



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 05/08/17

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

Destruction of Filed Documents:

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

Contacting the Probate Examiners:

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

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.

lh0419/nb0420/0503

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

DATE: 05/08/17 TIME: 8:30 DEPT: S35P

CASE#: MPR MS00902

CASE NAME: ESTATE OF LARRY K. LAYMON

HEARING:

Hearing Re: STATUS REPORT

COUNSEL:

LINDA G. WAUGH (PET)...PRO/PER
LARRY K. LAYMON (DEC)...

Waiver of Court Fees and Costs filed by LINDA G. WAUGH is GRANTED
GENERAL INFORMATION:

Continued from **4/9/15** and **6/3/15** petitioner urged to seek counsel.

Continued from **7/29/15** no appearance.

Continued from **9/2/15** Status report to be filed and served on all parties stating petitioner's position regarding distribution of estate to deceased beneficiary and request for order by the court regarding that distribution.

Continued from **10/28/15** as Court specifically requests information on the Texas action. Christopher Laymon will send probate notes to Linda Waugh.

Continued from **12/16/15** at request of petitioner to serve verified supplement.

Continued from **02/09/16** for petitioner to file report as to distributions, what was distributed, to whom and when; additionally include terms of assignment and other remaining issues on the probate notes.

Continued from **04/11/16**. Executor, Linda G. Waugh, did not file reports as ordered at previous hearing. Court orders the following: Powers suspended.

No further disbursements without a court order. Court refers matter to Public Administrator.

Continued from **05/10/16**. Linda Waugh to prepare accounting/summary of distribution. The accounting/summary is to be complete summary since October 2, 2006 with receipts (what was disbursed, to whom, with names and addresses). Court orders Linda Waugh to be present on 7/26/16

Continued from **07/26/16**. Court relieves public administrator. Court reinstates Linda Waugh; court orders that there are to be no further distributions made pending further order of the court.

Continued from **11/21/16** and **02/27/17** at request of counsel to assist petition with filing of account.

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

Continued from 04/03/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON: Status Report (9/22/15)

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

1. Letters Testamentary issued **9/11/01** to Linda Waugh.
2. Order for Waiver of Account and **Final Distribution was granted on 10/2/06**. The estate consisted solely of a settlement from decedent's asbestos litigation. Apportionment of Settlement from asbestos litigation is divided 60% less attorney fees to the Executory of the Estate and 40% less attorney fees to the Wrongful Death Beneficiaries. The Final Distribution of the Estate was approved as:
(15%) to JEFFERY SCOTT LAYMON,
(15%) to Virgil E. Brown Jr., BANKRUPTCY TRUSTEE, re Larry J Laymon' S share
(15%) to LA VIVA JUNE HARLEN per assignment by Jesse Lee Laymon
(15%) divided between CRAIG LAYMON and CHRIS LAYMON, issue of deceased son Jerry Lee Laymon.
(15%) to LaVINA JUNE HARLEN
(25%) to LINDA G. WAUGH
3. Some receipts filed, but on **2/5/08** Court allowed the estate to remain open for new litigation.
4. Several Status Reports filed indicate that petitioner was advised that additional lawsuits maybe filed on behalf of the decedent in states other than California, but that petitioner had no actual knowledge of any claims, other than the claim against Congoleum Corp. Petitioner continues to request the estate to remain open, though it is unclear if any further litigation is pending. **Supp. (11/30/15): new litigation is in process. Court may wish to inquire as to the length of time necessary to close this estate**
5. Status Report filed 12/2/10 indicated that the Court ordered the estate to be closed, but the Texas attorney re pending litigation was concerned re receipt/distribution of settlement funds. Thus, on **1/19/11** Court allows the estate to continue and set the next accounting review for three years to avoid filing costs.
6. Status Report filed 2/13/15 indicates a settlement payment from Quigley Company was received and petitioner distributed it according to the Final Distribution Order of 10/2/06, but withholding \$800.00 for continuing expenses.
7. Status report filed 7/16/15 explains the delay in preparing a status report, but does not address the Status of the Estate.
8. **Status filed 9/22/15** at paragraph 6 requests the Court "order all outstanding settlement funds to be returned to the Estate." however, it is unclear what outstanding funds or overpayment petitioner is referring to.
 - a. Petitioner makes reference to a payment to Jesse Lee Laymon in the amount of \$821.90 cashed by La Vina June. This appears to be the same amount distributed from the Quigley Settlement (see Note 6 above). It is unclear why there is a question of distribution to La Vina

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June, as the Final Distribution Order of 10/2/06 distributes: "FIFTEEN PER CENT (15%) thereof to decedent's daughter, LA VIVA JUNE HARLEN, 6205 Brooks Blvd., Mentor, Ohio 44060, per Assignment of his testamentary share to her by JESSE LEE LAYMON, decedent's son."

Supp. (11/30/15): it is unclear why petitioner alleges that "June is not entitled to 30%" as the order granted on 10/2/06 entitled June to 15% directly plus 15% by assignment from Jesse. It would appear that June was entitled to cash the checks distributed to Jesse by assignment.

- b. Paragraph 10 refers to the wrongful death claim, but it is unclear what petitioner is trying to convey.
 - c. Petitioner states that assets on hand as of 1/7/15 is \$475.01 in cash.
 - d. **Court may wish to require petitioner to provide one comprehensive proper accounting per Pr.C.§1060 et seq. of all receipts and disbursements in order to determine if anything was overpaid/distributed. JTD**
9. Petitioner appears to be maintaining a bank account for the Estate which is costing the estate a monthly service charge. **Question why the account cannot be closed and any future funds cannot be distributed directly to beneficiaries in accordance with the Final Distribution Order of 10/2/06. JTD**
10. Proof of service filed 9/22/15; however, it does not advise recipients of their right to an accounting (Pr.C.§12201). Court to determine if notice is sufficient. **JTD**
11. Notice of Lien on Proceeds filed 11/2/15 by CourtCall LLC.

RECOMMENDATION:

Court's discretion.

(kra/nb/dl/nb)

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

DATE: 05/08/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400322

CASE NAME: ANGIE AGUIRRE PINA

HEARING:

FIRST AND FINAL Account and Report of JERRY PINA and Petition
for allowance of fees filed.

COUNSEL:

JERRY PINA	(PET)...LENITA A SKORETZ
ANGIE AGUIRRE PINA	(DEC)...
BELINDA BAUTISTA	(TP)...
ALFRED PINA JR	(MICHAEL C MADDUX)

GENERAL INFORMATION:

Continued from 04/03/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees
by Executor, Jerry Pina.

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

1. Summary of Account [LF, p4] includes a checking/savings account and check that were not included on inventory and appraisal. Need corrected inventory and appraisal with supporting bank statements reflecting balances on date of death.
2. Accounting does not include applicable schedules. Need amended accounting.
3. Accounting period 03/02/13 to 02/01/17.
4. Assets on Hand \$118,045.59 consisting of cash.
5. Statutory fees of \$4,959.00 requested. Calculated.
6. Petitioner requests reimbursement of costs advanced of \$2,437.97. Itemized.
7. Attorney requests reimbursement of costs advanced of \$1,830.17. Itemized.
8. Verification [LF, p. 12] is not dated. Need complete verification.
9. Petitioner indicates that preliminary distributions totaling \$4,000 were made to Alfred Pina (decedent's son) so that Alfred would move out of decedent's home because Alfred Pina resided in the hoe did not pay rent through 06/15/16. Does Court wish to surcharge Alfred Pina's distributive share for rental income not rendered during his occupancy of the home? JTD.

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

10. Petition does not address assignment by Alfred Pina, Jr.'s to Michael C. Maddux on 12/01/16. Need verified supplement.
11. Need statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary. Pr. C. § 1064 (a)(4). Need verified supplement.
12. Notice given.
13. Proposed Order 02/01/17 does not have a complete account period; does not include and specify assets on hand at end of account period; and does not include assignment by beneficiary.

RECOMMENDATION:

Need amended accounting to be set on first check calendar no sooner than **06/19/17**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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

DATE: 05/08/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500243

CASE NAME: EMANUEL RIOS SELF-SETTLED SPECIAL NEEDS TRUST

HEARING:

PETITION TO APPROVE FIFTH Account and Report of RAYMOND JAMES TRUST N.A., PLAINTIFF ADVISORY GROUP, LLC and Petition for allowance of fees filed.

COUNSEL:

RAYMOND JAMES TRUST N.A. (PET)...STEPHEN W DALE
PLAINTIFF ADVISORY GROUP, LLC (PET)...STEPHEN W DALE
THE EMANUEL RIOS SELF-SETTLED SPECIAL NEEDS (TRU)...
PHILADELPHIA INDEMNITY INSURANCE (TP)...

XREF: CONPS1200280

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Fifth Account Current; to Approve Modification of Trust; and Petition for Fees by Corporate Trustee Raymond James Trust N.A. and Plaintiff Advisory Group, LLC, Distribution Director [“Petitioners”].

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

1. Account period covers 01/01/16 – 12/31/16.
2. Assets on hand \$1,578,173.93 (\$1,666,155.14 as estimated market value) consisting of \$66,413.44 in cash, \$1,178,937.55 in mutual funds and \$332,822.94 in real property.
3. Petitioners request ratification of received payments of \$26,321.51 to Raymond James Trust and \$17,950.38 to Plaintiff Advisory Group, calculated at a total rate of 1.75% for the first \$500,000 and 1.5% for the next \$1,500,000 [03/01/17 Accounting LFp.7]. Generally described. JTD.
4. Petitioner Raymond James Trust, requests ratification of received extraordinary fees of \$300.00 as relating to the residential property and \$225.00 related to 2015 tax preparation. JTD.
5. Attorney requests fees of \$8,007.50 billed for 8.3 hours’ attorney time at \$350-\$400/hour and 29 hours’ paralegal time at \$150-\$175/hour for a total of 37.3 hours. Itemized [03/01/17 Accounting LFp.50-64].

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

6. Current bond set at \$1,800,000. Petitioners request bond be increased by \$182,000 for a total bond of \$1,982,000 (includes recovery). Appears sufficient. JTD.
7. Petition indicates that in an unrelated case, the Social Security Administration ["SSA"] has begun expressing the position that care givers or personal attendants who accompany individuals with disabilities when they travel receive benefit from the Trust, and that this benefit violates of the sole benefit rule. Nonetheless, as these anticipated regulations have not yet been officially proposed and it is unknown when and if these regulations will be implemented, Petitioners request that this Court issue an Order amending the Trust to eliminate the second paragraphs (j) and (n) of Section 2.2.2 in their entirety. Petitioners allege that elimination of these paragraphs will, in any way, alter the actual administration of the SNT. JTD.
8. Notice given.
9. ~Proposed Order: 03/01/16 appears to reflect prior accounting's prayer for fees at section 5 of prayer.

RECOMMENDATION:

Court's discretion re: fees, bond and amending of Trust. If approved, set hearing re next Accounting Review for **02/25/18**.

(nb)

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

DATE: 05/08/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500296

CASE NAME: THE FAMILY TRUST OF ANNA RAMONA ACOSTA

SEE ALSO 5 6 7

HEARING:

Hearing Re: STATUS OF SETTLEMENT AGREEMENT

COUNSEL:

RAMON R ACOSTA (PET)...DAMIAN G GARCIA
THE FAMILY TRUST OF ANNA RAMONA ACOSTA (TRU)...
GEORGE RAMON ACOSTA (PET)...LAW OFFICES OF CLARK GAREN
NATIONSTAR MORTGAGE LLC (CC)...SONGSTAD RANDALL COFFEE & HUMP
GEORGE RAMON ACOSTA (OBJ)...LAW OFFICES OF CLARK GAREN
SANDRA YZAGUIRRE
AMERICAN MORTGAGE NETWORK INC
CHICAGO TITLE COMPANY (MEYLAN DAVITT JAIN AREVIAN & K)
FIRST AMERICAN TITLE INSURANCE
CLAUDIA ARROYO

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

No notes – Court to inquire.

(nb)

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

DATE: 05/08/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500296

CASE NAME: THE FAMILY TRUST OF ANNA RAMONA ACOSTA

SEE ALSO 4 6 7

HEARING:

Hearing Re: CROSS COMPLAINT

COUNSEL:

RAMON R ACOSTA (PET)...DAMIAN G GARCIA
THE FAMILY TRUST OF ANNA RAMONA ACOSTA (TRU)...
GEORGE RAMON ACOSTA (PET)...LAW OFFICES OF CLARK GAREN
NATIONSTAR MORTGAGE LLC (CC)...SONGSTAD RANDALL COFFEE & HUMP
GEORGE RAMON ACOSTA (OBJ)...LAW OFFICES OF CLARK GAREN
SANDRA YZAGUIRRE
AMERICAN MORTGAGE NETWORK INC
CHICAGO TITLE COMPANY (MEYLAN DAVITT JAIN AREVIAN & K)
FIRST AMERICAN TITLE INSURANCE
CLAUDIA ARROYO

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

Currently under review by Legal Research

(LR)

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

DATE: 05/08/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500296

CASE NAME: THE FAMILY TRUST OF ANNA RAMONA ACOSTA

SEE ALSO 4 5 7

HEARING:

Hearing Re: OSC RE: WHY ACCOUNTING SHOULD NOT BE FILED

COUNSEL:

RAMON R ACOSTA (PET)...DAMIAN G GARCIA
THE FAMILY TRUST OF ANNA RAMONA ACOSTA (TRU)...
GEORGE RAMON ACOSTA (PET)...LAW OFFICES OF CLARK GAREN
NATIONSTAR MORTGAGE LLC (CC)...SONGSTAD RANDALL COFFEE & HUMP
GEORGE RAMON ACOSTA (OBJ)...LAW OFFICES OF CLARK GAREN
SANDRA YZAGUIRRE
AMERICAN MORTGAGE NETWORK INC
CHICAGO TITLE COMPANY (MEYLAN DAVITT JAIN AREVIAN & K)
FIRST AMERICAN TITLE INSURANCE
CLAUDIA ARROYO

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

GENERAL INFORMATION

Continued from **01/14/16, 03/24/16, 7/21/16, 08/24/16 and 11/14/16**. Counsel indicates agreement reached.

Continued from 02/27/17 at request of counsel.

THIS CASE SET FOR HEARING ON OSC re Why accounting Should not be Filed by George Acosta.

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

1. On 10/15/15, Court set OSC on Cross-Complaint, Declaratory Relief hearing; why George Ramon Acosta should not be required to file an accounting.
2. Any objections as to why he should not shall be filed by 12/4/15. Reply to be filed on 12/28/15.
3. Notice of Non-response filed by George Ramon Acosta with points and authorities on 12/28/15.
4. Improper accounting filed by George Ramon Acosta on 01/25/16. No fees taken, no hearing date etc as accounting is not proper.

