



## Second/Final Check

Superior Court of California  
County of San Bernardino  
Probate Department

### **Probate Notes for Calendar Date: 05/15/17**

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

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

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

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

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

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

nb0427/0510

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

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DATE: 05/15/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1400323

CASE NAME: Judith Lynn Hanna

HEARING:

Hearing re Final Discharge

COUNSEL:

STEPHEN ELLIOTT HANNA (PET)...PALERMO, BARBARO, CHINEN & PIT  
JUDITH LYNN HANNA (DEC)...

GENERAL INFORMATION:

Continued from **09/19/16** at request of counsel. Waiting on ancillary proceedings in Texas and final tax returns

**Continued from 03/20/17. Counsel to file verified supplement that order has been served, property has been transferred and that states that the beneficiaries are refusing to sign receipts- as discussed/argued**

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Order Settling First and Final Account entered 09/14/15.
2. No receipts. Need same.
3. Ex-Parte Petition/Order for Final Discharge returned for corrections.

RECOMMENDATION:

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

(nb)

Superior Court of Calif, County of San Bernardino

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

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DATE: 05/15/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1400443

CASE NAME: HEINRICH E. DEEKE FAMILY TRUST

HEARING:

Hearing re Final Discharge **s/b Accounting Review**

COUNSEL:

BRIAN J TUCKER (PET)...SWAN CARPENTER WALLIS & MCKENZ  
HEINRICH E. DEEKE FAMILY TRUST (TRU)...

**X-REF: PROPS 1300824**

GENERAL INFORMATION:

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

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

1. Order Settling First Account entered 11/17/15; second account now due.
2. No accounting or status report of administration. Need same.

RECOMMENDATION:

Inquire status.

(nb)

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

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DATE: 05/15/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1500881

CASE NAME: JAMES L BRICKER

**SEE ALSO 4**

HEARING:

Hearing Re: PETITION TO DETERMINE HEIRSHIP

COUNSEL:

CANDYCE E BOZNER	(PET)...HARRY J HISTEN
CAROLYNN CROWE	(PET)...HARRY J HISTEN
JAMES L BRICKER	(DEC)...
KEMP & ASSOCIATES, INC.	(TP )...LAURA WOODWARD
SCOTT A HANCOCK	(SCOTT A HANCOCK)
HAROLD P BRICKER	(SNYDER & HANCOCK)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Determine Heirship and Entitlement to the Estate by brother to decedent, Harold P. Bricker ["Petitioner"].

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

1. Petitioner is Harold P. Bricker, brother of decedent. Petitioner alleges that decedent died without leaving any surviving spouse, issue, or parent. Decedent's heirs-at-law appear to be 7 siblings.
2. Petition includes proportional shares; a genealogical chart showing said relationships to Decedent; and documentary proofs showing said relationships to Decedent [LF, pgs. 6-31].
3. Petitioner requests that the court determine heirship and entitlement to the estate.
4. Notice filed 03/22/17 reflects crossed out dates and does not include mailing list attachment as alleged. Need proper service.
5. **Objections filed on 05/02/17 by The Salvation Army.**
6. **Joinder to Objections filed on 05/09/17 by The Humane Society of the U.S.**
7. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need proper service then set for contested hearing.

(nb)

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

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HONORABLE: STANFORD E. REICHERT

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DATE: 05/15/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1500881

CASE NAME: JAMES L BRICKER

**SEE ALSO 3**

HEARING:

FIRST & FINAL Account and Report of CANDYCE E BOZNER, CAROLYNN CROWE and Petition for allowance of fees filed.

COUNSEL:

CANDYCE E BOZNER	(PET)...HARRY J HISTEN
CAROLYNN CROWE	(PET)...HARRY J HISTEN
JAMES L BRICKER	(DEC)...
KEMP & ASSOCIATES, INC.	(TP )...LAURA WOODWARD
SCOTT A HANCOCK	(SCOTT A HANCOCK)
HAROLD P BRICKER	(SNYDER & HANCOCK)

GENERAL INFORMATION:

**Continued from 03/20/17 to trail other hearing.**

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Personal Representatives, Candyce E. Brozner and Carolyn Crowe.

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

1. Final Inventory and Appraisal filed 10/12/16 does not affix bank/financial statements per Local Rule 20-908; and Section 5 re Property Tax Certificate is incomplete. Need bank statements and Property Tax Certificate per Revenue and Taxation Code § 480.
2. Petitioner's signature page [LF, p. 7] is not completely dated. Need same.
3. Accounting period 08/06/15 to 12/31/16.
4. Assets on Hand \$386,754.51 consisting of cash.
5. Statutory Compensation of \$12,810.70 requested. Calculated. However statutory fees are based on the value of the estate accounted for based on the total amount of the appraisal value of the property in the inventory, plus gains, plus receipts, less losses from the appraisal value on sales. Pr. C. § 10800 (b). Need verified supplement recalculating basis for fees.
6. Petitioner requests extraordinary fees of \$10,000 for services rendered in connection with the sale of real property and numerous, personal property. Billed at

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- \$125/hour for at least 80hours. Need itemization per CRC 7.702 indicating the specific amount requested for each category of service provided by each person.
7. Attorney requests extraordinary fees of \$4,240 for services rendered in connection with the sale of real property and numerous, personal property. Billed at \$280-\$360/hour for 18.4 hours' attorney time and 1.9 paralegal hours.' Need itemization per CRC 7.702 indicating the specific amount requested for each category of service provided by each person.
  8. Attorney requests reimbursement of costs advanced of \$1,099.03. Itemized [LF, p. 5].
  9. No Summary of Account. Need same via verified supplement.
  10. No Assets on Hand at the Beginning of Account Period Schedule. Need balance and description of the assets on hand, specifically noting the amount of cash included in said balance. Local Rule 20-614c via verified supplement.
  11. Disbursements – Schedule D [LF, p. 10] includes postage and mailing which is usually considered overhead when fees are being requested. Does Court wish to reduce reimbursement of costs in the amount of \$47.75? JTD.
  12. Schedule D [LF, p. 12] does not include losses on personal property sold at auction. Need same via verified supplement.
  13. Question the status of the Honda? Need verified supplement.
  14. Need findings re: sole and separate property.
  15. Real Property was sold during this administration. Need copy of closing escrow statement per Local Rule 20-10.
  16. Need proof of service to Notice of Proposed Action re Sale of Real Property.
  17. Need Assets on Hand at End of Account Period Schedule via verified supplement.
  18. Please file verified supplement indicating if cash has been invested and maintained in an interest bearing account. Pr.C.§ 1064(a)(5).
  19. Petitioner requests authority to withhold the sum of \$2,000 as a reserve. JTD.
  20. Need Notice of Hearing and proof of service to include those requesting special notice and creditor for personal property taxes.
  21. **Objections filed 03/09/17 by Harold P. Bricker (brother to decedent).**
  22. Proposed Form Order 01/19/17 reflects incorrect statutory fees and does not comply with Local Rule 20-614.

RECOMMENDATION: Matter is contested.

This accounting does not appear to be a true and complete accounting and should be deemed in the nature of a status report. There is insufficient information and known defects that should preclude the Court from approving this accounting period. Need proper, amended account per Pr. C. § 1060 et seq. to be set on first check calendar no sooner than **07/25/17**. Any account to be filed 30 days' before hearing. Note requirements of Local Rules.

(nb)

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HONORABLE: STANFORD E. REICHERT

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DATE: 05/15/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600021

CASE NAME: MTR OF NELLIE V JOHNSON

HEARING:

Accounting Review

COUNSEL:

RICHARD J JOHNSON (PET)...LINDA J GLADSON  
NELLIE V JOHNSON (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters Testamentary issues 03/07/16, full authority, no bond..
2. No accounting or status report of administration. Need same.

RECOMMENDATION:

Inquire status

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Probate  
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HONORABLE: STANFORD E. REICHERT

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DATE: 05/15/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600152

CASE NAME: CHARLES N PARKER

HEARING:  
Petition for SPOUSAL PROPERTY

COUNSEL:

DONNA R PARKER (PET)...HARRY J HISTEN  
CHARLES N PARKER (DEC)...

GENERAL INFORMATION:

Continued from **4/12/16, 6/22/16, 08/31/16, 11/07/16 and 01/09/17** at request of counsel.  
Notice to be given by Harry Histen.

**Continued from 03/20/17.**

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by surviving spouse,  
Donna R. Parker,

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

1. Petitioner requests confirmation of real property located in Yermo, CA passing to the surviving spouse. **Supp. (4/12/16):** the property was acquired through inheritance and was not community property. **Thus it appears there is no community asset to confirm on petitioner and Item 1a as to determination is not marked. Need an amended petition.**
2. **Supp. (4/12/16):** petitioner alleges that petitioner and decedent were married 9/24/83 and the decedent acquired the property by inheritance through his mother's estate in a Los Angeles County Probate case. Petitioner states that 40% was awarded to Janet May Parker Hunt as trustee and 60% was awarded to decedent. It appears decedent was survived by next of kin; **question the authority to distribute decedent's separate property contrary to intestate succession. Need Points and Authorities. Supp. (6/17/16):** petitioner reaffirms that the Yermo property is decedent's separate property, but does not address the issue of distribution counter to intestate succession as it appears decedent is survived by a sibling or issue of sibling.
3. **Third Supplement filed 03/15/17** indicates petitioner was able to locate decedent's only sibling, Janet Hunt and requests the Court for an order distributing real property located at Yermo, CA, one-half to Donna R. Parker and one-half to Janet

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



Hunt. However, it does not appear sibling, Janet M. Hunt, can acquire her one-half interest via a Spousal Property Petition.

