



## Second/Final Check

Superior Court of California  
County of San Bernardino  
Probate Department

### **Probate Notes for Calendar Date: 05/02/17**

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](mailto: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.

nb0417/0426

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CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

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DATE: 05/02/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1100632

CASE NAME: ESTATE OF HENRY MARTIN YANCEY

HEARING:

Accounting Review

COUNSEL:

BRYAN C HARTNELL	(HARTNELL LAW GROUP
CATHERINA GUTIERREZ	(PET)...PRO/PER
ESTHER YANCEY	(OBJ)...PRO/PER
ESTHER YANCEY	(PET)...PRO/PER
HENRY MARTIN YANCEY	(DEC)...
YOLANDA SANDOVAL	(PRO/PER

Request for Waiver of Court Fees and Costs filed by ESTHER YANCEY is GRANTED

Request for Waiver of Court Fees and Costs filed by CATHERINA GUTIERREZ is GRANTED

#### GENERAL INFORMATION

**Continued from 01/27/16, 03/24/16, 05/31/15, 08/16/16 and 11/01/16** at request of administrator.

**Continued from 02/7/17. Court is informed all creditor claims have been withdrawn. Hearing continued to prepare final accounting.**

THIS CASE IS SET FOR HEARING ON Accounting/Status Review

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

1. Letters of Administration issued to Catherina Gutierrez on 5/16/13, no bond.
2. Last status report approved 4/15/15. Need order approving status report.
3. Need an accounting or status report.

RECOMMENDATION:

Inquire status.

(sa/lc/nb/lh)

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

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 05/02/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1300513

CASE NAME: Mike Koyounian

**SEE ALSO 3**

HEARING:

Hearing Re: APPOINTMENT OF PA AS SUCCESSOR ADMINISTRATOR

COUNSEL:

DIANE GOMEZ	(PET)...RYAN J GALLANT
MIKE KOYOUNIAN	(DEC)...
PUBLIC ADMINISTRATOR	(TA )...CRAIG M PARKER

**XREF: CIVMS1000587**

GENERAL INFORMATION:

**Continued from 10/18/16, 01/10/17 and 02/07/17. Counsel for petitioner advises court they are requesting the reinstatement of Diane Gomez as the administrator. Public administrator raises no objections and court grants petitioner's request. Public Administrator is relieved and discharged as the administrator and letters may now be reissued for Diane Gomez as administrator. Matter will be continued to allow for letters to be re-issued and for petitioner to address accounting issues.**

THIS CASE IS SET FOR HEARING ON Appointment of Public Administrator as Successor Administrator.

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

1. Court suspended Diane Gomez as the administrator of the Mike Koyounian estate and appointed the Public Administrator as temporary successor administrator on 08/08/16. Notice by Judicial Assistant.
- 2. Need amended letters.**

RECOMMENDATION:

Need amended letters.

(nb)

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HONORABLE: STANFORD E. REICHERT

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DATE: 05/02/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1300513

CASE NAME: Mike Koyounian

**SEE ALSO 2**

HEARING:

WAIVER OF Account and Report of DIANE GOMEZ and Petition for allowance of fees filed.

COUNSEL:

DIANE GOMEZ	(PET)...RYAN J GALLANT
MIKE KOYOUNIAN	(DEC)...
PUBLIC ADMINISTRATOR	(TA )...CRAIG M PARKER

Request for Waiver of Court Fees and Costs filed by DIANE GOMEZ is GRANTED  
Fee waiver amount due \$930.00  
\$465.00 for probate petition filing fees on 06/24/13  
\$465.00 for waiver of accounting on 03/09/15

**XREF: CIVMS1000587**

GENERAL INFORMATION:

Continued from **4/20/15, 6/1/15, 07/06/15, 08/24/15 and 05/23/16**. Court vacates prior fee waiver and ordered fees to be paid by 08/01/16. If no action has been taken by the next hearing, the court may appoint the Public Administrator.

Continued from **08/08/16**. Court suspends Diane Gomez as the administrator of the Mike Koyounian estate. Court appoints the Public Administrator as temporary successor administrator. Public Administrator to submit order and letters. Notice by Judicial Assistant.

Continued from **10/18/16** at request of counsel. Court orders Diane Gomez to be present in court on January 10, 2017.

**Continued from 01/10/17 and 02/07/17 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Waiver of Account and Petition for Final Distribution

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

1. Petitioner alleges she is the sole heir and waives an accounting (see note 7). If any grandchildren share in the distribution of the estate, need waivers by

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grandchildren or need to file an accounting. **Waivers to estate by grandchildren filed 11/18/15. Does Court wish to deem waivers to estate as assignments? JTD.**

2. Petitioner alleges all assets have been distributed to her as the sole heir of the estate. Petitioner further alleges the items left for distribution is a judgment against Joel Gomez and petitioner individually entered 9/6/12 in civil action CIVMS1000587 (see LF p4-8). Question if petitioner and/or Joel Gomez have satisfied this judgment? (petitioner's portion of the judgment may be moot if she is found to be the sole heir [see note 8]) File verified supplement.
3. As part of the civil judgment, decedent's business known as "Sav-On Plumbing" was to be restored and possession returned to decedent as well as the residential property located at 59146 Desert Gold, Yucca Valley, CA. Petitioner does not inventory the business or business assets known as "Sav-On Plumbing" nor the property at 59146 Desert Gold, Yucca Valley, CA. Need clarification whether this business operation and real property were returned to decedent as ordered. In addition, question the status of the business and whether it needs to be wound up and dissolved? Need verified supplement. Also, need corrected Inventory to include business and business assets if applicable.
4. Inventory and Appraisal, partial 1, filed 3/9/15. Need to file Final Inventory and Appraisal.
5. Also as part of the civil judgment, the real property with Assessor Parcel No. 0594041040000 (7124 Wall Street, Yucca Valley, CA) was to be sold and the proceeds, after deducting expenses of the levy and sale, were to be used to repay decedent the amount of \$145,000 (the indebtedness owed by Joel Gomez and Diane Gomez), together with interest at the rate of 10% per annum from the date of the judgment (3/12/12). Question whether the subject property was ever sold and whether Joel Gomez has paid his portion of the civil judgment that is due to decedent's estate, or \$72,500 with interest, as ordered? File verified supplement.
6. The real property with APN 0594041040000 (7124 Wall Street, Yucca Valley) is not listed on the Inventory and Appraisal. Question the current ownership of this property subject to the civil judgment? File verified supplement with corrected Inventory and Appraisal, if applicable.
7. The Inventory and Appraisal filed 3/9/15 (LFp6) references that the 1966 Model E162 Ford van was given to decedent's "son" prior to his death.

On the original petition, petitioner does not indicate whether decedent was survived by a son or issue of a predeceased son (i.e., grandchildren). Question if there were any grandchildren surviving decedent from decedent's predeceased *son* who may also be entitled share in the estate? File verified supplement to clarify.
8. The final report is not verified by petitioner as required per Pr.C. 1021. Need same.
9. The final report does not include an allegation as to whether any creditors were noticed other than the allegation that debts have been satisfied.
10. There are no allegations as required per Pr.C. 1064. Need same.

11. There are no allegations regarding whether monies have been held in interest bearing accounts or whether anyone has filed request for special notice.
12. Need amended final report with required allegations.
13. Need to file Notice of Hearing and proof of service.
14. Note: Fee waiver was granted on 6/24/13. However, Inventory filed 3/9/15 shows estate value at \$541,501.21. Does court wish to reconsider fee waiver as estate appears to have assets with which to pay costs of administration, including filing fees.

#### RECOMMENDATION

Need to clear notes. If approved, set hearing on the filing of receipts and final discharge for **05/08/18**.  
(gls/vet/dl/lc/nb)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 05/02/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1300856

CASE NAME: Ralph L Church

HEARING:  
Hearing Re: Status Conference on Petition

COUNSEL:

HAROLD ULRICH	(PET)...FUERZA LEGAL
HAROLD ULRICH	(PET)...PRO/PER
PAMELA HARRIS	(PET)...BROWN WHITE &
RALPH L CHURCH	(DEC)...
SAN BERNARDINO COUNTY PUBLIC A	(PET)...CRAIG M PARKER

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

No notes – Status Conference.  
(nb)

Future Hearing:  
12/12/17 Readiness calendar  
01/29/18 Petition for order under PC 850 etc.  
01/29/18 Court Trial  
01/30/18 Court Trial  
01/31/18 Court Trial  
02/01/18 Court Trial  
02/02/18 Court Trial  
03/06/18 Accounting Review.

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DATE: 05/02/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1400091

CASE NAME: Faye I. Cox

HEARING:

SECOND Account and Report of LINDSAY A. COX and Petition for allowance of fees filed.

COUNSEL:

FAYE I. COX	(DEC)...
INHERITANCE FUNDING COMPANY, I	(TP )...STEVEN D SCHROEDER
LINDSAY A. COX	(PET)...SAMUEL CROWE &

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Second and Final Account and Petition for Fees.

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

1. Accounting period 09/17/15 to 01/10/17.
2. Assets on hand \$331,674.79 consisting of cash.
3. Statutory fees of \$15,601.93 requested. Calculated.
4. Petitioner requests reimbursement of costs advanced of \$435.00. Itemized [LF, p. 6].
5. Attorney requests reimbursement of costs advanced of \$2,098.88. Itemized [LF, p. 6].
6. Summary of Account [LF, p. 10] does not reflect Non-Cash Assets of \$30,312.17 and does not include total property on hand at Beginning of Account Period, which should be \$322,997.02 as reflected on supplement to first account filed on 04/14/16. Need corrected summary of account.
7. Receipts – Schedule A [LF, p. 11] and Disbursements – Schedule C [LF, p. 13] reflect various transfers between bank accounts that are not itemized. Need itemized schedules via verified supplement.
8. Need schedule of property on hand at end of accounting period.
9. Need proof(s) of service to Notice(s) of Proposed Action re: sale of Nationwide; Franklin Templeton; and Compushare stocks.
10. Need statement regarding notice to Franchise Tax Board or notice per Pr. C. § 9202(c)(1).

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11. Need statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary. Pr. C. § 1064 (a)(4). Need verified supplement.
12. Need verified supplement indicating if cash has been invested and maintained in an interest bearing account. Pr.C.§ 1064(a)(5).
13. Notice filed on 02/27/17 does not indicate this account is also a final accounting. Does Court wish to require proper notice? JTD.
14. No proposed order. Submit Order after Hearing.

#### RECOMMENDATION

Need amended accounting to be set on first check calendar no sooner than **06/13/17**.

If approved, set hearing for receipts and final discharge for **05/08/18**.

(nb)

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DATE: 05/02/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1400302

CASE NAME: MTR OF RICHARD MAXFIELD

HEARING:  
Hearing re Final Discharge

COUNSEL:  
JENNIFER MAXFIELD (PET)...DIANA J CARLONI  
RICHARD MAXFIELD (DEC)...

**VACATE** – final discharge order entered 11/18/16.  
(nb)

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HONORABLE: STANFORD E. REICHERT

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DATE: 05/02/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1500671

CASE NAME: JOULAN LU

HEARING:

Probate status report filed.

COUNSEL:

JOULAN LU

(DEC)...

WENSHENG XU

(PET)...FEI PANG

**VACATED** – final account filed and set for 06/26/17.

(nb)

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DATE: 05/02/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1501151

CASE NAME: ROY AND PATRICIA HILL LIVING TRUST

HEARING:

Petition for ORDERS CANCELLING DEED AND DIRECTING CONVEYANCE  
OF REAL AND PERSONAL PROPERTY ETC

COUNSEL:

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

Currently under review by Legal Research.  
(LR)

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

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HONORABLE: STANFORD E. REICHERT

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DATE: 05/02/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600782

CASE NAME: MTR OF RODOLFO SANZON

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL AUTHORITY UNDER  
IAEA

COUNSEL:

JUAN M SANZON (PET)...PRO/PER  
RODOLFO SANZON (DEC)...