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

RECOMMENDATION

Court's discretion re OSC.
(lc/nb)

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

DATE: 05/08/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500296

CASE NAME: THE FAMILY TRUST OF ANNA RAMONA ACOSTA

SEE ALSO 4 5 6

HEARING:

Petition for RECOVER PROPERTY HELD BY TRUST

COUNSEL:

RAMON R ACOSTA (PET)...DAMIAN G GARCIA
THE FAMILY TRUST OF ANNA RAMONA ACOSTA (TRU)...
GEORGE RAMON ACOSTA (PET)...LAW OFFICES OF CLARK GAREN
NATIONSTAR MORTGAGE LLC (CC)...SONGSTAD RANDALL COFFEE & HUMP
GEORGE RAMON ACOSTA (OBJ)...LAW OFFICES OF CLARK GAREN
SANDRA YZAGUIRRE
AMERICAN MORTGAGE NETWORK INC
CHICAGO TITLE COMPANY (MEYLAN DAVITT JAIN AREVIAN & K)
FIRST AMERICAN TITLE INSURANCE
CLAUDIA ARROYO

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

Currently under review by Legal Research

(LR)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500334

CASE NAME: RICHARD WILLIAM WEBER JR

HEARING:

First and Final Account and Report of RANDALL WEBER SR and
Petition for allowance of fees filed.

COUNSEL:

RANDALL WEBER SR	(PET)...PRO/PER
RICHARD WILLIAM WEBER JR	(DEC)...
PUBLIC ADMINISTRATOR	(ADM)...CRAIG M PARKER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Final
Distribution by Administrator, Randall Weber, Sr. ["Petitioner"].

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

1. Need final inventory and appraisal with supporting bank statements per Local
Rule 20-908.
2. No Summary of Account or supporting schedules. It cannot be determined
whether or not this accounting balances. Need to file proper accounting to
comply with Pr.C. §1060 et seq. and using the proper forms.
3. Need Notice of Hearing with proof of service.

RECOMMENDATION:

Need a proper accounting to be set on first check calendar **no sooner than 06/19/17.**
(nb)

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

DATE: 05/08/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500693

CASE NAME: KIM ALAN RUTLEDGE

HEARING:

APPROVING FIRST AND FINAL Account and Report of EDDIE JOE
RUTLEDGE and Petition for allowance of fees filed.

COUNSEL:

EDDIE JOE RUTLEDGE (PET)...PRO/PER
KIM ALAN RUTLEDGE (DEC)...

GENERAL INFORMATION:

Continued from **10/17/16** and **02/06/17** at request of administrator.

Continued from 04/03/17. No appearance. Court orders Eddie Joe Rutledge to be personally present at next hearing date. Notice by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON First & Final Account

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

1. Accounting period: 5/9/15-6/21/16. No Bond.
2. Assets on hand **-\$0.00. Supp. (01/03/17) indicates petitioner withdrew funds in his favor as compensation.**
3. Waivers of account filed by heirs however full accounting filed with discrepancies.
4. Waiver of notice of proposed action filed by **all heirs. [see supp. filed 01/03/17, LF, pgs. 10-12].**
5. Administrator Eddie Rutledge distributed all assets. Real property appraised at \$410,000, van appraised at \$9,000 and collectibles appraised at \$20,000 distributed to CYNTHIA RUTLEDGE who is NOT AN HEIR. CYNTHIA RUTLEDGE is daughter of petitioner and sister of decedent. Heirs are parents, petnr EDDIE RUTLEDGE and mother SHERRY RUTLEDGE. Need verified supplement explaining why assets distributed to non-heir of the estate without a disclaimer or assignment on file. **Supp. (01/03/17) affixes "Deed of Variation for Intestacy"[LF, pgs. 17-20], wherein, heirs Eddie Joe Rutledge and Sherry Ann Rutledge (decedent's parents) "vary" their entitlement to estate assets in favor of "new beneficiary, " Cynthia Renee Rutledge. Does Court wish to require assignments by each heir? JTD.**

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6. Court may wish to require copy of title deed to determine how property transferred. **Supp. (01/03/17) affixes copies of Grant Deeds (LF, pgs. 21-23] which ultimately grant title to Cynthia Renee Rutledge.**
7. Need corrected Inventory & Appraisal. I&A filed has \$27,285.62 error. **Amended inventory and appraisal filed 11/14/16.**
8. If Court requires accounting to reflect required information (waivers of account on file however full accounting filed)-the following is needed.
9. Need house maintenance disbursements of \$12,416.41 itemized at schedule B. **Supp. (01/03/17) generally categorize expenses [LF, p. 27].**
10. Need Fees itemized at schedule B-unable to determine if probate referee paid. **Supp. (01/03/17) reflects referee fees have been paid [LF, p. 27].**
11. Need storage fees itemized and explained as to purpose. **Supp. (01/03/17) indicates storage fees were for storage of book inventory for Frank and Son (Flea Market).**
12. Need calculation of statutory fees requested (Pr C 10800). **Statutory fees of \$2,577.17 requested. However statutory fees are based on the value of the estate accounted for based on the total amount of the appraisal value of the property in the inventory, plus gains, plus receipts, less losses from the appraisal value on sales. Pr. C. § 10800 (b). Need verified supplement recalculating basis for fees.**
13. Proposed Order 08/31/16 reflects assets on hand when the estate has already been distributed; incorrectly names Cynthia as an heir; and does not address proposed distribution to Cynthia by Eddie and Sherry Rutledge.

RECOMMENDATION:

Need to clear note 12 then Court's discretion. If approved, set next hearing for receipts & final discharge for **07/16/18**.

(td/nb)

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

DATE: 05/08/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700133

CASE NAME: Grace Lucille Medina

HEARING:

Petition to determine succession to Real Property

COUNSEL:

GRACE M ABLES (PET)...BURT & ASSOCIATES
JOHN F. SULLIVAN (PET)...BURT & ASSOCIATES
WILLIAM R. SULLIVAN (PET)...BURT & ASSOCIATES
JAMES T. SULLIVAN (PET)...BURT & ASSOCIATES
FREDERICK DAVENPORT (PET)...BURT & ASSOCIATES
KATHLEEN N. SULLIVAN (PET)...BURT & ASSOCIATES
GRACE LUCILLE MEDINA (DEC)...

GENERAL INFORMATION:

Continued from 04/03/17. Court notes that if counsel files a supplement with the signature of Frederick Davenport, the Court will grant the petition to determine Succession to real property and will sign the Order and the court will take the hearing of May 8, 2017 off calendar .

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real Property (Estates \$150,000 or less) by issues.

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

1. Petitioners request a determination that decedent's real property, at Twenty-nine Palms located in San Bernardino County, pass to petitioners without administration. Petitioners indicated they are decedent's children and granddaughter (issue of predeceased issue) and heirs to decedent's estate per intestate succession.
2. Notice given.
3. ~Proposed Form Order 02/08/17.

RECOMMENDATION:

Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700203

CASE NAME: HENRIETTA NEWMAN

HEARING:

Petition to determine succession to Real Property

COUNSEL:

CHARLES P. NEWMAN	(PET)...PRO/PER
RICHARD G. NEWMAN	(PET)...PRO/PER
HENRIETTA NEWMAN	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real Property (Estates \$150,000 or less) by Executor and Beneficiaries Charles P. Newman and Richard G, Newman.

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

1. Section 2 of petition includes the middle name "Macuela" that is not included in case title and does not include the aka reflected in caption. Further, the will [LF, p. 8] does not include middle name.
2. Inventory & Appraisal attached to petition [LF, p. 4], Section 5 is incomplete. Need corrected inventory or property tax certificate.
3. Petitioners request a determination that Decedent's 1/3rd interest in real property located at San Bernardino, CA, pass to petitioners without administration. Petitioners are decedent's son and equal beneficiaries in decedent's will [LF, p. 8].
4. Notice given.
5. ~Proposed Form Order 03/02/17.

RECOMMENDATION:

Need to clear notes then court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700221

CASE NAME: OSAMA M ELBAZ

HEARING:

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

COUNSEL:

SHEREEN ELBAZ (PET)...LAILA J KEPLER
OSAMA M ELBAZ (DEC)...

GENERAL INFORMATION:

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

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

1. Bond waived by all heirs. Estimated net value of estate is \$177,518. Court also has discretion to require bond per Pr. C. § 8481(b). JTD
2. ~Proposed form Order/Letters: 03/09/17

RECOMMENDATION:

Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **07/16/18**. 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
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 05/08/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600762

CASE NAME: THE ELSIE O RENNER TRUST DATED 04/02/04

HEARING:

Petition for INSTRUCTIONS RE DISTRIBUTION OF TRUST ASSETS UNDER
PROBATE CODE 17200

COUNSEL:

STEVE EDWARDS (PET)...ANDERSON & LEBLANC, A.P.L.C.
THE ELSIE O RENNER TRUST (TRU)...
CYNTHIA SUE JONES (OBJ)...GREGORY PAUL BENTON

Waiver of Court Fees and Costs filed by CYNTHIA SUE JONES is GRANTED

Currently under review by Legal Research.

(LR)

Matter continued – notice not re-reviewed.

(nb)

Superior Court of Calif, County of San Bernardino
Page: 12B add-on
CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 05/08/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601271

CASE NAME: SHERMAN LEE MITCHELL

HEARING:

Hearing Re: Publication and Trial Setting

COUNSEL:

SHERMAN LEE MITCHELL II (PET)...PRO/PER
SHERMAN LEE MITCHELL (DEC)...
RIANNE MITCHELL (OBJ)...
RHYAN MITCHELL (PRO/PER)

Waiver of Court Fees and Costs filed by SHERMAN LEE MITCHELL II is GRANTED

Waiver of Court Fees and Costs filed by RIANNE MITCHELL is GRANTED

Waiver of Court Fees and Costs filed by RHYAN MITCHELL is GRANTED

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Publication and Trial Setting.

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

1. Matter set on Court's motion on 04/14/17, wherein, It has come to the Court's attention that an amended petition for probate of a lost will was filed March 27, 2017. This ended petition requires a new publication. Therefore, the Court on its own motion vacates the trial dates set for May 10 and May 11. The Court schedules and orders a hearing regarding publication and trial setting conference for May 8, 2017 at 8:30 a.m., in department S35.
2. Need proof of publication.
3. Notice by Judicial Assistant.

RECOMMENDATION:

Need to clear note 2.

(nb)

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

DATE: 05/08/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700163

CASE NAME: CRYSTAL RENETTE JAMES

HEARING:

Petition for TO DETERMINE HEIRSHIP TO ESTATE AND TO DISINHERIT SON
CHRISTOPHER FISHER AND HIS ISSUE

COUNSEL:

VALARIE FRANCES WALTON (PET)...PRICE LAW FIRM, APC
CRYSTAL RENETTE JAMES (DEC)...

GENERAL INFORMATION:

Continued from 05/01/17. Matter set for evidentiary hearing and trial setting conference. Notice to be given by counsel.

THIS CASE IS SET FOR HEARING ON Petition to Determine Heirship to Estate and to Disinherit son, Christopher Fisher and his Issue based on Pr. C. §§ 250,254(b) by decedent's sister, Valarie Frances Walton ["Petitioner"].

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

1. Petitioner, Valarie Frances Walton alleges that Christopher Fisher, is not entitled to inherit pursuant to Pr. C. § 250, for "feloniously and intentionally" causing the death of Decedent. Petition alleges that in the absence of a final judgment of conviction of felonious and intentional killing, the court may determine by a preponderance of the evidence whether the killing was felonious and intentional for this purpose and the burden of proof is on the party seeking to establish that the killing was felonious and intentional [Pr. C. § 254(b)]. Petition indicates in this case, Christopher Fisher, has made a confession that he killed his mother (decedent).
2. It, therefore, appears that the criminal action, by itself, may not establish felonious and intentional killing as required by Pr.C. §250. Generally, a Pr.C. §250 finding of felonious and intentional killing can be established through a criminal judgment or murder, homicide, etc., or by independent evidence by which the probate court can make its own finding of felonious and intentional killing. Suggest court require independent evidence to support a finding of

felonious and intentional killing and determine whether such evidence will be taken in writing or at an evidentiary hearing.

3. Petitioner, Valerie Frances Walton, requests the court to make a finding under Pr.C. §254(b) that in the absence of a final judgment of conviction of felonious and intentional killing, the court determine by a preponderance of evidence whether the killing was felonious and intentional; prays for an order disinheriting Christopher Fisher and his issue based on Pr. C. §§ 250, 254(b); and determine that the sole heir of this estate is Jamaal Adria Fisher.
4. **American Fidelity Assurance Company's Notice of Deposit filed 04/26/17.**
5. **Notice of Hearing filed 04/25/17 does not include issue of Christopher James Fischer or Franchise Tax Board. Need proper service.**

RECOMMENDATION:

Need proper service then set for evidentiary hearing.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

CONSERVATORSHIPS

DATE: 05/08/17 TIME: 9:30 DEPT: S35P

CASE#: SPR SS07300

CASE NAME: SPECIAL NEEDS TRUST OF MCJENNETT FAMILY

HEARING:

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

COUNSEL:

INLAND COUNTIES REGIONAL CENTER (PET)...STEVEN K BECKETT

MCJENNETT FAMILY SPECIAL NEEDS TRUST (TRU)...

INLAND COUNTIES REGIONAL CENTER (TEE)...STEVEN K BECKETT

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Seventh Account Current and Petition for Allowance of Fees by Trustee of SNT, Inland Counties Regional Center, Inc.

