



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 05/21/18

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

Destruction of Filed Documents:

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

Contacting the Probate Examiners:

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

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

(05/07/18 & 05/16/18 ww) (04/30/18 cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

DATE: 05/21/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400622

CASE NAME: Robert Joseph Vinson

HEARING:

Hearing Re: AMENDED ACCOUNT OF FREDERICK VINSON

COUNSEL:

JANNINA K. MALEK (PET/TP)...FULLERTON LEMANN SCHAEFER & D
ROBERT JOSEPH VINSON SR (DEC)...
FREDERICK LAFATE VINSON (PET)...PRO/PER
SURETEC INSURANCE (WOLKIN CURRAN LLP)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON **[Amended 04/16/18]** Second and Final Account, Petition for Fees and for Final Distribution by Frederick (Eric) Lafate Vinson III, son.

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

- 1 Accounting period: 03/07/14-12/31/17
- 2 Assets on hand: 67,966.89; however, calculations are incorrect and amount appears to be **\$70,501.78. Need** corrected calculation via verified supplement.
- 3 Petitioner requests **statutory fees** of \$3,402.22 Calculated.
- 4 Petitioner requests extraordinary fees of \$3,567.00; however, several of the charges do not appear to qualify as extraordinary services. Itemized. [LF pgs. 24-25] **JTD**
 - a. Petitioner is requesting fees for "Travel to Court" on 14 occasions in the amount of \$996.00; however, per Local Rule 20-909, travel costs are not allowed unless petitioner is waiving statutory fees.
 - b. Petitioner is also requesting \$75.00 for 3 hours at \$25.00/hour for time spent on "Police reports." [LF pg. 25] **JTD**
- 5 Petitioner requests reimbursement for advanced costs in the amount of \$1,281.41. **Need** itemization. **See also note 6a.**
6. Schedule C re disbursements has the following issues:
 - a. The 05/01/15 entry indicates that petitioner reimbursed himself \$1,144.50 then for \$465.00 on 06/03/16 without Court authorization. [LF pg. 17] **JTD**
 - b. On dates of 06/02/14 and 07/15/14 there are withdrawals of a greater amounts by Robert Vinson Jr. which then a portion is distributed to Frederick

- for “services.” [LF pg. 15] **Need** clarification of distributions and services via verified supplement.
- c. There are several overdraft fees charged in the amount of \$35.00 for each occurrence for a total of \$210.00. [LF pgs. 16-17] **JTD**
 - d. There are several disbursements to “SBJB Criminal”. **Need** clarification of disbursements via verified supplement.
7. Summary of Account [LF pg. 4] has the following issues:
- a. Total Charges and Total Credits do not match.
 - b. Total of Corrected Final and Supplemental Inventory and Appraisals amount to a value of \$96,059.00 and not \$92,705.00.
Need corrected Summary and affected schedules.
8. Proposed distribution has the following issues:
- a. It lists a division of the real property located at 3664 Dusty Mile Road; however, real property was sold on 06/19/17. [LF pg. 6]
 - b. It indicates that Claire Vinson, granddaughter and Tanya Johnson will receive “nothing”; however, the will indicates that Claire is to receive 5% and Tanya 10% from the sale of the real property. [Pet. 09/23/14 LF pg. 6]
Need corrected distribution via verified supplement.
9. Schedule E- Disbursement to Beneficiaries reflects early distribution by Robert Vinson Jr. to himself, Frederick, Dana and USC in the total amount of \$1,858.06. These distributions appear to not have been approved by the Court. [LF pg. 20] **JTD**
10. **Need** bank statement in support of end date of accounting period per Local Rule 20-908.
11. **Need** copy of escrow closing statement(s) for sale of real property per Local Rule 20-910 as 3664 Dusty Mile Road was sold.
12. Petitioner indicates that money was not invested in an interest bearing account as it was placed in a blocked account. [LF pg. 5]
13. Petitioner requests authority to withhold \$1,000.00 as a reserve for closing costs.
JTD
14. Notice of Hearing and proof of service filed 04/23/18; however, date of server’s signature reflects 04/20/19 and notice must be sent to Jannina Malek. **Need** corrected notice.
15. **Notice of Non-payment of Bond Premium filed by Suretec Insurance Company on 05/15/18.**
16. No Proposed Order.

RECOMMENDATION:

Need to clear notes 1, 5-8, 10, 11 & 14 then Court’s discretion. If approved, Court to set hearing on filing of receipts and final discharge for **06/04/19**.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500153

CASE NAME: RAYMOND H. NICKERSON JR. AKA RAY NICKERSON

SEE ALSO 3

HEARING:

Hearing re Final Discharge

COUNSEL:

SUZANNE A. SWAIN (PET/OBJ)...CALDWELL, KENNEDY & PORT
RAYMOND H. NICKERSON JR. (DEC)...
BARBARA A SHULTS (PET)...JIMMY PHILIP METTIAS
DANNY E SHULTS

GENERAL INFORMATION:

Continued from **03/05/18**. No appearance. Court order counsel, Jimmy Mettias to be personally present in court. OSC re sanctions of \$1,000 for failure to appear/failure to file set for 04/02/18.

Continued from 04/02/18. No appearance. Court sets osc re surcharge of \$5,000.00 on administrator and suspension of administrator's powers for May 21, 2018 at 8:30am in department S35. Court orders Barbara Shults to be personally present. Court notes that counsel, Jimmy Mettias, has been suspended by bar association.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of Barbara Shults, friend, approved on 02/27/17.
2. Receipts filed by Danny Shults and Barbara Shults filed 06/17/16; however, receipt contains wrong case number. **Need** corrected receipt.
3. **Need** receipts from Suzanne Swain.
4. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status.

(ww/cs/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500153

CASE NAME: RAYMOND H. NICKERSON JR. AKA RAY NICKERSON

SEE ALSO 2

HEARING:

Hearing Re: OSC RE SURCHARGE OF \$5000.00 ON BARBARA SHULTS

COUNSEL:

SUZANNE A. SWAIN	(PET/OBJ)...CALDWELL, KENNEDY & PORT
RAYMOND H. NICKERSON JR.	(DEC)...
BARBARA A SHULTS	(PET)...JIMMY PHILIP METTIAS
DANNY E SHULTS	

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON OSC re Surcharge of \$5000.00 on Barbara Shults

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

1. Court set matter on 04/02/18 when Petitioner Barbara Shults failed to appear at hearing for final discharge.
2. Barbara is ordered to be personally present.
3. Court has discretion to surcharge petitioner \$5,000.00 for failure to appear/failure to file.

RECOMMENDATION:

Court's discretion.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501121

CASE NAME: LUCY JOHNSON

HEARING:

Accounting Review by ***

COUNSEL:

CAROLINE DALTON-ALVAREZ (PET)...GREGORY PAUL BENTON
LUCY JOHNSON (DEC)...

GENERAL INFORMATION:

Continued from 04/10/17, 08/14/17, 10/16/17, 12/04/17 and 05/21/18

THIS CASE IS SET FOR HEARING ON accounting review

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

1. Letters of Administration issued to Caroline Dalton-Alvarez, daughter, on 06/09/16, limited authority, \$20,000 bond.
2. **Need** Final Inventory and Appraisal.
3. Declaration of attorney Gregory Benton filed 11/02/17 wherein he indicates the estate is not solvent and requests a continuance to come up with an agreement as to distribution. **JTD**

RECOMMENDATION:

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

(nb/ww/cs)

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

DATE: 05/21/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600982

CASE NAME: BILL TED SHOOK

HEARING:

Accounting Review by ***

COUNSEL:

EVELYN EMMA BURGESS (PET)...NEIL J DE LEON
BILLY TED SHOOK (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Evelyn Burgess, daughter, on 04/20/17; full authority, \$205,000.00 bond.
2. **Need** Final Inventory and Appraisal
3. **Need** accounting or status report.
4. Pr.C. § 10954(c)(1) or Status Report of Administration per Pr.C. § 12201.

RECOMMENDATION

Inquire status of accounting and Final Inventory and Appraisal.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601132

CASE NAME: DONALD A. MILLER

HEARING:

Accounting Review by ***

COUNSEL:

LAUREN GASKILL	(PET)...LAW OFFICE OF ANDREW R DELOACH
DONALD A. MILLER	(DEC)...
JASON L GAUDY	(PET)...LAW OFFICE OF ANDREW R DELOACH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Jason Gaudy, nominee, on 03/13/17; full authority, \$410,000 bond.
2. Final Inventory and Appraisal filed 10/18/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status.

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601282

CASE NAME: ESTATE OF GARY ROSS MONTGOMERY

HEARING:

Hearing Re: TO ADDRESS MULTIPLE ISSUES

COUNSEL:

ANDREW MONTGOMERY (PET)...PRO/PER
JAYLYNN MONTGOMERY (PET)...LAW OFFICES OF ANNETTE L ISAAC
CHASE MONTGOMERY (PET)...LAW OFFICES OF ANNETTE L ISAAC
GARY ROSS MONTGOMERY (DEC)...
DEPT OF HEALTH CARE SRVCS (TP)...PRO/PER

GENERAL INFORMATION:

Continued from **07/26/17**. No appearance by Counsel Annette Isaac. Court orders that Counsel –Annette Isaac to be personally present at next hearing for OSC re Sanction of \$1,500 on Counsel for failure to appear on 08/28/17. Notice given by Judicial Assistant. Continued from **08/28/17, 10/30/17** and **12/18/17**.

Continued from **01/22/18**. Joanne Schryver states she has objections to the filings of guardian ad litem, Jack Osborn. Objections to the petition must be in writing and served and filed by 4 PM on 02/26/18. If the objections are not served and filed by that date and time, then they will be waived permanently. In addition, written objections must be complete: If matter proceeds to trial, the court will consider only evidence relevant to the objections that were filed with the court. Objections must be in proper form, not in narrative form. Unless otherwise provided by law, the court will not consider any objections not set forth in your written objections, and will not consider any evidence thereon. Joanne Schryver states she understands admonishment.

Continued from 03/26/18. Court deems the objections, if there are any, of Joanne Schryver are waived as filing deadline as passed.

THIS CASE IS SET FOR HEARING ON to Address Multiple Issues.

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

1. Matter set at 05/22/17 hearing, wherein, Court set hearing to address issues stated on the record: the disposition of property, creditor's claims of Department of Health Services & Shryver, the trailer, the Polaris-off road 2000, and Toyota Tacoma.
2. Receipt by Andrew Montgomery filed 09/20/17 indicates the following in regards to the issues above:

- a. ½ interest of the title in the real property was transferred to him.
 - b. ½ of the remaining proceeds in the two Bank of America bank accounts 0998 and 4433 after payment of creditor's claims has been received by him.
 - c. The distributive share has been received from the sale of the Carso Carrier Trailer Flat Bed 2005, Polaris off road 2000, and Toyota Tacoma.
3. Receipt by GAL for Jaylynn and Chase filed 10/30/17 indicates the following regarding the issues above:
- a. ½ interest of the title in the real property was transferred to Jack Osborn as GAL.
 - b. ½ of the remaining proceeds in the two Bank of America bank accounts 0998 and 4433 after payment of creditor's claims are now held in a blocked account.
 - c. The Carso Carrier Trailer Flat Bed 2005, Polaris off road 2000, and Toyota Tacoma have been sold on behalf of minors and the distributive shares are in the minor's account.
4. No objections in file for review.
5. Order appointing Attorney Jack Osborn as Guardian Ad Litem filed 04/16/18; however, he was previously appointed on 03/06/17.

RECOMMENDATION:

Court's discretion as it appears that issues have been addressed.

(nb/lh/nb/ww)

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

DATE: 05/21/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700291

CASE NAME: SAMUEL CALHOUN DOMINEY

HEARING:

first and final Account and Report of BARBARA A DOMINEY and
Petition for allowance of fees filed.

COUNSEL:

BARBARA A DOMINEY (PET)...CHRISTOPHER L CARPENTER
SAMUEL CALHOUN DOMINEY (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Waiver of Account, Petition for Fees and for Final Distribution by Barbara Dominey, spouse/executor/ trustee

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

- 1 Assets on hand: \$204,376.87 in cash.
- 2 Petitioner waives statutory commissions.
- 3 Attorney requests statutory fees of \$7,200.00. Calculated.
- 4 **Need** bank statement in support of end date of accounting period per Local Rule 20-908. **(Supp. 05/09/18 indicates that the closing Bank of America bank statement for account #5632 is attached; however, it is not attached.)**
- 5 Notice given.
- 6 ~Proposed Order: 03/21/18

RECOMMENDATION:

Need to clear note 4 then Court's discretion. If approved, Court to set hearing on filing of receipts and final discharge for **06/04/19**.

(ww)

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

DATE: 05/21/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700313
CASE NAME: ANTONIO GOMEZ GOMEZ (AKA TONY)

HEARING: First and Final Account and Report of THOMAS GOMEZ, TERESA A JAMES and Petition for allowance of fees filed.

COUNSEL:

THOMAS GOMEZ (PET)...GAUDY LAW, INC
TERESA A JAMES (PET)...GAUDY LAW, INC
ANTONIO GOMEZ GOMEZ (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Thomas Gomez and Teresa James, children/co-administrators/petitioners

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

1. Assets on hand: \$180,109.30 in cash.
2. Report indicates that a Corrected Final Inventory and Appraisal was filed on 02/09/18; however, no entry is found in ICMS. **Need** copy of conformed Inventory and Appraisal filed.
3. Petitioners request statutory amounts of \$3,5000.00 each. Calculated
4. Attorney request reduced statutory fees of \$3,500.00. Calculated.
5. Petitioners indicate that Attorney was already reimbursed for advanced costs in the amount of \$8,657.19 from the proceeds of sale of real property; however, \$11.20 was for postage which is generally disallowed as it is considered overhead per Local Rule 20-909. **JTD**. Itemized. [LF pg. 18]
6. **Need** bank statement in support of end date of accounting period per Local Rule 20-908.
7. Notice of Hearing and proof of service filed 04/02/18; however, box is marked indicating that there is an attachment but nothing is attached. **Need** completed Notice to include heirs Anthony, Raymond and Beverly Gomez.
8. No Proposed Order.

RECOMMENDATION:

Need to clear notes 2, 6 & 7 then Court's discretion. If approved, Court to set hearing on filing of receipts and final discharge for **06/04/19**.

(ww)

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

DATE: 05/21/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800171

CASE NAME: CATHERINE HAMPTON

HEARING:

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

COUNSEL:

DAWN P HAMPTON (PET)...LAW OFFICES OF LAYNE A BARTHOL
CATHERINE P HAMPTON (DEC)...
APPROVED INHERITANCE CASE, INC (TP)...PRO/PER

GENERAL INFORMATION

Continued from 04/02/18. Court sets deadline for filing of objections- parties present state they understand the deadline & consequences of not complying: Objections to the petition must be in writing and served and filed by 4 PM on 04/30/18.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Dawn Hampton, daughter/Petitioner

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

1. Petitioner seeks \$585,000 bond. Sufficient. Estate consists of \$585,000.
2. ~Proposed Form Order: 02/22/18

RECOMMENDATION:

Court's discretion re bond and if objections are filed. If approved, set Accounting/Status Review for **07/29/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800181
CASE NAME: ROLANDO VITERBO ARAYA AKA ROLAND V. ARAYA ET AL

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

COUNSEL:

ROLAND OCTAVIO ARAYA (PET)...DAVID D. MORIEL
ROLANDO VITERBO ARAYA (DEC)...

GENERAL INFORMATION

Letters of special administration issued to Roland Octavio Araya on 03/15/18, no bond.