4. Declaration in support of petition filed 03/16/17 by Janet Hunt.
5. **Fourth Supplement filed 03/28/17** indicates Petitioner was able to locate a legible copy of the Order Settling First and Final Account entered 09/27/86 and the Order for Correction Nunc Pro Tunc of Order entered 09/25/86 in the LA Probate Court re the Estate of Ana H. Parker, decedent's mother, which indicates the Yermo property was distributed 100% to Decedent from his mother's estate. Petitioner requests an order distributing real property located at Yermo, CA, one-half to Donna R. Parker and one-half to Janet Hunt. **However, it does not appear sibling can acquire her one-half interest (30%) via a Spousal Property Petition.**
  - a. **LA Orders affixed to supp. filed 04/12/16 [LF, p. 14] indicates Decedent is beneficiary to a 60% interest in his mother's estate.**
6. **Supplement filed 04/20/17 by petitioner reiterates her consent and request to distribute one-half interest to herself as surviving spouse and one-half interest to Janet M. Hunt as the surviving issue of Decedent's parents.**
7. Proposed form Order 03/28/17 does not specify one-half interest (30%) to Petitioner, as surviving spouse, and includes sibling, Janet Hunt, who cannot acquire her one-half interest (30%) via this petition.

#### RECOMMENDATION:

Need to clear note 1 then Court's discretion. If the Court finds that all or part of the estate of the deceased spouse is not property passing to the surviving spouse, the court shall issue an order (1) describing any property which is not property passing to the surviving spouse, determining that the property does not pass to the surviving spouse and determining that that property is subject to administration under this code et seq. Pr. C. § 13656(b).

(nb/sa/lc/nb)

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HONORABLE: STANFORD E. REICHERT

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DATE: 05/15/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700120

CASE NAME: JANICE SMITH

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

JANICE FELIX (PET)...PRO/PER  
JANICE SMITH (DEC)...

GENERAL INFORMATION:

**Continued from 04/10/17 to clear notes.**

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

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

1. All heirs waive bond. Estimated net value of estate is \$265,000. Court also has discretion to require bond per Pr. C. § 8481(b). JTD
- 2. Proof of Publication filed.**
3. ~Proposed form Order: 02/07/17

RECOMMENDATION:

RFA. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **06/18/18**. Any accounting to be filed 30 days in advance of review date. Note requirements of Local Rules 20.901 and 20.908.  
(lh/nb)

Superior Court of Calif, County of San Bernardino

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HONORABLE: STANFORD E. REICHERT

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DATE: 05/15/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700222

CASE NAME: JOSEPH RICHARD EARLS

HEARING:

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

COUNSEL:

ANDREA L WILLIS (PET)...THOMAS W DOMINICK  
JOSEPH RICHARD EARLS (DEC)...

**X-REF: SCSS01236**

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Probate, Letters Testamentary with  
Full Authority under IAEA by Andrea L. Willis (executor/daughter)

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

1. Will waives bond. Estimated net value of estate is \$222,000. Court also has discretion to require bond per Pr. C. § 8481(b).
2. Petition, item 6 indicates deceased spouse; however, will does not appear to mention a spouse. Need verified supplement as to spouse's date of death.
3. Notice of Petition to Administer Estate filed 03/13/17. Need notice to Mitchell Roth, court-appointed counsel for conservatee, Jeremy Pugel. See X-ref matter.
4. ~Proposed form Order: **03/09/17**

RECOMMENDATION:

Need to clear notes 2 & 3, Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **07/23/18**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh/lc)

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

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DATE: 05/15/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700230

CASE NAME: TREVELYN C PATTON

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

DONNA L PATTON (PET)...PRO/PER  
TREVELYN C PATTON (DEC)...

GENERAL INFORMATION:

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

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

1. Petitioner is sole heir and waives bond. Estimated net value of property is \$475,016 (**see note 2**). Court also has discretion to require bond per Pr. C. § 8481(b).
2. Need verified supplement clarifying estimated value of property in item 3 of Petition (LF, pg3). Petitioner appears to miscalculate total estimated value at ----- **\$175,015.83**. However, the annual gross income from real property of \$325,015.63 and net value of real property at \$150,000, total **\$475,015.83**.
3. Need Proof of Publication.
4. ~Proposed form Order: 03/10/17

RECOMMENDATION:

Need to clear notes. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **07/23/18**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

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Page: 9A add-on  
CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 05/15/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600393

CASE NAME: MTR OF ADRIANA RIOS  
**SEE ALSO 9B**

HEARING:

Hearing Re: Petition for LETTER OF ADMINISTRATION WITH FULL

COUNSEL:

ADRIANA RIOS (DEC)...  
BREANNE GONZALEZ (PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by BREANNE GONZALEZ is GRANTED

**XREF: PROPS1600484**

#### GENERAL INFORMATION

Continued from **06/30/16 and 07/11/16**. There is a related case PROPS1600484; court will consolidate that case into this case.

Continued from **08/29/16**. Court orders parties to mediation.

**Continued from 10/18/16 and 01/10/17. Matter is contested. This case is being heard with its related case.**

THIS CASE SET FOR HEARING ON

Petition 1 - Petition for Letters of Administration with full authority under IAEA by daughter.

Petition 2 - Petition for Letters of Administration with full authority under IAEA by boyfriend.

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

#### **Petitioner 1 - Breanne Gonzalez, daughter**

1. All heirs waive bond.
- 2. Proof of publication filed**
3. ~Proposed Form Order: 04/22/16.

#### **Petitioner 2 – Edgar Berrios, boyfriend PROPS1600484**

4. Petitioner is requesting bond of \$350,000.00. OK
5. Petitioner is nominee by daughter Melanie Shyanne Paz.
6. Petitioner is former spouse and alleged boyfriend at time of death.

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7. **Objections filed by Breanne Gonzalez, daughter, on 06/30/16.**
8. ~Proposed form Order: 05/13/16.
9. ~Proposed Order re consolidation: 08/11/16.

#### RECOMMENDATION

Set for contested hearing, \$350,000. Suggest Court consolidate matters under lower-case number. If approved, set Accounting/Status Review for **08/02/18**. Any account to be filed 30 days in advance of hearing, local rule 20-901. Note requirements of local rules.

(lc/nb)

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Page: 9B add-on  
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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 05/15/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600393

CASE NAME: MTR OF ADRIANA RIOS

**SEE ALSO 9A**

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE

COUNSEL:

ADRIANA RIOS (DEC)...  
BREANNE GONZALEZ (PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by BREANNE GONZALEZ is GRANTED

**XREF: PROPS1600484**

No notes – TSC.  
(nb)

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CIVPRO

San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 05/15/17      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1700231

CASE NAME: CHARLES DAVID PEREZ

HEARING:

Petition to determine succession to Real Property

COUNSEL:

MARGARET L PEREZ            (PET)...PRO/PER  
BRIANA PEREZ RICE         (PET)...PRO/PER  
CHARLES DAVID PEREZ      (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON **AMENDED** (05/01/17) Petition to Determine Succession to Real and Personal Property (Estates \$150,000 or less) by Margaret Perez and Briana Perez Rice.

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

1. Amended Inventory & Appraisal filed 05/01/17, has the following issues:
  - a. Need appraised value for 3 US Bank Accounts on Attachment 1 [LF, p. 4];
  - b. Vin and license to 1980's Yamaha Scooter is not included;
  - c. License number to 2006 Toyota Scion is not included;
  - d. Need full legal description of real properties listed on Attachment 2 [LF, p. 5].  
Need corrected inventory.
2. Legal description to real property at Attachment 11 to petition [LF, p. 8] is incomplete and does not include values for 3 US Bank Accounts or legal descriptions for real properties. Need verified supplement.
3. Attachment 14 is not included. Need same via verified supplement.
4. Need bank /financial statements to support date of death balances per Local Rule 20-908.
5. Petitioners request determination that decedent's real and personal property located at Yucca Valley, CA in San Bernardino County pass to petitioners without administration.
6. ~Proposed Form Order 03/08/17.

RECOMMENDATION:

Need to clear notes then Court's discretion.

(nb)

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Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**CONSERVATORSHIPS**

-----  
DATE: 05/15/17      TIME: 9:30      DEPT: S35P  
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CASE#: CON PS1500051

CASE NAME: WILLIAM BERNARD OFNER

HEARING:

Hearing re Final Discharge

COUNSEL:

LINDA ATKINSON

(CPE)...JEFFREY S. COHEN

WILLIAM BERNARD OFNER

(CEP)...

DANIEL CAUSEY

(PET)...KENNETH L MORRIS

DANIEL CAUSEY

(RES)...KENNETH L MORRIS

**XREF: PROPS1501015**

GENERAL INFORMATION

Continued from **09/28/16** at request of counsel. Walter Moore removed from case.