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Accounting period 01/01/15 – 01/31/17 (2 years).
2. Assets on hand \$26,674.86, consisting of \$12,647.02 held in a pooled investment fund held in Master Trust, and burial policy with Pierce Bros. \$14,027.84 (for Diane and Timothy 50% each).
3. Currently no bond and petitioner requests that due to the small size of the trust, the Court not require one. Does Court wish to require bond of \$37,000 (includes recovery)? JTD.
4. Petitioner requests ratification of fees already paid to Master Trust in the amount of \$2,250.01 already taken pursuant to their 07/02/15 fee schedule of \$1,000 for the first \$50,000 and 2% of the trust assets up to \$250,000.
5. Petitioner requests the authority to allow Master Trust of California to begin taking trustee fees in the amount of \$1,250 for the first \$50,000 held in trust, plus 2% of the next \$250,000 held in trust, plus 1.65% of the next \$450,000 held in trust, plus 1.50% of the next \$250,000 held in the Master Trust pursuant to the fee schedule dated 10/11/16, to be taken in quarterly payments [LF, p.56].
JTD

6. Attorney is seeking fees of \$1,300 for 9.1 hours at \$100/250 per hour for paralegal (6.50) and attorney services (2.60), respectively. Itemized in separate declaration filed 03/09/17 [LF, pgs. 3-4]. JTD.
7. Petitioner has proposed a revised Master Trust of California Agreement to include language concerning reimbursement for any benefits pay by any other state's Medicaid program and notice to such other state's appropriate agencies in the unlikely event that benefits are paid under another state's Medicaid program rather than by California's Medical program. Petitioner alleges this amendment is necessary to comply with a recent reinterpretation of certain Social Security regulations which require the trust to provide for reimbursement for any state's Medicaid program and not just California's Medi-Cal program. Petitioner requests that the Court approve the revisions to the proposed revised Master Trust of California Agreement [LF, pgs.37-39]. JTD.
8. Petitioner requests that due to the small size of the trust, the Court set the next accounting review in 2 years. JTD.
9. Prayer does not include attorney fees. Need verified supplement.
10. Proposed Order: 03/09/17 includes attachment after signature page.

RECOMMENDATION:

Court's discretion re fees, bond and revision. If approved, set hearing on the next accounting review for **03/26/18** (if one year) or **03/25/19** (if two years). Account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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

DATE: 05/08/17 TIME: 9:30 DEPT: S35P

CASE#: CON DS1000132

CASE NAME: MATTHEW JOSEPH ECKLOR

HEARING:

Hearing Re: OSC RE POSSIBLE TRANSFER TO RIVERSIDE COUNTY

COUNSEL:

BRENT ECKLOR (CP)...DIXIE J ALLISON
MATTHEW JOSEPH ECKLOR (CTP)...
VICTORIA ECKLOR (CP)...DIXIE J ALLISON

GENERAL INFORMATION

Matter set at court's motion on 04/11/17. No appearances. Notice by Judicial Assistant.

THIS CASE SET FOR HEARING ON re **PSC re Possible Transfer of case to Riverside County** on Why Case Should not be Transferred to Riverside.

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

1. Court set matter on calendar after review of change of status where conservatee now resides in Moreno Valley; Riverside County. Conservator, mother, reportedly lives in Big Bear.
2. Last Court Investigator report appears to be filed in 2013.

RECOMMENDATION

Court's discretion. If approved, set control hearing for proof of transfer.
(lc/nb)

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

DATE: 05/08/17 TIME: 9:30 DEPT: S35P

CASE#: CIF DS1600051

CASE NAME: WALKER VS REITNER

HEARING:

Hearing Re: Motion to Vacate/Terminate Restraining Order

COUNSEL:

ALEXIS LORRAINE WALKER (PP)...PRO/PER
MICHAEL REITNER (RP)...PRO/PER

XREF: CONPS1600231

No notes – Judge to decide.
(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500343

CASE NAME: JOSE LUIS GOMEZ JR

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of OLGA L GOMEZ

COUNSEL:

OLGA L GOMEZ (CP)...PRO/PER
JOSE L GOMEZ SR. (CP)...PRO/PER
JOSE LUIS GOMEZ JR. (CTP)...WALTER T. MOORE

Waiver of Court Fees and Costs filed by OLGA L GOMEZ is GRANTED

GENERAL INFORMATION

Olga L. Gomez and Jose K. Gomez, Sr., appointed LIMITED Co-Conservators of the person on 03/21/16.

Continued from 10/24/16, 01/09/17 and 04/10/17. Notice by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

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

RECOMMENDATION:

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

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700063
CASE NAME: MTR OF BERTHA MAE TURNER

HEARING:
Hearing Re: PETITION FOR CONSERVATORSHIP

COUNSEL:

L'TANYA ANDERSON (CPE)...PRO/PER
BERTHA MAE TURNER (CEP)...

GENERAL INFORMATION

Ex parte orders denied on 03/06/17. Court granted request to reset hearing on general petition. Petitioner directed to have notice/service for hearing on 04/10/17; vacated hearing on 04/03/17.

Continued from 04/10/17. Attorney Rose C. Rosado appointed.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by L'Tanya Anderson (niece)

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

1. No bond requested. Estate consists of public benefits at \$1,117/month, \$4,000 cash, and real property at \$35,000. Question if petitioner is representative payee and if so, question need for estate powers. JTD
2. Petitioner seeks medical powers. **Court to review Capacity Declaration's caption filed on 04/28/17 and sticky note. Also, section 7b is not initialed. Need complete capacity declaration.**
3. Petitioner seeks dementia powers. **Need report by court-appointed counsel, Rose Rosado.**
4. **Certificate of Completion of the Conservatorship Training Class filed**
5. See Confidential Screening form filed 02/24/17.
6. Return of Citation with proof of personal service filed 03/01/17.
7. CI Report filed 03/21/17.
8. ~Proposed Form Order: 02/24/17

RECOMMENDATION

Need to clear notes 2-3. If approved, set hearing for Compliance Review for **11/13/17** for the filing of the required documents and hearing re Accounting Review for **06/18/18**

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

Any accounting to be filed 30 days in advance of review date. Note requirements of Local Rules 20.901 and 20.908.
(lh/nb)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PUBLIC GUARDIAN**

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS0600035

CASE NAME: MTR OF GERALD FRANSEN

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN
GERALD FRANSEN

(CPE)...COUNTY COUNSEL
(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 10/21/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present Ninth Account entered 05/18/16; account or waiver of account now due.

RECOMMENDATION:

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

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS0800018

CASE NAME: MARIA OROZCO

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
MARIA OROZCO (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 12/16/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present Eighth Account entered 10/18/16; account or waiver of account now due.

RECOMMENDATION:

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

(nb)

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

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS0800026

CASE NAME: MARIA BRITTAIN

VACATED

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
MARIA BRITTAIN (CEP)...HARTNELL LAW GROUP

VACATE – First and Final Account approved on 11/28/16.
(nb)

FUTURE HEARING:
12/04/17: FINAL DISCHARGE

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1200118

CASE NAME: MTR OF MICHAEL GUILLEN

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
MICHAEL GUILLEN (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 05/27/17.

Continued from 11/28/16 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present Third Account entered 01/21/16; account or waiver of account now due.

RECOMMENDATION:

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

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1300295

CASE NAME: CLAUDE L. GILES

SEE ALSO 19 20

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE

COUNSEL:

KARON A SPIGNER	(CPE)...BRIAN C MILES
CLAUDE L. GILES	(CEP)...JENNIFER M DANIEL
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
JEFFALYN A GILES	(PET)...PRO/PER
KARON SPIGNER	(PET)...BRIAN C MILES

Waiver of Court Fees and Costs filed by CLAUDE L. GILES is GRANTED

No notes – TSC.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1300295

CASE NAME: CLAUDE L. GILES

SEE ALSO 18 20

HEARING:

Hearing Re: Petition for Successor C'tor of person/estate

COUNSEL:

KARON A SPIGNER	(CPE)...BRIAN C MILES
CLAUDE L. GILES	(CEP)...JENNIFER M DANIEL
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
JEFFALYN A GILES	(PET)...PRO/PER
KARON SPIGNER	(PET)...BRIAN C MILES

Waiver of Court Fees and Costs filed by CLAUDE L. GILES is GRANTED

GENERAL INFORMATION

Public Guardian appointed Temporary Conservator of the person and estate on 07/12/16. There is no vacancy.

Ex Parte orders denied on 03/02/17.

Continued from 04/03/17 to clear notes. County Counsel indicates they would consent to be relieved as conservator as to Claude Giles (of person and estate). Jennifer Daniel indicates she has objections to the requested 2590 powers on the petition filed by Jeffalyn Giles. Court authorizes the conservator of the estate to release up to \$2,000.00 for out of state trip to Louisiana of 10 days (up to 12 days in an emergency situation) for Claude Giles to visit with his sick wife in Homer, Louisiana. Jeffalyn Giles is to supply receipts/bills/expenses of the trip.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Successor Conservatorship, person and estate by daughter, Jeffalyn A. Giles.

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

1. Petition filed 02/23/17 does not request medical powers at Sections 1g and 9. However, Attachment 1d [LF, p. 10] infers medical powers are also being requested. Court to confirm.
2. Confidential Supplemental Information form filed 02/23/17 is not signed. Need complete form.

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

3. Petitioner requests bond be fixed at \$25,000. Insufficient. Suggest bond of \$55,000 (includes recovery).
4. Petitioner seeks Pr. C. § 2590 powers to provide exclusive authority to provide maintenance on real property; to provide for the health and welfare/wellbeing of conservatee; travel with conservatee out of state; prepare a Living Trust; handle conservatee's debts; authority to borrow money and/or refinance conservatee's home at Rialto, CA; to represent conservatee in any legal matter that might arise. Suggest Court require a separate petition after appointment with required showing per Pr. C. 2540 et seq. JTD
5. Petition indicates conservatee is a member of a federally recognized Indian Tribe and owns property on tribal land [LF, p. 5].
6. If Petitioner seeks medical powers, need Medical Capacity Declaration.
7. Need report of GAL, Mathew Sheasby.
8. Need report by court-appointed counsel, Jennifer Daniel.
9. Court Investigator's Report filed 03/23/17.
10. Certificate of Completion re Conservatorship Class filed 03/02/17.
11. Petitioner and Conservatee reside in Los Angeles County. Suggest transfer of matter to LA County. If so, Court to set control date.
12. No written objections as of the review of this matter.
13. ~Proposed Form Order/Letters 02/23/17.

RECOMMENDATION:

Need to clear notes. If approved, set hearing for Compliance Review for **12/11/17** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr.C.§2313.

Set hearing re Accounting Review for **07/16/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1300295

CASE NAME: CLAUDE L. GILES

SEE ALSO 18 19

HEARING:

FIRST Account and Report of KARON A SPIGNER and Petition for allowance of fees filed.

COUNSEL:

KARON A SPIGNER	(CPE)...BRIAN C MILES
CLAUDE L. GILES	(CEP)...JENNIFER M DANIEL
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
JEFFALYN A GILES	(PET)...PRO/PER
KARON SPIGNER	(PET)...BRIAN C MILES

Waiver of Court Fees and Costs filed by CLAUDE L. GILES is GRANTED
TOTAL FEES WAIVED TO DATE: \$180.00

GENERAL INFORMATION:

Continued from **02/16/16** to clear notes.

Continued from **7/11/16** counsel informs Court that the conservator is currently in a coma. Court suspends the conservator and appoints PG as temporary conservator, person and estate. Court orders attorney Brian Miles to be personally present at the next hearing.

Continued from **09/26/16 and 11/07/16**. Court orders Brian Miles to be personally present in court. Court resets the motion currently set for November 9, 2016 to November 28, 2016. All temporary orders to remain in full force and effect. Notice by Judicial Assistant.

Continued from **11/28/16** at request of counsel. Notice waived.

Continued from **03/06/17**. Matter is contested. Ms. Giles to have notice given for 4/3/17.

Continued from 04/03/17. Jennifer Daniel states she joins Matthew Sheasby's objections as to the first account of Karon Spigner. Court relieves Matthew Sheasby as guardian ad litem of Claude I Giles.

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Fees.

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

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

1. Accounting period 11/25/13 to 11/04/15 (2 years).
2. Property on Hand at the beginning of the account period does not match amount on corrected inventory filed 09/10/15 and is short by \$680.31. Does Court wish to deem this amount de minimus? **Supp. (03/03/17) indicates the 09/10/15, corrected inventory shows the balance of the B of A Checking and the Hartford Annuity at the time of filing the Corrected Inventory. Inventory and approval should reflect amount as of date of appointment. JTD.**
3. Assets on Hand \$281,446.78 consisting of \$4,946.78 in cash, \$11,500 in personal property and \$276,500 in a community property interest.
4. Current bond of \$82,000. Appears adequate.
5. Petitioner does not request compensation at this time by reserves the right to petition the court at a later date should funds become available at a later date. **Supp. (03/03/17) indicates Conservator did not keep accurate records and requests that any possible surcharge be offset against any monies owed to her for caring for the Conservatee. JTD.**
6. Petition alleges monies from her personal funds were expended to care for Conservatee and will file a supplement itemizing such costs and will seek reimbursement, thereof. Need supplement itemizing and requesting reimbursement of costs. **Supp. (03/03/17) indicates Conservator did not keep accurate records and requests that any possible surcharge be offset against any monies that she is owed as reimbursement. JTD.**
7. Petitioner requests reimbursement of costs advanced of \$2,500.00.
8. Attorney requests fees of \$20,700.00. Billed at \$375/hour for 55.20 hours' attorney time. Itemized [LF, pgs. 21-23].
9. Attorney requests reimbursement of costs advanced of \$557.92. Itemized [LF, p. 10 & 16].
10. Disbursements – Schedule C requires further clarification via verified supplement as to the following:
 - a. Customer Withdrawal in the amount of \$10,220; **Supp. (03/03/17) indicates amount includes payments to electric and water company for past due bills. Need further clarification via verified supplement.**
11. Need copies of financial statement for ending balance on Hartford Annuity per Local Rule 20-908.
12. Need signed verifications by all care givers, per Local Rule 20-1406(c). **Supp. (03/03/17) includes verifications from some caregivers; copies of cashed checks for those she was not able to obtain signed verifications; and declaration by conservator as to those not able to be located or able to provide copies of canceled checks [LF, pgs. 14-20]. JTD.**
13. Notice given, no objections.
14. **Objections filed 02/17/16 by Claude Giles regarding attorney's fees and disbursements.**
15. **Reply to Objections by counsel, in the form of a declaration, affixed to supplement filed on 03/03/17 [LF, pgs. 22-23].**
16. No written joinder to objections filed as of the review of this matter.

RECOMMENDATION:

Matter is contested. Need to clear notes then Court's discretion. If approved, set hearing on the next accounting review for **in 60 days** (if one year) or **01/30/18** (if two years). Account to be filed 30 days in advance. Note Local Rules.
(nb/dl/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1300322

CASE NAME: Diane M. Cope

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
DIANE M COPE (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Order Granting Petition for Termination of Conservatorship entered 11/28/16.
Continued from 05/08/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review (by PG)

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

1. First Account Current approved on 11/07/16; need Order after Hearing.
2. Second and Final Account now due beginning 08/01/15 to 11/28/16.
3. No accounting. Need same.

RECOMMENDATION:

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

(nb)

FUTURE HEARING:

12/04/17: Accounting Review

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1300336

CASE NAME: UZZIA SYL

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
RAQUEL TAWNEE BAKER	(CEP)...HARTNELL LAW GROUP
UZZIA SYL	(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 01/31/18

Continued from 09/12/16 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. On 5/9/16 Court approved the 1st Account Current for the period ending 6/30/15.
2. Need an accounting.

