



## Second/Final Check

Superior Court of California  
County of San Bernardino  
Probate Department

### **Probate Notes for Calendar Date: 05/02/18**

The notes on the following pages were updated approximately three court days prior to the hearing to reflect newly-filed documents. Documents filed now after that update typically will not be reviewed except on the date of hearing at the judge's discretion.

### **Destruction of Filed Documents:**

Shredding/destruction of all court documents filed and imaged before January 2011 will begin soon. All filed/imaged documents are shredded one year after filing pursuant to court policy. Any filed original documents not retrieved timely will be permanently lost. (Wills and codicils lodged into the will vault will not be affected.)

### **Contacting the Probate Examiners:**

Probate Examiners' email address: [ProbateNotes@sb-court.org](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.

4/9/18lh; 4/30/18lh

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**PROBATE**

-----  
DATE: 05/02/18

TIME: 8:30

DEPT: S35P  
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CASE#: PRO PS1400722

CASE NAME: Paul John Scott

HEARING:

First & Final Account and Report of KATHERINE SCOTT and Petition  
for allowance of fees filed.

COUNSEL:

KIMBERLY ANN CHARTIER

(PET)...BROWN WHITE & NEWHOUSE LLP

PAUL JOHN SCOTT

(DEC)...

KATHERINE SCOTT

(PET)...LAW OFFICES OF FREDDIE VVEGA

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Report of  
Administration and Petition for Fees and Distribution by Katherine Scott, Administrator

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

1. Assets on hand: \$86,512, consisting of cash, a business and trailer.
2. Petitioner alleges all assets have been expended other than trailer and a \$500 check from Wells Fargo. **Need** verified supplement clarifying status of vehicles e.g. trucks, motorcycle, teardrop trailer listed in Schedule C beginning assets?
3. The estate's main asset is a stamp and coin business known as Scott Wester, Inc. Petitioner intended to sell the business to Tim Thelander and Verna Thelander; however, the sale was unable to go through. Petitioner alleges there are no assets of the estate but also alleges the business is worth \$65,578.08. Question any further attempts to liquidate the business? **Need** verified supplement.
4. Petitioner waives statutory compensation; however, requests reimbursement of costs of **\$2,096**. Itemized. [Acct, 3/7/18, LFpg19].
5. Attorney requests fees of \$3,460.48, plus an additional \$8,050 in extraordinary fees for a total of **\$11,516.48**. Calculated/itemized. [Acct, 3/7/18,LFpg17]. **Question how attorney seeks to be paid as it does not appear there is enough resources? Need verified supplement.**
6. **Need** bank/investment statements verifying date of death balances and final ending balance per Local Rule 20-908.

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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. Petitioner identifies expenses in Schedule B that were incurred and paid totaling \$62,901.25. However, expenses are not dated or itemized. **Need verified supplement itemizing expenses.**
8. There are various creditors' claims totaling over \$152,800.24. **Question what the status is of these claims? Need verified supplement.**
9. Petitioner proposes to distribute the 2008 trailer to Tim Thelander and Verna Thelander for settlement of their \$25,000 creditor's claim, and for Wells Fargo \$500 check to distribute to Sara Scott. However, petitioner does not address remaining creditors or heirs: Katherine Scott, Warren Scott, and Kaia Scott. **Need verified supplement.**
10. **Need** Notice of Hearing and proof of service as to Warren Scott, Kaia Scott and Sara Scott.
11. No proposed order submitted.

**RECOMMENDATION:**

Need to clear notes, then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **07/24/19**.

(lh)

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

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DATE: 05/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600810

CASE NAME: MTR OF MICHELLE CHERE SESSIONS

HEARING:

REPORT OF ADMIN AND PTN FOR FINAL DIST ON WAIVER Account and  
Report of CHIA CHRISTINE COLLINS and Petition for allowance of fees filed.

COUNSEL:

CHIA CHRISTINE COLLINS (PET)...PRO/PER  
MICHELLE CHERE SESSIONS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of Account and Report of  
Administrator and Petition for Final Distribution by Chia Christine Collins,  
Administrator/Sole Heir

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

1. Assets on hand: \$107,772.64, cash
2. Petitioner waives statutory compensation.
3. Petitioner is sole heir and waives accounting.
4. Creditors' claims have been satisfied.
5. Notice is complete.
6. ~Proposed order: 03/07/18

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final  
discharge for **05/08/19**.

(lh)

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

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DATE: 05/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600862

CASE NAME: MTR OF IONA FAYE McKNIGHT JAMES

**SEE ALSO 2B and 2C**

HEARING:

Petition for PROBATE OF WILL & FOR LTRS OF ADMINISTRATION W/WILL  
ANNEXED

COUNSEL:

PATRICIA A BROWN	(PET)...PRO/PER
IONA FAYE MCKNIGHT JAMES	(DEC)...
SAULETA JAMES	(PET/OBJ)...GUAGENTI & DAMSKY

#### GENERAL INFORMATION

Continued from **10/12/16**. Temporary orders denied on 12/06/16.

**Continued from 04/19/17**. Probate notes are cleared on the record. Matter is set contested.

**Continued from 02/07/18 and 04/04/18 at request of Counsel.**

#### THIS CASE IS SET FOR HEARING ON

- Petition 1 - Amended (9/12/16) Petition for Letters **Testamentary** with full authority under IAEA by Patricia Brown.
- Petition 2 - Petition for Letters of **Administration** with limited authority under IAEA by Sauleta James, daughter.

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

##### **Petitioner 1 Patricia Brown, non-relative**

1. Decedent's will names decedent's daughter, Sauleta James, and petitioner to "act as Agent/attorney-in-Fact over my estate under a Durable Power of Attorney." Will was executed **07/24/16, 31 days prior to death**.
  - a. If court finds this language sufficient intent to appoint executor, need declination to act by Sauleta James. **Supp10/05: Petitioner further states this was decedent's intent.**
  - b. Alternatively, Court may wish to appoint petitioner as Administrator with Will Annexed.
2. Petitioner requests minimum bond and proceeds placed in a blocked account. Estimated estate value is \$5000 in personal property and \$76,000 in real property. JTD

3. **Objections and Will Contest filed by competing petitioner Sauleta James on 11/04/16.** Will Contest and summons must be served in the manner required in a civil action generally. Pr.C. §§8250; CCP §§412.10–417.40. Proof of service filed 02/16/17.
4. **Answer to Will Contest filed by Patricia Brown.**
5. ~Proposed form order: 8/26/16

**Petitioner 2 - Sauleta James, daughter**

6. Petitioner seeks bond of \$6,000. As petitioner is seeking only limited authority, appears adequate. However, court may wish to require minimum bond of \$20,000.
7. ~Proposed Form Order: 11/04/16.

RECOMMENDATION:  
Matter is contested.

If approved, set hearing for Accounting/Status Review on **07/10/19**. Any accounting to be filed at least 30 days in advance. Note Local Rule requirements.

(sa/lc/lh/lc/lh)

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

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DATE: 05/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600862

CASE NAME: MTR OF IONA FAYE McKNIGHT JAMES  
**SEE ALSO 2A and 2C**

HEARING:

Petition for Approval of Settlement Agreement Re: Will Contest  
and Granting of Contestant's Petition etc

COUNSEL:

PATRICIA A BROWN	(PET)...PRO/PER
IONA FAYE MCKNIGHT JAMES	(DEC)...
SAULETA JAMES	(PET/OBJ)...GUAGENTI & DAMSKY

#### GENERAL INFORMATION

Continued from 04/04/18 at request of Counsel.

THIS CASE IS SET FOR HEARING ON Petition for Approval of Settlement Agreement  
Re: Will Contest and Granting of Contestant's Petition by Sauleta James  
(daughter/proposed administrator)

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

1. Sauleta James, contestant, and Patricia Brown, respondent, have reached a settlement agreement in which decedent's Will is deemed withdrawn and for estate to pass to decedent's heirs under the laws of intestate succession of the State of California. Settlement Agreement attached. [Petition, 02/21/18, LFpgs8-12]. **JTD**
2. James shall pay \$6,000 to Patricia Brown upon Probate Court's granting of James' First and Final Account and Report.
3. Notice was given.
4. Proposed order submitted 03/29/18. Need signature of opposing Counsel to appear before judge's signature.

#### RECOMMENDATION

Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 2C ADD-ON

CIVPRO San Bernardino District  
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HONORABLE: STANFORD E. REICHERT

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DATE: 05/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600862

CASE NAME: MTR OF IONA FAYE McKNIGHT JAMES

**SEE ALSO 2A and 2B**

HEARING:

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

COUNSEL:

PATRICIA A BROWN	(PET)...PRO/PER
IONA FAYE MCKNIGHT JAMES	(DEC)...
SAULETA JAMES	(PET/OBJ)...GUAGENTI & DAMSKY

Waiver of Court Fees and Costs filed by PATRICIA A BROWN is GRANTED

See notes on prior matter #2A

(lh)



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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 05/02/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1601261

CASE NAME: MTR OF ERNESTINE IRENE HAMILTON

HEARING:

Accounting Review

COUNSEL:

BRETT TOOLE

(PET)...GAUDY LAW, INC

ERNESTINE IRENE HAMILTON

(DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Brett Toole

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

1. Brett Toole was appointed Executor with full IAEA powers on 2/22/17.
2. **Need** accounting and status report.

#### RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 05/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700192

CASE NAME: ALBERT R BALLARD

**VACATED**

HEARING:

Accounting Review re Joshua Sutton

COUNSEL:

JOSHUA U SUTTON (PET)...CALDWELL, KENNEDY & PORTER, A.  
ALBERT R BALLARD (DEC)...

Future hearing date: 06/13/18 Waiver of Account and Final Report by Joshua U Sutton

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

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DATE: 05/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700491

CASE NAME: RICK HIEBERT

HEARING:

First and final Account and Report of KIMBERLY CATHERINE ANDREWS  
TOYER and Petition for allowance of fees filed.

COUNSEL:

KIMBERLY CATHERINE ANDREWS TOYER	(PET)...	MICHAEL C MADDUX
RICK HIEBERT	(DEC)...	
SURETEC INSURANCE COMPANY	(TP )...	

