



## Second/Final Check

Superior Court of California  
County of San Bernardino  
Probate Department

### **Probate Notes for Calendar Date: 05/10/18**

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.

Superior Court of Calif, County of San Bernardino

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

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DATE: 05/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: CIV DS1720540

CASE NAME: STRONG -V- ROWE

HEARING:

Hearing Re: STATUS OF GUARDIANSHIP

COUNSEL:

JENNIFER STRONG (PP )...PRO/PER  
ANGELA ROWE (RP )...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status of Guardianship.

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

1. Matter set on 04/17/18 in Dept S28 and reassigned to Dept S35.
2. It appears status of guardianship derived from Petition for Restraining Order. Docs not available in LF; however, appear to be in Open Access. Clerk's office notified 05/03/18.

#### RECOMMENDATION

Inquire status.

(lc)

Future hearing: 05/10/18 Status of guardianship in dept S28

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: EAP PS1800006

CASE NAME: FERRELL VS RICHARDS

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

GLORIA FERRELL (PP )...PRO/PER  
RENEE G SMITH (PET)...PRO/PER  
WARREN MARTIN RICHARDS (RP )...EDDIE W SHAW

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

***XREF: TRUPS1800001 (The Gloria Ferrell living trust dated 10/21/14)***

Respondent Warren Richards appeared at last 3 hearings.

(lc)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**PROBATE**

-----  
DATE: 05/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1301068

CASE NAME: The Robert Bruce Cumming & Lois Wielen Cumming tru

**SEE ALSO 3, 16, 17, 18**

HEARING: Hearing Re: RECEIPT OF REMITTITUR

COUNSEL:

JANET ANNE CUMMING	(PET)...EDWARD B FISCHER
NATALIE BLICKENSTAFF	(SC )...JENNIFER M DANIEL
ROBERT BRUCE CUMMING & LOIS WI	(TRU)...
STEVEN ROBERTSON CUMMING	(APP)...PRO/PER
STEVEN ROBERTSON CUMMING	(RES)...PRO/PER
US SPECIALTY INSURANCE COMPANY	(PRO/PER
WILLIAM HENRY CUMMING	(PET)...EDWARD B FISCHER

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

GENERAL INFORMATION

Continued from 01/17/18. Court orders Steven Cumming to mail a copy of anything he has filed with the court January 2, 2018 and thereafter to Jennifer Daniel by 4pm January 22, 2018; additionally, court orders Steven Cumming to file proof of service by 4pm January 22, 2018 which reflects a copy has been mailed to Jennifer Daniel by 4pm January 22, 2018. Court notes that if Steven Cumming does not comply with this order, court will dismiss his petition that is currently set for March 27, 2018. Steven Cumming states to the court that he understands this order and the consequence for not complying with the order. Deadline for the filing of any additional documents on the Petition to Establish that is currently set for hearing on all parties present in courtroom today state that they understand this order. Court sets briefing schedule on the second and final account of Natalie Blickenstaff as court sets deadline for the filing of any objection to the second and final accounting for 4pm February 14, 2018. **03/27/18 hearing vacated.**

THIS CASE IS SET FOR HEARING ON Receipt of Remittitur

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

1. Remittitur filed 12/14/17. Matter set by Court on 12/20/17 as a remittitur was received, and the judgment was reversed in parts and affirmed in parts. Notice sent to parties.
2. Copy of Inoperative remittitur/opinion filed 03/18/18 and 04/25/18.

RECOMMENDATION  
Court's discretion.  
(lh/nb/lc)

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

-----  
DATE: 05/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1301068

CASE NAME: The Robert Bruce Cumming & Lois Wielen Cumming tru

**SEE ALSO 2, 16, 17, 18**

HEARING: Second and final Account and Report of NATALIE BLICKENSTAFF and  
Petition for allowance of fees filed.

COUNSEL:

JANET ANNE CUMMING	(PET)...EDWARD B FISCHER
NATALIE BLICKENSTAFF	(SC )...JENNIFER M DANIEL
ROBERT BRUCE CUMMING & LOIS WI	(TRU)...
STEVEN ROBERTSON CUMMING	(APP)...PRO/PER
STEVEN ROBERTSON CUMMING	(RES)...PRO/PER
US SPECIALTY INSURANCE COMPANY	(PRO/PER
WILLIAM HENRY CUMMING	(PET)...EDWARD B FISCHER

GENERAL INFORMATION

**Continued from 03/15/18 to trail other matters.**

THIS CASE SET FOR HEARING ON 2<sup>nd</sup> and Final Account by Natalie Blickenstaff,  
Successor Trustee.

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

1. Accounting period 07/01/16 – 08/23/17.
2. Assets on hand \$553,090.22 of which \$497,719.74 is cash.
3. Trustee seeks a reserve of \$50,000.
4. Trustee seeks fees of \$9,131.50 for 37.7 hours at \$95/125 per hour. [Sup.01/25 LFpg 10-21].
5. Counsel seeks fees of \$63,901.50 for 209.8 hours at \$125/325 per hour for paralegal and attorney services. [Sup.01/25 LFpg 23-57]. However, prayer states \$60,385. **Need** verified supplement clarifying fees.
6. Counsel seeks reimbursement of costs totaling \$516.50.
7. Trustee proposes distribution to William Cumming and William as sole beneficiary of estate of Janet Cumming **PROPS1601037**.
8. **Objections filed by Steve Cumming on 02/14/18.**
9. **Reply filed by Natalie Blickenstaff on 02/28/18 alleging objections were not served on her and that court ruled objections to be filed with proof of service by 02/14/18. Document allegedly not conformed.**

10. Points and authorities filed by Steven Cumming on 05/03/18; however, it is unclear as to what matter as image not available at time of review on 05/07/18. Court to inquire.

11. Proposed Order: 02/28/18; however, attorney's fees do not appear correct.

#### RECOMMENDATION

Need to clear note 5. Matter is contested. If approved, set hearing on the filing of receipts and final discharge for **05/16/19**.

(lc)

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

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DATE: 05/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1400420

CASE NAME: MTR OF VERA HOUCK

HEARING:  
Hearing re Final Discharge

COUNSEL:	
DEPT OF HEALTH CARE SERVICES	(TP )...
SAMUEL SEPUYA MD	(PET)...SIOBHAN M BISHOP
SAMUEL SEPUYA MD	(PET)...SULLIVAN KRIEGER
VERA HOUCK	(DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Samuel Sepuya, friend, approved on 05/04/17; order filed 02/08/18.
2. Personal representative is sole heir.
3. **Need** receipt for Department of Health Services.
4. **Need** Ex Parte Petition for Final Discharge and Order.

#### RECOMMENDATION

Inquire status of receipt and discharge order.

(lc)



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

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DATE: 05/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1400622  
CASE NAME: Robert Joseph Vinson

***Vacated***

HEARING: Hearing Re: Amended Account and Report of Executor

COUNSEL:

FREDERICK LAFATE VINSON III	(PET)...PRO/PER
JANNINA K MALEK	(TP )...THOMAS W DOMINICK
ROBERT JOSEPH VINSON SR	(DEC)...
SURETEC INSURANCE COMPANY	(WOLKIN CURRAN LLP

(lc)

Future hearing dates: 05/21/18 Amended second and final Account by Eric Vinson III

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 05/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1500572

CASE NAME: MARY TERESA TRENARY

HEARING:

Hearing re Final Discharge

COUNSEL:

KIMBERLY A. COLLINS (PET)...REIKO H HICKS  
MARY TERESA TRENARY (DEC)...

GENERAL INFORMATION

**Continued from 03/08/18.**

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Kimberly Collins, daughter, approved on 03/02/17; order signed 03/28/17.
2. Receipts filed.
3. **Need** Ex Parte Petition for Final Discharge and Order with **recording information per Pr.C.§11753(b)**. Order returned for corrections on 04/15/18.

RECOMMENDATION

Inquire status of corrected discharge order.

(lc)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

-----  
DATE: 05/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600381

CASE NAME: MATTER OF STOUT TRUST

**SEE ALSO 8, 9**

HEARING: Hearing Re: ACCOUNTING/PETITION FOR FEES

COUNSEL:

KEVIN STUOT	(PET)...GUAY P WILSON
KRAIG STOUT	(PET)...FULLERTON LEMANN SCHAEFER & DO
STOUT TRUST	(TRU)...

GENERAL INFORMATION:

Continued from 11/29/16. Objections to be filed in writing by 4pm.

**Continued from 05/11/17 and 05/25/17.**

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Fees by Trustee, Kevin Stout.

