



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 05/14/18

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.

(04/16/18 cs) (04/17/18 & 05/08/18 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: 05/14/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600431

CASE NAME: MTR OF ROBERT HYATT

HEARING:

FIRST AND FINAL Account and Report of JOHN JAMES HYATT and
Petition for allowance of fees filed.

COUNSEL:

JOHN JAMES HYATT (PET)...PRO/PER

ROBERT HYATT (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON First and Final Account and Petition for allowance of Fees, by son, John Hyatt, [Executor/Petitioner]

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

1. Assets on Hand \$346,391.10 consisting of \$60.10 in cash and remaining in real and personal property.
2. No statutory fees requested.
3. Petitioner's signature on Report and Verification is not dated. [LF pgs. 7 & 8] **JTD**
4. Total Charges and Total Credits do not match. **Need** verified supplement clarifying.
5. **Need** bank statement in support of end date of accounting period per Local Rule 20-908 for estate JP Morgan Chase savings account.
6. Need Notice of Hearing with proof of service. (**Supp. 05/04/18 includes an attached un-filed copy of the Notice of Hearing.**) **Need** original Notice of Hearing filed.
7. No Proposed Order.

RECOMMENDATION

Need to clear notes 4 & 5, then Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **05/20/19**.

(cs/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: 05/14/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601283

CASE NAME: CAROL JEANNE HARRISON

HEARING:

Accounting Review by ***

COUNSEL:

ADAM TAGLE	(PET)...WILSON & WILSON
CAROL JEANNE HARRISON	(DEC)...
JEFF NORMAN	(PET)...WILSON & WILSON
STATE OF CALIFORNIA FRANCHISE	(TP)...PRO/PER

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 Adam Tagle and Jeff Norman, sons, on 11/03/14; **limited** authority, no bond.
2. Partial Inventory and Appraisal filed 09/29/17; however **need** Final Inventory and Appraisal.
3. Need accounting or status report.

RECOMMENDATION

Inquire status

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/14/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700001

CASE NAME: MTR OF KENNETH W BEARDEN SR.

HEARING:

Accounting Review by ***

COUNSEL:

KENNETH W BEARDEN JR (PET)...ANDERSON & LEBLANC, A.P.L.C.
KENNETH W BEARDEN SR (DEC)...

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 Kenneth Bearden, Jr, son, on 03/10/17; full authority, no bond.
2. Final Inventory and Appraisal filed 09/13/17; however, **need** bank statement for HSA account # 7482 in support of date of death balance per Local Rule 20-908.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2 & 3.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PG

DATE: 05/14/18 TIME: 10:00 DEPT: S35P

CASE#: CON DS1000057

CASE NAME: CARL YOUNG

HEARING:

Accounting Review by ***

COUNSEL:

CARL V YOUNG
PUBLIC GUARDIAN

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

GENERAL INFORMATION

Letters expire 04/23/18.

Continued from 10/30/17

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present Fifth Account granted 03/28/17; six account or waiver of account now due starting 08/01/16.
2. No account or waiver of account. Need same.

RECOMMENDATION:

Inquire status.

(nb/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/14/18 TIME: 10:00 DEPT: S35P

CASE#: CON DS1000076

CASE NAME: PATTI M. SCHWEITZER

HEARING:

Accounting Review by ***

COUNSEL:

PATTI M SCHWEITZER (CEP)...HARTNELL LAW GROUP
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL

GENERAL INFORMATION

Continued from 04/03/17 and 11/13/17

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Decree Terminating Conservatorship entered 12/19/16.
2. Ex Parte Order that Conservator need not present 5th Account granted 02/01/16.
3. **Need** 6th and Final Account.

RECOMMENDATION:

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

(nb/ww/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/14/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS0600035

CASE NAME: MTR OF GERALD FRANSEN

HEARING:

Accounting Review by ***

COUNSEL:

GERALD FRANSEN (CEP)...HARTNELL LAW GROUP
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL

GENERAL INFORMATION

Letters expire: 10/28/18

THIS CASE IS SET FOR HEARING ON accounting review

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

1. Ex Parte Order that Conservator need not present 10th Account by PG approved on 06/26/17.
2. Conservatee passed away on 02/09/18
3. Notice of Death of Conservatee filed 03/13/18.
4. **Need** 11th and final account including pre and post death accounting periods per Pr.C. § 2620 beginning with date of 02/01/17.

RECOMMENDATION:

Inquire status of accounting.

(ww)

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

DATE: 05/14/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1100273

CASE NAME: RITA FINIZIO

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
RITA FINIZIO	(CEP)...HARTNELL LAW GROUP
RITA FINIZIO	(CEP)...WALTER T MOORE
WALTER T MOORE	(PET)...WALTER T. MOORE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Second Account for Public Guardian approved on 10/03/16.
2. **Need** Third Account beginning with date of 03/05/15.

RECOMMENDATION

Inquire status of accounting.
(cs)

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

DATE: 05/14/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1400143

CASE NAME: DIANN PEACE

HEARING:

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

COUNSEL:

DIANN S PEACE (CEP)...HARTNELL LAW GROUP
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL

GENERAL INFORMATION:

Letters Expired: 06/27/15

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Conservator of the Person and Estate, Public Guardian ["Petitioner"].

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

1. Public Guardian was appointed as temporary conservator of the person and estate on 05/16/14 then general on 06/27/14.
2. Accounting period: 05/16/14-12/22/14.
 - a. Report indicates that conservatorship was terminated on 12/22/14 per Court order; however there is no order for termination in the file or hearing on that date. Court may wish to inquire; or in alternative, need verified supplement. [LF pg. 3]. **JTD**
 - b. **If** the case was not terminated then an amended accounting indicating First and Current and a Petition for Re-Appointment of Conservator would be required.
3. Assets on Hand: \$1,130.45 in cash
4. Report indicates that the Inventory and Appraisal was filed on 09/27/14; however, said document does not appear in the Register of Actions or in Laserfische. **Need** declaration with attached filed copy provided or newly filed Final Inventory and Appraisal.
5. Public Guardian waives the payment of fees due for the period of 05/16/14-06/30/14.

6. Public Guardian indicates that compensation in the amount of \$1,200.00 is reasonable for the period of 07/01/14-**12/31/14**; however, petitioner does not request confirmation of \$800.00 that was already received for July-October 2014. There appears to be a balance of \$400.00 that would be due.
 - a. The end period that the fee request is for 12/31/14, which is after the purported termination of the conservatorship. **JTD**
7. County Counsel waives the payment of fees due for the period of 05/16/14-06/30/14.
8. County Counsel request fees in the amount of \$600.00, 00 is reasonable for period of 07/01/14-**12/31/14**; however, petitioner does not request confirmation of \$400.00 that was already received for July-October 2014. There appears to be a balance of \$200.00 that would be due.
 - a. The end period that the fee request is for 12/31/14, which is after the purported termination of the conservatorship. **JTD**
9. Conservator and Counsel failed to date signatures. [LF pg. 7] **JTD**
10. Notice of Hearing and proof of service filed on 09/19/17; however, conservatee's address is missing. **Need** completed notice.
11. Proposed Order: fee request end period is after the purported termination date of the conservatorship, need to approval and confirmation of amount already paid for period of July-October 2014 for both Conservator and Counsel.

RECOMMENDATION:

Court's discretion. If the determination is made that the accounting should be first and current then next set Accounting Review in 60 days as second account current is overdue. If approved, set for Final Discharge on **05/20/19**.