Waiver of Court Fees and Costs filed by KIMBERLY CATHERINE ANDREWS TOYER is GRANTED  
TOTAL FEES WAIVED TO DATE: \$1388.00

GENERAL INFORMATION:

**Continued from 03/28/18 to clear probate notes.**

THIS CASE IS SET FOR HEARING ON First and Final Account and Report of  
Administrator; Petition

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

1. Assets on hand: **\$158,043**, cash
2. Petitioner requests statutory fees of \$8,800 less \$5,000 for early distribution for a total of **\$3,800**.
3. Attorney requests statutory fees of **\$8,800**. Calculated.
4. Attorney requests extraordinary fees of **\$7,800** for 24 hours at \$325/hour for attorney service re foreclosure, sale of real property, and unlawful detainer proceedings. Itemized. [Acct, 01/04/18, LFPg7]
5. Court approved preliminary distribution to Kimberly Toyer (spouse) for deposit and rent on alternate housing for \$5,000; payment to bond services for premium \$410, and payment to probate referee for \$325.
6. **Supp 03/19/18** proposes 1/3 of the estate to be distributed to petitioner and remaining 2/3 to be divided in equal shares to decedent's issue: Julie Ann Hiebert; Jennifer Michele Hiebert, Dylan Fredrick Hiebert; and Cheyenne Janna Hiebert per Pr. C. §6401(c)(3)(A).
7. Court previously approved waiver of Court fees and costs totaling \$1,362.50. However, estate is of sufficient size to repay fees. Does Court wish to

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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.

readdress issue? **Supp 03/19/18**, petitioner will pay Court fees and costs totaling \$1,362.40 and submit revised proposed order.

8. Notice was given.
9. Proposed order submitted 03/19/18 includes payment to Superior Court for \$1,362.50 twice. Need revised proposed order.

**RECOMMENDATION:**

Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **05/08/19**.

(lh)

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

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DATE: 05/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700553

CASE NAME: CONSUELO SANCHEZ

HEARING:

First and final Account and Report of JAVIER SANCHEZ and  
Petition for allowance of fees

COUNSEL:

JAVIER SANCHEZ (PET)...PRO/PER  
CONSUELO SANCHEZ (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and final Account and Report of JAVIER SANCHEZ and Petition for allowance of fees by Javier Sanchez, administrator

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

1. Assets on hand: \$91,766.42, cash.
2. Statutory fees of **\$10,200** requested. Calculated.
3. Petitioner requests reimbursement of costs totaling **\$5,343**. Itemized.
4. Notice was given.
5. Proposed order submitted 04/19/18.

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **05/08/19**.

(lh)

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

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DATE: 05/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800042  
CASE NAME: MTR OF ROBERTA V SCHISZLER

HEARING:  
Spousal Property Petition hearing.

COUNSEL:

RONALD SCHISZLER	(PET)...DIANA J CARLONI
ROBERTA V SCHISZLER	(DEC)...
SHARON CARUFEL	(OBJ)...CHRISTOPHER B JOHNSON

GENERAL INFORMATION

**Continued from 02/21/18. Objections to be filed by 04/05/18. Reply to be filed by 04/23/18.**

THIS CASE IS SET FOR HEARING ON Spousal Property Petition

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

1. Decedent died intestate testate on 06/08/17 and is survived by a spouse and 2 children.
2. Petitioner requests determination of decedent's property passing to the surviving spouse without administration and confirmation of property belonging to the surviving spouse.
3. **Need** Attachment 7 explaining the facts upon which the petitioner bases the allegation that property should pass or be confirmed. **Supp filed 02/16/18**  
Petitioner alleges he married decedent in 1993. The property was refinanced during their marriage using community funds. The property was maintained, improved, etc from 1999 to 2017 by decedent and petitioner, and remains the primary residence of petitioner.
4. Notice is complete.
5. **Objections filed by Sharon Carufel on 04/02/18; however, objection is not verified. Need same.**
6. **Reply to Objections of Sharon Carufel filed 04/23/18.**  
~Proposed form order: 01/17/18

RECOMMENDATION:

Matter is contested.  
Court's discretion.

(lh)

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

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DATE: 05/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800231

CASE NAME: MTR OF JOYCE ELLIS FKA JOYCE OWENS

HEARING:

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

COUNSEL:

ALESIA ELLIS (PET)...PRO/PER  
JOYCE ELLIS (DEC)...

**XREF: CIVDS1503108** *ELLIS -V- CLEAR RECON CORP, ET AL*  
**UDMS1800064** *US BANK NATIONAL ASSOCIATION-V-ELLIS*

#### GENERAL INFORMATION

**Ex parte orders denied 3/13/18. No legal basis or emergency.**

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Alesia Ellis (daughter)

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

1. Heirs waive bond. Estate's sole asset is real property with negative equity. **JTD**
2. Notice of Petition to Administer Estate filed 04/25/18 has incorrect hearing date of 04/26/18. **Need proper notice and proof of service.**
3. **Proof of Publication filed 04/24/18; however, published notice is missing the Court's address in hearing information section. Need same.**
4. ~Proposed Form Order: 03/12/18

#### RECOMMENDATION

Need to clear notes #2-3. If approved, set Accounting/Status Review for **07/10/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

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

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DATE: 05/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800281

CASE NAME: Richard Vincent Hausherr

HEARING:

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

COUNSEL:

VALIA MONIQUE MEDINA (PET)...PRO/PER  
RICHARD VINCENT HAUSHERR (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Valia Medina, sister

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

1. Petitioner is sole heir and waives bond.
2. ~Proposed Form Order: 3/26/18

#### RECOMMENDATION

RFA. If approved, set Accounting/Status Review for **07/10/19**. 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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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 05/02/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1500443

CASE NAME: LOUIS SCOTT WILLIAMSON

HEARING:

Hearing re Final Discharge

COUNSEL:

WAYNE WILLIAMSON (PET)...THE DLJ LAW FIRM  
LOUIS SCOTT WILLIAMSON (DEC)...

#### GENERAL INFORMATION

**Continued from 04/04/18. No appearance. Matter continued for Counsel to file order on waiver of final accounting and ex parte petition for final discharge and order.**

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Court approved waiver on final accounting on 03/29/17. **Need order.**
2. Ex Parte Petition for Final Discharge and Order returned on 04/18/17 as Order on waiver of account has not been filed.

#### RECOMMENDATION

Inquire status.

(lh)

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HONORABLE: STANFORD E. REICHERT

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DATE: 05/02/18 TIME: 8:35 DEPT: S35P  
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CASE#: TRU PS1800063

CASE NAME: The William Rietveld Conveyance in Trust Dated 12/

HEARING:

Petition for appointment of successor trustee

COUNSEL:

WILLIAM C RIETVELD (PET)...MCCLELLAN WILSON AND PATTERSON  
THE WILLIAM RIETVELD CONVEYANCE TRUST (TRU)...

Currently under review by legal research.

(LR)

**Need** Notice of Hearing and Proof of Service as to William Bietveld and Cornella Brosen.

(lh)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**CONSERVATORSHIPS**

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DATE: 05/02/18      TIME: 9:30      DEPT: S35P  
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CASE#: CON PS1300202

**VACATED**

CASE NAME: Juanita Lopez Guzman

HEARING:

Accounting Review

COUNSEL:

MARIE E VENEGAS

(PCR)...DONNOE LAW

JUANITA LOPEZ GUZMAN

(CEP)...JENNIFER M DANIEL

Third Account Current filed 04/10/18.

***Future hearing date: 05/22/18 Third Account Current***

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

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DATE: 05/02/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1600172

CASE NAME: MTR OF AURA E SEVILLA-VARGAS

**SEE ALSO 13**

HEARING:

Hearing Re: OSC RE DISMISSAL OF PETITION FOR ESTATE POWERS

COUNSEL:

MELISSA A JOHNSON (CP)...PRO/PER  
AURA E SEVILLA-VARGAS (CTP)...

GENERAL INFORMATION

**Continued from 12/27/17.** Action came on for issued re conservatorship of estate. Court orders that on endorsement of Melissa A Johnson, Court orders any bank to accept for deposit any check payable to Melissa A Johnson or Aura E Sevilla-Vargas, or both Melissa A. Johnson and Aura E Sevilla-Vargas.

**Continued from 02/07/18.** No appearance. Court OSC re dismissal. If petitioner does not appear at OSC, Court will dismiss the petition.

**Continued from 03/28/18. No stipulation signed as to pro tem. Matter is continued.**

THIS CASE SET FOR HEARING ON **OSC Re Dismissal**/Petition for Appointment of Conservator of the Estate by Melissa A. Johnson (daughter)

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

1. Petitioner, Melissa A. Johnson, was appointed conservator of the person on 06/08/17, and now seeks to be appointed as conservator of the estate.
2. Petitioner requests no bond. Estate qualifies for bond waiver under Pr. C. §2628 as current assets are \$579, cash. **Question if conservatee's income is solely public benefits; if so, is petitioner representative payee? Court to inquire**
3. Petitioner seeks all powers under Pr. C. §2590 to sell real/personal property, including personal residence, borrow money, purchase/improve real property, lease property, lend money, etc. **Question if conservatee owns real property? Court to inquire.**
4. ~Proposed Form Order: 11/15/17

## RECOMMENDATION

Court's discretion. If approved, set hearing for Compliance Review for **12/05/18** for the filing of the required documents and hearing re Accounting Review for **07/10/19**. Any accounting to be filed 30 days in advance.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 05/02/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1600172

CASE NAME: MTR OF AURA E SEVILLA-VARGAS

**SEE ALSO 12**

HEARING:

Petition for Appointment of Conservator

COUNSEL:

MELISSA A JOHNSON (CP)...PRO/PER  
AURA E SEVILLA-VARGAS (CTP)...

Waiver of Court Fees and Costs filed by AURA E SEVILLA-VARGAS is GRANTED

See notes on prior matter #12.

(lh)

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

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DATE: 05/02/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1600213

CASE NAME: MTR OF NICOLE JEANNE MACERA

HEARING:

FIRST Account and Report of JOSEPH C MACERA, EVA A MACERA and  
Petition for allowance of fees

COUNSEL:

JOSEPH C MACERA	(CPE)...CHRISTINA FERRANTE
EVA A MACERA	(CPE)...CHRISTINA FERRANTE
NICOLE JEANNE MACERA	(CEP)...SANDY L. TURNER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First Account Current and Report of  
Conservator and Petition for Fees and No Further Accountings by Joseph Macera and  
Eva Macera, Co-Conservators

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

1. Accounting period: 12/05/16 to 12/31/17
2. Assets on hand: \$2,477.81, cash
3. Petitioners waive fees.
4. Attorney Ferrante requests fees of \$5,756.25 for 15.35 hours at \$375/hour less \$2,000 retainer for a total of **\$3,256.25** for attorney services. Itemized [Acct, 3/29/18, LFpg43-44]. As there are not enough funds on hand to pay fees, question how attorney intends to collect payment? **Need** verified supplement.
5. **Need** residential facility statements from LMB Care Home and/or written verification of rent per Pr.C. §2620(c)(5).
6. Petitioner requests court order that conservators need not file further accountings. Note: periodic accountings are *mandatory* per Pr. C. §2620. However, it appears estate qualifies for filing of future waiver of accountings per Pr. C. §2628 as current annual income is less than \$2,000 per month. Court may wish to require filing of annual waiver. **JTD**
7. Notice is complete.
8. ~Proposed Order: 03/26/18 subject to note #6.

**RECOMMENDATION:**

Need to clear notes #4-5 then Court's discretion. If approved, court to set accounting review for **02/27/19** (if one year) or **02/26/20** (if two years).