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

1. Accounting period 02/19/12 to 07/31/16.
2. Assets on Hand \$373,512.00 consisting of \$23,512 in cash and \$350,000 remaining in real property.
3. Summary of Account values real property at \$300,000. However, LF, p. 3 reflects real property at \$350,000. **Need** further clarification via verified supplement and affected schedule(s).
4. Account does not include cash and non-cash schedules reflecting assets on hand at the end of the account period. **Need** same via verified supplement.
5. **Need** copies of bank/financial statements per Local Rule 20-908.
6. **Objections filed by Kraig Stout, beneficiary, on 11/29/16.**
7. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 3-5; matter is contested. If approved, set next hearing for Accounting Review for **07/19/18**.

(nb/lc)

Future Hearing:

06/11/18 *Court Trial* 06/12/18 *Court Trial* 06/13/18 *Court Trial*  
06/14/18 *Court Trial* 06/15/18 *Court Trial*

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 05/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600381

CASE NAME: MATTER OF STOUT TRUST

**SEE ALSO 7, 9**

HEARING:

Hearing Re: PTN FOR REMOVAL OF TRUSTEE & APPT OF SUCC TRUSTEE

COUNSEL:

KEVIN STUOT	(PET)...GUAY P WILSON
KEVIN STUOT	(TEE)...GUAY P WILSON
KRAIG STOUT	(PET)...FULLERTON LEMANN SCHAEFER & DO
STOUT TRUST	(TRU)...

Currently under review by legal research.

Notice not re-reviewed.

(lc)

Future Hearing:

06/11/18 *Court Trial*

06/12/18 *Court Trial*

06/13/18 *Court Trial*

06/14/18 *Court Trial*

06/15/18 *Court Trial*

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 05/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600381

CASE NAME: MATTER OF STOUT TRUST

**SEE ALSO 7, 8**

HEARING:

Readiness Calendar

COUNSEL:

KEVIN STUOT

(PET)...GUAY P WILSON

KEVIN STUOT

(TEE)...GUAY P WILSON

KRAIG STOUT

(PET)...FULLERTON LEMANN SCHAEFER & DO

STOUT TRUST

(TRU)...

Readiness – No notes – JTD

(lc)

Future Hearing:

06/11/18 *Court Trial*

06/12/18 *Court Trial*

06/13/18 *Court Trial*

06/14/18 *Court Trial*

06/15/18 *Court Trial*

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

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DATE: 05/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600520  
CASE NAME: MTR OF MARY JO RAY  
HEARING: Hearing Re: PETITION FOR FINAL ACCOUNT

COUNSEL:

MARY JESSICA HARMON (PET)...LAW OFFICES OF LINDA ROBERTS-R  
MARY JO RAY (DEC)...  
THOMAS BORDAS (OBJ)...PRO/PER

**XREF: PROPS1501017** (*Mary Jo Ray*)

GENERAL INFORMATION

**Continued from 09/28/17 ExParte, 11/09/17 and 03/01/18.**

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Mary Harmon, niece.

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

1. Assets on hand consist of \$169,720.41 in cash.
2. Executor is allegedly sole beneficiary, waives accounting and statutory compensation.
3. Attorney seeks statutory fees of \$6,094.41.
4. Will distributes personal property assets to Mary Harmon [executor]; however, will does **not mention or dispose** of any **real property**, or to Mary, yet states to provide for decedent's sibling Wesley who is now deceased [Pet. 05/12/16 LFPg6]. There is also no remainderman/residual distribution. Question why real property was sold as opposed to distributed per the laws of intestate succession to all heirs? **Need** verified supplement with points and authorities as to interpretation of will, proper distribution etc. **Reply to objections and interpretation of will filed 05/01/18. Referred to legal research.**
5. Declarations filed 05/01/18 supporting distribution.
6. **Objections filed by Thomas Bordas on 01/23/18 and 02/13/18.**
7. Proposed Order not reviewed as notes are not cleared.

RECOMMENDATION

Matter is contested. If approved, set hearing on the filing of receipts and final discharge for **05/16/19.**

(lc)

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

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DATE: 05/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600812

CASE NAME: MTR OF JIMMY ROMERO

HEARING:

Probate status report filed.

COUNSEL:

HEATHER ROMERO	(PET)...SAMUEL CROWE &
JIMMY ROMERO	(DEC)...
MICHAEL A ROMERO	(PET)...BRYAN C. HARTNELL
STATE OF CALIFORNIA FRANCHISE	(TP )...PRO/PER

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of Administration issued to Michael Romero, son, on 10/12/16; full authority no bond.
2. Administrator seeks an additional year to close the estate in order to sell the real property and pay Franchise Tax Board claim.
3. ~Proposed Order: 03/20/18.

#### RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **05/09/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Future Hearing: 05/31/18 Petition to determine persons entitled to distribution etc. by Heather Romero

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 05/10/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1601073

***Vacated***

CASE NAME: MTR OF LINDA L EYRE

HEARING:

Accounting Review by \*\*\*

COUNSEL:

JOSEPH W EYRE

(PET)...JOSHUA W CENTENO

LINDA L EYRE

(DEC)...

(lc)

Future hearing dates: 06/18/18 Status Report.



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

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DATE: 05/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700732

CASE NAME: ANNE MCADAM

HEARING:

First and final Account and Report of SUSAN K MURRAY and  
Petition for allowance of fees filed.

COUNSEL:

ANNE MCADAM (DEC)...  
SUSAN K. MURRAY (PET)...RYAN MICHAEL DARLING

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for  
Allowance of Fees by Susan Murray, friend.

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

1. Assets on hand \$47,920.70 cash.
2. Executor and counsel seek statutory fees of \$7,700.
3. Executor alleges Creditor's Claim by Olivia Heath filed 10/23/17 is invalid and Olivia allegedly had already been paid funeral costs and seeks denial of Claim. Claim appears to be deemed as rejected per Pr.C. § 9256 as 30 days has elapsed since filing. JTD
4. **Objection filed on 05/04/18; however, image not available for review on 05/07/18.**
5. **Need** full statement to support cash balance per local rule 20-908. Partial statement provided with no name indicated on account.
6. Executor seeks a reserve of \$465.
7. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear note 5; matter is contested. If approved, set hearing on the filing of receipts and final discharge for **05/16/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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

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DATE: 05/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1701200

CASE NAME: ESTATE OF NORMAN E. ROETZER

HEARING:

Probate status report filed.

COUNSEL:

JOHN H ROETZER (PET)...DAVID A HUFFAKER  
NORMAN E ROETZER (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of Administration issued to John Roetzer, brother, on 01/17/18; full authority, \$570,000 bond.
2. **Need** final Inventory and Appraisal.
3. Status report isn't verified per Pr.C. § 1021. **Need** verification.
4. Administrator expects to close the estate in approximately 4 months.
5. No proposed order. Submit after hearing.

#### RECOMMENDATION

Need to clear notes 2-3. If approved, set Accounting/Status Review for **03/14/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

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DATE: 05/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800273

CASE NAME: Mtr of Teresa Cofrancesco

HEARING:

Petition for Letters of Admin with full IAEA

COUNSEL:

BRENDA CARDINAL (PET)...PRO/PER  
TERESA COFRANCESCO (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Brenda Cardinal, daughter.

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

1. All heirs waive bond. However, petitioner is a non-resident and court has discretion to require bond per Pr.C. §8571. Net estate value is \$131,275 of which \$11,257 is personal property. JTD
2. **Need** Notice to Petition to Administer Estate and proof of service.
3. **Need** proof of publication.
4. ~Proposed Form Order: 03/21/18

#### RECOMMENDATION

Need to clear notes 2-3, Court's discretion re bond. If approved, set Accounting/Status Review for **07/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

-----  
DATE: 05/10/18    TIME: 8:35    DEPT: S35P  
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CASE#: PRO PS1301068

CASE NAME: The Robert Bruce Cumming & Lois Wielen Cumming tru

**SEE ALSO 2, 3, 17, 18**

HEARING: Hearing Re: ~~FINAL ACCOUNT & REPORT OF STEVEN CUMMING~~  
"Petition to Establish William Henry Cumming's Final Distributions from the Deemed Settled and Shall be Final and Conclusive Accounting"

COUNSEL:

JANET ANNE CUMMING	(PET)...EDWARD B FISCHER
NATALIE BLICKENSTAFF	(SC )...JENNIFER M DANIEL
ROBERT BRUCE CUMMING & LOIS WI	(TRU)...
STEVEN ROBERTSON CUMMING	(APP)...PRO/PER
STEVEN ROBERTSON CUMMING	(RES)...PRO/PER
US SPECIALTY INSURANCE COMPANY	(PRO/PER
WILLIAM HENRY CUMMING	(PET)...EDWARD B FISCHER

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

Matter appears to be titled incorrectly. Title should state "Petition to Establish William Henry Cumming's Final Distributions from the Deemed Settled and Shall be Final and Conclusive Accounting"

Currently under review by Legal Research.  
(LR)

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PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 05/10/18    TIME: 8:35    DEPT: S35P  
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CASE#: PRO PS1301068

CASE NAME: The Robert Bruce Cumming & Lois Wielen Cumming tru

**SEE ALSO 2, 3, 16, 18**

HEARING:

Hearing Re: MTN To presume an invalid service &, ETC.