(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: 05/14/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1600081

CASE NAME: MTR OF THELMA JONES

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
THELMA JONES (CEP)...E JOAN NELMS

GENERAL INFORMATION

Continued from 10/30/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. PG appointed temporary conservator of the person and estate on 04/25/16, no bond then general conservator of the person and estate on 08/22/16, no bond.
2. **Need** 1st account or waiver of account beginning with date of 04/25/16.

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: STANFORD E. REICHERT

DATE: 05/14/18 TIME: 10:00 DEPT: S35P

CASE#: SC SS7902

CASE NAME: IN THE MTR OF BRUCE MCCAIN

HEARING:

Accounting Review by ***

COUNSEL:

BRUCE MCCAIN (CEP)...HARTNELL LAW GROUP
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL

GENERAL INFORMATION

Continued from 10/03/16, 04/10/17 and 01/08/17.

THIS CASE IS SET FOR HEARING ON accounting review

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

1. 24th account by PG approved on 10/20/14.
2. **Need** 25th accounting beginning with date of 01/11/14.

RECOMMENDATION:

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

(lc/nb/ww/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/14/18 TIME: 10:00 DEPT: S35P

CASE#: SLC SS01574

CASE NAME: MATTER OF JOHN FINLEY

HEARING:

Accounting Review by ***

COUNSEL:

JOHN C FINLEY (CEP)...HARTNELL LAW GROUP
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL

Ex Parte Order that Conservator need not present 6th Account by PG approved on 05/08/18 and forwarded to Department for signature. Next Accounting Review date to be set on **07/29/19**.

(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: 05/14/18 TIME: 10:00 DEPT: S35P

CASE#: SLC SS02995

CASE NAME: MTR RE BRUCE PIETERS

HEARING:

Accounting Review by ***

COUNSEL:

BRUCE PETERS (CEP)...HARTNELL LAW GROUP
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL

GENERAL INFORMATION

Letters expire 01/19/19

Continued from 07/17/17 at request of counsel to file accounting.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Amended order that Conservator need not present Eighth Account approved on 04/02/18; account or waiver of account now due.

RECOMMENDATION:

Inquire status.

(nb/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/14/18 TIME: 10:00 DEPT: S35P

CASE#: VC VS00393

CASE NAME: CONSERVATORSHIP OF JOHN DAVID SCHOLES

SEE ALSO 14

HEARING:

Hearing Re: STATUS OF ACCOUNTING OF AMANDA HART

COUNSEL:

AMANDA ANN HART	(PET)...PRO/PER
JOHN DAVID SCHOLES	(CTP)...SHERRI L KASTILAHN
LILY A FARNSWORTH	(PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status of Accounting of Amanda Hart

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

1. Matter set on 01/08/18 at the Conservatorship Compliance Review hearing.
2. Amanda Hart was ordered to file and serve by 4pm on 04/09/18 the accounting of funds during the period that she was a the Rep Payee (From 01/01/2015 through 08/31/17)
3. She was also ordered to be personally present and a bench warrant will be issued if she fails to appear.
4. If accounting is not filed then a sanction of \$500.00 may be imposed on her.

RECOMMENDATION

Court's discretion.

(ww)

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

DATE: 05/14/18 TIME: 10:00 DEPT: S35P

CASE#: VC VS00393

CASE NAME: CONSERVATORSHIP OF JOHN DAVID SCHOLES

SEE ALSO 13

HEARING:

Hearing Re: OSC RE SANCTIONS OF \$500.00 IF ACCOUNT NOT FILED

COUNSEL:

AMANDA ANN HART	(PET)...PRO/PER
JOHN DAVID SCHOLES	(CTP)...SHERRI L KASTILAHN
LILY A FARNSWORTH	(PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC re Sanctions of \$500.00 if Account not Filed

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

1. Matter set on 01/08/18 at the Conservatorship Compliance Review hearing.
2. Amanda Hart was ordered to file and serve by 4pm on 04/09/18 the accounting of funds during the period that she was a the Rep Payee (From 01/01/2015 through 08/31/17)
3. She was also ordered to be personally present and a bench warrant will be issued if she fails to appear.
4. If accounting is not filed then a sanction of \$500.00 may be imposed on her.

RECOMMENDATION

Court's discretion.

(ww)

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

DATE: 05/14/18 TIME: 10:00 DEPT: S35P

CASE#: VC VS347

CASE NAME: IN THE MTR OF VANESSA M SGARLATA

HEARING:

Accounting Review by ***

COUNSEL:

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

GENERAL INFORMATION

Continued from 01/11/16, 10/17/16, 05/08/17 and 12/17/17.

THIS CASE IS SET FOR HEARING ON accounting review

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

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

RECOMMENDATION:

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

(lc/nb/ww/cs)

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: 05/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1100186

VACATED

CASE NAME: MATTIE WEAVER

HEARING:

Accounting Review by ***

COUNSEL:

CARMEN J QUALLS	()...
JAMES B. CHURCH (MARK J. ANDREW FLORY
LYLE STOTELMYRE	(PET)...M DANIEL SAYLOR
MATTIE WEAVER	(DEC)...
REGINA D HOLT	(PET)...PRO/PER
ROSS A. FOREMAN	(PET)...PRO/PER
SHARON FOREMAN	(APP)...HORSPOOL & HORSPOOL
SHARON FOREMAN	(PET)...HORSPOOL & HORSPOOL
STANLEY RAY FOREMAN	(OBJ)...HORSPOOL & HORSPOOL

XREF: CONPS0800284 (Mattie Lee Weaver)

CONDS1000220 (Joe Edward Bush)

PROPS1400012 (Joe Edward Bush)

(ww)

Future hearing dates:

05/30/18 Petition for Final Distribution Pursuant to Judgment without Accounting; etc.

Superior Court of Calif, County of San Bernardino

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

DATE: 05/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600365

CASE NAME: MTR OF CORNELIUS HOLLY

HEARING:

Accounting Review by ***

COUNSEL:

CORNELIUS HOLLY	(DEC)...
JUANA HOLLY	(PET)...JAMES L HEYWOOD AND
SURETEC INSURANCE CO MPANY	(TP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

4. Letters of Administration issued to Juana Holley, former spouse on 06/15/16, full authority, \$110,000.00 bond.
5. Previous status report approved on 11/13/17.
 - a. **Need** Order on status report submitted for signature.
6. Final Inventory and Appraisal filed 09/26/16.
7. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2 & 4.

(ww)

Future hearing dates: 06/14/18 Petition for Order Allowing Purchase of Estate Property by Administrator

Superior Court of Calif, County of San Bernardino

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

DATE: 05/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600454
CASE NAME: MTR OF ALEJANDRA CASTILLO
HEARING: Accounting Review by ***

COUNSEL:

ALEJANDRA CASTILLO (DEC)...
DEUTSCHE BANK NATIONAL TRUST C (TP)...WRIGHT, FINLAY & ZAK
ELAINE ARIAS MONTES (PET)...PRO/PER

GENERAL INFORMATION:

Continued from **10/31/17** and **12/12/17**. No appearances. Citation issued as to Elaine Arias Montes who is cited and required to appear.

Continued from **01/30/18**. The Court orders the Administrator to file a status report by 02/19/18. Elaine Arias Montes is ordered to be present at next hearing.