(lh)



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

-----  
DATE: 05/02/18 TIME: 9:30 DEPT: S35P  
-----

CASE#: CON PS1700430

CASE NAME: MTR OF MARIA SHAY

HEARING:

Hearing Re: CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

RIVERSIDE COUNTY PUBLIC GUARDIAN (PET)...COUNTY COUNSEL  
MARIA SHAY (CEP)...PUBLIC DEFENDER OF RIVERSIDE  
PATRICIA A HANSON (PET/OBJ)...ELDER LAW CENTER  
LAWRENCE A DEAN II (CPE)...SHERRI L KASTILAHN

GENERAL INFORMATION:

LPS Conservatorship terminates on 07/20/18.

**Continued from 02/06/18. Court notes the Court Investigator Report is not needed at this time. Hearing continued at request of Counsel to file amended Letter, Post Move Change of Address, and prospered order on 3<sup>rd</sup> account.**

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

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

1. PPF, Lawrence A. Dean, II re-appointed Conservator of the Person and Estate on 10/25/17 in Riverside County.
2. Current bond of \$1,556,035.00, filed on 09/21/16, reflects Riverside County. **Need** new bond in the amount of \$1,606,035.00.
3. Per Riverside Minute Order dated 02/09/17, the third account current, for period 10/01/15 to 09/30/16, was approved. **Need** conformed order as to same.
4. **Need** to file Post-Move Notice of Change of Address per Pr.C. §2352 and CRC 7.1013(c).

RECOMMENDATION:

Need to clear notes 2 - 4.

(lh)

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

-----  
DATE: 05/02/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1800013

CASE NAME: MTR OF TOLIVER THOMAS JR

HEARING:

Petition for Appointment of Conservator

COUNSEL:

TIRA A HAWTHORNE (CPE)...PRO/PER  
TOLIVER THOMAS JR (CTP)...SANDRA TURNER

#### GENERAL INFORMATION

**Continued from 03/07/18 to clear probate notes.** Sandy Turner requests petitioner complete a new confidential screening form and requests the court investigator confirm the number of persons residing in the home with the petitioner and if there are additional persons that a CII be completed on those persons. Referred to Court Investigator for investigation and report. If additional information is received by Court Investigator, Court Investigator to supply Court with supplemental report for next hearing on 5/2/18.

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

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

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract. **JTD**
2. Petitioner seeks civil rights to not be limited without court order.
3. Proposed conservatee is developmentally disabled.
  - a. **Report of appointed Counsel Sandy Turner filed 3/12/18.**
  - b. **IRC Report filed 03/02/18.**
4. See Confidential Screening form filed 04/20/18, item #9.
5. Petitioner seeks medical powers. Capacity Declaration filed 04/20/18 is incomplete as to item #1-2 re physician's name/address, and item #4b as to whether a patient. **Need** completed form.
6. **Need** Certificate of Completion of the Conservatorship Training Class.

7. List of required contacts form filed 01/19/18 and 04/20/18 have conflicting information as to names of relatives. **Need** amended List of Required Contacts to include names of relatives and their relationships to proposed conservatee.
8. CI Report filed 02/28/18. **Need CI Report/supplemental report.**
9. Due Diligence Declaration filed 02/21/18 as to Toliver Thomas, Sr (father). **JTD**
10. Return of Citation filed 02/21/18.
11. ~Proposed Form Order: 01/19/18

#### RECOMMENDATION

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

(lh)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**PROBATE**

-----  
DATE: 05/02/18      TIME: 8:30      DEPT: S36P  
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CASE#: PRO PS1300805

CASE NAME: Twana R. McCallon

HEARING:

Accounting Review

COUNSEL:

AURELL P CATER

(PET)...PRO/PER

TWANA R MCCALLON

(DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Court approved Status Report on 12/06/17. **Need** order after hearing.
2. **Need** accounting and status report.

#### RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 2

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

-----  
DATE: 05/02/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1400136

CASE NAME: Evelyn Joyce Murray

**SEE ALSO 3, 4**

HEARING:

Hearing Re: Status

COUNSEL:

VINCENT EUGENE MURRAY	(PET)...THOMAS W DOMINICK
EVELYN JOYCE MURRAY	(DEC)...
KIMBERLI MURRAY	(TP/PET)...BRENT D GRIDER

No notes—status only

(lh)

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

-----  
DATE: 05/02/18 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1400136

CASE NAME: Evelyn Joyce Murray

**SEE ALSO 2, 4**

HEARING:

Petition for ORDR TO RECOVER POSSESSION OF PERSONAL PROPERTY  
BELONGING TO ESTATE

COUNSEL:

VINCENT EUGENE MURRAY (PET)...THOMAS W DOMINICK  
EVELYN JOYCE MURRAY (DEC)...  
KIMBERLI MURRAY (TP/PET)...BRENT D GRIDER

GENERAL INFORMATION:

Continued from 5/16/16 and 08/03/16. Counsel request M.S.C.

**Continued from 10/19/16, 01/11/17, 03/22/17, and 10/18/17.** Stipulated trial date.

**Continued from 02/15/18.**

**Continued from 03/14/16 as parties agree to mediation set for 05/02/18.**

THIS CASE IS SET FOR HEARING ON Petition to recover possession of estate  
personal property Pr.C. § 850 by Vincent Murray, son.

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

1. Vincent Murray, administrator, petitions for recovery of personal property allegedly belonging to the estate.
2. Petitioner alleges that respondent Kimberly Murray has retained possession of the subject personal property but does not have an ownership interest in those items. Petitioner adds that he has made written demand for the items but that respondent has failed to return the property.
3. Petitioner requests an order determining the estate ownership of the property, for return of the property by respondent within five days, for the issuance of a writ of possession for the property, for \$500/mo as reasonable use of the property, for double damages pursuant to Pr.C. 859, and for costs of suit.
4. The subject property is listed at Exhibit A to petition (furnishings, antiques, electronics, jewelry, etc.).
5. **Objection filed 5/12/16 by Kimberly Murray.**
6. ~Proposed Order 3/29/16.

RECOMMENDATION  
Matter is opposed.

(ds/sa/lc/lh)

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

-----  
DATE: 05/02/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1400136

CASE NAME: Evelyn Joyce Murray

**SEE ALSO 2, 3**

HEARING:

FIRST Account and Report of VINCENT EUGENE MURRAY and Petition  
for allowance of fees filed.

COUNSEL:

VINCENT EUGENE MURRAY (PET)...THOMAS W DOMINICK  
EVELYN JOYCE MURRAY (DEC)...  
KIMBERLI MURRAY (TP/PET)...BRENT D GRIDER

#### GENERAL INFORMATION

**Continued from 3/30/16, 5/16/16, 08/03/16, 10/19/16, 01/11/17, 03/22/17, 10/18/17, 02/15/18, and 03/14/18. Parties agree to mediation. Court set mediation date for 05/02/18.**

THIS CASE IS SET FOR HEARING ON 1<sup>st</sup> Account Current and Petition for Fees

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

1. Letters of Administration issued 4/15/14, no bond.
2. Account period covers 12/12/13 – 12/31/15.
3. Assets on hand \$161,585.30 consisting of cash and personal property.  
However, some items listed are not appraised. Question why these items are not appraised or are these the items to be recovered. **Supp 05/06/16: Petitioner states that these items have yet to be marshalled and are the subject of the pending petition to recover them from Objector. If items are recovered, appraisals will be obtained.**
4. Petitioner alleges the estate is not in a condition to be closed as certain personal property that was removed from decedent's residence is yet to be recovered. Petitioner requests additional time in order to recover the property or file an 850 petition.
5. Petitioner requests an extension of 9 months in order to close the administration.
6. Petitioner and attorney request 70% of the \$11,823.48 statutory fees totaling \$8,275.00. JTD.
7. **Objections filed by Kimberly Murray on 03/09/16**



8. **Response to Objections filed 05/06/16 as “Supplement to First Account Current and Report of Administrator.”**
9. ~Proposed order: 2/16/16

**RECOMMENDATION:**

Matter is contested. If approved, court to set hearing re accounting review for **12/05/18**

(sa/dl/sa/lc/lh)

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

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DATE: 05/02/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1400664  
CASE NAME: NEIDA RENE LANGHORN

HEARING:  
First and final Account and Report of ALICE MITCHELL and  
Petition for allowance of fees

COUNSEL:

CARLYLE LANGHORN, SR	(PET)...SCOTT M. SHIELDS
NEIDA RENE LANGHORN	(DEC)...
ALICE MITCHELL	(PET)...JOELLE LEE A. NICHOL

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of First and Final Account and Report of Executor and Petition for Fees, Reimbursement, and Final Distribution by Alice Mitchell, Executor

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

1. Assets on hand: \$114,366.75, cash
2. All heirs waive accounting.
3. Petitioner requests statutory fees of **\$6,550**.
4. Petitioner requests statutory attorney's fees of **\$6,550** to be divided with two-thirds [\$4,366.66] to be paid to former attorney Roberta Taylor, and remaining one-third [\$2,183.34] to be paid to attorney Joelle Lee A. Nicol.
5. Attorney requests reimbursement for advanced costs in the amount of **\$589** to be paid to Joelle Lee A. Nicol, and **\$494** to be paid to Archangel Estate Planning & Trust. Itemized. [Acct, 03/21/18, LFpg10]. **JTD**
6. Petitioner requests reimbursement of costs of **\$34,387.22** for advanced mortgage payments, lawn care, locksmith, utilities, and clean-up. Itemized. [Acct, 3/21/18, LFpg27].
7. Petitioner requests reserve of \$1,000.
8. Notice was given.
9. ~Proposed order: 03/21/18

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final discharge **05/08/19**. (lh)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/02/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1601214

CASE NAME: MTR OF RONALD CLIFFORD WADE

HEARING:

Accounting Review

COUNSEL:

BRIAN WADE (PET)...PRO/PER  
RONALD CLIFFORD WADE (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Brian Wade

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

1. Brian Wade was appointed Executor on 02/22/17 with full authority, letters issued 04/14/17. Sale proceeds to be placed in blocked account in lieu of bond.
2. Inventory and Appraisal filed 08/15/17
3. **Need** accounting and status report.

RECOMMENDATION

Inquire status.

(lh)

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

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DATE: 05/02/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1601216

CASE NAME: MTR OF ANTONIA ROBLES MOLINA

HEARING:

Accounting Review

COUNSEL:

SALLY ACUNA-LOPEZ (PET)...ZACHARY R. HAGENBUCH  
ANTONIA ROBLES MOLINA (DEC)...  
DEPT OF HEALTH CARE SERVCS (TP )...PRO/PER

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Sally Acuna-Lopez

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

1. Letters of Administration issued to Sally Acuna-Lopez, daughter, on 02/22/17; full authority; no bond
2. **Need** accounting and/or status report.

#### RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino  
Page: 8  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 05/02/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700266

CASE NAME: MARGARET MARQUEZ

HEARING:

Waiver Account and Report of THERESA DANIEL and Petition for allowance of fees filed.