RECOMMENDATION:

Inquire status.

(sa/nb)

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

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1400010

CASE NAME: FRANCES PITTS

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
JACQUELINE K TOWLES (CPE)...PRO/PER
FRANCES PITTS (CEE)...

Waiver of Court Fees and Costs filed by JACQUELINE K TOWLES is GRANTED

GENERAL INFORMATION

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

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

- 1 PG appointed Successor Conservator of the Person and Estate on 02/29/16;
first and current accounting now due.
- 2 No accounting or waiver of account. Need same.

RECOMMENDATION:
Inquire status.
(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1700050

CASE NAME: MTR OF KATHERINE POWELL

SEE ALSO 25

HEARING:

Hearing Re: PETITION FOR APPOINTMENT OF CONSERVATOR

COUNSEL:

PUBLIC GUARDIAN (CE)...DEPUTY COUNTY COUNSEL
KATHERINE POWELL (CTE)...MITCHELL I ROTH/
(GAL) SHERRI KASTILAHN

XREF: CONPS1700074

GENERAL INFORMATION

Ex parte hearing held 03/20/17. Mitchell Roth states objections on record on behalf of his client. Public Guardian (PG) appointed Temporary Conservator of estate only. No bond required. Court resets hearing currently set for 05/01/17 to 05/08/17. Court appoints Sherri Kastilahn as Guardian Ad Litem for Katherine Powell

THIS CASE IS SET FOR HEARING ON Petition for appointment of Conservatorship of ESTATE only, by PG

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

1. No bond - PG.
2. Petitioner seeks Pr. C. § 2590 powers to sell real or personal property of the estate and proceeds to be used for Conservatee's care and personal needs.
3. Petitioner seeks authority to deposit up to \$5,000 in an irrevocable burial trust and authority to abandon and/or donate personal property with value of \$300 or less; storage or a sale would be a burden on the estate.
4. Petitioner seeks dementia powers at section 1k and medical treatment at section 9. However, petition does not include request for conservatorship of the person nor medical powers.
 - a. Need amendment to petition reflecting conservatorship of person and estate, including request for medical powers, if sought.
5. Petition is incomplete. Need verified supplement clarifying the following:
 - a. Section 3g [LF, pg. 5] as to whether conservatorship has been filed in another jurisdiction. Need verified supplement.

- b. Section 5f [LF, pg7] as to whether proposed conservatee is developmentally disabled.
6. Need report of court-appointed counsel, Mitchell Roth.
7. Need report of GAL, Sherri Kastilahn.
8. Need Court Investigator's Report.
9. Capacity Declaration filed 02/14/17.
10. Return of Citation with Proof of Service filed 03/01/17.
11. Notice was served.

RECOMMENDATION:

Need to clear notes If approved, set hearing for Compliance Review for **12/11/17** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr.C.§2313. Set hearing re Accounting Review for **07/16/18**. Any accounting to be filed 30 days in advance.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1700074

CASE NAME: MTR OF WILLARD POWELL

SEE ALSO 24

HEARING:

Petition for Appointment of Conservator

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
WILLARD POWELL (CEP)...JEANNE KENNEDY/
(GAL) WALTER MOORE

XREF: CONPS1700050

GENERAL INFORMATION

Ex parte orders entered 03/20/17. Attorney Jeanne Kennedy appointed for Willard Powell. Jeanne Kennedy states objections on record on behalf of her client. Public Guardian (PG) is appointed Temporary Conservator of person/estate. Court orders that before Willard Powell is moved out of his house, a hearing/court order is required. No bond is required. Court appoints Walter Moore as Guardian Ad Litem for Willard Powell. Court orders case coordinated with CONPS1700050.

THIS CASE IS SET FOR HEARING ON Petition for appointment of Conservatorship of ESTATE only, by PG

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

1. No bond - PG.
2. Petitioner seeks Pr. C. § 2590 powers to sell real or personal property of the estate and proceeds to be used for Conservatee's care and personal needs.
3. Petitioner seeks authority to deposit up to \$5000 in an irrevocable burial trust and authority to abandon and/or donate personal property with value of \$300 or less; storage or a sale would be a burden on the estate.
4. Petitioner seeks medical and dementia powers. Capacity Declaration filed 03/06/17.
5. Petitioner seeks dementia powers. Need report from Counsel Jeanne Kennedy
6. Petition is incomplete. Need verified supplement clarifying the following:
 - a. Section 3g [LF, pg5] as to whether conservatorship has been filed in another jurisdiction. Need verified supplement.

- b. Section 5f [LF, pg7] as to whether proposed conservatee is developmentally disabled.
7. Need report of court-appointed counsel, Jeanne Kennedy.
8. Need report of GAL, Walter Moore
9. Need Court Investigator's Report.
10. Need Notice of Hearing and Proof of Service.
11. Return of Citation with Proof of Service filed 03/15/17.
12. **Objections filed 05/02/17 by Willard Powell, Proposed Conservatee.**

RECOMMENDATION: Set for contested hearing.

Need to clear notes. If approved, set hearing for Compliance Review for **12/11/17** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr.C.§2313. Set hearing re Accounting Review for **07/16/18**. Any accounting to be filed 30 days in advance.

(lh/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: SC SS02387

CASE NAME: MTR OF JAQUELINE E. THOMAS

HEARING:

Accounting Review

COUNSEL:

GARY N. COTE	(CPE)...J.L.WELCH & ASSOCIATES
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
JAQUELINE E. THOMAS	(CEP)...ROGER E WALKER
JACQUELINE E THOMAS	(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Continued from 03/21/16 and 11/28/16 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Settling Third Account filed 03/24/14 for period ending 08/15/13.
2. Conservatee died 09/09/15.
3. Need Fourth Account for period 08/16/13 – 09/09/15 and Final Account for 09/10/15 – current date.

RECOMMENDATION

Court's discretion.

(dl/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS00571

CASE NAME: IN THE MATTER OF RICHARD HAYS

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN
RICHARD HAYS

(CPE)...COUNTY COUNSEL
(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 09/16/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present Seventh Account entered 04/13/15; account or waiver of account now due.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS02263

CASE NAME: MTR OF GWENDOLYN MILLER

HEARING:

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

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
GWENDOLYN MILLER (CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION:

Letters expire 11/25/17.

THIS CASE IS SET FOR HEARING ON Second Account Current and Petition for Fees

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

1. Accounting period 10/17/14 to 10/31/15.
2. Assets on hand \$7,876.38 consisting of \$2,876.38 in cash and pre-need burial trust.
3. Public Guardian requests fees totaling \$2,400.00. For the period of 10/17/14 to 10/31/15, approving and confirming the sum of \$2,400.00, assessed and collected. Generally itemized. JTD.
4. County Counsel request fees totaling \$1,200.00. For the period of 10/17/14 to 10/31/15, approving and confirming the sum of \$1,200.00, assessed and collected. Generally itemized. JTD.
5. Petition indicates Conservatee resides in Riverside County and previously in LA County. Does Court wish to transfer matter to Riverside County? JTD.
6. Notice given, no objections.
7. ~Proposed Order 11/01/16

RECOMMENDATION:

Court's discretion. If approved, Court may wish to set the next hearing re Accounting Review **in 60 days** (on a Monday calendar) as next accounting is now overdue.

(nb)

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

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

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS02688

CASE NAME: MTR RE NELLY RAMIREZ

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
NELLY RAMIREZ (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION
Letters expire 07/29/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present Eleventh Account entered 10/21/16; account or waiver of account now due.

RECOMMENDATION:
Inquire status.
(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS03059

CASE NAME: MTR RE URSULA UNKNOWN

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
URSULA UNKNOWN (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 06/10/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present Tenth Account entered 05/18/16; account or waiver of account now due.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS03195

CASE NAME: MTR RE CORTNEY GRIFFIN

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

CORTNEY GRIFFIN

(CTP)...HARTNELL LAW GROUP

XREF: SCSS02600

GENERAL INFORMATION:

Letters expire 09/23/17

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present Second Account entered 05/18/16; account or waiver of account now due.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS4854

CASE NAME: IN THE MATTER OF SAMUEL COOKS

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
TERRY S COOKS	(CEP)...HARTNELL LAW GROUP
TERRY SAMUEL COOKS	(CEE)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 11/13/17.

Continued from 10/17/16 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present Second Account entered 05/18/16; third account or waiver of account now due.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS8758

CASE NAME: IN THE MATTER OF ROSEMARY CARRASCO

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
ROSEMARY CARRASCO (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Continued from 09/14/15, 04/04/16, and 10/17/16 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Waiving Sixth Account Current granted 10/3/14 for period ending 07/07/14.
2. Seventh Account/Waiver now due for the period 07/08/14 – current date.

RECOMMENDATION

Inquire status.

(gls/dl/nb)

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

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: VC VS347

CASE NAME: IN THE MTR OF VANESSA M SGARLATA

HEARING:

Accounting Review

COUNSEL:

VANESSA M SGARLATA (CEP)...SANDRA TURNER
DOROTHY BEAUMONT (CPE)...PRO/PER
PUBLIC GUARDIAN (SC)...COUNTY COUNSEL

Waiver of Court Fees and Costs filed by DOROTHY BEAUMONT is GRANTED

GENERAL INFORMATION

Continued from 01/11/16 and 10/17/16.

THIS CASE IS SET FOR HEARING ON accounting review

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

1. Public Guardian appointed successor Conservator, person and estate on 11/03/14 \$0 bond.
2. Need 1st account.

RECOMMENDATION:

Inquire status.

(lc/nb)

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

DATE: 05/08/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1300042

CASE NAME: TERRY LOWERY

HEARING:
Hearing re Final Discharge

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
TERRY LOWERY (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION:
Continued from 3/28/16, 5/23/16, 07/25/16, 10/17/16, 01/30/17 and 05/01/17.

THIS CASE IS SET FOR HEARING ON final discharge

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

1. Final distribution approved 3/23/15
2. Need receipt from SSA for \$2,017.00
3. Need Ex-parte petition for final discharge order submitted.

RECOMMENDATION:
Inquire status.
(sa/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400344

CASE NAME: Ruben H Marquez

HEARING:

OSC re: Sanctions for FTA/Failure to file an accounting filed by
AARON MARQUEZ

COUNSEL:

AARON MARQUEZ	(PET)...LAW OFFICES OF RAUL M. MONTES
RUBEN H MARQUEZ	(DEC)...
KEVIN MARQUEZ	(MIN)...
KIMBERLY MARQUEZ	(MIN)...
MARIA Y SAGAL	(OBJ)...HARTNELL LAW GROUP

Waiver of Court Fees and Costs filed by MARIA Y SAGAL is GRANTED

GENERAL INFORMATION:

Matter set at **01/09/17** hearing due to non-appearances. Court continues matter and orders parties to be present at the next hearing. Notice by Judicial Assistant.

Continued from 03/13/17 at request of counsel. Notice waived.

THIS CASE IS SET FOR HEARING ON **OSC re Sanction** on Accounting Review

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

1. Order Approving Status Report entered 06/01/16; accounting now due.
- 2. Status Report filed and set for 06/26/17.**

RECOMMENDATION:

Court's discretion

(nb)

FUTURE HEARING DATES:

06/26/17 Probate status report.

07/27/17 Motion Re: ENFORCEMENT OF SETTLEMENT

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500275

CASE NAME: MTR OF HAROLD LEE LOVE

VACATED

HEARING:

Accounting Review

COUNSEL:

ANGIE LOVE (PET)...ROSE
HAROLD LEE LOVE (DEC)...

GENERAL INFORMATION

Continued **from 07/18/16 and 11/14/16** at request of counsel. No appearance.
Administrator ordered to appear. Notice by Judicial Assistant.

Continued from 01/30/17 and 03/20/17 at request of counsel. Counsel is informed by the court, if no accounting is filed before the next hearing date, this matter will be appointed to the Public Administrator.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Administration issued 5/11/15, no bond.
2. Need final inventory & appraisal.
3. Need an accounting or status report.

RECOMMENDATION:

Inquire status.

(dl/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500366

CASE NAME: ISABEL JIMENEZ SANCHEZ

HEARING:

FIRST & FINAL Account and Report of MARIA JIMENEZ and Petition
for allowance of fees filed.

COUNSEL:

MARIA JIMENEZ (PET)...JASON L GAUDY
ISABEL JIMENEZ SANCHEZ (DEC)...

Waiver of Court Fees and Costs filed by MARIA JIMENEZ is GRANTED
TOTAL FEES WAIVED TO DATE: \$465.00

GENERAL INFORMATION:

Continued from 03/20/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON **Amended** (03/20/17) First and Final Account
and Petition for Fees.

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

1. Accounting period 04/13/12 to 11/10/16.
2. Assets on Hand \$140,000 consisting of real property.
3. Petitioner waives statutory compensation.
4. Attorney requests statutory fees of \$5,200.00 to be paid from outside the estate.
Calculated.
5. Decedent's issue, Daniel Jimenez, Sergio Jimenez and Christina C. Jimenez
have disclaimed and assigned their interests to Maria Jimenez, decedent's wife
[LF, pgs. 12-14].
6. Notice given.
7. Proposed Order 01/13/17 does not include address of person receiving real
property and does not include Christina C. Jimenez's assignment.

RECOMMENDATION

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

05/14/18.

(nb)

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

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

DATE: 05/08/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1501040

CASE NAME: ROBERT ST.JOHN

HEARING:

Petition for DETERMINE HEIRSHIP

COUNSEL:

JEFFREY E PAPCIAK	(PET)...SELTERS & SELTERS
JOSEPH T BLAUM	(PET)...J. BENJAMIN SELTERS III
ROBERT ST.JOHN	(DEC)...
LAURA WOODWARD	(TP)...
SCOTT A HANCOCK	
PHYLLIS A BENJAMIN	(BRYAN C. HARTNELL)
US BANK	(SAMUELS, GREEN & STEEL, LLP)

GENERAL INFORMATION:

Continued from 01/109/17 and 03/13/17 on Court's motion. Notice waived.

THIS CASE IS SET FOR HEARING ON Petition to Determine Heirship by Co-Administrators, Jeffrey E. Papciak and Joseph T. Blaum.