**Continued from 11/28/16, 03/06/17 and 04/24/17 (no appearances). Notice by Judicial Assistant.**

THIS CASE IS SET FOR HEARING ON final discharge

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

1. Final distribution approved 7/27/16 with \$10,000 in reserve for ongoing litigation.
  - a. **Need Order settling Final Account**
2. **Receipt of final distribution filed. However, receipt is signed by counsel.**
3. Ex-parte petition for final discharge order returned for corrections. **Need same.**

RECOMMENDATION:

Need to clear notes 1-3.

(sa/nb)

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

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CIVPRO

San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

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

-----  
DATE: 05/15/17 TIME: 9:30 DEPT: S35P  
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CASE#: SLC SS03140

CASE NAME: MTR RE KATHY DEWITSKY

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

KATHY DEWITSKY

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 07/17/17.

Conservatee passed away on 02/26/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present Eighth Account entered 06/20/16; Ninth and Final Account now due to include pre and post death account periods.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 05/15/17      TIME: 9:30      DEPT: S35P  
-----

CASE#: SLC SS9359

CASE NAME: IN THE MATTER OF JOHN FRIDDLE

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

JOHN FRIDDLE

(CPE)...COUNTY COUNSEL

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 07/15/17.

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 13<sup>th</sup> Account entered 06/20/16; 14<sup>th</sup> account or waiver of account now due.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/15/17 TIME: 10:00 DEPT: S35P  
-----

CASE#: CON DS1000016

CASE NAME: MTR OF NANCY R PEREZ

HEARING:

THIRD AND FINAL Account and Report of PUBLIC GUARDIAN and  
Petition for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
NANCY PEREZ (CEP)...E JOAN NELMS

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 3<sup>rd</sup> & Final account and petition for fees by Public  
Guardian.

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

1. Accounting period covers 6/27/13 - 06/10/16.
2. Conservatee died 11/20/14.
3. No disbursements with exception of burial fees occurred after date of death.
4. Zero assets on hand.
5. Public Guardian requests confirmation of fees taken in the amount of \$471 per  
Court approved fee schedule and fees of \$799 deferred until such time funds arise.  
JTD
6. County Counsel requests confirmation of fees taken in the amount of \$235.51 per  
Court approved fee schedule and fees of \$670 deferred until such time funds arise.  
JTD
7. ~Proposed Order: 11/01/16.

RECOMMENDATION:

RFA. If approved court to set hearing re filing receipts and final discharge for **05/21/18**.  
(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 05/15/17      TIME: 10:00      DEPT: S35P  
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CASE#: CON PS0600062

CASE NAME: MTR OF DEAN DURHAM

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

DEAN DURHAM

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 04/21/18.

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 8th Account entered 07/15/16; account or waiver of account now due.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 05/15/17      TIME: 10:00      DEPT: S35P  
-----

CASE#: CON PS1200040

CASE NAME: JRAIRMON DORSEY

**VACATED**

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

JRIARMON DORSEY

(CPE)...COUNTY COUNSEL

(CEP)...HARTNELL LAW GROUP

**VACATE** – Order that Conservator need not file 3<sup>rd</sup> account entered 04/10/17.  
(nb)

Superior Court of Calif, County of San Bernardino

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 05/15/17 TIME: 10:00 DEPT: S35P  
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CASE#: CON PS1200286

CASE NAME: KENNTH R BERKOWITZ

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
KENNETH R BERKOWITZ (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expired 01/02/16

Conservatee passed away on 06/19/15.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Settling First Account entered 07/14/14; second and final account now due beginning 01/08/14 and to include pre and post death account periods.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/15/17 TIME: 10:00 DEPT: S35P  
-----

CASE#: CON PS1500301

CASE NAME: RONALD ANDERSON

HEARING:

Report Sale and Petition for Order Confirming Sale of Real Property.

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
RONALD ANDERSON	(CEP)...HARTNELL LAW GROUP
RITA A REHASTE	(TP )...SANDERS REHASTE STERNSHEIN & H

Address: 7420 Acoma Trail, Yucca Valley, CA 92284

Appraised Value: \$55,000

Sale price: \$49,500

First overbid: \$52,475

Deposit: \$ 5,000

Commission: 6% = \$2,970

Additional bond: None - Public Guardian

Reason for Sale: Necessary to pay expenses of Conservatee

Exposure to Market: Posted in 4 public places and listed on PG web-site.

Notice: Posted. **Notice filed 03/21/17 does not include Attorney Rita A. Rehastle per RSN or Sierra Realty; and need proof of publication.**

~Proposed Form Orders 03/07/17

Future Hearing Dates: 09/11/17: Status on Temporary Conservatorship  
(nb)

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



Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/15/17 TIME: 10:00 DEPT: S35P  
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CASE#: CON PS1700082  
CASE NAME: JACK CHARLES MALLORY  
HEARING:  
Petition for Appointment of Conservator

COUNSEL:

PUBLIC GUARDIAN (PET)...COUNTY COUNSEL  
JACK CHARLES MALLORY (CEE)...EDWARD B FISCHEL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for appointment of Conservatorship of person and estate by PG

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

1. No bond - PG.
2. Petitioner seeks Pr. C. § 2590 powers to sell real or personal property of the estate and proceeds to be used for Conservatee's care and personal needs.
3. Petitioner seeks authority to deposit up to \$5000 in an irrevocable burial trust and authority to abandon and/or donate personal property with value of \$300 or less; storage or a sale would be a burden on the estate.
4. Petitioner seeks medical and dementia powers. Capacity Declaration filed 3/14/17.
5. Petitioner requests dementia powers. Need report from Counsel Edward Fischel.
6. Return of Citation filed 04/18/17.
7. CI Report filed 04/28/17.
8. Need Notice of Hearing and Proof of Service.
9. No proposed Order.

RECOMMENDATION:

If approved, set hearing for Compliance Review for **12/18/17** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr.C.§2313.

Set hearing re Accounting Review for **07/30/18**. Any accounting to be filed 30 days in advance.

(lh)

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

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

-----  
DATE: 05/15/17 TIME: 10:00 DEPT: S35P  
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CASE#: PRO PS1700232

CASE NAME: THE BLUME FAMILY TRUST

HEARING:

Petition for APPOINTMENT OF SUCCESSOR TRUSTEE

COUNSEL:

PUBLIC GUARDIAN (PET)...COUNTY COUNSEL

Currently under review by Legal Research.  
(LR)

#### Notice

Unable to determine if notice is complete as there is no copy of the trust as required per Local Rule 20-1502.

(nb)

Superior Court of Calif, County of San Bernardino

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

-----  
DATE: 05/15/17 TIME: 10:00 DEPT: S35P  
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CASE#: SLC SS01149

CASE NAME: IN THE MATTER OF PEYTON SAUNDERS

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
PEYTON SAUNDERS (CEP)...HARTNELL LAW GROUP

#### GENERAL INFORMATION

Continued from **01/13/14, 04/28/14, 08/11/14, 11/10/14, 02/02/15, 05/04/15, 01/11/16, 09/27/16, 11/01/16 and 03/20/17 at request of counsel who indicates date of death is 03/03/13.**

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND OR DEFICIENCIES IN THE PAPERS ARE NOTED

1. On 02/22/13 Court approved a Waiver of the 4th account.
2. Minute Order of 03/15/13 indicates conservatee died. No date of death given.
3. Need final accounting.
4. No final accounting or waiver of account filed. Accounting is almost 4-years late, status of financial records unknown.

#### RECOMMENDATION

Inquire status.

(kra gls lc nb jm nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 05/15/17      TIME: 10:00      DEPT: S35P  
-----

CASE#: SLC SS02948

**VACATED**

CASE NAME: MTR RE BRANDY LEIGH MOORE

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

BRANDY MOORE

(CPE)...COUNTY COUNSEL

(CEP)...HARTNELL LAW GROUP

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 05/15/17      TIME: 10:00      DEPT: S35P  
-----

CASE#: CON PS0900023

CASE NAME: CARRIE JOHNSON

**SEE ALSO 21B**

HEARING:

Accounting Review

COUNSEL:

CARRIE JOHNSON

(CEP)...HARTNELL LAW GROUP

JENNIFER M. DANIEL

(PET)...JENNIFER M DANIEL

MELODIE Z. SCOTT

(PCR)...

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

GENERAL INFORMATION

**Continued from 2/8/16, 2/23/16 and 09/12/16.**

THIS CASE IS SET FOR HEARING ON Accounting Review re *Conservatorship*

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

1. On 2/2/15 Court approved the 1<sup>st</sup> Account Current for the period ending 3/25/14.
2. Conservatee died 10/30/15.
3. Need a second and final account that includes pre and post death account periods.

RECOMMENDATION:

Need a final accounting.

(sa/nb)

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

-----  
DATE: 05/15/17 TIME: 10:00 DEPT: S35P  
-----

CASE#: CON PS0900023

CASE NAME: CARRIE JOHNSON

**SEE ALSO 21A**

HEARING:

Hearing Re: STATUS OF INFORMAL ACCOUNTING/LIEN

COUNSEL:

CARRIE JOHNSON	(CEP)...HARTNELL LAW GROUP
JENNIFER M. DANIEL	(PET)...JENNIFER M DANIEL
MELODIE Z. SCOTT	(PCR)...
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status of Informal Accounting/Lien

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

1. Matter set at 04/18/17 hearing, wherein, the Court directed County Counsel for Public Guardian to provide and informal accounting and status of the lien to Attorney Jennifer Daniel.