#### GENERAL INFORMATION

Continued from **09/26/16** at request of petitioner. Court clears note 1 re bond waiver.  
Court will not order bond to be filed.

**Continued from 11/22/16** at request of petitioner.

**Continued from 02/14/17.** Court clears probate note 2 on the records; matter  
continued to clear probate note 1.

**Continued from 03/28/17. Continued to file supplement regarding other heirs to  
be filed no later than 04/18/17.**

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full  
authority under IAEA

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

1. Supplement filed 11/22/16 indicates decedent had predeceased issue.  
Question whether Eduardo Sanzon was survived by wife and/or issue. If so,  
need verified supplement to include wife, issue, addresses; and notice to same.  
**Supp. (04/14/17) indicates Eduardo Sanzon was survived by spouse and  
issue. Notice filed 04/19/17 is the wrong type of notice. Need Notice of  
Petition to Administer Estate with proof of service.**
2. ~Proposed form order: 8/9/16 (no Letters)

#### RECOMMENDATION:

Need to clear note 1. If approved, set hearing for Accounting/Status Review on  
**07/10/18.** Any accounting to be filed at least 30 days in advance. Note Local Rule  
requirements.

(sa/nb/lh/nb)

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included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted  
at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

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HONORABLE: STANFORD E. REICHERT

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DATE: 05/02/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600783

CASE NAME: ESTATE OF JON FRANKLIN BURNSIDE

HEARING:

Petition for 1)DETERMINATION OF PERSONS ENTITLED TO DISTRIBUTION  
2)EQUITABLE ADOPTION; ETC

COUNSEL:

BONNIE BURNSIDE	(	)...
ESTATE OF JON FRANKLIN BURNSID	(RES)	...
JAMES LAWRENCE HEYWOOD	(	)...
MICHAEL GRAY BURNSIDE	(	)...
RICHARD BLAINE YOUNG	(PET)..	SCOTT J SHELDON

Currently under review by Legal Research.  
(LR)

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

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HONORABLE: STANFORD E. REICHERT

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DATE: 05/02/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700193

CASE NAME: EDWARD GLENN VAN GROUW

HEARING:

Petition for PROBATE OF WILL AND FOR LETTERS TESTAMENTARY W/FULL  
IAEA

COUNSEL:

EDWARD GLENN VAN GROUW (DEC)...  
JEANETTE VAN GROUW (PET)...WILLIAM K SWEENEY

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON **Ancillary** Petition for Probate, Letters  
Testamentary with Full Authority under IAEA by Jeannete Van Grouw (spouse)

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

1. This is an ancillary probate. Exemplified copy of will and copy of Trust filed 03/01/17.
2. Will waives bond. However, petitioner is a non-resident and the court may require bond if the proposed personal representative resides outside California per Pr. C. § 8571. Court also has discretion to require bond per Pr. C. § 8481(b). Does court wish to require minimum bond of \$20,000 or alternatively based on real property assets of \$500,000? JTD
3. ~Proposed Form Order: 03/01/17

#### RECOMMENDATION

RFA , Court's discretion re bond. If approved, set Accounting/Status Review for **07/10/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

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DATE: 05/02/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700216

CASE NAME: The Libert Family Trust

HEARING:

Hearing Re: PROOF OF BOND

COUNSEL:

FRANCINE MORRIS (STE)...CRAIG M PARKER  
THE LIBERT FAMILY TRUST (TRU)...

**CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN, case reassigned to Judge STANFORD E. REICHERT for all purposes.**

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Proof of Bond.

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

1. Matter set at 03/21/17 Ex-Parte Hearing wherein, the Court appointed niece and contingent residual beneficiary, Francine Morris, Successor Trustee and required a bond of \$1,857,000.00.
2. Need proof of bond.

RECOMMENDATION:

Need to clear note 2.

(nb)

Future Hearing:

06/19/17 Accounting Review.



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CIVPRO

San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

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DATE: 05/02/17      TIME: 9:30      DEPT: S35P  
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CASE#: CON PS0700061

CASE NAME: WILLIE C SIMS

HEARING:

FIFTH AND CURRENT Account and Report of VERLENE CAMERON and  
Petition for allowance of fees filed.

COUNSEL:

JOHN D MICKUS	(CPE)...JOHN D MICKUS
JOHN D MICKUS	(CPE)...JOHN D MICKUS
VERLENE CAMERON	(CE )...JOHN D MICKUS
VERLENE CAMERON	(PET)...JOHN D MICKUS
VERLENE CAMERON	(SC )...JOHN D MICKUS
WILLIE C SIMS	(CEP)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Fifth and Current Account and Petition for fees and Transfer to Los Angeles by PPF/Conservator of the Estate, Verlene Cameron.

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

1. Petition indicates PPF's license expired on 03/31/17 [LF, p. 2]. Question whether license is current? Court to inquire.
2. Accounting period 01/01/15 to 12/31/16 (2 years).
3. Assets on hand \$159,131.12 consisting of \$129,131.12 in cash and remaining \$30,000 in fixed income securities.
4. Conservator requests compensation of \$7,281.25 billed at \$125/hour for 58.25 hours. Itemized [Accounting LF pages 30-33]. JTD
5. Attorney requests fees of \$2,793.00 billed for attorney at \$350/hour and paralegal at \$105/hour for 10.5 hours. Itemized [Accounting LF pages 35-36]. JTD
6. Current bond of \$214,500. Petitioner seeks that all bonds be exonerated and a new qualifying bond of \$224,500 be ordered (an increase of \$10,000). Appears sufficient. JTD.

7. Disbursements – Schedule C [LF, p. 13] reflects car repairs for Lita Bromfield. Need further clarification via verified supplement.
8. During this accounting period, petitioner paid Peter Dyers and Kurt Jackson for case management fees and Lita Bromfield for care services. Need verified declarations for acknowledgment of receipt of fees per Local Rule 20-1406(c).
9. Conservatee now resides in Northridge, in LA County. Petitioner requests transfer of these proceeding to LA County. If approved, Court to set control date.
10. No proposed order. Submit Order after Hearing.

**RECOMMENDATION:**

Need to clear notes 1, 7-8 then Court's discretion. If approved, Court to set control date re: transfer.

(nb)

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HONORABLE: STANFORD E. REICHERT

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DATE: 05/02/17 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1600091

CASE NAME: John Paul Jacobs

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of PATRICIA JACOBS

COUNSEL:

JOHN PAUL JACOBS (CEP)...  
PATRICIA JACOBS (CPE)...

GENERAL INFORMATION

Order appointing conservator of the person and estate, Patricia Jacobs, entered  
06/28/16, no bond.

**Continued from 01/31/17 at request of counsel.**

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

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

- 1 Notification of Conservatee's Rights and Care Plan filed.
- 2 **Determination of Conservatee's Appropriate Level of Care filed.**
- 3 **Final Inventory & Appraisal filed.**

RECOMMENDATION:

None.

(nb)

Future Hearing:

09/05/17 Accounting Review.

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DATE: 05/02/17 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1600273

CASE NAME: JAYHANE TABARANZA

HEARING:

Petition for Appointment of Conservator

COUNSEL:

BERNARDO TABARANZA JR (CPE)...PRO/PER

JAYHANE TABARANZA (CEP)...PRO/PER

Request for Waiver of Court Fees and Costs filed by JAYHANE TABARANZA is GRANTED

#### GENERAL INFORMATION

Ex Parte Order granted on 09/13/16 appointing Bernardo Tabaranza Jr (father) as temporary conservator of person and estate. No bond is required. Attorney Sandy L. Turner is appointed for conservatee.

Continued from **10/18/16**. Court requires a report from Inland Regional Center; petitioner to notify IRC of request by the court for report from Inland Regional Center.

**Continued from 02/07/17 to obtain IRC report. The Court orders Bernardo Tabaranza, Jr. to file a declaration regarding sources of income and how the conservatee's money is being spent. The declaration must be filed with the court by 4:00pm on 4-4-17. The Court further orders Bernardo Tabaranza Jr to appear.**

THIS CASE SET FOR HEARING ON: "Petition for Appointment of Limited Conservator of the Person and Estate," by Bernardo Tabaranza Jr (father) in pro per.

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

1. Need notice of hearing and proof of service to second degree relatives and Regional Center.
2. Need return of citation.
3. Petitioner seeks bond of 0.00
4. Proposed Conservatee is developmentally disabled. Report of court-appointed counsel, Sandra Turner, filed 10/11/16.
5. Petitioner seeks medical powers. **Capacity Declaration filed 10/28/16.**

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

6. Certificate of Completion of the Conservatorship Training Class filed 09/26/16.
  7. Need report from Regional Center.
  8. Petition requests estate powers; however, proposed conservatee's only income is disability benefits at \$500.00 per month. Question need for estate powers.  
**Need declaration by Bernardo Tabaranza, Jr. as directed by Court on 02/07/17.**
- 7.-Proposed Form Order: 09/07/16

#### RECOMMENDATION

Need to clear notes. If approved, set hearing for Compliance Review for **12/05/17** for the filing of the required documents. If estate powers approved, set hearing re Accounting Review for **07/10/18**. Any accounting to be filed 30 days in advance.  
(lh/nb)

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

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DATE: 05/02/17 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1600361

CASE NAME: MTR OF GUADALUPE RAMIREZ

HEARING:

Petition for Appointment of Conservator

COUNSEL:

GUADALUPE RAMIREZ (CTP)...  
HECTOR RAMIREZ (CP)...PRO/PER  
MARIA RAMIREZ (CP)...PRO/PER

#### GENERAL INFORMATION

Ex parte orders denied without prejudice on 01/09/17.

**Continued from 01/31/17 to clear notes 1, 4 & 7. Court indicates it will not appoint court appointed counsel at this time; court is not requiring IRC report; court clears probate notes 2, 3, 5, and 6.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Maria and Guadalupe Ramirez, parents

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

1. Petitioner seeks medical powers. **Capacity Declaration filed.**
2. **Need Certificate of Completion of the Conservatorship Training Class for Hector.**
3. Court Investigator report filed 01/19/17.
4. ~Proposed Form Order: 12/15/16

#### RECOMMENDATION

Need to clear note 2 then Court's discretion. If approved, set hearing for Compliance Review for **11/28/17** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5 and Inventory & Appraisal with notice.

(lh/nb)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 05/02/17 TIME: 9:30 DEPT: S35P  
-----

CASE#: CON PS1700100

CASE NAME: JOE BAUTISTA

HEARING:

Petition for Appointment of Conservator

COUNSEL:

BERONICA BAUTISTA	(CPE)...PRO/PER
JOE BAUTISTA	(CEP)...
MIGUEL BAUTISTA GONZALEZ	(CPE)...PRO/PER

Request for Waiver of Court Fees and Costs filed by JOE BAUTISTA is GRANTED

GENERAL INFORMATION:

Ex Parte orders denied on 03/29/17.

THIS CASE IS SET FOR HEARING ON Petition for Limited Conservatorship, person and estate, by parents, Beronica and Joe Bautista.

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

1. Proposed Conservatee reaches the age of majority on 06/24/17.
2. Section 1 to petition does not indicate the type or scope of powers being requested. Need verified supplement.
3. Section 9d as to adherent of a religion that relies on prayer alone for healing is incomplete. Need verified supplement.
4. Section 11 to petition does not include petitioners. Need verified supplement.
5. Proposed Conservatee's estate consists of public benefits, for which, mother appears to be "representative payee." Question the need for estate powers.
6. Proposed conservatee is developmentally disabled. Need appointment of counsel and report by same.
7. Medical Capacity Declaration filed 03/22/17.
8. Need return of Citation.
9. **Court Investigator Report filed.**
10. This petition is for general, and not limited, conservatorship. An IRC report is therefore optional per Pr.C. 1827.5(b). Does court wish to require? JTD.
11. List of Required Contacts does not include petitioners. Need complete form.