Continued from 04/02/18. Objections - Rosa Araya states she understands that objections must be in writing and served by 04/30/18. If not served and filed timely, objections will be waived permanently.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Limited Authority under IAEA by Roland Octavio Araya, son

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

1. \$6,000 bond is being requested. Appears sufficient as decedent allegedly has no personal property and only limited IAEA powers are being requested. Net value of the estate consists of \$119,631.00 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b). **(Supp. 05/09/18 indicates that petitioner is approved for a \$6,000.00 bond and the premium has been paid. The bond should be able to be presented at the time of hearing. If not, petitioner requests that the Letters issued from the bench before the bond so that the real property can be listed as it faces foreclosure.) JTD**
2. Proof of publication filed 04/30/18; however, it is unclear whether the Daily Press newspaper covers the area of Wrightwood. **JTD**
3. ~Proposed Form Order: 02/23/18

RECOMMENDATION

Court's discretion re bond. If approved, set Accounting/Status Review **06/10/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/cs/ww)

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

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

DATE: 05/21/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800300

CASE NAME: MTR OF ROBERT RUSSELL MACFARLANE

HEARING:

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

COUNSEL:

APRIL MACFARLANE (PET)...SHARON M ANDERSON
ROBERT RUSSELL MACFARLANE (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by April Macfarlane, spouse

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

1. All heirs waive bond. Net value of the estate consists of \$53,000.00 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b). **JTD**
2. ~Proposed Form Order: 04/12/18

RECOMMENDATION

RFA. Court's discretion re bond. If approved, set Accounting/Status Review **07/29/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800321

CASE NAME: MTR OF GAIL J SCHWARTZ

SEE ALSO 14

HEARING:

Hearing Re: RESTRAINING ORDER (RE PROPERTY)

COUNSEL:

KIMBLE LOUISE ANDERSON (PET)...PRO/PER

GAIL J SCHWARTZ (DEC)...

GENERAL INFORMATION

Letters of special administration issued to Kimble Anderson, daughter, with no IAEA, no bond, on 04/13/18.

THIS CASE SET FOR HEARING ON Restraining Order (re Property)

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

1. Matter set on 04/13/18 at the Ex Parte Hearing re: Application for TRO; memorandum, of P&A.
2. Temporary Restraining Order and Order to Show Cause re: enjoining Reverse Mortgage Funding LLC C/O Quality Loan Service Corporation from foreclosing upon and selling the real property filed on 04/13/18
3. Notice to be served by 4pm April 20, 2018. **Notice filed on 04/18/18.**
4. Any opposition to be served and filed by 4pm on May 4th, 2018. **No oppositions are in file for review.**

RECOMMENDATION

Court's discretion.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800321

CASE NAME: MTR OF GAIL J SCHWARTZ

SEE ALSO 13

HEARING:

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

COUNSEL:

KIMBLE LOUISE ANDERSON (PET)...PRO/PER
GAIL J SCHWARTZ (DEC)...

GENERAL INFORMATION

Letters of special administration issued to Kimble Anderson, with no IAEA, no bond, on 04/13/18.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Kimble Anderson, daughter

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

1. Petitioner requests that bond not be required; however, section e as to reasons is incomplete. Petitioner includes as attachment indicating that there are no assets of the estate and that probate is being opened to deal with the reverse mortgage on the real property.
 - a. The estate value is **negative** \$57,922.59 as real property is over encumbered. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b). **JTD**
2. ~Proposed Form Order: 04/09/18

RECOMMENDATION

Court's discretion re bond. If approved, set Accounting/Status Review **07/29/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800322

CASE NAME: Lyle E Johanknecht

SEE ALSO 15A

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

COUNSEL:

MARIA DIANE TORRES JELKS (PET)...BERL HILLEL SELSKI
LYLE E JOHANKNECHT (DEC)...

GENERAL INFORMATION

Letters of special administration with no IAEA, no bond, issued to Maria Torres Jelks on 04/13/18.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Maria Torres Jelks, unknown

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

1. All heirs waive bond. The estate consists of a negative value of \$76,244.08 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b).
2. Petitioner is nominated by Edward Johanknecht, son.
3. Section 5a indicates that there is a surviving spouse; however, none is listed in section 8. **Need** verified supplement.
4. Petitioner is not listed in section 8 of the petition and it is unclear as to her relationship to the decedent. **Need** verified supplement.
5. Notice to Petition to Administer Estate and proof of service filed 04/09/18; however it is unclear if all persons entitled to notice were served. **See note 3.**
6. ~Proposed Form Order: 04/09/18

RECOMMENDATION

Need to clear notes 3-5. Court's discretion re bond. If approved, set Accounting/Status Review **07/29/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

Superior Court of Calif, County of San Bernardino
Page: 15A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 05/21/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800322

CASE NAME: Lyle E Johanknecht

SEE ALSO 15

HEARING:

Re: Restraining Order (Re Property)

COUNSEL:

MARIA DIANE TORRES JELKS (PET)...BERL HILLEL SELSKI
LYLE E JOHANKNECHT (DEC)...

GENERAL INFORMATION

Letters of special administration issued to Kimble Anderson, daughter, with no IAEA, no bond, on 04/13/18.

THIS CASE SET FOR HEARING ON Restraining Order (re Property)

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

1. Matter set on 05/09/18 at the Ex Parte Hearing re: Petition for (Ex-Parte) Application for TRO; memorandum, of P&A's etc.
2. Ex parte hearing was granted and Temporary Restraining order was filed the same date.
3. The order to show cause and supporting papers shall be served on respondents no later than 4pm May 16, 2018. Proof of such service shall be filed and delivered in the manner provided by CCP section 527. The following briefing schedule shall apply: any opposition to the osc shall be filed and served on petitioner no later than the hearing date and time any reply papers to such opposition shall be made orally at the hearing of May 21, 2018 at 8:30am in Department S35.
4. Declaration of Proof of Service by Fax to Reverse Mortgage Solutions, Inc. and Trustee Corps filed 05/15/18.
5. No oppositions are in file for review.

RECOMMENDATION

Court's discretion.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800071

CASE NAME: THE GUENDOLYNIA P DAVIS LIVING TRUST

HEARING:

Petition for Order confirming validity of trust & confirming trust assets

COUNSEL:

CRYSTAL N DAVIS (PET)...WILLIAMSON & GENTILINI
OMAR L DAVIS (PET)...WILLIAMSON & GENTILINI
THE GUENDOLYNIA P DAVIS LIVING TRUST (TRU)...

Currently under review by Legal Research

LR

NOTICE:

Notice of Hearing and proof of service as to Jennifer Davis filed 04/12/18; however, **need** corrected notice to contain full description of the subject property; a description of relief and from whom it is against if Pr.C. § 859 is being pursued; and a statement advising persons whom have interest in said property that they may file a response to the petition.

(ww)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

CONSERVATORSHIPS

DATE: 05/21/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800101

CASE NAME: BEVERLEY IRIS FLANDERS

HEARING:

Petition for Appointment of Conservator

COUNSEL:

SHANNON T. JUAREZ

(CP)...PRO/PER

BEVERLEY IRIS FLANDERS

(CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Shannon Juarez, daughter

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

1. No bond- Person only; however, petitioner indicates that there is a value of \$157,540.00 in personal property. Court to clarify if estate powers are needed? **JTD**
2. Petitioner seeks medical powers. Capacity Declaration filed 04/05/18 and updated Capacity Declaration filed 05/08/18 with dementia attachment.
3. Petitioner indicates that proposed conservatee has Alzheimer's but does not seek dementia powers. Does Court wish to appoint counsel for report? **JTD**
4. Citation with proof of service filed 05/08/18.
5. **Need** Certificate of Completion of the Conservatorship Training Class.
6. Notice given.
7. CI report filed 05/08/18.
8. ~Proposed Form Order: 04/05/18

RECOMMENDATION

Need CI report and to clear note 5 then Court's discretion re: remaining notes. If approved, set hearing for Compliance Review for **12/24/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5

(ww)

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

DATE: 05/21/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1300111

CASE NAME: LUIS ALONSO BILLARD

HEARING:

Hearing Re: OSC RE POSSIBLE TRANSFER TO ORANGE COUNTY

COUNSEL:

GLORIA M ROTHROCK	(CP)...PRO/PER
LUIS ALONSO BILLARD	(CTP)...
GUADALUPE ONEIL	(TP)...PRO/PER

GENERAL INFORMATION

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

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

1. OSC set on 04/23/18 after Court review of Court Investigator Report which indicates that conservatee resides in Orange County.

RECOMMENDATION

Court's discretion re OSC.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PUBLIC GUARDIAN

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS0800018

VACATED

CASE NAME: MARIA OROZCO

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

MARIA OROZCO

(CEP)...HARTNELL LAW GROUP

Ex Parte Order that Conservator need not present 10th account by PG approved on 04/24/18.

(ww)

Future hearing dates: 05/04/19 Accounting Review

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS0900261

CASE NAME: CLARANCE WILFORD FOREMAN

HEARING:

Hearing Re: POSSIBLE REFERRAL TO PUBLIC GUARDIAN

COUNSEL:

GLENDA R MARSH

CLARANCE WILFORD FOREMAN

(PET)...PRO/PER

(CTP)...SHERRI L KASTILAHN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Possible Referral to Public Guardian

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

1. Matter set by Court on 04/05/18 after review of the Report and information by the Court Investigator filed on 03/28/18.
2. Conservator Glenda Marsh is to be personally present in Court.

RECOMMENDATION

Court's discretion.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1100242

CASE NAME: ISIAH ADAMS

HEARING:

Hearing Re: FOR POSSIBLE REFERRAL TO PUBLIC GUARDIAN

COUNSEL:

BARBARA ADAMS (CP)...PRO/PER
ISIAH ADAMS (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Possible Referral to Public Guardian

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

1. Matter set by Court on 04/05/18 after review of the Report and information by the Court Investigator filed on 04/02/18.
2. Conservator Barbara Adams is to be personally present in Court.

RECOMMENDATION

Court's discretion.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1100252

CASE NAME: PAUL JEFFERSON

SEE ALSO 23, 24, 25, 26, 27

HEARING:

Hearing Re: STATUS OF SOCIAL SECURITY/C'TORSHIP OF PERSON

COUNSEL:

SONDRA JEFFERSON	(CPE)...CHO, SHEASBY, CHUNG & IGNACIO
PAUL JEFFERSON	(CEP)...SANDY TURNER / MITCHELL ROTH
MATTHEW E SHAESBY	(PET)...MATTHEW E SHEASBY
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
ANITA PETTI	(CPE)...LAW OFFICE OF MARY M. BADER
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SHIRLEY M JEFFERSON	(CP)...CHRISTINA FERRANTE
DEMETRIUS JEFFERSON	(CE)...CHRISTINA FERRANTE
UTILITY MANUFATURING	(OBJ)...
ROBERT R. SHIRI	(ROBERT R SHIRI)

No Notes-Status- JTD.

(ww)

Future Hearings: 7/30/18 Hearing Re: Amended Itemized Accounting & Request Etc.

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1100252

CASE NAME: PAUL JEFFERSON

SEE ALSO 22, 24, 25, 26, 27

HEARING: Hearing Re: PTN Payment of Attorney Fees and Costs

COUNSEL:

SONDRA JEFFERSON	(CPE)...CHO, SHEASBY, CHUNG & IGNACIO
PAUL JEFFERSON	(CEP)...SANDY TURNER / MITCHELL ROTH
MATTHEW E SHAESBY	(PET)...MATTHEW E SHEASBY
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
ANITA PETTI	(CPE)...LAW OFFICE OF MARY M. BADER
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SHIRLEY M JEFFERSON	(CP)...CHRISTINA FERRANTE
DEMETRIUS JEFFERSON	(CE)...CHRISTINA FERRANTE
UTILITY MANUFATURING	(OBJ)...
ROBERT R. SHIRI	(ROBERT R SHIRI)

GENERAL INFORMATION:

Continued from 03/12/18 by Courtroom as the Public Guardian is to file a status report.

THIS CASE IS SET FOR HEARING ON Petition for fees and compensation

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

- 1 Petitioner, Mitchell Roth, was appointed on 03/26/14. Petitioner alleges that services have been rendered for which counsel has not been compensated for the period 01/02/15 – 02/10/18.
- 2 Attorney requests fees of \$34,468.00. Billed at \$300/hour for attorney time and reimbursement of court costs of \$298. Itemized [LF pgs.10-42].
- 3 Petitioner requests a Court order directing San Bernardino Public Guardian pay these fees from the Worker's Compensation settlement of \$93,000 rather than the County.
- 4 Notice given
- 5 ~Proposed Order:02/21/18

RECOMMENDATION:

Court's discretion.

(cs/ww)

Future Hearings: 7/30/18 Hearing Re: Amended Itemized Accounting & Request Etc.

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1100252

CASE NAME: PAUL JEFFERSON

SEE ALSO 22, 23, 25, 26, 27

HEARING:

Hearing Re: REQUEST TO TERMINATE CONSERVATORSHIP OF PERSON

COUNSEL:

SONDRA JEFFERSON	(CPE)...CHO, SHEASBY, CHUNG & IGNACIO
PAUL JEFFERSON	(CEP)...SANDY TURNER / MITCHELL ROTH
MATTHEW E SHAESBY	(PET)...MATTHEW E SHEASBY
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
ANITA PETTI	(CPE)...LAW OFFICE OF MARY M. BADER
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SHIRLEY M JEFFERSON	(CP)...CHRISTINA FERRANTE
DEMETRIUS JEFFERSON	(CE)...CHRISTINA FERRANTE
UTILITY MANUFATURING	(OBJ)...
ROBERT R. SHIRI	(ROBERT R SHIRI)

Waiver of Court Fees and Costs filed by ANITA PETTI is GRANTED

GENERAL INFORMATION:

Public Guardian as Successor Conservator of the Person and Estate on 04/19/16.
Continued from **07/24/17**. Attorney Sandy Turner present and Mitchel Roth (GAL)
appeared by Court Call.

Continued from **10/30/17** Public Guardian is ordered to contact social security office
forthwith; Paul Jefferson to cooperate with the Public Guardian with process of issues with
the social security office. Court sets for hearing issue of request for reimbursement by
Shirley Jefferson for January 8, 2018 at 10:00am in S35. Court sets for trial (with three half
day time estimate) the issue of terminating conservatorship of estate. exchange deadline
set for 4pm November 3, 2017. Court continues over to the next date of 11-13-17 at
1:30pm the issues of status of conservatorship of person and social security- Court notes
that these issues are not set for trial. Hearing re osc re why bills have not been turned over
is off calendar as matter of petition to terminate conservatorship of estate is set for trial in
November 2017.

Continued from **11/13/17**.

Continued from 03/12/18 as appeal is still pending.

THIS CASE IS SET FOR HEARING ON Petition for Termination of Successor Conservatorship of the Person and Estate by Conservatee, Paul L. Jefferson ["Petitioner"].

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

1. Petitioner alleges a conservatorship of the person and estate is no longer necessary as he was misdiagnosed and is no longer taking psychotropic medication; now has some mental clarity; and is able to function at a higher level to his best ability.
2. Petitioner alleges the best interest of the conservatee require termination of the conservatorship of the person and estate.
3. Petitioner requests an order of this court terminating the conservatorship of the person and estate.
4. **Order and Letters appointing Public Guardian as successor conservator of the estate only, no bond filed on 05/01/18 and 05/08/18 reflecting appointment on the date of 11/15/17; however, the minutes do not reflect such appointment. JTD**
5. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Court's discretion.

(nb/lh/ww)

Future Hearings: 7/30/18 Hearing Re: Amended Itemized Accounting & Request Etc.

