



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 05/08/18

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

Destruction of Filed Documents:

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

Contacting the Probate Examiners:

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

Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. Please do not email to notify that documents have been filed, to request a confirmation whether documents have been received, or to request the clearing of notes. No legal or procedural advice may be given by examiners in response to your email.

(nb0417) (05/02/18 ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

DATE: 05/08/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300513

CASE NAME: Mike Koyounian

HEARING:

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

COUNSEL:

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

Request for Waiver of Court Fees and Costs filed by DIANE GOMEZ is GRANTED

Fee waiver amount due \$1006.50

\$465.00 for petition for probate on 06/24/13

\$465.00 for waiver of accounting on 03/09/15

\$76.50 for certified copies on 07/12/17

XREF: CIVMS1000587

GENERAL INFORMATION:

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

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

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

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

Continued from 05/02/17. Court notes that the Public Administrator was discharged as administrator and there is no need for amended letters for Diane Gomez. Court reviews the supplement that Bryan Hartnell is filing today. Court permits that this accounting be trailed out to May 2018.

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

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. Petitioner alleges she is the sole heir and waives an accounting (see note 7). If any grandchildren share in the distribution of the estate, need waivers by grandchildren or need to file an accounting. **Waivers to estate by grandchildren filed 11/18/15. Does Court wish to deem waivers to estate as assignments? JTD.**
2. Petitioner alleges all assets have been distributed to her as the sole heir of the estate. Petitioner further alleges the items left for distribution is a judgment against Joel Gomez and petitioner individually entered 9/6/12 in civil action CIVMS1000587 (see LF p4-8). Question if petitioner and/or Joel Gomez have satisfied this judgment? (petitioner's portion of the judgment may be moot if she is found to be the sole heir [see note 8]). **Supp. (05/02/17) indicates Petitioner misspoke as there are remaining assets of real property which have yet to be sold and require further administration. The judgment has not been satisfied.**
3. As part of the civil judgment, decedent's business known as "Sav-On Plumbing" was to be restored and possession returned to decedent as well as the residential property located at 59146 Desert Gold, Yucca Valley, CA. Petitioner does not inventory the business or business assets known as "Sav-On Plumbing" nor the property at 59146 Desert Gold, Yucca Valley, CA. Need clarification whether this business operation and real property were returned to decedent as ordered. In addition, question the status of the business and whether it needs to be wound up and dissolved? Need verified supplement. Also, need corrected Inventory to include business and business assets if applicable. **Supp. (05/02/17) indicates the business has not yet been restored to the Estate; that a corrected final inventory and appraisal will be provided when the assets of the business are marshaled and appraised; and will likely require court action to return these assets.**
4. Inventory and Appraisal, partial 1, filed 3/9/15. **Need** to file Final Inventory and Appraisal.
5. Also as part of the civil judgment, the real property with Assessor Parcel No. 0594041040000 (7124 Wall Street, Yucca Valley, CA) was to be sold and the proceeds, after deducting expenses of the levy and sale, were to be used to repay decedent the amount of \$145,000 (the indebtedness owed by Joel Gomez and Diane Gomez), together with interest at the rate of 10% per annum from the date of the judgment (3/12/12). Question whether the subject property was ever sold and whether Joel Gomez has paid his portion of the civil judgment that is due to decedent's estate, or \$72,500 with interest, as ordered? **Supp. (05/02/17) indicates the civil judgment has not been satisfied and petitioner is requesting additional time in order to resolve the dispute.**
6. The real property with APN 0594041040000 (7124 Wall Street, Yucca Valley) is not listed on the Inventory and Appraisal. Question the current ownership of this property subject to the civil judgment? File verified supplement with corrected Inventory and Appraisal, if applicable. **Supp. (05/02/17) indicates the property was not satisfied by the civil judgment and petitioner is working to resolve the dispute.**

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7. The Inventory and Appraisal filed 3/9/15 (LFp6) references that the 1966 Model E162 Ford van was given to decedent's "son" prior to his death.
 On the original petition, petitioner does not indicate whether decedent was survived by a son or issue of a predeceased son (i.e., grandchildren). Question if there were any grandchildren surviving decedent from decedent's predeceased son who may also be entitled share in the estate? **Supp. (05/02/17) indicates the "son" referred to is the Petitioner's son and the decedent's grandson. Petitioner is the only child of the decedent and there are no predeceased children of the decedent with issue surviving.**
8. The final report is not verified by petitioner as required per Pr.C. 1021. Need same. **Supp. (05/02/17) includes verification.**
9. The final report does not include an allegation as to whether any creditors were noticed other than the allegation that debts have been satisfied.
10. There are no allegations as required per Pr.C. 1064. Need same.
11. There are no allegations regarding whether monies have been held in interest bearing accounts or whether anyone has filed request for special notice.
12. Need amended final report with required allegations.
13. **Notes 9-12; Supp. (05/02/17) indicates the estate is not in a position to be closed and petitioner requests the Court deem this petition as a status report and for a one year continuance.**
14. Need to file Notice of Hearing and proof of service.
15. Note: Fee waiver was granted on 6/24/13. However, Inventory filed 3/9/15 shows estate value at \$541,501.21. Does court wish to reconsider fee waiver as estate appears to have assets with which to pay costs of administration, including filing fees. **JTD**

RECOMMENDATION

Need to clear note 4 then Court's discretion re: remaining notes. Need amended final account to be placed on a first check calendar no sooner than **07/03/18**. *If* Court deems this as a status report per note 13 then set next accounting review on **07/03/18**.

(gls/vet/dl/lc/nb/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/08/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400271

CASE NAME: GIBSON FAMILY TRUST***MASTER FILE****

HEARING:

Hearing Re: POST TENTATIVE STATUS CONFERENCE

COUNSEL:

GIBSON FAMILY TRUST	(TRU)...
JANET K. HUNTER-GIBSON	(PET)...ALLEN M JOHNCOX
SANDRA LOUISE COBB	(PET)...LAYNE A BARTHOLOMEW
SANDRA LOUISE COBB	(RES)...LAYNE A BARTHOLOMEW

No notes – Status Conference.

(nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/08/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400562

VACATED

CASE NAME: MTR THE JANET YAMANAKA SPECIAL NEEDS TRUST

HEARING:

Accounting Review by ***

COUNSEL:

INLAND COUNTIES REGIONAL CENTE (PET)...LAYNE A BARTHOLOMEW
THE JANET YAMANAKA SPECIAL NEE (TRU)...

(ww)

Future hearing dates: 06/11/18 Third Account and Report of Inland Counties Regional Center, Inc.

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

DATE: 05/08/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600332

CASE NAME: MTR OF VESTA L GUGGISBERG

HEARING:

Petition for to compel preliminary distribution of trust

COUNSEL:

AMY LYNN PHILLIPS	(PET)...FULLERTON LEMANN SCHAEFER
BRIAN R GUGGISBERG	(PET)...BRUNICK, MCELHANEY & NNEDY
KERI LEIGH GUGGISBERG	(PET)...FULLERTON LEMANN SCHAEFER
KERI LEIGH GUGGISBERG	(TP)...CRAIG E WILSON
TED A GUGGISBERG	(PET)...BRUNICK, MCELHANEY &
VESTA L GUGGISBERG	(DEC)...

Currently under review by Legal Research.
(LR)

Future Hearing:

08/30/18 Hearing re: Petition to compel accounting , remove trustees etc.

08/20/18 Hearing re: Status conference

08/30/18 First and final account

10/25/18 Readiness calendar

12/03/18 Court Trial

12/04/18 Court Trial

12/05/18 Court Trial

12/06/18 Court Trial

12/07/18 Court Trial

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/08/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600902

CASE NAME: MARY K LATENDRESSE

HEARING: first and final Account and Report of US TRUST BANK OF AMERICA and Petition for allowance of fees filed.

COUNSEL:

FAMILY SERVICES OF REDLANDS (TP)...KATHLEEN B ALBREKTSON

MARY K LATENDRESSE (DEC)...

US TRUST BANK OF AMERICA (PET)...FULLERTON LEMANN SCHAEFER

GENERAL INFORMATION:

Continued from 04/03/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Executor, U.S. Trust, Bank of America ["Petitioner"].

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

1. Accounting period 11/12/15 to 10/31/17.
2. Assets on Hand \$241,104.00 consisting of cash.
3. Statutory fees of \$7,998.50 requested. Calculated.
4. Total Charges and Total Credits to Summary of Account [LF, p. 12] do not match. Need corrected Summary and affected schedule(s). **(Supp. 04/23/18 included corrected Summary.)**
5. Need bank/financial statement from Peoples Bank of Macon to support supplemental inventory filed on 08/14/17 supporting date of death balances. **(Supp. 04/23/18 indicates that the bank letter attached to the supplement filed 03/29/18 indicates that the stock traded at \$105 per share the last 5 years. The letter was used by the Probate Referee to calculate the value in the supplemental Inventory and Appraisal.) JTD**
6. Petitioner requests authority to withhold \$1,400 as a reserve. **JTD.**
7. Proposed order: 04/23/18, need statement re: notice per Pr.C. § 9202.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipt and final discharge for **05/14/19.**

(nb/ww)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/08/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601053

CASE NAME: MTR OF GERALDINE CASTORENA

HEARING:

Accounting Review by ***

COUNSEL:

DEPARTMENT OF HEALTH CARE SERVICES	(TP)...PRO/PER
FRANK CASTORENA	(PET)... BRIAN CULLEN
GERALDINE CASTORENA	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Administration issued to Frank Castorena, son, on 02/28/17, limited authority, \$20,000.00 bond.
2. Final Inventory and Appraisal filed 05/24/17.
3. **Need** accounting or status report.

RECOMMENDATION:

Inquire status.

(nb/ww)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/08/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700293

CASE NAME: JOHN MINUGH STEELE JR

HEARING:

First & Final Account and Report of LINDA M JONES and Petition
for allowance of fees filed.

COUNSEL:

DEPT OF HEALTH CARE SERVICES	(TP)...
JOHN MINUGH JR	(DEC)..
LINDA M JONES	(PET)...HORSPOOL & H ORSPOOL
SURETEC INSURANCE CO	()...