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

12. Need Certificates of Completion re Conservatorship Class.
13. ~Proposed Form Order/Letters 03/22/17.

**RECOMMENDATION:**

Court to appoint counsel then need to clear notes. If approved, set hearing for Compliance Review for **12/05/17** 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 **07/10/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)



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DATE: 05/02/17 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700102

CASE NAME: HORTENCIA M. DE LA CRUZ

HEARING:

Petition for Appointment of Conservator

COUNSEL:

HORTENCIA M DE LA CRUZ (CEP)...PRO/PER

RUDY DE LA CRUZ (CPE)...PRO/PER

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship, person and estate, by son, Rudy De La Cruz.

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

- 1 Petitioner requests bond not be required as proposed conservatee's only source of income is Social Security. Estimated estate valued at \$178,000. Suggest minimum bond of \$20,000 to be increased upon sale of real property. JTD.
- 2 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
- 3 Petitioner seeks medical powers. Medical Capacity declaration filed in support.
- 4 Petitioner requests dementia powers; need appointment of counsel and report by same.
- 5 Dementia Attachment GC-313 affixed to petition does not include dementia medications. Need complete attachment.
- 6 Need Court Investigator's Report.
- 7 **Citation returned served.**
- 8 Certificate of Completion re Conservatorship Class filed.
- 9 ~Proposed Form Order/Letters 03/23/17.

**RECOMMENDATION:**

Court to appoint counsel then need to clear notes. If approved, set hearing for Compliance Review for **12/05/17** 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 **07/10/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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

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DATE: 05/02/17 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700103

CASE NAME: MTR OF LAURA KARINA BONILLA

HEARING:  
Petition for Appointment of Conservator

COUNSEL:  
JUANA GRIJALVA (CP )...PRO/PER  
LAURA KARINA BONILLA (CTP)...JEANNE E KENNEDY

Request for Waiver of Court Fees and Costs filed by LAURA KARINA BONILLA is GRANTED  
GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Limited Conservatorship, person only, by mother, Juana Grijalva ["Petitioner"].

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

1. No bond – person only.
2. Proposed conservatee is developmentally disabled. Need report by court-appointed counsel, Jeanne E. Kennedy.
3. Medical Capacity Declaration filed.
4. Petitioners request Pr. C. § 2351.5 powers to secure habilitation or treatment, training, education, medical, psychological services, social and vocational opportunities, authority to fix the residence/dwelling of the proposed limited conservatee; authority to access all confidential records, paper, documents, reports and other information regarding the proposed limited conservatee, including those in the possession of the Regional Center, authority to control the right of the proposed limited conservatee to contract, authority to make and consent to all medical decisions for the proposed limited conservatee.
5. Proposed limited conservatee's civil and legal rights are not to be limited without a court order.
6. Citation returned SERVED.
7. Court Investigator Report filed.
8. Need Inland Regional Center Report.
9. Need Certificate of Completion re Conservatorship Class.
10. Section 4a [LF, p. 3] to Proof of Service affixed to Notice of Hearing filed on 04/04/17 is incomplete. Need proper service.

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

11. ~Proposed Form Order/Letters 003/23/17.

**RECOMMENDATION:**

Need to clear notes 2 & 8-10. If approved, set hearing for Compliance Review for **12/05/17** 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)

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HONORABLE: STANFORD E. REICHERT **PA/PG**

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DATE: 05/02/17 TIME: 10:00 DEPT: S35P  
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CASE#: PRO PS1300748

CASE NAME: Leatha Laverne Wilson

HEARING:  
Accounting Review

COUNSEL:

LEATHA LAVERNE WILSON (DEC)...  
SAN BERNARDINO COUNTY PUBLIC A (PET)...CRAIG M PARKER

**XREF: SCSS02630**

GENERAL INFORMATION:

**Continued from 08/30/16, 11/22/16 and 02/14/17 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. Order on Report of Status entered 08/25/15.
2. No accounting or updated status report. Need same.
3. **Amendment to Petition for Probate filed.**

RECOMMENDATION: Trail matter to 06/06/17.

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)

Future Hearing:

06/06/17 Petition for amendment for probate petition filed 09/12/13

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

-----  
DATE: 05/02/17 TIME: 10:00 DEPT: S35P  
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CASE#: PRO PS1500010

CASE NAME: Dorothy G Chambers

HEARING:  
Accounting Review

COUNSEL:  
DOROTHY G CHAMBERS (DEC)...  
STATE OF CALIFORNIA FRANCHISE (TP)...PRO/PER  
TRENT S WILLIS (PET)...PRO/PER

GENERAL INFORMATION

Continued from **04/12/16**. The Court finds a Notice of Sale of Real Property was filed 2/16/16. Administrator has limited powers with no authority to sell the property. Court suspends powers to Administrator. Court appoints Public Administrator as Special Administrator. Administrator, Trent S. Willis is ordered to return. Notice given by Judicial Assistant.

**Continued from 06/28/16 and 09/13/16.** Citation issued to: Trent Williams.  
Continued from **11/22/16**. Oral report given by Craig Parker. Court removes Trent Willis as administrator and court appoints Public Administrator as successor administrator.

**Continued from 02/07/17. Citation reissued as to Trent S. Willis who is required to appear.**

THIS CASE IS SET FOR HEARING ON Accounting Review (re Trent Willis)

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

- 1 Letters of Administration issued 02/10/15, LIMITED authority, no bond.
- 2 Need accounting or status report of administration.
- 3 Review of laser fiche indicates a Notice of Sale of Real Property filed on 02/16/16 by pro per administrator. However, this type of notice is incorrect as administrator has LIMITED powers that would require a noticed hearing and court authorization. Court may wish to set a control hearing and suggest administrator obtain legal advice. JTD.
- 4 Affidavit of Unsuccessful Service filed 10/13/16. **Need return of re-issued Citation.**

**RECOMMENDATION:**

Need to clear note 4. 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)

Future Hearing:

01/31/18 Accounting Review.

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 05/02/17 TIME: 10:00 DEPT: S35P  
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CASE#: PRO PS1501008

CASE NAME: MARILYN RICHMOND

HEARING:

Petition for ORDER TO CONFIRM TRANSFER OF REAL PROPERTY TO TRUST

COUNSEL:

MARILYN KAY RICHMOND	(DEC)...
S.B. COUNTY PUBLIC ADMINISTRAT	(PET)...CRAIG M PARKER
STATE OF CALIFORNIA FRANCHISE	(TP )...

Currently under review by Legal Research.  
(LR)

Future Hearing:  
05/16/17 Probate status report

Notice:

Proof of service to notice filed on 03/06/17, section 4a and signature are not completely dated; and does not include Successor Trustee (unnamed) of Trust. Need proper service.



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HONORABLE: STANFORD E. REICHERT **MISC.**

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DATE: 05/02/17 TIME: 1:30 DEPT: S35P  
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CASE#: CON PS1400150

CASE NAME: MTR OF KATHLEEN DURHAM

HEARING:

Hearing Re: COURT TRIAL (SECOND DAY)

COUNSEL:

GAIL HAMMER	(OBJ)...GEORGE F DICKERMAN
JAMES S DURHAM	(CPE)...J. DAVID HORSPOOL
JAMES S. DURHAM	(PET)...EDWARD B FISCHER &
KATHLEEN DURHAM	(CEP)...WALTER T. MOORE
KATHLEEN DURHAM	(CPE)...KYLE A PATRICK
KATHLEEN DURHAM	(PRO/PER
KATHLEEN DURHAM TRUST DATED 1/(TRU)...	
KYLE A. PATRICK	(PET)...KYLE A PATRICK
LAWRENCE A DEAN II	(CPE)...SHERRI L KASTILAHN

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

Request for Waiver of Court Fees and Costs filed by GAIL HAMMER is GRANTED

No notes – Court Trial.  
(nb)

Future Hearing:

05/03/17 Court Trial  
05/04/17 Court Trial  
05/05/17 Court Trial  
05/08/17 Court Trial  
05/09/17 Court Trial  
05/10/17 Court Trial  
05/11/17 Court Trial  
05/12/17 Court Trial  
12/07/17 Final Discharge

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

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN **PROBATE**

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DATE: 05/02/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1200596

CASE NAME: MTR OF DORA O MCFALL

HEARING:

OSC re: Sanctions/Failure to file final discharge filed by TRAYCE LIGHTBURN

COUNSEL:  
DORA O MCFALL (DEC)...  
TRAYCE LIGHTBURN (PET)...M. BRIAN CULLEN

**VACATED** – per register of actions.  
(nb)

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HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1200596

CASE NAME: MTR OF DORA O MCFALL

HEARING:

OSC re: SURCHARGE filed by TRAYCE LIGHTBURN

COUNSEL:

DORA O MCFALL (DEC)...  
TRAYCE LIGHTBURN (PET)...M. BRIAN CULLEN

**VACATED** – per register of actions.  
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1400296

CASE NAME: MARIA DE JESUS GARCIA

**SEE ALSO 4**

HEARING:

Hearing Re: Removal of Administrator

COUNSEL:

ALL UNKNOWN OCCUPANTS	( )...
DENICE GARCIA	(OBJ)...H.G. LONG & ASSOCIATES
DENISE GARCIA	(PLA)...H.G. LONG
FRANCISCO GARCIA	(KATHLEEN G. ALVARADO
JOHNNY GARCIA	( )...
JOSE GARCIA	( )...
JOSE LUIS GARCIA	(PET)...AVILES & ASSOCIATES
JUAN RAMON GARCIA	(PET)...AVILES & ASSOCIATES
MARIA DE JESUS GARCIA	(DEC)...
S.B. COUNTY PUBLIC ADMINISTRAT	( )...

**XREF: CIVDS1114249**

GENERAL INFORMATION

Continued from **11/02/16, 12/05/16 and 12/16/16**. Court orders cases UDFS1402122 severed from this case and sent back to Fontana District. The stay is dissolved/lifted.

**Continued from 02/21/17 to be heard with accounting review.**

THIS CASE SET FOR HEARING ON Removal of Administrator.

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

1. OSC set on 10/05/16 when there was no appearance or accounting filed. Juan Ramon Garcia suspended.

RECOMMENDATION

Court's discretion re OSC. There is no bonding company to notice.  
(lc/nb)

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HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1400296

CASE NAME: MARIA DE JESUS GARCIA

**SEE ALSO 3**

HEARING:

Accounting Review

COUNSEL:

ALL UNKNOWN OCCUPANTS	( )...
DENICE GARCIA	(OBJ)...H.G. LONG & ASSOCIATES
DENISE GARCIA	(PLA)...H.G. LONG
FRANCISCO GARCIA	(KATHLEEN G. ALVARADO
JOHNNY GARCIA	( )...
JOSE GARCIA	( )...
JOSE LUIS GARCIA	(PET)...AVILES & ASSOCIATES
JUAN RAMON GARCIA	(PET)...AVILES & ASSOCIATES
MARIA DE JESUS GARCIA	(DEC)...
S.B. COUNTY PUBLIC ADMINISTRAT	( )...

**XREF: CIVDS1114249, UDFS1402122**

GENERAL INFORMATION

Continued from **10/05/16**. Moises Aviles stated that he has lost all contact with his client. Juan Ramon Garcia suspended as administrator. Public Administrator appointed special administrator.

Continued from **11/02/16**. Mr. Parker indicates there are no assets in the estate and the trial on the 850 petition is currently scheduled for Trial Readiness.