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

1. Petitioners, Jeffrey E. Papciak and Joseph T. Blaum, as Co-Administrators for the Estate state and declare the following: Robert St. John, decedent, died intestate on 10/05/15; Dorothy St. John, decedent's wife, predeceased decedent on 10/01/15.
2. Petitioner's indicate that as the St. John's died 4 days apart and Robert did not survive Dorothy by 120 hours, Pr. C. § 6403 (a)(the "120 hour rule") hold that neither Robert or Dorothy is the legal survivor of the other, and their deaths should be deemed to be simultaneous (Pr. C. § 6403(a)). Thus, Petitioners maintain California's intestate succession laws in Pr. C. §§ 6402, 6402.5 apply to divide Robert St. John's estate and the portion thereof attributable to his predeceased wife, Dorothy St. John, equally to each spouse's next in line heirs (Pr. C. §§ 6402, 6402.5).
3. Petitioner alleges they are very familiar and certain as the heirs of Dorothy St. John's side of the family and attached as Exhibit 3 [LF, p. 16] is a genealogical chart for the heirs of Dorothy St John. However, Petitioners are uncertain and

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

less familiar as the heirs of Robert St. John side of the family and attached as Exhibits 4 & 5 are paternal [LF, p.17] and maternal [LF, p. 19] genealogical charts for the paternal and maternal heirs of Robert St. John, respectively.

4. Petitioners indicate that as Decedent's had no surviving issue, parent or issue of parent, or grandparents, but is survived by issue of grandparents, Pr. C. §6402(d) provides that the issue of those grandparents take equally if they are all of the same degree of kinship to the decedent, but if unequal degree those of more remote degree take in the manner provided for in Section 240 (Pr. C. § 6402(d)).
5. Accordingly, the surviving issue of Robert St. John's paternal and maternal grandparents, identified, are believed to take from Robert's half of his estate (not including the half attributable to his predeceased wife Dorothy). Accordingly, Dorothy St. John's real property interest and personal property interest attributable to the Estate of Robert St. John should distribute to the surviving issue of Dorothy's parents, identified (Pr. C. §§6402.5(a)(3), 6402.5(b)(3)).
6. Petitioners request this Court confirm and approve Petitioners understanding of heirship for the Estate of Robert St. John and confirm Petitioners understanding of intestate succession share percentages to the listed heirs of Robert and Dorothy St. John (Pr. C. §11700).
7. **Supplement filed 12/14/16** clarifies relationships of individuals to Decedent; corrects names; adds and removes names; affixes a revised genealogical chart; and corrects respective distributions and prayer.
8. **Supplement filed 04/13/17 indicates Corrine B, McHugh, first cousin of Decedent and an heir entitled to a 4.16% (1/24th) share of the estate, passed away on 02/18/17 and amends distribution to reflect her share of 4.16% (1/24th) be distributed 2.08% (1/48th) each, to her surviving two children, Thomas McHugh and Michael McHugh (first cousins once removed) each.**
 - a. **Executed Pr. C. § 13100 Declarations filed 05/02/17 as to Thomas McHugh and Michael McHugh.**
9. Notice given.
10. ~Proposed Order 4/13/17.

RECOMMENDATION:

Court's discretion.

(nb)

FUTURE HEARING:

06/20/17: Accounting Review

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600234

CASE NAME: MICHAEL P EBERHARDT

HEARING:

First and Final Account and Report of GERALDINE N GARBER and
Petition for allowance of fees filed.

COUNSEL:

GERALDINE N GARBER (PET)...JOHN A BUNNETT
MICHAEL P EBERHARDT (DEC)...
W.C COX AND COMPANY (TP)...LAYNE A BARTHOLOMEW

GENERAL INFORMATION:

Continued from 03/3/17 at request of counsel. Notice given by John A. Bunnett.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees
by Administrator, Geraldine N. Garber (half-sister).

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

1. Accounting period 01/16/16 to 01/12/17.
2. Assets on Hand \$157,655.68 consisting of cash.
3. Statutory fees of \$7,619.38 requested. Calculated.
4. Petitioner requests extraordinary fees of \$2,100 in connection with the sale of real property. Billed at \$350/hour for 6 hours attorney time. **Itemized [see decl. filed 03/03/17 – LF, p. 4]. JTD.**
5. Petitioner indicates preliminary distributions totaling \$17,400 were disbursed without prior court authority. There does not appear to be any harm to creditors or the estate. JTD.
6. Petitioner requests authorization to withhold \$3,500 as a reserve.
7. Notice given.
8. ~Proposed Order 03/03/17

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge for **05/14/18.**

(nb)

FUTURE HEARING:

07/11/17: Accounting Review (If approved, Court to take matter off calendar).

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

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

DATE: 05/08/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700195

CASE NAME: MTR OF IRA PETE ELLER TRUST

HEARING:

Petition for ORDER INSTRUCTING TRUSTEE TO DISTRIBUTE RENTAL
INCOME TO BENEFICIARY; FOR IMMEDIATE SUSPENSION ET

COUNSEL:

DOROTHY NOVELLA ELLER (PET)...DOWLING AARON INCORPORATED
THE IRA PETE ELLER TRUST (TRU)...

Currently under review by Legal Research.
(LR)

Notice:

Notice complete.

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700204

CASE NAME: MTR OF FIDENCIO SALAZAR

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL AUTHORIZATION
TO ADMINISTER UNDER IAEA

COUNSEL:

ROSIE ADAME (PET)...PRO/PER
FIDENCIO SALAZAR (DEC)...

GENERAL INFORMATION:

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

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

1. Bond waived by sole heir/petitioner. Estimated net value of estate is \$140,000. Court also has discretion to require bond per Pr. C. § 8481(b). JTD
2. Need Proof of Publication.
3. ~Proposed form Order: 03/02/17

RECOMMENDATION:

RFA subject to note 2. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **07/16/18**. 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
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 05/08/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700205

CASE NAME: MTR OF JOSE G ARNAL

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

SANDRA ARNAL (PET)...MARIVEL M ZIALCITA
JOSE G ARNAL (DEC)...

GENERAL INFORMATION:

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

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

1. Requested bond \$250,000. Appears sufficient.
2. Petition section 5a indicated deceased spouse. Need verified supplement with date of death of deceased spouse, and whether issue are natural or adopted/natural adopted by a third party.
3. Notice of Petition to Administer Estate with Proof of Service filed 03/13/17
 - a. Proof of Service does not include date of mailing. Need amended proof of service.
 - b. Also, need verified supplement clarifying if deceased son, Henry C. Arnal, is the same person as Henry Arnal, both listed in proof of service. If not, include relationship to decedent.
4. Need Proof of Publication.
5. ~Proposed form Order: 03/02/17

RECOMMENDATION:

Need to clear notes 2-4. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **07/16/18**. 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
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 05/08/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700206

CASE NAME: MTR OF CLAUDIA ANNE PROXEE

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

PETER JOHN PROXEE JR (PET)...PRO/PER
CLAUDIA ANNE PROXEE (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Peter Proxee (son)

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

1. Bond waived by sole heir/petitioner. Estimated net value of estate is \$43,000. However, petitioner is a non-resident and the court may require bond if the proposed personal representative resides outside California per Pr. C. § 8571. Court also has discretion to require bond per Pr. C. § 8481(b). JTD
2. ~Proposed form Order: 03/03/17

RECOMMENDATION:

RFA, Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **07/16/18**. 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
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 05/08/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600066

CASE NAME: MTR OF JOSE R MENDOZA

HEARING:

WAIVER OF FIRST AND FINAL Account and Report of JOE AGUILERA and
Petition for allowance of fees filed.

COUNSEL:

JOE AGUILERA (PET)...JAMIE N GONZALEZ
JOSE R MENDOZA (DEC)...

GENERAL INFORMATION:

Continued from **03/06/17** for supplement to be reviewed.

**Continued from 05/01/17. Matter is trailed one week for counsel to revise
the reimbursement of costs to follow the local rules of our court.**

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

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

1. Sole heir waives accounting.
2. Accounting period 12/30/15 to 11/15/16.
3. Assets on Hand \$286,287.93 consisting of cash.
4. Petitioner waives statutory and extraordinary compensation.
5. Attorney requests statutory fees of \$12,080.58. Calculated.
6. Attorney requests extraordinary fees of \$5,587.50 for services rendered in
connection with potential objections and pre-litigation tasks; and sale of real
property. Billed at \$375/hour for 14.90 hours' attorney time. Itemized [LF, p. 19-
24]. JTD.
7. Attorney requests reimbursement of costs of **\$2,549.59**. Itemized [see supp.
filed 3/1/17, LF, p. 7].
8. Petitioner requests authority to withhold \$3,000 as a reserve for closing costs.
9. Notice given.
10. **Second Supplement filed 05/02/17 not available in LF as of the review of
this matter.**
11. ~Proposed Order 03/09/17

RECOMMENDATION

Court's discretion. If approved, set next hearing for receipts and final discharge for **03/12/18**.

(nb)

FUTURE HEARING:

05/15/17: Accounting Review (if approved, Court to take matter off calendar).

Superior Court of Calif, County of San Bernardino

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San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: CYNTHIA LUDVIGSEN

CONSERVATORSHIPS

DATE: 05/08/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS0700202

CASE NAME: MTR OF SHARELL A PARAMO

HEARING:

FIFTH Account and Report of LINDA J PARAMO and Petition for allowance of fees filed.

COUNSEL:

LINDA J PARAMO	(CPE)...MICHAEL J OFFENHEISER
SHARELL A PARAMO	(CEP)...MARK J. ANDREW FLORY
INLAND COUNTIES REGIONAL CENTER	(AGN)...PRO/PER
LINDA J PARAMO	(PET)...WALTER T. MOORE
MELVIN L. FRIEDLAND	(PET)...MELVIN L FRIEDLAND

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Fifth Account Current and Petition for Fees by Conservator of the Person and Estate, Linda J. Paramo.

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

1. Account period 11/29/14 – 11/28/16 (2 years).
2. Assets on hand \$24,363,007.05 [LF, pgs. 36-37] consisting of \$3,116,503.14 in cash and the balance of \$21,246,503.91 in bonds and mutual funds.
3. Petitioner waives compensation.
4. Petitioner indicates conservatee's counsel, Brown, White and Newhouse LLP has been compensated from conservator's personal funds and waives reimbursement from the Conservatorship Estate.
5. Petitioner indicates conservatee's current counsel, Brown & Streza LLP has been compensated from conservator's personal funds and waives reimbursement from the Conservatorship Estate
6. Current bond fixed at \$80,000. Petitioner requests bond be increased by \$20,000 for a total bond of \$100,000. Appears sufficient. JTD.
7. Petition indicates the bond for the balance of assets in the conservatorship of the estate and the Sharell Paramo Revocable Trust dated 08/14/13 should again be waived because they are still held in a blocked account. JTD.

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

8. Disbursements – Schedule C [LF, p. 32] reflects \$11,321.91 in refund/adjustments. Need further clarification via verified supplement.
9. Need copies of Bank/financial statements per Local Rule 20-908.
- 10. Notice filed 04/26/17 does not give 15 days' notice. Need proper service.**
11. ~Proposed Order 03/23/17 does not specify cash assets.

RECOMMENDATION:

Need to clear notes 8-10 then Court's Discretion. If approved, set hearing re next Accounting Review for **01/29/18** (if one year) or **01/28/19** (if two years). Account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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CIVPRO

San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: CYNTHIA LUDVIGSEN

DATE: 05/08/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300076

CASE NAME: JOSE G. ARNAL

HEARING:

Hearing re Final Discharge

COUNSEL:

SANDRA ARNAL	(CPE)...MARIVEL M ZIALCITA
JOSE ARNAL	(CEP)...MATTHEW E SHEASBY
SANDRA ARNAL	(PET)...SRG LAW GROUP
MATTHEW E SHEASBY	(PET)...MATTHEW E SHEASBY

GENERAL INFORMATION:

Continued from 07/05/16. No appearances. Counsel ordered to be present at hearing.

Continued from 11/17/16, 01/26/17 and 03/16/17.

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Final distribution approved for Sandra Arnal approved 07/08/15. **Amended order sent to dept for signature on 05/04/17.**
2. Need receipt from Public Administrator's Office.
3. Need Ex-Parte Petition/Order for Final Discharge.

RECOMMENDATION:

Inquire status.

(nb/lc/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500164

CASE NAME: DERRILL LEE MCCONNELL

HEARING:

FIRST Account and Report of MONIQUE JUEDES and Petition for allowance of fees filed.

COUNSEL:

MONIQUE JUEDES (PET)...FULLERTON LEMANN SCHAEFER & DO
DERRILL LEE MCCONNELL (PET)...
DERRILL LEE MCCONNELL (CEE)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Fees by Conservator of the Person and Estate, daughter, Monique Juedes ["Petitioner"].

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

1. Accounting period 09/10/15 to 09/10/16.
2. Assets on Hand \$98,141.58 in cash.
3. Current bond of \$100,000. Insufficient. Suggest bond increase by \$62,000 for a total bond of \$162,000. JTD.
4. Petitioner does not seek compensation at this time but reserves the right to seek compensation in a separate application.
5. Petitioner requests reimbursement of costs advanced of \$1,500.00. Itemized [LF, p. 30].
6. Attorney requests fees of \$9,070.75. Billed at \$175-\$350/hour for 32.15 hours' attorney time and \$95-\$110/hour for 33.40 hours' paralegal time totaling 65.55 hours. Itemized [LF, p. 22-29]. JTD.
7. Attorney requests reimbursement of costs advanced of \$33.00. Itemized. [LF, p. 30].
8. Petition is not signed by counsel [LF, p. 10]. Need same.
9. Verification does not include city. Need complete verification.
10. Prayer [LF, p. 9] does not request reimbursement for costs to attorney in the amount of \$33.00. Need verified supplement.
11. Need residential facility statements and/or written verification of rent per Pr.C. §2620(c) (5).

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

12. Notice given.

13. Proposed Order 03/23/17 reflects a lesser amount for attorney fees and does not include reimbursement for attorney costs of \$33.00.

RECOMMENDATION:

Need to clear notes 8-11 then Court's discretion. If approved, set hearing on the next accounting review for **11/13/17** (if one year) or **11/12/18** (if two years). Account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600136

CASE NAME: STEPHANIE CORTEZ
HEARING:
Petition for Appointment of Conservator

COUNSEL:

JUAN PAEZ CORTEZ (CPE)...PRO/PER
STEPHANIE PAEZ CORTEZ (CEE)...MITCHELL I ROTH

GENERAL INFORMATION

Continued from **08/01/16** at the request of petitioner. Court notes that all grandparents are deceased. Court does not appoint court appointed counsel for proposed conservatee at this time.

Continued from 10/17/16 for proper service. Attorney Mitchell I Roth appointed.

Continued from 12/19/16.

Continued from 03/06/17.