COUNSEL:

THERESA DANIEL (PET)...MICHAEL C MADDUX  
MARGARET MARQUEZ (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of First and Final Account and Report and Petition Fees and Final Distribution by Theresa Daniel, administrator/sole heir

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

1. Assets on hand: \$165,000, 50% interest in real property.
2. Richard Marquez (brother) and Arthur Marquez (brother) assigned their interest to petitioner. [Acct, 03/26/18, LFpgs 11-12].
3. Attorney requests statutory fees of **\$5,950** requested, plus reimbursement of advanced costs of **\$591** for filing, certified copies, and recording fees. Calculated.
  - a. Attorney seeks judgment against Theresa Daniel for payment. **JTD**
4. Notice is complete.
5. ~Proposed order: 03/26/18

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **05/08/19**.

(lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 05/02/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700840

CASE NAME: THE DONALD MARSHALL TRUST DATED 4/28/03

HEARING:

Hearing Re: Status Conference

COUNSEL:

THE DONALD MARSHALL TRUST (TRU)...  
JUDITH ANN MARSHALL (TEE)...GREGORY L ZUMBRUNN  
RICHARD MARSHALL (JOHN D HARDY)

Status—no notes—JTD

(lh)

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

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DATE: 05/02/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700935

CASE NAME: MTR OF JAMES RALPH TOLLIVER

HEARING:  
Probate status report

COUNSEL:  
DAVID SHERAK OF VOGT,RESNICK (PET)...VOGT,RESNICK & SHERAK  
JAMES RALPH TOLLIVER (DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Status Report re David A. Sherak, Special Administrator

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

1. Estate is not in a condition to close due to ongoing search for several of decedent's assets e.g., financial accounts, rent on real property received prior to decedent's death, unclaimed property held by state of California, and additional funds believed to have been taken from decedent prior to his death by beneficiary, Tania Hussein. These assets may require Special Administrator to request the Court to compel responses from parties.
2. Petitioner requests an additional 6 months to close the estate. **JTD**
3. **Need** Notice of Hearing and proof of service in accord with Pr.C. § 12201. Whenever a status report is filed without an accounting, notice must indicate a right to an accounting in accord with Pr.C. § 10950. **This form of notice is mandatory.**
4. No proposed Order submitted. Submit after hearing

#### RECOMMENDATION:

Need to clear note #3. If approved, set next hearing for Accounting Review for **12/05/18** (if 6 months), or **05/22/19** (if one year). Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(lh)

***Future Hearing: 06/07/18 Hearing Re: Status of Administration (re petition for general probate)***

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

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DATE: 05/02/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1701060

CASE NAME: TERESITA ANGELES BOWERS

**SEE ALSO 12**

HEARING:

Petition for Order Confirming Successor Trustee and Trust Assets

COUNSEL:

MARIA THRIXIE ANGELES GUZMAN	(PET)...PRO/PER
TERESITA ANGELES BOWERS	(DEC)...
MARIA RHEA ANGELES FRANCISCO	(OBJ)...PRO/PER
SHERYLL A. BAUTISTA	(SIMONIAN LAW, APC)

Currently under review by legal research.

(LR)

**NOTICE:**

Need **Notice of Hearing** to named successor trustee as to Maria Rhea Francisco, daughter; Maria Theresa Francisco Ilar, daughter; Manille Francisco, granddaughter; and Romeo Raphael Francisco, grandson.

Request to Excuse Notice with Due Diligence Declarations filed 02/26/18 as to Consolacion Santiago (successor trustee), Irma Bacarella (alternate successor), Flordeliza de Guzman (sister); and Rebecca Legaspi (sister). JTD

**Need** 30 days' notice with copy of petition by personal service per Pr.C. § 851 on current owner of property at issue, Sheryll Bautista. Note requirements of contents of notice described in Pr. C. §851(c)

(ww/lh)



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

-----  
DATE: 05/02/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1701060

CASE NAME: TERESITA ANGELES BOWERS

**SEE ALSO 11**

HEARING:

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

COUNSEL:

MARIA THRIXIE ANGELES GUZMAN	(PET)...PRO/PER
TERESITA ANGELES BOWERS	(DEC)...
MARIA RHEA ANGELES FRANCISCO	(OBJ)...PRO/PER
SHERYLL A. BAUTISTA	(SIMONIAN LAW, APC)

GENERAL INFORMATION

Letters of special administrator issued to Maria Guzman on 10/30/17, no bond.

**Continued from 01/22/18.**

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Maria Guzman, daughter

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

1. Petitioner requests that bond is to be determined. The estate consists of **negative** \$125,000 due to encumbrances on real property.
  - a. Notice to Petition to Administer Estate and proof of service filed 10/26/17; however, **need** notice to the Consulate of the Philippines is required as Maria Ilar is an heir.
2. **Need** Request to Excuse Notice and Due Diligence Declaration (local form) as to Maria Rhea Francisco.
3. **Demurrer by Sheryll A Bautista filed 01/18/18.**
4. **Opposition to Demurrer by Maria Guzman filed 02/26/18.**
5. ~Proposed Form Order:10/24/17

RECOMMENDATION Matter is contested.

Need to clear notes 2-4. Court's discretion re bond. If approved, set Accounting/Status Review **07/10/19**. Any accounting to be filed 30 days in advance local rule 20-901.

Note requirements of local rule 20-908.

(ww/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.

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

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DATE: 05/02/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1800136

CASE NAME: NORMA J WEBB

HEARING:

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

COUNSEL:

HAROLD M LOUDERMILK	(PET)...ROSE C ROSADO
LINDA SCHLACHTER	(PET)...ROSE C ROSADO
NORMA J WEBB	(DEC)...

GENREAL INFORMATION:

**Continued from 03/14/18. Reporter waived. Hearing continued at request of Counsel to file verified supplement.**

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Harold Laudermilk and Linda Schlachter (siblings)

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

1. Petitioners request bond be waived so long as funds are deposited into attorney-client trust account. Estimated net value of estate is \$201,000, consisting of real property and \$1,000 in personal property. Petitioners are non-residents; Court may require bond if the proposed personal representative resides outside California per and Pr. C. § 8571. **JTD**
2. ~Proposed form Order: 02/13/18

RECOMMENDATION:

Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **07/10/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 05/02/18 TIME: 8:35 DEPT: S36P  
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CASE#: TRU PS1800064

CASE NAME: MTR OF FUMIE SCOTT

HEARING:  
Petition for ORDER CONFIRMING TRUST ASSETS

COUNSEL:

LAURA ANN OBRIEN (PET)...JENNIFER MEDEIROS  
FUMIE SCOTT (TRU)...

Currently under review by legal research.

(LR)

Need Notice of Hearing and Proof of Service as to Kevin O'Brien, Shaun O'Brien, Kerri O'Brien, Kaitlin O'Briend, and Laura O'Brien (in her capacity as trustee).

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH      **CONSERVATORSHIPS**

-----  
DATE: 05/02/18      TIME: 9:30      DEPT: S36P  
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CASE#: CON PS1100218

CASE NAME: MIE KURISU FUJIWARA

HEARING:

Hearing re Final Discharge

COUNSEL:

JOANN FUJIWARA

(CE )...BUXBAUM & CHAKMAK

MIE KURISU FUJIWARA

(CTE)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Fifth and Sixth Final Accounts approved on 04/26/18. Court ordered Counsel to submit a 13100 declaration and prepare orders, along with verification of transfers with receipts. **Need same.**
2. **Need** Ex Parte Petition for Final Discharge and Order.

#### RECOMMENDATION

Inquire status.

(lh)

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

-----  
DATE: 05/02/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1500050

CASE NAME: Glen William Heymans

**SEE ALSO 17, 18**

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of CHARMAINE GONZALEZ

COUNSEL:

CHARMAINE GONZALEZ	(PET)...G STEVEN GACKLE
JASON HEYMANS	(PET)...G STEVEN GACKLE
GLEN WILLIAM HEYMANS	(PET/CEE)...MATTHEW E. SHEASBY

#### GENERAL INFORMATION

**Continued from 2/4/16, 03/07/16, 06/06/16, 09/08/16, 01/11/17, 04/05/17 and 07/12/17.** A status is needed as well as Inventory and Appraisal. Counsel represents that conservatee was released and not currently incarcerated. Counsel Sheasby to contact Conservator's Counsel Steven Gackle to discuss this matter. Counsel Sheasby to appear on 10/04/17.

**Continued from 10/04/17.** Court and counsel confer on the record. Court continues matter; Mr. Sheasby to file a report regarding the information provided to Court this date. Notice waived.

**Continued from 12/06/17.** Court ordered Attorney G Steven Gackle and his clients, Charmaine Gonzales and Jason Heymans, to personally be present at the next hearing. Notice given by Judicial Assistant.

**Continued from 01/31/18. Oral report given by Attorney G. Steven Gackle. Counsel states that no contact has been made with conservatee.**

THIS CASE SET FOR HEARING ON Compliance Review/Accounting Review

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

1. Charmaine Gonzalez and Jason Heymans, daughter and son, appointed conservators of the person and estate on 07/02/15, \$20,000 bond.
2. Conservatee's rights, Care Plan and Level of Care forms filed.
3. **Need** final Inventory & Appraisal per Pr.C.§2610.
4. **Need** accounting.

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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.

5. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
6. If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

#### RECOMMENDATION

Need to clear notes 3-5.

(lc/ds/dl/lc/lh)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/02/18 TIME: 9:30 DEPT: S36P  
-----

CASE#: CON PS1500050

CASE NAME: Glen William Heymans

**SEE ALSO 16, 18**

HEARING:

Accounting Review

COUNSEL:

CHARMAINE GONZALEZ	(PET)...G STEVEN GACKLE
JASON HEYMANS	(PET)...G STEVEN GACKLE
GLEN WILLIAM HEYMANS	(PET/CEE)...MATTHEW E. SHEASBY

See prior matter #16.

(lh)

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

-----  
DATE: 05/02/18 TIME: 9:30 DEPT: S36P  
-----

CASE#: CON PS1500050

CASE NAME: Glen William Heymans

**SEE ALSO 16, 17**

HEARING:

Probate status report

COUNSEL:

CHARMAINE GONZALEZ	(PET)...G STEVEN GACKLE
JASON HEYMANS	(PET)...G STEVEN GACKLE
GLEN WILLIAM HEYMANS	(PET/CEE)...MATTHEW E. SHEASBY

GENERAL INFORMATION

**Continued from 01/31/18.**

THIS CASE IS SET FOR HEARING ON Status Report by Matthew Sheasby

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

1. Report of appointed counsel Matthew Sheasby filed 12/06/17 indicates an unlimited Fraud case, case number 1469580 was filed in Superior Court of Santa Barbara on 11/10/14 is an effort to recover funds from Mr. Heyman's ex-girlfriend. The case has since been dismissed as of 10/05/15.
2. Counsel alleges he has been unable to obtain a copy of the records in time to complete report, and further alleges he has been unable to locate any other defendants to recover additional funds which may have been taken from Mr. Heymans.