**Continued from 12/05/16, 12/16/16 and 02/21/17. Public Administrator is to file a declaration re: being unable to locate any other assets other than the 850 petition, which was denied.**

THIS CASE IS SET FOR HEARING ON Accounting/Status Review

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

1. Letters Testamentary issued to Juan Ramon Garcia on 7/7/14, no bond.  
**Suspended on 10/05/15.**

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

2. Public Administrator appointed special administrator on 10/05/16. ~Proposed Form Order: 10/26/16.
3. Need a final inventory & appraisal.
4. Last status report approved 3/28/16. Court noticed that the estate will continue until after the Trial on the 850 Petition.
5. Need an accounting or status report.
6. **Declaration by PA filed 04/11/17 re no assets marshaled and no fees to be paid.**
7. **Final Discharge order entered 04/17/17 as to Public Administrator.**
8. ~Proposed Form Order 04/11/17.

RECOMMENDATION:  
Court's discretion

(sa/lc/nb)

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HONORABLE: CYNTHIA LUDVIGSEN

-----  
DATE: 05/02/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600004

CASE NAME: MTR OF CHARLES SPEAKER SISK

HEARING:

Accounting Review

COUNSEL:

CHARLES SPEAKER SISK	(DEC)...
MELANIE SWEET	(PET)...THOMAS W DOMINICK
STATE OF CA FRANCHISE TAX BOAR	(TP )...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters Testamentary issued 02/23/16, full authority, no bond.
2. Need accounting or status report of administration.

RECOMMENDATION:

Inquire status.

(nb)

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HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600024

CASE NAME: ROBERT Y. VILLANUEVA AKA ROBERT YRIBE VILLANUEVA

HEARING:  
Accounting Review

COUNSEL:  
ANTHONY VILLANUEVA (PET)...THE PATTON LAW FIRM  
ROBERT Y. VILLANUEVA (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of administration issued 03/09/16, full authority, \$160,200 bond.
2. Need accounting or status report of administration.

RECOMMENDATION:

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



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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600194

CASE NAME: WILLIAM J VANCAMP

HEARING:

Motion Re: TO BE RELIEVED Filed by Petitioner ROSE CHUNCHICK

COUNSEL:

RICHARD H ANDERSON	(PET)...PRO/PER
ROSE CHUNCHICK	(PET)...D M DAVIS
WILLIAM J VANCAMP	(DEC)...

Request for Waiver of Court Fees and Costs filed by RICHARD H ANDERSON is GRANTED

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Motion to be Relieved as Counsel by Attorney of Record, D.M. Davis.

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

1. Petitioner, D.M. Davis, makes this motion to be relieved as counsel under Code of Civil Procedure section 284(2) instead of filing consent under section 284(1) and alleges client refuses to cooperate with probate procedure; has shown vulnerability to being taking advantage of financially; has sold property without counsels knowledge or approval; so that there has been a total break-down in attorney-client communication.
2. Proof of Service filed. Need Notice of Hearing with proof of service.
3. ~Proposed Order 02/14/17

RECOMMENDATION:

Need proper notice then Court's discretion.

(nb)

Future Hearing:

05/09/17 Report sale and petition for order confirming sale etc.

06/29/17 Accounting Review.

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

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HONORABLE: CYNTHIA LUDVIGSEN

-----  
DATE: 05/02/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600255

CASE NAME: LEONARD LOWRY MAXWELL JR

HEARING:

first and final Account and Report of TRACY FASSLER and Petition  
for allowance of fees filed.

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV (TP )...  
LEONARD LOWRY MAXWELL JR (DEC)...  
TRACY FASSLER (PET)...NEIL J DE LEON

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees  
by Administrator, Tracy Fassler (daughter).

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

1. Accounting period 11/24/15 to 01/11/17.
2. Summary of Account [LF, p. 8] does not specify a total for non-cash property on hand at end of account period. Need amended summary.
3. Assets on Hand \$62,386.28 consisting of \$52,446.28 in cash and remaining \$9,940 in personal property.
4. Statutory fees of \$3,157.60 requested. Calculated.
5. Attorney requests extraordinary fees of \$2,005.00 for services rendered in connection with the sale of real property and locating of firearms. Billed at \$350/hour for 5.8 hours' attorney time and \$125/hour for paralegal time totaling of 2.4 hours' paralegal time. Itemized [see supp. filed 2/27/17, LF, pgs. 6-]. JTD.
  - a. Question if qualifications of paralegals meet the requirements of CRC 7.703(e)(1)(c) which requires a showing of completion of mandatory continuing education per Business & Professions Code 6450(d). Need verified supplement.
6. Attorney requests reimbursement of costs advanced of \$595.00. Itemized.
7. Petitioner requests an order authorizing and directing the Sheriff Department to release those guns and rifles to Tracy Fassler as the Administrator of the Estate

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

which were removed by law enforcement and stored. Question why Sheriff Dept. is in possession of firearms and why firearms were inventoried if assets have not been marshalled? Need further clarification via verified supplement.

8. Proposed distribution does not specify which guns will be distributed to each heir. Need verified supplement.
9. Need Notice of Hearing with proof of service.
10. Proposed Order 02/27/17 order release of firearms to petitioner as administrator and does not specify distribution of firearms.

**RECOMMENDATION:**

Need to clear notes. If approved, set next hearing for receipts and final discharge for **05/08/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

-----  
DATE: 05/02/17 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1600265

CASE NAME: BARBARA W BLANUSA LIVING TRUST

**SEE ALSO 10**

HEARING:

Petition for TO ESTABLISH TRUST'S CLAIM OF OWNERSHIP TO PROPERTY,  
FOR CONSTRUCTIVE TRUST

COUNSEL:

ANGELINA BLANUSA	(PET)...SCOTT GROSSMAN
ANTHONY BLANUSA	(PET)...SCOTT GROSSMAN
BARBARA BLANUSA-FOSTER	(PET)...JAMES L HEYWOOD AND
THE BARBARA W BLANUSA LIVING TRUST	(TRU)...PRO/PER

Currently under review by Legal Research.  
(LR)

Continued matter – notice not re-reviewed.

(nb)

FUTURE HEARING DATES:

07/11/17 Petition for Approve Settlement Agreement

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

-----  
DATE: 05/02/17 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1600265

CASE NAME: BARBARA W BLANUSA LIVING TRUST

**SEE ALSO 9**

HEARING:

FIRST Account and Report of BARBARA BLANUSA-FOSTER and Petition for allowance of fees filed.

COUNSEL:

ANGELINA BLANUSA	(PET)...SCOTT GROSSMAN
ANTHONY BLANUSA	(PET)...SCOTT GROSSMAN
BARBARA BLANUSA-FOSTER	(PET)...JAMES L HEYWOOD AND
THE BARBARA W BLANUSA LIVING T	(TRU)...PRO/PER

GENERAL INFORMATION:

**Continued from 09/27/16, 11/29/16 and 02/14/17.**

THIS CASE IS SET FOR HEARING ON First Account and Petition for Fees by Co-Trustee. Barbara Blanusa-Foster.

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

1. Need copy of executed trust per Local Rule 20-1502.
2. Accounting period 07/13/15 to 07/11/16.
3. Summary of Account does not include gains or distributions. Need amended Summary via verified supplement.
4. Assets on Hand \$65,313.39 consisting of cash.
5. Trustee has been compensated in the amount of \$2,981.00. Billed at \$22/hour for 135.5 hours' time. Itemized [LF, p. 23].
6. Trustee was reimbursed for costs of \$453.97 for mileage at the rate of \$0.55/mile. Itemized [LF, p. 26].
7. Receipts – Schedule A does not include dates for entries and does not itemize “sale of personal property (Yard Sale). Need verified supplement.
8. Disbursements – Schedule B requires further clarification via verified supplement as to the following:
  - a. Maxes- lunch after funeral;
  - b. Reimbursement to David Blanusa for travel to funeral;
  - c. Utility costs for water and trash service that appear duplicative.

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

9. Need copy of bank statement reflecting ending balance per Local Rule 20-908.
10. Petitioner requests the Court ratify, confirm and approve the acts of the Petitioner and Eileen Blanusca as Co-Trustees of the trust estate.
11. **Objections filed 08/26/16 by Anthony and Angelina Blanusca.**
12. ~Proposed Order 07/12/15 indicates Co-Trustee, Eileen Blanusca waives compensation. However, account and prayer do not address same.

RECOMMENDATION:

Need to clear notes. Matter is contested. If approved, set next hearing for Accounting Review for **09/12/17**.

(nb)

FUTURE HEARING DATES:

07/11/17 Petition for Approve Settlement Agreement

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600756

CASE NAME: ROBERT EDWARD MILLER

HEARING:

Petition for PROBATE OF WILL AND FOR LETTERS OF ADMINISTRATION  
W/WILL ANNEXED W/FULL IAEA

COUNSEL:

ROBERT EDWARD MILLER	(DEC)...
ROBERT WILLIAM MILLER IV	(OBJ)...MITCHELL I ROTH
RYAN EDWARD MILLER	(PET)...FULLERTON LEMANN SCHAEFER &
W.A.(SAM) HLAVATY	(PET)...THOMPSON & COLEGATE

GENERAL INFORMATION:

Continued from **09/20/16**. Mitchell Roth just retained.

**Ex Parte orders granted on 10/31/16** as to W.A. Hlavaty. Bond required \$1,206,000.00. Petition is granted with limited powers (managing real property, accessing funds to pay bills related to real property.

Continued from **11/29/16**. Court appoints W.A. Hlavaty as special administrator with general powers, per agreement of parties. Bond of \$1,206,000 required. Objections by attorney Mitchell Roth to be filed by 01/05/17 and will be deemed waived if not filed by this date.

**Continued from 02/21/17 at request of counsel. Notice waived.**

THIS CASE IS SET FOR HEARING ON **Amended (11/03/16)** Petition for Letters of Administration w/WA and full authority under IAEA by PPF, W. A. Hlavaty as nominated by beneficiary, Ryan E. Miller..

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

1. Will is not self-proving as there are no witnesses. The Will is a "formal" Will in that it is not in the decedent's handwriting. Points and authorities as to validity of Decedent's Will affixed to Declaration in Support of Due Execution of Will by Pamela Easter, Decedent's ex-wife, filed 07/29/16.
  - a. Declaration alleges the copy of the affixed will is the same Will Decedent showed to her at Decedent's home; and recognizes the signature and initials on each page of the Will is the way Decedent signed their dissolution

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

papers. Declaration affixes copies of documentation reflecting Decedent's signature [LF, p. 5-7].

b. Petitioner proffers Pr. C. § 6110(c)(2) which provides:

“ . . .(2) If a will was not executed in compliance with paragraph (1), the will shall be treated as if it was executed in compliance with that paragraph if the proponent of the will establishes by clear and convincing evidence that, at the time the testator signed the will, the testator intended the will to constitute the testator's will.”

2. Named Executor declines to act. Declination by named Executor, Douglas S. Miller, filed 07/29/16. The Will provides that:

“If none of the nominated executors are able, willing, and authorized to serve or to continue to serve, and the vacancy is not filled as set forth above, the majority of estate beneficiaries shall nominate a successor executor.”

Nomination and Acceptance of W.A. Hlavaty, nominee of beneficiary, Ryan Edward Miller, filed on 07/29/16.

3. Will waives bond. **Bond of \$1,206,000.00 filed 11/17/16.**

4. Proof of publication filed 08/17/16. Amended proof of publication filed 11/17/16.

5. Notice given.

6. **Objections by Robert William Miller, IV, filed 01/11/17.**

7. ~Proposed Form Order/Letters 11/17/16.

#### RECOMMENDATION:

Matter is contested. If approved, set future hearing for Accounting/Status Review on **07/10/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/lh/nb)



Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600784

CASE NAME: RUTH ESTER JAMES

HEARING:

Petition for PROBATE OF WILL AND FOR LETTERS OF TESTAMENTARY  
W/FULL IAEA

COUNSEL:

JANET M PENNMORRIS (PET)...QUINTON  
RUTH ESTER JAMES (DEC)...