Continued from 03/19/18. Parties are working with an accountant to prepare the accounting.

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 Elaine Montes, daughter, on 06/28/17, full authority, no bond.
2. Proof of personal service of citation filed 01/19/18; however section 2 as to documents served is blank but the service is always of a copy of the citation and the minute order. **JTD**
3. Partial Inventory and appraisal filed 11/03/16 reflecting "all" of estate. Court may wish to inquire if it is actually the Final Inventory and Appraisal? If so, **need** corrected final inventory and appraisal with section 5 as to property tax certificate completed and bank statements in support of date of death for Bank of America acct #s 5178 & 4809 per Local Rule 20-809.
4. **Need** accounting or status report.
5. Amended Proof of Personal Service of Citation on Elaine Montes filed 04/25/18.

RECOMMENDATION:

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

(nb/ww)

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

DATE: 05/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700050
CASE NAME: VERONICA AGNES SOLET

HEARING: First and Final Account and Report of FRANK J SOLET and Petition
for allowance of fees filed.

COUNSEL:

FRANK J SOLET (PET)...DUANE P BOOTH
VERONICA AGNES SOLET (DEC)...

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees; for
Reimbursement of Costs Advanced and for Final Distribution by Frank Solet, Jr.
son/executor

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

- 1 Accounting period: (if given but is not a necessity)
- 2 Assets on hand: \$243,473.60 of which \$240,923.60 in cash and the rest in household items and a 2003 Ford Taurus.
- 3 Bond: \$20,000.00. Sufficient.
- 4 Petitioner waives statutory commissions.
- 5 Attorney requests statutory fees of \$9,293.76. Calculated.
- 6 Petitioner requests for reimbursement in the amount of \$88,842.92 advanced to save the real property from foreclosure sale. {LF. pg. 8] **JTD**
- 7 Petitioner requests that the Court award him the tangible items not listed in the will that were left in the residence of the decedent as they have little or no value. Does Court require that a list of items and values be provided? [LF pg. 5] **JTD**
- 8 Petitioner requests authority to withhold \$3,000.00 as a reserve for closing costs; however, the request is missing from the prayer. **(Supp. 05/03/18 indicates that the prayer should be corrected to reflect the \$3,000.00 reserve request.)**
- 9 Need vehicle identification number and description via verified supplement as Schedule E re: property on hand only lists "automobile". [LF pg. 23] **(Supp. 05/03/18 includes vehicle description of Ford Taurus.)**
- 10 Notice given.
- 11 ~Proposed Order: 04/05/18

RECOMMENDATION:

Court's discretion re: note 7 and remaining notes. If approved, Court to set hearing on filing of receipts and final discharge for **05/30/19**.

(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: 05/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700595

CASE NAME: THE ELVIRA T. RATHBUN LIVING TRUST

HEARING:

Petition for OF CO-TRUSTEE TO REMOVE ANOTHER CO-TRUSTEE

COUNSEL:

GAIL N GRINDLE (PET)...DONNASUE ORTIZ
THE ELVIRA T RATHBUN LIVING TR (TRU)...

Currently under review by Legal Research.
(LR)

Notice given re initial hearing on 10/02/17. However, **need** copy of all trust documentation per Local Rule 20-1502 to verify whether notice is complete.

(nb/ww)

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

DATE: 05/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700745

CASE NAME: JUNE N. ROBINSON

HEARING: First and final Account and Report of CECILIA E ROBINSON, ANGELA M PARR and Petition for allowance of fees filed.

COUNSEL:

ANGELA M PARR	(PET)...CHRISTOPHER E OVERGAARD
CECILIA E. ROBINSON	(PET)...CHRISTOPHER E OVERGAARD
JUNE N. ROBINSON	(DEC)...

XREF: CONPS1500276 (June N Robinson)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of Account and for Fees by Cecilia Robinson and Angela Parr, daughters

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

1. Assets on Hand: \$1,581,131.60 in real property, stocks, bonds and cash; however, the 293 shares of Northrop Stocks valued at \$102,341.00 was indicated as community property. **(Supp. 05/04/18 indicates that 293 shares is the decedent's interest in the total of 586 shares of the community property Northrop stocks.)** Assets on hand are correct.
2. Petitioners waive statutory compensation.
3. Attorney requests statutory fees of \$28,492.00. Calculated.
4. Final Inventory and Appraisal filed 03/12/18.
5. Attorney requests reimbursement of costs of \$835.00. Itemized. [LF pg. 18] JTD
6. Notice given.
7. Proposed Order: 04/30/18 need statements re: debts/taxes paid, notice per Pr.C. § 9202, findings re: sole/separate property

RECOMMENDATION

Court's discretion. If approved, set hearing re receipts and final discharge for **05/20/19**.

(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: 05/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700746

CASE NAME: WESLEY A. ROBINSON

HEARING:

First and final Account and Report of CELILIA E. ROBINSON and
Petition for allowance of fees filed.

COUNSEL:

CELILIA E. ROBINSON (PET)...CHRISTOPHER E OVERGAARD
WESLEY A. ROBINSON (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of
Account and for Fees by Cecilia Robinson, daughter/executor

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

1. Assets on Hand: \$127,510.39 in stocks; however, the 293 shares of Northrop Stocks valued at \$102,341.00 was indicated as community property. **(Supp. 05/04/18 indicates that 293 shares is the decedent's interest in the total of 586 shares of the community property Northrop stocks.)** Assets on hand are correct.
2. Petition and Attorney request statutory fees of \$3,776.00 each. Calculated.
3. Final Inventory and Appraisal filed 03/19/18.
4. Attorney requests reimbursement of costs of \$567.00. Itemized. [LF pg. 19] **JTD**
5. Notice given.
6. Proposed Order: 04/26/18 need statements re: debts/taxes paid, notice per Pr.C. § 9202, findings re: sole/separate property

RECOMMENDATION

Need to clear notes 3 & 4 then Court's discretion. If approved, set hearing re receipts and final discharge for **05/20/19**.

(ww)

Superior Court of Calif, County of San Bernardino

Page: 8

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

DATE: 05/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800006

CASE NAME: ESTATE OF HENRY DAVID LUNA

HEARING:

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

COUNSEL:

HENRY DAVID LUNA (DEC)...
HERMAN LUNA (PET)...MARIVEL M ZIALCITA

GENERAL INFORMATION

Continued from 02/08/18. Counsel will have until 04/13/18 to file and serve objections. Objections will be deemed waived if not filed by this date. Hearing continued at request of counsel. Reason: for objections to be filed.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Herman Luna, brother.

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

1. Petitioner seeks bond of \$400,000. Ok.
2. Supplement filed indicating decedent's middle name is actually Daniel, not David. Court may wish to correct middle name. **JTD**
3. Proof of publication filed 01/29/18; however, there is no indication of IAEA powers sought. **Need** corrected publication.
4. ~Proposed Form Order: 01/03/18.

RECOMMENDATION

Need to clear note 3, \$400,000 bond. If approved, set Accounting/Status Review for **07/22/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(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: 05/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800135

CASE NAME: MTR OF GERALD LUVERNE RUDENICK

SEE ALSO 10, 11

HEARING:

Petition for will & for ltrs testamentary w/limited IAEA

COUNSEL:

GERALD LUVERNE RUDENICK	(DEC)...
JERRI M WHITTAKER	(PET)...BRYAN C. HARTNELL
MICHELLE SUTTON	(PET)...FULLERTON LEMANN SCHAEFER

See notes on matter 11.