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1100252

CASE NAME: PAUL JEFFERSON

SEE ALSO 22, 23, 24, 26, 27

HEARING:

Hearing Re: REQUEST FOR REIMBURSEMENT BY SHIRLEY JEFFERSON

COUNSEL:

SONDRA JEFFERSON	(CPE)...CHO, SHEASBY, CHUNG & IGNACIO
PAUL JEFFERSON	(CEP)...SANDY TURNER / MITCHELL ROTH
MATTHEW E SHAESBY	(PET)...MATTHEW E SHEASBY
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
ANITA PETTI	(CPE)...LAW OFFICE OF MARY M. BADER
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SHIRLEY M JEFFERSON	(CP)...CHRISTINA FERRANTE
DEMETRIUS JEFFERSON	(CE)...CHRISTINA FERRANTE
UTILITY MANUFATURING	(OBJ)...
ROBERT R. SHIRI	(ROBERT R SHIRI)

GENERAL INFORMATION:

Matter was set on 10/23/17. Per minute order on 04/10/17 Court ordered that Petitioner, Shirley Jefferson was to continue to pay all bills but will be reimbursed pending hearing. Continued from 01/08/18 Mitchell Roth, Guardian ad litem, states his opinion as guardian ad litem as to the request for reimbursement by Shirley Jefferson on the record- that he recommends that the court deny the request for reimbursement. Court notes Mitchell Roth has been relieved as GAL. Court orders that Paul Jefferson is to bring with him to the court date of March 12, 2018 every bill, invoice, credit card statement, bank statement, and any statement/invoice that he has regarding his financial information, Sandy Turner makes oral request for the exhibits to be turned over to her; Court grants the request- Court orders the exhibits a through e and 1 through 6 to be turned over to Sandy Turner.

Continued from 03/12/18 Matter is continued to May 21, 2018 to be heard with additional matters set for that same date; Court sets OSC re: sanctions of \$500.00 on Shirley Jefferson for failure to appear for today's hearing- Shirley Jefferson to be personally present.

THIS CASE SET FOR HEARING ON Request For Reimbursement By Shirley Jefferson

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

1. Petitioner, Shirley Jefferson (mother) requests reimbursement for money advanced on behalf of the Conservatee for the period of 12/01/16 to 05/30/17 in the amount of \$18,547.27 [Amended Itemized Accounting filed 10/26/17, LF p.6 – 12].
2. Amended itemized accounting filed 10/26/17 indicates the amount of \$900 for Desert Villas was inadvertently added to original itemized accounting and the amount of \$684 and \$120 were inadvertently left out from original accounting.

RECOMMENDATION:

Court's discretion.

(cs/ww)

Future Hearings: 7/30/18 Hearing Re: Amended Itemized Accounting & Request Etc.

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1100252

CASE NAME: PAUL JEFFERSON

SEE ALSO 22, 23, 24, 25, 27

HEARING:

Hearing Re: OSC RE SANCTIONS OF \$500.00 ON SHIRLEY JEFFERSON

COUNSEL:

SONDRA JEFFERSON	(CPE)...CHO, SHEASBY, CHUNG & IGNACIO
PAUL JEFFERSON	(CEP)...SANDY TURNER / MITCHELL ROTH
MATTHEW E SHAESBY	(PET)...MATTHEW E SHEASBY
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
ANITA PETTI	(CPE)...LAW OFFICE OF MARY M. BADER
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SHIRLEY M JEFFERSON	(CP)...CHRISTINA FERRANTE
DEMETRIUS JEFFERSON	(CE)...CHRISTINA FERRANTE
UTILITY MANUFATURING	(OBJ)...
ROBERT R. SHIRI	(ROBERT R SHIRI)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC re Sanctions of \$500.00 on Shirley Jefferson

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

1. Matter set by Court on 03/12/18 when Shirley Jefferson failed to appear at the Hearing re: Reimbursement by Shirley Jefferson.
2. Shirley Jefferson is to be personally present.
3. Court may order sanctions of \$500.00 on Shirley Jefferson if she fails to appear.

RECOMMENDATION

Court's discretion re OSC.

Future Hearings: 7/30/18 Hearing Re: Amended Itemized Accounting & Request Etc.

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1100252

CASE NAME: PAUL JEFFERSON

SEE ALSO 22, 23, 24, 25, 26

HEARING:

Petition for payment of atty fees to court appointed atty

COUNSEL:

SONDRA JEFFERSON	(CPE)...CHO, SHEASBY, CHUNG & IGNACIO
PAUL JEFFERSON	(CEP)...SANDY TURNER / MITCHELL ROTH
MATTHEW E SHAESBY	(PET)...MATTHEW E SHEASBY
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
ANITA PETTI	(CPE)...LAW OFFICE OF MARY M. BADER
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SHIRLEY M JEFFERSON	(CP)...CHRISTINA FERRANTE
DEMETRIUS JEFFERSON	(CE)...CHRISTINA FERRANTE
UTILITY MANUFATURING	(OBJ)...
ROBERT R. SHIRI	(ROBERT R SHIRI)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees by Sandy Turner.

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

1. Petitioner, Sandy Turner, was appointed counsel on 03/29/14.
2. Petitioner requests fees of \$32,980.50 for 94.23 hours at \$350.00 per hour for paralegal and attorney services. Itemized [Pet. 04/09/18 LF pgs.10-24].
3. Notice given.
4. **Response by prior GAL Mitchell Roth filed 05/11/18.**
5. **Reply to response by prior GAL Mitchell Roth filed by Sandy Turner on 05/15/18. Proof of service of Reply filed 05/15/18.**
6. ~Proposed Order: 04/09/18

RECOMMENDATION

Court's discretion.

(ww)

Future Hearings: 7/30/18 Hearing Re: Amended Itemized Accounting & Request Etc.

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

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1200016

CASE NAME: MINNIE ALICE CLARK

HEARING:

Accounting Review by ***

COUNSEL:

DONALD L CLARK	(CPE)...PRO/PER
MINNIE ALICE CLARK	(CEP)...
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
BRYAN C HARTNELL	(PET)...HARTNELL LAW GROUP

GENERAL INFORMATION

Continued from 01/30/17 and 10/23/17 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 1st account by PG approved on 02/02/15.
- 2 **Need** 2nd accounting or waiver of account beginning with date of 07/01/14.

RECOMMENDATION:

Inquire status.

(nb/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1200030

CASE NAME: JASON DUBISKI

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN
JASON W DUBISKI

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

GENERAL INFORMATION

Letters expire: 03/16/19.

Continued from 02/08/16, 05/23/16, 10/03/16, 03/20/17 and 10/23/17 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. 1st account by PG approved on 02/02/15.
2. **Need** 2nd Account or waiver of account beginning with 02/28/17.

RECOMMENDATION:

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

(dl/lc/nb/ww)

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1400269

CASE NAME: IVAN REYES

HEARING:

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

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
IVAN REYES (CTE)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Letters expired: 11/21/16

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

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

1. Accounting period: 09/23/14-12/31/15
2. Assets on Hand: \$0 (property on hand at beginning of case was \$0 and no assets were ever received or disbursed).
3. Conservator and counsel failed to date their signatures. [LF pg. 6] **JTD**
4. Public Guardian requests compensation in the amount of \$3,000.00, deferred until such time as the conservatorship estate has sufficient funds for such purpose. **JTD**
5. County Counsel request fees in the amount of \$1,500.00, deferred until such time as the conservatorship estate has sufficient funds for such purpose. **JTD**
6. Notice given.
7. **Need** Final accounting as conservatorship terminated on 03/04/16 at Petition for Rehearing.
8. ~Proposed Order: 09/14/17

RECOMMENDATION:

Need to clear note 7 then Court's discretion re: remaining notes. If approved, set for accounting review in 60 days as second and final is overdue.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1500097

CASE NAME: JANE I. McAllister

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
JANE I MCALLISTER (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expired: 06/03/17.

Continued from 02/08/16, 05/23/16, 10/03/16, 03/20/17 and 10/23/17 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. 1st account by PG approved on 12/18/17.
2. Conservatorship was terminated on 10/21/16 at the Petition for Rehearing.
3. **Need** 2nd and final account beginning with 06/01/16.

RECOMMENDATION:

Inquire status.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1500212

CASE NAME: ADELA ESTRADA

HEARING:

Hearing Re: ISSUES ADDRESSED IN COURT INVESTIGATOR REPORT

COUNSEL:

MIRSA QUIJADA (PCR)...PRO/PER
ADELA ESTRADA (PCE)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Issues Addressed in Court Investigator Report.

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

1. Matter set on 04/05/18 after review of the Court Investigator Report filed on 03/05/18.
2. Matter may be referred to the Public Guardian.

RECOMMENDATION

Court's discretion.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1600121

CASE NAME: GENE PRICE

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
GENE PRICE (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Continued from 10/23/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. PG appointed as Temporary Conservator of the estate on 05/23/16.
2. **Need** 1st account or waiver of account.

RECOMMENDATION:

Inquire status.

(nb/ww)

Future Hearing: 6/04/18 Petition for Attorney's fees.

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1700087

CASE NAME: MTR OF SPENCER ALAN BOWLING

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
SPENCER ALAN BOWLING (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expired: 05/19/18

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. PG appointed as Temporary Conservator of the person and estate on 03/17/17 then as general on 05/19/17.
2. Conservatorship terminated on 12/08/17 at Petition for Rehearing.
3. **Need** 1st and final account beginning with date of 03/17/17.

RECOMMENDATION:

Inquire status.

(ww)

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1800102
CASE NAME: Mtr of Wright Schram
HEARING: Petition for Appointment of Conservator

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
WRIGHT SCHRAM (CEP)...HORSPPOOL & HORSPPOOL

GENERAL INFORMATION

PG appointed as temporary conservator of the person and estate on 04/16/18, no bond. At hearing on **04/16/18**. Counsel objects to medical powers and placement. Court does not grant placement powers, medication powers- order amended by interlineation.

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 \$5,000.00 in an irrevocable burial trust and authority to abandon and/or donate personal property with value of \$300.00 or less; storage or a sale would be a burden on the estate.
4. Petitioner seeks medical and dementia powers. Capacity Declaration filed 03/27/18.
5. Petitioner requests dementia powers. David Horspool appointed as counsel. **Need** report of counsel.
6. Citation and proof of service filed 04/12/18.
7. Notice given.
8. CI report filed 05/14/18.

RECOMMENDATION:

Need Report of Counsel then Court's discretion. If approved, set hearing for Compliance Review for **12/24/18** 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 **07/29/19**. Any accounting to be filed 30 days in advance.

(ww)

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: SC SS00200

CASE NAME: IN THE MATTER OF LATHA TYRONE BOSLEY

HEARING:

Hearing Re: REFERRAL TO PUBLIC GUARDIAN

COUNSEL:

LATHA TYRONE BOSLEY (PLA)...

GENERAL INFORMATION

Continued from 03/19/18. Court notes that conservator has passed away and there is no current conservator in place for Latha Tyrone Bosley; Counsel informs the Court that the conservatee is a client of IRC. Oral report given by counsel. Court requires updated report from Inland Counties

THIS CASE IS SET FOR HEARING ON Referral to Public Guardian

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

1. Matter set on 03/06/18 by Court after review of the Court Investigator's Special Report filed 02/21/18.
2. Conservatee has passed away.
3. Referred to PG for possible appointment.
4. **Need** IRC report.

RECOMMENDATION

Need CI report then Court's discretion.

(cs/ww)

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: SC SS00521

CASE NAME: IN THE MATTER OF VIVIAN VERTIN

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
VIVIAN VERTIN (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Continued from **10/17/16**, **04/17/17** and **12/11/17** at request of counsel.

THIS CASE SET FOR HEARING ON Accounting Review

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

1. 17th account by PG approved on 10/20/14.
2. **Need** 18th account beginning with date of 05/10/14.

RECOMMENDATION

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

(nb/ww)

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: SC SS02351

CASE NAME: MTR OF CARLOS EDUARDO PERDOMO JR.

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
CARLOS EDUARDO PERDOMO JR	(CEP)...HARTNELL LAW GROUP
INLAND COUNTIES REG CNTR	(OBJ)...BRUNICK MCELHANEY & BE

GENERAL INFORMATION

Continued from **10/17/16, 04/17/17** at request of counsel. Court clears probate note 3 re transfer as it is indicated case will not be transferred out at this time.

Continued from 12/11/17.

THIS CASE SET FOR HEARING ON Accounting Review

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

1. 7th account by PG approved on 10/20/14.
2. **Need** 8th account beginning with date of 03/26/14.

RECOMMENDATION

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

(nb/cs/ww)

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: SG SS6219

CASE NAME: IN THE MTTR OF MICHAEL WEISHAAPT

HEARING:

Accounting Review by ***

COUNSEL:

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

GENERAL INFORMATION

Continued from 10/23/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present 35th account by PG approved on 01/11/16.
2. **Need** 36th account or waiver of account beginning with date of 08/01/15.

RECOMMENDATION:

Inquire status.

(nb/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: SLC SS00860

CASE NAME: IN THE MATTER OF MEECOLE HERRERA

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
MEECOLE HERRERA (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expired: 12/16/17

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. PG appointed as Temporary Conservator of the person and estate on 10/28/16 then as general on 12/16/16.
2. Conservatorship terminated on 12/08/17 at Petition for Rehearing.
3. **Need** 1st and final account beginning with date of 10/28/16.

RECOMMENDATION:

Inquire status.

(ww)

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: SLC SS02666

CASE NAME: MTR RE CATHERINE CARTER

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
CATHERINE CARTER (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expired: 04/03/18

THIS CASE IS SET FOR HEARING ON accounting review

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

1. Ex parte petition to dispense with 9th accounting by PG approved on 03/13/18.
2. **Need** 10th accounting or waiver of accounting beginning with 02/01/17.

RECOMMENDATION:

Inquire status of accounting.

(ww)

Future hearing dates:

05/25/18 Court trial

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: SLC SS03052

CASE NAME: MTR RE MARK MAYNARD

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
MARK MAYNARD (CEP)...HARTNELL LAW GROUP

Ex Parte Order that Conservator need not present 2nd Account by PG approved and forwarded to Department for signature on 05/07/18. Next Accounting Review date to be set on **06/24/19**.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: SLC SS9390

CASE NAME: IN THE MATTER OF DENISE MARTIN

HEARING:

Hearing re: Petition for authority to establish an Irrevocable Burial Trust.

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
DENISE MARTIN (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to establish Irrevocable Burial Trust by Public Guardian.

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

1. Petitioner alleges the current assets on hand are \$2,109.35, that there are sufficient funds to provide for conservatee's ongoing care and to establish a burial trust, and that the eligibility criteria for Social Security Disability does not allow for the recipient's account exceed \$2,000.
2. Petitioner requests authority to deposit up to \$5,000.00 in an Irrevocable Burial Trust.
3. Notice given.
4. ~Proposed Order: 04/03/18

RECOMMENDATION:

Court's discretion.

(ww)

Future Hearing: 12/24/18 Accounting Review

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: VC VS00189

CASE NAME: MTR OF CASEY MARIE SHAW

HEARING:

Petition for APPOINTMENT OF CONSERVATOR OF THE PERSON & ESTATE

COUNSEL:

LYNETTE A WADKINS	(CPE)...CALDWELL, KENNEDY & PORTER, A.
CASEY MARIE SHAW	(CEP)...PRO/PER
GARY WADKINS	(PET)...JEANNE E KENNEDY
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL

GENERAL INFORMATION:

PG appointed Temporary Conservator, person only on 05/23/17.

Public Guardian appointed Temporary Conservator, estate only on 11/06/17

Continued from **09/18/17** Court find IRC report is sufficient; CI report not needed.

Continued from **11/06/17** Court accepts the oral ex parte application and request for appointment of public guardian as the temporary conservator of the estate for the sole purpose of obtaining social security benefits for the conservatee.

Continued from **01/22/18**.