GENERAL INFORMATION:

**Continued from 09/26/16.** Petitioner states original will was attached to the petition. Court directs clerk's office to locate and lodge will.

Continued from **12/06/16**. Court requires Notice of Petition to Administer Estate be filed. Court appoints Janet M. Pennmorris Special Administrator only to obtain a probate referee appraisal, and to address the foreclosure issue with lender. After appraisal is obtained, the sale may be listed, but sale must be approved by court. Petitioner to prepare Order and Letters of Special Administrator.

**Continued from 02/21/17 to clear notes.**

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA, by Janes Penn-Morris (daughter), in pro per.

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

1. Petitioner requests bond be set. Estimated value of the estate reflected as \$215,735.44. Suggest bond in the amount of \$216,000. JTD.
2. Need Notice of Petition to Administer Estate on mandatory form DE-121 with proof of service. Proofs of service of petition, filed 11/16/16, are insufficient.
3. Will is not self- proving and not signed "under penalty of perjury under the laws of the State of California." Need Proof of Subscribing Witness either on form DE-131 or containing the same information. Proof filed 11/21/16 is insufficient.
4. Will is witnessed by Petitioner and a notary public. In order to take under the will, petitioner must rebut presumption that the devise to her fails. PC 6112(c).
5. **Need Inventory and Appraisal as directed by court on 12/06/16.**
6. Proof of Publication filed on 09/26/16.

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

7. ~Proposed Form Order/Letters 08/09/16.
8. **Amended Petition filed 03/08/17.**

RECOMMENDATION: **Trail to 05/18/17.**

Need to clear notes, \$216,000 bond. If approved, set future hearing for Accounting/Status Review on **05/01/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules, posted on Court Website.

(/nb)

FUTURE HEARING DATES:

05/18/17 Petition for Probate of Will and for Letters of Testamentary w/Full IAEA

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600875

CASE NAME: REVOCABLE LIVING TRUST OF SOPHIE SPEED

HEARING:

Petition for RELIEF FROM BREACH OF TRUST , ETC

COUNSEL:

DANIEL GARCIA SR	(PET)...MAUREEN MURATORE
LAURA GARCIA	(PET)...ROBERT M EBINER
REVOCABLE LIVING TRUST OF SOPH	(TRU)...

Currently under review by Legal Research.  
(LR)

Continued matter – notice not re-reviewed.

Superior Court of Calif, County of San Bernardino

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600896

CASE NAME: MTR OF KATHY SEPULVEDA

HEARING:

Hearing Re: AMENDED PET FOR FINAL DISTRIBUTION

COUNSEL:

AUDREY POLLOCK (PET)...E. MARIE HENNING  
KATHY SEPULVEDA (DEC)...

Waiver of Court Fees and Costs filed by AUDREY POLLOCK is GRANTED  
**TOTAL FEES WAIVED TO DATE \$465.00**

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Amended (02/27/17) Petition for Final Distribution upon Waiver of Account and for Fees by Executrix and Sole Beneficiary, Audrey Pollock.

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

1. Sole beneficiary waives accounting.
2. Assets on Hand \$26,121.55 consisting of cash held in attorney's IOLTA account.
3. Petitioner waives statutory compensation.
4. Attorney requests statutory fees of \$6,400.00. Calculated.
5. Petitioner requests authority to withhold \$1,000 as a reserve for closing costs.
6. Proposed Order 02/27/17 reflects incorrect hearing date; is not complete in and of itself per Local Rule 20-614; and discharges upon filing of receipts and final discharge instead of upon entry of final discharge order.

RECOMMENDATION

Judge to decide. If approved, set next hearing for final discharge on **05/08/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700060

CASE NAME: MTR OF PATRICK M SEYMOUR

HEARING:

Hearing Re: Posting of Bond

COUNSEL:

JAMES L LEESTMA	(TP )...JAMES L LEESTMA
MELISSA R POLSON	(PET)...MARK MOKTARIAN
PATRICK M SEYMOUR	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Posting of Bond

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

1. Order appointing executor, Melissa R. Polson, full authority, \$100,000 bond entered 04/04/07.
2. Need proof of bond.

RECOMMENDATION:

Need bond,  
(nb)

Future Hearing:

06/05/18 Accounting Review.

Superior Court of Calif, County of San Bernardino

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700185

CASE NAME: ERIC KNIPPERT

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL IAEA

COUNSEL:

CLAUDIA TOLAR (PET)...PRO/PER  
ERIC KNIPPERT (DEC)...

GENERAL INFORMATION:

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

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

1. Petition indicates all heirs at law are adults and have waived bond. However, bond waiver [LF, p. 6] is signed by Margaret Joanna Wons who is not included in the petition. Question the relationship of Ms. Wons to decedent and amended section 8 to petition via verified supplement.
2. Need proof of publication.
3. Need Notice of Petition to Administer Estate with proof of service.
4. ~Proposed Form Order/Letters 02/27/17

RECOMMENDATION:

Need to clear notes 2-3. If approved, set future hearing for Accounting Review on **07/10/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino  
Page: 15A ADD ON  
CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN **CONSERVATORSHIP**

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DATE: 05/02/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1100146

CASE NAME: JOSHUA HEFLEY

HEARING:

Hearing Re: OSC RE TRANSFER TO RIVERSIDE COUNTY

COUNSEL:

CONSTANCE HEFLEY	(CP )...AMY ELIZABETH ALLEMANN
DOUGLAS HEFLEY	(CP )...AMY ELIZABETH ALLEMANN
JOSHUA HEFLEY	(CTP)...
KELLY HUDSON	(CP )...AMY ELIZABETH ALLEMANN
KENNETH HEFLEY	(CP )...AMY ELIZABETH ALLEMANN

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re Transfer to Riverside County.

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

1. Matter set on Court's motion upon Request to Transfer Conservatorship Case by CI and entry of order on 04/12/17.
2. Need to file Post-Move Notice of Change of Address per Pr.C. §2352 and CRC 7.1013(c).
3. Need signed return receipt from Riverside Superior Court as proof of service.

GENERAL INFORMATION:

Need to clear notes 2-3.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1200125

CASE NAME: MARY CHARM KUTCH

HEARING:

FOURTH AND FINAL Account and Report of ROBERT R KUTCH and  
Petition for allowance of fees filed.

COUNSEL:

JAMES KUTCH	(TP )...
MARY CHARM KUTCH	(CEP)...JAMES B CHURCH
ROBERT R KUTCH	(CPE)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Conservatee passed away on 09/13/16.

THIS CASE IS SET FOR HEARING ON Fourth and Final Account and Petition for  
Fees by Conservator, Robert R. Kutch.

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

1. Accounting period 05/17/15 to 09/13/16. Need amended accounting to include post-death accounting period per Pr. C. § 2620.
2. Assets on Hand \$20,717.32 consisting of \$7,217.32 in cash and \$13,500 in the carry value of a 2006 Honda EX.
3. Petitioner requests compensation of \$44,575.00. Billed at \$25/hour for 59 weeks to be paid by the Trustee(s) of the Conservatee's Trust. Generally described [LF, p. 7]. JTD.
4. Attorney requests fees of \$14,817.50 to be paid by the Trustee(s) of the Conservatee's Trust. Billed at \$250-\$425/hour for 30.1 hours' attorney time and \$50-\$125/hour for 48.6 hours' paralegal time totaling 78.7 hours. Itemized [LF, pgs. 40-47]. JTD.
5. Petitioner requests the current bond of \$210,000 be exonerated nunc pro tunc to the date of death, 09/13/16, as all assets have been transferred to the Trustees. JTD.
6. Receipts – Schedule A [LF, p. 20] reflects missing rental income for multiple months. Need verified supplement.

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



7. Gain on Sale of Assets – Schedule B [LF, p. 22] does not include a monthly distribution from Pacific Life Insurance for the month 09/2016. Need verified supplement.
8. During the accounting period, petitioner paid Katie Reed for services. Need verified declaration for acknowledgment of receipt of fees per Local Rule 20-1406(c).
9. Need copies of investment/bank statement to support ending cash balances on hand per Local Rule 20-908.
10. Petition proposes distribution transferring the remaining assets to the Co-Trustees of the Conservatee's/Decedent's trust via a Pr. C. § 13100 affidavit. Need same.
11. Notice filed 04/12/17 does not include James and Robert Kutch in their capacities as Co-Trustees of Conservatee's Trust. Need proper service.
12. Proposed Order 03/22/17 discharges upon filing of receipts instead of upon entry of final discharge order.

**RECOMMENDATION:**

Need to clear notes then Court's discretion. If approved, set next hearing for receipts and final discharge for **05/08/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1300106

CASE NAME: MTR OF MARIGOLD MOFFITT

HEARING:

Petition for ATTORNEY'S FEES

COUNSEL:

MARIGOLD MOFFITT	(CEP)...JACK B. OSBORN
QUANSHAY MOFFITT	(CPE)...LENITA A SKORETZ
QUANSHAY MOFFITT	(CPE)...PRO/PER
QUANSHAY MOFFITT	(PET)...LENITA A SKORETZ

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Fees and Compensation by Court-Appointed Counsel, Mark J. Andrew Flory.

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

- 1 Petitioner, Mark J. Andrew Flory of Brown White & Osborn, LLP, was appointed on 04/29/13. Petitioner alleges that services have been rendered for which counsel has not been compensated for the period 04/29/13 to 05/02/17. Period exceeds 2 years. JTD.
- 2 Attorney requests fees of \$15,270.50. Billed at \$350/hour for attorney time and \$105/hour for paralegal time totaling 80.70 hours. Itemized [LF, pgs. 6 – 19]. JTD.
- 3 Petitioner requests and order directing and authorizing Conservator of the Estate of Marigold Moffitt, or the trustee of her trust, to pay requested sum to Brown White & Osborn, LLP for services rendered.
- 4 Need Notice of Hearing with proof of service.
- 5 Proposed Order 03/22/17 does not include 3 lines of content before signature line.

RECOMMENDATION:

Require notice then Court's discretion.

(nb)

Future Hearing:

05/11/17 Second and final account etc.

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

Superior Court of Calif, County of San Bernardino

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1300204

CASE NAME: Carly Suzanne Peralta

HEARING:  
Accounting Review

COUNSEL:

CARLY SUZANNE PERALTA	(CEE)...JENNIFER M DANIEL
CARLY SUZANNE PERALTA	(DEC)...
DEBRA LEE ESPINOZA	(CP )...PRO/PER
DEBRA LEE ESPINOZA	(CPE)...ARLIN
DEBRA LEE ESPINOZA	(PET)...ARLIN

Request for Waiver of Court Fees and Costs filed by DEBRA LEE ESPINOZA is GRANTED

GENERAL INFORMATION

**Continued from 02/21/17 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. Petition to Establish SNT granted on 12/22/15; Order Authorizing Establishment of SNT entered 03/25/16; first and current report now due.
2. No accounting. Need same.

RECOMMENDATION:

When an accounting is not filed by Trustee as required, the court may take action as specified in Pr.C. § 800 and CCP § 128.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1500204

CASE NAME: MARIA RAMIREZ DE MARTIN

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of TERESA RAMIREZ

COUNSEL:

MARIA RAMIREZ DE MARTIN (CTP)...WALTER T. MOORE  
TERESA RAMIREZ (CP)...PRO/PER

#### GENERAL INFORMATION

Teresa Ramirez appointed conservator of the person on 12/15/16.

Continued from **07/19/16**. Court orders conservator to be personally present in court at next hearing if all probate notes are not cleared.

Continued from **09/26/16 and 12/06/16**. At the 07/19/16 hearing, conservator was ordered to appear at the next hearing, should necessary documents remain outstanding. Citation issued as Teresa Ramirez.