(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: 05/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800135

CASE NAME: MTR OF GERALD LUVERNE RUDENICK

SEE ALSO 9, 11

HEARING:

Petition for Letters of Special Administration with Limited IAEA

COUNSEL:

GERALD LUVERNE RUDENICK (DEC)...

JERRI M WHITTAKER (PET)...BRYAN C. HARTNELL

MICHELLE SUTTON (PET)...FULLERTON LEMANN SCHAEFER

No Notes. Special Administration- JTD.

(ww)

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

DATE: 05/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800135

CASE NAME: MTR OF GERALD LUVERNE RUDENICK

SEE ALSO 9, 10

HEARING:

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

COUNSEL:

GERALD LUVERNE RUDENICK (DEC)...
JERRI M WHITTAKER (PET)...BRYAN C. HARTNELL
MICHELLE SUTTON (PET)...FULLERTON LEMANN SCHAEFER

GENERAL INFORMATION

Continued from 03/19/18. Parties are working on settlement.

THIS CASE SET FOR HEARING ON:

- **Petition #1-** Petition for Letters of Administration with Full Authority under IAEA by ***Michelle Sutton, daughter***
- **Petition #2-** Petition for Will & for Ltrs Testamentary w/limited IAEA by ***Jerri Whittaker, daughter/executor***

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

Petitioner 1- Michelle Sutton, daughter

1. Section 2d of petition indicates that bond should not be required but section 3e is incomplete. **Need** verified supplement. The estate consists of \$450,000.00 of which \$200,000.00 is personal property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b) and per Pr.C. § 8571 as petitioner is a non-resident. **JTD**.
2. Section 2b as to person to be appointed and as to what capacity is incomplete; however, proposed order and letters indicate that Michelle Sutton is to be administrator. **JTD**

3. Notice of Hearing filed 02/23/18; however, **need** mandatory form Notice to Petition to Administer Estate and proof of service.
4. **Need** proof of publication
5. ~Proposed Form Order: 02/13/18

Petitioner 2- Jerri Whittaker, daughter/executor

6. Will waives bond and petitioner is sole beneficiary of will. The estate consists of \$149,000.00 of which \$24,000.00 is personal property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b).
7. ~Proposed Form Order: 02/22/18

RECOMMENDATION

Need to clear notes 1, 3 & 4 then Court's discretion re bond. If approved, set Accounting/Status Review for **06/03/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

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

DATE: 05/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800160

CASE NAME: MTR OF JORDAN S FINKLER

HEARING: Petition to determine succession to Real Property

COUNSEL:

JORDAN S FINKLER (DEC)...
SIV E FINKLER (PET)...CUMMINS & WHITE LLP

GENERAL INFORMATION:

Continued from 03/26/18.

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real and Personal Property (Estates \$150,000 or less), by Siv Finkler, spouse

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

- 1 Petitioner is decedent's spouse who alleges she is entitled to 100% of decedent's estate, specifically real property located in San Bernardino County, pursuant to his will; however, will indicates that the residue of his estate, after the specific bequests, go to the trustees of the Marlin Family Trust. [LF pgs. 5-12].
 - a. The specific bequests in the will to Siv only indicate items that are considered personal property.
 - b. The will conditionally incorporates decedent's Trust. Copy of Trust is filed within the 2nd verified supplement filed 04/16/18.
- 2 Petitioner listed incorrect Court address at caption. **JTD**
- 3 The petition is marked as to personal property also; however, no personal property is listed in attachment 11. Court may wish to inquire. **JTD**
- 4 Section 4 of petition re decedent's residential status is incomplete. Need verified supplement. **(Supp. 03/21/18. None are applicable to decedent as he was a resident of Orange County but owned property in San Bernardino County.)**
- 5 Decedent's issues waived notice of hearing.
- 6 Notice given.
- 7 No proposed form order.

RECOMMENDATION:

Court's discretion.

(cs/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: 05/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800294

CASE NAME: THOMAS LYLE BONESTROO

HEARING:

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

COUNSEL:

JUSTIN BONESTROO (PET)...JASON L GAUDY
THOMAS LYLE BONESTROO (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Justin Bonestroo, son

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

1. All heirs waive bond. The estate consists of \$225,000.00 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b).
2. The petition for probate is on an outdated form. **JTD**
3. ~Proposed Form Order: 04/02/18

RECOMMENDATION

Court's discretion re note 2 and bond. If approved, set Accounting/Status Review **07/22/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

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

DATE: 05/14/18 TIME: 8:30 DEPT: S36P

CASE#: VPR VS002864

CASE NAME: ESTATE OF ERNEST MAYFIELD

SEE ALSO 15

HEARING:

Accounting Review by ***

COUNSEL:

AMERICAN CONTRACTORS INDEMNITY (LANAK & HANNA	
BOND SERVICES OF CALIFORNIA	(PET)...PRO/PER
CAROL L KUNDERT	(PET)...GARY E. MUNGER
CAROL L KUNDERT	(PET)...PRO/PER
DERRICK MAYFIELD	(PET)...JOHN GUY
DERRICK MAYFIELD	(PET)...RANDALL & ASSOCIATES
ERNEST ANTHONY MAYFIELD	(DEC)...
NINA KAYE MAYFIELD	(PET)... C L FARRELL PC
PUBLIC ADMINISTRATOR	(PET)...CRAIG M PARKER
RICHARD A CHERRY	(TP)...PRO/PER
YVETTE MAYFIELD	(PET)...RANDALL & ASSOCIATES

GENERAL INFORMATION

Continued from 11/30/17, 02/08/18 and 04/05/18.

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 Nina Kaye Mayfield, spouse, on 09/22/16; full authority, funds in blocked account.
2. **Need** accounting or status report.

RECOMMENDATION

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

(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: 05/14/18 TIME: 8:30 DEPT: S36P

CASE#: VPR VS002864

CASE NAME: ESTATE OF ERNEST MAYFIELD

SEE ALSO 14

HEARING:
Spousal Property Petition

COUNSEL:

AMERICAN CONTRACTORS INDEMNITY (LANAK & HANNA	
BOND SERVICES OF CALIFORNIA	(PET)...PRO/PER
CAROL L KUNDERT	(PET)...GARY E. MUNGER
CAROL L KUNDERT	(PET)...PRO/PER
DERRICK MAYFIELD	(PET)...JOHN GUY
DERRICK MAYFIELD	(PET)...RANDALL & ASSOCIATES
ERNEST ANTHONY MAYFIELD	(DEC)...
NINA KAYE MAYFIELD	(PET)... C L FARRELL PC
PUBLIC ADMINISTRATOR	(PET)...CRAIG M PARKER
RICHARD A CHERRY	(TP)...PRO/PER
YVETTE MAYFIELD	(PET)...RANDALL & ASSOCIATES

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Spousal Property Petition by Nina Mayfield, spouse.