RECOMMENDATION:

Need informal accounting and status of lien.

(nb)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/15/17 TIME: 10:00 DEPT: S35P  
-----

CASE#: VC VS00393

CASE NAME: CONSERVATORSHIP OF JOHN DAVID SCHOLES

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of LILY A FARNSWORTH

COUNSEL:

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

Waiver of Court Fees and Costs filed by LILY A FARNSWORTH is GRANTED  
Waiver of Court Fees and Costs filed by JOHN DAVID SCHOLES is GRANTED

GENERAL INFORMATION

Order appointing Successor Conservator, Amanda Ann Hart, entered 07/28/16, person only, no bond.

Continued from **02/27/17**. Court refers this case to the Public Guardian- oral report given by Roberta Taylor. Citation issued to: Amanda Ann Hart

**Continued from 04/03/17. Oral Report given by Roberta Taylor who is relieved as counsel of record. Attorney Sherri L. Kastilahn appointed. Notice by Judicial Assistant.**

THIS CASE IS SET FOR HEARING ON Compliance Review

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

- 1 Need letters of conservatorship.
- 2 Need proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights per Pr.C. §1830(c).
- 3 Need Statement of Care Plan in accord with Pr.C. §2352.5.
- 4 Need a Determination of Conservatee's Appropriate Level of Care per Pr.C. §2352.5 (form GC-355).
- 5 Report by court appointed counsel, Roberta Taylor, filed 02/14/17.
- 6 **Citation returned served.**

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

**RECOMMENDATION:**

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

(nb)

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



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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

-----  
DATE: 05/15/17 TIME: 10:00 DEPT: S35P  
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CASE#: SLC SS02414

CASE NAME: MTR OF LARRY SPENCER

HEARING:

Hearing Re: Sale of Conservatee's Personal Residence

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
LARRY C SPENCER (PET)...HARTNELL LAW GROUP

GENERAL INFORMATION:

**Continued from 04/17/17 at request of counsel. Matter to be set for contested hearing. Trial date to be set. Notice to be given by Jacqueline Carey-Wilson to Bryan Hartnell.**

THIS CASE IS SET FOR HEARING ON Request for Authorization to Sell Conservatee's Former Personal Residence and Other Real Property [PR. C. §§ 2540 (a) & (b)] by Public Guardian.

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

- 1 Petitioner, Public Guardian, proposes to sell the Conservatee's personal residence, improved real property located at 61455 Adobe Drive, Joshua Tree, CA, valued at \$190,000.00; and unimproved real property located in Joshua Tree, CA.
- 2 Conservatee's condition and inability to care for himself, prevents him from living in his residence based on his need for appropriate level placements suited for his mental needs.
- 3 Petitioner alleges that the sale is necessary in order to provide funds to pay ongoing expenses related to the care of the Conservatee.
- 4 Petitioner prays for an Order authorizing Petitioner to sell the conservatee's aforementioned former residence and the unimproved real property.
- 5 Conservatee objects to properties being sold.**
- 6 Notice given.
- 7 ~Proposed Order 02/07/17.

RECOMMENDATION:

Set matter for contested hearing.

(nb)

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

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San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **MISC.**

-----  
DATE: 05/15/17 TIME: 1:30 DEPT: S35P  
-----

CASE#: PRO PS1400251

CASE NAME: Rodney Rogers & Lacey Rogers Family Trust

**SEE ALSO 24 25 26 27**

HEARING:

Hearing Re: COURT TRIAL (FIRST DAY)

COUNSEL:

LYNN GAETA

(PET)...JAMES R WAKEFIELD

RODNEY ROGERS & LACEY ROGERS FAMILY TRUST (TRU)...

GARY ROGERS

(PET)...BRIAN W. SMETHURST

LYNN GAETA

(PET)...CUMMINS & WHITE

No notes – Court Trial.

(nb)

FUTURE HEARINGS:

05/16/17-05/19/17: COURT TRIAL

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

-----  
DATE: 05/15/17 TIME: 1:30 DEPT: S35P  
-----

CASE#: PRO PS1400251

CASE NAME: Rodney Rogers & Lacey Rogers Family Trust  
**SEE ALSO 23 25 26 27**

HEARING:

Hearing Re: AMENDED FIRST ACCOUNTING OF LYNN GAETA

COUNSEL:

LYNN GAETA (PET)...JAMES R WAKEFIELD  
RODNEY ROGERS & LACEY ROGERS FAMILY TRUST (TRU)...  
GARY ROGERS (PET)...BRIAN W. SMETHURST  
LYNN GAETA (PET)...CUMMINS & WHITE

#### GENERAL INFORMATION

Continued from **7/15/15, 09/23/15, 01/14/16, 06/02/16, 06/06/16, 09/08/16 and 11/10/16.**

Court deemed account as an amended 1<sup>st</sup> account.

**Continued from 05/04/17.**

THIS CASE IS SET FOR HEARING ON **Amended** 1<sup>st</sup> Account Current of Lynn Gaeta, as trustee

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

1. Accounting period covers 5/20/13 – 5/27/15.
2. Assets on hand \$473,000 as estimated value of real property.
3. No fees requested at this time.
4. Need notice of hearing and proof of service.
5. No proposed order submitted with the pleadings; submit order after hearing.
6. **Objections re Lynn Gaeta's first account filed 9/16/15 by Gary Rogers.**

#### RECOMMENDATION:

Need notice, matter is contested.

(kra/lc/nb)

#### Future Hearing:

05/15/17 Court Trial 05/16/17 Court Trial 05/17/17 Court Trial 05/18/17 Court Trial  
05/19/17 Court Trial

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

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

-----  
DATE: 05/15/17 TIME: 1:30 DEPT: S35P  
-----

CASE#: PRO PS1400251

CASE NAME: Rodney Rogers & Lacey Rogers Family Trust  
**SEE ALSO 23 24 26 27**

HEARING:

First And Current Account and Report of GARY ROGERS and Petition for allowance of fees.

COUNSEL:

LYNN GAETA (PET)...JAMES R WAKEFIELD  
RODNEY ROGERS & LACEY ROGERS FAMILY TRUST (TRU)...  
GARY ROGERS (PET)...BRIAN W. SMETHURST  
LYNN GAETA (PET)...CUMMINS & WHITE

GENERAL INFORMATION:

Continued from **7/15/15, 09/23/15, 0/14/16, 06/02/16, 06/06/16, 09/08/16 and 11/10/16**.  
Matter is contested; counsel to exchange exhibits.  
**Continued from 05/04/17.**

THIS CASE IS SET FOR HEARING ON 1<sup>st</sup> Account Current of Gary Rogers, as trustee

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

1. Accounting period covers 3/13/13 – 4/23/15 and limited to the accounting of a single bank account held in joint tenancy between Lacey and Gary Rogers and Richard Ethridge.
2. Assets on hand \$1,332.05 consisting of cash.
3. No summary of account provided per Pr.C.§1061.
4. No fees requested at this time.
5. Need notice of hearing and proof of service.
6. **Objections to Gary Roger's first account filed 8/18/15 by Lynn Gaeta.**
7. **Supp 10/07/16: Gary Rogers states that there was a Chase bank account that he was named on; however, did not marshal any assets/make any transactions.**
8. **Objections to supplement filed by Lynn Gaeta on 11/03/16.**
9. No proposed order submitted with the pleadings; submit order after hearing.

RECOMMENDATION:

Need notice, matter is contested.

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

(kra/lc/nb)

Future Hearing:05/15/17 Court Trial 05/16/17 Court Trial 05/17/17 Court Trial 05/18/17  
Court Trial 05/19/17 Court Trial

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

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San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 05/15/17      TIME: 1:30      DEPT: S35P  
-----

CASE#: PRO PS1400251

CASE NAME: Rodney Rogers & Lacey Rogers Family Trust

**SEE ALSO 23 24 25 27**

HEARING:

Hearing Re: 850 PETITION

COUNSEL:

LYNN GAETA

(PET)...JAMES R WAKEFIELD

RODNEY ROGERS & LACEY ROGERS FAMILY TRUST (TRU)...

GARY ROGERS

(PET)...BRIAN W. SMETHURST

LYNN GAETA

(PET)...CUMMINS & WHITE

#### GENERAL INFORMATION

Continued from **7/15/15, 09/23/15, 01/14/16, 06/02/16, 06/06/16, 09/08/16 and 11/10/16.**

Court deemed account as an amended 1<sup>st</sup> account.

**Continued from 05/04/17.**

THIS CASE IS SET FOR HEARING ON **Amended** 1<sup>st</sup> Account Current of Lynn Gaeta, as trustee

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

1. Accounting period covers 5/20/13 – 5/27/15.
2. Assets on hand \$473,000 as estimated value of real property.
3. No fees requested at this time.
4. Need notice of hearing and proof of service.
5. No proposed order submitted with the pleadings; submit order after hearing.
6. **Objections re Lynn Gaeta's first account filed 9/16/15 by Gary Rogers.**

#### RECOMMENDATION:

Need notice, matter is contested.