RECOMMENDATION

Court's discretion.

(lh)



Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/02/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1700025

CASE NAME: BETTY J ALTHER

**VACATED**

HEARING:

Accounting Review

COUNSEL:

JANET E SACKWAR	(CPE)...JOELLE LEE A. NICHOL
BETTY J. ALTHER	(CEP)...WALTER T. MOORE
LIBERTY MUTUAL INSURANCE	(TP )...

Future hearing date: 05/30/18 First Account and Report of Janet E Sackwar

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

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DATE: 05/02/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1700336

CASE NAME: HERMAN JORDAN JR

HEARING:

Petition for Appointment of Conservator

COUNSEL:

HERMAN JORDAN III (PET)...PRO/PER  
HERMAN JORDAN JR (CEE)...MARIVEL M ZIALCITA

#### GENERAL INFORMATION

Temporary orders denied on 09/19/17. Marivel Zialcita appointed counsel.

**Continued from 10/19/17.** Public Guardian to be notified for possible appointment.

**Continued from 11/30/17.** Court and Counsel confer on the record. Public Guardian relieved from future hearings. Petitioner to file an amended petition requests estate powers also.

**Continued from 01/05/18** at request of Counsel. Counsel intends on assisting petitioner to clear probate notes.

**Continued from 03/07/18.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Herman Jordan III, son.

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

1. Petitioner seeks medical powers. **Need** Capacity Declaration.
2. Petitioner does not request dementia powers; however, dementia attachment is included. **Need** verified supplement clarifying requested powers.
3. Petition indicates proposed conservatee is developmentally disabled; however, this is not a petition for limited conservatorship. **Need** verified supplement clarifying.
4. Report of Counsel Zialcita filed 11/30/17.
5. List of required contacts is missing Jaysan Jordan. **Need** completed form.
6. **Need** return of Citation.
7. **Need** Notice of Hearing and Proof of Service.
8. Court Investigator report filed 10/17/17.
9. Certificate of Completion of the Conservatorship Training Class filed 09/12/17.
10. *Note: Amended Petition for estate powers not filed as of review. Need same.*

11. ~Proposed Form Order: 09/08/17

**RECOMMENDATION**

Need to clear notes 1-7, 10. If approved, set hearing for Compliance Review for **12/05/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5

(lh/lc/lh)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**PROBATE**

-----  
DATE: 05/02/18      TIME: 8:30      DEPT: S37P  
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CASE#: PRO PS1500077

CASE NAME: DONALD R WOOTERS

HEARING:

Hearing re Final Discharge

COUNSEL:

DONA D STOUT

(PET)...JEANNE E KENNEDY

DONALD R WOOTERS

(DEC)...

INHERITANCE FUNDING

(PET)...STEVEN D SCHROEDER

#### GENERAL INFORMATION

**Continued form 12/20/17 and 02/21/18** to clear probate notes.

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Receipts received from Dona Stout, Duane Wooters, David Wooters, and Daniel Wooters.
2. ~Ex Parte Petition for Final Discharge and Order received 4/16/18 reviewed and approved by examiner.

#### RECOMMENDATION

None.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 2

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

-----  
DATE: 05/02/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1500849

CASE NAME: MICHAEL D. JUDD AKA MICHAEL DAVID JUDD ETC

HEARING:

Hearing Re: PROOF OF DISTRIBUTION/ORDER ON FINAL SETTLEMENT

COUNSEL:

SUZANNE BAILEY	(PET)...HARTNELL LAW GROUP
MICHAEL D. JUDD	(DEC)...
RANDI L KENNEDY	(PET/TP)...CHRISTOPHER A SHUMATE
BARBARA JUDD	(DEBRA L LEFFLER STREETER)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON PROOF OF DISTRIBUTION/ORDER ON FINAL SETTLEMENT

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

1. Matter set on 2/28/18. Court approved extraordinary fees in the reduced amount of \$2,860. Settlement agreement was filed this date. First and Final account approved; Order to be filed. Notice was waived.
2. Order on First and Final Account filed 04/25/18.
3. Settlement Agreement and Order filed 04/25/18.

RECOMMENDATION

Court's discretion.

(lh)

Future Hearing: 10/24/18 Final Discharge

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

-----  
DATE: 05/02/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600407

CASE NAME: RIVARD LOUIS HEIL

HEARING:

FIRST AND FINAL Account and Report of PENNY LOU HEIL and  
Petition for allowance of fees

COUNSEL:

PENNY LOU HEIL	(PET)...GREGORY L ZUMBRUNN
RIVARD LOUIS HEIL	(DEC)...
ROSEMARIE LANDES	(PET)...SHEASBY AND ASSOCIATES
ROSE C ROSADO	(TP )...PRO/PER

GENERAL INFORMATION

**Continued from 02/22/18 at request of Court. Objections filed 02/20/18.**

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Penny Lou Heil, former spouse.

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

1. Assets on hand \$0.
2. Executor and counsel seek fees of \$3,125 each. Executor agrees to pay counsel outside of estate subject to reimbursement and payment of executor's commission.
3. Counsel seeks reimbursement of costs totaling \$1,474.50.
4. **Objection by Rosemarie Landes filed 02/20/18.**
5. **Reply to Objections filed by Penny Lou Heil on 04/18/18.**
6. ~Proposed Order: 11/01/17.

RECOMMENDATION

Matter is contested.

If approved, set hearing on the filing of final discharge for **12/05/18**.

(lc/lh)

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

-----  
DATE: 05/02/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600907

CASE NAME: MTR OF YOUNG SOOK HAN

HEARING:

OSC re: Dismissal

COUNSEL:

AE SOOK HAN	(PET)...RYAN A ELLIS
YOUNG SOOK HAN	(DEC)...
YOUNG SOO KO	(PET)...PRO/PER

GENERAL INFORMATION

**Continued from 02/28/18. No appearance. Matter continued for bond to be filed.  
Court set OSC re dismissal for 05/02/18**

THIS CASE IS SET FOR HEARING ON **OSC Re Dismissal/RECEIPT OF BOND**

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

1. Court appointed Young See Ko as administrator with full authority on 01/24/18, with \$20,000 bond.
2. **Proof of \$20,000 bond filed 03/13/18.**
3. **Response to OSC filed 04/18/18.**

RECOMMENDATION

Court's discretion re OSC.

(lh)

Future Hearing: 4/03/19 Accounting Review

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

-----  
DATE: 05/02/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600908

CASE NAME: JORGE HIDALGO

HEARING:

FIRST AND FINAL Account and Report of DEBRA HIDALGO and Petition  
for allowance of fees filed.

COUNSEL:

DEBRA HIDALGO (PET)...IGNAZIO FICARA  
JORGE HIDALGO (DEC)...

GENERAL INFORMATION:

**Continued from 02/28/18 at request of Court to clear probate notes.**

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees  
by Debra Hidalgo, executor

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

1. Accounting period: 04/14/16 to 10/11/17
2. Assets on hand: \$57,853.49, cash, and vehicle valued at \$700.
3. Statutory fees of **\$5,669.58**, each, requested by petitioner and attorney.  
Calculated. **JTD**
4. Petitioner identifies reimbursements made to Sandra Hidalgo for \$3,339.16  
on 06/2/17; Brenda Gautier for \$3,313.16 on 07/07/17; and Debra Hidalgo  
for \$800 on 07/31/17 [Acct, 11/19/17, LFpg6]. **Supp filed 02/28/18 with  
itemization of costs including mortgage payments, landscape  
maintenance, court filings fees, utility payments, funeral expenses, and  
decedent's pet veterinarian bills.**
5. Petitioner hired her son, Che Butler, to repair real property to market it for  
sale. Total repairs cost \$700 which was substantially less than the cost to  
hire a contractor.
6. Notice was given.
7. ~Proposed order: 11/09/17

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final  
discharge for **05/08/19**. (lh)



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

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DATE: 05/02/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1601039

CASE NAME: MTR OF MARCELLA WASHINGTON TRUST

**SEE ALSO 7, 8**

HEARING:

Hearing Re: PROBATE STATUS REPORT

COUNSEL:

BENNIE HILL	(PET)...PRO/PER
THE MARCELLA WASHINGTON TRUST	(TRU)...PRO/PER
JEANNIE PORTER	(PET/TEE)...SUZANNE M GRAVES

GENERAL INFORMATION:

**Continued from 12/12/17 and 02/28/18** at request of Court to clear probate notes.

THIS CASE IS SET FOR HEARING ON Status Report by Trustee, Jeannie M. Porter ["Petitioner"].

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

5. Petitioner alleges the estate is not in a condition to be closed as the accounting remains to be completed as counsel was out of town shortly after being retained.
6. Petitioner requests an additional 2 months to close the estate.
7. Notice of Hearing and Proof of Service filed.

RECOMMENDATION:

Court's discretion.

(nb/lh)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/02/18 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1601039

CASE NAME: MTR OF MARCELLA WASHINGTON TRUST

**SEE ALSO 6, 8**

HEARING:

Petition for TO COMPEL FOR PRELIMINARY DISTRIBUTE FUNDS FROM  
LIVING TRUST

COUNSEL:

BENNIE HILL	(PET)...PRO/PER
THE MARCELLA WASHINGTON TRUST	(TRU)...PRO/PER
JEANNIE PORTER	(PET/TEE)...SUZANNE M GRAVES

Currently under review by Legal Research.  
(LR)

Notice was given.

(nb/lh)

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

-----  
DATE: 05/02/18 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1601039

CASE NAME: MTR OF MARCELLA WASHINGTON TRUST

**SEE ALSO 6, 8**

HEARING:

First and Final Account and Report of JEANNIE PORTER and  
Petition for allowance of fees filed.

COUNSEL:

BENNIE HILL	(PET)...PRO/PER
THE MARCELLA WASHINGTON TRUST	(TRU)...PRO/PER
JEANNIE PORTER	(PET/TEE)...SUZANNE M GRAVES

Waiver of Court Fees and Costs filed by BENNIE HILL is GRANTED  
TOTAL FEES WAIVED TO DATE: \$900.00

GENERAL INFORMATION:

**Continued from 02/28/18 at request of Counsel to clear probate notes. Notice to be given by Ms. Ireland.**

THIS CASE IS SET FOR HEARING ON First and Final Account and Report of Trustee and Petition for Attorney's Fees, Reimbursement of Funds and Final Distribution, by Jeannie M. Porter, Trustee

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

1. Accounting period: 04/28/16 to 09/30/17
2. Assets on hand: **\$100,583.80**, cash and remaining \$1,500 in vacant land.
  - a. Accounting does not balance and is off by **\$3,873.74**. Petitioner admits trust funds were commingled in several of petitioner's accounts making it difficult to identify all disbursements. Petitioner requests to repay Trust \$3,873.74 by deducting it from her share of final distribution [Acct, 11/09/17, LFpg4]. **JTD**
3. Attorney seeks compensation of **\$16,000**; however, attached invoices do not clearly sum up requested fees. [Acct, 11/09/17, LFpgs144-146]. **Need verified supplement with complete itemization of services.**
  - a. **Supp 03/09/18, LFpgs3; 9-19.** Attorney alleges she has accrued additional hours in filing supplements/responses to clear probate notes. Additional invoices are attached; however, petitioner does not provide a *total of all invoices*. **Need verified supplement with**

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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.

reconciliation of total fees requested, with separate subtotals setting for the number of hours requested at each hourly rate.