GENERAL INFORMATION:

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

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

1. Accounting period 11/22/16 to 12/31/17.
2. Assets on Hand \$21,572.57 consisting of cash.
3. Petition requests statutory compensation of \$2,740.26, less \$375.00 paid to Lisa Contreras for the preparation of the accounting, leaving a balance of \$2,365.26 as statutory compensation.
4. Petitioner requests extraordinary fees of \$4,850.00 for services rendered in connection with the clean-up and sale of real property. Billed at \$25/hour for a total of 194 hours' time. Itemized [LF, pgs. 30-35]. **JTD.**
5. Attorney requests statutory fees of \$2,740.26. Calculated.
6. Attorney requests extraordinary fees of \$1,232.50 for services rendered in connection with the sale of real property. Billed at \$425/hour for a total of 2.90 hours' time. Itemized [LF, p. 36]. **JTD.**
7. **Need** bank/financial statements to support date of death and closing balances.
8. Petition includes the names and addresses of 15 purported heirs that were not included in the initial petition for appointment. However, their relationships and ages are not given. **Need** verified supplement.
9. **Need** proof of service to Notice of Proposed Action re: sale of real property.

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10. Petitioner proposes distribution after payment of the costs of administration to DHS.
11. Petitioner requests authority to withhold the sum of \$2,000 as a reserve. **JTD.**
12. Proposed Order 03/15/18 does not include intestate heirs.

RECOMMENDATION:

Need to clear notes 7-9 then Court's discretion. If approved, set next hearing for receipts and final discharge for **05/14/19**.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/08/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700473

CASE NAME: MTR OF LEONARD DOUGLAS LANDRY

HEARING:

First and Final Account and Report of JUDITH ANN SCHROEDER and
Petition for allowance of fees filed.

COUNSEL:

JUDITH ANN SCHROEDER (PET)...CHARLES S ALTHOUSE
LEONARD DOUGLAS LANDRY (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees
by Executrix, Judith A. Schroeder ["Petitioner"].

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

1. Assets on Hand \$399,401.92 in cash.
2. Petitioner waives compensation.
3. Attorney requests statutory fees of \$13,564.81. Calculated.
4. ~Proposed Order 03/12/18

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge on
05/14/19.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700783

CASE NAME: MTR OF FLORENCE EULAMAE BOADWAY

HEARING:

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

COUNSEL:

FLORENCE EULAMAE BOADWAY (DEC)...
GAYLE KOERBER (PET)...BRIAN J HOLOHAN

GENERAL INFORMATION:

Continued from 11/07/17, 01/16/18 and 03/13/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by former daughter-in-law, Gayle Koerber ["Petitioner"].

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

1. Decedent was survived by a spouse who has been noticed and who has waived bond.
2. All heirs have waived bond. Estimated estate valued at \$200,500. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(c). **JTD.**
3. Section 5 to petition [LF, p4] indicates there is no issue of a predeceased child, however, Section 8 [LF, p5] reflects there are two deceased sons and includes grandchildren. **Need** further clarification via verified supplement.
4. Proof of publication filed.
5. ~Proposed Form Order/Letters 08/04/17

RECOMMENDATION:

Need to clear note 3 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **07/16/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(nb)

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Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800163

CASE NAME: JOSEPH THOMAS PAPAC

HEARING:

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

COUNSEL:

JOSEPH THOMAS PAPAC (DEC)...
PAULA J GOODHEART (PET)...GAUDY LAW, INC

GENERAL INFORMATION:

Continued from 04/03/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA by daughter, Paula J. Goodheart ["Petitioner"].

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

1. Will waives bond. Estimated estate valued at \$400,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
2. Nominated co-executor, Nicholas Papac, declines to act [LF, p. 13].
3. ~Proposed Form Order: 02/21/18

RECOMMENDATION:

RFA subject to Court's discretion re bond. If approved, set future hearing for Accounting Review on **07/16/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/ww)

Superior Court of Calif, County of San Bernardino
Page: 10A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 05/08/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800200

CASE NAME: MTR OF DOROTHY MARIE HOOVER

SEE ALSO 10B

HEARING:

Hearing Re: OSC RE DISMISSAL OF PETITION FOR LETTERS

COUNSEL:

DOROTHY MARIE HOOVER (DEC)...
STEPHEN KARL HOOVER (PET)...DENNIS M SANDOVAL

GENERAL INFORMATION:

Continued from 04/10/18. No appearance.

THIS CASE IS SET FOR HEARING ON **OSC re dismissal of** Petition for Letters of Administration with full authority under IAEA by Stephen K. Hoover ["Petitioner"-son].

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

1. Matter set for OSC on 04/10/18 due to non-appearance by petitioner and counsel.
2. All heirs waive bond. Estimated estate valued at \$200,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). **JTD.**
3. ~Proposed Form Order: 02/08/18

RECOMMENDATION:

RFA subject to Court's discretion re: OSC and bond. If approved, set future hearing for Accounting/Status Review on **07/16/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/ww)

Superior Court of Calif, County of San Bernardino
Page: 10B ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 05/08/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800200

CASE NAME: MTR OF DOROTHY MARIE HOOVER

SEE ALSO 10A

HEARING:

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

COUNSEL:

DOROTHY MARIE HOOVER (DEC)...
STEPHEN KARL HOOVER (PET)...DENNIS M SANDOVAL

See notes on matter 10A.

(ww)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/08/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800272

CASE NAME: Mtr of Abdou Diab

HEARING:

Spousal Property Petition hearing.

COUNSEL:

ABDOU DIAB

(DEC)...

MUTIAA MATANOUS DIAB

(PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition

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

1. Petitioner requests a determination and confirmation of property passing to the surviving spouse as community property. Specifically, real property at Fontana, CA, in San Bernardino County.
2. Petition indicates parties were married on 12/04/77 in Syria and remained married and continuously lived together as husband and wife to the date of decedent's death; that subject property was acquired in 2002 by the decedent as "a married man as his sole and separate property" on the advice of the loan officer, so that the loan would be approved, as petitioner was a stay at home mom with no income. However, petitioner maintains all funds used to purchase the property and to make subsequent mortgage payments were paid out of community funds. Deed affixed to petition at LF, p.8.
3. Decedent died intestate with 5 adult issues who would also share a two-thirds distribution in the estate per Pr.C. §6401 if the real property is the separate property of decedent.
4. ~Proposed Form Order 03/21/18.

RECOMMENDATION:

Court's discretion

(nb)

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Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/08/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800312

CASE NAME: Shirley Ann Repath

HEARING:

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

COUNSEL:

LESLIE J FOXVOG

(PET)...EDWARD F ALLEBEST

SHIRLEY J FOXVOG

(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by daughter, Leslie J. Foxvog ["Petitioner"].

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

1. Will and beneficiaries waive bond. Estimated estate valued at \$316,700. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). JTD.
2. No proposed order/letters.

RECOMMENDATION:

RFA subject to Court's discretion re bond. If approved, set future hearing for Accounting Review on **07/16/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(nb/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 8:30 DEPT: S35P

CASE#: SPR SS01021

CASE NAME: IN THE MATTER OF DAVID RYAN CAMAIONI
SEE ALSO 13A

HEARING:

Ninth Account and Report of RON B OLUND and Petition for
allowance of fees

COUNSEL:

CARLYN ANNE CAMAIONI	(STE)...PRO/PER
DAVID RYAN CAMAIONI	(DEC)...DONNASUE ORTIZ
DAVID RYAN CAMAIONI REVOCABLE (TRU)...	
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
JERE L. FOX	(JERE L FOX
RON B OLUND	(PET)...HORSPOOL & HORSPOOL
RON B OLUND	(PRO/PER
RON OLUND	(PET)...E. JOAN NELMS
RON OLUND	(PET)...HORSPOOL & HORSPOOL
WESTERN SURETY COMPANY	(LEWIS D'AMATO BRISBOIS &

XREF: SCSS02388 (David Ryan Camaioni)

CONFIDENTIAL NOTES – CASE UNDER SEAL

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Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/08/18 TIME: 8:30 DEPT: S35P

CASE#: SC SS02388

CASE NAME: MTTTR OF DAVID RYAN CAMAIONI

SEE ALSO 13

HEARING:

Accounting Review by ***

COUNSEL:

DAVID RYAN CAMAIONI

(CTE)...DONNASUE ORTIZ

FOREST FOX

(CE)...MAUREEN MURATORE

RON B OLUND

(SC)...J. DAVID HORSPOOL

XREF: SPRSS01021 (David Ryan Camaioni)

GENERAL INFORMATION:

Continued from 04/10/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review by Ron Olund,
Conservator of the person and estate.

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

1. Ex Parte Petition to Dispense with Accounting and Order entered 05/22/17 for period through 12/01/16.
2. Assets are held in related case – trust.
3. 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/CONSERVATORSHIP CALENDAR

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

DATE: 05/08/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800003

CASE NAME: MELVILLE T. DEEN AND BARBARA W. DEEN TRUST

HEARING:

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

COUNSEL:

JAMES M DEEN

(PET)...RONALD W ASK

THE MELVILLET.DEEN AND BARBARA

(TRU)...

Currently under review by Legal Research.
(LR)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 05/08/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700230

CASE NAME: BEULAH MAE TOLLIVER

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of CARLA RAE TOLLIVER

COUNSEL:

BEULAH MAE TOLLIVER (CTP)...MITCHELL I ROTH

CARLA RAE TOLLIVER (CP)...

GENERAL INFORMATION

Order Appointing Carla Rae Tolliver Conservator of the person entered 08/01/17, no bond.

Continued from 03/06/18. Attorney Mitchell I Roth appointed. 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 Notification of Conservatee's Rights filed.
- 2 **Need** report by court-appointed counsel, Mitchell I Roth.
- 3 Care Plan and Determination of Conservatee's Appropriate Level of Care filed.

RECOMMENDATION:

Need to clear note 2.

(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: 05/08/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700312

CASE NAME: JORGE ISAAC ALVARADO

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of LILIANA ALVARADO

COUNSEL:

JORGE ISAAC ALVARADO (CEE)...CANDICE A GARCIA-RODRIGO
LILIANA ALVARADO (PET)...PRO/PER

XREF: CONPS1700313 (Christian Alberto Alvarado)

GENERAL INFORMATION

Liliana Alvarado appointed Limited Conservator of the person on 12/19/17.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

- 1 Notification of Conservatee's Rights with Proof of Service filed.
- 2 Care Plan filed
- 3 Determination of Conservatee's Appropriate Level of Care filed.

RECOMMENDATION:

None.