(kra/lc/nb)

#### Future Hearing:

05/15/17 Court Trial 05/16/17 Court Trial 05/17/17 Court Trial 05/18/17 Court Trial

05/19/17 Court Trial

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

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San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 05/15/17 TIME: 1:30 DEPT: S35P  
-----

CASE#: PRO PS1400251

CASE NAME: Rodney Rogers & Lacey Rogers Family Trust

**SEE ALSO 23 24 25 26**

HEARING:

Petition for (VERIFIED) TO: 1. COMPEL ACCTING BY GARY ROGERS; 2 ORDER CANCELLING ETC

COUNSEL:

LYNN GAETA

(PET)...JAMES R WAKEFIELD

RODNEY ROGERS & LACEY ROGERS FAMILY TRUST (TRU)...

GARY ROGERS

(PET)...BRIAN W. SMETHURST

LYNN GAETA

(PET)...CUMMINS & WHITE

#### GENERAL INFORMATION

Continued from **5/7/14** Court orders all assets and property frozen, **6/25/14, 1/15/15, 3/5/15, 3/11/15, 7/15/15, 09/23/15, 01/14/16, 06/02/16, 09/8/16 and 11/10/16**. Matter is contested; counsel to exchange exhibits.

**Continued from 05/04/17 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Petition to Compel Accounting by Gary Rogers, Cancelling First Amended Trust, Compel Distribution of Trust Assets to Beneficiaries, for Compensatory and Punitive Damages for Fraud, Undue Influence and Conspiracy and Constructive Trust

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

1. Petitioner, Lynn Gaeta, is the successor trustee of the Rodney Rogers and Lacey Rogers Family Trust dated 9/5/96 and daughter of the settlors and beneficiary of Trust A. Petitioner alleges respondent, Gary Rogers, is an individual residing in the County of San Bernardino.
2. Petitioner states that upon Rodney's death on 8/15/08, Lacey became the sole acting trustee of the Trust. Lacey subsequently died on 3/25/13. The Trust provides that upon both Rodney and Lacey's deaths, petitioner becomes the sole successor trustee. Petitioner accepted the role as successor trustee by Affidavit executed on 5/20/13. Pursuant to the terms of the Trust, petitioner states upon the death of Rodney, the Trust was to split into an A and B Trust, and upon the death of the surviving settlor, the trust distributed  $\frac{3}{4}$  to petitioner and  $\frac{1}{4}$  to respondent, Gary, in the real property at 11638 Ramsey Drive, Whittier, and the balance of the trust assets  $\frac{1}{2}$  to petitioner and  $\frac{1}{2}$  to respondent, Gary.

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

Before Lacey's death, she was obligated to segregate and divide the trust estate remaining into Trusts A and B. However, Lacey was diagnosed with health issues clear and obvious to any reasonable person who dealt with her. Petitioner alleges that on or about 4/25/12, respondent through fraud, undue influence and breach of his fiduciary duty to Lacey, conspired and took advantage of Lacey's infirmity and diminished capacity by having Lacey execute a purported First Amendment and Restatement of the Trust dated 4/25/12. The purported First Amendment and Restatement of the Trust deletes Trust A and disinherits petitioner.

Petitioner contends respondent, in coordinating the execution of the First Amended Trust, was in a position of trust to Lacey, as well as understood her impaired health condition that caused Lacey to be a person who relied upon his direction. Therefore, respondent, Gary, owed a fiduciary duty to Lynn which included the duty to act in her best interest, to be completely honest and truthful in their dealings with her, to avoid conflict of interest, and not to engage in self-dealing or otherwise favor his interests over Lacey and Lynn's interests. Thus, petitioner further contends that respondent violated his fiduciary duty to Lacey to his gain and to her estate's financial detriment. Petitioner believes respondent disrupted the distribution of the Trust by taking possession of all Trust assets, removing funds from various Trust bank accounts and placing them under his control, and changing the key on the real property. By conducting such acts, petitioner states respondent acted as trustee *de son tort* and therefore had all of the duties and liabilities of a trustee.

3. Petitioner believes respondent is in violation of Pr.C. 16000 as he failed to segregate and divide the Trust into Trusts A and B. Petitioner further believes respondent is guilty of recklessness, oppression, fraud and malice in the commission of the above-described fiduciary abuse, and under Civil Code Section 3294, respondent is liable for punitive damages.
4. Petitioner further believes that on or about 9/30/07, Lacey prepared and executed 2 Letters of Intent Desired Distribution of Personal Property including her jewelry. Petitioner believes Lacey listed all of her distributions in detail and photocopied the respective jewelry and wrote the beneficiaries' names on each page to insure that her wishes would be followed. Petitioner alleges respondent, Gary, has failed and refused to distribute Lacey's personal property to the named beneficiaries.
5. Petitioner requests that the Court compel respondent, Gary, to report information about the Trust and/or account to the beneficiaries per Pr.C. 17200(b)(7).
6. Petitioner requests the court compel respondent to distribute the personal property to the named beneficiaries; to cancel the First Amended Trust, to impose a constructive trust on Trust assets removed or transferred by Gary; impose compensatory damages for all actual harm caused to the Trust; surcharging respondent for costs herein and ordering punitive damages per Civil Code 3294.
7. **Objection to Motion to Compel filed 2/27/15 by Lynn Gaeta.**
8. **Reply to Objection to Motion to Compel filed 3/4/15 by Gary Rogers.**

RECOMMENDATION:  
Matter is contested.



(gls/vet/kra/lc/nb)

**Future Hearing:**

05/15/17 Court Trial 05/16/17 Court Trial 05/17/17 Court Trial 05/18/17 Court Trial  
05/19/17 Court Trial

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: CYNTHIA LUDVIGSEN

**PROBATE**

-----  
DATE: 05/15/17      TIME: 8:30      DEPT: S36P  
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CASE#: PRO PS1600066

CASE NAME: MTR OF JOSE R MENDOZA

**VACATED**

HEARING:

Accounting Review

COUNSEL:

JOE AGUILERA

(PET)...JAMIE N GONZALEZ

JOSE R MENDOZA

(DEC)...

**VACATE** – waiver of first and final account approved on 05/08/17.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **PROBATE**

-----  
DATE: 05/15/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO DS1000187

CASE NAME: ETHEL JUNE LYNCH

HEARING:

Hearing re Final Discharge

COUNSEL:

ROSALIE PERRYMAN	(PET)...E JOAN NELMS
ETHEL JUNE LYNCH	(DEC)...
JAMES B. CHURCH	(SPA)...JAMES B CHURCH & ASSOCIATES
MARJORIE MERCER	(MIN)...
ALEX R BORDEN	(PET)...BORDEN LAW OFFICE
CHRISTINA ERICKSON-TAUBE	(PET)...SHERRI L KASTILAHN
DEBRA RICHTER	(PET)...BORDEN LAW OFFICE
DEBRA RICHTER	(OBJ)...BORDEN LAW OFFICE
ROSALIE PERRYMAN	(WALTER T MOORE)
DAVID YANCY	(LELAND C. BUSSELL)

**XREF :CONPS1000033**

GENERAL INFORMATION:

**Continued from 11/28/16 and 02/27/17. No appearances. Court orders Rosalie Perryman to appear in court at next hearing (5/15/17). Notice by Judicial Assistant.**

THIS CASE IS SET FOR HEARING ON final discharge

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

1. Order Settling First and Final Account entered 11/23/15.
2. All receipts filed.
3. Need Ex-parte Petition/Order for Final Discharge.

RECOMMENDATION:

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

(nb)

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

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/15/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS0900388

CASE NAME: JAMES W. LOVELESS REVOCABLE TRUST

**SEE ALSO 3**

HEARING:

OSC re: Dismissal

COUNSEL:

NATALIE RHOADS (PET)...JAMES C. SHIELDS  
JAMES W. LOVELESS REVOCABLE TRUST (TRU)...  
THE GROSSMANLAW FIRM A. P. C. (PET)...THE GROSSMANLAW FIRM, A.P.C

GENERAL INFORMATION:

**Continued from 11/21/16 and 02/27/17. No appearances. Notice by Judicial Assistant.**

THIS CASE IS SET FOR HEARING ON **OSC re Dismissal** on Petition for Payment of Attorney's Fees and Costs.

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

1. Need Notice of Hearing with proof of service. 11/21/16 Hrg con't by court for notice to be given.
2. Petitioner, Scott Grossman, has been attorney for the trustee until 05/04/15. Petitioner alleges that services have been rendered for the period 01/01/14 to 09/08/15 for which counsel has not been compensated.
3. Attorney requests fees of \$1,810.00. Billed at \$300/hour for 4.20 hours' attorney time. Itemized [LF, p. 5]. JTD.
4. Attorney requests reimbursement of costs advanced of \$465. Itemized.
5. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Require notice then Court's discretion.

(pjb/nb)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/15/17 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS0900388

CASE NAME: JAMES W. LOVELESS REVOCABLE TRUST

**SEE ALSO 2**

HEARING:

Petition for PAYMENT OF ATTORNEY'S FEE AND COSTS

COUNSEL:

NATALIE RHOADS (PET)...JAMES C. SHIELDS

JAMES W. LOVELESS REVOCABLE TRUST (TRU)...

THE GROSSMANLAW FIRM A. P. C. (PET)...THE GROSSMANLAW FIRM, A.P.C

See prior matter.