COUNSEL:

JANET ANNE CUMMING	(PET)...EDWARD B FISCHER
NATALIE BLICKENSTAFF	(SC )...JENNIFER M DANIEL
ROBERT BRUCE CUMMING & LOIS WI	(TRU)...
STEVEN ROBERTSON CUMMING	(APP)...PRO/PER
STEVEN ROBERTSON CUMMING	(RES)...PRO/PER
US SPECIALTY INSURANCE COMPANY	(PRO/PER
WILLIAM HENRY CUMMING	(PET)...EDWARD B FISCHER

No notes – JTD

(LR)

(lc)

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PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 05/10/18    TIME: 8:35    DEPT: S35P  
-----

CASE#: PRO PS1301068

CASE NAME: The Robert Bruce Cumming & Lois Wielen Cumming tru

**SEE ALSO 2, 3, 16, 17**

HEARING:

Hearing Re: MTN To deem invalid service of the supplement..

COUNSEL:

JANET ANNE CUMMING	(PET)...EDWARD B FISCHER
NATALIE BLICKENSTAFF	(SC )...JENNIFER M DANIEL
ROBERT BRUCE CUMMING & LOIS WI	(TRU)...
STEVEN ROBERTSON CUMMING	(APP)...PRO/PER
STEVEN ROBERTSON CUMMING	(RES)...PRO/PER
US SPECIALTY INSURANCE COMPANY	(PRO/PER
WILLIAM HENRY CUMMING	(PET)...EDWARD B FISCHER

No notes – JTD

(LR)

(lc)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 05/10/18 TIME: 8:35 DEPT: S35P  
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CASE#: TRU PS1800001

CASE NAME: THE GLORIA FERRELL LIVING TRUST DATED 10/21/14

HEARING:

Petition for Order for Trustee to render an accounting of the  
trust assets etc

COUNSEL:

GLORIA FERRELL	(	)...
RENEE G SMITH	(OBJ)...PRO/PER	
THE GLORIA FERRELL LIVING TRUS	(TRU)...	
WARREN RICHARDS	(PET)...PRO/PER	

***XREF: EAPPS1800006 Ferrell vs Richards)***

Currently under review by legal research.

(LR)

Continued matter. Parties present at prior hearings.

Future Hearing:

01/31/19 Readiness calendar

02/25/19 *Court Trial*

02/26/19 *Court Trial*

02/27/19 *Court Trial*

02/28/19 *Court Trial*

03/01/19 *Court Trial*

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

-----  
DATE: 05/10/18    TIME: 9:30    DEPT: S35P  
-----

CASE#: CON PS1300233

CASE NAME: VIVIAN PEDROZA

HEARING:

Hearing Re: POSSIBLE TRANSFER TO RIVERSIDE COUNTY

COUNSEL:

JOSEPHINE PEDROZA            (CP )...PRO/PER  
VIVIAN PEDROZA                (CTP)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Possible Transfer to Riverside County.

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

1. Josephine Pedroza, mother, appointed limited Conservator or person only on 10/15/13.
2. Change of Residence filed 04/04/18 indicates conservatee resides in Beaumont which is in Riverside County.
3. **Need** post move notice per CRC 7.1063(c).

#### RECOMMENDATION

Need to clear note 3. If approved, set hearing for proof of transfer on **07/19/18**.  
(lc)



Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 05/10/18    TIME: 9:30    DEPT: S35P  
-----

CASE#: CON PS1500341

CASE NAME: MTR OF SARA ANDRADE

**SEE ALSO 21, 22, 23**

HEARING:

Petition for discharge/termination of conservator filed by Hilda Andrade

COUNSEL:

HILDA ANDRADE

(CPE)...MARK J. ANDREW FLORY

SARA ANDRADE

(CEP)...

See notes on matter 23.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 05/10/18      TIME: 9:30      DEPT: S35P  
-----

CASE#: CON PS1500341

CASE NAME: MTR OF SARA ANDRADE

**SEE ALSO 20, 22, 23**

HEARING:

Petition for final distribution of conservatorship estate

COUNSEL:

HILDA ANDRADE

(CPE)...MARK J. ANDREW FLORY

SARA ANDRADE

(CEP)...

See notes on matter 23.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 05/10/18      TIME: 9:30      DEPT: S35P  
-----

CASE#: CON PS1500341

CASE NAME: MTR OF SARA ANDRADE

**SEE ALSO 20, 21, 23**

HEARING: FIRST AND FINAL Account and Report of HILDA ANDRADE and Petition for allowance of fees filed.

COUNSEL:

HILDA ANDRADE

(CPE)...MARK J. ANDREW FLORY

SARA ANDRADE

(CEP)...

See notes on matter 23.

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

-----  
DATE: 05/10/18 TIME: 9:30 DEPT: S35P  
-----

CASE#: CON PS1500341

CASE NAME: MTR OF SARA ANDRADE

**SEE ALSO 20, 21, 22**

HEARING: amended first & final account Account and Report of HILDA ANDRADE and Petition for allowance of fees filed.

COUNSEL:

HILDA ANDRADE (CPE)...MARK J. ANDREW FLORY  
SARA ANDRADE (CEP)...

GENERAL INFORMATION

Conservatorship of estate terminated on 05/23/17. Conservatee passed away on **08/24/17**. Continued from **11/16/17**. Matter reset as no stip for pro tem signed.

**Continued from 02/01/18 at request of conservator to clear notes. Nothing new filed.**

THIS CASE SET FOR HEARING ON **AMENDED** [01/09/18] 1<sup>st</sup> and Final Account and Petition for Discharge by Hilda Andrade, daughter.

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

1. This accounting supersedes all other accountings as it is amended per Cal Rules of Ct 7.3(3).
2. **Conservatee passed away on 08/24/17.**
3. Assets on hand \$440,042.42 of which \$159,442.42 is cash and remaining in real property located in Mexico and a mini-van.
4. Accounting period **02/09/17 – 05/23/17. Need amended account to include pre & post death accounting periods per Pr. C. §2620.**
5. **Summary of Account has the following issues:**
  - a. **Total Charges and Total Credits to Summary of Account do not match.**
  - b. **Total Property on Hand at End of Account Period reflected is incorrect.**
  - c. **Amount for Receipts is incorrect.**
6. **Need** financial statements to include beginning and ending period per local rule 20-1404(c) and Pr. C. § 2620(c).
7. **Need** signed verification from Karla Loaiza, Osiris Roriguez [sic], Ruth Valdez and “Enriqueta” [sic] for services she performed, the date of service and a receipt for payment per local rule 20-1406(c).
8. Disbursements indicate quite a few foreign transaction fees and purchases in Ensenada. **Need** verified supplement as conservatee allegedly resided in California

- at time of appointment. **Supp 01/09/18:** home was allegedly purchased due to prices in California being too high.
9. It appears **Conservator purchased a house for conservatee in Mexico** for \$131,000 plus deposit of \$5,499.01 on 05/31/16 [Acct. 10/05 LFpg24]. Original order indicates Pr.C. § 2590 powers to purchase primary residence; however, **no indication to purchase property outside of the state/country. Question under what authority or order did Conservator have? Need verified supplement.**
  10. Disbursements indicate substantial repairs and labor of the same to the property purchased totaling over \$40,000. Question why such substantial repairs? **Supp 01/09/18: home in Mexico, conservatee' alleged residence**, was in need of handicap modifications. Illegible photos attached. Court may wish to require detailed receipts on purchases/labor over \$500.
  11. Disbursements indicate \$4,276.81 to Juan Huerta for bathroom modifications [Acct. **Supp 01/09/18:** modifications were to rental home. Question if conservatee was reimbursed by landlord? **Need** verified supplement.
  12. **Need** residential facility statements for Imperial Home **and to Sergio Andrade for back rent** and/or written verification of rent per Pr.C. §2620(c)(5).
  13. Notice filed 01/09/18; however, appears notice does not appear to be to each individual, but group notice. JTD
  14. Disbursements indicate substantial credit card payments totaling over \$10,000 which appear to be payoffs [Acct. 10/05LFpg53].
  15. Disbursements indicate a purchase of a minivan for \$5,600. Appears purchase was made per Pr.C. § 2451.5.
  16. **Disbursements include 2 unidentified checks on 06/07/16 [see amended account filed 01/09/18, LF, p. 65] and various payments for caregiver lodging while conservatee was in the Hospital [see amended account filed 01/09/18, LF, p. 66]. Question what the checks were used for and the need for caregiver(s) as conservatee was hospitalized? Need further clarification via verified supplement.**
  17. Petitioner seeks discharge; however, petitioner cannot be discharged until receipts and discharge is filed as there are assets.
  18. Conservatee's list of addresses per local rule 20-1406 (a) filed; however, current address is still not clear. Court to clarify.
  19. **Petition for Final Distribution affixes waivers of account and requests remaining assets to be released and distributed to decedent's children. However, it appears the estate will have to be formally probated. Also, real property is located in Mexico.**
    - a. **Petition is not verified ["signed under penalty of perjury under the laws of the State of California"]**
    - b. **Need Notice of Hearing with proof of service.**
  20. **Petition for Discharge/Termination filed requests discharge of Conservator. However, while conservatorship of the estate terminated upon conservatee's demise, the Court retains jurisdiction for accounting purposes. Therefore, discharge cannot occur until the Court approves a final account; receipts are filed and a discharge entered.**