(nb/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700313

CASE NAME: CHRISTIAN ALBERTO ALVARADO

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of LILIANA ALVARADO

COUNSEL:

LILIANA ALVARADO (CP)...PRO/PER
CHRISTIAN ALBERTO ALVARADO (CEE)...PRO/PER

XREF: CONPS1700312 (Jorge Isaac Alvarado)

GENERAL INFORMATION

Liliana Alvarado appointed Limited Conservator of the person on 10/03/17.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

- 1 Notification of Conservatee's Rights with Proof of Service; however, proof of service indicates wrong date of Order served. Question if conservatee served a copy of Order appointing conservator dated 10/03/17? **Court to inquire.**
- 2 Determination of Conservatee's Appropriate Level of Care filed indicates incorrect date of appointment in item #1. **Need** corrected form.
- 3 Care Plan filed.

RECOMMENDATION:

Inquire status.

(nb/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/08/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700463

CASE NAME: LORENA QUIROZ

HEARING:

Hearing Re: CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

CRISTINA QUIROZ	(CP)...
LORENA QUIROZ	(CTP)...
LORETO QUIROZ	(CP)...
MARIA QUIROZ	(CP)...PRO/PER

GENERAL INFORMATION:

Parents, Maria and Loreto Quiroz and sister, Cristina Quiroz appointed Limited Co-Conservators of the person on 10/01/09.

Continued from 03/27/18. The case is referred to legal aid for legal assistance. Court reads into the record the names on green certified mail receipts that were presented by Loreto Quiroz- receipts are returned back to Loreto Quiroz in court today.

THIS CASE IS SET FOR HEARING ON CMC re Transfer in from Los Angeles County

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

1. Conservatee is developmentally disabled. Need appointment of counsel and report by same.
2. Need IRC Report.
3. Last CI Report filed 10/05/17 in LA County. Need CI Report.
4. ~Proposed Form Letter 02/06/18

RECOMMENDATION:

Need to clear notes.

(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: 05/08/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800032

CASE NAME: MTR OF LINDA ROCHELLE SMITH

HEARING:

Petition for Appointment of Conservator

COUNSEL:

BRYAN E JENKINS (CPE)... REIKO J HICKS
LINDA ROCHELLE SMITH (CEE)...DONNASUE ORTIZ

GENERAL INFORMATION

Ex Parte Orders entered 02/22/18, person and estate, no bond. Court signs order terminating power of attorney.

Continued from 03/20/18. All temporary orders to remain in full force and effect.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person and estate by brother, Bryan E. Jenkins ["Petitioner"].

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

- 1 Petitioner requests bond of \$123,049.33 be fixed. Appears sufficient. JTD.
- 2 Petitioner requests Pr. C. §2352 powers to fix residence of proposed conservatee within state.
- 3 Petitioner requests powers per Pr. C. §2355 to have exclusive authority to make health care decisions, for the conservatee, that the conservator in good faith based on medical advice determines to be necessary.
- 4 Petitioner requests powers per Pr. C. §2356.5(c) authorizing the administration of medication appropriate for the care and treatment of dementia, upon court's finding.
- 5 Petitioner seeks medical powers. Medical Capacity Declaration affixed to general petition [LF, pgs. 17-20]. Dementia Attachment GC-313 affixed to supplement filed 03/19/18 [LF, p. 16].
- 6 Petitioner requests dementia powers; report of court-appointed counsel, Donnasue Ortiz, filed.
- 7 Court Investigator's Report filed.
- 8 Certificate of Completion re Conservatorship Class filed.
- 9 Citation returned served affixed to supp. filed 03/19/18 [LF, p. 22].
- 10 ~Proposed Order 02/05/18.

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

RECOMMENDATION:

Court's discretion re: bond. If approved, set hearing for Compliance Review for **12/11/18** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr.C.§2313.

Set hearing re Accounting Review for **07/16/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PA

DATE: 05/08/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS0800976

CASE NAME: KATE KATHLEEN BIRGERS

HEARING:

FIRST AND FINAL Account and Report of PUBLIC ADMINISTRATOR and
Petition for allowance of fees filed.

COUNSEL:

BRILLE INSTITUTE OF AMERICA,

(PRO/PER

KARIN E HORSPOOL

(TP)...KARIN E HORSPOOL

KATE KATHLEEN BIRGERS

(DEC)...

PUBLIC ADMINISTRATOR

(PET)...CRAIG M PARKER

SANDRA LINDER-MUNOZ

(PET)...

CCP170.6 filed as to CYNTHIA LUDVIGSEN

GENERAL INFORMATION:

Continued from **09/05/17**. Court enters order surcharging the bond of the former administrator in the amount of \$20,000.

Continued from 11/14/17 and 03/06/18 at request of counsel. Court notes that the note re court entering surcharge the bond of the former administrator is already taken care of.

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

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

1. Accounting period 04/26/08 to 04/24/17.
2. Assets on Hand \$874.49 in cash.
3. Statutory fees of \$280.01 requested. Calculated.
4. Petitioner requests extraordinary fees of \$480 for services rendered in connection with the sale of real property. Billed at \$60/hour for a total of 8 hours' time. Generally described [LF, p. 24]. 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.**

5. Attorney requests extraordinary fees of \$630 for services rendered in connection with the sale of real property. Billed at \$350/hour for a total of 1.8 hours' attorney time. Itemized [LF, p. 26].
6. Petitioner indicates as the Estate is insolvent and there are insufficient funds to pay all of the commissions and fees, both ordinary and extraordinary, said remaining funds will be distributed proportionately between Petitioner and Petitioner's Attorney.
7. Petitioner requests authority to withhold the sum of \$500 as a reserve. JTD.
8. ~Proposed Orders 06/07/17

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge for **05/14/19.**

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS0801079

CASE NAME: JERRY R. EDWARDS JR

HEARING:

Accounting Review by ***

COUNSEL:

BERNARD M BIDART	(TP)...
JERRY R EDWARDS III	(PET)...FERD & ASSOCIATES
JERRY R EDWARDS JR	(DEC)...
PUBLIC ADMINISTRATOR	(SA)...CRAIG M PARKER

GENERAL INFORMATION:

Continued from 01/16/18 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. Status Report Order entered 01/17/17.
2. No accounting or updated status report. Need same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1100251

CASE NAME: MTR OF CHARLES RAYMOND GROOM

HEARING:

Accounting Review by ***

COUNSEL:

CHARLES RAYMOND GROOM	(DEC)...
DEPARTMENT OF HEALTH CARE SERV	(TP)...PRO/PER
KEVIN C GROOM	(PET)...JOHN H LEJNIEKS
PUBLIC ADMINISTRATOR	(SA)...CRAIG M PARKER

GENERAL INFORMATION:

Continued from 01/16/18 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. Status Report Order entered 01/10/17.
2. Need final inventory and appraisal.
3. No accounting or updated status report. Need same.

RECOMMENDATION:

Inquire status.

(nb)

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

DATE: 05/08/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1300856

CASE NAME: Ralph L Church

HEARING:
Accounting Review by ***

COUNSEL:

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

CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN, case reassigned to Judge TARA REILLY for all purposes.

GENERAL INFORMATION

Continued from 03/06/18. Court orders Public Administrator to turn over documents to Mr Spitz by 4pm April 3, 2018.

THIS CASE IS SET FOR HEARING ON Accounting Review by Successor Administrator, Public Administrator.

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

1. Order on Report of Status of Administration entered 02/28/17; accounting now due.
2. No accounting or updated status report.
3. Declaration by Craig M. Parker re: Pamela Harris' Agreement as to Assets Belonging to Estate filed 04/03/18 indicates Pamela Harris should turn over the guitars as she agreed; to be sold to pay costs of administration; and the balance turned over to the intestate heir of the decedent, Richard Church, the brother of the decedent, or his assigns.

RECOMMENDATION:
Inquire status.

(nb)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1400732

CASE NAME: Donalda Lure Nimmo

HEARING:

Accounting Review by ***

COUNSEL:

CYNTHIA R. TILLER	(PET)...MARGARET HELEN ARTER
DONALDA LURE NIMMO	(DEC)...
PUBLIC ADMINISTRATOR	(CRAIG M PARKER
W.C. COX AND COMPANY	(LAYNE A BARTHOLOMEW
W.C. COX AND COMPANY , ANARIZON	(TP)...LAYNE A BARTHOLOMEW

GENERAL INFORMATION

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

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

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

1. Letters of Administration issued to Public Administrator on 11/18/14, no bond.
2. Final Inventory and Appraisal filed 12/12/16.
3. Previous status report approved on 02/07/17.
4. **Need** accounting or next status report.

RECOMMENDATION

Inquire Status of accounting.
(lc/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/08/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1500646

CASE NAME: CHERRAKEE LEE GROETZINGER

VACATED

HEARING:

Accounting Review by ***

COUNSEL:

CHERRAKEE LEE GROETZINGER	(DEC)...
DEPARTMENT OF HEALTH CARE SERV	(TP)...PRO/PER
LON M ANDERSON	(PET)...PRO/PER
SUSAN C BUCKELEW	(PET)...PRO/PER

VACATE – First and Final Account filed and set for 05/22/18.

(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: 05/08/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1600194

CASE NAME: WILLIAM J VANCAMP

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC ADMINISTRATOR	(ADM)...CRAIG M PARKER
RICHARD H ANDERSON	(PET)...PRO/PER
ROSE CHUNCHICK	(PET)...
WILLIAM J VANCAMP	(DEC)...

GENERAL INFORMATION

Continued from 06/29/17 at request of Public Administrator.

THIS CASE SET FOR HEARING ON Accounting Review/Status.

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

1. Letters of Administration issued to **Rose Churchill, sister**, on 08/26/16; **limited** authority, no bond. Suspended on 05/02/17, letters of special Administration issued to **Public Administrator** on 05/09/17.
2. Need accounting.

RECOMMENDATION

Need accounting.

(lc/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/08/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1601079

CASE NAME: MTR OF CARRIE JOHNSON

HEARING:

Accounting Review by ***

COUNSEL:

CARRIE JOHNSON

(DEC)...

PUBLIC ADMINISTRATOR

(PET)...C/O PUBLIC ADMINISTRATOR

VACATE - Matter appears moot as order entered on 02/08/18 discharges Public Administrator.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 05/08/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1501155

CASE NAME: THE GEORGE NEWMAN LIVING TRUST 2009

SEE ALSO 2

HEARING:

Petition for Approval of Settlement Agreement

COUNSEL:

CHRISTINE LARSON (PET)...LAYNE A BARTHOLOMEW
CHRISTINE LARSON (RES)...
CHRISTINE LARSON,TRUSTEE ()...
JASON LARSON (PET)...MICHAEL B HICKEN
JOSHUA LARSON (MIN)...
MATTHEW LARSON (MIN)...
THE GEORGE NEWMAN LIVING TRUST (TRU)...