Continued from 04/09/18. Counsel for Department of Developmental Services indicates that they are declining the nomination; Court orders Meredith Nixon-counsel for Department of Developmental Services- to be present via court call for next hearing of May 21, 2018.

THIS CASE IS SET FOR HEARING ON Petition for appointment of **Successor** Conservator of person only, by Gary Wadkins (step-father) to appoint PG

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

1. Lynette Wadkins (mother) was appointed conservator of the person on 04/15/99. Conservator is now deceased. PG appointed as temporary conservator of the person only on 05/23/17 and then estate was added on 11/06/17.
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. **JTD**
3. Petitioner seeks medical powers. **JTD**
4. Conservatee is developmentally disabled. Does Court wish to appoint Counsel for report? **JTD**
5. Court to see Letter from DDS filed 04/13/18.

6. ~Proposed form Order: 05/17/17

RECOMMENDATION:

Court's discretion. If approved, set hearing for Compliance Review for **12/24/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); and Care Plan per Pr.C.§2352.5. Set hearing re Accounting Review for **07/29/19**. Any accounting to be filed 30 days in advance.

(lh/ww/cs/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1500242

CASE NAME: DALILA DAVEEN DEBOSE

SEE ALSO 44B, 44C, 44D

HEARING:

Hearing Re: STATUS OF BOND & BUDGET

COUNSEL:

AISHA L.J. DEBOSE	(CP)...
GWENDOLYN F BROWN	(CPE)...PRO/PER
DALILA DAVEEN DEBOSE	(CTE)...JENNIFER M DANIEL
LARRY G DEBOSE	(TP)...

XREF: CIPDS1700092 DALILA DAVEEN DEBOSE

GENERAL INFORMATION:

Continued from **12/11/17**. Mr. Horspool informs the Court that the bond was filed on 10/26/17. He also states that they are working on the budget as there is a need to buy medical equipment.

Continued from **03/26/18**. Counsel to file report as to issue of bed (either refurbished or new) and car (including cost benefit) by 4pm April 22, 2018.

Continued from 05/07/18. Matter is called at 9:44am- Court notes that Gwendolyn Brown is not present when matter is called. Court sets OSC re sanctions of \$1,000.00 on Gwendolyn Brown and OSC re suspension of powers of Gwendolyn Brown for May 21, 2018 at 10:00am in department s35. Court orders Gwendolyn Brown to be personally present in court at 10:00am on May 21, 2018. Court refers this case to Public Guardian for possible appointment; Court continues this case to May 21, 2018 at 10:00am in Department S35. Court sets hearing to review the following issues: vehicle, wheelchair, bed, and caregivers- hearing is set for 10:00am in Department S35 on May 21, 2018.

THIS CASE SET FOR HEARING ON Status of Bond & Budget

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

1. Court granted Petition for Substituted Judgment to Establish Special Needs Trust with \$390,000.00 bond on 10/16/17.
2. Matter set on 09/11/17 for status of bond and budget plan.
3. Proof of bond filed 10/26/17.
4. Report re status of budget filed 03/26/18.

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

5. Report to Court re: refurbishment of Hospital Bed and Purchase of Vehicle filed 04/25/18.

RECOMMENDATION

Court's discretion.

(cs/ww)

Future Hearing:

06/18/18 Petition for attorney fees

12/17/18 Accounting Review

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1500242

CASE NAME: DALILA DAVEEN DEBOSE

SEE ALSO 44A, 44C, 44D

HEARING:

Hearing Re: OSC RE SANCTIONS OF \$1,000.00 ON GWENDOLYN BROWN

COUNSEL:

AISHA L.J. DEBOSE

(CP)...

GWENDOLYN F BROWN

(CPE)...PRO/PER

DALILA DAVEEN DEBOSE

(CTE)...JENNIFER M DANIEL

LARRY G DEBOSE

(TP)...

XREF: CIPDS1700092 *DALILA DAVEEN DEBOSE*

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC re Sanction of \$1,000.00 on Gwendolyn Brown

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

OSC set on 05/07/18 when Gwendolyn Brown, conservator of the person and estate failed to appear at the Hearing re: Status of Bond & Budget.

Court ordered that she be personally present.

Court may order sanctions if she fails to appear.

RECOMMENDATION

Court's discretion re OSC.

(ww)

Future Hearing:

06/18/18 Petition for attorney fees

12/17/18 Accounting Review

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1500242

CASE NAME: DALILA DAVEEN DEBOSE
SEE ALSO 44A, 44B, 44D
HEARING:
Hearing Re: OSC RE SUSPENSION OF POWERS OF GWENDOLYN BROWN

COUNSEL:
AISHA L.J. DEBOSE (CP)...
GWENDOLYN F BROWN (CPE)...PRO/PER
DALILA DAVEEN DEBOSE (CTE)...JENNIFER M DANIEL
LARRY G DEBOSE (TP)...

XREF: CIPDS1700092 DALILA DAVEEN DEBOSE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC re Suspension of Powers of Gwendolyn Brown

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

1. OSC set on 05/07/18 when Gwendolyn Brown, conservator of the person and estate failed to appear at the Hearing re: Status of Bond & Budget.
2. Court ordered that she be personally present.
3. Court has discretion to suspend her powers and appoint the Public Guardian as successor conservator if she fails to appear.

RECOMMENDATION

Court's discretion re OSC.

(ww)

Future Hearing:
06/18/18 Petition for attorney fees
12/17/18 Accounting Review

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

DATE: 05/21/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1500242

CASE NAME: DALILA DAVEEN DEBOSE

SEE ALSO 44A, 44B, 44C

HEARING:

Hearing Re: ISSUES OF VEHICLE, BED, WHEELCHAIR, CAREGIVERS

COUNSEL:

AISHA L.J. DEBOSE	(CP)...
GWENDOLYN F BROWN	(CPE)...PRO/PER
DALILA DAVEEN DEBOSE	(CTE)...JENNIFER M DANIEL
LARRY G DEBOSE	(TP)...

XREF: CIPDS1700092 DALILA DAVEEN DEBOSE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Issues of Vehicle, Bed, Wheelchair, Caregivers

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

1. This matter was set on 05/07/18 at the Hearing re: Status of Bond and Budget.
2. Per 03/26/18 Counsel Karin Horspool was to file a Report as to the issue of bed (either refurbished or new) and car (including cost benefit) by 4pm on April 22, 2018.
3. Report by Counsel Horspool re: bed and car was filed on 04/25/18.

RECOMMENDATION

Court's discretion.

(ww)

Future Hearing:

06/18/18 Petition for attorney fees

12/17/18 Accounting Review

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT TRIAL

DATE: 05/21/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1601024

VACATED

CASE NAME: WENDELL LEYERLY

HEARING:

Hearing Re: COURT TRIAL ON COMPETING PETITIONS (FIRST DAY)

COUNSEL:

TOMMY LEYERLY (PET)...JAMES B CHURCH
WENDELL LEYERLY (DEC)...
RUBY MEININGER (PET)...PRICE LAW FIRM APC
RUBY MEININGER (PET)...RICHARD SAMUEL
STATE OF CALIFORNIA FRANCHISE TAX BOARD (TP)...

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

Settlement was reached and Donnasue Ortiz was appointed as administrator with will annexed, full IAEA, \$300,000.00 bond.

(ww)

Future Hearings:

06/28/18 Hearing re: Status of Letters- Off Calendar if Letters filed.

07/11/19 Accounting Review

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

CONSERVATORSHIPS

DATE: 05/21/18 TIME: 8:30 DEPT: S36P

CASE#: CON PS1300204

CASE NAME: Carly Suzanne Peralta

HEARING: RE CONSERVATORSHIP Account and Report of DEBRA LEE
ESPINOZA and Petition for allowance of fees filed.

COUNSEL:

DEBRA LEE ESPINOZA (CP/CPE)...PRO/PER
CARLY SUZANNE PERALTA (DEC)...
CARLY SUZANNE PERALTA (CEP/CEE)...JENNIFER M DANIEL

Waiver of Court Fees and Costs filed by DEBRA LEE ESPINOZA is GRANTED

Fee waiver amount due \$465.00 for filing petition for appointment etc. on 08/08/13

GENERAL INFORMATION:

Continued from **09/05/17, 10/31/17, 12/12/17 and 01/30/18**. Counsel to assist conservator with clearing notes.

Continued from 03/26/18 Continued from 03/26 Court to review disbursements.

THIS CASE IS SET FOR HEARING ON First and Current Account by Conservator of the Person and Trustee of SNT, Debra Lee Espinoza ["Petitioner"-mother].

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

1. A copy of Special Needs Trust [SNT] is attached to Supp. filed 03/25/18 [LFp4-11].
2. Accounting period covers 01/01/16 to 12/31/16. However, Special Needs Trust order was granted on 03/25/16.
3. Assets on Hand \$283,834.25 consisting of \$3,777.88 in cash, vehicle with carry value of \$36,000 and remaining in securities.
4. Current bond of \$323,000. Suggest bond of \$373,000 (includes recovery costs). JTD.
5. Compensation or reimbursement is not requested.
6. Need further clarification re disbursements via verified supplement. **Supp. filed 03/05/18 indicates as follows:**
 - a. Coach in the amount of \$685.80. Large durable utility bag purchased to fit Carly's wheelchair.
 - b. Sunglass Hut for \$432.00. While on vacation Carly required glasses and durable frame sunglasses where purchased.

- c. Nation's Recovery-collection Ethan Allen for \$4,788.46. This was a debt of Carly prior to becoming ill. Trustee believed the estate would be liable and paid the bill without conferring with counsel. Petition requests the court ratify this decision and alleges that further expenses will be conferred with counsel prior to payment. JTD
 - d. Hyatt Resort for \$4,552.76. Carly requested to stay at the Hyatt during a trip to a therapeutic treatment with her caregiver.
 - e. In Branch cash withdrawals totaling \$3,000. Monies were used for travel, therapeutic and miscellaneous expenses; however, trustee did not retain any receipts for this cash. Trustee alleges that all cash was used for Carly's needs while traveling. Further trustee understands that she is not to use cash in the future, and if cash is necessary she will retain receipts for the use any cash.
7. CI Report filed 01/23/18

RECOMMENDATION:

Court's discretion re bond. If approved, set next hearing for Accounting Review on **07/30/18**. Any account to be filed 30 days' before hearing. Note requirements of Local Rules.

(nb/cs)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **PROBATE**

DATE: 05/21/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400760

CASE NAME: MERLIN FACTOR

HEARING:

Amended Accounting & Petition for Distribution Account and Report of
CASSANDRA HUDSON and Petition for allowance of fees filed.

COUNSEL:

CASSANDRA HUDSON	(PET)...DALE K GALIPO
MERLIN FACTOR	(DEC)...
DALE K. GALIPO	(PET)...DALE K GALIPO

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Amended Accounting and Petition for Distribution by Administrator, Cassandra Hudson ["Petitioner"-sister].

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

1. It appears that Petitioner is not requesting compensation.
2. Attorney does not request fees as to probating the Estate as the Court issued a prior order approving attorney's fees in the amount of \$20,000 after reviewing a copy of the attorney-client agreement between Ms. Hudson and her counsel in the underlying civil rights lawsuit.
3. The settlement funds from a civil case were placed in attorney's IOLTA Account. Court instructed attorney to include the interest accrued by said amount in the amount due to the estate. The funds from the civil case were placed into the trust account on or around 09/20/16 . The calculated interest rate for the 2016 and 2017 years is 0.15% annual percentage yield which is \$45 per year. The 2018 calculated IOLTA rate is 0.30% annual percentage yield, or \$9.00 per year. **JTD**
4. **Need** Assets on Hand per Local Rule 20-614(c).
5. **Need** summary of account per Pr.C. §1062.
6. **Need** schedule of receipts, gain or losses per Pr.C. §1062.
7. No verification. **Need** verification signed by personal representative per Pr. C. §1021.
8. **Need** findings re: all taxes have been paid, or reserve made for taxes.
9. **Need** Notice of Hearing with proof of service on amended accounting.

10. Proposed order: 04/13/18 is missing assets on hand, statement re creditor's claim, all taxes paid, compensation to attorney/petitioner, findings re character of the estate whether sole or separate property,

RECOMMENDATION:

Need to clear notes 4-9, then Court's discretion. If approved, set next hearing for receipts and final discharge for **06/04/19**.

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400852

CASE NAME: RICHARD GERARD NELSON

HEARING:

Hearing Re: First Account and Distribution

COUNSEL:

DEBBIE A. NELSON	(PET)..(VOORHEES & RATZLAFF LAW GROUP)
RICHARD GERARD NELSON	(DEC)...
RICHARD A NELSON	(MIN)...
CAMRYN NICOLE NELSON	(MIN/APP)...SHEASBY AND ASSOCIATES
CRYSTAL MACK	(OBJ)...JAMES B CHURCH
DEBBIE A. NELSON	(VOORHEES & RATZLAFF LAW GROUP)
SURETEC INSURANCE	(PRO/PER)

Waiver of Court Fees and Costs filed by CAMRYN NICOLE NELSON is GRANTED

GENERAL INFORMATION:

Continued from **04/26/16, 12/21/16 and 03/01/17**. Matter contested and set for trial.

Continued from **06/29/17**.

Continued from **07/05/17**. Court advances and hears Motion Re: Bifurcate the Trial Issue previously set on 08/14/17 to today's date. Arguments heard regarding Motion to Bifurcate. The Court grants Motion to Bifurcate. The first phase will be heard on 07/11/17 at 1:30pm. Counsel is informed trial will begin on 07/11/17 at 1:30pm. Discovery motion will be addressed at next hearing.

Continued from **07/11/17**. Court authorizes preliminary distribution for petitioner and attorney in amount of \$6,880.65. Counsel to prepare order on preliminary distribution.

Continued from **08/29/17**.

Continued from **10/17/17**. Objections filed. Matter stayed until status of appeal.

At hearing on 02/20/18. The appeal has been dismissed. The court places back on calendar the account and distribution that was filed prior.

Continued from 04/02/18 to clear probate notes.

THIS CASE IS SET FOR HEARING ON First and Final Waiver of Account; Petition for Determination of Property Passing to Surviving Spouse and for Confirmation of Property belonging to Surviving Spouse; and Petition for Fees.

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

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

1. Petitioner alleges she is the sole heir, as estate consists solely of community property assets, and waives account. Order Allowing Election to Administer Community Property under Pr. C. § 13502 granted 09/03/15.
2. Former Attorney, Thaddeus Culpepper, waives statutory compensation.
3. Statutory fees of \$8,600.82 requested of which \$6,880.65 has been paid per order on 08/02/17; therefore. Remaining balance of fees due is **\$1,720.17** per Supplement filed 02/13/18. Calculated.
4. **Attorneys Voorhees & Ratzlaff** Law Group, LLP's requests a total of **\$12,849.00** in extraordinary fees. \$12,780.00 for 46.20 hours on contested nature of this matter at \$275/300 per hour of attorney time and \$69.00 for 0.60 hours at \$115.00/hour of paralegal time. Itemized. [Supp. 02/13/18 LF pgs. 7-13] **JTD**
5. **Attorney Edwards-Swift** requests a total extraordinary fee of **\$28,702.00** for 143 hours on the contested nature of this matter at \$450/hour for attorney time and \$150/hour of paralegal time respectively. Itemized in supplement. [Supp. 02/13/18 LF pgs. 16-32] **Note:** Pages 33-47 are duplicative. **JTD**
6. **Attorney Edwards-Swift** requests reimbursement for advanced costs in the amount of **\$1,087.99**; however, supplement totals advanced fees at **\$1,087.69**. Court may wish to clarify correct amount. Itemized in supplement. **JTD**
 - a. **(Supp. 02/13/18) The itemization for the date of 02/17/17 includes charges for postage, long distance and cell phone charges; and an administrative set up fee bulked in with litigation costs of \$200.00 & \$300.00. Does Court wish to disallow these fees as they appear to be part of overhead per Local Rule 20-909. JTD**
7. Attorney Donna Smiedt requests a total extraordinary fee of \$2,943.75 for 12 hours on the contested nature of this matter at \$300/hour attorney time and \$126/hour of paralegal time respectively. Itemized in supplement. (Supp. 02/13/18 LF pgs. 48-50] **JTD**
 - a. **Need** qualifications of paralegals that meet the requirements of CRC 7.703(e)(1)(c) which requires a showing of completion of mandatory continuing education per Business & Professions Code 6450(d). **Need** verified supplement.
8. Petitioner requests that the property of this estate is property passing to the surviving spouse and belongs to the surviving spouse and that her ownership is confirmed. All property that is determined to be property passing to the surviving spouse shall be distributed wholly to petitioner, Debbie Nelson, as community property to which she is entitled.
9. Petitioner requests authority to distribute any assets determined to be the Community Property of decedent, not now known but late discovered to Debbie A, Nelson; and authority to distribute any assets determined to be the Separate Property of decedent, not now known but later discovered, to be distributed pursuant to the laws if intestate succession without further Order of this Court.
10. Three Creditor's Claims rejected on 09/15/16 and 90 days have passed since the rejection. Other claims filed were not acted upon; however, appear to be deemed as rejected.
11. Notice given.