**Continued from 02/28/17. Attorney Moore state he will assist the conservator with filing of required documents.**

THIS CASE IS SET FOR HEARING ON Compliance Review

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

- 1 Need proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's Rights per Pr.C.§1830(c).
- 2 Need Statement of Care Plan in accord with Pr.C.§2352.5.
- 3 Need Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355).
- 4 **Proof of served citation filed 01/09/17.**

RECOMMENDATION:

When documents are not filed as ordered, court may set a hearing in accord with Pr.C.§2655.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1500274

CASE NAME: Gwenda Davis

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of HOWARD LEE DAVIS

COUNSEL:

GWENDA DAVIS	(CEE)...BRYAN C HARTNELL
GWENDA DENICE DAVIS	(PCE)...PRO/PER
HOWARD LEE DAVIS	(PCR)...PRO/PER
HOWARD LEE DAVIS	(PET)...PRO/PER

GENERAL INFORMATION

Howard Lee Davis appointed temporary conservator of the person, 11/19/15.

Howard Lee Davis appointed temporary conservator of the person and estate on 01/07/16. No bond.

Howard Lee Davis appointed general conservator of the person and estate on 05/06/16, no bond.

Continued from **12/06/16**. No appearance. Citation issued as to Howard Lee Davis.

**Continued from 02/08/17. Howard Lee Davis is not present in court nor has the required been filed as ordered. Counsel states that he believes the conservatee has passed away. Bench warrant ordered to issue with bail set at \$50,000 and held to 05/02/17. Notice by Judicial Assistant.**

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

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

1. Need proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's Rights per Pr.C.§1830(c).
2. Need Statement of Care Plan in accord with Pr.C.§2352.5.
3. Need final Inventory & Appraisal per Pr.C.§2610.
4. Need proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
5. If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

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

6. Proof of served citation filed 01/17/17.
7. **Need return of citation.**

RECOMMENDATION:

When documents are not filed as ordered, court may set a hearing in accord with Pr.C. § 2655.

(nb)

Future Hearing:

07/11/17 Accounting Review.

07/11/17 Hearing re : Bench Warrant arraignment

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

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DATE: 05/02/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1600145

CASE NAME: MTR OF BETTY MAY CAVENAUGH  
**SEE ALSO 20B, 20C**

HEARING:  
Hearing Re: Status on Mediation/Trial Setting Conference

COUNSEL:  
BETTY MAY CAVENAUGH (CEP)...  
COLLEEN ANN CAVENAUGH (CPE)...SHERRI L KASTILAHN  
KATHY BREITENBACH (PCR)...PRO/PER  
PATRICK M CAVENAUGH (PET)...YASHA BRONSHTEYN

DEPARTMENT OF AGING AND ADULT (TP)...COUNTY COUNSEL

No notes – Status/TSC.  
(nb)

Superior Court of Calif, County of San Bernardino

Page: 20B ADD ON

CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

-----  
DATE: 05/02/17 TIME: 9:30 DEPT: S36P  
-----

CASE#: CON PS1600145

CASE NAME: MTR OF BETTY MAY CAVENAUGH

**SEE ALSO 20A, 20C**

HEARING:

Petition for APPOINTMENT OF CONSERVATOR OF PERSON AND ESTATE

COUNSEL:

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

**XREF: CONPS1600146**

GENERAL INFORMATION:

On 7/8/16 in CONPS1600145 Mitchell Roth appointed GAL for Betty Cavanaugh. Continued from **08/10/16**. Court appoints Dr. Charles Leeb for report/recommendations for Betty May Cavanaugh. Attorney Roth to prepare and submit order for signature. Court authorizes Colleen Ann Cavanaugh to visit her mother and father. Referred to Court Investigator for investigation and report. Continued from **09/26/16**. Court notes that if the probate notes are not cleared by the next hearing, the court will notify the Public Guardian for possible appointment. Continued from 12/06/16. Court orders an accounting to be filed by Patrick M. Cavanaugh. The accounting period is from the date the blocked account was opened to the present. The matter will be continued to 03/07/17 for the accounting to be reviewed, and it is to be filed no later than 02/01/17. Visitation orders made. Matter is contested; court trial requested. Notice waived  
Continued from **03/07/17**. Parties are going to attend mediation.  
Continued from **04/06/17** on court's motion.

**Continued from 04/18/17. This matter heard with CONPS 1600146. Please see minutes on Hearing Re: Status of Mediation/Trial Setting Conference heard this date in case # CONPS 1600146.**

THIS CASE IS SET FOR HEARING ON

Petition - 1: Petition for Conservatorship, person and estate, by daughter, Colleen Cavanaugh.

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



Petition - 2: Petition for Conservatorship, person and estate, by son and daughter, Patrick M. Cavanaugh and Kathy Breitenbach.

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

**Petitioner -1 by Colleen A. Cavanaugh:**

1. Petitioner requests to place funds in blocked account in lieu of bond. JTD
2. Petitioner requests Pr.C. § 2590 powers to pay, collect, compromise or otherwise adjust claims, debts or demands.
3. Capacity Declaration filed by Mitchell Roth 10/04/16. Need dementia attachments GC-313 and GC 335A. **Need complete capacity declaration.**
4. Mitchell Roth appeared for conservatee.
5. Report of Counsel Mitchell Roth, filed on 08/08/16. **Supplemental report filed 04/06/17.**
6. **Supp. 11/30/16 indicates a response to report by petitioner.** Court Investigator report filed 7/29/16.
7. Proof of completion of conservatorship class filed 07/07/16.
8. **Opposition and Objections filed 08/09/16 by Patrick M. Cavanaugh.**
9. ~Proposed form order: 6/7/16

**Petitioner -2 by Patrick M. Cavanaugh and Kathy Breitenbach:**

10. Petitioner requests bond in the amount of \$290,000 to be fixed. Insufficient. Suggest bond of \$495,000 includes recovery. JTD.
11. 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
12. Petitioner seeks medical powers. Capacity Declaration filed by Mitchell Roth 10/04/16. **However, need dementia attachments.**
13. Certificate of Completion of the Conservatorship Training Class filed 12/01/16; Certificate for Kathy Breitenbach filed under related case.
14. Petitioner requests dementia powers. Report of Counsel filed 08/08/16.
15. Court Investigator's Report filed 09/20/16.
16. Citation returned served.
17. **Objections filed 11/30/16 by competing petitioner/daughter, Colleen Cavanaugh.**
18. ~Proposed Form Order/Letters 08/09/16.

RECOMMENDATION:

Need to clear notes 3 & 12 then set for contested hearing. If approved, set hearing for Compliance Review for **11/09/17** for the filing of the required documents and hearing re Accounting Review for **06/14/18**. Any account to be filed 30 days in advance.  
(sa/nb/lc/nb)

Superior Court of Calif, County of San Bernardino

Page: 20C ADD ON

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 9:30 DEPT: S36P  
-----

CASE#: CON PS1600145

CASE NAME: MTR OF BETTY MAY CAVENAUGH

**SEE ALSO 20A, 20B**

HEARING:

Petition for Appointment of Conservator

COUNSEL:

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

See prior matter.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 20D ADD ON

CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1600146

CASE NAME: MTR OF PATRICK RICHARD CAVENAUGH

**SEE ALSO 20E, 20F**

HEARING:

Hearing Re: STATUS ON MEDIATION/TRIAL SETTING CONFERENCE

COUNSEL:

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

**XREF: CON PS1600145**

No notes – Status/TSC  
(nb)

Superior Court of Calif, County of San Bernardino

Page: 20E ADD ON

CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1600146

CASE NAME: MTR OF PATRICK RICHARD CAVENAUGH

**SEE ALSO 20D, 20F**

HEARING:

Petition for APPOINTMENT OF CONSERVATOR OF THE PERSON AND  
ESTATE

COUNSEL:

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

**XREF: CON PS1600145**

GENERAL INFORMATION:

On 7/8/16 in CONPS1600145 Mitchell Roth appointed GAL for Betty Cavanaugh. Continued from **08/10/16**. Court appoints Dr. Charles Leeb for report/recommendations for Betty May Cavanaugh. Attorney Roth to prepare and submit order for signature. Court authorizes Colleen Ann Cavanaugh to visit her mother and father. Referred to Court Investigator for investigation and report. Continued from 09/26/16 and 12/06/16. Court orders an accounting to be filed by Patrick M Cavanaugh. The accounting period is from the date the blocked account was opened to the present. The matter will be continued to 03/07/17 for the accounting to be reviewed, and it is to be filed no later than 02/01/17. Visitation orders made. Matter is contested; court trial requested. Notice waived.

Continued from **03/07/17**. Parties to Attend mediation.

**Continued from 04/06/17.** Counsel and parties do not object to the Court's in camera review of Patrick Richard Cavanaugh's APS records. The Court orders the following: The amount of \$236,000.00 to be deposited into Yasha Bronshteyn's attorney client trust today. If counsel and parties agree to mediation, they are to let the Court know by the next hearing date. The proposed conservatee's funds are not to be used to pay for mediation. Counsel is to provide the Court documentation regarding doctor's approval of conservatee's approved trip to Colorado by the next hearing date (4-18-17). The conservatee, Patrick Richard Cavanaugh, is to be brought back from Colorado by the next hearing date (4-18-17). Additionally, counsel is to provide the Court with a declaration regarding Patrick

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

Richard Cavanaugh and Betty May Cavanaugh residing in the same facility. Counsel to prepare formal order.

**Continued from 04/18/17. Attorney Yasha Bronshteyn provides the Court with status of funds. \$221,000.00 has been deposited into Bronshteyn's attorney trust account. The Court notes Patrick Richard Cavanaugh is not present at today's hearing as previously ordered. Court finds: Dr. Leeb is to evaluate Patrick Richard Cavanaugh. Mitchell I. Roth is to evaluate Patrick Richard Cavanaugh forthwith in Colorado and provide a report by the next hearing on 5-2-17. Mediation is not to be held without Richard Patrick Cavanaugh and Betty May Cavanaugh present. The Court orders any and all doctor records showing the approval for Patrick Richard Cavanaugh's trip to Colorado and Crystal Garden records to be submitted by the next hearing on 5-2-17. The Court notes a professional fiduciary may be assigned at the next hearing.**

THIS CASE IS SET FOR HEARING ON

Petition - 1: Petition for Conservatorship, person and estate, by daughter, Colleen Cavanaugh.

Petition - 2: Petition for Conservatorship, person and estate, by son and daughter, Patrick M. Cavanaugh and Kathy Breitenbach.

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

**Petitioner -1 by Colleen A. Cavanaugh:**

1. Petitioner requests to place funds in blocked account in lieu of bond. JTD
2. Petitioner requests Pr.C. §2590 powers to pay, collect, compromise or otherwise adjust claims, debts or demands.
3. Supp. (11/30/16) indicates Item 1(g) should have been checked off as the proposed conservatee is suffering from dementia.
4. Report of Counsel Mitchell Roth, filed on 08/08/16. **Need evaluation by court-appointed counsel, Mitchell Roth as directed by Court on 04/18/17.**
5. Response to Initial Report and Recommendation of Court-Appointed Counsel filed 11/30/16 by Colleen Cavanaugh.
6. Court Investigator report filed 7/29/16 & 09/20/16.
7. Citation returned served.
8. Proof of completion of conservatorship class filed 12/01/16.
9. **Opposition and Objections filed 08/09/16 by Patrick M. Cavanaugh.**
10. **Need documentation and declaration as directed by Court on 04/06/17.**
11. **Need doctor's records as directed by Court on 04/18/17.**
12. ~Proposed form order: 6/7/16

**Petitioner - 2 by Patrick M. Cavanaugh and Kathy Breitenbach:**

13. Petitioner requests bond in the amount of \$290,000 to be fixed. Insufficient. Suggest bond of \$495,000 (includes recovery). JTD.
14. 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
15. Petitioner seeks medical powers. **Medical Capacity Declaration filed by Mitchell Roth 10/04/16. However, need dementia attachments.**
  16. Petitioner requests dementia powers Report of Counsel Mitchell Roth, filed on 08/08/16.
  17. Court Investigator report filed 09/20/16.
  18. Citation returned served on 12/01/16.
  19. Certificate of Completion of the Conservatorship Training Class filed 09/19/16 & 12/01/16.
  20. Durable Power of Attorney for Finances and CA Power of Attorney for Health Care filed 12/01/16.
  21. **Objections filed 09/28/16 by Colleen Cavanaugh.**
  22. ~Proposed Form Order/Letters 08/09/16 and 12/01/16.