Currently under review by Legal Research.
(LR)

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

DATE: 05/08/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1501155
CASE NAME: THE GEORGE NEWMAN LIVING TRUST 2009

SEE ALSO 1

HEARING: FIRST Account and Report of CHRISTINE LARSON and Petition for allowance of fees filed.

COUNSEL:

CHRISTINE LARSON	(PET)...LAYNE A BARTHOLOMEW
CHRISTINE LARSON	(RES)...
CHRISTINE LARSON, TRUSTEE	()...
JASON LARSON	(PET)...MICHAEL B HICKEN
JOSHUA LARSON	(MIN)...
MATTHEW LARSON	(MIN)...
THE GEORGE NEWMAN LIVING TRUST	(TRU)...

GENERAL INFORMATION:

Continued from **07/26/16, 10/11/16, 01/17/17 and 04/04/17** at request of counsel. Guardian ad litem represents parts of the funds are being recovered.
Continued from **06/06/17 and 08/08/17**. Counsels are working on a settlement to be filed.
Continued from **10/10/17, 11/27/17, 02/13/18 and 03/27/18** at request of counsel to finalize settlement agreement.

THIS CASE IS SET FOR HEARING ON First Account Current by Successor Trustee, Christine Larson; Response and Objection to Petition for Removal of Trustee and Appointment of Successor Trustee for Redress of Breach of Trust including Punitive Damages.

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

1. Accounting period 06/30/11 to 02/29/16 (5.8 years).
2. Assets on Hand \$685,692.39 consisting of \$495,181.67 in cash and \$190,510.72 in equities, securities and bonds
3. Disbursements – Schedule C11 reflects multiple loans to Petitioner and payments from the trust in order to purportedly make ends meet during the dissolution of marriage proceedings and to enable Petitioner to settle demands for cash offsets by Jason Larson in the dissolution of marriage settlement [LF, p. 110]. Petitioner alleges she was advised that the sections titled “Trustee Self-Dealing – Loan, Buy, Sell” and Trustee and Executor Transactions – Self

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.

Dealing Permitted” and the section titled “Loan” of the trust allowed her to loan money to herself from the trust for any purpose and that she did not have to provide any security for the loans. Copy of trust affixed to petition filed 12/09/15.

4. Schedule I1 [LF, p. 99-101] reflects funds to be reimbursed to Trust by Trustee totaling \$729,280.90 less offset of \$27,000 for trustee fees pursuant to trust provisions for a total sum of \$695,546.43 to be reimbursed .
5. Notice given.
6. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Court’s discretion. If approved, set next hearing for Accounting Review in **60 days** as second account current is overdue.

(nb/lh/nb/ww/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600725
CASE NAME: MTR OF JOSEPH JOHN DUBNICKA

SEE ALSO 4

HEARING: Petition for surcharge the estate administrator's surety bond

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV (PET)...PRO/PER	
JOSEPH JOHN DUBNICKA	(DEC)...
MICHAEL J DUBNICKA	(PET)...DARLING LAW OFFICES
RYAN MICHAEL DARLING	(PET)...RYAN MICHAEL DARLING
SURTEC	(TP)...WOLKIN CURRAN LLP

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Surcharge the Estate Administrator's Surety Bond by Creditor, California Department of Health Care Services ["Petitioner"].

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

1. Petitioner is a creditor of the Estate of Joseph John Dubnicka. Michael J. Dubnicka, is decedent's son and former Administer of the Estate. Suretec Insurance Company is the surety on the \$300,000 bond for the Estate of Joseph John Dubnicka.
2. Petition indicates DHS is required to seek reimbursement for Medi-Cal services received by Medi-Cal beneficiaries against the estate of the decedent or against any recipient of the property of that decedent by distribution or survival, in an amount equal to the payments for the health care services and health care benefits received.
3. Decedent, Lydianna Dubnicka, was a Medi-Cal beneficiary and recipient of health care benefits and services rendered through the Medi-Cal Program from about 04/01/99 to 05/01/02. Petition indicates during that period of time, DHS paid the sum of \$369,416.92 for health care services provided to decedent Lydianna Dubnicka. She died on 05/01/02. Upon her death, her property passed to her husband, Joseph John Dubnicka.
4. Decedent, Joseph John Dubnicka, was a Medi-Cal beneficiary and recipient of health care benefits and services rendered through the Medi-Cal Program from about 05/01/08 to 08/12/12. Petition indicates during that period of time, DHS

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.

paid the sum of \$194,670.84 for health care services provided to decedent Joseph John Dubnicka. He died on 08/12/12.

5. At the time of decedent, Joseph John Dubnicka's death, the estate consisted of real property located in Yucaipa, CA. Petitioner indicates creditor's claims were sent to heir Michael Dubnicka and his attorney, Ryan M. Darling and filed with court on 01/23/17, for both Lydianna Dubnicka and Joseph John Dubnicka.
6. About 08/10/17, Attorney Darling filed a Petition to Remove Administrator Michael Dubnicka and Appointment of a new Administrator because Mr, Dubnicka "had failed to perform the duties expected of him and may have absconded with the estate funds." The Petition to Remove Michael Dubnika was granted and the Public Administrator was appointed Successor Administrator on 12/07/17.
7. Petitioner indicates DHS has not been reimbursed for any of the payments totaling \$564,087.76; former Administrator Michael Dubnicka sold the estate property without court approval; and absconded with the sale proceeds without reimbursing DHS for its Medi-Cal creditors' claims against decedent's estate.
8. Petitioner claims DHS is entitled to repayment from the \$300,000 surety bond, after payment of attorney fees, as partial satisfaction on its \$564,087.76 Medi-Cal creditor's claims and requests a Court order authorizing and directing the Administrator to pay DHS from the \$300,000.00 surety bond as partial satisfaction on its Medi-Cal creditor's claims.
9. Proposed Order 03/27/18: the top of the page does not contain the name, address and phone number of the person filing the document. See California Rule of Court, Rule 2.111; does not contain 3 lines of content before signature line and needs to be approved as to form and content by opposing party/counsel.
10. **Objections filed by by Suretec Insurance Co on 04/27/18. Need proof of service.**

RECOMMENDATION:

Matter is contested; need proof of service.

(nb)

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

DATE: 05/08/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600725
CASE NAME: MTR OF JOSEPH JOHN DUBNICKA

SEE ALSO 3

HEARING: FIRST Account and Report of MICHAEL J DUBNICKA and Petition for allowance of fees filed.

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV (PET)...PRO/PER	
JOSEPH JOHN DUBNICKA	(DEC)...
MICHAEL J DUBNICKA	(PET)...DARLING LAW OFFICES
RYAN MICHAEL DARLING	(PET)...RYAN MICHAEL DARLING
SURTEC	(TP)...WOLKIN CURRAN LLP

GENERAL INFORMATION:

Court granted Petition for Removal of Administrator, Michael Dubnicka, on 11/07/17.
Court appointed Public Administrator as successor administrator, no bond.
Continued from 02/21/18 and 04/03/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON **Amended** (03/05/18) First and Final Account of Ryan Michael Darling on behalf of former administrator, Michael Dubnicka

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

1. Current bond: \$300,000
2. Accounting period: 08/12/12 to **12/04/17**
3. Assets on hand: \$511.90 cash. Petition alleges Michael J. Dubnicka has absconded with essentially all of the assets of Estate, for which, the PA will need to file a Surcharge against Michael J. Dubnicka, as creditors' claims and attorney fees are owed to Ryan Michael Darling with the remainder being distributed to the Estate's Creditors.
4. Attorney requests statutory fees of \$7,400.00. Calculated. Attorney requests PA be authorized and ordered to pay requested fees.
5. Attorney requests extraordinary fees of \$4,441.00 for services rendered in connection with the sale of real property. Billed at \$350/hour for a total of 10 hours' attorney time. Itemized [see supp. 03/05/18-LF, pgs. 17-18]. Attorney requests PA be authorized and ordered to pay requested fees.
6. Attorney requests reimbursement of costs advanced of \$941.00. Itemized. Attorney requests PA be authorized and ordered to pay requested costs.

7. Summary of Account and Schedule G indicates \$209,104.77 was previously distributed to administrator Michael Dubnicka without prior Court approval. [Acct, 12/04/17, LFpgs4, 8].
 - a. Note: in Petition for Removal filed 07/10/17, attorney alleged former administrator went unresponsive once he realized the estate may be insolvent due to multiple creditors and is believed to have absconded estate funds.
8. It does not appear preliminary distribution was made to remaining heir, David Dubnicka, entitled to 50% distribution.
9. There are two creditor's claims filed 01/23/17 from Department of Healthcare Services in the amount of \$564,087.76. **Supp. (03/05/18)** indicates claims remain outstanding.
10. **Need** Notice of Hearing and Proof of Service to include Public Administrator and creditors.
11. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear note 10 then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **05/14/19**. If continued, set on Wednesday calendar as originally set.

(lh/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 05/08/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600826

CASE NAME: MTR OF LUCY M ESTRADA

HEARING:

Accounting Review by ***

COUNSEL:

LUCY M ESTRADA

(DEC)...

PAUL ESTRADA

(PET)... DAVID T EGLI

GENERAL INFORMATION

Continued from 12/14/17 and 03/28/18 at request of counsel.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Paul Estrada, son, on 10/06/16; full authority, no bond.
2. Final Inventory and Appraisal filed 03/22/18.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear note #3.

(lc/lh/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601234

CASE NAME: FRANKLIN DELANY WILSON

HEARING:

Accounting Review by ***

COUNSEL:

FRANKLIN DELANY WILSON (DEC)...
JEREMIAH WILSON (PET)...WILFRID C LEMANN

GENERAL INFORMATION:

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

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

1. Letters of Administration issued to Jeremiah Wilson on 02/28/17, full authority, \$200,000 bond.
2. Final Inventory and Appraisal filed 09/01/17.
3. **Need** accounting or status report.

RECOMMENDATION:

Inquire status of accounting.
(nb/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 05/08/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601255

CASE NAME: ADOLF FRANZ WETZSTEIN

HEARING:

First and Final Report by Admin on Waivers of Account and Report of ROLAND WETZSTEIN and Petition for allowance of fees filed.

COUNSEL:

ADOLF FRANZ WETZSTEIN (DEC)...
ROLAND WETZSTEIN (PET)...RANDAL

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of Account and for Fees by Administrator, Roland Wetzstein, son.