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

1. Petitioner was appointed as **successor** administrator on 09/22/16 with full IAEA, money to be placed in blocked account.
2. Petitioner requests a determination of real property passing to the surviving spouse as community property and confirmation of community property to be determined as having belonged to surviving spouse. Specifically, \$59,782.71 in cash in a blocked savings acct# 0874 located in Redlands in San Bernardino County.
3. Petitioner indicates that marriage occurred on 01/31/1981 and that all assets of the estate are community property.[LF pg. 5]
4. Petitioner indicates that a petition to dissolve marriage was filed on 08/03/2001 on Los Angeles Superior Court case no. BD351979 but that no orders either terminating the marital status or dividing the assets were ever made. [LF pg. 5]

5. Petitioner requests additional order as follows:
 - a. Direct Bank of America to unblock all funds in blocked savings acct #0874 and distribute full amount to petitioner.
 - b. Terminate the administration as there will be no remaining assets on hand without further need of an accounting or waiver of accounting.
 - c. Dispense with the need for the filing of an Ex Parte Petition for Final Discharge and receipts. **JTD**
6. Notice given.
7. ~Proposed Form Order: 05/07/18

RECOMMENDATION

Court's discretion.

(ww)

Superior Court of Calif, County of San Bernardino
Page: 15A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 05/14/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1401134

CASE NAME: Celia A Ramirez

HEARING:
Hearing re Final Discharge

COUNSEL:

CELIA A RAMIREZ	(DEC)...
DEPARTMENT OF HEALTH CARE SERV	(PRO/PER
ERIC B RAMIREZ	(PET)... LINDA ROBERTS-R
ESTHER M DAVID	(PET/TP)...HARTNELL LAW GROUP

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. The need for a final formal accounting is not required as the Court deemed the accounting shown at mediation as sufficient per minutes of 05/01/18 Accounting Review hearing.
2. A settlement was reached on 05/01/18 between the heirs.
3. Per Order on Mutual General Release and Settlement Agreement filed 05/01/18 a reserve of \$5,000.00 for taxes and unforeseen contingencies was allowed. **Need** informal accounting by Esther David of expenditures or distribution from the reserve of \$5,000, together with receipts of expenditures or distribution per Local Rule 20-911.
4. **Need** receipts by Attorney Linda Robert-Ross for shares received by heirs Eric Ramirez, Sylvia Vizcarra and Jose Ramirez in the amount of \$29,979.76 each.
5. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status.

(ww)

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: 05/14/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1400276

CASE NAME: Rita Sue Pesch

HEARING: Hearing re Final Discharge

COUNSEL:

JOHN PESCH	(CPE)...PRO/PER
KARIN E HORSPOOL	(PET)...
RITA SUE PESCH	(CEP)...

Request for Waiver of Court Fees and Costs filed by JOHN PESCH is GRANTED

GENERAL INFORMATION

Continued from **06/01/17**. Petitioner reports he has filed an appeal of attorney fees and exhibits. Court set a hearing date on those issues. Petitioner advised he need to file a petition for final discharge and order.

Continued from **01/17/18**. Court orders John Pesch to be present at the next hearing. Court is in need of an order for the final account still.

Continued from 03/19/18. Court is in need of final account order still then receipts and final discharge order.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Requirement for final account waived for, John Pesch, on 10/28/16. The court found that the reasonable fee for court-appointed counsel's work is \$12,356; from the sums on deposit, court appointed counsel is to be paid \$8,500; remainder to be submitted via voucher. The balance of the funds on deposit, \$4,600.77, is to be paid to the conservator. **Need** order for submitted matter.
2. Receipt for Karin Horspool filed 05/31/17.
3. Ex Parte Petition for Final Discharge and Order returned by Court on 06/14/17. **Need** corrected Ex Parte Petition for Final Discharge and Order after Order waiving final account is signed and filed.

RECOMMENDATION

Inquire status.

(lc/lh/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: JAMES MICHAEL WELCH

DATE: 05/14/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700465

CASE NAME: MTR OF MARIA FELIPA PEREZ

SEE ALSO 18

HEARING:

Hearing Re: APPOINTMENT OF CONSERVATOR OF THE PERSON

COUNSEL:

LETICIA PEACOCK (CP)...MAREND M GARRETT
MARIA FELIPA PEACOCK (CTP)...WALTER T. MOORE

GENERAL INFORMATION

Temporary orders denied on 01/03/18. Walter Moore appointed as counsel for proposed conservatee.

Continued from **02/05/18**. Parties agree to advance 3/6 hearing to today and continue it to 03/19/18.

Continued from 03/19/18.

THIS CASE SET FOR HEARING ON [**Amended 01/29/18**] Petition for Appointment of Conservator person only by Leticia Peacock, daughter

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

1. No bond- person only
2. Petitioner seeks medical powers. **Need** Capacity Declaration.
3. Petitioner indicates that proposed conservatee has dementia. **Need** Report of Counsel Walter Moore.
4. Petitioner indicates that proposed conservatee resides currently in **Florida**.
5. Section 3b(1) as to whether petition is or is not a creditor is incomplete. Court may wish to inquire; or in alternative, need verified supplement. **JTD**
6. Section 8 is conflicting as 8a indicates that proposed conservatee will attend the hearing and then in 8d that conservatee is out of state and will not attend. Court may wish to inquire; or in alternative, need verified supplement. **JTD**
7. Section 9 as to medical treatment is marked; however, 2355 powers are not requested in section 1g. **JTD**
8. Court to see Confidential Supplemental Information.

9. **Need** return of citation as to amended petition.
10. Certificate of Completion of the Conservatorship Training Class filed 03/19/18.
11. **Court to see** Notice of no report by CI filed on 01/23/18.
12. **Court to see** Notice of Lodgment re: Physician's report filed 01/29/18.
13. **Objection by Maria Perez, proposed conservatee to initial petition filed on 01/03/18; however, need proof of service.**
 - a. **Declaration by Ana Thomson in support of objection by Maria Perez filed 01/03/18; however, need proof of service.**
 - b. **Declaration by Michael Blaskey in support of objection by Maria Perez filed 01/03/18; however, need proof of service.**
14. No objections to the amended petition are in file for review.
15. Notice given.
16. ~Proposed Form Order: 12/27/17

RECOMMENDATION

Matter is contested. Need Report of Counsel and need to clear notes 2 & 9 and Court's discretion re remaining notes. If approved, set hearing for Compliance Review for **12/17/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(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: 05/14/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700465

CASE NAME: MTR OF MARIA FELIPA PEREZ

SEE ALSO 17

HEARING:

Petition for Appointment of Conservator

COUNSEL:

LETICIA PEACOCK

(CP)...MAREND M GARRETT

MARIA FELIPA PEACOCK

(CTP)...WALTER T. MOORE

See notes on matter 17.

(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: 05/14/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800104

VACATED

CASE NAME: MTR OF ANDREW JOSHUA CORREA

HEARING:

Petition for Appointment of Conservator

COUNSEL:

AMANDA RUIZ

(CP)...GISSELLE M AMINI

ANDREW JOSHUA CORREA

(CTP)...

MARIA ESTHER ROMERO

(CP)...GISSELLE M AMINI

NADINE GARCIA NILA

(CP)...GISSELLE M AMINI

Matter reset by Court to 06/04/18.

ww

Future hearing dates: 06/04/18 Petition for Appointment of Conservator

Superior Court of Calif, County of San Bernardino

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

DATE: 05/14/18 TIME: 9:30 DEPT: S36P

CASE#: SC SS01826

CASE NAME: BRANDON REYES SPECIAL NEEDS TRUST

HEARING:

Accounting Review by ***

COUNSEL:

BRANDON J THEURET	(CTP)...
BRANDON J. REYES SPECIAL NEEDS	(TRU)...
DORIS J REYES	(CP)...GRESHAM SAVAGE NOLAN &
MANUEL D REYES	(CP)...GRESHAM SAVAGE NOLAN &

GENERAL INFORMATION

Continued from 03/19/18.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 8th Account for Doris Reyes, mother, approved on 08/08/16
2. **Need** 9th Account beginning with date of 01/01/16.