- a. **Petition is not verified [“signed under penalty of perjury under the laws of the State of California”]**
  - b. **Need Notice of Hearing with proof of service.**
- 21. Amended Account is not properly verified [“signed under penalty of perjury under the laws of the State of California”]**
- 22. Need Notice of Hearing with proof of service for amended accounting.**
23. No proposed order.

**RECOMMENDATION:**

Need amended accounting. If approved, set hearing on the filing of receipts and final discharge for **05/16/19**.

(/nb)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 05/10/18      TIME: 9:30      DEPT: S35P  
-----

CASE#: CON PS1800072

CASE NAME: Gregory Apodaca

HEARING:

PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

ERIC TOLEDO

(CP )...

GREGORY APODACA

(CTP)...RUSSELL G. BANKES

SARAH APODACA

(CP )...HEGE & RASMUSSEN

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Conservatorship Management Conference.

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

1. Sarah Apodaca and Eric Toledo, mother and brother, appointed limited conservators, person only, on 01/08/02 in Los Angeles. Matter ordered transferred 11/13/17 when the conservatee has resided in San Bernardino County the last two years.
2. Does court wish to require a Court Investigator report per Pr.C. § 2217(b)(3)? JTD
3. Conservatee appears to be a consumer or IRC. Does court wish to require an updated report? JTD
4. **Need** post move notice per CRC 7.1063(c) including notice to IRC.
5. **Need** amended letters to reflect this county.

#### RECOMMENDATION

Need to clear notes 4-5, then Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 05/10/18      TIME: 9:30      DEPT: S35P  
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CASE#: SC SS01410

CASE NAME: IN THE MATTER OF CHARLES ARTHUR BRANDON

HEARING:

Hearing Re: OSC RE POSSIBLE TRANSFER TO RIVERSIDE COUNTY

COUNSEL:

CHARLES ARTHUR BRANDON      (CTP)..  
KARIN HULS                      (CPE)...PRO/PER  
NANCY COLLINS                  (CPE)...PRO/PER

GENERAL INFORMATION

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

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

1. Nancy Collins and Karin Huls, sisters, appointed limited Conservators of person only on 07/02/99.
2. Court Investigator report filed 04/05/18 indicates conservatee lives in Banning which is in Riverside County.
3. **Need** post move notice per CRC 7.1063(c).

RECOMMENDATION

Need to clear note 3. If approved, set hearing re proof of transfer for **07/19/18**.

(lc)



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: 05/10/18 TIME: 10:35 DEPT: S35P  
-----

CASE#: PRO PS1400492

CASE NAME: The Jack Whitey Clair Revocable Trust

HEARING:

Hearing Re: ISSUE OF TERMINATING SANCTIONS/JUDGMENT

COUNSEL:

HEIDI ELFSTROM	(PET)...GREEN BRYANT & FRENCH LP
HOLLY N WOOD	(PET)...PRO/PER
HOLLY WOOD	(OBJ)...STEVEN REIN
JACKIE NUTTING	(PET)...GREEN BRYANT & FRENCH LP
THE JACK WHITEY CLAIR REVOCABL	(TRU)...
WESLEY CLAIR	(PET)...GREEN BRYANT & FRENCH LP

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Issue of Terminating Sanctions/Judgment.

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

1. Matter set at 12/07/17 OSC Contempt hearing where Holly Noel Wood, respondent, was to deposit \$123,670.29 into a blocked account on 10/26/17. OSC was taken off calendar.

#### RECOMMENDATION

Court's discretion.

(lc)

Future Hearing:

06/14/18 Readiness calendar

07/23/18 Court Trial

07/24/18 *Court Trial*

07/25/18 Court Trial

07/26/18 *Court Trial*

07/27/18 Court Trial

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**MISC**

-----  
DATE: 05/10/18      TIME: 1:30      DEPT: S35P  
-----

CASE#: CON PS1700434

CASE NAME: Sue Han

HEARING:

Hearing Re: COURT TRIAL (SECOND SESSION)

COUNSEL:

PUBLIC GUARDIAN  
SUE HAN

(CPE)...COUNTY COUNSEL - SAN BERNARDIN  
(CEP)...SANDRA TURNER

Trial – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/10/18 TIME: 8:30 DEPT: S36P  
-----

CASE#: CIV DS1722299

CASE NAME: BENNER -V- FEINSTEIN

HEARING:  
Trial Setting Conference

COUNSEL:

ALLEN BENNER (PLA)...SCHOMER LAW GROUP, APC  
KENNETH S. FEINSTEIN (DEF)...FULLERTON LEMANN SCHAEFER & DO

***XREF: PROPS1700626 (Feinstein Family Trust, originally est 04/23/1990)***

T.S.C. – No notes – JTD

(lc)

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: 05/10/18      TIME: 8:30      DEPT: S36P  
-----

CASE#: PRO PS1300206

CASE NAME: MTR OF KENNETH P BURRES

HEARING:

Accounting Review by \*\*\*

COUNSEL:

JEFFREY BURRES

(PET)...PHILIP K FIFE

KENNETH P BURRES

(DEC)...

PHILLIP K. FIFE

(PET)...PHILLIP K FIFE

STEVEN BURRES

(PET)...

#### GENERAL INFORMATION

**Continued from 05/17/17, 08/02/17, 09/27/17, 12/14/17 and 01/25/18. Jerry Morgan relieved as counsel for Steven Burres. No appearance by administrator on 01/25/18. Steven Burres ordered to appear and file an accounting or Pr.C. § 12251 petition. Continued from 03/22/18. No appearance or accounting filed. Steven Burres cited into court.**

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of **Successor** Administration issued to Steven Burres, brother, on 04/05/16; limited authority, bond issue deferred.
2. Final Inventory and Appraisal indicating \$0 assets.
3. **Need** accounting/status report or Pr.C. § 12251 petition.
4. **Need** return of citation.

#### RECOMMENDATION

Inquire status of accounting and citation.

(lc/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: 05/10/18 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1400636

CASE NAME: Eugene L. Robideaux

HEARING:  
Hearing re Final Discharge

COUNSEL:  
EUGENE L ROBIDEAUX (DEC)...  
MICHAEL J ROBIDEAUX (PET)...PRO/PER

#### GENERAL INFORMATION

**Continued from 12/21/17 and 03/01/18 to submit final discharge.**

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Michael Robideaux, son, approved on 12/13/16; order approved 12/15/16.
2. No receipt required, only real property to distribute.
3. **Need** Ex Parte Petition for Final Discharge and Order **with recording information** per Pr.C.§11753(b). **Discharge returned for corrections on 12/22/17.**

#### RECOMMENDATION

Inquire status of discharge order.  
(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: 05/10/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1601244

CASE NAME: DANIEL JOSEPH SULLIVAN

HEARING:

Accounting Review by \*\*\*

COUNSEL:

DANIEL JOSEPH SULLIVAN (DEC)...  
NANCY J. NEWCOMB (PET)...FULLERTON LEMANN SCHAEFER & DO

#### GENERAL INFORMATION

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 Nancy Newcomb, sister, on 03/03/17; full authority, \$350,000 bond. Administrator is a Nevada resident.
2. Final Inventory and Appraisal filed 11/02/17 indicating assets of \$382,110.19.
3. **Need** accounting or status report.

#### RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 5

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

-----  
DATE: 05/10/18 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1700626

CASE NAME: FEINSTEIN FAMILY TRUST,ORIGINALLY EST 04/23/1990

HEARING:

Petition for 1)DECLARE THE LAST AMENDMENT TO THE FEINSTEIN TRUS  
T VOID FOR LACK OF CAPACITY ETC

COUNSEL:

ALLEN R BENNER	(PET)...SCHOMER LAW GROUP,
FEINSTEIN FAMILY TRUST,ORIGINA	(TRU)...
KENNETH S FEINSTEIN	(OBJ)...FULLERTON LEMANN

***XREF: CIVDS1722299 (Benner-v-Feinstein)***

Currently under review by Legal Research.  
(LR)

Continued matter. Notice was initially given for hearing on 10/16/17 and waived per  
10/16/17 and 12/04/17.

(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: 05/10/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700825

***Vacated***

CASE NAME: CRYSTAL LAGUNAS-LARA

HEARING:  
Hearing Re: Proof of Bond/Blocked Account

COUNSEL:  
CYRSTAL LAGUNAS-LARA (MIN)...  
LILIANA LARA (PET)...RUDY AGUIRRE

(lc)

Future Hearing: 04/11/19 *Accounting Review*.



Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/10/18 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1800295

CASE NAME: MTR OF DALE BRITTON MADDING

HEARING:

Petition for Probate of Will and for Letters Testamentary w Full  
Auth to Admin under IAEA

COUNSEL:

CARL L MADDING (PET)...JEFFREY L COTTRELL  
DALE BRITTON MADDING (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Carl Madding, Trustee/son.

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

1. Will waives bond. Net estate value is \$792,000 of which \$575,000 is personal property
2. The will conditionally incorporates decedent's Trust. Copy of Trust submitted.
3. ~Proposed Form Order: 04/02/18.

#### RECOMMENDATION

Court's discretion re bond. If approved, set Accounting/Status Review for **07/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(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: 05/10/18 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1800296

CASE NAME: ALMA C JONES

HEARING:

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

COUNSEL:

ALMA C JONES (DEC)...  
MARION ERNEST JONES (PET)...PRO/PER

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Marion Jones, son.

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

1. Petitioner appears to be sole heir and seeks statutory bond. Real property appears to be valued at **\$10,000**. Court to inquire.
2. **Need** proof of publication.
3. See next matter as it appears **PROPS1800299 Eldon Jones** is decedent's spouse. Court to inquire.
4. ~Proposed Form Order: 04/02/18.

#### RECOMMENDATION

Need to clear note 2. If approved, set Accounting/Status Review for **07/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(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: 05/10/18 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1800299

CASE NAME: ELDON R JONES

HEARING:

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

COUNSEL:

ELDON R JONES (DEC)...  
MARION ERNEST JONES (PET)...PRO/PER

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full  
authority under IAEA by Marion Jones, son.

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

1. Petitioner appears to be sole heir and seeks statutory bond. Real property appears to be valued at **\$10,000**. Court to inquire.
2. **Need** proof of publication.
3. See previous matter as it appears **PROPS1800296 Alma Jones** is decedent's spouse. Court to inquire.
4. ~Proposed Form Order: 04/02/18.

#### RECOMMENDATION

Need to clear note 2. If approved, set Accounting/Status Review for **07/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(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: 05/10/18 TIME: 8:30 DEPT: S36P  
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CASE#: TRU PS1800060

CASE NAME: Mtr of The Ratte Family Trust

HEARING:

Hearing Re: Petition for Order Confirming Trust Assets

COUNSEL:

RAYMOND G RATTE

(PET)...LINDA ROBERTS ROSS

THE RATTE FAMILY TRUST U/A JUN

(TRU)...

Currently under review by legal research.

30 days' notice filed; however, notice is not proper.

Probate Code section 851 was amended [eff. Jan. 1, 2018] and contains a new subdivision (c) which requires the Notice of Hearing to include:

- (1) a description of the property, and for real property mandates the notice state the street address or, if none, a description of the property's location and assessor's parcel number;
- (2) a description of relief sought pursuant to Section 859 if applicable; and
- (3) a statement advising any interested person that he or she may file a response.

The Notice of Hearing filed does not comply with one of more of these mandatory requirements.

Petitioner or counsel may request a continuance to correct the Notice deficiency.

(lc)

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: 05/10/18 TIME: 9:30 DEPT: S36P  
-----

CASE#: CON PS0900260

CASE NAME: GREGORY MICHAEL CONTRERAS

HEARING:

Hearing Re: STATUS ON DISSOLUTION PETITION

COUNSEL:

CARRIE L CONTRERAS

(CPE)...PRO/PER

GREGORY MICHAEL CONTRERAS

(CEP)...JACK B OSBORN

GRAGORY MICHAEL CONTRERAS

(PET)...E JOAN NELMS

#### GENERAL INFORMATION

**Continued from 03/29/18. Counsel Costales needs to file substitution of attorney.**

THIS CASE SET FOR HEARING ON Status on Dissolution Petition.

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

1. Court set matter on its own motion after review of 02/14/18 Court Investigator report.
2. Notice of dissolution filed 10/13/17.

#### RECOMMENDATION

Inquire status.

(lc)

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

-----  
DATE: 05/10/18 TIME: 9:30 DEPT: S36P  
-----

CASE#: CON PS1600050  
CASE NAME: ALYSSA MONIQUE ALCARAZ  
HEARING: Hearing Re: PTN FOR CONSERVATORSHIP OF THE PERSON

COUNSEL:

ALYSSA MONIQUE ALCARAZ (CEE)...JAMES B CHURCH  
AMANDA N CARREON (PET)...PRO/PER

GENERAL INFORMATION:

Continued from **4/25/16** Court notes that conservatee is non-responsive to question re interest in voting. James Church appointed.

Continued from 7/6/16 and 09/14/16. Citation not needed as conservatee appeared.

**OSC set on** 11/23/16 when there was no appearance or notes cleared.

OSC continued from 02/08/17, 05/10/17 and 07/19/17 David Horspool appointed GAL.

Court requests that the IRC case worker be present at the next hearing. Attorney Church states the case worker is Marcia Diaz and the program manager is Cynthia Alexander. Referred to PG as conservatorship is necessary.

Continued from 09/20/17. Public Guardian and David Horspool GAL relieved.

**Continued from 11/09/17, 11/16/17, 12/21/17, 01/18/18 and 03/22/18.**

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

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

1. Petitioner is requesting powers re habilitation, treatment, training, medical etc. JTD
2. Petitioner is requesting civil rights not be limited without court order. JTD
3. Proposed conservatee is developmentally disabled. IRC report filed 09/12/17.
4. Report of Counsel James Church filed 09/23/16.
5. Petitioner seeks medical powers. Capacity Declaration filed 03/23/18.
6. Certificate of completion of the conservatorship class filed 6/17/16.
7. Citation returned served.
8. Court Investigator report filed 03/15/16.
9. ~Proposed Form Order: 03/03/16.

RECOMMENDATION

Court's discretion. If approved, set hearing for Compliance Review for **12/13/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§ 1830(c); and Level of Care and Care Plan per Pr.C.§ 2352.5.

(lc/sa/lc/ww/lc/lh/lc)

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

-----  
DATE: 05/10/18 TIME: 9:30 DEPT: S36P  
-----

CASE#: CON PS1600354

CASE NAME: MTR OF DARR MADDOX

HEARING:

Accounting Review by \*\*\*

COUNSEL:

DARR MADDOX

(CEP)...JENNIFER M DANIEL

MARK MADDOX

(CPE)...ESTEFAN M ENCARNACION

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Mark Maddox, spouse, appointed conservator of the person and estate on 03/02/17, no bond.
2. **Need** final Inventory & Appraisal per Pr.C.§2610.
3. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.

#### RECOMMENDATION

Need to clear notes 2-3. Trail 05/16/18 compliance hearing.

(lc)

Future Hearing: 05/16/18 Compliance review hearing

Superior Court of Calif, County of San Bernardino

Page: 14

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

-----  
DATE: 05/10/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1700106

CASE NAME: JUAN MERCADO GONZALEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of MA VIRGINIA MERCADO

COUNSEL:

JUAN MERCADO GONZALEZ (CEE)...JAMES B CHURCH  
MA VIRGINIA MERCADO (PET)...PRO/PER

GENERAL INFORMATION

**Continued from 03/08/18. \*Interpreter\*.**

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Ma Virginia Mercado, daughter, appointed conservator of the person only on 08/03/17.
2. Notification of Conservatee's rights filed 09/19/17. However, **need** to complete mailed service to the 5 children previously served.
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5, local rule 20-1403.

RECOMMENDATION

Need to clear notes 2-4.

(lc)



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

-----  
DATE: 05/10/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1800096  
CASE NAME: MTR OF JOSEPHINE G PARKER  
HEARING: Petition for Appointment of Conservator

COUNSEL:

FREDERICK J PARKER (CPE)...FULLERTON LEMANN SCHAEFER &  
JOSEPHINE G PARKER (CEP)...DONNASUE ORTIZ

GENERAL INFORMATION

Frederick Parker appointed temporary Conservator on 04/04/18, person and estate \$250,000 bond. Conservatee not to be moved without a court order. Donnasue Ortiz appointed counsel.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Frederick Parker.