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

1. Both heirs waive accounting.
2. Assets on Hand \$52,379.95 consisting of which \$50,379.95 in cash.
3. Administrator and Counsel seek statutory fees of \$5,620.09 each. Ok.
4. Administrator requests a reserve of \$3,000.
5. No proposed order. Submit Order after Hearing.

RECOMMENDATION

RFA. If approved, set next hearing for receipts and final discharge for **05/14/19**.

(nb/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700125

CASE NAME: THE 1997 BERTOLINO FAMILY TRUST

SEE ALSO 13

HEARING:

FIRST ACCOUNT CURRENT Account and Report of CHERYL FULKERSON and
Petition for allowance of fees filed.

COUNSEL:

CHERYL FULKERSON	(PET)...ELIZABETH MCDONOUGH
CHERYL FULKERSON	(PET)...GRESHAM SAVA GE NOLAN
DOLORES BERTOLINO	(OBJ)...ROY A BARRY
THE 1997 BERTOLINO FAMILY TRUS	(TRU)...

GENERAL INFORMATION:

On 04/12/17, at hearing re Petition for Removal of Dolores Bertolino and Appointment of Successor Trustee, Court ordered an accounting to be filed and the 1,000 shares of stock not to be transferred or sold.

Continued from 02/07/18 to clear notes. Notice waived.

THIS CASE IS SET FOR HEARING ON First and Final Account Current and Report of Trustee for the Bypass Trust of the 1997 Bertolino Family Trust and Survivor's Trust by Dolores Bertolino (trustee/surviving spouse)

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

1. Antonin Bertolino and Dolores Bertolino were the settlors and trustees of the 1997 Bertolino Family Trust established 12/02/1997. Antonin Bertolino died on 06/06/99. The *Bypass Trust* was funded with the maximum estate deduction of \$650,000, consisting of 273 shares of stock in Bertolino Enterprises, Inc; the *Survivor's Trust* was funded with 727 shares of stock in Bertolino Enterprises, Inc, as well as other assets and liabilities.
2. Accounting period: 01/01/01 to 12/31/16 covers the Bypass Trust and Survivor's Trust; however, it is unclear when the Bypass Trust and Survivor's Trust were funded. **Need** verified supplement
3. Bypass Trust assets on hand: **\$454,761** (191 shares of stock); Survivor's Trust assets on hand: **\$1,920,239** (809 shares of stock)

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.**

- a. Summary of Account [Acct, 11/13/17, LFpg13] indicates assets on hand in Survivor's Trust is \$1,920,239; however, Schedule "D" assets on hand indicate carry value is \$5,986,660. **Need verified supplement with corrected Summary of Account and/or Schedules.**
- b. Question what other assets funded the Survivor's Trust as alleged on page 1, paragraph 1 of accounting [See Acct, 11/13/17, LFpg 3]. **Need verified supplement clarifying any "other" assets [e.g. motor home] and affected Summary of Account/Schedules.**
4. **Need** bank/investment statements verifying date of death balances and ending balance per Local Rule 20-908.
5. **Need** verified supplement which includes names and addresses of beneficiaries per CRC 7.902.
6. **Need** verified supplement with statement regarding agents hired by trustee, their relationship to trustee, and their compensation, if any, per Pr. C. §16063.
7. **Need** Notice of Hearing and Proof of Service as to beneficiary, Gary Bertolino, and Agent for Service of Process of Bertolino Enterprises, Inc. per Pr. C. 17203.
8. Petitioner distributed a total of \$2,974,941 from Bertolino Enterprises Inc, during accounting period as reflected in Schedule C Receipts [Acct, 11/13/17, LFpg18].
9. Petitioner transferred a total of 82 shares of stock from the Bypass Trust to the Survivors Trust pursuant to a "5 and 5 power" per terms of Trust, paragraph 6.2(d). [Copy of Trust attached to Petition by Cheryl Fulkerson filed 02/08/17].
 - a. On 04/12/17, Court ordered trustee may not exercise her *5 and 5 powers*; however, petitioner requests she be allowed to exercise this power per terms of Trust. **JTD.**
10. **Objection to First Account Current filed by Cheryl Fulkerson on 02/2/18.**
11. No proposed order submitted.

RECOMMENDATION:

Matter is contested. Need to clear notes 2-7.

(lh/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700635

CASE NAME: MTR OF EARL WASHINGTON

HEARING:

Petition for final distribution & waiver of Account and Report
of JUANITA SAMS and Petition for allowance of fees filed.

COUNSEL:

EARL WASHINGTON (DEC)...
JUANITA SAMS (PET)...ELLIOTT LUCHS

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of
Account and for Fees by Executrix, Juanita Sams ["Petitioner"-step-daughter].

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

1. All beneficiaries waive accounting.
2. Accounting period 09/14/16 to
3. Assets on Hand \$226,956.30 consisting of cash.
4. Petitioner waives statutory compensation.
5. Attorney requests statutory fees of \$10,900.00. Calculated.
6. Petitioner requests ratification of reimbursement for costs of \$1,000 and
reimbursement remaining of \$635.00. Itemized [LF, p. 6].
7. **Need** detailed schedule of receipts and gains re: sale per CRC 7.550(b) (6) via
verified supplement. Alternatively, escrow statement is provided indicated sale
created a gain of \$35,000. **JTD**
8. Petitioner requests authority to withhold \$5,000 as a reserve for closing costs.
9. No proposed order. Submit Order after Hearing.

RECOMMENDATION

Court's discretion re note 7. If approved, set next hearing for receipts and final
discharge for **05/14/19**.

(nb/lc)

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

DATE: 05/08/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800150

CASE NAME: GEORGE SEDIVY JR.

HEARING:

Petition to determine succession to Real Property

COUNSEL:

DAWN BARKER	(PET)...GEORGINA LEPE
GAYLENE SEDIVY	(PET)...GEORGINA LEPE
GEORGE A SEDIVY	(PET)...GEORGINA LEPE
KATHLEEN L. SEDIVY	(PET)...GEORGINA LEPE

GENERAL INFORMATION:

Continued from 03/27/18 at request of counsel via telephone.

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real Property (Estates \$150,000 or less) by spouse, Kathleen L. Sedivy and issues, George A Sedivy, Gaylene Sedivy and Dawn Barker ["Petitioners"].

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

1. Petitioners request a determination that decedent's 1/3rd interest in real property located at Highland, CA in San Bernardino County, pass to petitioners without administration. Petitioners are decedent's spouse; children; and heirs per intestate succession.
2. Petition attaches a copy of a Grant Deed [LF, p. 14] reflecting decedent's interest in subject property.
3. ~Proposed Form Order 02/16/18.

RECOMMENDATION:

Court's Discretion.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800154

CASE NAME: Sharon L King

HEARING:

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

COUNSEL:

BRADLEY W KING	(PET)...BRYAN C. HARTNELL
DONAJAYNE K POTTS	(PET)...BRYAN C. HARTNELL
SHARON L KING	(DEC)...

GENERAL INFORMATION:

Continued from 03/27/18 at request of counsel via telephone.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by issues, Bradley W. King and Donajayne K. Potts ["Petitioners"].

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

1. All heirs waive bond. However, **need** waiver of bond by sibling, Shari Layne King. Also, co-petitioner, Bradley King is a **non-resident** and Court has discretion to require bond per Pr. C. §8571. Estimated estate valued at \$305,000.
2. **Need** proof of publication.
3. ~Proposed Form Order/Letters 02/20/18.

RECOMMENDATION:

Need to clear notes 1-2 then Court's discretion re: bond. If approved, set future hearing for Accounting Review on **07/16/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(nb/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 05/08/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800155

CASE NAME: Lucille J Fritcher

HEARING:

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

COUNSEL:

CHERI CAFFARO AZRIEL (PET)... GEORGINA LEPE
LUCILLE J FRITCHER (DEC)...

GENERAL INFORMATION:

Continued from 03/27/18 at request of counsel via telephone.

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA by Chero Caffarp Azriel, daughter/executrix.

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

1. Will waives bond. Estimated estate valued at \$1,865,000.00.
2. ~Proposed Form Order: 02/20/18.

RECOMMENDATION:

RFA subject to Court's discretion re: bond. If approved, set future hearing for Accounting Review on **07/16/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **TRUSTS AND MOTIONS**

DATE: 05/08/18 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1700125

CASE NAME: THE 1997 BERTOLINO FAMILY TRUST

SEE ALSO 8

HEARING:

Petition for (VERIFIED) PETITION BY CHERYL FULKERSON FOR THE
REMOVAL OF DOLORES BERTOLINO ETC

COUNSEL:

CHERYL FULKERSON

(PET)...ELIZABETH MCDONOUGH

CHERYL FULKERSON

(PET)...GRESHAM SAVA GE NOLAN

DOLORES BERTOLINO

(OBJ)...ROY A BARRY

THE 1997 BERTOLINO FAMILY TRUS

(TRU)...

Currently under review by legal research.

(LR)

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

DATE: 05/08/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500104

CASE NAME: MTR OF CHRIS GOVEIA

HEARING:

Hearing Re: TRANSFER CASE TO RIVERSIDE COUNTY

COUNSEL:

CHRIS GOVEIA	(CTP)...
MARGARET ARCHIBALD	(CP)...PRO/PER
ROBERT ARCHIBALD	(CP)...PRO/PER

Request for Waiver of Court Fees and Costs filed by CHRIS GOVEIA is GRANTED

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Transfer Case to Riverside County

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

1. Hearing set by Court on 04/16/18 after review Court Investigator memo.
2. Court Investigator requested that matter be placed in calendar for transfer to Riverside County as Conservators Margaret & Robert Archibald [mother and step father] and conservatee reside in Whitewater, Riverside County.
3. **Need** post move notice per Cal Rules of Ct 7.1063(c).

RECOMMENDATION

Need to clear note 3. If approved, set hearing re proof of transfer on **07/31/18**.