**RECOMMENDATION:**

Need to clear notes 3, 4, 10 & 11 then set for contested hearing. If approved, set hearing for Compliance Review for **11/22/17** for the filing of the required documents and hearing re Accounting Review for **06/27/18**. Any account to be filed 30 days in advance.

(sa/nb/lc/nb)

Superior Court of Calif, County of San Bernardino

Page: 20F ADD ON

CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1600146

CASE NAME: MTR OF PATRICK RICHARD CAVENAUGH

**SEE ALSO 20D, 20E**

HEARING:

Petition for Appointment of Conservator

COUNSEL:

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

**XREF: CON PS1600145**

See notes on previous matter.

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1700006

CASE NAME: JOSEPH ALEXIS VERA

HEARING:

Petition for Appointment of Conservator

COUNSEL:

HECTOR GERARDO VERA (CP)...PRO/PER  
JOSEPH ALEXIS VERA (CTP)...PRO/PER

#### GENERAL INFORMATION

**Continued from 02/21/17. Ex Parte orders granted. Due to the disposition of a pending criminal matter, all prior estate powers are revoked. The guardian ad litem will work with the proposed conservator to clear the probate notes. Notice given by guardian ad litem, Roth.**

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person by father.

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

1. No bond – person only.
2. Petition, sections 3f re due diligence is incomplete and missing attachments; section 5c indicates proposed conservatee suffers from dementia, but supplemental information indicates proposed conservatee suffers from schizophrenia; and CI referral indicates proposed conservatee is currently incarcerated. Need further clarification via verified supplement.
3. Petitioner seeks medical powers. Need Medical Capacity Declaration with Dementia Attachments.
4. Petitioner requests dementia powers; Need appointment of counsel and report by same.
5. Confidential Supplemental Information form, sections 5f (other alternatives); 6a(2) and 6a(3) re social services and estate management services are incomplete. Need verified supplement.
6. Notification to Court of Conservatorship Address, “Completed By” Section is incomplete. Need complete form.
- 7. Court Investigator’s Report filed 02/15/17**
- 8. Report by GAL, Mitchell I Roth, filed 02/21/17.**

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



9. Need return of Citation.
10. Need Notice of Hearing with proof of service.
11. Certificate of Completion re Conservatorship Class filed 01/10/17.
12. ~Proposed Form Order 01/09/17.

**RECOMMENDATION:**

Court to appoint counsel and clear notes. If approved, set hearing for Compliance Review for **12/05/17** 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  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: CYNTHIA LUDVIGSEN

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DATE: 05/02/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1700094

CASE NAME: MANUEL ARELLANO MURRAY

HEARING:

Petition for Appointment of Conservator

COUNSEL:

DAVID MURRAY (CPE)...PRO/PER  
MANUEL ARELLANO MURRAY (CEP)...PRO/PER

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by David Murray (nephew)

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

1. Petitioner alleges estate's only assets are public benefits and a small pension, and requests bond waived under Pr. C. §2628. Estimated estate valued at \$84,000. JTD.
2. Petitioner seeks powers under Pr. C. §2591(c) to sell personal/real property, including sale personal residence without confirmation of court, ability to contract for the sale of property, ability to purchase real/personal property, and alter or improve property of the estate. Suggest Court require a separate petition after appointment with required showing per Pr. C. 2540 et seq. JTD
3. Petitioner seeks other orders for authority to exercise powers independently to manage conservatee's finances, take possession and manage conservatee's property, access bank accounts, confidential records, contract on behalf of conservatee, and manage debts. JTD
4. Petitioner seeks additional orders to suspend Healthcare Directives and Power of Attorney as to Jaime O. Lopez and Oscar M. Lopez. JTD
5. Petitioner seeks medical powers. Need Capacity Declaration.
6. Petitioner seeks dementia powers. Need appointment of counsel for report.
7. Need return of Citation and Proof of Personal Service.
8. Need Notice of Hearing and Proof of Service
9. **Court Investigator report filed.**
10. ~Proposed Form Order: 03/15/17

## RECOMMENDATION

Need to clear notes. If approved, set hearing for Compliance Review for **12/05/17** for the filing of the required documents and hearing re Accounting Review for **07/10/18**  
Any accounting to be filed 30 days in advance.

(lh/nb)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/02/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1401079

CASE NAME: RICHARD A. ISAACSON

HEARING:

FIRST AND FINAL Account and Report of ROSA MARTINEZ and Petition  
for allowance of fees filed.

COUNSEL:

RICHARD A. ISAACSON (DEC)...  
ROSA MARTINEZ (PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by ROSA MARTINEZ is GRANTED  
Fee waiver amount due \$930.00  
\$465.00 for filing fees on 12/09/14  
\$465.00 for first and final account on 07/20/16

GENERAL INFORMATION:

**Continued from 10/11/16, 12/13/16 and 02/28/17.**

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of  
Account and for Fees.

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

1. Sole beneficiary waives accounting.
2. **Attachments 1 & 2 to Final Inventory and Appraisal filed separately on 12/06/16. Need complete inventory and appraisal with appraisal by Probate Referee for real property listed on Attachment 2.**
3. Assets on Hand \$0.00.
4. Petitioner waives compensation.
5. Petitioner does not request reimbursement of costs.
6. Petition indicates the net proceeds of sale were distributed to pay debts of the estate.
7. Proposed Order 12/06/16 does not include account period, balance on hand; that all monies were held in interest bearing account; findings re: sole and separate property; statement regarding notice to Director of Health Care Services; statement regarding notice to California Victim and Compensation and Government Claims Board; statement regarding notice to Franchise Tax Board;

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

findings re: all taxes have been paid, or reserve made for taxes; statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary.

**RECOMMENDATION:**

Need to clear note 2 then Court's discretion. If approved, set next hearing for receipts and final discharge for **05/08/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/02/17 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1500918

CASE NAME: GERALD E FERRIS

HEARING:  
Accounting Review

COUNSEL:  
GERALD E FERRIS (DEC)...  
JONATHAN J MARSHALL (PET)...PRO/PER

**VACATED** – first and final account filed and set for 06/29/17.  
(nb)

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

-----  
DATE: 05/02/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1501019

CASE NAME: PATRICIA M ARENS

HEARING:

WAIVER Account and Report of RUSSELL RICHARD ARENS and Petition  
for allowance of fees filed.

COUNSEL:

PATRICIA M ARENS (DEC)...  
RUSSELL RICHARD ARENS (PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of  
Account and for Fees by son and Executor, Russell R. Arens ["Petitioner"].

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

1. Accounting period 07/25/15 to 01/31/17.
2. Assets on Hand \$688,422.60 consisting of \$508,422.60 in cash and \$180,000 in  
carry value of real property.
3. Petitioner does not request statutory compensation.
4. Petitioner requests reimbursement of costs of \$27,675.46. Itemized [LF, pgs.  
29-30].
5. Sandi Mann (daughter and beneficiary), aka Sandra Sue Arens, advanced the  
sum of \$1,000 for funeral expenses for the Decedent and should be reimbursed  
the sum of \$1,000.
6. Account includes a "Beneficiary Agreement as to Distribution of Decedent's  
Estate" including distribution in kind [LF, pgs. 37-41].
7. Petitioner requests authority to withhold \$3,000 as a reserve for closing costs.
8. Need copy of bank/financial account to support date of death balances per  
Local Rule 20-908.
9. Notice given.
10. No proposed order. Submit Order after Hearing.

RECOMMENDATION

Need to clear note 8 then Court's discretion. If approved, set next hearing for receipts  
and final discharge for **05/08/18**.

(nb)

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

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/02/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1501187

CASE NAME: MTR OF MARY HELEN RAMIREZ

HEARING:  
Accounting Review

COUNSEL:

MARY HELEN RAMIREZ (DEC)...  
ROBERT RICK RAMIREZ (PET)...DIANE E ROBBINS

**VACATE** – Status report filed and set for 07/10/17.  
(nb)



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

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DATE: 05/02/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600267

CASE NAME: MTR OF ALBERT E FRY  
HEARING:  
FIRST AND FINAL Account and Report of GILBERT E FRY and Petition  
for allowance of fees filed.

COUNSEL:  
ALBERT E FRY (DEC)...  
GILBERT E FRY (PET)...RICKARD L BORG

GENERAL INFORMATION:

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

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

1. Petition indicates Partial Inventory filed on 08/18/16 be deemed the final inventory. JTD.
2. Accounting period 10/24/13 to 01/31/17.
3. Assets on Hand \$574,063.58 consisting of cash.
4. Statutory fees in the amount of \$22,075.09 requested. Calculated.
5. Petition indicates Attorney Emile M. Mullick was paid the sum of \$68,140.30 for services rendered in connection with litigation to obtain clear title to the decedent's real property and an associated case to enjoin the County as to a tax sale of the property, as well as preparing leases for the rental of truck space on the decedent's real property, Consents by the beneficiaries of the estate filed.
6. **Supplement filed on 04/21/17 is not verified by Administrator, Gilbert E. Fry. Need same.**
7. **Need proof of service to supplement filed on 04/21/17.**
8. Petitioner requests authority to withhold the sum of \$9,809.40 as a reserve .
9. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 6 & 7 then Court's discretion. If approved, set next hearing for  
receipts and final discharge for **05/08/18**.

(nb)

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

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CASE#: PRO PS1601248

CASE NAME: Larry Lavant Bonnie

HEARING:

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

COUNSEL:

LARRY LAVANT BONINE (DEC)...  
LAURIE A. WHELAN (PET)...PRO/PER

GENERAL INFORMATION:

**Continued from 02/28/17. Attorney E. Lawrence Brock appeared by Court Call, Attorney Brock to file written objections.**

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Laurie Wilson (nominee)

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

1. All heirs waive bond. Estimated net value of estate is \$187,000.00. Amendment filed 04/11/17 suggests bond of \$564,000, if bond deemed necessary. Need clarification as to bond calculation and estimated value of estate assets.
2. Nominations signed by heirs Larry Layne Bonnie, Layne L. Bonnie and LeMon B. Bonnie, filed 12/16/16.
3. Declaration of Layne Lavant Bonnie filed 04/11/17.
4. Amendment to Petition filed 04/11/17 appears to be a supplement in support of appointment of Laurie Wilson and refuting the alleged relationship of James Tournear.
5. Financial Statements filed 04/12/17 in support of petitioner's findings of decedent's disbursement of funds prior to his death.
6. Notice was not given to James Tournear; however, attorney E. Lawrence Brock appeared via Court Call on his behalf on 02/28/17. Does Court wish to waive notice as to James Tournear?
7. No written objections filed as of review.
8. ~Proposed form Order: 12/16/16

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

**RECOMMENDATION:**

Need to clear note 1, the Court's discretion. Set future hearing for Accounting/Status Review on **07/10/18**.. Any accounting to be filed 30 days in advance of review date.

Note requirements of Local Rules 20-901 and 20-908.

(lh/nb/lh)

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CASE#: PRO PS1700129

CASE NAME: MTR OF JOHN G HERNANDEZ

**SEE ALSO 8**

HEARING:

Petition for PROBATE LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

JOHN G HERNANDEZ (DEC)...  
RUDOLFO HERNANDEZ (PET)...LAW OFFICE OF FD WHITLEY

GENERAL INFORMATION:

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

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

1. Petitioner alleges that petitioner is the sole heir and waives bond. Estimated value of estate is \$500,000. JTD.
2. Proof of publication filed 03/09/17.

