN

MARJORIE CARDOZA

(CPE)...

GENERAL INFORMATION:

Continued from **01/23/18**. Counsel reports address on the Court Investigator report was wrong and requests a continuance to prepare a report.

Continued from 02/27/18 at request of counsel. Notice given by Ms. Kastilahn.

THIS CASE IS SET FOR HEARING ON Need for Successor Conservatorship

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

1. Matter set at 12/08/17 hearing, wherein, the Court having reviewed the Court Investigator report filed 11/29/17 orders counsel to be appointed and matter placed on calendar to discuss the issue of the need for a successor conservator.
2. **Report by court-appointed Attorney Sherri L. Kastilahn filed.**
3. Notice by Judicial Assistant.

RECOMMENDATION:

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

DATE: 05/01/18 TIME: 9:30 DEPT: S37P

CASE#: VG VS69

CASE NAME: IN THE MATTER OF GARY EDWARD BRAUN

SEE ALSO 33

HEARING:

Petition for appointment of successor conservator filed by
Daniel Braun

COUNSEL:

DANIEL BRAUN	(CP)...PRO/PER
GARY EDWARD BRAUN	(PCE)...SHERRI L KASTILAHN
MARJORIE CARDOZA	(CPE)...

GENERAL INFORMATION

Order Appointing Guardian of the person, Marjorie D. Cardoza [mother], entered 12/18/79.
Conservator passed away.

Continued from 02/27/18 at request of counsel. Notice given by Ms. Kastilahn.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Successor
Conservatorship of the person by brother, Daniel Braun ["Petitioner"].

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

1. No bond - PG.
2. Petitioner has used outdated forms that do not include Indian Ancestry questions.
Does Court wish to require an amended petition using current forms? **JTD.**
3. Petitioner seeks medical powers and proffers Medical Capacity Declaration filed on
09/21/79.
4. Report by court-appointed counsel, Sherri Kastilahn, filed.
5. Conservatee is developmentally disabled. Does Court wish to require IRC report?
JTD.
6. **Need** Court Investigator's Report.
7. **Need** Certificate of Completion re Conservatorship Class.
8. **Need** Notice of Hearing with proof of service.
9. No proposed order/letters. Submit after Hearing

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

RECOMMENDATION:

Need to clear notes then Court's discretion. If approved, set hearing for Compliance Review for **12/04/18** 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: TARA REILLY **MISC**

DATE: 05/01/18 TIME: 1:30 DEPT: S37P

CASE#: PRO PS0900337

CASE NAME: ISAAC PRUDHOLME S.N. TRUST

SEE ALSO 36

HEARING:

Court Trial set for PETITION TO ESTABLISH TRUST of RICKY PRUDHOLME

COUNSEL:

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

Request for Waiver of Court Fees and Costs filed by RICKY PRUDHOLME is GRANTED

Court trial—no notes—JTD

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

DATE: 05/01/18 TIME: 1:30 DEPT: S37P

CASE#: PRO PS0900337

CASE NAME: ISAAC PRUDHOLME S.N. TRUST

SEE ALSO 35

HEARING:
Petition for MOTIONS TO COURT

COUNSEL:

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

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

GENERAL INFORMATION:

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

Continued from 01/09/18. Proper proof of service needed.

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

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

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

RECOMMENDATION:

Set for contested hearing.
(nb/lh)

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