RECOMMENDATION

Inquire status of accounting.

(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: 05/14/18 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1700244

CASE NAME: THE BAREA EZZEDDINE 2013 TRUST

SEE ALSO 22, 23

HEARING:

Petition for INSTRUCTIONS/CONTINUING JURISDICTION TERMINATION OF
TRUST/SUSPENSION OF TRUSTEE POWERS

COUNSEL:

ANGELA EZZEDDINE (PET)...FITZGERALD YAP CREDITOR
THE BAREA ESSEDDINE 2013 TRUST (TRU)...
TENA EZZEDDINE (PET/OBJ)...MURTAUGH MEYER NELSON & TRE

Currently under review by Legal Research

LR

Continued matter- notice not re-reviewed.

(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: 05/14/18 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1700244

CASE NAME: THE BAREA EZZEDDINE 2013 TRUST
SEE ALSO 21, 23
HEARING:
Mandatory Settlement Conference

COUNSEL:
ANGELA EZZEDDINE (PET)...FITZGERALD YAP CREDITOR
THE BAREA ESSEDINE 2013 TRUST (TRU)...
TENA EZZEDDINE (PET/OBJ)...MURTAUGH MEYER NELSON & TRE

No Notes-Mandatory 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: 05/14/18 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1700244

CASE NAME: THE BAREA EZZEDDINE 2013 TRUST

SEE ALSO 21, 22

HEARING:

PETITION FOR APPROVAL OF FIRST Account and Report of TENA EZZEDDINE
and Petition for allowance of fees

COUNSEL:

ANGELA EZZEDDINE (PET)...FITZGERALD YAP CREDITOR

THE BAREA ESSEDDINE 2013 TRUST (TRU)...

TENA EZZEDDINE (PET/OBJ)...MURTAUGH MEYER NELSON & TRE

GENERAL INFORMATION

Continued from **01/18/18** for parties to attend mediation.

Continued from **02/21/18** at request of Counsel due to ongoing mediation.

Continued from 04/25/18. Matter set for MSC.

THIS CASE SET FOR HEARING ON 1st Account Current and Petition for Surcharge or in the Alternative Instructions as to Beneficiary Angela Ezzeddine, by Tena Ezzeddine, daughter/Trustee.

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

1. It appears petition is for accounting and Pr.C. § 850 etc. Petitioner fails to set forth in the caption what statutory authority the petition is based upon, as is required by Local Rule 20-601. **Need** supplement.
2. Accounting period 10/28/16 – 06/28/17.
3. Assets on hand \$2,485,831.83 of which \$1,831,000.00 is real property.
4. Real property located on Emeraldport does not indicate value of the property; beginning or end. Tena seeks court order beneficiary Angela Ezzeddine to allow an appraisal to be obtained on Emeraldport Property. JTD
5. Trustee alleges that the liability of \$431,424.11 is funds loaned to Trust by herself to purchase the Emeraldport Property.
6. Attorney was paid \$21,347.47 for 101.8 hours at \$375/425 per hour.
7. Trustee paid herself fees total \$43,200.
8. Trustee alleges that beneficiary Angela wrongfully took personal property items as well as money from bank accounts while Trustor Barea was incapacitated and post death.

9. Trustee seeks court allow surcharge against Angela for damage to real property located on Denhaven in Chino Hills.
10. Trustee alleges that Angela has brought an unfounded action seeking termination. Therefore, Trustee states the costs reportedly should be deemed as had been incurred by Angela's alleged bad faith etc. Trustee cites *Rudnick v. Rudnick* (2009)179Cal.App.4th 1328. JTD
11. It appears petition is for accounting and Pr.C. § 850 etc. Petitioner fails to set forth in the caption what statutory authority the petition is based upon, as is required by Local Rule 20-601. **Need** supplement.
12. **Need** copy of financial statements per local rule 20-908.
13. **Need** notice of hearing and personal proof of service to Angela Ezzeddine.
14. **Need** notice of hearing and proof of service for Michael Harms and Morgan Stanley.
15. **Objections by Angela Ezzeddine with proof of service filed 01/11/18.**
16. No proposed Order submitted.

RECOMMENDATION

Matter is contested.

Need to clear notes 1, 11-14. If approve and *if trust becomes court supervised*, set next Accounting review for **05/08/19**.

(lc/lh/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 05/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0600139

CASE NAME: IN RE ESTATE OF CHESTER RAY BURNETT

HEARING:

Probate status report filed.

COUNSEL:

ALVILDA BUSH

(PET)...LENA GHIANNI

CHESTER RAY BURNETT

(DEC)...

RUTH L HENRICKS

(PET)...HARTNELL LAW GROUP

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Probate Status Report (Eighth)

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

1. Letters of Administration issued to Ruth Henricks, on 3/16/07, full authority, no bond.
2. Petitioner alleges the estate is not in a condition to close as the note secured by the real property located in Apple Valley has yet to mature. Petitioner requests an additional year to conclude the estate administration.
3. Notice given.
4. ~Proposed Order: 04/05/18

RECOMMENDATION:

Court's discretion. If approved, set next accounting review for **05/20/19**. Accounting to be filed 30 days in advance.

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300789

CASE NAME: VIRGINIA LOUISE BREAK

HEARING:
Hearing re Final Discharge

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

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 Donna Mead, daughter, was approved on 05/08/17.
2. **Need** receipts by Donna Mead and Robert Break.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION:
Inquire status.
(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400389

CASE NAME: MTR OF BARTON W SALER

HEARING:
Hearing re Final Discharge

COUNSEL:

BARTON W SALER	(DEC)...
PATEENA MAY NOVICH-PRESS	(PET)... RIPLEY & ASSOCI
PATEENA MAY NOVICH-PRESS	(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 Pateena Novich-Saler, spouse, was approved on 05/08/17. **Need** Order Settling First and Final account.
2. No receipt needed as petitioner is sole heir.
3. Notice of non-payment of statutory fees and expenses to probate referee, Patrick B. Wright filed.
4. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION:
Inquire status.

(cs/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500217

CASE NAME: CHARLINE MCFARLING

SEE ALSO 4A

HEARING:

Accounting Review by ***

COUNSEL:

BRANDON MUNRO	(PET)...NANCY E LOFDAHL
CHARLINE MCFARLING	(DEC)...
COLLIN CHARLES MUNRO	(PET)...GARY H BLAYLOCK

GENERAL INFORMATION

Continued from **05/24/17**. Counsel Gary Blaylock ordered to prepare an accounting to the best of his ability as he is unable to find his client.

Continued from 10/18/17. No appearance. Court orders Collin Charles Munro and/or his Counsel of record to appear at the next hearing.

Continued from 12/06/17 and 04/11/18 at request of Counsel to clear probate notes.

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 **Collin Munro**, son, on 09/14/15; full authority, no bond. Collin was removed as administrator on 10/19/16. **Brandon Munro**, son was appointed temporary, then later successor administrator and letters issued 03/06/17.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting by Gary Blaylock for Collin Munro per Pr.C. § 10953.

RECOMMENDATION

Need to clear notes 2 & 3.