**b. Supplement to clear notes filed past 2<sup>nd</sup> check deadline on 04/27/18 not in LF at time of review.**

4. Petitioner seeks reasonable compensation of **\$4,084.68** calculated at 1% of trust assets annually. Itemized. [Acct, 11/09/17, LFpg147]. **JTD**
5. Petitioner alleges decedent owned a safe deposit box in Rosamond, California; however, the bank relocated to Palmdale/Lancaster prior to decedent's death and petitioner has been unable to trace the safe deposit box. **Court to inquire.**
6. Petitioner reimbursed herself **\$9,709.19** for administrative costs from proceeds of sale of real property. Petitioner has *some* receipts, statements and invoices to support a portion of costs totaling \$4,319.14 but does not appear to have proof of remaining \$5,390.05 in reimbursements. Trustee proposes to repay Trust **\$5,390.05** by deducting amount from her distributive share, and seeks Court approval of paid reimbursements and repayment. **Itemized. [Acct, 11/09/17, LFpg102-103]. JTD**
7. Petitioner made 'preliminary distributions' to beneficiaries: Jeannie Porter for \$29,540; Ronald K. Hill for \$7,200; Bennie M Hill for \$7,200; Tippie Torres \$3,000; and Philena Quillopo \$3,000; Tanya G. Washington for \$1,606.28. Itemized.
8. Payments were also made to Evan Peoples (nephew of Trustee) for \$3,000 and Keya Causy (cousin of Trustee) for \$5,000; however, these appear to be expenses—not distributive share as they are not beneficiaries.
  - a. Distribution to Keya Causey (decedent's granddaughter) was for partial reimbursement of funeral expenses. **Need itemization.**
    - i. **Supp filed 03/09/18**; petitioner alleges the funeral costs advanced total \$561. However, trustee paid Keya a total of \$5,000 to reward her for the generous care given to decedent prior to her death. Petitioner/trustee deducted the \$5,000 from her distributive share. Revised proposed distribution attached at LFpg28. **JTD**
    - b. Distribution to Evan Peoples was for 180 hours of work he performed to repair Rosamond and Mojave and prepare for sale totaling \$3,000. **Supp 03/09/18 itemization attached at LFpg24-26.**
9. Petitioner requests reserve of \$25,000 for remaining Trust liabilities detailed in Schedule G. [Acct, 11/09/17, LFpg140]. **JTD**
10. **Objection to Trustee Compensation and Attorney Fees by Bennie Hill filed 01/22/18.**
11. **Response to Objection of Bennie Hill filed by Jeannie M Porter on 02/07/18.**
12. **Objection to False Statement by Bennie Hill filed 02/16/18.**
13. **Response to Object to False Statement filed by Jeannie M. Porter on 02/16/18.**
14. *Note: a Complaint against the Trustee for Breach of Fiduciary Duty was filed 04/02/18 by Bennie Hill; however, it has not been set for hearing. Require*

*separate petition to be filed and noticed hearing set. Clerk's office notified  
04/18/18.*

15. ~Proposed Order: 12/12/17

**RECOMMENDATION:**

Matter is contested.

Need to clear note #3, then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge to include informal account re reserves for **03/13/19**.

(lh)

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

-----  
DATE: 05/02/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1601199

CASE NAME: SUSAN KATHRYN HIRSCH

HEARING:

Accounting Review

COUNSEL:

MICHAEL D AYALA	(PET)...HORSPPOOL & HORSPPOOL
SUSAN KATHRYN HIRSCH	(DEC)...
MCCARTHY & HOLTHUS, LLP	(TP )...MCCARTHY & HOLTHUS

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Susan Kathryn Hirsch

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

1. Susan Kathryn Hirsch was appointed executor on 02/22/17 with full powers.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting and status report.

RECOMMENDATION

Inquire status.

(lh)

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

-----  
DATE: 05/02/18 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1700418

CASE NAME: MTR OF CAROLYN ELLIS

HEARING:

Hearing Re: FAILURE TO TURN OVER DOCUMENTS

COUNSEL:

CHRISTINA RICKORDS	(PET)...VOORHEES LAW GROUP
CAROLYN ELLIS	(DEC)...
JAMES HEPLER	(BEN)...
LILY GRANFIELD	(PET)...ROBINSON-LEGAL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Failure to Turn Over Documents

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

1. Matter set on 02/28/18 at hearing re final accounting. Counsel reported Christina Rickords is looking for counsel. Accounting is to be filed by 05/29/18. Christina Rickords ordered to be present at next hearing.
2. Hearing re status report held 04/02/18. Mr. Havalty informed Court he has received some records, but he is still in need of 2017 bank statements and keys to the house. Counsel to contact Ms. Voorhees.

RECOMMENDATION

Inquire status.

(lh)

Future Hearings:

6/27/18 Hearing Re: Final Accounting (Christina Rickords)

8/13/18 Hearing Re: OSC Re: Surcharge Against James Hepler

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

-----  
DATE: 05/02/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1800076  
CASE NAME: GILBERTO PINELA RIVAS

HEARING:  
Spousal Property Petition hearing.

COUNSEL:  
LOURDES PINELA (PET)...PRO/PER  
GILBERTO PINELA RIVAS (DEC)...

GENERAL INFORMATION

**Continued from 02/28/18 at request of Court. Verified supplement to be filed with date of marriage, date property purchased, how property is held and a copy of grant deed. Notice to Jerry Pinela and Maryjane Pinela to be filed.**

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Lourdes Pinela, spouse

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

1. Decedent died intestate testate 10/07/17 and is survived by a spouse and 5 children.
2. Petitioner requests confirmation of property belonging to the surviving spouse.
3. **Need** Attachment 7 explaining the facts upon which the petitioner bases the allegation that property should be confirmed.
  - a. **Supp filed 4/4/18.** Petitioner provided a marriage certificate indicating she and decedent were married in June, 1990. Also attached is an Interspousal Transfer Grant Deed in which petitioner, Lourdes Pinela, transferred title to Gilberto Pinela Ribas as his sole and separate property on 09/06/16. See also marriage certificate and deed at LFpg4-7.
  - b. **Supp 04/25/18 petitioner was married to decedent for 27 years. At the time of purchase of property, only decedent's credit was used to expedite the process with the intention of adding petitioner later. Petitioner resided in home and maintained property with decedent.**
4. ~Proposed form order: 01/25/18

RECOMMENDATION:  
Court's discretion.

(lh)



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

-----  
DATE: 05/02/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1800090

CASE NAME: RONALD RICHARD SHELBY

HEARING:

Petition for letters of administration with will annexed with full iaea

COUNSEL:

KIMBERLY SHELBY (PET)...PRISCILLA C SOLARIO  
RONALD RICHARD SHELBY (DEC)...

GENERAL INFORMATION:

**Continued from 02/28/18.** Mr. Shelby is advised that as a beneficiary of the IRA, he may speak with IRA about this account. Mr. Shleby may file written objections and a competing petition in this matter. Court will require a bond in this case in the amount of \$375,000.

THIS CASE IS SET FOR HEARING ON Petition for Probate of Will and for Letters of Administration with Will Annexed, Full Authority under IAEA by Kimberly Shelby, daughter-in-law

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

1. Will waives bond; however, it is unclear whether petitioner is named executor. Estimated assets consist of personal property at \$375,000. The court may for good cause require that a bond be given, either before or after issuance of letters (Prob. Code, § 8481(b)).
2. The will conditionally incorporates decedent's Trust. **Need** Certification of Trust that meets the requirements in Pr. C. § 18100.5, to include a list of Trust beneficiaries for notice purposes. Does Court also wish to require a copy of decedent's Trust? **JTD**
3. Petitioner seeks letters of administration with will annexed; however, petition, item #3g indicates petitioner was named as executor. **Need** verified supplement.
4. **Need** Declination to Act by trustee of the Ronald R. Shelby Living Trust.
5. Notice of Petition to Administer Estate with proof of service filed 02/16/18; however, need to clear note #2 to determine notice.
6. **Need** Receipt of will lodged with court.
7. ~Proposed form Order: 01/30/18

**RECOMMENDATION:**

Need to clear notes #2-6. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **07/10/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/02/18 TIME: 8:35 DEPT: S37P  
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CASE#: PRO PS1400908

CASE NAME: RICHARD V. SMITH TRUST DATED 7/14/98

**SEE ALSO 14**

HEARING:

Hearing Re: PETITION FOR INSTRUCTIONS FOR TRUSTEE

COUNSEL:

CAROL STEINBRENNER	(PET)...WARD & WARD
RICHARD V. SMITH TRUST	(TRU)...
MELODIE SCOTT	(PET/STE)...J. DAVID HORSPPOOL
AMERICAN CANCER SOCIETY ARTHRITIS FOUNDATION (PET)...	TARA L COO
CITY OF HOPE	(RODRIGUEZ, HORII, CHOI & CAFFE)

Currently under review by legal research.

(LR)

Continued matter – notice not re-reviewed.

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

-----  
DATE: 05/02/18 TIME: 8:35 DEPT: S37P  
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CASE#: PRO PS1400908

CASE NAME: RICHARD V. SMITH TRUST DATED 7/14/98

**SEE ALSO 13**

HEARING:

FIRST CURRENT Account and Report of MELODIE SCOTT and Petition  
for allowance of fees filed.

COUNSEL:

CAROL STEINBRENNER (PET)...WARD & WARD  
RICHARD V. SMITH TRUST (TRU)...  
MELODIE SCOTT (PET/STE)...J. DAVID HORSPPOOL  
AMERICAN CANCER SOCIETY ARTHRITIS FOUNDATION (PET)...TARA L COO  
CITY OF HOPE (RODRIGUEZ, HORII, CHOI & CAFFE)

GENERAL INFORMATION:

**Continued from 11/29/17** at request of Counsel to clear probate notes.

**Continued from 02/28/18. Court ordered trustee not to pay herself any further fees without prior order of Court. Court ordered a detailed description of trustee's fees to be filed. Notice to be given by Mr. Horspool.**

THIS CASE IS SET FOR HEARING ON First Account Current and Report of Trustee and Petition for its Settlement by Melodie Z. Scott

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

1. Accounting period: 12/11/14 to 12/31/16
2. Assets on hand: \$1,186,875.97, of which **\$6,875.97** is cash and remaining in real property.
3. Beginning cash assets includes a margin loan of (\$46,656.65). **Need** further clarification of assets via verified supplement. Does Court wish to require an Inventory and Appraisal? [See Acct 8/30/17, LFpg6]
4. **Need** verified supplement to include report per Pr. C. §16063(b), and provide clarification of the following Schedule C disbursements [See Acct, 08/30/17, LFpgs13-21]:
  - a. **Need** explanation of sale of assets e.g. gold bullion art, sterling flatware, art, antiques, and stock totaling.
  - b. **Need** description of payments to various insurance companies [LFpg13].