(nb)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/15/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1200178

CASE NAME: MTR OF HIAM A BAKRIKASSBAH

HEARING:

Accounting Review

COUNSEL:

AHLAM ALGAOUNI (PET)...CHO, SHEASBY, CHUNG & IGNACIO  
HIAM A BAKRIKASSBAH (DEC)...  
BASSIM EL-JAOUNY (PET)...EDWARD B FISCHER & ASSOCIATES  
DEPARTMENT OF HEALTH CARE SERVICES (TP )...PRO/PER

**XREF: CONPS1100276**

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Special Administration issued 03/13/12, no bond. Letters of Administration issued 07/20/15, full authority, no bond.
2. No accounting or status report of administration. Need same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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

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DATE: 05/15/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1400128

CASE NAME: Walter McKibben

HEARING:

Accounting Review

COUNSEL:

MICHAEL T CHAMBERS	(PET)...JAMES D PETERSON
WALTER MCKIBBEN	(DEC)...
JANICE WINEKE	(PET)...JAMES D PETERSON

**VACATE** – First and Final Account filed and set for 07/24/17

(nb)

Superior Court of Calif, County of San Bernardino

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

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DATE: 05/15/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1400169

CASE NAME: MARTIN R PAPPALARDO

HEARING:

Hearing re Final Discharge

COUNSEL:

MICHAEL G PAPPALARDO (PET)...MARIO D VEGA  
ANTONIO M PAPPALARDO (PET)...MARIO D VEGA  
MARTIN R PAPPALARDO (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Order for Final Account entered 05/25/16..
2. No receipts. Need same.
3. Need Ex-Parte Petition/Order for Final Discharge.

RECOMMENDATION:

Inquire status.

(nb)



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

-----  
DATE: 05/15/17 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1400480

CASE NAME: Katherine Ann Simmons

**SEE ALSO 8**

HEARING:

Petition for SETTLEMENT AND FINAL DISTRIBUTION'

COUNSEL:

SUSAN ANN ASTRAN (PET)...JEFFREY T GWYNN  
KATHERINE ANN SIMMONS (DEC)...

GENERAL INFORMATION:

Continued from **08/16/16** and **12/12/16** to clear probates notes 1 & 4.

**Continued from 03/13/17 at request of counsel. The Court approves attorney statutory fee request, attorney cost request, and preliminary disbursement to George Simmons Jr. Disbursement may be made at this time without formal court order. Matter continued for supplement and statements in support of inventory and appraisal to be reviewed. Notice to be given by Ms. Gwynn.**

THIS CASE IS SET FOR HEARING ON **AMENDED (10/20/16)** First and Final Account and Petition for Fees.

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

1. Accounting period 09/22/10 to 03/23/16.
2. Assets on Hand \$13,204.34 consisting of \$6,704.34 in cash and \$6,500 in personal property.
3. Petitioner waives statutory compensation.
4. Attorney requests statutory fees of \$6,084.75. Calculated.
5. Petitioner requests ratification for reimbursement of costs advanced of \$9,000 toward a total sum of \$13,619.56, leaving a difference owing of \$4,619.56, which Petitioner is waiving. Generally Itemized [LF, p. 23].
6. Attorney requests reimbursement of costs advanced of \$624.76. Itemized [LF, pgs. 24-26]. **Supp. (12/02/16) indicates counsel waives costs.**
7. Disbursements – Schedule C reflects the amount of \$38,000 being preliminarily disbursed to beneficiary without court order, to George Simmons, Jr. Declarations in support affixed [LF, pgs. 9-10; 17-19]. JTD.
8. Notice given.

9. Proposed Order 04/21/17 [LF, pgs. 137-139] title is incorrect; approves distributions nunc pro tunc and does not specify pension fund proceeds to be distributed to Susan A. Astran.

**RECOMMENDATION:**

Court's discretion. If approved, set next hearing for receipts and final discharge for **05/21/18**.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 8

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

-----  
DATE: 05/15/17 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1400480

CASE NAME: Katherine Ann Simmons

**SEE ALSO 7**

**VACATE**

HEARING:

Accounting Review

COUNSEL:

SUSAN ANN ASTRAN (PET)...JEFFREY T GWYNN

KATHERINE ANN SIMMONS (DEC)...

**VACATE** – see prior matter.

(nb)

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

-----  
DATE: 05/15/17 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1500047

CASE NAME: Peter Fredric Williams

HEARING:

Probate status report filed.

COUNSEL:

SUSAN WILLIAMS (PET)...DINA I FARHAT, ESQ  
PETER FREDRIC WILLIAMS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report by Personal Representative, Susan Williams.

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

1. Petitioner alleges the estate is not in a condition to be closed as the First and Final Account needs to be completed.
2. Petitioner requests an additional 3 months to close the estate.
3. Need Notice of Hearing and proof of service in accord with Pr.C. § 12201.  
Whenever a status report is filed without an accounting, notice must indicate a right to an accounting in accord with Pr.C. § 10950. **This form of notice is mandatory.**
4. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Require notice then Court's discretion. If approved, set next Accounting Review for **08/14/17**.

(nb)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/15/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1501018

CASE NAME: ROY E BRANSON

**VACATED**

HEARING:

Accounting Review

COUNSEL:

DONNA L CARLSON (PET)...BRYAN C HARTNELL  
ROY E BRANSON (DEC)...

**VACATE** – Status Report filed and set for 07/11/17.

(nb)

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

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DATE: 05/15/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1501029

CASE NAME: BRETT S TASHMAN

HEARING:

Accounting Review

COUNSEL:

BURTON TASHMAN	(PET)...PRO/PER
LINDA TASHMAN	(PET)...PRO/PER
BRETT S TASHMAN	(DEC)...

GENERAL INFORMATION:

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

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Administration issued 12/21/15, full authority, no bond.
2. Final Inventory and Appraisal filed 04/29/16 has the following issues;
  - a. Need bank/financial statements to support date of death balances per Local Rule 20-908.
  - b. Autos and Stocks are items that must be appraised by the probate referee and listed on Attachment 2. Pr.C. §8902. Need corrected inventory
3. No accounting or status report of administration. Need same.

RECOMMENDATION:

Need to clear notes. 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)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/15/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600157

CASE NAME: MTR OF ROBERTA M RICHEY

**SEE ALSO 13**

HEARING:

OSC re: Dismissal of Petition filed by RACHELLE WILLIAMS

COUNSEL:

RACHELLE WILLIAMS (PET)...PRO/PER  
ROBERTA M RICHEY (DEC)...

GENERAL INFORMATION

Petitioner appointed Special Administrator on 02/25/16. Letters issued 02/25/16.

Continued from **04/11/16**. Court was advised the home had been sold.

OSC set on 07/18/16 as there was no appearance.

**Continued from 09/26/16, 11/28/16 and 02/27/17 (no appearance). Notice by Judicial Assistant.**

THIS CASE IS SET FOR HEARING ON **OSC re Dismissal** on Letters of Administration W/Full IAEA by daughter

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

1. Petitioner alleges she is daughter and sole heir who waives bond, however, petition indicates there is a registered domestic partner who would also be an heir. Need verified supplement.
2. Item 5.2.b. states decedent's spouse is deceased. Item 7.a. states decedent had no predeceased spouse. Need verified supplement. Item 5b not completed.
3. Need proof of publication.
4. Need Notice of Petition to Administer Estate and proof of service.
5. ~Proposed form Order filed 02/22/16.

RECOMMENDATION:

Need to clear notes. If approved, set Accounting/Status Review for **05/07/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(dl/lc/nb)

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

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/15/17 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1600157

CASE NAME: MTR OF ROBERTA M RICHEY

**SEE ALSO 12**

HEARING:

Petition for LETTERS OF ADMINISTRATION W/ FULL IAEA

COUNSEL:

RACHELLE WILLIAMS (PET)...PRO/PER  
ROBERTA M RICHEY (DEC)...

See prior matter.  
(nb)



Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/15/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600907

CASE NAME: MTR OF YOUNG SOOK HAN

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

AE SOOK HAN (PET)...RYAN A ELLIS  
YOUNG SOOK HAN (DEC)...

GENERAL INFORMATION:

**Continued from 11/21/16** at request of counsel.

**Continued from 02/27/17.**

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA sister.

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

1. Heirs appear to be citizens of Korea. Need Notice of Hearing and proof of service for diplomatic or consular office per Pr.C. 8113.
2. Petition does not include estimated value of property and Section 5 (7) or (8) does not indicate if there is issue of a predeceased child. Need verified supplement.
3. All heirs waive bond. Need Mandatory Waivers of Bond by Heir or Beneficiary, form DE-142/DE-111 by each heir.
4. Need proof of publication.
5. ~Proposed Form Order/Letters 09/09/16.

RECOMMENDATION:

Petitioner is a non-resident of the United States and is ineligible for appointment per Pr. C. 8402(a)(4).