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

1. Petitioner seeks bond of as he is powers of attorney and trustee. Assets consist of \$757,000 in personal property. Question need for estate powers if assets are held in trust? If petition is granted, court may wish to revoke power of attorneys.
2. Petitioner seeks dementia powers. **Need** report of Counsel Donnasue Ortiz.
3. Conservatee appeared on 04/04/18.
4. Petitioner seeks medical powers. Capacity Declaration filed 05/04/18.
5. Request to Excuse notice as to granddaughter Alexis Parker filed 05/04/18. **JTD**
6. Certificate of Completion of the Conservatorship Training Class filed 04/09/18.
7. Court Investigator report filed 05/01/18.
8. No proposed order submitted.

RECOMMENDATION

Need report of Counsel, Court's discretion re bond. If approved, set hearing for Compliance Review for **12/13/18** for the filing of the required documents and hearing re Accounting Review for **07/18/19**. Any accounting to be filed 30 days in advance.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 15A ADD ON

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

-----  
DATE: 05/10/18 TIME: 9:30 DEPT: S36P  
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CASE#: EAP PS1800047

CASE NAME: PARKER V WIYASILPA

**SEE ALSO 15B**

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER (OSMONSON/WIYASILPA)

COUNSEL:

FREDERICK J PARKER	(PET)...	FULLERTON LEMANN SCHAEFER & DO
JACKIE OSMONSON	( )...	
JOSEPHINE G PARKER	(PP )...	FULLERTON LEMANN SCHAEFER & DO
VEENA WIYASILPA	(RP )...	

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

Respondents Veena Wiyasilpa and Jackie Osmonson served. TROs granted 04/12/18.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 15B ADD ON

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 05/10/18 TIME: 9:30 DEPT: S36P  
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CASE#: EAP PS1800047

CASE NAME: PARKER V WIYASILPA

**SEE ALSO 15A**

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

FREDERICK J PARKER	(PET)...	FULLERTON LEMANN SCHAEFER & DO
JACKIE OSMONSON	( )...	
JOSEPHINE G PARKER	(PP )...	FULLERTON LEMANN SCHAEFER & DO
VEENA WIYASILPA	(RP )...	

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

See notes on matter 15A.

(lc)

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

-----  
DATE: 05/10/18 TIME: 9:30 DEPT: S36P  
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CASE#: SC SS01006  
CASE NAME: IN THE MATTER OF SCOTT J ROBINSON  
HEARING: Petition for Appointment of Conservator

COUNSEL:

MARGIE NEAL	(CPE)...PRO/PER
REGENA L GRAVELY	(CPE)...PRO/PER
SCOTT J ROBINSON	(CEP)...PRO/PER
SCOTT J ROBINSON	(PLA)...PRO/PER

**XREF: SCSS8402** (*Phillip A Bower*)

GENERAL INFORMATION:

**Continued from 04/03/18. Walter Moore appointed counsel.**

THIS CASE IS SET FOR HEARING ON Petition for **Successor** Conservatorship, person and estate by current Conservator Margie Neal for Regena Gravelly, friend.

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

1. Margie Neal, appointed Conservator of the Person and Estate on 01/09/89 in Shasta County. Matter transferred on 04/07/97.
2. Petitioner requests no bond be required as conservatee receives only SSI and requiring bond would be a hardship. It appears estate could qualify per Pr.C. § 2323 as there is only public benefits. **Court to inquire** the continued need for estate powers.
3. Petitioner requests Pr. C. §2590 powers to operate, at the risk of the estate a business, farm, or enterprise constituting an asset of the estate and the power to pay, collect, compromise, or otherwise adjust claims, debts or demands upon the guardianship or conservatorship. JTD
4. This petition is for general, and not limited, conservatorship. An IRC report is therefore optional per Pr.C. 1827.5(b). Does court wish to require? JTD.
5. There is currently no vacancy or resignation; however, as current Conservator is petitioner, court may wish to deem as resignation per Pr.C. § 2660.
6. There does not appear to be consent filed, although duties are filed. **Court to verify** on the record that Regena Gravelly consents to appointment.
7. Proposed conservatee is developmentally disabled. **Need** report of Counsel Moore.
8. List of Required Contacts does not include conservatee's mother, C.J. Van Dyck. **Need** same.
9. Notice does not include mother, C.J. Van Dyck. **Need** proper service.

10. Section 4a to petition re: whether proposed conservatee is or is not a patient in or on leave of absence from a state institution is incomplete. **Need** verified supplement.
11. Petitioner requests an Order Dispensing with Notice as to father, Michael Robinson, whose whereabouts are unknown and for which mother has not had contact with since 1977. JTD
12. Capacity Declaration filed 03/15/18.
13. Court Investigator Report filed 03/26/18.
14. Certificate of Completion of the Conservatorship Training Class filed 03/01/18
15. ~Proposed Form Order: 02/20/18.

**RECOMMENDATION:**

Need to clear notes 7-10, court to clarify remaining notes. If approved, set hearing for Compliance Review for **12/13/18** for the filing of the required documents and hearing re Accounting Review for **07/18/19**. Any accounting to be filed 30 days in advance.

(nb/lc)

Future Hearing: 09/06/18 *Accounting Review re Margie Neal*

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 05/10/18      TIME: 9:30      DEPT: S36P  
-----

CASE#: SC SS01214

***Vacated***

CASE NAME: IN THE MATTER OF JULIE FORRESTER

HEARING:

Accounting Review by \*\*\*

COUNSEL:

CHRISTINA ERICKSON-TAUBE	(CPE)...SHERRI L KASTILAHN
JAMES B CHURCH	(PET)...E JOAN NELMS
JULIE FORRESTER	(CEP)...JAMES B CHURCH
MELODIE Z SCOTT	(CPE)...BRYAN C. HARTNELL
MICHAEL J GILL	(TP )...MICHAEL J. G ILL
MELODIE Z SCOTT	(PRO/PER

(lc)

Future hearing dates: 9<sup>th</sup> Account by Christina Erickson-Taube

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

## Readiness Calendar

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DATE: 05/10/18    TIME: 8:29    DEPT: S37P  
-----

CASE#: GAR PS1700207

CASE NAME: DARNIEL LACEY JR

**SEE ALSO 2, 3, 4**

HEARING:

Hearing Re: VISITATION

### COUNSEL:

DARNIEL LACEY	(FAT)...PRO/PER
DARNIEL LACEY JR	(MIN)...PRO/PER
JONTUE DAVIS	(PET)...PRO/PER
LAMONIQUE MEARS	(PET)...PRO/PER
WENEKA EARLINE DAVIS	(PET)...PRO/PER

Visitation – No notes – JTD \*

(lc)

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

-----  
DATE: 05/10/18 TIME: 8:29 DEPT: S37P  
-----

CASE#: GAR PS1700207  
CASE NAME: DARNIEL LACEY JR

**SEE ALSO 1, 3, 4**

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

DARNIEL LACEY	(FAT)...PRO/PER
DARNIEL LACEY JR	(MIN)...PRO/PER
JONTUE DAVIS	(PET)...PRO/PER
LAMONIQUE MEARS	(PET)...PRO/PER
WENKA EARLINE DAVIS	(PET)...PRO/PER

GENERAL INFORMATION:

Jontue Davis and Lamonique Mears appointed Temporary Guardians on 05/01/17. Continued from **06/05/17** Court determines that Jontue Davis and Lamonique Mears' intent was to file jointly as guardians. Petitioners are ordered to file an amended/corrected petition for guardianship. Father deemed served by his appearance today. Father to file written objections. Court determines minor, **Trinity Lacey, is not a subject of this guardianship and is residing with father.** Father is ordered to give petitioners address of paternal grandparents so petitioners may give paternal grandparents notice of this petition. Proof that mother was served on 05/01/17 is filed in court. Matter referred to DCFS for report. Parties to arrange visitation for father. All existing orders remain. Continued from 10/26/17. Matter re-referred to DCFS. Current visitation schedule to continue.