12. **Objections filed 04/14/16 and amended objection on 04/15/16 by GAL, Matthew Sheasby, requesting the Court sustain Objections until a full and fair determination of the nature and extent of the Decedent's community property and separate property interests can be discerned.**
13. **Objection by GAL Matthew Sheasby to Administrator's Misstatement of Court Orders filed 01/12/18,**
14. **Objections filed 04/29/16 by GAL, Noreen T. Fontaine for Richard A. Nelson.**
15. **Objections filed by Crystal Mack, creditor, on 08/15/16.**
16. **Objections by Debbie Nelson to GAL Sheasby proposed "Order on Objection to file April 4, 2016" filed 11/09/17.**
17. **Request for Judicial Notice filed 07/07/17.**

RECOMMENDATION:

Matter is contested. Need to clear notes 7 & 11 then Court's discretion re remaining notes. If approved, set next hearing for receipts and final discharge for **04/08/19**.

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

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600976

CASE NAME: MEI-YU WU HUANG

HEARING:

Rprt of Admin, Ptn for Final Dist, and Waiver of Account and Report of ALLEN YU LUNG HUANG and Petition for allowance of fees filed.

COUNSEL:

ALLEN YU LUNG HUANG (PET)...PRO/PER
MEI-YU WU HUANG (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON First and Final Waiver of Account and Petition for Distribution and for fees allowed, by son, Allen Huang, [Administrator/Petitioner]

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

1. Assets on Hand \$625,000 consisting of real property.
2. All heirs waive accounting.
3. Final Inventory and Appraisal filed 05/11/18.
4. Petitioner waives statutory fees.
5. Petitioner opened an estate blocked account to deposit proceeds from the sale of the real property; however, real property was not sold, and now requests to deactivate and close the estates blocked account with a zero balance. **JTD**
6. Notice given.
7. ~Proposed Order: 05/11/18

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipt and final discharge for **06/04/19**.

(cs/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 05/21/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601260

VACATED

CASE NAME: Tony Ruiz

HEARING:

Accounting Review by ***

COUNSEL:

MARIA RUIZ

(PET)...DONALD M. MEDEIROS

SALVADOR RUIZ

(PET)...DONALD M. MEDEIROS

TONY RUIZ

(DEC)...

(ww)

Future Hearing: 06/07/18 First Account and Report

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

DATE: 05/21/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700234

CASE NAME: THE JOANNA SABLE REVOCABLE TRUST

SEE ALSO 7

HEARING:

OSC re: FTA/FAILURE TO FILE AN ACCOUNTING filed by THE
NATIONALHUMANE EDUCATION SOCIETY

COUNSEL:

NATIONALHUMANE EDUCATION SOCIETY (PET)...HOLSTROM BLOCK & PAR
THE JOANNA SABLE REVOCABLE TRUT (TRU)...
DAVID M. WILSON (STE)...PRO/PER

GENERAL INFORMATION:

Continued from **07/17/17**. Citation not served. Court re-issues citation as to Eerin Shumway. Notice to be given by Attorney Craig Weinstein.

Continued from **09/25/17** On miscellaneous Petition For Probate of the National Humane Education Society order to show cause hearing held (Probate). Court re-issues the citation as to Eerin Shumway for their failure to appear/file an accounting as ordered by the court. Citation issued

Continued from **11/06/17** It appears the citation was never issued from the clerk's office. Citation issued to Eerin Shumway.

Continued from **12/18/17** On miscellaneous petition for probate of the National Humane Education Society OSC hearing held. Non appearance by EerinShumway, nor has the return of citation been submitted. Citation issues Eerin Shumway, who is cited and required to appear on 03/12/18 and show cause why FTA/Failure to file an accounting.

Continued from 03/12/18 Court notes that the Sheriff has been unsuccessful in serving the citation on Eerin Shumway. Court Re-issues citation and set an OSC Re Sanctions as to Eerin Shumway. Citation issued to Eerin Shumway who is cited and required to appear on 05/21/18 to show cause why FTA/Failure to file accounting/sanctions. OSC set re sanction filed by the National Humane Education society set.

THIS CASE IS SET FOR HEARING ON OSC re FTA/Failure to File Accounting

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

1. Matter set at 05/22/17 hearing, wherein, the Court removed Eerin Shumway as trustee and appointed David Wilson as Successor Trustee.

2. Citation reissued as to Eerin Shumway who has failed to appear or file and accounting as ordered by the court.
3. Proof of unsuccessful service of citation filed 02/20/18, 04/30/18 and 05/01/18.
4. Court to see Declaration of Attorney Breanna Dominguez re Notice filed on 05/14/18.

RECOMMENDATION:

Court's discretion.

(nb/cs/ww/cs/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 05/21/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700234

CASE NAME: THE JOANNA SABLE REVOCABLE TRUST

SEE ALSO 6

HEARING:

OSC re: Sanctions filed by THE NATIONALHUMANE EDUCATION SOCIETY

COUNSEL:

NATIONALHUMANE EDUCATION SOCIETY (PET)...HOLSTROM BLOCK & PAR

THE JOANNA SABLE REVOCABLE TRUT (TRU)...

DAVID M. WILSON

(STE)...PRO/PER

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON OSC re: Sanctions filed

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

1. Matter set on 03/12/18 at OSC re FTA/Failure to file an accounting by Eerin Shumway.
2. Citation issued to Eerin Shumway who is cited and required to appear on 05/21/18.
3. Proof of unsuccessful service of citation filed 04/30/18 and 05/01/18.
4. Court to see Declaration of Attorney Breanna Dominguez re Notice filed on 05/14/18.

RECOMMENDATION:

Court's discretion.

(cs/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700954

CASE NAME: MARY ANN FRANCIS BREEN

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

COUNSEL:

SARAH RAINES (PET)...PRO/PER
MARY ANN FRANCIS BREEN (DEC)...

GENERAL INFORMATION:

Sarah Raines appointed as temporary administrator, no bond, limited IAEA on 10/03/17..

All temporary orders to remain in full force and effect.

Continued from **01/02/18** at request of petitioner to clear notes.

Continued from 04/02/18 Trevor Neale to be noticed.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by nominee Sarah Raines ["Petitioner"].

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

1. Net value of the estate consists of \$97,000.00 in real property.
2. Nominations of this petitioner; assignments and bond waivers by all issue affixed to petition [LF, pgs. 6-17]. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b)
3. Petitioner is not listed in section 8 of the petition; however, it is clear that petitioner is the nominee. **JTD**
4. Court may wish to inquire if Trevor Neale, assignee, is related to decedent as he shares the same last name as Georgia Neal, daughter. **JTD**
5. **Need** Notice of Petition to Administer Estate with proof of service to include assignee, Trevor Neale.
6. ~Proposed Form Order: 09/26/17

RECOMMENDATION:

Need to clear notes 5 & 6 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **06/10/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(nb/ww/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800104

CASE NAME: MTR OF SANDRA JEAN ARHART

SEE ALSO 10

HEARING:

Hearing Re: Status on Filing of I & A

COUNSEL:

RODNEY LEYVA CRUTCHLEY (PET)...JEFFERY D GOLD
SANDRA JEAN ARHART (DEC)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Status on Filing of Inventory and Appraisal

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

1. Matter set on 04/02/18 during hearing on Petition for Letters of Special Administration, wherein, Letters of Special Administration were issued to Rodney Crutchley, spouse, no bond.
2. Court ordered that escrow is not to close until an Inventory and Appraisal is filed.
3. Final Inventory and Appraisal filed 05/14/18; however, does not conform to Pr.C. §8850(c) re: whether property is separate, community or quasi –community property. **Need** corrected Inventory and Appraisal.

RECOMMENDATION:

Inquire status.

(cs/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800104

CASE NAME: MTR OF SANDRA JEAN ARHART

SEE ALSO 9

HEARING:

Hearing Re: PTN FOR LETTERS OF ADMIN W/FULL AUTHORITY

COUNSEL:

RODNEY LEYVA CRUTCHLEY (PET)...JEFFERY D GOLD
SANDRA JEAN ARHART (DEC)...

Waiver of Court Fees and Costs filed by RODNEY LEYVA CRUTCHLEY is GRANTED

GENERAL INFORMATION

Continued from 03/01/18 at request of Petitioner to clear probate notes.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Rodney Crutchley, spouse.

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

1. All heirs waive bond. Net estate value is \$150,000 in real property. Court for good cause could require bond per Pr.C. § 8481(b).
2. Notice to Petition to Administer Estate and proof of service filed 05/14/18; however, section 2 and 3 as to petitioners name and county are incomplete. **Need** corrected notice.
3. **Need** proof of publication.
4. ~Proposed Form Order: 05/14/18

RECOMMENDATION

Need to clear notes 2-3. If approved, set Accounting/Status Review for **07/29/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/cs/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800185

CASE NAME: MTR OF DONALD EUGENE HARRINGTON

HEARING:

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

COUNSEL:

TASHA JOY HARRINGTON (PET)...RICHARD S PRICE
DONALD EUGENE HARRINGTON (DEC)...

GENERAL INFORMATION

Continued from 04/02/18 continued for bond waivers to be filed.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by spouse, Tasha Joy Harrington, [Administrator/Petitioner]

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

1. Net value of the estate consists of \$113,000.00 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. §8481(b).
2. Petitioner alleges to be sole heir as surviving spouse and waives bond; however, per the Election by Surviving Spouse filed 02/27/18, it appears that decedent had separate property. Decedent had 3 heirs which would be entitled to 1/3 of the decedent's separate property per Pr.C. § 6401.
3. Bond Waivers filed 04/24/18 by Donald Jr, Donnisha and Darlisa; however, signatures appear to be stamped signatures. **JTD**
4. ~Proposed Form Order: 02/27/18

RECOMMENDATION

Court's discretion re bond. If approved, set Accounting/Status Review **07/29/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/cs/ww)

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

DATE: 05/21/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800335

CASE NAME: Mtr of Merejido Vega Humildad

HEARING:

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

COUNSEL:

CHRISTINA MACLIS (PET)...NANCY KOROMPIS
MEREJILLO VEGA HUMILDAD (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by granddaughter, Christina Maclis, [Administrator/Petitioner]

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

1. Sole heir waives bond. Net estate value of \$227,325.00 consisting of \$227,300 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters. Prob. Code §8481(b). **JTD**
2. It appears Luis Salvador Maclis, son, has higher priority of appointment per Pr.C. §8461. **Need** nomination/declination.
3. Petitioner is not listed in Section 8 of the petition; however, it is clear that petitioner is the granddaughter. **JTD**
4. Section 5 (7)(8) of Petition re whether issue of predeceased child exists is incomplete. Court to inquire, or in alternative, need verified supplement. **JTD**
5. Duties of personal representative is missing telephone number. **Need** complete form.
6. ~Proposed Form Order: 04/09/18

RECOMMENDATION

Need to clear notes 2 & 5. Court's discretion re bond. If approved, set Accounting/Status Review for **07/29/19**. Any accounting to be filed 30 days in advance local rule 20-901.

Note requirements of local rule 20-908.

(cs/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800340

CASE NAME: MTR OF KAREN ROSE PIERCE

SEE ALSO 14

HEARING:

Petition for VERIFIED PETITION TO DETERMINE OWNERSHIP OF REAL
PROPERTY BY KAREN ROSE PIERCE

COUNSEL:

EDWARD EARLE BURROWS (PET)...PRICE LAW FIRM, APC
KAREN ROSE PIERE (DEC)...

Currently under review by Legal Research.
(LR)

Notice:

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

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

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

Need corrected notice.

(CS)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800340

CASE NAME: MTR OF KAREN ROSE PIERCE

SEE ALSO 13

HEARING:

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

COUNSEL:

EDWARD EARLE BURROWS (PET)...PRICE LAW FIRM, APC
KAREN ROSE PIERE (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full
Authority under IAEA by friend, Edward Burrows, [Executor/Petitioner]

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

1. Will waives bond. Net estate value consist of \$222,661.79 with \$200,000 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters. Prob. Code, § 8481(b).
2. Proof of Subscribing Witness filed 04/19/18.
3. Arvin Wenzelberg is an individual mentioned in the will; however, not listed in section 8 of petition. **Need** verified supplement .
4. Notice to Petition to Administer Estate and proof of service filed 05/11/18; however, only 13 days' notice provided. **Need** proper notice of 15 days'.
5. ~Proposed Form Order: 04/12/18

RECOMMENDATION

Need to clear notes 3 & 4 . Court's discretion re bond. If approved, set Accounting/Status Review for **07/29/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **TRUSTS**

DATE: 05/21/18 TIME: 8:35 DEPT: S36P

CASE#: TRU PS1800040

CASE NAME: RIVAS FAMILY TRUST 02/14/2004

HEARING:

Petition for TO DETERMINE THE EXISTENCE AND VALIDITY OF THE RIVAS FAMILY TRUST, AND TO CONFIRM TRUSTEE ETC

COUNSEL:

FERNANDO E RIVAS (PET)...THE BOUTIQUE LAW GROUP APLC
THE RIVAS FAMILY TRUST (TRU)...

Currently under review by Legal Research

LR

NOTICE:

Notice of hearing and proof of service filed 03/09/18; however, less than 30 days' notice provided and notice must contain full description of the subject property ; a description of relief and from whom it is against if Pr.C. § 859 is being pursued; and a statement advising persons whom have interest in said property that they may file a response to the petition. **Need** corrected notice.

(ww/cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

CONSERVATORSHIPS

DATE: 05/21/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS0800276

CASE NAME: MTR OF JOSE LUIS VELASQUEZ CORONA

HEARING:

Hearing Re: CONCERNS RE: CI REPORT

COUNSEL:

AURELIA CORONA

(CP)...PRO/PER

JOSE LUIS VELASQUEZ CORONA

(CTP)...J. DAVID HORSPOOL

GENERAL INFORMATION:

Continued from 03/26/18 Matter will be continued to allow parties to meet and confer.

THIS CASE SET FOR HEARING ON Concerts RE: CI Report

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

1. Matter set on 03/16/18, wherein, Court reviewed CI report filed 03/16/18. Due to concerns from report, Court appointed J. David Horspool as counsel for conservatee and set matter for review.
2. **Need** report by court appointed counsel, J. David Horspool.

RECOMMENDATION:

Need report of counsel then Court's discretion.