THIS CASE IS SET FOR HEARING ON Petition for Conservatorship, person only, by father

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

1. No bond – person only.
2. Medical powers sought. Medical Capacity Declaration filed in support.
3. Court Investigator report filed 7/12/16.
4. **Report by court-appointed counsel, Mitchell I Roth filed 03/06/17.**
5. **Proof of service to citation filed 03/06/17 names petitioner at section 2a instead of proposed conservatee. Need proper service.**
6. Need notice of hearing and proof of service.
7. Proof of completion of conservatorship class filed 09/29/16.
8. ~Proposed form order: 6/2/16

RECOMMENDATION:

Need to clear notes 5-6. If approved, set hearing for Compliance Review for **12/11/17** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); and Level of Care and Care Plan per Pr.C.§2352.5.

(sa/nb/lh)

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

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

DATE: 05/08/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600326

CASE NAME: AMANUEL ISRAEL

HEARING:

Petition for Appointment of Conservator

COUNSEL:

GHIRMAI DREE	(PET)...PRO/PER
AMANUEL ISRAEL	(CTP)...MITCHELL I ROTH
ABREHAZION AIMUT	(PET)...PRO/PER

GENERAL INFORMATION

Ex parte orders entered on 11/09/16. Ghirmai Dree and Abrehazion Israel appointed temporary co-conservators. Attorney Mitchell Roth appointed GAL and attorney for Amanuel Israel.

Continued from 03/13/17.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by parents

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

1. Petitioner seeks medical powers. **Capacity Declaration filed 04/19/17 is missing date at signature on page 3. Need completed form.**
2. Attachments 1d, 1e, and 1f state that proposed conservatee has schizophrenia, but are deficient as orders and powers are not specified. See notes 3-5.
3. Petitioner is seeking orders authorizing independent exercise of powers under PC 2590. **Supp. filed 04/14/17; however, need to specify each power requested in Attachment 1d.**
4. Petitioner is seeking orders re capacity of proposed conservatee under Pr. C. §1873 or 1901. **Supp. filed 04/14/17; however, need to specify which orders are requested in Attachment 1e.**
5. Petitioner is seeking orders related to powers and duties of proposed conservator under 2351-2358. **Supp. filed 04/14/17; however, need to specify which orders are requested in Attachment 1f.**
6. **Notice of Hearing and Proof of Service filed 04/14/17. However, need service of notice to sibling, Frehiwet Israel.**

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

7. **Notice and Acknowledgment of Receipt of Citation filed 04/14/17.**
8. Certificates of Completion of the Conservatorship Training Class filed 01/05/17.
9. Report of court-appointed counsel, Mitchell I. Roth, filed 12/06/16.
10. CI Report filed on 11/23/16.
11. ~Proposed Form Order: 11/08/16

RECOMMENDATION

Need to clear notes 1-7. If approved, set hearing for Compliance Review for **05/24/18** 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 and Inventory & Appraisal with notice.

(lh/nb/lh)

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

DATE: 05/08/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700105

CASE NAME: MTR OF JUAN A SAINZ

HEARING:
Petition for Appointment of Conservator

COUNSEL:
MARIA A SAINZ (CP)...PRO/PER
JUAN A SAINZ (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Maria A Sainz (mother)

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

1. Petitioner seeks medical powers. Capacity Declaration filed 03/27/17.
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks orders relating to powers under Pr. C §2351.5; however, need verified supplement specifying requested powers.
4. Proposed conservatee is developmentally disabled. Need appointment of counsel for report.
5. Proposed conservatee is developmentally disabled. Need IRC report.
6. Need Certificate of Completion of the Conservatorship Training Class.
7. **Citation returned served.**
8. Need List of Required Contact Information (Local form SB-12224).
9. Notice of Hearing and Proof of Service filed 04/17/17. Need verified supplement clarifying proposed conservatee's relationship to Maria Uribe, Juan Aguilar, Ruth Vidana, Manuel Sainz, Maria Rodriguez and Julia Lopez, who were all included in proof of service.
10. **Court Investigator report filed 04/24/17.**
11. ~Proposed Form Order: 03/27/17

RECOMMENDATION

Need to clear notes. If approved, set hearing for Compliance Review for **12/11/17** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.
(lh/nb)

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

DATE: 05/08/17 TIME: 9:30 DEPT: S36P

CASE#: RC RS00466

CASE NAME: FRANCIS BARBUSH

HEARING:

Accounting Review

COUNSEL:

FRANCIS BARBUSH	(PCE)...
ARTHUR A CAPPILLA	(CE)...BARBARA E BOWERSOCK
FRANCIS BARBUSH	(CTE)...
ARTHUR A CAPPILLA	(CE)...JOHN D MICKUS
ARTHUR A. CAPPILLA	(CPE)...JOHN D MICKUS
FRANCIS BARBUSH	(CEP)...

GENERAL INFORMATION

Conservatee passed away on 02/06/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Approving Seventh Account entered 06/02/15; Eight and final accounting now due including pre and post death accounting period.
2. No account. Need same.

RECOMMENDATION:

Inquire status.

(nb)

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

DATE: 05/08/17 TIME: 9:30 DEPT: S36P

CASE#: SC SS01164

CASE NAME: IN THE MATTER OF ALFRED A CORDOVA

HEARING:

Hearing Re: Proof of New Mexico Conservatorship

COUNSEL:

ALFRED A CORDOVA (PLA)...MARK J. ANDREW FLORY

GENERAL INFORMATION:

Continued from 03/13/17 for Counsel to speak with petitioner regarding residence outside of California.

THIS CASE IS SET FOR HEARING ON Proof of New Mexico Conservatorship

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

1. Petition to fix residence outside of the State of California granted on 11/07/16.
2. Order Fixing Residence Outside the State of California entered 11/07/16.

RECOMMENDATION:

Need proof of New Mexico Conservatorship.

(nb/lh)

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

DATE: 05/08/17 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1300904

CASE NAME: MTR OF PHYLLIS ANN CATTIN

HEARING:
Hearing Re: Court Trial

COUNSEL:
LARRY DOUGLAS CATTIN (PET)...
PHYLLIS ANN CATTIN (DEC)...
PUBLIC ADMINISTRATOR (ADM)...CRAIG M PARKER

Request for Waiver of Court Fees and Costs filed by LARRY DOUGLAS CATTIN is GRANTED

No notes – Court Trial

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **PROBATE**

DATE: 05/08/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0800088

CASE NAME: MTR OF JUANITA DAVIS SLOAN

HEARING:

FIRST AND FINAL Account and Report of MARIBELLE D MCDOUGLE and
Petition for allowance of fees filed.

COUNSEL:

MARIBELLE D MCDOUGLE	(PET)...ROBERT L KERN
JUANITA DAVIS SLOAN	(DEC)...
WELLS FARGO BANK	(PET)...LAUREL I HANDLEY, GENAIL M AND
HSBC BANK	(PET)...LAUREL I HANDLEY, GENAIL M AND

GENERAL INFORMATION:

Continued from 03/06/17 on Court's motion to review objections. Notice waived.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees
et seq. by Executrix, Maribelle D. McDougale.

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

- 1 Accounting period 09/21/07 to 01/27/17.
- 2 Assets on Hand \$165,365.06 consisting of cash held by the Clerk of the San Bernardino County Superior Court Clerk.
- 3 Statutory fees of \$7,000 requested. Calculated.
- 4 Attorney requests extraordinary fees of \$54,387.50 for services rendered in connection with protection, sale and dealing with problems related to the real property. Billed at \$390.87/hour for 100.75 hours' attorney time and \$95-\$125/hour for 139.40 hours' paralegal time. Itemized [see decl. filed 02/06/17, LF, pgs. 6-24]. JTD.
 - a. Question if the qualifications of paralegals meet the requirements of CRC 7.703(e) (1) (c) which requires a showing of completion of mandatory continuing education per Business & Professions Code 6450(d). Need verified supplement.
- 5 Petitioner requests reimbursement of costs advanced of \$8,242.90. Itemized [LF, p. 17].

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

- 6 Attorney requests reimbursement of costs advanced of \$1,480.97. Itemized [LF, p. 34-36].
- 7 Need copy of escrow closing statement per Local Rule 20-910.
- 8 Petitioner requests an order that the buyer of the premises, Yuquing Ding, be required to present whatever claims she may have against the estate or Wells Fargo Bank with regard to the purchase of the premises and/or damages related to the same.
- 9 Petitioner requests and order that Wells Fargo Bank and its subsidiaries and related or associated entities, including HSBC Bank, pay any and all damages and expenses related to the entries upon the premises and damages, including but not limited to the claims of Yuquing Ding, and reimburse and indemnify petitioner for any and all claims and expenses, including but not limited to attorneys' fees incurred by petitioner.
- 10 Petitioner requests an order that the Clerk of San Bernardino County Superior Court be authorized and directed to make the payments as authorized and directed by the court regarding the foregoing from the funds deposited from the escrow for sale of the premises and upon proof that the foregoing have been fully paid and discharged (including all amounts owed regarding the claims of Yuquing Ding) and obligations of Wells Fargo Bank, HSBC Bank and their subsidiaries.
- 11 Petitioner requests authority to withhold \$2,000 as a reserve.
- 12 **Objections filed 03/01/17 by Wells Fargo Bank, N.A. and HSBC Bank USA, National Association as Trustee. Request for Judicial Notice In support with exhibits also filed.**
- 13 **Proof of Personal Service on Yuquing Ding filed 03/02/17.**
- 14 **Declaration of Diane E. Bond in Support of Wells Fargo and HSBC's Objections and Opposition to First and Final Account et seq. filed 04/26/17.**
- 15 **Supplemental Declaration of Diane E. Bond in Support of Wells Fargo and HSBC's Objections and Opposition to First and Final Account et seq. filed 04/28/17.**
- 16 No proposed order. Submit Order after Hearing.

RECOMMENDATION: Matter is contested.

Need to clear notes 4a and 7 then Court's discretion. If approved, set next hearing for receipts and final discharge on **05/14/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1100318

CASE NAME: ANNA MAE L ALBARRAN

HEARING:

Hearing re Final Discharge

COUNSEL:

JOE PADILLA (PET)...HARTNELL LAW GROUP
ANNA MAE L. ALBARRAN (DEC)...

GENERAL INFORMATION:

Continued from 03/06/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Amended Judgment Settling First and Final Account entered 12/05/16.
2. Need receipts.
3. Need Ex-Parte Petition/Order for Final Discharge.

RECOMMENDATION:

When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with Pr.C. § 8505.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300789

CASE NAME: VIRGINIA LOUISE BREAK

HEARING:

WAIVER OF Account and Report of DONNA LOUISE BREAK and Petition
for allowance of fees filed.

COUNSEL:

DONNA LOUISE BREAK (PET)...MUNDELL ODLUM & HAWS
VIRGINIA LOUISE BREAK (DEC)...

GENERAL INFORMATION:

Continued from **9/14/15 and 11/9/15**.

Continued from **12/28/15** at request of counsel to file amended/final account.

Continued from **2/29/16** new assets (\$7000+) discovered. Trying to locate/recover
funds.

Continued from **6/6/16** to complete final tax return.

Set at **08/22/16** hearing; and counsel to personally be present. Notice by Judicial
Assistant.

Continued from **12/05/16** to clear notes 2 & 4.

Continued from 03/06/17 at request of counsel.

THIS CASE IS SET FOR HEARING on Waiver of Accounting and Petition for
Distribution

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

1. Petitioner and Robert Break, the two adult children of decedent, waive an
accounting herein. However, pursuant to decedent's pour-over Will, the estate
is distributable to the trustee of the Break Family Trust. Need waiver of
accounting by the beneficiaries of the Trust. If petitioner and Robert Break are
the remaindermen beneficiaries of the trust, need to clarify and provide a copy
of the Break Family Trust. **Supp. (03/06/17) affixes copy of trust [LF, p6]
indicates Petitioner and her brother, Robert K. Break are the only children
of the Decedent; current beneficiaries; and remaindermen beneficiaries.**
2. Compensation is not requested.
3. Petitioner alleges there has been a change in the form of assets. Specifically,
the obligors on the Promissory Note secured by deed of trust. The original

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

obligors defaulted on their note payments and petitioner initiated non-judicial foreclosure proceedings. Just prior to the trustee's sale, petitioner states an offer to purchase the original Note and Deed of Trust was made by the Macknets (owners of the adjacent property to the secured real property of the note) which petitioner accepted pursuant to her authority under IAEA.

4. Notice given.
5. Proposed Order 03/06/17 does not assign values to assets on hand; does not include findings re: sole and separate property; known creditors; whether all taxes have been paid; and relieves Petitioner upon filing of receipts instead of upon entry of final discharge order. All orders must be complete in and of themselves per Local Rule 20-614.

RECOMMENDATION

Court's discretion. If approved, set next hearing for receipts and final distribution for **05/14/18**.

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

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400389

CASE NAME: MTR OF BARTON W SALER

SEE ALSO 5

VACATED

HEARING:

Accounting Review

COUNSEL:

PATEENA MAY NOVICH-PRESS (PET)..LAW OFFICES OF RIPLEY & ASSOCIATES
BARTON W SALER (DEC)...

Waiver of Court Fees and Costs filed by PATEENA MAY NOVICH-PRESS is GRANTED

VACATE – Waiver of Account filed.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400389

CASE NAME: MTR OF BARTON W SALER

SEE ALSO 4

HEARING:

REPORT OF ADMINISTRATION ON WAIVER OF Account and Report of
PATEENA MAY NOVICH-PRESS and Petition for allowance of fees filed.

COUNSEL:

PATEENA MAY NOVICH-PRESS (PET)..LAW OFFICES OF RIPLEY & ASSOCIATES
BARTON W SALER (DEC)...

Waiver of Court Fees and Costs filed by PATEENA MAY NOVICH-PRESS is GRANTED
TOTAL FEES WAIVED TO DATE: \$465.00

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of
Account and for Fees by surviving spouse, Pateena M. Novich-Saler ["Petitioner"].

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

1. Sole beneficiary waives accounting.
2. Assets on Hand \$2,000 consisting of cash.
3. Petitioner waives statutory compensation.
4. Attorney requests and will accept lessor statutory fees of \$2,000 in full satisfaction which is the balance remaining in the estate at this time.
5. Petitioner made an advance payment of \$47,236.08 to herself as sole beneficiary, upon sale of real property, without prior court approval, to purchase a home. Petitioner requests ratification of distribution. JTD.
6. Counsel waives reimbursement for fees and costs.
7. No proposed order. Submit Order after Hearing.