RECOMMENDATION:

Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **07/10/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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CASE#: PRO PS1700129

CASE NAME: MTR OF JOHN G HERNANDEZ

**SEE ALSO 7**

HEARING:

Petition for DETERMINE OWNERSHIP OF ASSETS AND FOR ORDER  
DIRECTING TRANSFER; FOR RELIEF FROM ETC

COUNSEL:

JOHN G HERNANDEZ (DEC)...  
RUDOLFO HERNANDEZ (PET)...LAW OFFICE OF FD WHITLEY

Currently under review by Legal Research.  
(LR)

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CASE#: PRO PS1700198

CASE NAME: MTR OF DORA ELLEN BAKER

HEARING:

Petition to determine succession to Real Property

COUNSEL:

DAVID E MUNSEN	(PET)...PRO/PER
DORA ELLEN BAKER	(DEC)...
VICTOR ALLEN MUNSEN	(PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real and Personal Property (Estates \$150,000 or less) by second cousin and named executor, David E. Munsen and beneficiary/second cousin, Victor Allen Munsen.

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

1. Inventory & Appraisal attached to petition has the following issues:
  - a. No signatures on the I&A by Victor A. Munsen. Need signatures of verification.
  - b. Section 5 is re property tax certificate is incomplete.
  - c. Does not indicate whether estate assets are community or separate property of the decedent.  
Need corrected inventory.
2. Petitioners request a determination that decedent's real property located at Joshua Tree, CA in San Bernardino County pass to named beneficiary without administration. Petitioners are decedent's second cousins and a beneficiary in decedent's will. Petitioner attaches a copy of decedent's will [LF, p. 5]
3. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need corrected I&A then Court's Discretion.

(nb)

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San Bernardino District - Probate

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**CONSERVATORSHIP**

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DATE: 05/02/17      TIME: 9:30      DEPT: S37P  
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CASE#: CON PS1400045

CASE NAME: Vivian Bertrand

HEARING:

SECOND AND CURRENT Account and Report of MELODIE Z SCOTT and  
Petition for allowance of fees filed.

COUNSEL:

ANNMARIE M SCOTT	(PET)...RYAN J GALLANT
JAMES L OBERMAN	(PET)...DONNASUE ORTIZ
JEANNE E KENNEDY	(PET)...JEANNE E KENNEDY
MELODIE Z SCOTT	(CPE)...BRYAN C HARTNELL
SURETEC INSURANCE COMPANY	(PET)...PRO/PER
VIVIAN BERTRAND	(CEP)...JEANNE E KENNEDY

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

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Second and Current Account and Petition for Fees by Conservator of the Person and Estate and Successor Trustee, Melodie Z. Scott ["Petitioner"].

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

1. Accounting period 03/12/15 to 03/11/16.
2. Assets on Hand \$34,628.09 consisting of cash.
3. Current bond set at \$735,000. Suggest bond be reduced to \$47,000. JTD.
4. Petitioner's attorney will file a supplement requesting fees. Petitioner acquired authority to make periodic payments of compensation to herself in an amount of \$80% equal to her monthly billing. The amount of \$4,250 has been paid during this period and will be subtracted from the amount requested in the supplement.
5. Petitioner's attorney will file a supplement requesting attorney's fees.
6. Need Notice of Hearing with proof of service.
7. No proposed order. Submit Order after Hearing.

**RECOMMENDATION:**

Need notice then Court's discretion. If approved, set hearing on the next Accounting Review **in 60 days** as next account period is now overdue. Account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

**Future Hearing:**

05/17/17 Compliance review hearing

06/14/17 Hearing re: Accounting by Annmarie Scott/ etc.

06/14/17 Accounting Review.

12/20/17 Accounting Review.



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CASE#: CON PS1400328

CASE NAME: ROBIN ELLEN CHARTIER

**SEE ALSO 12**

HEARING:

Order to Show Cause re: TRANSFER CASE TO LOS ANGELES COUNTY  
filed by CHRISTOPHER CHARTIER.

COUNSEL:

CHRISTOPHER CHARTIER (CPE)...HARTNELL LAW GROUP  
ROBIN ELLEN CHARTIER (CEP)...CRAIG M PARKER

**XREF: CONPS1400329**

GENERAL INFORMATION:

Continued from **02/02/16 and 05/03/16**. Court advised case can be transferred after  
the first accounting has been filed.

Continued from **07/14/16 and 10/04/16**. Matter will be transferred upon approval of  
accounting.

**Continued from 02/07/17 at request of counsel.**

THIS CASE IS SET FOR HEARING ON OSC re Transfer Case to LA County.

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

1. Matter set as conservatee is now residing in Los Angeles County.
2. Pre-Move Notice of Change of Residence of Conservatee filed 12/24/15.

RECOMMENDATION:

Court's discretion.

(nb/lc/nb)

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CASE#: CON PS1400328

CASE NAME: ROBIN ELLEN CHARTIER

**SEE ALSO 11**

HEARING:  
Accounting Review

COUNSEL:  
CHRISTOPHER CHARTIER (CPE)...HARTNELL LAW GROUP  
ROBIN ELLEN CHARTIER (CEP)...CRAIG M PARKER

**XREF: CONPS1400329**

GENERAL INFORMATION

**Continued from 05/03/16, 07/14/16, 10/04/16 and 02/07/17.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

- 1 Christopher Chartier appointed conservator of the person and estate on 03/02/15, \$59,000 bond.
- 2 First account now due. Need same.

RECOMMENDATION:  
Inquire status.

(nb/lc/nb)

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CASE#: CON PS1400329

CASE NAME: CHARLES RICHARD CHARTIER

**SEE ALSO 14**

HEARING:

Order to Show Cause re: TRANSFER TO LOS ANGELES COUNTY filed by  
CHRISTOPHER CHARTIER.

COUNSEL:

CHARLES RICHARD CHARTIER (CEP)...CRAIG M PARKER  
CHRISTOPHER CHARTIER (CPE)...HARTNELL LAW GROUP

**XREF: CONPS1400328**

GENERAL INFORMATION:

Continued from 05/03/16. Court advised case can be transferred after the first  
accounting has been filed.

Continued from **07/14/16 and 10/04/16**. Matter will be transferred upon approval of  
accounting.

**Continued from 02/07/17 at request of counsel.**

THIS CASE IS SET FOR HEARING ON OSC re Transfer Case to LA County.

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

1. Matter set as conservatee is now residing in Los Angeles County.
2. Pre-Move Notice of Change of Residence of Conservatee filed 12/24/15.

RECOMMENDATION:

Court's discretion.

(nb/lc/nb)

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CASE#: CON PS1400329

CASE NAME: CHARLES RICHARD CHARTIER

**SEE ALSO 13**

HEARING:  
Accounting Review

COUNSEL:  
CHARLES RICHARD CHARTIER (CEP)...CRAIG M PARKER  
CHRISTOPHER CHARTIER (CPE)...HARTNELL LAW GROUP

**XREF: CONPS1400328**

GENERAL INFORMATION

**Continued from 05/03/16, 07/14/16, 10/04/16 and 02/07/17.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

- 1 Christopher Chartier appointed conservator of the person and estate on 03/02/15, \$59,000 bond.
- 2 First account now due. Need same.

RECOMMENDATION:  
Inquire status.

(nb/lc/nb)

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CASE#: CON PS1500167

CASE NAME: RANDY LEE BRIGGS

HEARING:

Petition for ATTORNEY FEES BY COURT APPOINTED GUARDIAN AD LITEM

COUNSEL:

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

GENERAL INFORMATION:

**Continued from 03/13/17. Notice to be given by Mr. Nassar.**

THIS CASE IS SET FOR HEARING ON Petition for Fees and Compensation.

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

1. Petitioner, E. Joan Nelms, was appointed on 08/04/15. Petitioner alleges that services have been rendered for which counsel has not been compensated through 11/29/16.
2. Attorney requests fees of \$15,967.50. Billed at \$375/hour for 35.20 hours' for attorney time and \$135/hour for 20.50 hours' paralegal time. Itemized [LF, pgs. 8-13]. JTD.
3. Petitioner requests and order directing that Lee Ann Hitchman, as Conservator of the Estate to pay requested sum.
4. **Notice given.**
5. ~Proposed Order 02/01/17.

RECOMMENDATION:

Court's discretion.

(nb)

Future Hearing:

05/08/17 Interim first account etc.

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

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CASE#: CON PS1600269

CASE NAME: PATRICIA MAE LAWRENCE PARK

HEARING:

Ex parte hearing re: MOTION FOR EMERGENCY HEARING

COUNSEL:

JANICE L PARK

(CP )...PRO/PER

PATRICIA MAE LAWRENCE PARK

(CTP)...JENNIFER M DANIEL

Request for Waiver of Court Fees and Costs filed by PATRICIA MAE LAWRENCE PARK is GRANTED

**XREF: CIFMS1600004**

No notes – Judge to decide.

(nb)

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CASE#: CON PS1600369

CASE NAME: JENNIFER GOMEZ

HEARING:

Petition for Appointment of Conservator

COUNSEL:

JENNIFER GOMEZ	(CTP)...CRAIG M PARKER
JOSE DE JESUS GOMEZ LOPEZ	(CP )...PRO/PER
MARIA G MENDEZ DE GOMEZ	(PET)...PRO/PER

#### GENERAL INFORMATION

**Continued from 02/28/17 to clear notes and referral to IRC. Court refers matter to IRC and requests a report. Attorney Craig M. Parker appointed.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Maria Gomez and Jose Gomez (parents).

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

1. Petitioner seeks medical powers. Capacity Declaration filed 10/07/16.
2. Certificate of Completion of the Conservatorship Training Class filed 02/02/17.
3. As proposed conservatee is developmentally disabled and this is not a petition for Limited Conservatorship, Court may wish to appoint counsel and require report for proposed conservatee per Pr.C. §1470. **Need report of court-appointed counsel, Craig M. Parker.**
4. Need IRC report as proposed conservatee is developmentally disabled.
5. Court Investigator report filed 02/15/17.
6. **Notice filed 04/10/17 reflects incorrect hearing date. Need proper notice.**
7. Return of Citation filed 02/03/17.
8. ~Proposed Form Order: 12/20/16

#### RECOMMENDATION

Need to clear notes 3 & 6. If approved, set hearing for Compliance Review for **12/05/17** 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)

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

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CASE#: CON PS1700090

CASE NAME: CAROLINA MEJIA

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CAROLINA MEJIA (CTP)...PRO/PER  
YOLANDA R MEJIA (CP )...PRO/PER

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Yolanda Mejia (maternal aunt)

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

1. Petitioner seeks medical powers. Capacity Declaration filed 03/17/17.
2. Petitioner seeks powers re habilitation, treatment, training, medical etc. JTD
3. Petitioner requests powers under Pr. C §2351.5 to fix residence, access confidential records, control right to contract, consent to medical declaration.
4. Petitioner seeks civil rights not be limited without court order. JTD
5. Proposed conservatee is developmentally disabled. **Need report of court-appointed counsel, Walter Moore.**
6. Proposed conservatee is developmentally disabled. **Court to review IRC letter filed 04/21/17.**
7. **Citation returned served.**
8. **Court Investigator report filed.**
9. List of Required Contacts (Local form SB-12224) is missing Buenerge Garcia (father). Need completed form.
10. Certificate of Completion of the Conservatorship Training Class filed 04/06/17.
11. See Confidential Screening Form filed 03/17/17.
12. **Notice filed 04/18/17 does not include addresses for mother, father and paternal grandparents. Due Diligences Declarations filed. JTD.**
13. ~Proposed Form Order: 03/17/17



## RECOMMENDATION

Need to clear notes 5 & 9, then Court's discretion. If approved, set hearing for Compliance Review for **12/05/17** 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)