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600095

CASE NAME: MTR OF MADELYN M KOSKY

SEE ALSO 18

HEARING:

Hearing re Final Discharge

COUNSEL:

DESIRE M FORSBERG	(CPE)...LAYNE A BARTHOLOMEW
ERIC B FORSBERG	(CPE)...LAYNE A BARTHOLOMEW
MADELYN M KOSKY	(CEP)...
JOANNA AVERETT	(CPE)...MAUREEN MURATORE

XREF: CONPS1600094 MTR OF MADELYN M KOSKY

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge

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

1. Final and Final Account of Joanna Averett, PPF, approved on 03/26/18 for the conservatorship of the person and estate of Charles Kosky.
2. **Need** receipt.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status.

(cs)

Future Hearing: 6/03/19 Accounting Review (x2)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600095

CASE NAME: MTR OF MADELYN M KOSKY

SEE ALSO 17

HEARING:

Hearing Re: Bond Review (Trust)

COUNSEL:

DESIRE M FORSBERG	(CPE)...LAYNE A BARTHOLOMEW
ERIC B FORSBERG	(CPE)...LAYNE A BARTHOLOMEW
MADELYN M KOSKY	(CEP)...
JOANNA AVERETT	(CPE)...MAUREEN MURATORE

XREF: CONPS1600094 MTR OF MADELYN M KOSKY

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Bond Review (Trust)

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

1. Matter set on 03/26/18 wherein approval of First Account current for The Madelyn and Charles Kosky Revocable Trust dated January 2, 2013 was granted.
2. **Need** to determine bond amount and provide bond.

RECOMMENDATION

Inquire status.

(cs)

Future Hearing: 6/03/19 Accounting Review (x2)

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

DATE: 05/21/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800105

CASE NAME: MTR OF HECTOR JOSE BUGARIN

HEARING: Petition for Appointment of Conservator

COUNSEL:

ADRIANA PARRA (CP)...CHAVEZ LAW GROUP
HECTOR JOSE BUGARIN (CTP)...

GENERAL INFORMATION

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

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

1. Person only- no bond.
2. Proposed conservatee turned age 18 on 05/02/18.
3. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract, right to have exclusive authority to give or withhold consent to medical treatment; and make decisions re-education. **JTD**
4. Petitioner seeks civil rights be limited. **JTD**
5. Section 3(b)(1) is incomplete re if petitioner is a creditor of proposed conservatee. Court to clarify on record. **JTD**
6. Petitioner seeks medical powers. Capacity Declaration filed 04/12/18.
7. Proposed conservatee is developmentally disabled. **Need** IRC report.
8. Proposed conservatee is developmentally disabled. **Need** appointment of counsel for report.
9. Consent and nomination of petitioner to be conservator of the person by Hector Guillermo Burgarin, father, filed on 05/14/18
10. Citation and proof of service filed 05/14/18.
11. **Need** Certificate of Completion of the Conservatorship Training Class.
12. **Need** CII Referral.
13. Notice given.
14. CI report filed 05/09/18.
15. ~Proposed Form Order: 04/12/18.

RECOMMENDATION

Need appointment of counsel, IRC report and to clear note 11 & 12. If approved, set hearing for Compliance Review for **12/24/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(cs/ww)

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

DATE: 05/21/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800106
CASE NAME: MTR OF JIMMY RIVAS
HEARING: Petition for Appointment of Conservator

COUNSEL:

PAIGE RIVAS (CP)...FULLERTON LEMANN SCHAEFER & DO
JIMMY RIVAS (CTP)...

GENERAL INFORMATION

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

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

1. No Bond- Person only.
2. Proposed conservatee is developmentally disabled. It appears a petition for limited is appropriate.
 - a. An IRC report is optional per Pr.C. §1827.5(b). Does Court wish to require?
JTD
 - b. As this is not a petition for Limited Conservatorship, Court may wish to appoint counsel and require report for proposed conservatee per Pr.C. §1470. **JTD**
3. Notice of hearing and proof of service filed 04/23/18 in care of Jerry Rivas, Sr.; Ruth Rivas; Jerry Rivas, III; Jonathan Rivas; and Erica Rivas. However, required notice to any adult in care of is insufficient unless the person(s) entitled to notice are adults and directed to give notice in writing to send the notice in care of the second person. C.R.C. 7.51. Court to clarify
4. Citation with proof of service filed 04/25/18.
5. Petitioner seeks medical powers. **Need** Capacity Declaration.
6. Petition section 3f re due diligence is not attached. **Need** same.
7. **Need** Certificate of Completion of the Conservatorship Training Class.
8. CI report filed 05/14/18.
9. ~Proposed Form Order: 04/09/18

RECOMMENDATION

Need to clear notes 5-7. If approved, set hearing for Compliance Review for **12/24/18** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.
(cs/ww)

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

DATE: 05/21/18 TIME: 9:30 DEPT: S36P

CASE#: SC SS01984

CASE NAME: MTR OF ROBERTA L. GLASS

SEE ALSO 22, 23

HEARING: Petition for appointment of successor conservator of the estate

COUNSEL:

LAWRENCE A. DEAN II	(CPE)...SHERRI L KASTILAHN
ROBERTA L. GLASS	(CEP)...LAW OFFICES OF SCOT D STIRLING
MARY NIEVES	(PET)...PRO/PER
MARY CYNTHIA GLASS	(PET)...JENNIFER M DANIEL
MELODIE Z SCOTT	(TP)...PRO/PER

Start here

GENERAL INFORMATION

Mary Glass, sister, was appointed temporary Conservator of the estate on 04/18/18, no bond.

Mary Nieves, non-relative was appointed successor conservator of the person only on 01/09/14.

It appears that the Court previously terminated conservatorship of estate Nunc Pro Tunc to 10/24/13 and discharges conservator Lawrence Dean, II.

THIS CASE SET FOR HEARING ON

Petition #1 Petition for Appointment of **Successor** Conservator, of the estate only, by **sister, Mary Glass**, [Petitioner]

Petitioner #2 Petition for Appointment of **Successor** Conservator, of the person & estate , by **sister, Roberta Glass** for Christopher Nieves, friend

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

Petitioner #1, Mary Glass, sister

1. Conservatorship of the estate was terminated on 04/04/16.
2. Petitioner requests bond be determined. Conservatee owns partial interest in real property located in Redlands; however, the property is in disrepair and value is unknown. **JTD**
3. Petitioner seeks estate powers under Pr.C. §2590 to sell the real property conservatee owns partial interest in.
4. Petitioner is not dated by Attorney Daniel. **JTD**

5. Section 5(c)(2) re reason the proposed conservatee requires conservator is incomplete. **Need** verified supplement.
6. **Need** Confidential Supplemental Information.
7. **Need** return of Citation.
8. **Need** Certificate of Completion of the Conservatorship Training Class.
9. **Need** Notice of Hearing and proof of service.
10. **Need** Court Investigator report.
11. ~Proposed Form Order: 04/09/18.

Petitioner #2 Roberta Glass, proposed conservatee, for Christopher Nieves, friend

12. Petitioner requests that no bond be required as the only asset is an interest in real property that is currently in litigation. [LF pg. 10] **JTD**
13. Petitioner seeks medical powers under Pr.C. § 2355.
 - a. **Need** Capacity Declaration.
 - b. **Need** appointment of Counsel for report.
14. Petition is marked as to estate also; however, 2590 powers are not being requested. Court to inquire. **JTD**
15. Petition indicates that Mary Glass will resign upon appointment of successor. [LF pg. 5]
 - a. Resignation by Mary Nieves is attached. [LF pg. 13]
 - b. Consent to serve by Christopher Nieves is attached. [LF pg. 15]
16. Petitioner indicates in section 5d that she voluntarily requests the appointment. Attachment 5d is not attached, however, Nomination of Christopher Nieves appears to explain her request. [LF pgs. 11-12] **JTD**
17. **Need** Certificate of Completion of the Conservatorship Training Class.
18. Confidential Conservator Screening form by Christopher filed 04/23/18; however, attachment 8 is missing. **Need** completed form.
19. Notice given.
20. **Need** Court Investigator report.
21. ~Proposed order: 04/23/18

RECOMMENDATION

Need appointment of Counsel, CI reports for both petitioners and to clear notes 5-9, 13, 17 & 18. Court's discretion re bond. If approved, set hearing for Compliance Review for **12/24/18** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C. §1830(c); Level of Care and Care Plan per Pr.C. §2352.5; Inventory and Appraisal; Proof of service of Instructions for Objection per Pr.C. §2610; and recordation of letters, if applicable, per Pr.C. § 2313.

Set hearing re Accounting Review for **07/29/19**. Any accounting to be filed 30 days in advance.

(cs/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 9:30 DEPT: S36P

CASE#: SC SS01984

CASE NAME: MTR OF ROBERTA L. GLASS

SEE ALSO 21, 23

HEARING: Petition for appointment of successor conservator of the person and estate

COUNSEL:

LAWRENCE A. DEAN II	(CPE)...SHERRI L KASTILAHN
ROBERTA L. GLASS	(CEP)...LAW OFFICES OF SCOT D STIRLING
MARY NIEVES	(PET)...PRO/PER
MARY CYNTHIA GLASS	(PET)...JENNIFER M DANIEL
MELODIE Z SCOTT	(TP)...PRO/PER

See matter 21.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 9:30 DEPT: S36P

CASE#: SC SS01984

CASE NAME: MTR OF ROBERTA L. GLASS

SEE ALSO 21, 22

HEARING: Hearing Re: Possible Appointment of the PG (person only)

COUNSEL:

LAWRENCE A. DEAN II	(CPE)...SHERRI L KASTILAHN
ROBERTA L. GLASS	(CEP)...LAW OFFICES OF SCOT D STIRLING
MARY NIEVES	(PET)...PRO/PER
MARY CYNTHIA GLASS	(PET)...JENNIFER M DANIEL
MELODIE Z SCOTT	(TP)...PRO/PER

GENERAL INFORMATION

Mary Glass, sister, was appointed temporary Conservator of the estate on 04/18/18, no bond.

Mary Nieves, non-relative was appointed successor conservator of the person only on 01/09/14.

It appears that the Court previously terminated conservatorship of estate Nunc Pro Tunc to 10/24/13 and discharged conservator Lawrence Dean, II.

Continued from 04/23/18. Matter is continued for the Public Guardian to complete their investigation and report.

THIS CASE SET FOR HEARING ON Possible Appointment of the PG (person only)

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

1. Matter set on 04/17/18 for possible appointment of Public Guardian as successor conservator of the person.
2. Court orders Public Guardian to be present, Roberta Glass and Mary Nieves.

RECOMMENDATION:

Court's discretion.

(cs/ww)

Superior Court of Calif, County of San Bernardino
Page: 24 add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 05/21/18 TIME: 1:30 DEPT: S36P

CASE#: CON PS1700426

CASE NAME: ELEANOR G RHEA

SEE ALSO 25

HEARING:

Mediation Settlement Conference

COUNSEL:

ELEANOR G RHEA

GERALD RHEA

TYRIE MCCULLEY

(CTP)...MARK J. ANDREW FLORY

(OBJ)...JENNIFER M DANIEL

(PET)...SHERRI L KASTILAHN

No Notes-Mandatory Settlement Conference- JTD.

(ww)

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

DATE: 05/21/18 TIME: 1:30 DEPT: S36P

CASE#: CON PS1700426

CASE NAME: ELEANOR G RHEA

SEE ALSO 24

HEARING:

Petition for Appointment of Conservator

COUNSEL:

ELEANOR G RHEA
GERALD RHEA
TYRIE MCCULLEY

(CTP)...MARK J. ANDREW FLORY
(OBJ)...JENNIFER M DANIEL
(PET)...SHERRI L KASTILAHN

GENERAL INFORMATION

Tyrie McCulley and Gerald Rhea, daughter & spouse, appointed temporary guardian of person and estate on 12/14/17; no bond. Proposed conservatee appeared at temporary hearing.

Continued from **01/18/18**. Attorney Mark Flory appointed Counsel.

Continued from **01/31/18**. An oral motion is made to appoint Christie Davidson as successor temporary conservator of the person and estate and the successor temporary trustee. Court overruled objections of Eleanor Rhea at this time. Gerald Rhea resigns as trustee. Eleanor Rhea suspended as the trustee. Bond required \$80,000 as to conservatorship; \$1,800,000 bond as to trust. Counsel to submit order.

Continued from 05/09/18. Oral argument presented by all counsel . The Court sets this matter for mediation settlement conference for Monday 05/21/18 at 1:30 pm in Dept S36. Dr. Leeb is to prepare an updated report as to the conservatee. Report to be submitted to the Court prior to 05/21/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Tyrie McCulley, daughter.

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

1. Petitioner seeks bond of \$259,775 and \$650,000 to be deposited in blocked account. Appears adequate.
2. No medical powers or other powers sought.
3. Capacity Declaration filed 01/31/18.
4. Confidential Supplemental form is not dated. **JTD**
5. Step-son Craig is allegedly homeless. **Need** due diligence declaration.
6. **Need** Certificate of Completion of the Conservatorship Training Class.

7. **Need** Report of Counsel Mark Flory.
8. Report of Dr. Charles Leeb filed 01/18/18.
 - a. Court to see Dr. Chuck Leeb's response to Ms. Davidson's letter filed 05/10/18.
9. Supplemental GAL report by Mitchell I Roth filed 01/31/18.
10. Court Investigator report filed 01/09/18 and 01/30/18
11. Post move notice filed on 01/08/18.
12. **Objection filed by Gerald Rhea, spouse, on 12/08/17.**
13. ~Proposed Form Order: 11/20/17.

RECOMMENDATION

Matter is contested. Need to clear notes 5-7 then Court's discretion re bond/blocked account. If approved, set hearing for Compliance Review for **12/12/18** for the filing of the required documents and hearing re Accounting Review for **07/17/19**. Any accounting to be filed 30 days in advance.

(lc/lh/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 05/21/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400258

CASE NAME: JUDY ANN REITZ

HEARING: Second and final Account and Report of KEVIN W WALK and Petition for allowance of fees filed.

COUNSEL:

KEVIN W WALK

(PET)...JACK B OSBORN

JUDY ANN REITZ

(DEC)...

GENERAL INFORMATION:

Continued from 02/20/18.

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of Account and for Fees by Administrator, Kevin W. Walk ["Petitioner"].

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

1. **Need** Waivers of Account by Personal Representative of Lisa M. Walk's Estate.
2. **Need** balance and description of the assets on hand, specifically noting the amount of cash included in said balance per Local Rule 20-614.
3. Statutory fees of \$8,000.00 requested. Calculated.
4. Petitioner requests extraordinary fees of \$10,800 for services rendered in connection with the sale of real property. Billed at \$30/hour for a total of 360 hours' time. **Need** itemization per CRC 7.702 indicating the specific amount requested for each category of service provided via verified supplement.
5. Attorney requests reimbursement of costs of \$695.00. Itemized. **JTD**
6. **Need** statement regarding notice to California Victim and Compensation and Government Claims Board or notice per Pr. C. § 9202(b).
7. Notice of Hearing and proof of service filed 04/23/18; however, it is unclear as to who Larissa Walk-Garcia and Seth Walk-Garcia are in relation to the decedent as they are not listed in the initial petition for probate. Court may wish to inquire. **JTD**
8. No proposed order.

RECOMMENDATION

Need to clear notes 1-2, 4 & 6 then Court's discretion re: remaining notes. If approved, set next hearing for receipts and final discharge for **06/04/19**.

(nb/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500809

CASE NAME: CARRIE RAY AND IZILLA LA VERNE CUMMINGS

HEARING:

FIRST AND FINAL Account and Report of ROBERT L CUMMINGS and
Petition for allowance of fees filed.