RECOMMENDATION

Court's discretion. If approved, set next hearing for receipts and final discharge for
05/14/18.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400470

CASE NAME: Forrest E Spitler, Jr Living Trust

HEARING:

Hearing Re: ACCOUNT OF AMOUNT OF SURCHARGE

COUNSEL:

KATHERINE WALDRON	(PET)...PRO/PER
FORREST E SPITLER, JR LIVING TRUST	(TRU)...
MARK ST JOHN	(PET)...GEORGE S THEIOS
MARK ST. JOHN	(OBJ)...GEORGE S THEIOS

GENERAL INFORMATION:

Continued from **08/17/16**. Katherine Waldron informs the court that an accounting will be filed today after the hearing and requests a continuance of today's matter.

Continued from **12/05/16**. The Court having reviewed the declaration of Mark St John and request to vacate orders of 5/18/16 can find no indication in the court records that orders of 5/18/16 were to be vacated. The Court requests counsel order a copy of the transcript to verify that the orders they claim were made were actually the order of the Court. Mr. St John is ordered to comply with current court orders and turn over records to the current trustee.

Continued from 03/06/17 at request of counsel to obtain transcripts. Mark St. John objection do not have supporting evidence, needs to file a supplement. Notice waived.

THIS CASE IS SET FOR HEARING ON Account of Amount of Surcharge.

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

1. Need copy of transcripts as directed by Court on 12/05/16.
2. **Supplemental declaration and p's & a's of Respondent, Mark St. John's, Request for Relief from Default.**

RECOMMENDATION:

Court's discretion

(nb)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400629

CASE NAME: DUANE EDWIN SKOKUT

SEE ALSO 8

HEARING:

Hearing Re: Surcharge & Removal

COUNSEL:

MARSHA G ROBINSON (PET)...PRO/PER

DUANE EDWIN SKOKUT (DEC)...

JUSTIN HART ROBISON (PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Surcharge & Removal.

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

1. Matter set at court's motion on 03/06/17.

RECOMMENDATION:

Court's discretion

(nb)

FUTURE HEARING:

05/30/17: Petition for Probate of Will and Letters of Administration with Will Annexed

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400629

CASE NAME: DUANE EDWIN SKOKUT

SEE ALSO 7

HEARING:

Accounting Review

COUNSEL:

MARSHA G ROBINSON (PET)...PRO/PER
DUANE EDWIN SKOKUT (DEC)...
JUSTIN HART ROBISON (PET)...PRO/PER

GENERAL INFORMATION:

Continued from **01/05/16, 02/25/16, 05/05/16, 06/23/16 and 09/01/16** (no appearance).

Set at 12/15/16 hearing. The Court approves petition in part. The Court accepts the waiver of accounting but not the final distribution as specific percentages/amounts for distribution are not specified.

Continued from 03/06/17. No appearances. Court orders Marsha G. Robinson to be present at the next hearing date 5/8/17. Notice by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON (Accounting Review) s/b Petition for Final Distribution upon Waiver of Account and for Fees.

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

1. All heirs waive accounting.
2. Petitioner waives statutory compensation.
3. Real Property located in Apple Valley, CA appears to be currently listed for sale. Estate does not appear to be ready to close. Court to inquire if petitioner will sell the home after distribution.
4. Four heirs now assigned their interest to petitioner in land. It appears that petitioner is purchasing the real property for \$1,200. Property appraised for \$4,000 per Inventory and Appraisal; date of death 03/26/14. Pr.C. § 9881 states that personal representative may purchase property if written consents are filed with the court and it is to the benefit of the estate.
5. Need specific percentages/amounts for distribution.
6. **Receipts of final distribution filed 08/19/16.** A personal representative **may only preliminary distribute personal property per Pr.C. § 10520; if it is pecuniary per terms of a will under \$10,000 and/or personal property under**

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

\$50,000. Amounts appear to exceed \$50,000 and recipients acknowledge the property “constitutes all of the property to which the undersigned is entitled to the Order of Final Distribution.”

7. No proposed order.

RECOMMENDATION

Need to clear note 5. If estate is to remain open, set next Accounting Review for **01/15/18**. If approved as a final accounting/distribution, set hearing on the filing of receipts and final discharge for **12/21/17**.

(nb/lc/nb)

FUTURE HEARING:

05/30/17: PETITION FOR PROBATE OF WILL AND LETTERS OF ADMINISTRATION WITH WILL ANNEXED

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500437

CASE NAME: MTR OF EDNA RUTH ANDERSON

HEARING:

FIRST AND FINAL Account and Report of LAWRENCE ATKINSON and
Petition for allowance of fees filed.

COUNSEL:

LAWRENCE ATKINSON (PET)...GABRIELLE R RANSELL
EDNA RUTH ANDERSON (DEC)...

GENERAL INFORMATION:

Continued from **12/05/16**. No appearances. Lawrence Atkinson and/or Gabrielle Ransell are ordered to be present at next hearing. Notice by Judicial Assistant.

Continued from 03/06/17 on Court's motion.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Administrator, Lawrence Atkinson.

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

1. Petition **and supplement** (03/02/17) are not verified. Need verification signed by the personal representative. Pr.C. § 1021. **Supp. (12/08/16) indicates petition is not signed by PR because counsel has not been able to locate the Petitioner.**
2. Accounting period 08/06/15 to 09/22/16.
3. Assets on Hand \$0.00.
4. Petitioner waives compensation.
5. Attorney was paid statutory fees of \$7,700.00 by the escrow company when the house was sold. Question the authority to receive fees prior to Court authorization? **Supp. (12/08/16) alleges the escrow company could not go forward with the sale of the property unless all fees and costs were paid.**
6. Attorney was reimbursed advanced costs of \$1,536.00 by the escrow company when the house was sold. Question the authority to receive fees prior to Court authorization? **Supp. (12/08/16) alleges the escrow company could not go forward with the sale of the property unless all fees and costs were paid**
7. Need proof of service to Notice of Proposed Sale. **Supp. (03/02/17) affixes copy of Notice of Proposed Action [LF, p. 5] with proof of service.**

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

However, review of this matter does not indicate notice was filed. Please submit conformed copy.

8. Notice given.
9. Proposed Order 03/02/17 [LF, p.12]

RECOMMENDATION:

Need to clear note 7 then Court's discretion. If approved, set next hearing for receipts and final discharge for **05/14/18**.

(nb)

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

DATE: 05/08/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600017

CASE NAME: MTR OF ROMEO S GUINTO

HEARING:

Waiver of Account and Report of JACQUELINE GO and Petition for allowance of fees filed.

COUNSEL:
JACQUELINE GO (PET)...PRO/PER
ROMEO S GUINTO (DEC)...

GENERAL INFORMATION:

Continued from 03/06/17 on Court's motion.

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

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

- 1 All heirs waive accounting.
- 2 Assets on hand \$188,135.01 in cash.
- 3 Petitioner requests statutory fees of \$10,026.59. Calculated.
- 4 Petitioner requests authority to withhold \$5,000 as a reserve for closing costs
- 5 Notice given.
- 6 ~Proposed Order 03/22/17.

RECOMMENDATION

Court's discretion. If approved, set next hearing for receipts and final discharge for **05/14/18**.

(nb)

FUTURE HEARING:

07/10/17: Accounting Review

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600038

CASE NAME: ESTATE OF ELDON C HALL

VACATED

HEARING:

Accounting Review

COUNSEL:

VICKIE R BLACK
ELDON C HALL

(PET)...MARY E MULLIN
(DEC)...

VACATE – First account filed and set for 06/27/17.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600490

CASE NAME: MTR OF ANDREW AND GLADYS MORROW TRUST

SEE ALSO 12A 12B 12C 15

HEARING:

Petition for HEGGSTAD FILED BY LINDA F. WRIGHT-SANDERS

COUNSEL:

EDWARD MORROW (PET)...SANBORN LAW
HOWARD MORROW (PET)...PRO/PER
ANDREW MORROW SR AND GLADYS MORROW TRUST(TRU)...
LINDA F WRIGHT-SANDERS (PET)...PRO/PER
LINDA F WRIGHT-SANDERS (OBJ)...PRO/PER

Waiver of Court Fees and Costs filed by HOWARD MORROW is GRANTED

Waiver of Court Fees and Costs filed by LINDA F WRIGHT-SANDERS is GRANTED

XREF: UDFS1501472

Currently under review by Legal Research.

(LR)

Superior Court of Calif, County of San Bernardino

Page: 12A add-on

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

DATE: 05/08/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600490

CASE NAME: MTR OF ANDREW AND GLADYS MORROW TRUST

SEE ALSO 12 12B 12C 15

HEARING:

MOTION RE: DEEM ADMITTED MATTERS SET FORTH IN REQUEST FOR ADM

COUNSEL:

EDWARD MORROW (PET)...SANBORN LAW
HOWARD MORROW (PET)...PRO/PER
ANDREW MORROW SR AND GLADYS MOROW TRUST(TRU)...
LINDA F WRIGHT-SANDERS (PET)...PRO/PER
LINDA F WRIGHT-SANDERS (OBJ)...PRO/PER

Waiver of Court Fees and Costs filed by HOWARD MORROW is GRANTED

Waiver of Court Fees and Costs filed by LINDA F WRIGHT-SANDERS is GRANTED

XREF: UDFS1501472

Currently under review by Legal Research.

(LR)

Superior Court of Calif, County of San Bernardino
Page: 12B add-on
CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 05/08/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600490

CASE NAME: MTR OF ANDREW AND GLADYS MORROW TRUST
SEE ALSO 12 12A 12C 15
HEARING:
MOTION RE: DEMURRER TO HEGGSTAD PETITION

COUNSEL:
EDWARD MORROW (PET)...SANBORN LAW
HOWARD MORROW (PET)...PRO/PER
ANDREW MORROW SR AND GLADYS MOROW TRUST(TRU)...
LINDA F WRIGHT-SANDERS (PET)...PRO/PER
LINDA F WRIGHT-SANDERS (OBJ)...PRO/PER

Waiver of Court Fees and Costs filed by HOWARD MORROW is GRANTED
Waiver of Court Fees and Costs filed by LINDA F WRIGHT-SANDERS is GRANTED

XREF: UDFS1501472

Currently under review by Legal Research.
(LR)

Superior Court of Calif, County of San Bernardino
Page: 12C add-on
CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 05/08/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600490

CASE NAME: MTR OF ANDREW AND GLADYS MORROW TRUST
SEE ALSO 12 12A 12B 15
HEARING:
TRIAL SETTING CONFERENCE

COUNSEL:
EDWARD MORROW (PET)...SANBORN LAW
HOWARD MORROW (PET)...PRO/PER
ANDREW MORROW SR AND GLADYS MORROW TRUST(TRU)...
LINDA F WRIGHT-SANDERS (PET)...PRO/PER
LINDA F WRIGHT-SANDERS (OBJ)...PRO/PER

Waiver of Court Fees and Costs filed by HOWARD MORROW is GRANTED
Waiver of Court Fees and Costs filed by LINDA F WRIGHT-SANDERS is GRANTED

XREF: UDFS1501472

No notes – TSC.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700208

CASE NAME: ROBERT RICHARD SALSBURY SR

HEARING:

Hearing re: Petition for Letters of Administration w/WA W/Full
Authority under IAEA.

COUNSEL:

MICHAEL SALSBURY (PET)...PRO/PER
ROBERT RICHARD SALSBURY SR (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with Will
Annexed, with Full Authority under IAEA by Michael Salisbury (son)

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

1. All heirs waive bond. Estimated net value of estate is \$330,000. Court also has discretion to require bond per Pr. C. § 8481(b).
2. Need Notice of Petition to Administer Estate with proof of service (form DE-121).
3. Need Proof of Publication.
4. ~Proposed form Order: 03/03/17

RECOMMENDATION:

Need to clear notes. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **07/16/18**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

Superior Court of Calif, County of San Bernardino
Page: 13A add-on
CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 05/08/17 TIME: 8:35 DEPT: S37P

CASE#: PRO PS0900738

CASE NAME: MARIA ISABEL RUCOBO

SEE ALSO 14

HEARING:

Petition for Instructions Concerning Compensation Of Specialty Counsel Etc

COUNSEL:

JESSE REYNA	(PET)...	CANDICE A GARCIA-RODRIGO
MARIA ISABEL RUCOBO	(DEC)...	
SEBASTIAN CARLOS	(PET)...	DUANE P BOOTH
REY CARLOS	(MIN)...	BRYAN C. HARTNELL
PRINCESSA CARLOS	(MIN)...	
RON OLUND	(PET)...	WALTER T MOORE
JAMES B CHURCH	(PET)...	JAMES B CHURCH & ASSOCIATES
AMERICAN CONTRACTORS INDEMNITY	(PET)...	LANAK & HANNA
SEBASTIAN CARLOS JR	(PLA)...	JEFF GROTKE
STATE OF CALIFORNIA FRANCHISE	(TP)...	PRO/PER
INHERITANCE FUNDING COMPANY	(PRO/PER)	
MARK J. ANDREW FLORY	(JAMES B CHURCH & ASSOCIATES)	

CCP170.6 FILED AS TO CYNTHIA LUDVIGSEN

XREF: CIVDS1203223

Currently under review by Legal Research.
(LR)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:35 DEPT: S37P

CASE#: PRO PS0900738

CASE NAME: MARIA ISABEL RUCOBO

SEE ALSO 13A

HEARING:

Motion Re: ENTRY OF JUDGMENT AGAINST RONALD OLUND Filed by
Petitioner AMERICAN CONTRACTORS INDEMNITY COMPANY

COUNSEL:

JESSE REYNA	(PET)...	CANDICE A GARCIA-RODRIGO
MARIA ISABEL RUCOBO	(DEC)...	
SEBASTIAN CARLOS	(PET)...	DUANE P BOOTH
REY CARLOS	(MIN)...	BRYAN C. HARTNELL
PRINCESSA CARLOS	(MIN)...	
RON OLUND	(PET)...	WALTER T MOORE
JAMES B CHURCH	(PET)...	JAMES B CHURCH & ASSOCIATES
AMERICAN CONTRACTORS INDEMNITY	(PET)...	LANAK & HANNA
SEBASTIAN CARLOS JR	(PLA)...	JEFF GROTKE
STATE OF CALIFORNIA FRANCHISE	(TP)...	PRO/PER
INHERITANCE FUNDING COMPANY	(PRO/PER)	
MARK J. ANDREW FLORY	(JAMES B CHURCH & ASSOCIATES)	

CCP170.6 FILED AS TO CYNTHIA LUDVIGSEN

XREF: CIVDS1203223

Currently under review by Legal Research.
(LR)

FUTURE HEARING:

07/12/17: Accounting Review

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1600490

CASE NAME: MTR OF ANDREW AND GLADYS MORROW TRUST

SEE ALSO 12

HEARING:

Motion Re: TO QUASH SUBPOENA AND FOR PROTECTIVE ORDER Filed by
Petitioner LINDA F WRIGHT-SANDERS

COUNSEL:

EDWARD MORROW (PET)...SANBORN LAW
HOWARD MORROW (PET)...PRO/PER
ANDREW MORROW SR AND GLADYS MOROW TRUST(TRU)...
LINDA F WRIGHT-SANDERS (PET)...PRO/PER
LINDA F WRIGHT-SANDERS (OBJ)...PRO/PER

Waiver of Court Fees and Costs filed by HOWARD MORROW is GRANTED
Waiver of Court Fees and Costs filed by LINDA F WRIGHT-SANDERS is GRANTED

XREF: UDFS1501472

Currently under review by Legal Research.
(LR)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIPS

DATE: 05/08/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400177

CASE NAME: GABRIEL CERVANTES JR

HEARING:

Hearing Re: TERMINATION OF CONSERVATORSHIP

COUNSEL:

MARIA L FERNANDEZ (CP)...PRO/PER
GABRIEL CERVANTES (CP)...PRO/PER
GABRIEL CERVANTES JR (CEE)...DUANE P BOOTH

Waiver of Court Fees and Costs filed by MARIA L FERNANDEZ is GRANTED

GENERAL INFORMATION

Continued from **09/21/16**. The Court requires a conservatorship petition to be filed in the State of Washington prior to termination of this conservatorship.