(lc/ww/lc/ww/lh/cs)

Superior Court of Calif, County of San Bernardino
Page: 4A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 05/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500217

CASE NAME: CHARLINE MCFARLING

SEE ALSO 4

HEARING:

Accounting Review by ***

COUNSEL:

BRANDON MUNRO	(PET)...NANCY E LOFDAHL
CHARLINE MCFARLING	(DEC)...
COLLIN CHARLES MUNRO	(PET)...GARY H BLAYLOCK

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 Collin Munro, son, on 09/14/15; full authority, no bond. Collin was removed as administrator on 10/19/16.
2. Letters of temporary (Successor) Administration issued to Brandon Munro, son, on 10/19/16 then general Letters of (Successor) Administration on 03/06/17; full authority, no bond.
3. Final Inventory and Appraisal was never filed by previous administrator Collin Munro, son. Does Court wish for administrator to file the Final Inventory and Appraisal? **JTD**
4. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting then Court's discretion.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600017

CASE NAME: MTR OF ROMEO S GUINTO

HEARING:

Hearing re Final Discharge

COUNSEL:

JACQUELINE GO
ROMEO S GUINTO

(PET)...PRO/PER
(DEC)...

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 for Jacqueline Go, niece, was approved on 05/08/17.
2. **Need** receipts by Lourdes Blee, Fernando Ferrer, Lydia Ferrer, Aida Chwastek, Susan Go, and Violeta Mercado.
3. Petitioner requested the amount of \$5,000 in reserves. **Need** informal accounting of expenditures or distribution from the reserves together with receipt for expenditure or distribution per Local Rule 20-911.
4. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION:

Inquire status.

(cs/ww)

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

DATE: 05/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600668

CASE NAME: JOSEPH RANYAK

HEARING: Petition for final distribution on wavier of Account and Report
of MARTHA RANYAK and Petition for allowance of fees filed.

COUNSEL:

JOSEPH RANYAK (DEC)...
MARTHA RANYAK (PET)...MITCHELL I ROTH

GENERAL INFORMATION

Continued from 04/02/18 to clear notes. Court does not require schedule of receipts, gains or losses on waiver of account. Hearing continued at request of Court.

THIS CASE SET FOR HEARING ON Petition for Final Distribution on Wavier of accounting and Petition for allowance of Fees, by Administrator, Martha Ranyak, daughter [Petitioner].

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

1. Assets on Hand \$11,049.74 cash.
2. Bond of \$301,000. Sufficient.
3. Petitioner is entitled to statutory fees of \$8,020; however, due to lack of liquid funds, administrator requests a discounted sum of \$1,832.24.
4. Attorney requests statutory fees of \$8,020.00. Calculated. However, prayer requests fees in the amount of \$5,800. Questions if attorney is discounting fees down to \$5,800. Court to clarify.
5. Attorney requests reimbursement of costs advanced of \$1,197.50. Itemized [LFp.23].
6. **Need** schedule of receipts, gains and losses per C.R.C 7.550(b).
7. **Need** statement regarding all taxes paid.
8. Notice given.
9. No reserves requested.
10. ~Proposed Order: 01/22/18

RECOMMENDATION

Need to clear notes 6-8, then Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **06/04/19**.

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601257

CASE NAME: RICHARD A CONTRERAS

HEARING:

Accounting Review by ***

COUNSEL:

RICHARD ANTHONY CONTRERAS (PET)...BRIAN W. SMETHURST
RICHARD A CONTRERAS (DEC)...

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 Richard Contreras, son, on 05/15/17; full authority, \$100,000.00 bond.
2. **Need** Final Inventory and Appraisal with financial statements in support of date of death balances for all accounts per Local Rule 20-908.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status.

(cs)

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

DATE: 05/14/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700117

CASE NAME: JAVIER A LOPEZ

HEARING: First and Final Report of Administrator Account and Report of
ERIKA MICHELL LEE and Petition for allowance of fees filed.

COUNSEL:

ERIKA MICHELL LEE (PET)...ELIZABETH F COURTNEY
JAVIER A LOPEZ (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON First and Final Account Upon Waiver; Petition for allowance of Fees and for Final Distribution, by niece, Erika Lee, [Administrator/Petitioner]

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

1. Sole heir waived accounting.
2. **Need** Assets on Hand.
3. Bond of \$100,000
4. Petitioner waives statutory fees.
5. Attorney requests statutory fees of \$11,655.09 requested. Calculated.
6. Attorney requests extraordinary fees of \$1,442.50 for services rendered in connection with the ancillary probate proceedings in Arizona. Billed at \$350/hour for a total of 3.20 hours' attorney time and \$150/hour for a total of 2.15 hours' paralegal's time 2.15. Itemized [LF, p.15-18]. JTD.
 - a. **Need** paralegal qualification per CRC 7.703(e)(1)(c).
7. **Need** account statements confirming date of death balances for Bank of America accounts ending in xx5412, xx5517 and Baxter Credit Union account ending in xx7906 per Local Rule 20-908.
8. **Need** bank statement to support account period ending balance for Bank of America account ending in xx1377 per Local Rule 20-908.
9. **Need** statement re whether the estate is solvent.
10. Notice given.
11. Proposed Order: 04/06/18 does not include findings re estate is solvent and need assets on hand.

RECOMMENDATION

Need to clear notes 2, & 6a-9-Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **05/20/19**.

(cs)

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

DATE: 05/14/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1701267

CASE NAME: WARREN ROSCELL STOCKTON

SEE ALSO 9A, 9B

HEARING:

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

COUNSEL:

MARIA CELIA STOCKTON	(PET)...ILIANA MADRIGAL
SALEA NELSON	(OBJ)...
WARREN ROSCELL STOCKTON	(DEC)...
WARREN STOCKTON JR	(PET)... JOHN R RAMOS

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON **[Amended 04/03/18]** Petition for Probate, Letters Testamentary with **Limited Authority** under IAEA by spouse, Maria Stockton, [Executor/Petitioner]

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

1. Will waives bond. Net estate value \$315,000.00. The court may for good cause require that a bond be given, either before or after issuance of letters. Prob. Code, § 8481(b).
2. Lee Alyce MGren who is mentioned in will and Eric Melendez (step-son) are not listed in section 8 of petition. **Need** verified supplement.
3. **Need** proof of publication.
4. **Objection to Petition for Probate filed by Salea Nelson, daughter, as to initial petition on 01/22/18; however, no proof of service is attached.**
 - a. **Supplement to Objection to Petition for Probate as to initial petition filed by Salea Nelson on 03/07/18.**
5. **Reply to Objection to Petition for Probate filed by Maria Stockton as to initial petition, spouse, on 03/23/18.**
6. No Objections to the amended petition are in file for review at this time.
7. ~Proposed Form Order: 04/03/18

RECOMMENDATION

Matter is contested. Need to clear notes 2 & 3. Court's discretion re bond. If approved, set Accounting/Status Review for **07/15/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs/ww)

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

DATE: 05/14/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1701267

CASE NAME: WARREN ROSCELL STOCKTON
SEE ALSO 9, 9B
HEARING: Petition for SPOUSAL PROPERTY

COUNSEL:
MARIA CELIA STOCKTON (PET)...ILIANA MADRIGAL
SALEA NELSON (OBJ)...
WARREN ROSCELL STOCKTON (DEC)...
WARREN STOCKTON JR (PET)... JOHN R RAMOS

GENERAL INFORMATION

Continued from 03/07/18 and 04/12/18 to trail other matters.