COUNSEL:

ROBERT L CUMMINGS (PET)...DAVID CHASE
CARRIE RAY (DEC)...
IZILLA LA VERNE CUMMINGS (DEC)...

Waiver of Court Fees and Costs filed by ROBERT L CUMMINGS is GRANTED
TOTAL FEES WAIVED TO DATE: \$955.50

GENERAL INFORMATION:

Per supplement filed 12/23/15, petitioner withdrew the petition of his mother, Izilla La Verne Cummings and proceeded only on the petition for his father, Carrie Ray Cummings. However, an amended petition for Izilla La Verne Cummings was filed on 01/19/16 under this same case number and this accounting appears to be for Izsilla's estate that was previously withdrawn. The situation is further exacerbated by Letters being issued in both decedents' names.

Continued from **08/09/17** to clear notes. Notice to be given by Mr. Chase.

Continued from **11/06/17** Robert Cummings is ordered to be present at next hearing

Continued from 02/26/18. Reason: to clear probate notes/supplement clarifying whose petition is moving forward to be filed. ROBERT L CUMMINGS is ordered to be present at next hearing.

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON **[Amended 02/15/18]** First and Final Account upon Waiver of Account by Robert Cummings ["Petitioner"-son].

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

1. **Note: Amended Accounting was filed on 02/15/18 in the form of a supplement. The notes below are in regards to the amended accounting.**

2. Assets on Hand \$0.00. Petitioner indicates real property has foreclosed on 09/12/17 and the he was unable to obtain a Loan Modification of the reverse mortgage or sell the property by means of a short sale.
3. Case title in Account is incorrect as case is only for Izilla La Verne Cummings and not for Carrie Ray. **JTD**
4. Petitioner indications that he is entitled to distribution of all of the estate and waives accounting; however, he is one of 3 surviving issues of decedent and no assignments of interest have been filed. **Need** waivers of account by William Cummings and Nancy Cummings (issues of the decedent).
5. Statutory compensation/fees not requested.
6. Reimbursement of costs not requested.
7. It appears that the verification is partially included in the prayer. **Need** separate and complete verification by Petitioner per Pr. C. §1021.
8. Summary of Account [LF, pg. 5], Charges and Credits differ. **Need** corrected Summary of Account.
9. **Need** clarification of the Net Loss from trade or business indicated on the Summary of Account as a business or trade is not listed on the Final Inventory and Appraisal and no mention is made in the report.
10. No supporting schedules. **Need** same.
11. Final Inventory and Appraisal filed 10/03/17 showing a value of \$0.00 with affixed Trustee's Deed upon Sale; however, as real property was owned at the time of death the property should be appraised by a Probate Referee. **JTD**.
12. **Need** statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary. Pr. C. § 1064 (a)(4) via verified supplement.
13. **Need** Notice of Hearing with proof of service as to amended accounting with Court address of 247 W. 3rd Street, San Bernardino, CA 92415, to William and Linda Cummings.
14. No proposed order.

RECOMMENDATION

Need to clear notes 4, 7-10, 12 & 13 then Court's discretion. If approved, set hearing for Final Discharge on **06/04/19**.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600548

CASE NAME: MTR OF EDWARD CHARLES PAYAN

HEARING:

Accounting Review by ***

COUNSEL:

DELFINA PAYAN (PET)...PRO/PER
EDWARD CHARLES PAYAN (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Delfina Payan, spouse, on 03/13/17; full authority, no bond then amended Order and Letters issued on 05/05/17 to reflect petitioner's AKA.
2. **Need** Final Inventory and Appraisal
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting and Final Inventory and Appraisal.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600689

CASE NAME: PAUL SAMUEL AGOSTA

HEARING:

Accounting Review by ***

COUNSEL:

TERESA LYNN AGOSTA (PET)...VICTOR J HERRERA
PAUL SAMUEL AGOSTA (DEC)...

GENERAL INFORMATION:

Continued from 12/04/17. Waiting on assets to come into estate. The Court orders inventory and appraisal be filed by 2/2/18 and accounting be filed by 4/20/18.

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 with special powers and no IAEA issued to Teresa Agosta, daughter, on 07/14/16 then issued Letters of Administration issued on 06/01/17, full authority, no bond.
2. Final Inventory and Appraisal filed 02/14/18 reflecting assets on hand of \$0.
3. **Need** Accounting or status report.

RECOMMENDATION:

Inquire status of accounting. Court may wish to trail matter to **06/21/18** to be heard with Petition for Termination.

(cs/ww)

Future hearing dates:

06/21/18 Petition for Termination of Further Proceeding and for Discharge

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601249

CASE NAME: MTR OF DEE SHCNEPF-EWING

HEARING:

Petition for 1. Financial abuse of a dependent adult 2. Conversion 3. Common
Counts 4. Constructive Trust

COUNSEL:

ANGELA LANDIN	(PET)...DIANA J CARLONI
DEE SHCNEPF-EWING	(DEC)...
BO RAMOS	(MIN)...PRO/PER
OZEL DEVELOPERS, INC	(PET)...THOMPSON & COLEGATE
ABRAHAM TEKIN	(CC/PET)...THOMPSON & COLEGATE
SURETEC INSURANCE	(TP)...

Currently under review by Legal Research

LR

(ww)

Future Hearings:

6/13/18 Mediation Settlement Conference

7/02/18 Petition for Enforcement of Creditor's Claims & for Attorney's fees & Costs of Suit

7/02/18 Hearing Re: Petition for Declaratory Relief or Breach of Contract

7/02/18 Hearing Re: Petition for Specific Performance or Contract

7/19/18 Accounting Review

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601280

VACATED

CASE NAME: WALTER THOMAS (W.T.) COLLINS

HEARING:

Accounting Review by ***

COUNSEL:

SHEA LEWIS

WALTER THOMAS COLLINS

(PET)...WILLIAM K SWEENEY

(DEC)...

(ww)

Future hearing dates:

06/27/18 Probate Status Report Filed.

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800088

CASE NAME: ROLLAND EDWIN ODENBREIT

SEE ALSO 8

HEARING:

OSC re: Dismissal

COUNSEL:

RICHARD E ODENBREIT (PET)...LAW OFFICES OF ANDREA GEE
ROLLAND EDWIN ODENBREIT (DEC)...

GENERAL INFORMATION

Letter of special administration issued to Ricard Odenbreit with limited IAEA, no bond on 04/03/18.

THIS CASE SET FOR HEARING ON **OSC re: Dismissal of** Petition for Probate, Letters Testamentary with Full Authority under IAEA by Richard Odenbreit, Brother/Executor

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

1. Matter set on 03/05/18 when petitioner failed to appear. Will waives bond. Estate value \$1,325,000 with \$1,010,000 in personal property. The court may for good cause require that a bond be given, either before or after issuance of letters. (Prob. Code, § 8481(b)).
2. ~Proposed Form Order: 02/05/18.

RECOMMENDATION

Court's discretion re OSC and bond. If approved, set Accounting/Status Review for **07/29/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800088

CASE NAME: ROLLAND EDWIN ODENBREIT

SEE ALSO 7

HEARING:

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

COUNSEL:

RICHARD E ODENBREIT (PET)...LAW OFFICES OF ANDREA GEE
ROLLAND EDWIN ODENBREIT (DEC)...

See notes on matter 7.

(ww)

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

DATE: 05/21/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800337

CASE NAME: Mtr of Marion Zenz

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

COUNSEL:

JANIS MUELLER (PET)...D M DAVIS
MARION ZENZ (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate of **Lost Will** and for Letters Testamentary with Full Authority under IAEA by Janis Mueller, non-relative/executor

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

1. The original will is apparently lost. When a will is lost, and was last in the testator's possession, it is presumed that the testator destroyed the will with the intent to revoke it Pr.C. § 6124. This presumption affects the burden of producing evidence and unless petitioner can overcome the presumption, no valid will exists.
 - a. Court to see "Proof of Lost Will and Request to Enter True Copy of Will to Probate" filed 04/10/18 provided in lieu of a Declaration.
 - b. Will waives bond. The estate consists of \$76,200.00 in personal property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b).
2. Proof of subscribing witness by Linda Sherman filed 04/10/18.
3. David Mueller, named co-executor, declined to serve.
4. **Need** Notice to Petition to Administer Estate and proof of service.
5. **Need** proof of publication.
6. ~Proposed Form Order: 04/10/18

RECOMMENDATION

Need to clear notes 4 & 5. Court's discretion re bond and submission of copy of lost will. If approved, set Accounting/Status Review for **07/29/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

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

DATE: 05/21/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800357

CASE NAME: LOUIS AMADEO GONZALES

HEARING:

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

COUNSEL:

LUIS SILVA (PET)...WILLIAM M NASSAR
LOUIS AMADEO GONZALES (DEC)...

GENERAL INFORMATION

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

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

1. All heirs waive bond. The estate consists of \$210,000.00 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b).
2. **Need** proof of publication
3. ~Proposed Form Order: 04/17/18

RECOMMENDATION

Need to clear note 2. Court's discretion re bond. If approved, set Accounting/Status Review **07/29/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

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

DATE: 05/21/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800358

CASE NAME: EDWARD JOSEPH JR

HEARING:

Spousal Property Petition hearing.

COUNSEL:

MARY E JOSEPH (PET)...RICHARD F NEVINS
EDWARD JOSEPH JR (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Spousal Property Petition by Mary Joseph, spouse

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

1. Petitioner requests a determination of real property passing to the surviving spouse as community property. Specifically, real property located in Rancho Cucamonga in San Bernardino County.
2. Petitioner indicates that date of marriage occurred on 12/09/1958 but does not set forth when property was acquired, or how purchased [separate/community funds].
Need verified supplement.
3. Attachment 9 to petition [LF, pg. 6] does not list the petitioner's name or address.
Need same via verified supplement.
4. Notice given.
5. No proposed order.

RECOMMENDATION

Need to clear notes 2-3.

(ww)

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

DATE: 05/21/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800359

CASE NAME: CARLOS BELTRAN TELLO

HEARING:

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

COUNSEL:

JULIE E ZAVALA (PET)...ANTHONY E. D IBENEDETTO
CARLOS BELTRAN TELLO (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Julie Zavala, daughter

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

1. All heirs waive bond. The estate consists of \$352,000.00 of which \$2,000.00 is personal property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b).
2. Petitioner is nominated by only other heir, Cynthia Morales; however, signature is not dated and nomination is not required. [LF pg. 9] **JTD**
3. Attorney failed to date at signature line. [LF pg. 5] **JTD**
4. **Need** proof of publication
5. ~Proposed Form Order: 04/17/18

RECOMMENDATION

Need to clear note 4. Court's discretion re bond. If approved, set Accounting/Status Review **07/29/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

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

DATE: 05/21/18 TIME: 8:30 DEPT: S37P

CASE#: SPR SS05470

CASE NAME: ALEXIA MARQUEZ SETTLEMENT TRUST

HEARING:

Twelfth Current Account and Report of MELODIE Z SCOTT and
Petition for allowance of fees filed.

COUNSEL:

MELODIE Z SCOTT (PET)...HORSPPOOL & HORSPPOOL
ALEXIA MARQUEZ (MIN)...PRO/PER
ALEXIA MARQUEZ SETTLEMENT TRUST (TRU)...
PACIFIC WESTERN BANK (TP)...HEMAR, ROUSSO & HEALD, LLP

CCP170.6 filed as to CYNTHIA A LUDVIGSEN

GENERAL INFORMATION

Continued from 02/26/18. The Court orders that prior to any fees being taken by Melodie Scott, the Court must approve those fees. The Court orders verified supplement be filed regarding questions on Schedule C as follows: Insurance payment in the amount of \$1,986- whose insurance, insurance for what. Explanation of Roni Wilson's services in the amount of \$2,125.41, brokerage expense in the amount of \$1376.90, pool maintenance fees of \$782.69, bank balance requirement fee of \$15 a month, water bill payment of \$450 to Christie Scott, payment of \$8,915 to mother for health insurance, health insurance of \$157 a month. Receipt of details for Mobility Solutions of \$244.28 and \$937. The Court tentatively denies authorization of fees for home in Mexico. Counsel will submit declaration regarding Mexico home. The Court denies request for reimburse of Federal Express fees. The Court recommends applying for the level payment plan with SCE. Counsel reports fee to Lisa Canter is for the preparation of the accounting. (SEE REPORTER'S TRANSCRIPT FOR FURTHER DETAILS.) The Court appoints DONNASUE ORTIZ as guardian ad litem for Alexia Marquez to review accounting and meet with mother and Alexia Marquez.

THIS CASE IS SET FOR HEARING ON Twelfth Account Current and Report and Petition for Fees, by Trustee, Melodie Scott, PPF

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

1. Accounting period: 01/01/16 – 12/31/16

2. Assets on hand: \$2,046,684.58 (cash of \$109,305.62, real property with a carry value of \$453,680.39 and the balance held in securities/investments).
3. Petitioner requests fees of \$27,435.00, of which \$18,103.30 has been paid to petitioner, \$2,125.41 paid to Raumey Wilson (petitioner's hire), less balance from 11th Account current in the amount of \$1,846.70 leaving a balance of \$7,206.29. Fees based on a percentage tier of 1.25% for first \$1m, 1.05% for next \$1m and .95% for next \$1m based on the ending balance of the Trust estate. Petitioner compares her rate to the corporate trustees. However, corporate trustees base their compensation on the trust corpus monthly rather than annually, as the market rates of the investments flux. Petitioner has computed her fees on basis of fair market value of ending balance for the past accountings and believes in computing her fees in a consistent method from year to year.
4. Petitioner indicates the home in which beneficiary, her mother, and grandmother live in is owned by the trust and the trust pays for utilities and other expenses of upkeep to maintain it. As beneficiary's mother receives compensation for caregiver services, question whether mother should contribute to overhead? **JTD.**
5. Petitioner has paid to her attorney the sum of \$5,676.00 as reasonable fees pursuant to the provisions of Article IV, paragraph 8 of the Trust. Attorney's fees billed at \$295 - \$395/hour for 12.80 hours' attorney time. Itemized [LF, pgs. 36-38]. **JTD**
6. Petitioner alleges the bond posted in the amount of \$2,585,000 remains sufficient. Appears sufficient. **JTD.**
7. Petitioner requests the court revisit the previous order to withhold payroll taxes on the amount of \$7,500, amount beneficiary's mother (Ms. Ramirez) receives on a monthly basis for care and assistance provided to beneficiary. Petitioner alleges Ms. Ramirez is not an employee of the Trust, but would be considered an independent contractor. Ms. Ramirez spends well in excess of 500 hours per month in monitoring and/or providing care and assistance needed by her daughter. [see Declaration by Melodie filed 11/06/17] **JTD.**
8. Petitioner requests the Court rescind prior order with respect to collecting one-half of the utility payments from the beneficiary's mother. **JTD**
9. Petitioner indicates Ms. Ramirez takes beneficiary to a rehab clinic in Tijuana, Mexico four times per week. In order to avoid four round trips, Petitioner pays Ms. Ramirez the sum of \$4,000 per month to cover additional costs of therapy sessions, cost of renting a home in Tijuana, and for other living expenses while there. **Request was tentatively denied by Court on 02/26/18. JTD**
10. Disbursements – Schedule C reflects reimbursement to Alicia Ramirez in the amount of \$8,915.17. [LF, p. 26/27]. **Need** verified supplement clarifying reimbursements.
11. **Need** verified supplement per 02/26/18 minutes re: questions on Schedule C as follows: Insurance payment in the amount of \$1,986- whose insurance, insurance for what. Explanation of Roni Wilson's services in the amount of \$2,125.41, brokerage expense in the amount of \$1376.90, pool maintenance fees of \$782.69, bank balance requirement fee of \$15 a month, water bill payment of \$450 to Christie Scott, payment of \$8,915 to mother for health insurance, health insurance of \$157 a month. Receipt of details for Mobility Solutions of \$244.28 and \$937.