Continued from **12/05/16** for notes 3 & 4 to be cleared. Notice to be given by Mr. Booth.

Continued from 03/06/17 on court's motion for post-move notice.

THIS CASE IS SET FOR HEARING ON Termination of Conservatorship

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

1. Parents appointed Limited Conservators, person only, on 8/26/14.
2. Matter set upon review of Court Investigator report filed 7/7/16, which indicated that conservatee now resides in Renton, Washington.
3. Need proof of Washington proceedings.
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. Petitioner to seek guardianship/conservatorship in Washington and show proof to the court by a date certain (suggest 90 days). Should they fail to do so the court could then terminate the California guardianship without further notice.

(sa/nb)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1500167

CASE NAME: RANDY LEE BRIGGS

HEARING:

INTERIM FIRST Account and Report of LEE ANN HITCHMAN, BRUCE HITCHMAN and Petition for allowance of fees filed.

COUNSEL:

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

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Interim First Accounting and Petition for Conservator and Trustee Fees by Conservators of the Person and Estate and Trustees of the SNT, Lee Ann and Bruce Hitchmann [PPF-“Petitioners”].

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

Conservatorship:

1. Conservatorship accounting period 09/09/15 to 10/31/16.
2. Assets on hand \$0.00 [all known assets were transferred to SNT on 08/10/16].
3. Petitioners requests fees of \$19,451.50 for Conservator services. Billed at \$85-\$140/hour for 147.7 hours.’ Itemized [LF, pgs. 45-76]. JTD.
4. **Need bank/financial statements for Chase Bank Checking Account # XXX6628 & Chase Bank Savings Acct. #XXX2922 to support date of appointment balances reflected on inventory filed 05/18/16 per Local Rule 20-908.**

SNT:

1. Trust accounting period 08/10/16 to 12/31/16.
2. Assets on Hand \$372,888.58 consisting of \$36,623 in cash and \$336,265.58 in securities and annuity.

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

3. Current bond fixed at \$432,000. Appears sufficient.
4. Petitioners requests fees of \$3,416.00 for Trustee services. Billed at \$85-\$140/hour for 28.8 hours.' Itemized [LF, pgs. 77-83]. JTD.
5. Attorney requests fees of \$13,716.85. Billed at \$350-375 /hour for attorney time and \$110-160/hour for paralegal time totaling 50 hours.' Itemized [LF, pgs. 91-101]. JTD.
6. **Non-Cash Assets on Hand at End of Account Period – Schedule E [LF, pg. 42 to interim first acct. filed 03/28/17] does not include Ameritrade Acct. # XXX4054 reflecting ending value of \$133,776.17. Need verified supplement.**
7. **Need bank/financial statements for Ameritrade Acct. # XXX4054 to support ending balance for SNT account per Local Rule 20-908.**
8. Notice given.
9. Proposed Order 03/28/17 does not include conservator compensation; does not address bond and reflects different accounting periods for both conservatorship and SNT estates.

RECOMMENDATION:

Need to clear notes 6 & 7 then Court's discretion. If approved, set hearings for Accounting Review for **02/26/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600127

CASE NAME: JEREMY J WALKER

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of LAURA M WALKER

COUNSEL:

LAURA M WALKER (CP)...JENNIFER M DANIEL
JEREMY J WALKER (CTP)...SANDY L. TURNER

GENERAL INFORMATION

Order appointing Laura M. Walker, conservator of the person, entered 10/13/16.

THIS CASE IS SET FOR HEARING ON /Compliance Review

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

- 4 Need proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's Rights per Pr.C.§1830(c).
- 5 Care Plan and Determination of Conservatee's Appropriate Level of Care filed.

RECOMMENDATION:

Need to clear note 1.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600179

CASE NAME: ABEL GUADALUPE RUELAS

HEARING:

Petition for Appointment of Conservator

COUNSEL:

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

GENERAL INFORMATION

Continued from 09/21/16. Attorney Craig M. Parker appointed. The Court orders that IRC provide a report in this matter. Proposed conservatee being present citation is waived and future appearances by proposed conservatee are waived. Notice by Judicial Assistant.

Continued from 12/05/16. Counsel has no objection to conservatorship and will file written report with the court. Hearing continued to clear notes.

Continued from 03/06/17 to clear notes. Probate note #6 as to report of counsel is cleared as report filed in court.

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

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

1. No bond – person only.
2. Medical powers sought. **Capacity Declaration filed 03/06/17 is not initialed at 7b on page 3. Need corrected form.**
3. Petitioner requests powers re habilitation, treatment, training, medical etc. JTD
4. Petitioner requests civil rights not be limited without court order. JTD
5. IRC report filed 09/19/16 and 10/26/16 as proposed Conservatee is developmentally disabled.
6. Report by Court appointed counsel, Craig Parker filed 03/06/17.
7. Court Investigator report filed 7/29/16.
8. Proposed conservatee attended hearing. Citation waived and future appearances by proposed conservatee are waived.
9. Proof of completion of conservatorship class filed 09/14/16.
10. Notice given.

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

11. ~Proposed form order: 7/6/16

RECOMMENDATION:

Need to clear note 2. If approved, set hearing for Compliance Review for **12/11/17** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); and Level of Care and Care Plan per Pr.C.§2352.5.
(sa/nb/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600370
CASE NAME: MTR OF BERNARD SAMUEL JOSIAH

HEARING:
Petition for Appointment of Conservator

COUNSEL:

ERNA JOSIAH-DAVIS (CP)...PRO/PER
BERNARD SAMUEL JOSIAH (CTP)...MITCHELL I ROTH

GENERAL INFORMATION

Continued from 03/06/17. Referred to IRC for report. Attorney Mitchell Roth is appointed for Bernard Samuel Josiah.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Erna Josiah-Davis (sister)

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

1. Petitioner seeks medical powers. **Capacity Declaration filed 03/06/17 is incomplete at #1 as to name and address of physician; form not dated at signatures on page 1 or 3. Need completed form.**
2. Petitioner seeks orders relating to capacity under Pr. C. 1873 but does not specify requested orders in attachment 1e to petition [LF pg. 11]. Need verified supplement.
3. Petitioner seeks orders and powers under Pr. C. 2351-2358 be granted. Need verified supplement clarifying orders and powers requested.
4. **Need report of Counsel Mitchell Roth.**
5. **Need IRC report.**
6. **Citation with Proof of Service by Mail filed 02/21/17. Need reissued Citation and proper personal service.**
7. Need Certificate of Completion of the Conservatorship Training Class.
8. **Notice of Hearing filed 04/25/17 does not include relatives to the second degree. Need proper service.**
9. Court Investigator report filed 02/21/17.
10. ~Proposed form Order/Letters: 02/21/17 & 4/25/17

RECOMMENDATION

Need to clear notes 1-8. If approved, set hearing for Compliance Review for **12/11/17** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5 (lh/nb/lh/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700008

CASE NAME: ANDREW ABDI MLAMBA

HEARING:

Petition for Appointment of Conservator

COUNSEL:

DANIEL KAMBALE MLAMBA (PET)...PRO/PER
HADIJA ABDI MLAMBA (PET)...PRO/PER
ANDREW ABDI MLAMBA (CEE)...LENITA SKORETZ

GENERAL INFORMATION

Continued from 03/06/17. Referred to IRC for report.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Daniel Mlamba (father)

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

1. Petitioner seeks medical powers. **Capacity Declaration filed 02/22/17**
2. Petitioner seeks limited conservatorship powers re habilitation, treatment, training, fix residence, medical, control contracts, consent or withhold consent of marriage, education. etc.
3. Petitioner seeks limited powers; however, caption does not reflect the same. Does court wish to deem petition for a Limited Conservatorship?
4. **Need report of Counsel Lenita Skoretz.**
5. **Need IRC report.**
6. List of Required Contacts (SB-12224) is missing the second degree relatives listed in petition. Need completed form.
7. Confidential Supplemental Information form filed 01/10/17 is incomplete at item 5(a)-(f). Need verified supplement.
8. Need return of Citation.
9. Need Certificate of Completion of the Conservatorship Training Class.
10. Need Notice of Hearing and proof of service.
11. **Court Investigator report filed 02/27/17.**
12. ~Proposed Form Order: 01/10/17

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

RECOMMENDATION

Need to clear notes 4-10. If approved, set hearing for Compliance Review for **12/11/17** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5 (lh/nb/lh)

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

DATE: 05/08/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700009

CASE NAME: JOAN JACKSON

HEARING:
Petition for Appointment of Conservator

COUNSEL:
DONALD BEASLEY (PET)...PRO/PER
JOAN JACKSON (CEE)...CRAIG M PARKER

GENERAL INFORMATION

Continued from 03/06/17. Attorney Craig M Parker appointed for Joan Jackson.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Donald Beasley (brother)

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

1. Petitioner seeks medical powers. Need Capacity Declaration.
2. Petitioner seeks dementia powers. **Need report from Counsel Craig M Parker.**
3. Confidential Screening form is incomplete as to item 1(c)(d); items 6(a)-(c); items 7-20. Need verified supplement.
4. Confidential Supplemental Information filed 01/10/17 is missing the social security number of proposed conservatee. Need verified supplement.
5. Need Certificate of Completion of the Conservatorship Training Class.
6. **CI Report filed 03/01/17.**
7. Return of Citation filed 01/18/17.
8. ~Proposed Form Order: 01/10/17

RECOMMENDATION

Need to clear notes 1-5. If approved, set hearing for Compliance Review for **12/11/17** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5 (lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700080

CASE NAME: KOBE JAY BEGLEY

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CHARLOTTE BEGLEY (CPE)...PRO/PER
JAY BEGLEY (CPE)...PRO/PER
KOBE JAY BEGLEY (CEE)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Charlotte and Jay Begley (parents)

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

1. Petitioners request no bond due to their limited income. Estate does not appear to have any assets. Question need for estate powers.
2. Petitioners seek medical powers. Capacity Declaration filed 03/09/17; however, #3 is incomplete as to whether declarant is a physician. Need completed form.
 - a. Note: a separate Petition for Exclusive Authority to Give Consent for Medical Treatment was filed 03/09/17; no additional medical powers are sought.
3. As proposed conservatee is developmentally disabled and this is not a petition for Limited Conservatorship, Court may wish to appoint counsel and require report for proposed conservatee per Pr.C. §1470. JTD
4. As proposed conservatee is developmentally disabled and this is not a petition for Limited Conservatorship, an IRC report is optional per Pr.C. 1827.5(b). Does court wish to require? JTD
5. Need Court Investigator report.
6. Need List of Required Contact Information (Local form SB-12224).
7. Need Confidential Supplemental Form.
- 8. Need Certificate of Completion of the Conservatorship Training Class by Jay Begley.**
9. Need return of Citation.
10. Need Notice of Hearing and Proof of Service.

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

11. ~Proposed Form Order: 03/09/17

RECOMMENDATION

Need to clear notes. If approved, set hearing for Compliance Review for **12/11/17** for the filing of the required documents and hearing re Accounting Review for **07/16/18**. Any accounting to be filed 30 days in advance.

(lh/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700108

CASE NAME: MTR OF AUGUSTINE RAMIREZ

HEARING:

Petition for Appointment of Conservator

COUNSEL:

LORRAINE RAMIREZ (CPE)...PRO/PER
AUGUSTINE RAMIREZ (CEP)...

GENERAL INFORMATION

Ex parte orders granted 04/04/17. Lorraine Ramirez appointed temporary conservator of the person and estate. No bond is required.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Lorraine Ramirez (spouse)

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

1. Petitioner requests bond waived as proposed conservatee's only assets are \$100 in cash.
2. Petitioner seeks powers under Pr. C. §2590; however, does not appear proposed conservatee has any assets. Question need for estate powers.
3. Petitioner seeks medical powers. Need Capacity Declaration.
4. Need list of required contacts (Local form SB-12224).
5. Need Certificate of Completion of the Conservatorship Training Class.
6. Need return of Citation.
7. Need Notice of Hearing and Proof of Service.
8. CI Report filed 04/20/17
9. ~Proposed Form Order: 03/28/17

RECOMMENDATION

Need to clear notes 2-7. If approved, set hearing for Compliance Review for **12/11/17** for the filing of the required documents and hearing re Accounting Review for **07/16/18**
Any accounting to be filed 30 days in advance.

(lh)

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

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

DATE: 05/08/17 TIME: 9:30 DEPT: S37P

CASE#: RC RS717

CASE NAME: IN THE MTTR OF SHAREEN A BRITTAIN

HEARING:

Accounting Review

COUNSEL:

CHARLES GRAY	(PET)...PRO/PER
SHAREEN ANN BRITTAIN	(PCE)...JENNIFER M DANIEL
DAVID L BATES	(PET)...PATTERSON HANNA & ASSOC
SHAREEN ANN BRITTAIN TRUST	(TRU)...
SHAREEN ANN BRITTAIN	(CEP)...
CHARLES GRAY	(CP)...PRO/PER
CONNIE GRAY	(CP)...PRO/PER
JENNIFER M. DANIEL	(PET)...JENNIFER DANIEL
DAVID L. BATES	(TEE)...PATTERSON HANNA & ASSOC

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order re Second Account entered 02/09/16; third account current now due beginning period 01/01/15 to 01/01/17, now due.
2. No accounting or waiver of account. Need same.

RECOMMENDATION:

Inquire status.

(nb)