- c. Trustee paid herself \$27,600 in trustee fees. **Need itemization of services via verified supplement.**
  - d. Payments were made to various attorney firms throughout accounting period as follows: Barrister Professional Services \$4,018.75; Granowitz, White & Weber \$4,570, Hartnell Law Group \$30,571.02; Horspool \$5,000; Paul Shimoff \$14,295.70; Steven R. Weber \$6,560. Court may wish to inquire. [LFpg18].
  - e. Accounting fees paid to Dennis Phillips & Associates at \$3,000. **Need** itemization of services.
    - i. See also note 3(d) regarding additional accounting fees paid to Raumey Wilson. Court to inquire.
  - f. Payments to Raumey Wilson for property management \$2,181.78; miscellaneous property repairs \$613.56; accounting services \$3,622, and misc. trust expenses \$202.58. **Need** itemization of costs/services.
  - g. Multiple payments to Chris Scott and Ann Marie Scott for case management. **Need** description of costs/services and allegations regarding familial relationship to trustee. [LFpg20]
  - h. Partial reimbursement of \$10,000 paid to Carol Steinbrenner on 01/30/15 for costs advanced to trust. **Need** itemization of advanced costs. [LFpg21]
5. ~Proposed order: 08/30/17

**RECOMMENDATION:**

Need to clear notes #3-4. If approved, set future hearing for Accounting/Status Review on **07/18/18**. Any accounting to be filed 30 days in advance of review date. Note requirements of Local Rules 20.901 and 20.908.

(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

## CONSERVATORSHIPS

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DATE: 05/02/18      TIME: 9:30      DEPT: S37P  
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CASE#: CON PS1200088

CASE NAME: LESLEY EGAN

### HEARING:

FIRST Account and Report of CHRISTINA RIEKER and Petition for allowance of fees filed.

### COUNSEL:

ROBERT STACKHOUSE	(CPE/TEE)...JENNIFER M DANIEL
CHRISTINA RIEKER	(CPE/CP)...JENNIFER M DANIEL
LESLEY EGAN	(CEP)...
KARIN E HORSPOOL	(PET)...KARIN E HORSPOOL

**XREF: SBFSS081126**

### GENERAL INFORMATION

**Continued from 09/20/17** at request of Court for Counsel to be present. Notice given by Judicial Assistant.

**Continued from 11/22/17** at request of Court. Petitioner to give detailed information on spending.

**Continued from 02/28/18. Counsel given a copy of Schedule C issues that need to be addressed.**

THIS CASE SET FOR HEARING ON 1<sup>st</sup> SNT Account and Petition for Allowance of Fees by Successor Trustee Christina Rieker, sister.

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

1. Accounting period 02/04/16 – 04/30/17.
2. Assets on hand \$109,941.34 of which \$67,183.49 is cash.
3. Attorney seeks fees and costs totaling \$7,117.50 for 22.5 hours at \$275 per hour, reduced from \$325. Itemized [Acct. 07/18 LFpg25-30 ]. JTD
4. Petitioner seeks a reduction of bond from \$150,000 to \$120,000. However, with annual income it appears bond is sufficient. No bond calculation provided.
5. **Need** verified supplement detailing spending per m/o on 11/22/17. **Supp filed 03/12/18 addresses following expenditures:**

- a. The ATM withdrawals for Lesley Egan were delivered by trustee to Joan Stackhouse, mother/caregiver of Lesley to purchase sundries, toiletries, feminine supplies, etc.
  - b. Payments issued to Joan Stackhouse are for room and board; said amounts represent SSI received by Lesley.
  - c. Ms. Rieker is Lesley's sister who provides regular respite to Joan Stackhouse and cares for Lesley due to Joan's recent stroke. Ms. Rieker plans to move Lesley to Ventura County where Ms. Rieker can provide care more easily. Disbursements are made to Ms. Rieker to provide transportation for appointments and shopping.
6. **Declaration in Support of Amended Order and Letters filed 03/12/18.**
  7. **CI Biennial Report filed 04/25/18.**
  8. Proposed order 09/07/17; however, bond calculation was not provided.

#### RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **08/15/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/lh)

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

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DATE: 05/02/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1600179

CASE NAME: ABEL GUADALUPE RUELAS

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of PERLA Y RIVERA

COUNSEL:

PERLA Y RIVERA (PET)...PRO/PER  
ABEL GUADALUPE RUELAS (PCE)...CRAIG M PARKER

GENERAL INFORMATION

**Continued from 02/14/18 at request of Court.**

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Perla Y Rivera appointed Limited Conservator of the person of Abel Ruelas on 07/10/17.
2. Notification of Conservatee's rights filed 04/10/18.
3. Determination of Conservatee's Appropriate Level of Care filed.
4. Care Plan filed 04/10/18.

RECOMMENDATION

None.

(lh)



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

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DATE: 05/02/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1600357

CASE NAME: MARIA ELENA GETZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of MARIA D GETZ

COUNSEL:

MARIA D GETZ	(CPE)...ZUMBRUNN LAW CORPORATION
JOHNNY GETZ	(CPE)...ZUMBRUNN LAW CORPORATION
MARIA ELENA GETZ	(CEE)...SHERRI L KASTILAHN

GENERAL INFORMATION

**Continued from 02/14/18 at request of Counsel to clear probate notes.**

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Maria D Getz appointed Limited Conservator of the person on 07/12/17.
2. Notification of Conservatee's rights filed.
3. Determination of Conservatee's Appropriate Level of Care.
4. Care Plan filed 02/13/18.

RECOMMENDATION

None.

(lh)

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

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DATE: 05/02/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700039

CASE NAME: MTR OF TOMASA DE CASAS

HEARING:

Hearing Re: ACCOUNTING REVIEW (**CONSERVATORSHIP**)

COUNSEL:

MARIA DE CASAS	(CPE)...SHEASBY AND ASSOCIATES
TOMASA DE CASAS	(CEP)...
MIGUELITO DECASAS	(PET)...DUANE P BOOTH

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Maria De Casas,  
Conservator of the estate

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

1. Maria De Casas was appointed temporary conservator of the person and estate on 02/08/17, and was appointed general conservator of the estate only on 11/29/17, order entered 01/03/18, \$20,000 bond.
2. First account now due.

#### RECOMMENDATION

Inquire status.

(lh)

Future Hearings:

5/09/18: 1<sup>st</sup> Account & Report of **Miguelito Decasas**  
7/11/18: Conservatorship Compliance Review Hearing  
1/17/19: Accounting Review (Conservatorship)  
1/17/19: Accounting Review (Trust)

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

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DATE: 05/02/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700385

CASE NAME: MTR OF DEBORAH LYNN SPECK FERDIE

HEARING:

Petition for Appointment of Conservator of the person & estate

COUNSEL:

MICHAEL FERDIE	(CPE)...BRIAN C MILES
DEBORAH LYNN SPECK FERDIE	(CEP)...
CAROLE SPECK WEINSTEIN	(PET)...GUY A LEEMHUIS

**XREF: CIFDS1700109** *SPECK VS SPECK*

**FAMSS1703119** *MICHAEL H. FERDIE -N- DEBORAH L. FERDIE*

GENERAL INFORMATION

On 11/02/17, Court appointed Carole Speck Weinstein as temporary conservator of the person and estate, \$30,000 bond. Mitchell Roth was appointed Guardian Ad Litem. Michael Ferdie to file written objections requesting third party appointed as conservator.

**Continued from 12/06/17** at request of Counsel to clear probate notes. Counsel represents the Confidential Screening Form and Notice of Hearing and Proof of Service to relatives listed in petition will be turned into clerk's office this date.

**Continued from 02/14/18. Corrected capacity declaration and notice filed. The Court orders that step-parent Elliot Weinstein need not be noticed not put on contact list as dissolution proceedings are underway. Referred to Court Investigator for investigation and report.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Carole Weinstein, mother

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

1. Petitioner seeks bond of \$30,000. Suggested bond: \$31,000. JTD
2. Proposed conservatee nominated Carole Weinstein as conservator of her person and estate. [Petition, 11/11/17, LFpg12].

3. Petitioner seeks medical powers. Capacity Declaration filed 02/14/18. Report of GAL filed 11/01/17.
4. List of required contacts (Local form SB-12224) is missing Michael Ferdie (husband). **Need** same.
5. CI Report of No Report filed 11/30/17. **CI Report filed 04/23/18**
6. Return of Citation filed 12/06/17.
7. Confidential Screening form filed 11/01/17; Court to see attachment 12.
8. Proof of Completion of the Conservatorship Training Class filed 12/07/17.
9. ~Proposed Form Order: 11/01/17

#### RECOMMENDATION

Need to clear note #4. If approved, set hearing for Compliance Review for **12/05/18** for the filing of the required documents and hearing re Accounting Review for **07/10/19**. Any accounting to be filed 30 days in advance.