12. Notice given.

13. ~Proposed Order 11/06/17

RECOMMENDATION:

Need to clear note 10 & 11, then Court's discretion; and ratification of fees. If approved, set hearing on the next accounting review 60 days out as second accounting is overdue. Account to be filed 30 days' in advance of hearing.

(CS/WW)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1700389

CASE NAME: VINCENT QUINTERO REVOCABLE LIVING TRUST

HEARING:

Motion Re: leave of supplement petition to add cause of action
Filed by Petitioner ROSALVA CRUZ QUINTERO

COUNSEL:

ROSALVA CRUZ QUINTERO (PET)...CHANDLER LAW FIRM
THE VINCENT QUINTERO REVOCABLE TRUST (TRU)...
JOSE QUINTERO (OBJ)...GAUDY LAW, INC

Currently under review by Legal Research

LR

(ww)

Future Hearings:

6/20/18 Mediation Settlement Conference
8/16/18 Trial Setting Conference
8/16/18 Readiness Calendar

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIPS

DATE: 05/21/18 TIME: 9:30 DEPT: S37P

CASE#: CON DS1000019

CASE NAME: GREGORY WATTERS

HEARING:

Accounting Review by ***

COUNSEL:

INLAND COUNTIES REG CNTR (CE)...STEVEN K BECKETT
GREGORY WATTERS (CTE/CTP)...

Order on Declaration re: Waiver of Accounting by IRC approved on 04/19/18 and sent to department for signature. Next Accounting Review to be set on **05/09/19**.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600098

CASE NAME: MTR OF FORTMAN S YAN

HEARING:

Accounting Review by ***

COUNSEL:

ROBBIN YAN-SINGZON (CPE)...BRYAN C HARTNELL
FORTMAN S YAN (CEP)...WALTER T. MOORE

GENERAL INFORMATION

Continued from 09/05/17 and 03/05/18.

THIS CASE SET FOR HEARING ON Accounting Review.

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

1. Robbin Yan-Singzon, daughter, was appointed as temporary conservator of the person and estate on 05/17/16 then as Conservator of the person and estate on 06/28/16, bond \$47,000.
2. Partial No. 1 Inventory and Appraisal filed 11/13/17 and Partial No. 2 filed 04/24/18. **Need** final inventory and appraisal.
3. **Need** First accounting beginning with 05/17/16.

RECOMMENDATION

Inquire status.

(cs/ww)

Future Hearing: 7/23/18 Conservatorship Compliance Review Hearing

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

DATE: 05/21/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600229

CASE NAME: ERIC MURILLO

HEARING:

First Account and Report of DOLORES M FUENTES, JEANNETTE CABRERA
and Petition for allowance of fees filed.

COUNSEL:

DOLORES M FUENTES	(CE)...MELINDA S. BELL
ERIC MURILLO	(CEP)...EDWARD B FISCHER
JEANNETTE CABRERA	(CPE)...MELINDA S. BELL

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First Report of Co-Conservator's; Petition for Substituted Judgement to Create and Fund a Special Needs Trust by Jeanette Cabrera and Dolores Fuentes, sister & mother/co-conservators

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

1. Accounting period: 10/20/16-10/18/17
2. Assets on hand: \$12,655.28 in cash.
 - a. Attached copy of Social Security Administration Notice of Disapproved Claim lists assets of a 2004 Nissan Truck and a 1990 Toy Hauler as of 07/2017 that are not listed on the Final Inventory and Appraisal or in the report. [LF pg. 88] **Need** verified supplement.
3. Summary of Accounts [LF, pg. 5 and pg. 18], Charges amount of \$26,652.75 re: property on hand at beginning of account appears to is incorrect as it is indicated just above that \$25,652.75 was deposited into the conservatorship account and Statement re Cash assets supports the amount of \$25,652.75. **Need** corrected Summary of Accounts.
4. Final Inventory and Appraisal filed 07/21/17 indicates cash in the amount of \$12,655.75; however, bank statement provided does not include the date of appointment of Conservators of 10/20/16. **Need** bank statement to include the appointment date.
5. Current bond is \$36,000.00 Petitioner request for a bond reduction of \$11,000.00 for a total bond of \$15,000.00. Calculated. [LF pg. 64] Appears sufficient. **JTD**

6. Co-Conservators, Attorney Bell and Court Appointed Attorney Fischel requests that their request for fees be deferred to the Second account and report. **JTD**
7. Co-Conservators indicate that the Toyota Pickup and Corolla, both with salvaged titles, were distributed to the Conservatee's son without cost. [LF pg. 24] **JTD**
8. Co-Conservators indicate that copies of the Notice of Hearing and Petition will be sent to Dept. of Health Care Svcs; Dept. of State Hospitals, and Department of Developmental Svcs; however, no Notice of Hearing has been filed. **JTD**
9. Notice of Hearing and proof of service as to conservatee, court appointed counsel, and family within the 2nd degree filed 04/11/18.
10. Co-Conservators request that the Court grant the Petition for Summary Judgment to create and fund a special needs trust for the conservatee. Proposed special needs trust is attached as LF pgs.66-81. **Petition for Substituted Judgment will be completed by Legal Research. Currently under review by Legal Research.**
11. Notice given.
12. No proposed order.

RECOMMENDATION:

Need to clear notes 2-4 then Court's discretion. If approved, Court to set hearing on filing of Accounting Review on **02/25/19** then biennially after if Special Needs Trust is created.

(ww)

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

DATE: 05/21/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600279

CASE NAME: EPHRAIM HOLLAND

HEARING:

First and Final Account and Report of MARK B HOLLAND and
Petition for allowance of fees filed.

COUNSEL:

MARK B HOLLAND (CPE)...REIKO J HICKS
EPHRAIM HOLLAND (CEP)...PRO/PER

GENERAL INFORMATION:

At the Temporary hearing on 09/22/16, Mitchell Roth appointed as GAL.

Continued from 12/11/17 and 03/05/18.

THIS CASE IS SET FOR HEARING ON First and Final Report of Temporary
Conservator and Petition for settlement and Waiver of Account by Mark Holland,
son/Petitioner

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

1. Mark Holland, Petitioner was appointed temporary conservator on 10/17/16.
Petitioner was never appointed as general conservator as conservatee passed
away on 10/20/16. At the general hearing, the Court ordered Decedent's accounts
remain frozen pending further order of Court and an accounting/waiver of
accounting be filed.
2. Assets on Hand: \$1,898,867.90 in real property, personal property, cash and
securities; however, petitioner indicates that all property is held in the
conservatee's revocable trust titled "The Ephraim and Janina Holland 1996
Revocable Trust, dated July 20, 1996" per supplement filed 02/15/18. [LF pg. 3]
 - a. Does Court wish for a copy of the conservatee's trust to be filed?
**(Supp. 05/14/18 includes a copy of the conservatee's trust LF pgs.
9-41).**
3. Petitioner is the sole beneficiary of conservatee's revocable trust and waives
compensation and accounting.
4. Attorney is not seeking compensation as he was paid by petitioner's legal
plan per supplement filed 02/26/18. [Supp. LF pg. 4]
5. Petitioner alleges that general letters never issued, and an Inventory and Appraisal
was not completed. Petitioner provides accounting period: 10/11/16 to 10/20/16 (9

days).

- a. Petitioner indicates that due to the short time frame of the period of this report that no cash or property came into the petitioner's hands.
6. **Need** Notice of Hearing to GAL, Mitchell Roth.
7. Proposed Order: 02/26/18, however, discharge cannot occur until Ex Parte Petition for Final Discharge and Order is filed.

RECOMMENDATION:

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

(cs/ww)

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

DATE: 05/21/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700008

CASE NAME: ANDREW ABDI MLAMBA

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of DANIEL KAMBALE MLAMBA

COUNSEL:

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

GENERAL INFORMATION

Continued from 03/05/18. The Court suggests petitioner contact conservatee's counsel for assistance in filing correct documents.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Daniel Mlamba and Hadija Mlamba, parents, appointed limited co-conservators of the person only on 07/31/17.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed 04/23/18; however, **Need** notice to Munduwakala Mlamba, sibling.
3. Determination of Conservatee's Appropriate Level of Care form GC-355, Care Plan in accord with Pr.C.§2352.5 filed 04/23/18

RECOMMENDATION

Need to clear note 2.

(cs/ww)

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

DATE: 05/21/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700077

CASE NAME: MTR OF DAVID CASTILLO

SEE ALSO 21

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ELIAS CASTILLO

COUNSEL:

ELIAS CASTILLO (CP)...PRO/PER
DAVID CASTILLO (CTP)...CRAIG M PARKER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Elias Castillo, father, appointed conservator of the person only on 10/16/17, no bond.
 - a. Public Guardian appointed as temporary successor conservator of the person only, no bond on 02/22/18.
2. Notification of Conservatee's rights per Pr.C. §1830(c) filed 11/16/17; however, **need** Notice also sent to Maria Jesus (maternal grandmother) and Venza Castillo (sibling).
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan in accord with Pr.C. §2352.5 filed 11/16/17.

RECOMMENDATION

Need to clear note 2.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700077

CASE NAME: MTR OF DAVID CASTILLO

SEE ALSO 20

HEARING:

Hearing Re: Permanent Conservatorship/Update re IRC

COUNSEL:

ELIAS CASTILLO (CP)...PRO/PER
DAVID CASTILLO (CTP)...CRAIG M PARKER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Permanent Conservatorship/Update re IRC

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

1. Hearing set on 02/22/18 after review of the Court Investigator memo.
2. Public Guardian appointed as temporary conservator of the person and estate of David Castillo.
3. Public Guardian is to contact Inland Regional Center regarding accepting conservatee as a consumer.
4. **Need** general Petition for Appointment of Successor Conservator filed by the Public Guardian.

RECOMMENDATION

Inquire status.

(ww)

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

DATE: 05/21/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700219

CASE NAME: MTR OF RAMON IGNACIO MARQUEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of RAMON MARQUEZ-RODRIGUEZ

COUNSEL:

RAMON MARQUEZ-RODRIGUEZ (CP)...CANDICE GARCIA-RODRIGO
HILARIA MARQUEZ (CP)...PRO/PER
RAMON IGNACIO MARQUEZ (CTP)...CANDICE A GARCIA-RODRIGO

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Ramon Marquez-Rodriguez, Hilaria Marquez and Hilaria A. Marquez, father, paternal grandmother and sister, appointed limited co-conservators of the person only, no bond.
2. Notification of Conservatee's rights, Determination of Conservatee's Appropriate Level of Care form, Care Plan filed 11/07/17.

RECOMMENDATION

None.

(ww)

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

DATE: 05/21/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700299

CASE NAME: MTR OF JORGE HERRERA, JR

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of JORGE LUIS HERRERA

COUNSEL:

JORGE LUIS HERRERA	(CP)...GISSELLE M AMINI
EUSEBIA RAMOS	(CP)...GISSELLE M AMINI
SELENA HERRERA	(CP)...GISSELLE M AMINI
JORGE HERRERA JR	(CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Jorge Herrera Eusebia Ramos and Selena Herrera, parents and sister, appointed co-conservators of the person only on 10/16/17, no bond.
2. Notification of Conservatee's rights per Pr.C. §1830(c) filed 11/29/17.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan in accord with Pr.C.§2352.5 filed 01/03/18.

RECOMMENDATION

None.

(ww)

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

DATE: 05/21/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800019

CASE NAME: Jimmy Lee Hubbling

HEARING:
Petition for Appointment of Conservator

COUNSEL:

EMILY MARIE HUBBLING (CPE)...DUANE P BOOTH
JIMMY LEE HUBBLING (CEP)...KARIN HORSPOOL

GENERAL INFORMATION

Emily Hubbling appointed as temporary conservator of the person and estate on 03/05/18, no bond. **Continued from 03/05/18. Although dementia powers are not needed at this time, it is expected they will be needed in the future. Karin Horspool appointed as counsel. The Court notes the only thing needed is counsel's report prior to granted.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Emily Hubbling, petitioner/ spouse

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

1. Petitioner requests to waive bond as all property is owned as joint community property between petitioner and proposed conservatee. **JTD**
2. Petitioner seeks medical powers. Capacity Declaration filed 02/14/18.
3. Petitioner only requests medical powers; however, Capacity Declaration contains dementia powers attachment. Karin Horspool appointed as counsel. **Need** report.
4. **Need** Confidential Screening form.
5. Return of Citation with proof of service filed 02/14/18.
6. Certificate of Completion of the Conservatorship Training Class filed 03/01/18.
7. CI report filed 02/28/18.
8. ~Proposed Form Order: 01/31/18.

RECOMMENDATION

Need Report of Counsel and to clear note 4. If approved, set hearing for Compliance Review for **12/24/18** for the filing of the required documents and hearing re Accounting Review for **07/29/19**. Any accounting to be filed 30 days in advance.

(cs/ww)

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

DATE: 05/21/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800109

CASE NAME: Mtr of Maria Del Socorro Rios

HEARING:
Case Management Conference

COUNSEL:
LORENA ARGUELLES (CP)...PRO/PER
MARIA DEL SOCORRO RIOS (CTP)...
JOHN A NARDONE (SC)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Conservatorship Case Management Conference

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

1. Lorena Arguelles, daughter, was appointed as conservator of the person only on 03/27/03 by Superior Court of Los Angeles County.
2. Matter was transferred from Los Angeles County as the conservatee and conservator reside in Rancho Cucamonga, San Bernardino County.
3. Last CI report filed 05/26/17.
4. **Need** amended Letters to reflect this county.
5. **Need** to file Post-Move Notice of Change of Address per Pr.C. §2352 and CRC 7.1013(c) with proof of service.

RECOMMENDATION

Inquire status.

(ww)

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

DATE: 05/21/18 TIME: 1:30 DEPT: S37P

CASE#: PRO PS1600537

CASE NAME: MTR OF EUGENE L WILKINSON

SEE ALSO 27

HEARING:

Hearing Re: PETITION FOR INVALIDITY OF SPECIFIC DIRECTIVE ETC

COUNSEL:

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

Currently under review by legal research.

(LR)

Future Hearings:

5/23/18 Petition for Probate of Will

5/23/18 Petition for Lindsey Naylor to Establish Rights to Share of Decedent's Estate as an Omitted
Child, Etc

5/23/18 Court Trial

Superior Court of Calif, County of San Bernardino
Page: 27 add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 05/21/18 TIME: 1:30 DEPT: S37P

CASE#: PRO PS1600537

CASE NAME: MTR OF EUGENE L WILKINSON

SEE ALSO 26

HEARING:

Petition for Order To Compel Beneficiary For Turn Over Personal Property

COUNSEL:

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

GENERAL INFORMATION

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

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

Continued from **07/27/17 and 08/31/17**. Mediation settlement held.

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

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

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

Continued from 05/10/18. Matter is continued, trial dates set.

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

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

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

- a. 2000 Ford Dully Truck
- b. Glock G27 .40 Caliber handgun
- c. CHP Limited Edition Ruger .38 rifle
- d. Flat Screen TV
- e. Computer

Petitioner alleges that parties have met with counsel to confer and has attempted to recover the personal property. Respondent has reportedly unreasonably refused. Copies of letters attached. [Pet.02/27 LF pg. 9 et. seq].

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

RECOMMENDATION

Court’s discretion.

(lc/jm/lc/nb/lc/ww)

Future Hearings:

5/23/18 Petition for Probate of Will

5/23/18 Petition for Lindsey Naylor to Establish Rights to Share of Decedent’s Estate as an Omitted Child, Etc

5/23/18 Court Trial