**Continued from 01/29/18. Temporary guardians reported mother's visitation was terminated as last exchange became violent. Mother to have every Friday from 9am – Sunday 7pm, exchanges to be at Hesperia Sheriff's Substation. Father to have visitation 01/29/18 until 5pm as arranged whenever father is in town. Referred to FCS.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian person only by Jontue Davis, maternal aunt, for Lamonique Mears, non-relative; minor: Darniel 1

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

1. Mother and father served per minute order of 06/05/17.
2. Maternal grandmother Joyce Wilson signed Consent and Waiver.
3. Petitioner Jontue Davis is requesting that Lamonique Mears be appointed guardian of minor. **Need** amended petition adding Jontue Davis to petition, section 1(a)



[appears to be an oversight]. Alternatively, does court wish to clear on the record/require supplement as petition is signed by Jontue and DCFS report states both are petitioners? **JTD**

4. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration on
  - a. unknown paternal grandparents,
  - b. unknown maternal grandfather
  - c. sibling Trinity if 12 or older.
5. UCCJEA Declaration is incomplete as to minor Darniel [LF p. 2] re residential history. **Need** residential history since minor's birth.
6. FCS report filed 04/18/18.
7. Proposed guardian Lamonique is a non-relative per Pr.C.§ 1513(g). DCFS report filed 01/24/18.
8. Mother Weneka Davis filed a Petition for Termination. **See other matter.** Does Court wish to deem as an objection? **JTD**
9. **Objections filed by father Darniel Lacey on 1/02/17.**
10. ~Proposed form Order: 04/24/17

RECOMMENDATION:

Matter is contested. Need to clear notes 3-5.

(cs/ww/lc)

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

-----  
DATE: 05/10/18 TIME: 8:29 DEPT: S37P  
-----

CASE#: GAR PS1700207  
CASE NAME: DARNIEL LACEY JR

**SEE ALSO 1, 2, 4**

HEARING: Hearing re: Petition for Termination of Guardianship

COUNSEL:

DARNIEL LACEY	(FAT)...PRO/PER
DARNIEL LACEY JR	(MIN)...PRO/PER
JONTUE DAVIS	(PET)...PRO/PER
LAMONIQUE MEARS	(PET)...PRO/PER
WENKA EARLINE DAVIS	(PET)...PRO/PER

GENERAL INFORMATION

**Continued from 10/04/17, 10/16/17 and 01/29/18. Temporary guardians appeared.**

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship by Weneka Davis, mother, minor Darniel 1.

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

1. Jontue Davis, maternal aunt, and Lamonique Mears, non-relative, appointed temporary co-guardians of the person only on 05/01/17. Guardians have appeared.
2. Mother Weneka Davis seeks termination of guardianship alleging she was incarcerated from 04/15/17 to 08/01/17 and guardianship is no longer necessary.
3. Father Darniel Lacey has appeared.
4. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration on
  - a. Maternal grandmother Joyce Wilson
  - b. unknown maternal grandfather;
  - c. unknown paternal grandparents.
5. ~Proposed form Order: 08/24/17

RECOMMENDATION:

Need to clear note 4.

(lh/cs/ww/lc)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/10/18 TIME: 8:29 DEPT: S37P  
-----

CASE#: GAR PS1700207

CASE NAME: DARNIEL LACEY JR

**SEE ALSO 1, 2, 3**

HEARING:  
Readiness Calendar

COUNSEL:

DARNIEL LACEY	(FAT)...PRO/PER
DARNIEL LACEY JR	(MIN)...PRO/PER
JONTUE DAVIS	(PET)...PRO/PER
LAMONIQUE MEARS	(PET)...PRO/PER
WENEKA EARLINE DAVIS	(PET)...PRO/PER

Readiness – No notes – JTD

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/10/18 TIME: 8:29 DEPT: S37P  
-----

CASE#: PRO PS1600537

CASE NAME: MTR OF EUGENE L WILKINSON

**SEE ALSO 6, 7, 8, 9**

HEARING:

Hearing Re: PETITION FOR INVALIDITY OF SPECIFIC DIRECTIVE ETC

COUNSEL:

DEBORAH WILKINSON	(PET)...MORTENSEN & REINHEIMER, PC
EUGENE L WILKINSON	(DEC)...
JANET WILKINSON	(OBJ)...PETER M BOCHNEWICH
LINDSEY NAYLOR	(PET)...PETER M BOCHNEWICH

Currently under review by legal research.

(LR)

Superior Court of Calif, County of San Bernardino

Page: 6

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

-----  
DATE: 05/10/18 TIME: 8:29 DEPT: S37P  
-----

CASE#: PRO PS1600537

CASE NAME: MTR OF EUGENE L WILKINSON

**SEE ALSO 5, 7, 8, 9**

HEARING:

Petition for LINDSEY NAYLOR TO ESTABLISH RIGHTS TO SHARE OF  
DECEDENT'S ESTATE AS AN OMMITED CHILD ETC

COUNSEL:

DEBORAH WILKINSON	(PET)...MORTENSEN & REINHEIMER, PC
EUGENE L WILKINSON	(DEC)...
JANET WILKINSON	(OBJ)...PETER M BOCHNEWICH
LINDSEY NAYLOR	(PET)...PETER M BOCHNEWICH

Currently under review by legal research.

(LR)

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

-----  
DATE: 05/10/18 TIME: 8:29 DEPT: S37P  
-----

CASE#: PRO PS1600537

CASE NAME: MTR OF EUGENE L WILKINSON

**SEE ALSO 5, 6, 8, 9**

HEARING: Petition for PROBATE OF WILL & FOR LETTERS TESTAMENTARY  
W/FULL IAEA

COUNSEL:

DEBORAH WILKINSON	(PET)...MORTENSEN & REINHEIMER, PC
EUGENE L WILKINSON	(DEC)...
JANET WILKINSON	(OBJ)...PETER M BOCHNEWICH
LINDSEY NAYLOR	(PET)...PETER M BOCHNEWICH

GENERAL INFORMATION

**Continued from 08/04/16.** Written objections to be filed or objections will be waived. Rodney Lee's client to file the original will within 20 days.

**Continued from 11/10/16.** Deborah Wilkinson appointed special administrator; \$2,150,000 bond.

Continued from **01/26/17**. Written objections filed to the codicil but will contest has not been filed. Will contest to be filed and served by 03/30/17. Objector notes that the copy of the will provided does not appear to be the copy of the original. Counsel to meet and confer regarding marshalling of assets by Special Administrator. Counsel to report on status of discovery at next hearing. All existing orders remain in effect.

Continued from 05/25/17. Amended order re special administration signed for Deborah Wilkinson; \$2,150,000 bond. Mr. Bochnewich newly retained. This matter has been delayed and advised counsel appropriate steps needed to be taken to get case moving.

Continued from **07/27/17**. Will contest will be filed by 7/31/17. No response or objection on any filings needed after mediation.

**Continued from 08/31/17, 10/05/17, 10/24/17 and 03/01/18.**

THIS CASE SET FOR HEARING ON Petition for Probate of **Lost** Will, Letters Testamentary with Full Authority under IAEA by Deborah Wilkinson, daughter.

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

1. Petitioner, Deborah Wilkinson, is named executor in codicil. However, codicil does not waive bond as to petitioner. Petitioner waives bond; however, no other beneficiaries waived bond. **Supp 07/29/16:** Petitioner alleges that decedent intended the will terms did not change. However, petitioner is not named as executor in the will. Supplement does not cure deficiency. **Supp11/07/16:**

Petitioner requests bond of \$200,000 as bulk of the personal property is to go to petitioner. **Estate value \$2,150,000.** JTD

2. The original will is apparently lost. When a will is lost, and was last in the testator's possession, it is presumed that the testator destroyed the will with the intent to revoke it. Pr.C. 6124. This presumption affects the burden of producing evidence and unless petitioner can overcome the presumption, no valid will exists. **Supp 07/29/16: Petitioner alleges that decedent's wife has confirmed having original will.** Declarations filed **11/23/16** indicating that Janet Wilkinson **does not** have the original will.
3. Petitioner alleges she has the original codicil.
4. Decedent and spouse were legally separated at time of death. See declaration filed 05/27/16.
5. **Objections filed by Janet Wilkinson, surviving spouse, on 09/22/16.**
6. **Response filed by Deborah Wilkinson on 11/07/16.**
7. ~Proposed Form Order: 05/27/16.

#### RECOMMENDATION

Court's discretion re bond; matter is contested. If approved, set Accounting/Status Review for **07/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/lh/lc)

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

-----  
DATE: 05/10/18 TIME: 8:29 DEPT: S37P  
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CASE#: PRO PS1600537

CASE NAME: MTR OF EUGENE L WILKINSON

**SEE ALSO 5, 6, 7, 9**

HEARING: Petition for ORDER TO COMPEL BENEFICIARY FOR TURN OVER  
PERSONAL PROPERTY

COUNSEL:

DEBORAH WILKINSON	(PET)...MORTENSEN & REINHEIMER, PC
EUGENE L WILKINSON	(DEC)...
JANET WILKINSON	(OBJ)...PETER M BOCHNEWICH
LINDSEY NAYLOR	(PET)...PETER M BOCHNEWICH

GENERAL INFORMATION

Continued from 04/27/17. Janice Wilkinson ordered to comply with requests to turn over truck, computer, TV and guns. Assets not to be disposed of pending further order of the court. Counsel stated will contest was served is not sufficient. Petition requesting codicil be stricken may be filed. Counsel states Pr.C. § 850 Petition is not appropriate in this matter.