(lh)

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

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DATE: 05/02/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1800007

CASE NAME: MTR OF LUIS ENRIQUE MEDINA

HEARING:

Petition for Appointment of Conservator

COUNSEL:

ALICIA N MEDINA (CP)...PRO/PER  
LUIS ENRIQUE MEDINA (CTP)...ROSE C ROSADO

GENERAL INFORMATION

**Continued from 02/14/18. Attorney Rose C Rosado appointed for Luis Enrique Medina. Court requests IRC provide a report to Court. Clerk's office to notify IRC.**

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

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

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract. JTD
2. Petitioners requests civil rights not to be limited without Court order.
3. Petitioner seeks medical powers. Capacity Declaration filed 03/12/18.
4. Proposed conservatee is developmentally disabled. Report of Counsel Rose Rosado filed 04/11/18.
5. Proposed conservatee is developmentally disabled. IRC Letter dated 02/09/18 requests 30-day continuance. **IRC report filed 04/27/18 not in LF at time of review.**
6. CI Report filed 02/13/18.
7. Proof of Completion of the Conservatorship Training Class filed 04/05/18.
8. Return of Citation with proof of personal service filed 02/05/18, only 13 days' notice given. However, attorney Rose Rosado present for Luis Medina on 02/14/18. Does Court wish to waive notice? **JTD**
9. ~Proposed Form Order: 01/08/18

## RECOMMENDATION

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

(lh)

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

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DATE: 05/02/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1800008

CASE NAME: MTR OF MANUEL BUSTAMANTE SR

HEARING:

Petition for Appointment of Conservator

COUNSEL:

OLIVIA DILBECK (CP )...PRO/PER  
VINCENT BUSTAMANTE (CP )...PRO/PER  
MANUEL BUSTAMANTE SR (CTP)...JEANNE E KENNEDY

#### GENERAL INFORMATION

**Continued from 02/14/18.** Court waives return of Citation by conservatee's presence this date. Certificate of Completion of Conservatorship Training Class filed in Court room. Court orders amended petition requesting estate and dementia powers be filed. Petitioners advise Court an ex parte request for temporary conservatorship may be filed as conservatee needs to be placed in a locked facility. Attorney Jeanne Kennedy is appointed for Manuel Bustamante, Sr.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Olivia Dilbeck (daughter) and Vincent Bustamante (son)

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

1. Petitioner seeks medical powers. Capacity Declaration filed 02/08/18.
2. **Need amended petition to include estate and dementia powers.**
3. List of required contacts is missing grandchildren: Damian, Emma and Sophia Wagasky; Benjamin and Sara Dilbeck. **Need** completed form.
4. **Need** notice of hearing and proof of service filed 02/08/18; however, proof of service does not indicate a copy of petition was included with service. Also, need to include service to Socorro Rosas (sister), and grandchildren: Damian, Emma and Sophia Wagasky; Benjamin and Sara Dilbeck, or file Due Diligence Declaration(s).
5. *Note: mail addressed to proposed conservatee, Manuel Bustamante, Sr, was returned to Court as an "unknown address" as to 20594 Bear Valley Rd, #125, Apple Valley, CA 92308. Court to inquire current address.*
6. Proof of Completion of the Conservatorship Training Class filed.

7. CI Report filed 02/02/18.
8. ~Proposed Form Order: 01/08/18

#### RECOMMENDATION

Need to clear notes 2-4. If approved, set hearing for Compliance Review for **12/05/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5

(lh)



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

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DATE: 05/02/18 TIME: 9:30 DEPT: S37P  
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CASE#: VC VS408

CASE NAME: IN THE MATTER OF TOM W BROWN JR

HEARING:

Thirteenth Account and Report of TOM W BROWN and Petition for allowance of fees filed.

COUNSEL:

GRACE BROWN	(CPE)...DIANA J. CARLONI ATTORNEY
TOM W BROWN	(CEP)...SHERRI L KASTILAHN
TOM W BROWN JR	(CPE)...DIANA J CARLONI

GENERAL INFORMATION:

**Continued from 01/30/18.** Court inquires of Counsel regarding income, assets and status of blocked account. Counsel represents there is approximately \$242,000 in Bank of America blocked account. Counsel further represents the Citibank account is approaching FDIC limits and requests the Court to allow the opening of a blocked account. After inquiry of Counsel, *Court takes note there is approximately \$72,000 in income which is not in a blocked account nor has been incorporated into a bond. Court orders the blocked account be immediately divided so as not to exceed the FDIC limits on any of the accounts.* Counsel to provide a supplemental declaration regarding status of funds. **Court specifically trails matter to 02/21/18 to provide an update regarding status of funds.**

**Continued from 02/21/18.** Court clears note #7. Hearing continued at request of Court to clear remaining notes and investment research.

THIS CASE IS SET FOR HEARING ON **AMENDED** [01/23/18] Thirteenth Account Current and Petition for Fees by Conservator of the Person and Estate Grace Brown ["Petitioner"].

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

1. Petitioner has not used mandatory Summary of Account (GC-400/405). Court may wish to direct petitioner to use mandatory form(s) on future accountings.
2. Accounting covers 01/01/16 to **12/31/17**.
3. **Assets on hand \$711,900.97 consisting of \$560,623.68** in cash and the balance in real and personal property.

4. Current bond of \$232,000. Insufficient. Petitioner requests a court order allowing her to open a second blocked certificate of deposit at Bank of America with **\$160,000** from the Citi Bank Account to reduce the cash to within bond amount and to maintain any cash above the sum of \$232,000 in blocked accounts. If approved, court to set control date. JTD.
5. **Declaration of Grace Brown filed 02/05/18 alleges the minute order dated 01/30/18 does not correctly reflect the schedules submitted nor status of accounts. Declarant alleges there are no accounts currently exceeding FDIC limits as follows:** *BofA blocked account x0486 has a balance of \$56,697.40; Citizen's Business Bank blocked account x3804 has a balance of \$186,495.19; CitiBank x2653 had a balance of \$317,000 of which \$217,000 was transferred into a blocked CD account with Desert Community Bank x3349 on 02/01/18, proof of blocked account attached.* [Declaration, 02/05/18, LFpg4].
6. Conservator is allowed a payment of \$1,400/month to provide the home for herself and the Conservatee. Petition indicates there is no need to change or alter the allowance. Conservator does not seek separate compensation.
7. Attorney requests compensation of **\$2,475.00**. Billed at \$330/hour for attorney time. Generally described [LF, p.18]. **JTD**
8. The Conservatee was paid his monthly allowance during the period of the account and the Conservator requests that the allowance, of \$300/month continue to be authorized.
9. Petitioner has paid CareLinx Medical Services **and Givens Care Providers** during this accounting period for assistance with the Conservatee. **Need** verified declaration(s) to verify dates of service, performance of services and that payment has been received per Local Rule 20-1406(c).
10. Proposed Order 01/23/18 does not include balance and description of the assets on hand, specifically noting the amount of cash included in said balance per Local Rule 20-614 or allowances to Conservator and Conservatee.

#### RECOMMENDATION

Need to clear note 9 then Court's discretion re fees and bond. If approved, set hearing re next Accounting Review for **07/10/18** (if one year) or **03/26/19** (if two years). Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**MISC.**

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DATE: 05/02/18      TIME: 1:30      DEPT: S37P  
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CASE#: PRO PS1600198

CASE NAME: MTR OF MAUD I HARRIS

**SEE ALSO 24**

**VACATED**

HEARING:

Hearing Re: Status of case

COUNSEL:

DEBORAH DEXTER-MENDEZ

(PET)...RYAN J GALLANT

MAUD I HARRIS

(DEC)...

DEBORAH DEXTER-MENDEZ

(PET)...HARTNELL LAW GROUP

JOSEPH J FONDY

(TP )...PRO/PER

**XREF: SPRSS06988** *EST OF MADELINE M DEXTER*

Status only—no notes—JTD

(lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 05/02/18 TIME: 1:30 DEPT: S37P  
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CASE#: SPR SS06988

CASE NAME: EST OF MADELINE M DEXTER

**SEE ALSO 23**

**VACATED**

HEARING:

Hearing Re: STATUS OF CASE/ADDRESS REMAINING EXHIBITS

COUNSEL:

DEBORAH L DEXTER	(PET)...BRYAN C. HARTNELL
MADLINE M DEXTER	(DEC)...
KLARISSE DEXTER	(PET)...ROBERT E KNUDSEN
CYNTHIA BURGESS	(PET)...ROBERT E KNUDSEN
JOSEPH J FONDY	(TP )...PRO/PER

**XREF: PROPS1600198** *MTR OF MAUD I HARRIS*

Status—no notes—JTD

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

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DATE: 05/02/18 TIME: 1:30 DEPT: S37P  
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CASE#: CON PS1700287

CASE NAME: LINDA YVONNE IBARRA

**SEE ALSO 26**

HEARING:

Court Trial set for PETITION FOR CONSERVATORSHIP of PABLO IBARRA

COUNSEL:

ADA IBARRA	(CP )...PRO/PER
LINDA YVONNE IBARRA	(CTP)...JENNIFER M DANIEL
PABLO IBARRA	(CP )...PRO/PER

Court trial—no notes—JTD

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

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DATE: 05/02/18 TIME: 1:30 DEPT: S37P  
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CASE#: CON PS1700287

CASE NAME: LINDA YVONNE IBARRA

**SEE ALSO 25**

HEARING:

Hearing Re: PETITION FOR CONSERVATORSHIP

COUNSEL:

ADA IBARRA	(CP )...PRO/PER
LINDA YVONNE IBARRA	(CTP)...JENNIFER M DANIEL
PABLO IBARRA	(CP )...PRO/PER

GENERAL INFORMATION

Continued from **09/18/17** Pablo Ibarra not being present the Court orders his petition for conservatorship off calendar. As to Ada Ibarra's petition: Referred to Court Investigator for investigation and report. Attorney Jennifer M. Daniel is appointed for Linda Yvonne Ibarra.

**Continued from 12/04/17.** Court reinstates Pablo Ibarra's petition. The Court orders Pablo Ibarra to give notice of his petition. The Court orders Ada Ibarra to amend petition to add medical powers. The Court notes return of citation was previously waived by conservatee's appearance in court.

**Continued from 02/27/18.** Court waives notice to IRC as IRC has filed a report. By agreement, *Capacity Declaration filed by mother may be used in father's petition.* Parties report conservatee's grandparents are deceased and her only sibling is Paul Jr. *Oral request to add medical powers to petition is granted.* Parties to discuss having another eye appointment made for conservatee. Court gives tentative decision of granting mother's petition for conservatorship. Matter is contested; Court trial requested. Estimated length: 1 day. Court appoints Ada Ibarra as temporary conservator of Linda Yvonne Ibarra. Ms. Daniel to prepare order and letters. Notice to be given by Ms. Daniel.

THIS CASE SET FOR HEARING ON

- **Petition #1 [filed 07/28/17]** for Appointment of Limited Conservator person only by Pablo Ibarra, father
- **Petition #2 [filed 08/08/17]** for Appointment of Limited Conservator, person only, by Ada Ibarra (mother)

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

**Petition #1 by Pablo Ibarra (father)**

1. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. **JTD**
2. Petitioner seeks civil rights not be limited without court order. **JTD**
3. List of required contacts and Section 11 of petition only lists mother and brother.
4. Petitioner seeks medical powers. Capacity Declaration filed by Ada Ibarra on 08/08/17.
5. Proposed conservatee is developmentally disabled. Report of counsel, Jennifer Daniel, filed.
6. Proposed conservatee is developmentally disabled. IRC report filed.
7. Certificate of Completion of the Conservatorship Training Class filed.
8. CI report filed 08/21/17
9. ~Proposed Form Order: 07/28/17.

**Petition #2 by Ada Ibarra (mother)**

10. Petitioner seeks medical powers per m/o dated 2/27/18.
11. Proposed conservatee is developmentally disabled. IRC report filed 09/07/17.
12. Proposed conservatee is developmentally disabled. Report of counsel, Jennifer Daniel, filed 12/04/17.
13. Court Investigator reports filed 11/28/17.
14. Certificate of Completion of the Conservatorship Training Class filed.
15. Capacity Declaration filed 08/08/17.
16. ~Proposed Form Order: 08/08/17

**RECOMMENDATION**

Matter is contested.

Court's discretion. If approved, set hearing for Compliance Review for **12/17/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh/nb/cs/nb/lh)