(ww/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 05/08/18 TIME: 9:30 DEPT: S36P

CASE#: SC SS02145

CASE NAME: MATTER OF ABEL A SANCHEZ

HEARING:

Petition for Attorney's fees

COUNSEL:

ABEL A SANCHEZ	(CEP)...MARK J. FLORY
ANNETTE G DEBELLEFEUILLE	(PET)...ANNETTE G DEBELLEFEUILLE
GEORGIANA D SANCHEZ	(CP)...CRAIG M PARKER
GEORGIANA SANCHEZ JENNINGS	(CP)...CRAIG M PARKER
MARK J ANDREW FLORY	(PET)...MARK J. ANDREW FLORY
RAUL SANCHEZ	(CE)...CRAIG M PARKER
RAUL SANCHEZ	(PET)...ANNETTE G DEBELLEFEUILLE

XREF: SGSS03708 (*Ashley N Sanchez*)

SCVSS099443

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for fees and compensation by Court-Appointed Attorney, Mark J Andrew Flory ["Petitioner"].

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

- 1 Petitioner was appointed on 11/09/11. Petitioner alleges that services have been rendered for which counsel has not been compensated for the period 09/25/15 to 02/16/18.
- 2 Attorney requests fees of \$4,755.44. Billed at \$350/hour for 8.80 hours' attorney time and \$105/hour for 9.4 hours' paralegal time. Itemized [LF, pgs. 8-12]. JTD
 - a. Fees include \$5.94 in mileage that is normally considered overhead. Does Court wish to reduce fee request by this amount? JTD.
- 3 No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Court's discretion.

(nb)

Future Hearing: 11/26/19 Accounting Review.

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

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

DATE: 05/08/18 TIME: 1:30 DEPT: S36P

CASE#: CON PS1100062

CASE NAME: *MF* LORIANNE M. DURAN.

SEE ALSO 17, 18, 19

HEARING:

Hearing Re: TRUSTEE OF SPECIAL NEEDS TRUST

COUNSEL:

ADAN JOHN M.D.	(MCNEIL, TROPP & BRAUN LLP
DESERT VALLEY HOSPITAL	(MCNEIL, TROPP & BRAUN LLP
DESERT VALLEY HOSPITAL	(QUINTAROS, PRIETO, WOOD &
DOUGLAS ZIPRICK MD	MCNEIL TROPP & BRAUN LLP
ESTHER DURAN	(CPE)...PRO/PER
GARY DURAN	()...
JANET DURAN	(PET)...BANKS GARCIA & JANIS
JANET DURAN	(PET)...KAMPF SCHIAVONE &
JENNIFER M DANIEL	(PET)...JENNIFER M DANIEL
JOHN ADAN MD	(MCNEIL TROPP & BRAUN LLP
LORIANNE DURAN	(PET)...KAMPF SCHIAVONE &
LORIANNE M. DURAN	(CEE)...JENNIFER M DANIEL
LORIANNE M. DURAN	(PET)...JEANNE E KENNEDY
RICHARD DURAN	()...
RONALD DURAN	()...
STEVEN DURAN	(CP)...DAVID E FOATE
STEVEN DURAN	(PET)...HORSPOOL & HORSPOOL

XREF: PROPS1300446 (Esther Duran)

Currently under review by legal research.

(LR)

Continued matter. Notice not re-reviewed.

(ww)

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

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

DATE: 05/08/18 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1300446

CASE NAME: ESTHER DURAN

SEE ALSO 16, 18, 19

HEARING:

Hearing Re: PTN FOR ORDER DETERMINING TITLE AND REQUESTING ETC

COUNSEL:

ESTHER DURAN	(DEC)...
JANET DURAN	(PET)...DAMIAN G GARCIA
LORIANNE M DURAN	(PET)...PRO/PER
STEVEN DURAN	(PET)...HORSPPOOL & HORSPPOOL
TOYOTA MOTOR CREDIT CORP	(TP)...SCOTT WELTMAN

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

XREF: CONPS1100062 (Lorianne Duran)

GENERAL INFORMATION:

Continued from 8/5/13, 8/6/13, 8/23/16, 4/30/14, 8/21/14, 11/14/14, 11/25/14, 2/11/15, 6/25/15, 11/19/15, 12/2/15, 4/4/16, 8/18/16, 08/22/16, 02/14/17, 03/16/17, 05/25/17, 08/10/17, 09/28/17, 10/26/17, 12/07/17, 12/21/17, 01/25/18, 03/01/18 and 04/19/18. Settlement out for signature.

THIS CASE IS SET FOR HEARING ON Petition to Determine Title of real and personal property and a finding of a Breach of Fiduciary Duty and Elder Abuse by Steven Duran.

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

1. Petitioner, Steven Duran, appointed Special Administrator \$100,000 bond. Petitioner is one of six children and a beneficiary of the decedent's estate. Decedent died 2/11/13. Petitioner alleges that at all times described in the petition, the decedent was an "elder" as described in W&I§15610.27.
2. Petitioner alleges that the decedent held title to bank accounts containing proceeds from winnings and a settlement) and to 6 parcels of real property and that prior to her death, decedent was hospitalized for unknown reasons and on

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.

- 7/29/12 decedent executed a Durable Power of Attorney, naming daughter, Janet Duran, as attorney in fact. Copy of POA attached (see LF pages 29-36).
3. Petitioner alleges that on 2/12/13 (one day after decedent's death) respondent, Janet Duran, through her power of attorney, recorded six Grant Deeds transferring the real property to decedent and her as joint tenants, and then on 5/10/13, Janet Duran filed Affidavit of Death of Joint Tenant on each parcel. Copies of Deeds and Affidavits attached (see LF pages 37-58). Petitioner refers to the text of the POA that informs the agent that the property may not be transferred without adequate consideration. As the POA is terminated at death, it would appear that the Grant Deeds have created a cloud on title as they transfer title to a deceased person with a terminated POA.
 4. Petitioner requests the property be transferred back to the estate. However, as the Grant Deeds were recorded after date of death of decedent creating a cloud on title, Court may wish to find the Grant Deeds and Affidavits of Joint Tenant as void.
 5. Petitioner requests the Court find that Janet Duran exceeded her scope of authority, acted in bad faith, breached her fiduciary duty, and under Pr.C. §859 should be held liable for twice the value of the property in an amount to be determined.
 6. Petitioner requests the Court find that prior to decedent's death, Janet Duran, fraudulently misappropriated funds from decedent's accounts, and under W&I §15657.5 for financial elder abuse be held liable for treble damages, punitive damages, prejudgment interest and costs.
 7. Order on Stipulation to void and cancel four grant deeds approved on 01/15/14.
 8. **Need** report of Ms. Michealis.
 9. **Need** settlement.

RECOMMENDATION:
Need settlement and report.

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

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

DATE: 05/08/18 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1300446

CASE NAME: ESTHER DURAN

SEE ALSO 16, 17, 19

HEARING:

Hearing Re: Settlement Conference

COUNSEL:

ESTHER DURAN	(DEC)...
JANET DURAN	(PET)...DAMIAN G GARCIA
LORIANNE M DURAN	(PET)...PRO/PER
STEVEN DURAN	(PET)...HORSPOOL & HORSPOOL
TOYOTA MOTOR CREDIT CORP	(TP)...SCOTT WELTMAN

XREF: CONPS1100062 (Lorianne M Duran)

No Notes-Settlement Conference- JTD.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1300446

CASE NAME: ESTHER DURAN

SEE ALSO 16, 17, 18

HEARING:

Hearing Re: PTN FOR PROBATE OF WILL AND LTS TESTAMENTARY

COUNSEL:

ESTHER DURAN	(DEC)...
JANET DURAN	(PET)...DAMIAN G GARCIA
LORIANNE M DURAN	(PET)...PRO/PER
STEVEN DURAN	(PET)...HORSPPOOL & HORSPPOOL
TOYOTA MOTOR CREDIT CORP	(TP)...SCOTT WELTMAN

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

XREF: CONPS1100062 (Lorianne Duran)

GENERAL INFORMATION:

Order appointing Steven Duran as Special Administrator entered 06/03/13, \$100,000 bond required (see prior matter).

Continued from **7/11/13** and **8/22/13**.

On **8/6/13** Court denied an Ex-parte order on Motion to Set Aside Order filed by Janet Duran. Need order.

Continued from **8/26/13, 12/16/13, 1/9/14, 4/30/14 and 8/21/14**. New trial dates set.

Continued from 11/25/14, 2/11/15, 2/11/15, 6/25/15, 11/19/15, 12/2/15, 3/30/16, 04/04/16 08/22/16 02/14/17, 03/16/17, 05/25/17, 08/10/17, 09/28/17, 10/26/17, 12/21/17, 01/25/18, 03/01/18 and 04/19/18. Settlement out for signature.

THIS CASE IS SET FOR HEARING ON

- Petition for Letters Testamentary with full authority under IAEA, by **Steven Duran**, son.
- Petition for Letters Testamentary with full authority under IAEA, by **Janet Duran**, daughter.

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

Petition by Steven Duran - son:

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.

1. Petitioner, Steven Duran, requests admission of decedent's Will dated 7/6/93 only.
2. Petitioner is the third nominated executor. Will dated 7/6/93 nominates first Manuel Duran (now deceased) and second Janet Duran. Petitioner believes Janet Duran should not be appointed. Objections and competing petition filed by Janet Duran.
3. Will waives bond as to nominated executors. However, Court required \$100,000 bond for Special Administrator. JTD
4. **Objection filed by Janet Duran.**
5. Notice of Lis Pendens filed by Steven Duran on 03/30/15.

Petition by Janet Duran – daughter – second named executor:

6. Petitioner, Janet Duran, requests admission of decedent's Will dated 7/6/93 and holographic codicils dated 11/12/06 and 1/29/09.
7. Will waives bond. Estimated estate value is \$14,200. JTD
8. Decedent's will nominates Janet Duran as executor and the codicil of 1/29/09 restates/reconfirms the nomination.
9. **Objection to appointment and admission of purported codicils filed by Steven Duran.**
10. **Need** settlement.

RECOMMENDATION:

Need settlement. It appears Janet Duran has priority of appointment. Court to determine bond. If approved, set hearing for Accounting/Status Review on **07/16/19**. Any accounting to be filed 30 days in advance. Note Local Rule requirements.

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

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 05/08/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1200518

CASE NAME: GEORGE H WILLIAMS

SEE ALSO 15

HEARING:

FIRST AND FINAL Account and Report of DACREY NORTHRUP and
Petition for allowance of fees filed.

COUNSEL:

ALICE JOHNSON	(PET)...ASHWORTH & ASHWORTH
DACREY NORTHRUP	(PET)... COTTLE & KEEN
DARINA WILLIAMS	(PET)...ROGERS & HARRIS
GEORGE H WILLIAMS	(DEC)...
MARGO RICHARDSON	(ERNEST L. HOWARD
MICHAEL HARRIS	(ROGERS & HARRIS
PAMELA ANN WILLIAMS CHUNCHICK	(PET)...PAUL D VELASCO).
SKAIDRITE G WILLIAMS	(RES)... COTTLE & KEEN

GENERAL INFORMATION

Continued from **12/08/16, 03/16/17, 07/27/17, 10/12/17, 11/13/17 and 02/08/18** at
request of counsel. Matter to be heard with motion for joinder.