Continued from 05/25/17. Mr. Bochnewich newly retained. This matter has been delayed and advised counsel appropriate steps needed to be taken to get case moving. Legal separation has been filed in last supplement and judgment includes property division. Continued from **07/27/17 and 08/31/17**. Mediation settlement held.

Continued from **10/05/17**. No settlement was reached.

Continued from **10/24/17** by stipulation. Petition regarding the real property lot may be filed and set for 12/12/17.

**Continued from 12/12/17 and 03/01/18. Counsel Bochnewich set for trial in Los Angeles. Points and authorities and objections as to attorney's fees have been filed.**

THIS CASE SET FOR HEARING ON Petition for order to Compel Beneficiary for Turnover of Personal property Pr.C. § 9650, 9654 by Deborah Wilkinson.

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

1. Petitioner is **special administrator**, letters issued 01/30/17, \$2,150,000.00 bond.
2. Petitioner is seeking an order for the return of personal property allegedly taken by respondent Janet Wilkinson, surviving spouse. Petitioner believes that Janet is in possession of the following:
  - a. 2000 Ford Dully Truck



- b. Glock G27 .40 Caliber handgun
- c. CHP Limited Edition Ruger .38 rifle
- d. Flat Screen TV
- e. Computer

Petitioner alleges that parties have met with counsel to confer and has attempted to recover the personal property. Respondent has reportedly unreasonably refused. Copies of letters attached. [Pet.02/27 LFpg9 et.seq].

3. Petitioner alleges in Supplement filed 04/20/17 that he is unsure of whether there is a statute allowing him to maintain this action. Petitioner alleges he is attempting to regain possession of estate property, but that Probate Code § 850(2)(D), which allows the personal rep to maintain an action where “the decedent died having claim to real or personal property, title to or possession of which is held by another,” does not apply. – JTD
4. **Supp 05/22/17:** Petitioner attaches dissolution judgment with assets awarded to decedent [respondent in dissolution]. [Sup. 05/22/17 LFpg 10-13].
5. In as much as the Court has ordered Janet Wilkinson to turn over the property, per minute order of 04/27/17, it appears that this part of the petition has in fact been granted and is now enforceable under contempt proceedings. So the search for an applicable statute to regain possession may in fact be moot, and the only part of the prayer to be determined is recovery of attorney fees.
6. Janet Wilkinson, who is in possession of the property, appeared at the 04/27/17 hearing. It would therefore appear that service is unnecessary as to her on this particular claim.
7. Not clear whether Janet Wilkinson complied with Penal Code §§ 27875 and/or 27920 for the alleged firearm transfers.
8. Declarations by Janet Wilkinson and adopted daughter Lindsey Naylor regarding firearms filed on 12/07/17.
9. No proposed order. Submit after hearing.

## RECOMMENDATION

Court’s discretion.

(lc/jm/lc/nb/lc)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/10/18 TIME: 8:29 DEPT: S37P  
-----

CASE#: PRO PS1600537

CASE NAME: MTR OF EUGENE L WILKINSON

**SEE ALSO 5, 6, 7, 8**

HEARING:

Readiness Calendar

COUNSEL:

DEBORAH WILKINSON (PET)...MORTENSEN & REINHEIMER, PC

EUGENE L WILKINSON (DEC)...

JANET WILKINSON (OBJ)...PETER M BOCHNEWICH

LINDSEY NAYLOR (PET)...PETER M BOCHNEWICH

Readiness – No notes – JTD \*

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**PROBATE**

-----  
DATE: 05/10/18      TIME: 8:30      DEPT: S37P  
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CASE#: PRO PS0800067

CASE NAME: MTR OF JACK RICHARD EDWARDS

HEARING:

Probate status report filed.

COUNSEL:

BRETT EDWARDS                      (PET)...JACK B OSBORN  
JACK RICHARD EDWARDS              (DEC)...

***XREF: RPRRS03035 (Eickmeyer Family Trust)***

GENERAL INFORMATION

**Continued from 05/11/17 and 11/09/17 for estate to close.**

THIS CASE SET FOR HEARING ON Status Report by Brett Edwards.

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

1. Letters of Administration issued to Brett Edwards, son, on 03/03/08, full authority no bond.
2. Petitioner seeks an additional year to close the estate in order to settle ongoing litigation.
3. ~Proposed Order: 03/08/17.

RECOMMENDATION

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

(lc)

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

-----  
DATE: 05/10/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1500558

CASE NAME: Michael Russel Milazzo

HEARING:  
Probate status report filed.

COUNSEL:

ANDREA MILAZZO	(PET)...GREGORY ANNIGIAN
MICHAEL RUSSEL MILAZZO	(DEC)...
MILAZZO MINOR	(MIN)...
STATE OF CALIFORNIA FRANCHISE	(TP )...

GENERAL INFORMATION

Continued from 09/14/17 and 01/18/18. Corrected Inventory and Appraisal to be filed and proof of bond premium. Property was sold 01/17/18.

**Continued from 04/19/18. Counsel Annigian reported he has been unable to file accounting due to lack of cooperation from his client. If there is no proof of bond premium paid, court will suspend letters and appoint Public Administrator.**

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of Administration issued to Andrea Milazzo, spouse, on 12/19/16; full authority, no bond.
2. Partial Inventory and Appraisals filed indicating. **Need** final Inventory and Appraisal.
3. Notice of Nonpayment of Bond Premium filed 08/28/17. **Need** proof of payment.
4. **Need** notice of hearing and proof of service for Franchise Tax Board has since requested special notice.
5. Petitioner requests an additional year to close the estate in order to sell certain vehicles.
6. ~Proposed Order: 06/14/17.

RECOMMENDATION

Need to clear notes 2-4. If approved, set Accounting/Status Review for **12/20/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/lh/lc)

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

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DATE: 05/10/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1100529

CASE NAME: LOUISE MILLS

HEARING:  
Hearing re Final Discharge

COUNSEL:

BROOKHOLLOW II, LLC	(TP )...
CREATIVE RECOVERY CONCEPTS, IN	(FRANKLIN J LOVE
JANIS SOOTER	(PET)...DIANA J CARLONI
LOUISE MILLS	(DEC)...

GENERAL INFORMATION

**Continued from 11/15/17.**

THIS CASE IS SET FOR HEARING ON Final Discharge of Janis Sooter

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

1. Final distribution for Jan Sooter, executor, granted on 11/09/16; order filed 12/09/16.
2. **Need** receipt from Christopher Joachim, AKA Joe Mills.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of receipt and order.

(/lc)

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

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DATE: 05/10/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1800298

CASE NAME: STEVEN ARMENTA JOHNSON

HEARING:

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

COUNSEL:

DEBRA ARMENTA MENDEZ (PET)...SKVARNA LAW FIRM  
STEVEN ARMENTA JOHNSON (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Debra Mendez, sister.

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

1. Will waives bond. Net estate value is \$170,000 of which \$20,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. **Court to clarify** that Steve and Patsy named in will are parties named as Stephen and Patria in Section 8 of Petition.
3. ~Proposed Form Order: 04/02/18.

RECOMMENDATION

Court's discretion re bond. If approved, set Accounting/Status Review for **07/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)



Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**CONSERVATORSHIP**

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DATE: 05/10/18      TIME: 9:30      DEPT: S37P  
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CASE#: CON DS1000187

***Vacated***

CASE NAME: MARY ANN LOPEZ

HEARING:

Accounting Review by \*\*\*

COUNSEL:

KENNETH MICHEAL KIMMEL      (CPE)...GABRIELLE R RANSELL

MARY ANN LOPEZ                      (CEP)...SHERRI L KASTILAHN

RICARDO LOPEZ                      (CPE)...GABRIELLE R RANSELL

Matter terminated and discharged on 11/28/16.

(lc)



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

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DATE: 05/10/18 TIME: 9:30 DEPT: S37P  
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CASE#: SC SS03147

CASE NAME: MTR OF MARGARET HEMPE

HEARING:  
Hearing re Final Discharge

COUNSEL:

JO ANN HEMPE HUSTON	(CPE)...GUAY P WILSON
JO ANNE HEMPE HUSTON	(CPE)...GUAY P WILSON
MARGARET HEMPE	(CEP)...CRAIG M PARKER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Jo Anne Hempe Huston, daughter, approved on 05/04/17.
2. No receipts required as there are zero assets.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of discharge order.  
(lc)