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Maria Stockton, spouse.

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

1. Petitioner seeks determination of decedent's property passing to the surviving spouse without administration.
2. Petitioner alleges she and decedent were married on 04/12/1984. On or about 06/05/02, decedent and petitioner purchased the real property on Palomino Court, in Victorville, with title held as "husband and wife as community property;" however, the deed failed to state "with rights of survivorship."
3. Decedent's separate property, which is part of probate estate, includes real property at 1600 W. 50th Street, Los Angeles, and 2 unimproved lots in Modoc County, California. Petitioner alleges community funds were used to purchase real properties, and requests 50% interest in real property to pass to her as surviving spouse. **Supp. 03/07/18:** Petitioner alleges she is not actually seeking decedent's Los Angeles and Modoc properties; merely community property in Victorville. Court to clarify.
4. ~Proposed form order: 01/30/18

RECOMMENDATION:

Court to clarify note 3.

(lh/lc)

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

DATE: 05/14/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1701267

CASE NAME: WARREN ROSCELL STOCKTON

SEE ALSO 9, 9A

HEARING:

Petition for QUIET TITLE PETITION PURSUANT TO PROBATE CODE 850 BREACH
OF CONTRACT

COUNSEL:

MARIA CELIA STOCKTON	(PET)...ILIANA MADRIGAL
SALEA NELSON	(OBJ)...
WARREN ROSCELL STOCKTON	(DEC)...
WARREN STOCKTON JR	(PET)... JOHN R RAMOS

Currently under review by legal research.

Notice of Hearing filed 04/09/18 however, **Need** Notice of hearing and proof of service for all heirs: Maria Stockton spouse, and children Gary Stockton and Salea Nelson in compliance with Pr.C. § 851.

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

(lc/ww)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **CONSERVATORSHIP**

DATE: 05/14/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0800028

CASE NAME: MTR OF TERRY R LACOSTE

HEARING:

Tenth Current Account and Report of CHRISTINA ERICKSON-TAUBE and
Petition for allowance of fees filed.

COUNSEL:

CHRISTINA ERICKSON-TAUBE	(CE)...ALEX R BORDEN
CHRISTINA ERICKSON-TAUBE	(CPE)...ALEX R BORDEN
EDWARD IRVING	(PRO/PER
JACK B. OSBORN	(PET)...JACK B OSBORN
MELODIE Z SCOTT	(TP)...PRO/PER
TERRY R LACOSTE	(CEP)...WALTER T MOORE

CCP170.6 filed as to CYNTHIA LUDVIGSEN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 10th Account Current and Petition for Allowance of
Fees by Christina Erickson Taube.

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

1. Accounting period 02/01/17-01/31/18
2. Assets on hand \$88,890.52 of which \$84,390.52 is cash.
3. Petitioner requests fees of \$8,105.90 for services billed at \$65/115 per hour.
Itemized [Acct. 04/05 LFpg 17-27].
4. Attorney requests fees of \$3,634.50 for 11.6 hours at \$135/390 for paralegal and
attorney services. Itemized [Acct. 04/05 LFpg 30-32].
5. Attorney requests reimbursement of advanced costs of \$175.00. Itemized [Acct.
04/05 LFpg31].
6. Petitioner requests a reduction of bond from \$167,000 to \$145,000. Suggest
\$150,000. **JTD**
7. **Need** financial statement covering the end of the accounting period.
8. **Need** verified supplement clarifying amount of \$600 Credit Union fees to Myra
Nonnette in Schedule C, under General Administration expenses [LF, p.12].

9. **Need** verified supplement clarifying disbursement expenses in Schedule C under Living Expenses [LF,p.13] as to the follows:
 - a. Reimbursement to Myra Nonnette for DMV, parking and personal rent expense of \$1,156.76.
 - b. Reimbursement to Lance Riley for DMV, lunch expenses of \$591.35
 - c. Reimbursement to Lance Riley for towing, lunch, and police expenses of \$794.49.
 - d. Reimbursement to Whitney and Marcos Perry re auto club expense of \$80.
10. **Need** receipt for case management services from Lance Riley, per local rule 20-1406(c).
11. **Need** receipt from Myra Nonnette for room and board, per Pr.C. §2026.
12. ~Proposed Order: 04/05/18, subject to bond approval.

RECOMMENDATION

Need to clear note 7-11, then Court's discretion re fees. If approved, set next hearing re Accounting Review for **05/13/19**, or a biennial Accounting Review for **05/11/20**. Accounting to be filed 30 days' in advance.

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/14/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800070

VACATED

CASE NAME: NAPOLEON BELENO BANEZ

HEARING:

Petition for Instructions & or substituted judgment to annul
marriage obtained etc

COUNSEL:

HELEN BANEZ	(PET)...EDWARD B FISCHER &
NAPOLEON BELENO BANEZ	(CEP)...
RICHARD WOOD	(TP)...LEVITON LAW GROUP APC
YOLANDA LEE	(CPE)...

Matter re-set by Court to 07/24/18.

(cs)

Future Hearings:

07/24/18 Ptn for Instructions/to Annul Marriage
04/24/18 Petition for Appointment of Conservator
0731/18 Conservatorship Investigation Review - Annual

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

DATE: 05/14/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800099
CASE NAME: MTR OF CYNTHIA ANABEL PAZ
HEARING: Petition for Appointment of Conservator

COUNSEL:

BLANCA M SANTOS (CP)...PRO/PER
CYNTHIA ANABEL PAZ (CTP)...LENITA A SKORETZ

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator, of the person only, by mother, Blanca Santos, [Petitioner]

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

1. Petitioner seeks powers re habilitation, treatment, training, medical etc. **JTD**
2. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract, authority to make and consent to all medical decisions. **JTD**
3. Petitioner seeks civil rights not be limited without court order.
4. Capacity Declaration filed 04/04/18.
5. Proposed conservatee is developmentally disabled. Attorney Skoretz appointed as counsel. **Need** Report of Counsel.
6. Proposed conservatee is developmentally disabled. **Court to see** Letter from IRC filed 05/03/18. **Need** IRC report.
7. Notice of Hearing and proof of service filed 04/27/18; however only 21 days' notice given to the IRC. **Need** proper notice to include 30 days' per Pr.C. §1461.1.
8. **Need** List of Required Contacts (Local form SB-12224).
9. Citation with proof of service filed 04/27/18.
10. Certificate of Completion of the Conservatorship Training Class filed 05/03/18.
11. CI report filed 05/03/18.
12. ~Proposed Form Order: 04/04/18

RECOMMENDATION

Need Report of Counsel, IRC report and to clear notes 7 & 8. 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); including a Determination of Conservatee's Appropriate Level of Care per Pr.C. §2352.5 (form GC-355); and Care Plan per Pr.C. §2352.5.

(cs/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/14/18 TIME: 9:30 DEPT: S37P

CASE#: SC SS02157

VACATED

CASE NAME: MTR OF RONALD LOZOWSKI

HEARING:

Hearing re Final Discharge

COUNSEL:

INLAND COUNTIES REGIONAL CENTE (CE)...BRUNICK MCELHANEY &

INLAND COUNTIES REGIONAL CENTE (CPE)...STEVEN K BECKETT

RONALD LOZOWSKI (CEP)...MELVIN L FRIEDLAND

Final discharge filed on 04/24/18.

(ww)