**Continued from 03/27/18 to clear notes. Court notes that objections have been
filed and the accounting has issues.**

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees of DacreY Northrup Trustee.

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

1. **Need** notice of hearing and proof of service.
2. Creditor's Claim re Pamela Churchick for \$3,889,700.00 was rejected on
09/07/16. 90 days did not pass at time of filing of the accounting on 10/05/16.
The period has now passed.
3. Petitioner, DacreY, alleges that there are ground leases subject to probate
matter in Orange County and the subject of a court-approved settlement
[Acct.10/05 LFPg4]. . Question why there are probate matters in both counties?

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.**

Supp 01/09/17: George lived in San Bernardino and Skaidrite lived in Huntington Beach around 1993/1994.

4. Petitioner disputes that the Orange County real property is or was a part of the decedent's estate.
5. There is not a proper balanced accounting with schedules. However, there was only a vehicle and boat valued at \$800. Accounting does not comply with Pr.C.§10900 and Pr.C.§1060 et. seq. JTD
6. There appears to be other pending matters in this case. Question how the estate can close? **Supp 01/09/17: Petitioner alleges as there are no assets, the estate may close.**
7. **Objections filed by Pamela Ann Williams Churchick on 12/01/16.**

RECOMMENDATION

Need proper notice; matter is contested. If approved, set hearing on the filing of receipts and final discharge for **05/16/19**.

(lc/nb)

Future Hearing:

06/06/18 Mediation settlement conference

06/06/18 Hearing re: Petition to enforce judgment

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1401079

CASE NAME: RICHARD A. ISAACSON

HEARING:
Hearing Re: FINAL DISCHARGE

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

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. First and Final Account by Rosa Martinez, executor/non-relative, approved on 07/11/17.
 - a. **Need** Order after Hearing.
2. No receipts are required as there were no assets on hand to distribute.
3. **Need** Ex-Parte Petition/Order for Final Discharge.

RECOMMENDATION:
Inquire status.

(nb/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/08/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500698

VACATED

CASE NAME: MARICELA CUEVAS

HEARING:

Hearing re Final Discharge

COUNSEL:

MARICELA CUEVAS

(DEC)...

MONICA FLORES

(PET)...JASON L GAUDY

Final discharge filed 08/23/17.

(nb/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600025

VACATED

CASE NAME: MTR LOREN L KIRK

HEARING:

Motion Re: notice of motion and motion for trial setting
preference Filed by Petitioner WILLIAM N CARTER, JOAN
CUNNINGHAM, CAROL MARSHALL, BARBARA SAGEHORN

COUNSEL:

BARBARA SAGEHORN	(EMISON HULLVERSON LLP
CAROL MARSHALL	(PET)...EMISON HULLVERSON LLP
DANIEL BROWN	(PET)...LURIE, ZEPED A, SCHMALZ,
DENNIS SHOGREN	(PET)...E JOAN NELMS
JOAN CUNNINGHAM	(PET)...EMISON HULLVERSON LLP
LOREN L KIRK	(DEC)...
RAYMOND J LOPEZ	()...
WILLIAM N CARTER	(OBJ)...EMISON HULLVERSON LLP
WILLIAM N CARTER	(PET)...EMISON HULLVERSON LLP

CCP170.6 filed as to CYNTHIA LUDVIGSEN

Future hearing dates:

07/19/18 Hearing Re: PTN FOR PROBATE OF WILL/LETTERS W/FULL IAEA
07/19/18 Hearing Re: PETITION FOR LETTERS OF ADMIN W/FULL IAEA
07/19/18 Hearing Re: COMPLAINT FOR FRAUD, MISREPRESENTATION, ETC
07/19/18 Readiness Calendar
07/30/18 Court Trial set for PETITION FOR WILL AND LETTERS
TESTAMENTARY of DANIEL BROWN
08/01/18 Court Trial set for PETITION FOR WILL AND LETTERS TESTAMENTARY of
DANIEL BROWN
08/02/18 Court Trial set for PETITION FOR WILL AND LETTERS TESTAMENTARY of
DANIEL BROWN

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
Page: 4A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 05/08/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600339

CASE NAME: JONATHAN RYAN JANER

HEARING:

Probate status report filed.

COUNSEL:

ANNA DOLORES INGRAM	(PET)...SYBIL YVONNE BURRELL
CALIFORNIA VICTIM COMPENSATION	(PRO/PER
JONATHAN RYAN JANER	(DEC)...
WERNER W JANER	(TP)...SNYDER & HANCOCK

GENERAL INFORMATION:

Continued from 11/07/17.

THIS CASE IS SET FOR HEARING ON Status Report by Administrator, Anna D. Ingram, mother ["Petitioner"].

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

1. Petitioner alleges the estate is not in a condition to be closed as pending creditors' claims and other potential claims remain to be resolved in order to negotiate an equitable distribution between the heirs-at-law.
2. Petitioner requests an additional 12 months to close the estate.
3. Court to see Declaration by California Victim Compensation Board filed 12/18/17.
4. Notice of hearing and proof of service as to Werner (father) filed 10/03/17; however, **Need** notice to California Victim Compensation Board as a Request for Special Notice was filed on 12/18/17. Proposed Order: 11/03/17, date of hearing needs to be corrected

RECOMMENDATION:

Need Notice then Court's discretion. If approved, court to set hearing re Accounting Review for **11/13/18**.

(nb/ww)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601098

CASE NAME: MTR OF HUMBERTO GARCIA CANO

HEARING:

First & Final Account and Report of ROSA CANO and Petition for allowance of fees filed.

COUNSEL:

BEATRIZ KAC	(PRO/PER
HUMBERTO GARCIA CANO	(DEC)...
MARIA ELENA KOWALEWSKI	(TP)...PRO/PER
ROSA CANO	(PET)...PAUL HORN
ROSA MARIA VALENZUELA	(PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON [Ancillary] First and Final Account and Petition for Fees by Administrator, Rosa Cano ["Petitioner"-wife].

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

1. Decedent was domiciled in Cameron County, Texas, but owned real property in San Bernardino County, California.
2. Accounting period 03/03/14 to 03/31/18.
3. Assets on Hand \$356,742.29 consisting of \$101,742.29 in cash and remaining in real property.
4. Statutory fees of \$7,309.82 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.
5. Attorney requests extraordinary fees of \$2,475.00 for services rendered in connection with the sale of real property. Billed at \$450/hour for a total of 5.50 hours' time. Need itemization per CRC 7.702 indicating the specific amount requested for each category of service. **Need** verified supplement.
 - a. Hourly rate exceeds community rate. **JTD**.
6. Petitioner requests reimbursement of costs advanced of \$1,258.00. Itemized.

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. Petition does not include status of creditor's claim by Ditech Financial LLC. **Need** verified supplement.
8. The balance on hand at the close of this accounting is reflected incorrectly at paragraph 23. **Need** verified supplement.
9. Proof of service to Notice of Proposed Action re Sale of real property filed 06/30/17 does not include all heirs. **Need** proper service.
10. **Need** bank statement to support closing balance per Local Rule 20-908.
11. Assignments by Beatriz Kac, Maria Elena Kowaleski and Rosa Maria Valenzuela, in favor of Petitioner filed 03/22/18.
12. Petition indicates proposes distribution directly to heirs instead of Administrator in the Domiciliary Estate. **Need** further clarification via verified supplement.
13. There are 2 minor heirs, Abraham Ezekiel Cano and Humberto Cano, Jr. Does Court wish to appoint Guardian of the Estate or GAL? **JTD.**
14. Notice given.
15. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes then Court's discretion. If approved, set next hearing for receipts and final discharge for **05/14/19**.

(nb/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800280

CASE NAME: MTR OF FRANCES J GRICE

HEARING:

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

COUNSEL:

FRANK J QUEVEDO (PET)...FULLERTON LEMANN SCHAEFER & DO
FRANCES J GRICE (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by friend, Frank J. Quevedo ["Petitioner"].

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

1. Nomination of this petitioner affixed [LF, p. 7].
2. Sole heir waives bond. Estimated estate valued at \$75,000. The Court may for
good cause require that a bond be given, either before or after issuance of
letters. Pr. C. § 8481(b). **JTD.**
- 3.

RECOMMENDATION:

RFA subject to Court's discretion re: bond. If approved, set future hearing for
Accounting/Status Review on **07/16/19**. Any account to be filed 30 days' in advance of
hearing. Note requirements of Local Rules.

(nb/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800288
CASE NAME: MTR OF TERESA SIMENTAL

HEARING: Petition to determine succession to Real Property

COUNSEL:

ANGEL SUNMAY SIMENTAL (PET)...ALLIANCE LAW GROUP
SMILEY JAMES SIMENTAL (PET)...ALLIANCE LAW GROUP
TERESA SIMENTAL (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real and Personal Property (Estates \$150,000 or less) by issues, Angel Sunmay Simental and Smiley James Simental ["Petitioner"].

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

1. Petitioners request a determination that decedent's 20% interest in real property, located in San Bernardino County, pass to petitioners without administration. Petitioners are decedent's issue and heirs per intestate succession.
2. Petition is marked as to determination of personal property also; however, no personal property is listed in attachment 11. Court may wish to inquire, or in alternative, need verified supplement. **JTD**
3. Partial Inventory & Appraisal attached to petition has the following issues:
 - a. Sections 4 & 5 are incomplete.
 - b. No signature by Angel S. Simental and signature by Smiley is not dated. Need signature of verification.
 - c. Does not include personal property that Probate Referee needs to appraise.
 - d. Does not include APN #.
 - e. Does not indicate the character of the real property.
Need corrected, final inventory
4. **Need** Notice of Hearing with proof of service.
5. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need corrected, final I&A and notice then Court's Discretion.
(nb/ww)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **CONSERVATORSHIP**

DATE: 05/08/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0800321

CASE NAME: KENNETH STONEBREAKER

HEARING:

Hearing re Final Discharge

COUNSEL:

DAVID S STONEBREAKER	(PCR)...PRO/PER
KATHLEEN A. STONEBREAKER	(PCR)...PRO/PER
KATHY STONEBREAKER	(PET)...PRO/PER
KENNETH STONEBREAKER	(PCE)...