(nb/lh)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/15/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1601257

CASE NAME: RICHARD A CONTRERAS

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

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

GENERAL INFORMATION:

**Continued from 03/06/17.**

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

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

1. Both heirs waive bond. Estimated net value of estate is \$363,700. Court also has discretion to require bond per Pr. C. § 8481(b). JTD
2. Notice of Petition to Administer Estate filed 02/21/17 & 05/04/17, Section 4, indicates there is a will and includes Angie L. Villegas who is not included at Section 8 to petition. Need further clarification via verified supplement.
3. **Proof of Publication filed.**
4. ~Proposed form Order/Letters: 12/21/16

RECOMMENDATION:

Need to clear note 2. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **05/14/18**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh/nb/lh/nb)

-----  
DATE: 05/15/17 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1700218

CASE NAME: MTR OF BEATRICE ROSEKAMP

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

LIZABETH GOODIE (PET)...THOMAS W DOMINICK  
BEATRICE ROSEKAMP (DEC)...

GENERAL INFORMATION:

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

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

1. Bond \$175,000. Appears sufficient.
2. Decedent's Conservatorship estate appears to be on calendar for final account CONPS0600008; matter 21.
3. ~Proposed form Order: 03/08/17

RECOMMENDATION:

RFA, Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **07/23/18**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh/lc)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/15/17 TIME: 8:30 DEPT: S37P  
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CASE#: SPR SS06898

CASE NAME: EST OF ROYCE IRVIN PERKINS

HEARING:

Accounting Review

COUNSEL:

MELISSA HANSON (PET)...HARTNELL LAW GROUP  
ROYCE IRVIN PERKINS (DEC)...

#### GENERAL INFORMATION

Continued from **11/07/16** at request of counsel. Notice to be given by Mr. Hartnell.

**Continued from 01/23/17 at request of counsel to obtain supplemental information from Melissa Hanson.**

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 Melissa Hanson on 12/31/06, limited authority no bond.
2. Previous status report approved on 02/17/16.
3. Need accounting or status report.

#### RECOMMENDATION

Inquire status.

(lc/nb)

Superior Court of Calif, County of San Bernardino

Page: 17A late add-on

CIVPRO

San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

-----  
DATE: 05/15/17      TIME: 8:30      DEPT: S37P  
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CASE#: PRO PS1700195

CASE NAME: MTR OF IRA PETE ELLER TRUST

HEARING:

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

COUNSEL:

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

Currently under review by Legal Research.  
(LR)

Continued matter – notice not re-reviewed.

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/15/17 TIME: 8:35 DEPT: S37P  
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CASE#: PRO PS1600187

CASE NAME: MTR OF TIODOLA WILSON MADRID

**SEE ALSO 18A**

HEARING:

Motion Re: NOTICE OF MOTION AND MOTION TO BE RELIEVED AS COUNSEL  
Filed by Petitioner ALICIANA LADD

COUNSEL:

ALICIANA LADD (PET)...THOMAS W DOMINICK  
TIODOLA WILSON MADRID (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Motion to be Relieved as Counsel by Fullerton, Lemann, Schafer & Dominick, LLP ["Petitioner"].

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

1. Petitioner makes this motion to be relieved as counsel under Code of Civil Procedure section 284(2) instead of filing consent under section 284(1) and alleges communications with client have been lost. Attorney Dominick and his staff have made numerous telephone calls and mailed correspondence to the client in the past several months and has received no response.
2. Proof of Service, section 4a affixed to Notice filed 03/09/17 is not dated. Need proper service.
3. ~Proposed Form Order 03/08/17
4. **Substitution of Attorney filed 05/03/17**

RECOMMENDATION: Matter appears moot.

Need to clear note 2 then Court's discretion.

(nb)

FUTURE HEARING:

07/12/17 Petition for Removal of Current Executor

07/12/17 Petition for Probate of Will (Competing Petition)

07/20/17 Probate Status Report Filed

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 05/15/17      TIME: 8:35      DEPT: S37P  
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CASE#: PRO PS1600187

CASE NAME: MTR OF TIODOLA WILSON MADRID

**SEE ALSO 18**

HEARING:

Accounting Review

COUNSEL:

ALICIANA LADD

(PET)...THOMAS W DOMINICK

TIODOLA WILSON MADRID

(DEC)...

**VACATE** – status report filed and set for 07/20/17.

(nb)

FUTURE HEARING:

07/12/17 Petition for Removal of Current Executor

07/12/17 Petition for Probate of Will (Competing Petition)

07/20/17 Probate Status Report Filed

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/15/17 TIME: 8:35 DEPT: S37P  
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CASE#: PRO PS1700217

CASE NAME: MTR OF LIVING TRUST OF MARIE LEMMONS

HEARING:

Petition for TO DETERMINE THE VALIDITY OF THE PURPORTED LIVING  
TRUST OF MARIE LEMMONS ETC

COUNSEL:

HOLDEN BOEHM (PET)...KEYSTONE LAW GROUP  
SHAANA BOEHM (PET)...KEYSTONE LAW GROUP  
NICOLAS BOEHM (PET)...KEYSTONE LAW GROUP  
LIVING TRUST OF MARIE LEMMONS (TRU)...

**X-REF: CONPS 1600158**

Currently under review by Legal Research.  
(nb)

Notice:

Notice filed 03/20/17 does not include William R. Boehm in his capacity as Trustee or  
Decedent's brother, Paul Truly. Need proper service.

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



Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**CONSERVATORSHIPS**

-----  
DATE: 05/15/17      TIME: 9:30      DEPT: S37P  
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CASE#: CON DS1000019

CASE NAME: GREGORY WATTERS

**VACATED**

HEARING:

Accounting Review

COUNSEL:

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

GREGORY WATTERS (CTE)...

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

GREGORY WATTERS (CTP)...

**VACATE** – Order Waiving Trust Accounting entered 03/09/17.

(nb)

**NOTE:** Set next Accounting Review Hearing for **05/21/18**.

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

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DATE: 05/15/17 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS0600008

CASE NAME: BEATRICE ROSEKAMP

HEARING:

FIFTH AND FINAL Account and Report of LIZABETH GOODIE and  
Petition for allowance of fees filed.

COUNSEL:

LIZABETH GOODIE	(PET)...	FULLERTON LEMANN SCHAEFER & DO
BEATRICE ROSEKAMP	(PCE)...	
LIZABETH GOODIE	(CPE)...	FULLERTON LEMANN SCHAEFER & DO
LIZABETH GOODIE	(CEP)...	
BEATRICE ROSEKAMP	(DEC)...	

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON 5<sup>th</sup> and Final Account and Report of Conservator  
of Estate and Petition for Allowance of Attorneys' Fees y Lizabeth Goodie.

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

1. Accounting covers period: 01/01/14 – 12/31/16. Conservatee died on 01/23/16.  
Court may wish to require pre and post death accountings per Pr. C. § 2620(b).  
After death activity appears to be interest accrued. JTD
2. Assets on hand: \$185,257.82 (of which \$199,960.75 is cash and the balance in  
carry value of securities).
3. Petitioner seeks fees of \$24,000 for \$200 per month for the last 10 years. Petitioner  
did not keep a daily time record. Petitioner has previously deferred fees in  
accountings until now. JTD
4. Attorney requests fees of \$6,872 for 28.50 hours at \$110/350 per hour, together  
with a request for reimbursement of costs of \$465.00, for a total of \$7,337.00.  
Itemized. [Acct.03/08 LFpg18-20 ].
5. Need residential facility statements for Rose Gardens per Pr.C. §2620(c)(5).
6. Report does not appear to include distribution; however, order lists proposed  
distribution. Need verified supplement.
7. It appears that PROPS1700218 is the estate of Beatrice Rosekamp; matter 16.
8. Current bond is \$450,000. Ok.
9. ~Proposed Order: 03/08/17.

## RECOMMENDATION

Need to clear notes 5 & 6, then Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **05/21/18**.

(lc)

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

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DATE: 05/15/17 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1300131

CASE NAME: LURALI DUTSON HARGETT

HEARING:

Hearing Re: Attorney claim by E Joan Nelms

COUNSEL:

KATHLEEN SCHULTZ	(PET)...SHELLY L HANKE
ELAYNE BRAY	(PET)...SHELLY L HANKE
LURALI DUTSON HARGETT	(CEP)...E. JOAN NELMS
LARRY DEAN	(CPE)...
RONALD W. ASK	(PET)...RONALD W ASK
LAWRENCE A. DEAN II	(CE )...SHERRI L KASTILAHN

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Attorney Claim by E. Joan Nelms

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

1. Matter set on court's motion on 03/29/17.
2. Claim in the amount of \$5,024.75 received from Attorney E Joan Nelms for 03/22/13 to 03/14/17. Billing period exceeds 2 years.
3. Need Notice of Hearing with proof of service.
4. **NOTE:** Ex-Parte Petition for Final Discharge and Order entered 03/16/15.

RECOMMENDATION:

It appears the case would have to be re-opened; Court could set aside an order for final discharge; or require p's and a's that would allow this Court's to make additional orders after the final discharge order has been entered.

(nb)

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

-----  
DATE: 05/15/17 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1300147

CASE NAME: MARY F CARROLL

**SEE ALSO 24 25**

HEARING:

Conservatorship Compliance Review Hearing on SUPPLEMENTAL  
PETITION FOR CONSERVATORSHIP of NATALIE BLICKENSTAFF

COUNSEL:

LALANEYA D STAIGLE	(PET)...HARTNELL LAW GROUP
MARY F CARROLL	(CEP)...
LALANEYA D STAIGLE	(PET)...TREVOR D MARTIN
ALAN CARROLL	(SC )...DENNIS M SANDOVAL
PUBLIC GUARDIAN	(SC )...DENNIS M SANDOVAL
NATALIE BLICKENSTAFF	(CPE)...JENNIFER M DANIEL
MARY CARROLL	(CEP)...MITCHELL I ROTH
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
ALAN CARROLL	(OBJ)...PAMELA Y VALENCIA

GENERAL INFORMATION

Order Appointing Natalie Blickenstaff as Successor Conservator of the Person and Estate entered 09/02/16, \$155,000 bond.