GENERAL INFORMATION

Continued from **05/04/17**. No appearance. Personal representatives ordered to appear if notes not cleared.

Continued from **07/06/17**. Donnasue Smith Ortiz relieved. Parties given copy of accounting and minute order to assist in preparing order.

Continued from **11/30/17**.

Continued from 02/22/18. Receipt of order from 04/28/16 hearing.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of David and Kathy Stonebreaker, son and daughter, approved on 04/28/16.
 - a. **Need** Order on Final Account/distribution.
2. No receipts needed as there were \$0 assets.
3. Ex Parte Petition for Final Discharge and Order received and forwarded for processing.

RECOMMENDATION

Need to clear note 1. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with C.C.P. §§ 128 & 1209.

(lc/nb/ww)

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

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

DATE: 05/08/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1300339

CASE NAME: THOMAS W. MAHONEY

HEARING:

Accounting Review by ***

COUNSEL:

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

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review by Conservator of the Person and Estate, Laura L. Harris.

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

1. Amended First Account by Laura Harris, daughter, approved on 11/08/16.
2. **Need** 2nd account beginning with date of 03/01/16.

RECOMMENDATION:

Inquire status of accounting.

(nb/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/08/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600229

VACATED

CASE NAME: ERIC MURILLO

HEARING:

Accounting Review by ***

COUNSEL:

DOLORES M FUENTES

(CE)...MELINDA S. BELL

ERIC MURILLO

(CEP)...EDWARD B FISCHER

JEANNETTE CABRERA

(CPE)...MELINDA S. BELL

(nb/ww)

Future hearing dates: 05/21/18 First Account and Report of Dolores Fuentes, Jeanette Cabrera

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

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700203

CASE NAME: CURTIS MITCHELL HAGAN

HEARING:

Hearing Re: PETITION FOR CONSERVATORSHIP

COUNSEL:

CURTIS MITCHELL HAGAN	(CEP)...PRO/PER
CURTIS MITCHELL HAGAN	(CTP)...J. DAVID HORSPOOL
SYLVIA A HAGAN	(CP)...PRO/PER
SYLVIA A HAGAN	(CPE)...PRO/PER

GENERAL INFORMATION

Sylvia Hagan appointed Temporary Conservator of the person on 06/07/17. Court makes LPS referral. Clerk's office to notify public guardian. Hearing set for 07/20/17 is reset to Department S37.

Continued from 07/20/17. Court urges family to request the facility/doctors to contact IRC Investigator's office for an investigation as to eligibility. Court relieves the Public Guardian from appearing at next hearing.

Continued from 10/05/17, 12/21/17 and 02/22/18 on courts motion. Oral report given by Sylvia Hagen. Referred to Court Investigator for investigation and report.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Sylvia Hagan, mother.

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

1. Petitioner seeks orders related to powers under Pr. C. §2351.5 to fix residence, access confidential records, control right to contract, and make and consent to all medical decisions. **JTD.**
2. Petitioner seeks civil rights not be limited without court order. **JTD**
3. Proposed conservatee is developmentally disabled. IRC letter filed 07/11/17 & 03/27/18 indicating proposed conservatee is not a consumer.
4. Petitioner seeks medical powers. **Need** Capacity Declaration.
5. Certificate of Completion of the Conservatorship Training Class filed 07/06/17.
6. Proposed conservatee is developmentally disabled. **Need** report of Counsel David Horspool.

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. List of Required Contact Information form filed 05/31/17 is missing relatives Jan and Sherri Hagan, paternal grandparents. **Need** completed form.
8. Citation and proof of service filed 04/20/18.
9. Notice given.
10. CI Notice of No Report filed 07/05/17 and 05/01/18. **Need** CI Report.
11. **Objections filed by Mark Hagan, father, on 10/03/17.**
12. ~Proposed Form Order: 05/31/17

RECOMMENDATION

Matter is contested. Need Report of Counsel, CI report and to clear notes 4 & 7. If approved, set hearing for Compliance Review for **12/10/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh/lc/lh/lc/nb/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/08/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700448

CASE NAME: CALVIN DAMON FORD

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CALVIN DAMON FORD

(CEP)...MITCHELL I ROTH

GIORDON P FORD

(CE)...

MAXINE E FORD

(CP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Mother, Maxine E. Ford, appointed temporary conservatorship of the person on 12/13/17; brother, Giordon P. Ford appointed temporary conservator of the estate on 12/13/17, \$20,000 bond. Amended order entered 12/15/17. Court appoints Mitchell I Roth as GAL. Temporary conservator(s) are ordered to have conservatee medically evaluated at Reche Canyon Rehabilitation Center today. Notice by Judicial Assistant. Continued from **01/16/18**. GAL's report filed in the courtroom. Return of citation waived. Temporary conservators are ordered to return conservatee's wallet to him. All parties are ordered to meet and confer to discuss medical and business issues and to choose a doctor that will conduct a medical evaluation.

Continued from 03/27/18. Court will appoint Dr. Leeb to prepare a 730 report if Dr. Bounds does not accept court appointment. Mitchell Roth to prepare Order. Court suspends temporary conservatorship of the estate, effective this date. Mr. Hartnell to notify the bonding company. Order to be filed. CALVIN FORD shall resume running his business. CALVIN FORD is ordered to prepare weekly reports regarding the business operations, as well as monthly bank statements, and provide copies of the report to all counsel. No vehicles are to be sold without further order of the Court. MARVETTE LIGGINS may assist Mr. Ford with day to day operations of the business. Notice waived

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person and estate by mother, Maxine E. Ford and son, Giordon P. Ford ["Petitioners"].

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

1. Current temporary bond in the amount of \$20,000 fixed. However, estimated value of the estate is 'unknown.' **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.

2. Petitioner seeks medical powers. Capacity Declaration filed on 03/20/18 has the following deficiencies:
 - a. Section 2 does not include physician's phone number;
 - b. Section 8 indicates 4 pages are attached; however, there are no attachments.
Need completed Capacity Declaration.
3. Report by GAL, Mitchell I Roth filed 01/16/18.
4. **Need** 730 Evaluation by Dr. Bounds.
5. Certificates of Completion re: Conservatorship Class filed 01/08/18.
6. Court-ordered evaluation filed 12/14/17.
7. Court to see document entitled "VA Paperwork" filed 03/12/18.
8. Petitioner requests an Order authorizing the general Conservator of the Estate the authority to operate the business known as "Sabbath R. Trucking."
9. Notice of Hearing filed on 02/22/18 does not include Veteran's Administration.
Need proper service.
10. Court Investigator's Report filed 01/12/18.
11. Order suspending temporary conservatorship filed 04/24/18.
12. No proposed order/letters. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 2, 4 & 9 then Court's discretion re: bond. If approved, set hearing for Compliance Review for **12/11/18** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C.§2610; and recordation of letters if applicable per Pr.C.§2313.

Set hearing re: Accounting Review for **07/16/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/ww)

Future hearing dates: 06/04/18 Petition to Return Monies Depleted from the Conservatee's Estate

Superior Court of Calif, County of San Bernardino

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

DATE: 05/08/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800058

CASE NAME: Tyrone Garrett

HEARING:
PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

LA SHANDA R SHIPP	(CPE)...JASON L GAUDY
TYRONE GARRETT	(CEP)...JOHN L. GORDON
VENTRESS GARRETT	(OBJ)...PRO/PER

GENERAL INFORMATION:

Sister, La Shanda R. Shipp, appointed Temporary Conservator of the Person and Estate, \$10,000 bond, on 12/08/11 in LA County. Ms. Shipp appointed Limited Conservator of the Person and Estate on 03/14/12, no bond.

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

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

1. **Need** amended Letters.
2. Conservatee appears to be developmentally disabled. Does Court wish to appoint counsel? If so, need report by same. **JTD**
3. Does Court wish to require report by IRC? **JTD**.
4. **Need** CI Report.
5. **Need** to file Post-Move Notice of Change of Address per Pr.C. §2352 and CRC 7.1013(c).

RECOMMENDATION:

Need to clear notes then Court's discretion

(nb)

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

DATE: 05/08/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800097

CASE NAME: MANUELA BOADA

HEARING:
Petition for Appointment of Conservator

COUNSEL:
MANUELA BOADA (CTP)...
PETER BOADA (CP)...MARIVEL M ZIALCITA

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person by son, Peter Boada ["Petitioner"].

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

1. No bond – person only.
2. Petitioner seeks medical powers. Medical Capacity Declaration filed 03/29/18 has the following issues:
 - a. Section 4b is incomplete;
 - b. Section 6E is incomplete;
 - c. Section 8 is incomplete;
 - d. Signature line is not dated;
 - e. Section 9a(5) is incomplete;
 - f. Section 10 is incomplete;**Need** completed Capacity Declaration.
3. Petitioner requests dementia powers; **need** appointment of counsel and report
4. **Need** Dementia Attachment GC-313 to the petition.
5. **Need** return of Citation.
6. **Need** Certificate of Completion re Conservatorship Class,
7. CI report filed 04/30/18.
8. ~Proposed Form Order: 03/29/18.

RECOMMENDATION:

Need appointment of Counsel and to clear notes 2 & 4-7. If approved, set hearing for Compliance Review for **12/11/18** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); including a Determination

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.**

of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(nb/ww/lh)

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Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **TRUSTS AND MOTIONS**

DATE: 05/08/18 TIME: 9:35 DEPT: S37P

CASE#: PRO PS1200518

CASE NAME: GEORGE H WILLIAMS

SEE ALSO 1

HEARING:

Motion Re: MTN TO ENFORCE SUBPOENAS SERVED ON CARWELL LLC

COUNSEL:

ALICE JOHNSON	(PET)...ASHWORTH & ASHWORTH
DACREY NORTHRUP	(PET)... COTTLE & KEEN
DARINA WILLIAMS	(PET)...ROGERS & HARRIS
GEORGE H WILLIAMS	(DEC)...
MARGO RICHARDSON	(ERNEST L. HOWARD
MICHAEL HARRIS	(ROGERS & HARRIS
PAMELA ANN WILLIAMS CHUNCHICK	(PET)...PAUL D VELASCO).
SKAIDRITE G WILLIAMS	(RES)... COTTLE & KEENcur

Currently under review by Legal Research.
(LR)

Future Hearing:

06/06/18 Mediation settlement conference

06/06/18 Hearing re: Petition to enforce judgment

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