**Continued from 02/27/17 at request of counsel. Mitchell Roth relieved as counsel of record for conservatee.**

THIS CASE IS SET FOR HEARING ON Inventory & Appraisal/Compliance Review

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

1. Notification of Conservatee's Rights filed 09/12/16.
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.
4. If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.
5. **Conservatee passed away on 11/13/16.**

**RECOMMENDATION:**

Need to clear notes 2-4. Suggest Accounting Review set for 09/25/17 be vacated and re-set in 60 days for pre and post death accounting.  
(nb)

**FUTURE HEARING:**

09/25/17: ACCOUNTING REVIEW

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 05/15/17 TIME: 9:30 DEPT: S37P  
-----

CASE#: CON PS1300147

CASE NAME: MARY F CARROLL

**SEE ALSO 23 25**

HEARING:

Petition for APPROVAL AND PAYMENT OF ATTORNEY'S FEES AND  
COSTS TO COURT APPOINTED ATTORNEY

COUNSEL:

LALANEYA D STAIGLE	(PET)...HARTNELL LAW GROUP
MARY F CARROLL	(CEP)...
LALANEYA D STAIGLE	(PET)...TREVOR D MARTIN
ALAN CARROLL	(SC )...DENNIS M SANDOVAL
PUBLIC GUARDIAN	(SC )...DENNIS M SANDOVAL
NATALIE BLICKENSTAFF	(CPE)...JENNIFER M DANIEL
MARY CARROLL	(CEP)...MITCHELL I ROTH
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
ALAN CARROLL	(OBJ)...PAMELA Y VALENCIA

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Fees and Compensation by Court-Appointed Counsel, Mitchell I. Roth ["Petitioner"].

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

- 1 Petitioner was appointed on 05/31/13. Petitioner alleges that services have been rendered for which counsel has not been compensated for the period 06/24/16 to 02/28/17.
- 2 Attorney requests fees of \$5,287.50. Billed at \$375/hour for 14.10 hours' attorney time. Itemized [LF, pgs. 6-10]. JTD.
- 3 Petitioner requests the Successor Conservator of the Estate, Natalie Blickenstaff, be directed and ordered to pay the requested sum, forthwith.
- 4 Notice given.
- 5 ~Proposed Order 03/07/17.

RECOMMENDATION:

Court's discretion.

(nb)

FUTURE HEARING: 09/25/17: ACCOUNTING REVIEW

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

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

-----  
DATE: 05/15/17 TIME: 9:30 DEPT: S37P  
-----

CASE#: CON PS1300147

CASE NAME: MARY F CARROLL

**SEE ALSO 23 24**

HEARING:

Petition for PAYMENT OF ATTORNEY FEES AND REIMBURSEMENT OF COSTS

COUNSEL:

LALANEYA D STAIGLE	(PET)...HARTNELL LAW GROUP
MARY F CARROLL	(CEP)...
LALANEYA D STAIGLE	(PET)...TREVOR D MARTIN
ALAN CARROLL	(SC )...DENNIS M SANDOVAL
PUBLIC GUARDIAN	(SC )...DENNIS M SANDOVAL
NATALIE BLICKENSTAFF	(CPE)...JENNIFER M DANIEL
MARY CARROLL	(CEP)...MITCHELL I ROTH
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
ALAN CARROLL	(OBJ)...PAMELA Y VALENCIA

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Fees and Compensation by Petitioner, Allen Carroll and Attorney for Petitioner, Attorney Pamela Y. Valencia.

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

- 1 Petitioner, Attorney Pamela Y. Valencia, alleges that services have been rendered for which counsel has not been compensated for the period 01/23/14 to 11/30/16. Billing period exceeds 2 years.
- 2 Attorney requests fees of \$27,595.00 and costs in the amount of \$3,082.85, for a total of \$30,677.85, less \$15,100.00 provided by petitioner, Alan Carroll. Accordingly, Attorney requests \$15,577.85 in fees and costs and \$15,100.00 to be reimbursed to Alan Carroll, for a total of \$30,677.85 in payment from the estate of conservatee. Billed at \$250-\$400/hour for 87.80 hours' attorney time and \$100/hour for 14.90 hours' paralegal time totaling 104.20 hours. Itemized [LF, pgs. 7-16]. JTD.
- 3 Petitioner requests the Successor Conservator of the Estate, Natalie Blickenstaff, be directed and ordered to pay the requested sums, forthwith.
- 4 Notice given.
- 5 No proposed order. Submit Order after Hearing.



RECOMMENDATION:  
Court's discretion.  
(nb)

FUTURE HEARING:  
09/25/17: Accounting Review

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

Superior Court of Calif, County of San Bernardino

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: TARA REILLY

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DATE: 05/15/17 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1600139

CASE NAME: MTR OF LOUISE WOOTTON

HEARING:

Petition for Appointment of Conservator

COUNSEL:

TIMOTHY WOOTTON (CPE)...LAW OFFICES OF JOSEPH P FOLEY  
LOUISE WOOTTON (CEP)...JACK B OSBORN

#### GENERAL INFORMATION

Continued from **08/08/16**. Petitioner is withdrawing the request for estate powers. Court grants this request. The petition is for conservatorship of the person (sic) only. Attorney Jack B Osborn is appointed. Notice by Judicial Assistant.

Continued from **10/17/16**. Petitioner withdraws request for estate and dementia powers. Court-appointed counsel report filed. **Sherri Kastilahn is appointed as guardian ad litem** for Louise Wootton.

**Continued from 11/21/16**. Petitioner's request to become conservator of the estate is withdrawn. It is not yet determined whether or not dementia powers are necessary.

Timothy Wootton is appointed temporary conservator of the person of Louise Wootton.

**Continued from 02/27/17. Matter continued to clear probate notes. Counsel provides Order for Temporary Conservatorship for judge to sign.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person by son.

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

1. Petitioner seeks medical powers. Medical Capacity Declaration filed 10/12/16.
2. Supp. (08/03/16) indicates Conservatee's real property may have to be sold to pay for conservatee's ongoing care and living expenses. However, Petitioner withdrew his request for estate powers on 08/08/16 and 10/17/16.
3. Court to review report recommendation by court-appointed counsel, Jack B. Osborn, filed 10/17/16.
4. Petitioner states proposed conservatee has dementia; however, dementia powers are not being sought. Court to inquire.
5. Proof of service to citation filed 08/08/16 is incomplete. **Need proper service.**
6. Certificate of Completion of the Conservatorship Training Class filed 08/04/16.

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

7. Court Investigator report filed 07/07/16.
8. Proposed Form Order/Letters: 08/08/16 &/08/09/16 include estate powers.

#### RECOMMENDATION

Need to clear note 5. If approved, set hearing for Compliance Review for **10/02/17** for the filing of the required documents.

(lc/nb/lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 05/15/17 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1600348

CASE NAME: RAMON LOREDO III

HEARING:  
PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

BONNIE LOREDO (PET)...PRO/PER  
RAMON LOREDO III (CTP)...LISA FISHER

Waiver of Court Fees and Costs filed by BONNIE LOREDO is GRANTED

#### GENERAL INFORMATION

**Continued from 01/30/17. Referred to Court Investigator for investigation and report. Walter Moore appointed.**

THIS CASE IS SET FOR HEARING ON Conservatorship Management Conference re Transfer from Los Angeles County.

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

1. Bonnie Loredo aka Bonnie Rodriguez (mother) was appointed Conservator of person only and Letters were issued 02/10/10 in Los Angeles County Court.
2. This matter was transferred from Los Angeles County Superior on 06/30/16 as the Conservator resides and intends to continue to reside in San Bernardino County.
3. Need Post Move Change of Address.
4. Need Court Investigator Report.
5. Need amended Letters to reflect San Bernardino County.
6. Conservatee is developmentally disabled. Court may wish to request IRC report.  
JTD
7. Last PVP Report filed 02/10/10 by attorney Christina M. Stone. Court may wish to appoint counsel and require a report. **Need report by court-appointed counsel, Walter Moore.**

#### RECOMMENDATION:

Need to clear notes 3-5 & 7, then Court's discretion.  
(lh/nb)

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

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San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**ELDER ABUSE**

-----  
DATE: 05/15/17      TIME: 9:30      DEPT: S37P  
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CASE#: CIF DS1700037

CASE NAME: BURTON VS. DELGADO

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

PETER BURTON                      (PP)...PRO/PER

BRITTNEY DELGADO                (RP)...

No notes – Judge to decide.

(nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino District - Probate

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**ELDER ABUSE**

-----  
DATE: 05/15/17      TIME: 9:30      DEPT: S37P  
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CASE#: CIF DS1700038

CASE NAME: DAVIS VS. WAGNER

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

LOVELL EUGENE DAVIS

(PP)...PRO/PER

LORETTA WAGNER

(RP)...

No notes – Judge to decide.

(nb)